



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, January 04, 2023

Notice is hereby given that the Planning and Zoning Commission of the City of Rollingwood, Texas will hold a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on January 04, 2023 at 6:00 PM. Members of the public and the Planning and Zoning Commission may participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer are physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. The public may watch this meeting live and have the opportunity to comment via audio devices at the link below. The public may also participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

Link: <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUjNjNmM5RnJreIRFUT09>

Toll-Free Numbers: (833) 548-0276 or (833) 548-0282

Meeting ID: 530 737 2193

Password: 9fryms

The public will be permitted to offer public comments via their audio devices when logged in to the meeting or telephonically by calling in as provided by the agenda and as permitted by the presiding officer during the meeting. If a member of the public is having difficulties accessing the public meeting, they can contact the city at dadair@rollingwoodtx.gov. Written questions or comments may be submitted up to two hours before the meeting. A video recording of the meeting will be made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER

1. Roll Call

PUBLIC COMMENTS

Citizens wishing to address the Planning and Zoning Commission for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the Planning and Zoning Commission is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Planning and Zoning Commission with regard to matters on the agenda will be received at the time the item is considered.

CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the Planning and Zoning Commission and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a Board Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

2. Discussion and possible action on the minutes from the December 7, 2022 Planning and Zoning Commission meeting

REGULAR AGENDA

3. Discussion on a proposed amendment to the City of Rollingwood Code of Ordinances Sections 107-3 and 107-76 related to building projections into required yards in the R – Residential zoning district and the definition of Yard
4. Discussion on a proposed amendment to the City of Rollingwood Code of Ordinances Section 107-3 related to the definition of Building Height, Residential

ADJOURNMENT OF MEETING

CERTIFICATION OF POSTING

I hereby certify that the above Notice of Meeting was posted on the bulletin board at the Rollingwood Municipal Building, in Rollingwood, Texas and to the City website at www.rollingwoodtx.gov at 5:00 p.m. on **December 30, 2022**.

Desiree Adair

Desiree Adair, City Secretary

NOTICE -

The City of Rollingwood is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact the City Secretary, at (512) 327-1838 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

The Planning and Zoning Commission will announce that it will go into executive session, if necessary, to deliberate any matter listed on this agenda for which an exception to open meetings requirements permits such closed deliberation, including but not limited to consultation with the city's attorney(s) pursuant to Texas Local Government Code section 551.071, as announced at the time of the closed session.

Consultation with legal counsel pursuant to section 551.071 of the Texas Local Government Code;
discussion of personnel matters pursuant to section 551.074 of the Texas Local Government Code;
real estate acquisition pursuant to section 551.072 of the Texas Local Government Code;
prospective gifts pursuant to section 551.073 of the Texas Local Government Code;
security personnel and device pursuant to section 551.076 of the Texas Local Government Code;
and/or economic development pursuant to section 551.087 of the Texas Local Government Code.
Action, if any, will be taken in open session.



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, December 07, 2022

The Planning and Zoning Commission of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on December 7, 2022. Members of the public and the Planning and Zoning Commission were able to participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER

1. Roll Call

Dave Bench called the meeting to order at 6:00 p.m.

Present members: Mike Rhodes, Mike Hall, Greg Demas, Dave Bench, and Tony Stein.

Also present: City Administrator Ashley Wayman, City Attorney Megan Santee, City Secretary Desiree Adair, Development Services Manager Nikki Dykes, Assistant to the City Administrator Makayla Rodriguez, Council Member Brook Brown, and Council Member Sara Hutson.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the Planning and Zoning Commission and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a Board Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

2. Discussion and possible action on the minutes from the October 12, 2022 Joint Planning and Zoning Commission and City Council meeting

3. Discussion and possible action on the minutes from the November 2, 2022 Planning and Zoning Commission meeting

Mike Rhodes moved to approve the Consent Agenda. Tony Stein seconded the motion. The motion carried with 5 in favor and 0 against.

