



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, September 03, 2025

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 September 03, 2025 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=QmNUbmZBQ1lwUINjNmK5RnJreIRFUT09>

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 mrodriguez@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 June 4, 2025 Planning and Zoning Commission meeting

PUBLIC HEARING

- [3.](#) Public hearing on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-85 of the Rollingwood Code of Ordinances related to Playhouses and Playscapes
- [4.](#) Public hearing, discussion and possible action on defining mechanical equipment and accessory structures

REGULAR AGENDA

- [5.](#) Discussion and possible action on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-85 of the Rollingwood Code of Ordinances related to Playhouses and Playscapes
- [6.](#) Discussion and possible action on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-84 of the Rollingwood Code of Ordinances related to mechanical equipment

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 prior to 5:00 p.m. on August 27, 2025.

Makayla Rodríguez

Makayla Rodriguez, 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 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 Government Code;
discussion of personnel matters pursuant to section 551.074 of the Texas Government Code;
real estate acquisition pursuant to section 551.072 of the Texas Government Code;

prospective gifts pursuant to section 551.073 of the Texas Government Code;
security personnel and device pursuant to section 551.076 of the Texas Government Code;
and/or economic development pursuant to section 551.087 of the Texas Government Code.
Action, if any, will be taken in open session.



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, June 04, 2025

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 June 4, 2025. 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

Chair Dave Bench called the meeting to order at 6:02 p.m.

Present Members: Chair Dave Bench, Jay van Bavel, Jerry Fleming, and Genie Nyer

Tony Stein joined the meeting at 6:07 p.m.

Also Present: City Administrator Alun Thomas, City Secretary Makayla Rodriguez, Development Services Manager Nikki Stautzenberger, City Planner Amanda Padilla, and Mayor Pro Tem Sara Hutson

PUBLIC COMMENTS

Chair Dave Bench welcomed Jay van Bavel as a new member to the Planning and Zoning Commission.

CONSENT AGENDA

2. Discussion and possible action on the minutes from the May 7, 2025 Planning and Zoning Commission meeting

Genie Nyer moved to approve the meeting minutes. Jerry Fleming seconded the motion. The motion carried with 4 in favor and 0 against.

REGULAR AGENDA

3. Discussion and possible action on a recommendation for fence construction materials

Tony Stein joined the meeting at 6:07 p.m.

The Planning and Zoning Commission discussed fence materials, existing fence materials within the city, and prohibited materials.

Mayor Pro Tem Sara Hutson and the Planning and Zoning Commission discussed shrubbery and landscape placement as related to fences, visibility, and safety.

The Planning and Zoning Commission discussed possible regulations for cinder block fences.

Chair Dave Bench moved that fences shall be constructed of wood, stone, rod iron, concrete, metal, wire, or masonry. Chain link, plastic, vinyl, corrugated metal, and synthetic fences are prohibited. All concrete or Concrete Masonry Unit (CMU) shall be stained and or stamped concrete or veneered with rock, brick, steel, tile, stucco, or other material or method that is harmonious with the landscaping and design of improvements. Jay van Bavel seconded the motion.

The Planning and Zoning Commission continued discussion on materials.

Dave Chair Bench amended his motion to add all concrete or Concrete Masonry Unit (CMU) shall be clad in stamped or stained concrete or veneered with rock, brick, steel, tile, stucco, or other materials. Jay van Bavel seconded the motion. The motion carried with 5 in favor and 0 against.

Chair Dave Bench moved to item 5.

4. Discussion and possible action on addressing setback orientation for lots with limited street frontage

Mayor Pro Tem Sara Hutson discussed the challenges associated with properties that have limited street frontage, noting the difficulty in determining appropriate setbacks and that there isn't a method in place to address this issue. The Planning and Zoning Commission and Mayor Pro Tem Sara Hutson discussed the issues related to other properties.

Jay van Bavel shared findings regarding flag lots and explained how the front yard is determined. The Planning and Zoning Commission and Mayor Pro Tem Sara Hutson continued discussion on the idea.

City Planner Amanda Padilla recommended against creating regulations specific to this issue and explained that such cases can be appropriately addressed through the variance process as they meet the established criteria.

The Planning and Zoning Commission and Mayor Pro Tem Sara Hutson continued discussion on other possible solutions to address limited street frontage, setbacks, special exceptions, and Board of Adjustment involvement.

Jay van Bavel moved to propose that the front lot line be defined as where the end of the driveway meets the main part of the lot that be considered the front yard for setback purposes. The opposite yard is the rear yard and the remaining two sides are the side

yards. The setbacks for flag lots are a minimum of 12ft on all sides. Chair Dave Bench seconded the motion.

The Planning and Zoning Commission discussed possible amendments to the motion.

Jay van Bavel amended his motion that there are several lots in Rollingwood that have no street frontage other than a driveway access. For those lots, the front required setback could be determined by where the end of the driveway meets the main part of the lot. Setbacks for these lots that have no street frontage other than the driveway will be set at a minimum of 15ft on all sides. Chair Dave Bench seconded the motion. The motion carried with 3 in favor and 2 against (Fleming and Nyer).

Chair Dave Bench moved to item 6.