REGULAR AGENDA

4. Public hearing, discussion and possible action on an amendment to the Code of Ordinances related to defining the minimum required depth and width of yards and related provisions in the Residential Zoning District

Dave Bench opened the Public Hearing at 6:05 p.m.

Dave Bench read an email from Eric Watts, 314 Pleasant Drive, into the record.

Amy Pattillo, 3 Rock Way Cove, spoke regarding what is proposed to be changed by City Council and the Planning and Zoning Commission. She read motions from the minutes of past meetings. Ms. Pattillo expressed her concern regarding the scope of what is being considered, urged consideration of definitions within amendments, and concern of making houses non-conforming with zoning changes.

Dave Bench closed the Public Hearing at 6:16 p.m.

The Planning and Zoning Commission discussed concerns with the creation of non-conformity, quick fixes to the Code, and careful consideration of the Code before a rewrite.

City Administrator Ashley Wayman discussed options for the Planning and Zoning Commission to pursue in this meeting.

Bryce Cox, city planner from Denton Navarro Rocha Bernal & Zech (DNRBZ), clarified the proposed changes to the required yards and building projections.

The Commission discussed sections 107-3 and 107-76 of the Code of Ordinances. Mr. Cox explained why both sections need to be addressed.

Tony Stein discussed the history of these concerns that led to this amendment and updates to these sections of the Code. The Commission discussed the specific and the broad rewritten versions of the proposed changes.

The Commission and Mr. Cox discussed the definition of overhang projections. They discussed considerations for different sides of houses.

The Planning and Zoning Commission discussed potential distances for front, back, and side projections into the setback limitations.

Council Member Sara Hutson asked questions of the City Attorney regarding nonconformity and discussed creating reasonable limits to enforce in the neighborhood.

Council Member Brook Brown summarized what the current Code allows in regards to non-conforming structures. She read section 107-422. - Nonconforming buildings, structures. from the Code of Ordinances.

Amy Pattillo discussed the stigma attached to nonconforming structures in the lending world.

Sandy Kellar, 307 Inwood Road, discussed how it should be incumbent upon the architect, designer, or builder to be compliant with the City's Code of Ordinances.

Sara Hutson, 2805 Rock Way, proposed the following language: "all parts of the building must be within the setbacks."

The Commission and City Administrator Ashley Wayman consulted City Attorney Megan Santee on making a recommendation for City Council.

Brook Brown, 307 Nixon, expressed her concern with the restriction of a width of projections.

Kendra Roloson, 304 Vale and 301 Wallis, asked that the revised language be circulated and have a public hearing regarding that language before a recommendation is sent to Council.

Emily Doran, 601 Ridgewood, would appreciate an open forum conversation with the community.

Wendi Hundley discussed the timing of this public hearing in December, the broad nature of the notice for the public hearing, and would like to see a public hearing on drafted language with more time for the community to discuss.

Development Services Manager Nikki Dykes discussed the current volume of permits and how it is difficult to tell if a house is a spec home.

The Commission and the City Attorney discussed the specificity of the language.

Amy Pattillo discussed the history of the progression of the motions related to zoning change and the scope of the noticing.

Council Member Brook Brown was asked her opinion of what has been discussed. She stated that she is comfortable with what is being sent to Council.

Council Member Sara Hutson was asked her opinion of what has been discussed. She stated her concern with the 33% on the side yards. She would be comfortable with the drafted 2 feet. She discussed the sense of space in the community.

Emily Doran, 601 Ridgewood, reiterated that this is a group discussion and would like to continue to bring in a broader group before making changes.

The Commission and City Administrator Ashley Wayman discussed the timing of noticing for public hearings.

The Planning and Zoning Commission discussed creating specific language for a recommendation for City Council and the process of sending a recommendation to Council.

Brook Brown asked if it was possible to reconvene this meeting before the City Council meeting occurs to consider the new language that is being drafted.

Mr. Cox and the Planning and Zoning Commission discussed the drafting of the language including eaves and roof extensions.

Amy Pattillo made recommendations for the language of projections and the process of agenda items and action.

Mr. Cox discussed specific language to be drafted with the Commission.

Dave Bench called for a 5 minute recess.

Dave Bench reopened the meeting at 9:07 p.m.

5. Public hearing, discussion and possible action on an amendment to the Code of Ordinances regarding residential building height and related provisions

The Planning and Zoning Commission and Mr. Cox discussed the definition of building height, original native ground surface, and highest adjoining ground surface.

The Planning and Zoning Commission discussed building height and how it is currently measured.

Dave Bench opened up the public hearing at 9:21 p.m.

Brook Brown, 307 Nixon, discussed the definitions and their location in the Code.

Sara Hutson, 2805 Rock Way, spoke regarding the possibility of building taller than 35 feet.

Wendi Hundley, 401 Vale, discussed the height issue with respect to her own house on a sloping lot, not wanting people to change the topography or slope on lots, making current homes nonconforming, and recommendations for foundation heights. She spoke regarding different visions of the future of Rollingwood.

Dave Bench closed the public hearing at 9:50 p.m.

Dave Bench discussed Texas HB 2439 and items in the Code.

Sara Hutson spoke regarding the Planning and Zoning process of providing a recommendation to Council based on what the community wants.

The Planning and Zoning Commission directed staff to make minor modifications regarding more specific language in this item for the January agenda and notice for the February meeting.

6. Discussion and possible action regarding a plan for commercial zoning code updates as identified in the City's Comprehensive Plan

Brook Brown, 307 Nixon, spoke regarding her time on the Comprehensive Plan Task Force, City Council's potential approval to hire DNRBZ to draft these changes to the commercial zoning code, and the time required to complete this work.

7. Discussion and possible action on the regular January meeting date

The Planning and Zoning Commission decided to hold the January meeting at the regular time and date of January 4, 2023.

ADJOURNMENT OF MEETING

The meeting was adjourned at 10:22 p.m. by Dave Bench.

Minutes Adopted on the _____ day of _____, 2022.

Amie Rodnick, Chair

ATTEST:

Desiree Adair, City Secretary

Proposed Code Amendment – Building Projections into Required Yards

Add the following red underlined text and remove ~~red strikethrough~~ text from the City of Rollingwood Code of Ordinances Sections 107-3 and 107-76:

Sec.107-3 – Definitions.

Yard means an unoccupied space on a lot which:

- (1) Is open and unobstructed from the ground upward to the sky except for fencing, walls, and those encroachments expressly allowed by this chapter ~~or permitted projections, such as cornices, eaves, porches or landscaping;~~
- (2) Extends between a main building and the lines of the lot upon which the main building is located; and
- (3) Has a depth between the front, side or rear lot lines and the main buildings as required for the district in which the lot is located.

Sec.107-76. – Minimum required depth and width of yards.

- (a) In order to determine compliance with the minimum yard depth and width requirements of this section, measurements shall be made from the closest point on the foundation line of a "qualified building," as the term is defined in this section, to either the lot line or street right-of-way line, whichever results in the shortest distance.
- (b) The front yard of each lot shall have a minimum depth of 30 feet. For purposes of this subsection, "qualified building" means either a main building, a garage, or a covered front porch or covered front terrace.
- (c) The side yard of each lot shall have a minimum width of:
 - 1) Ten feet, when the lot abuts another lot, except that the sum total of the two side yards of any lot shall not be less than 25 feet;
 - 2) Thirty feet, when the lot borders a street other than described in subsection (c)(3) of this section;
 - 3) Twenty feet, when two lots extend the length of one block and have abutting rear lot lines.

For purposes of this section, the term "qualified building" means a main building or accessory building.
- (d) The rear yard of each lot shall have a minimum depth of 20 feet. For purposes of this subsection, "qualified building" means an accessory building, or a main building or any projection thereof other than a projection of uncovered steps, ~~unenclosed balconies~~ or ~~unenclosed uncovered~~ porches.
- (e) Eaves and roof extensions may overhang into any required side yard a maximum depth of 33% of the required side yard. Eaves and roof extensions may overhang into any required front or rear yard a maximum of five (5) feet. All other ordinary projections of building features typically used in residential building construction, may overhang into any required yard a maximum of two (2) feet.
 - 1) Projections shall not contain habitable space, except for bay windows 10 feet wide or less.
- (f) Chimneys may encroach into a required yard a maximum of two (2) feet.

Residential Height Comparisons

Rollingwood's 35' maximum allowable building height is relatively high

Texas examples

- West Lake Hills R1 = 30'; R2 = 25'; R3 = 30'
- Austin R1 = 30' (generally)
- Lakeway R1 = 32'
- Rockwall, TX = 36' with pitched roof system requirement

Out of state, high topographical relief, high property value examples

- Stowe, VT = 28'
- Aspen, CO = 25' for flat to 3:12 pitch; pitches above 3:12 measured from 1 / 2 to 1/3 upslope from eave depending on pitch *

* Aspen enacted residential permit moratorium 12/21 – 8/22
<https://aspen.gov/1384/Residential-Building-Regulations-Update>

Height Measurement – Current *

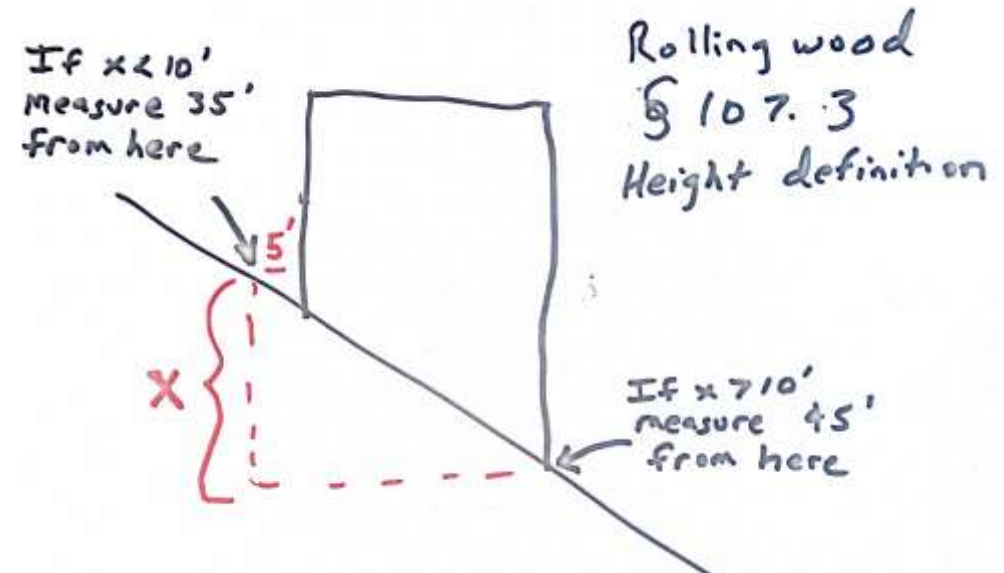
Building height, residential, means the vertical distance above a reference datum measured to the highest point of the building. The reference datum shall be selected by either of the following, whichever yields a greater height of the building:

(1)

The elevation of the highest adjoining original native ground surface within a five-foot horizontal distance of the exterior wall of the building when such original native ground surface is not more than ten feet above the lowest grade; or

(2)

An elevation of ten feet higher than the lowest grade when the original native ground surface described in subsection (1) of this section is more than ten feet above lowest grade.



* Drawing by permission of Kevin Glasheen

Height Measurement Method – West Lake Hills

[22.03.279 Height of structures.](#)

[\(a\)](#)

Prohibition.

No person shall build, construct or erect a structure at a height greater than that shown on the schedule of regulations contained in section [22.03.281](#) as being permitted in the zoning district in which the structure is located.

[\(b\)](#)

Measuring height.

No part of any principal structure shall rise more than the maximum height shown on the schedule of regulations contained in section [22.03.281](#), above natural ground grade or original grade directly below. If the average natural slope in the area directly below the foundation of the principal structure is 25% or greater, than no part of any principal structure shall rise more than 32' above natural ground grade directly below.

[22.03.281 Schedule of Regulations.](#)

Maximum Height (ft)	R1	R2	R3
	30	25	30

Height Measurement Method – Aspen CO

In measuring a building for the compliance with height restrictions, the measurement shall be the maximum distance measured vertically from the ground to the specified point of the building located above that point, as further described below:

- a. Measuring height along the perimeter of the building. At each location where the exterior perimeter of a building meets the ground, the measurement shall be taken from the lower of natural or finished grade. Building permit plans must depict both natural and finished grades.
- b. Measuring height within the footprint of the building. For the purposes of measuring height within the footprint of a building, areas of the building within fifteen (15) horizontal feet of the building's perimeter shall be measured using the perimeter measurement, as described above. In all other areas, the natural grade of the site shall be projected up to the allowable height and the height of the structure shall be measured using this projected topography.

Height Measurement – Simple *

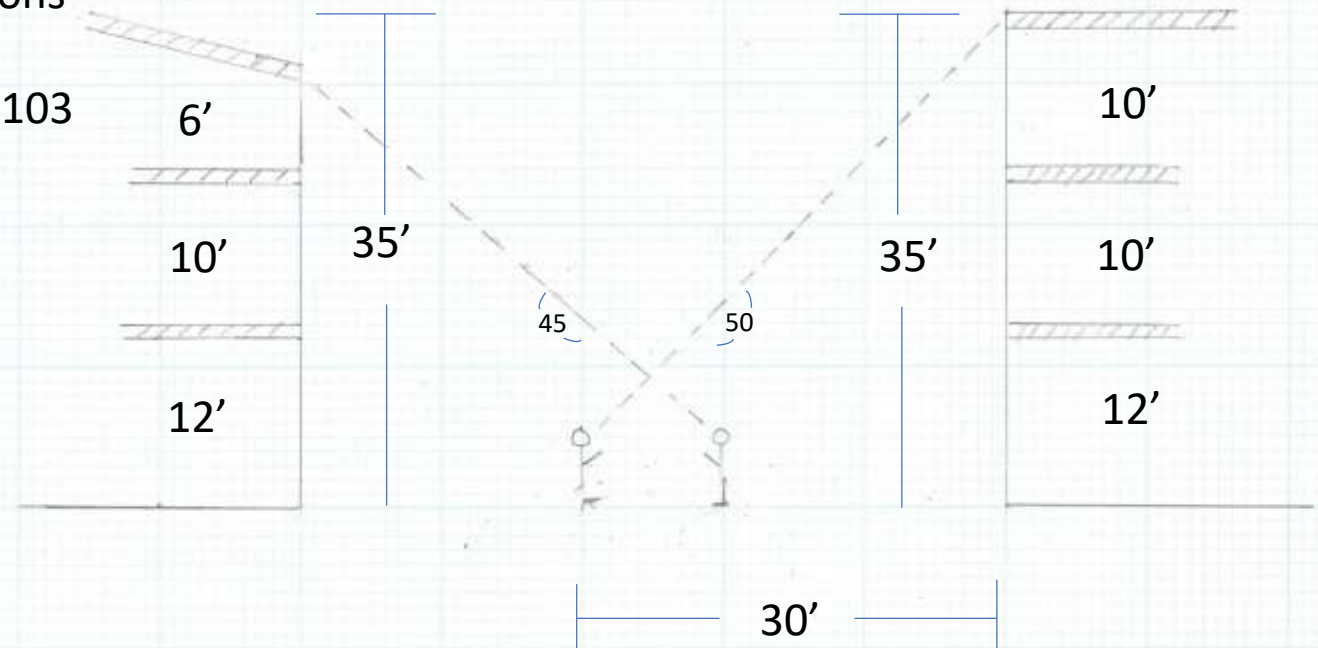
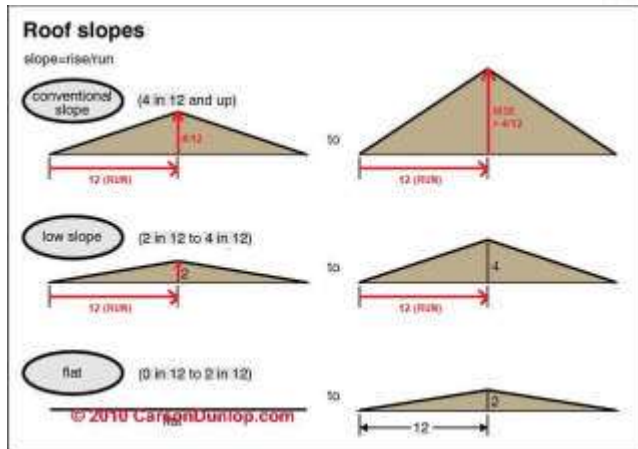
No roof point shall exceed the prescribed height above the existing or finished grade, whichever is lower.

All measurements shall be made vertically; i.e., each point of a roof shall be measured to the point of grade that is directly below it--vertical and plumb.

* Language borrowed from Pitkin County, CO

3:12 Pitch vs Flat Roof

- Flat roof is more imposing as viewed from the street
- Pitched roof in closer harmony with most neighbors' rooflines
- Pitched roof narrows large design options
- 3:12 considered "low slope"
- In line with RW Commercial code 107-103

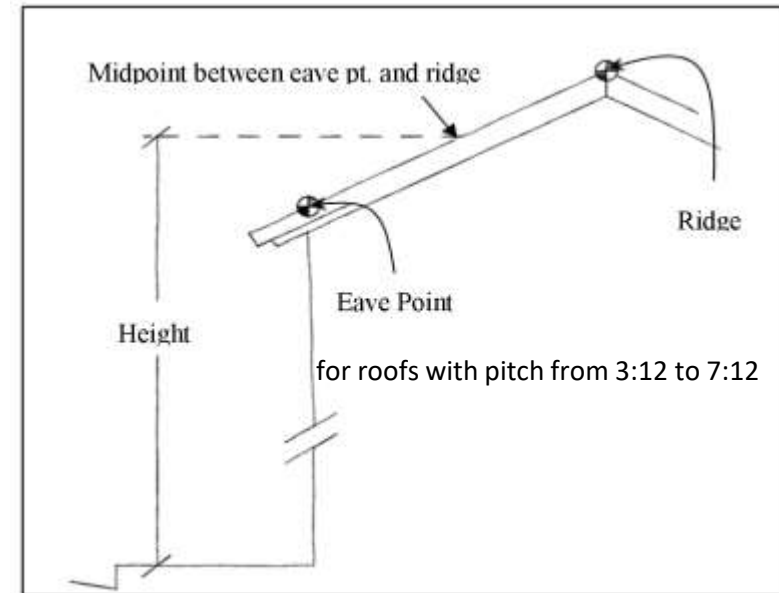
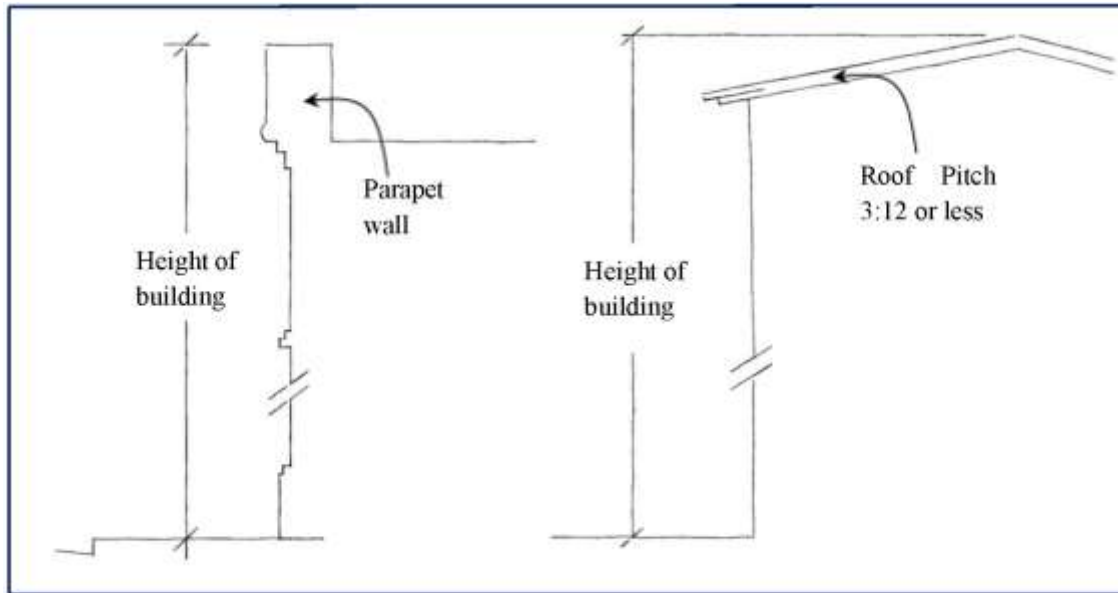


3:12 Roof pitch example (estimated)

- Main roof depth of 30 ft (conservative) drops street-view height by 3'9"
- Assumes current flat roof height at maximum permissible (35 ft)



Variable Pitch-based Height – Aspen CO



Proposed Code Amendment - Residential Building Height Measurement

Add the following red underlined text and remove ~~red strikethrough~~ text from the City of Rollingwood Code of Ordinances Section and 107-3:

Sec.107-3 Definitions

Building height, residential, means the vertical distance above a reference datum measured to the highest point of the building. The reference datum shall be selected by either of the following, whichever yields a greater height of the building:

1. The elevation of the highest adjoining original native ground surface ~~within a five-foot horizontal distance of to~~ the exterior wall of the building when such original native ground surface is not more than ten feet above the lowest adjoining original native ground surface grade; or
2. An elevation of ten feet higher than the lowest adjoining original native ground surface grade when the highest adjoining original native ground surface described in subsection (1) of this section is more than ten feet above lowest adjoining original native ground surface grade.
3. The original native ground surface shall be determined as the existing grade on the lot prior to development of the residential building as may be shown on approved building plans or survey of the property.

This definition shall apply to all residential buildings or structures within the City including residential buildings constructed in the R - Residential Zoning District (see Sec.107-71 for Maximum permissible height in R - Residential Zoning District)

Reference Exhibit- Residential Building Height Measurement

The definition of Building Height, Residential is listed in two locations in the City's Code of Ordinances, once in Section 101-2 Adoption of Codes related to building codes and a second in the zoning definitions in Section 107-3. Below is a proposed amendment to the Building Height, Residential section from Code of Ordinances Section 101-2.

Add the following red underlined text and remove ~~red strikethrough~~ text from the City of Rollingwood Code of Ordinances Section 101-2:

Sec.101-2.C.2

Building height, residential. The vertical distance above a reference datum measured to the highest point of the building. The reference datum shall be selected by either of the following, whichever yields a greater height of the building:

1. The elevation of the highest adjoining original native ground surface ~~within a five-foot horizontal distance of to~~ the exterior wall of the building when such original native ground surface is not more than ten feet above the lowest adjoining original native ground surface grade; or
2. An elevation of ten feet higher than the lowest adjoining original native ground surface grade when the highest adjoining original native ground surface described in subsection 1 of this definition is more than ten feet above lowest adjoining original native ground surface grade.
3. The original native ground surface shall be determined as the existing grade on the lot prior to development of the residential building as may be shown on approved building plans or survey of the property.