5. Discussion and possible action on installation of a valley gutter at the intersection of Vale Street and Bettis Boulevard or other water diversion structures

Nicholas Tys, a resident at 305 Vale Street, expressed concerns about drainage issues on his property, noting that heavy rainstorms cause significant flooding. He requested that the City Council and the Planning and Zoning Commission evaluate potential solutions to address the problem.

Members of the Planning and Zoning Commission asked questions of Mr. Tys regarding their experience with flooding on the property.

Chair Dave Bench moved to endorse City Council's recommendation to do an engineering study for the intersection. Jerry Fleming seconded the motion.

The planning and Zoning Commission discussed additional considerations for the engineering study. Mayor Pro Tem Sara Hutson clarified her intent of her motion from the recent City Council meeting.

Tony Stein amended the motion for the engineer to address and incorporate impacts of a solution to other neighboring properties. Chair Dave Bench accepted the amendment. The motion carried with 5 in favor and 0 against.

Chair Dave Bench moved to item 4.

6. Discussion and possible action on definitions and regulations of playhouses and playscapes

Jerry Fleming explained his amendment to the definition of playscape. The Planning and Zoning Commission discussed the amended definition and definition criteria. They agreed to keep the existing definition.

Jerry Fleming discussed reducing the allowable square footage for playhouses.

Jerry Fleming moved to change that the total area of a playhouse may not exceed 100 square feet in a rear required yard. Genie Nyer seconded the motion. The motion carried with 4 in favor and 1 against (Stein).

7. Discussion and possible action on defining mechanical equipment and accessory structures

Chair Dave Bench explained that the Commission's recommendation to City Council needs specificity on how close mechanical equipment could be in a required yard.

Jerry Fleming shared his proposed amendments to the draft ordinance.

Jerry Fleming moved to amend Section 107-84 Mechanical Equipment and Required Yards be modified with the deletion of B and add mechanical equipment is permitted in the required side yard and in the required rear yard subject to the following conditions. Genie Nyer seconded the motion. The motion carried with 4 in favor and 1 abstention (Stein).

8. Discussion and possible action to clarify allowable times for construction activities, including defining activities impacted including construction, landscaping, utility work, and tree trimming

Mayor Pro Tem Sara Hutson explained that the code of ordinances does not have a definition for construction and would like to get clarification on what construction activities are allowed on the weekends.

The Planning and Zoning Commission discussed the city's code related to construction nuisances, Google Fiber's utility work, and limitations to landscaping work on weekends.

Genie Nyer moved that commercial landscaping crews will not be allowed to work on Saturdays and Sundays. Jerry Fleming seconded the motion. The motion carried with 5 in favor and 0 against.

ADJOURNMENT OF MEETING

The meeting was adjourned at 8:44 p.m.

Minutes adopted on the _____ day of _____, 2025.

Dave Bench, Chair

ATTEST:

Makayla Rodriguez, City Secretary

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 107, SECTION 107-3
AND ADDING SECTION 107-85 OF THE CITY OF
ROLLINGWOOD'S CODE OF ORDINANCES RELATED TO
PLAYHOUSES AND PLAYSAPES; PROVIDING FOR
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the Texas Local Government Code Chapter 211 provides authority to regulate the height, number of stories, and size of buildings and other structures such as playhouses and playscapes; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") finds that scale and placement of playhouses and playscapes can impact the character of residential neighborhoods by affecting the spacing between structures, visibility from adjacent properties, and overall aesthetic harmony; and

WHEREAS, the City Council finds and determines that playhouses and playscapes, particularly those of significant height or located near property lines, can impact the privacy and quiet enjoyment of adjacent properties by creating sightlines into private spaces and generating noise; and

WHEREAS, the City Council finds and determines that unregulated placement or oversized playhouses and playscapes may create safety concerns, obstruct views, or lead to neighborhood disputes regarding setbacks, visual impact, and compatibility with surrounding structures; and

WHEREAS, the City Council finds and declares that establishing reasonable regulations for the size and location of playhouses and playscapes is essential to maintaining the character of residential areas, minimizing conflicts between neighbors, and ensuring that such structures are safely and appropriately integrated within properties.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Code Amendment. The following sections of the Rollingwood Code of Ordinances are hereby amended as follows with ~~striketroughs~~ being deletions from the Code and underlines being additions to the Code:

Section 107-3 and 107-85 is amended as follows:

Sec. 107-3. – Definitions.

Playhouse means a freestanding structure with a roof supported by walls and is designed as a toy for children's activities.

Playscape means a freestanding structure that is mostly unenclosed, has no solid floor at grade level or within 48 inches of grade, and is designed for children's activities. A playscape typically consists of a swing, slide, and climbing walls or ladder.

Sec. 107- 85 Playhouses and Playscapes.

(a) Playhouses and playscapes are exempt from regulations for accessory buildings or structures, if they comply with the regulations outlined in this subsection.

(b) Playscapes may be in a required side or rear yard.

(c) Playhouses less than six (6) feet in height may be in a required side or rear yard

(d) Playhouses exceeding six (6) feet in height may be in a required side or rear yard if all of the following conditions are met:

(1) The maximum height, measured to the topmost part of the playhouse, does not exceed twelve (12) feet above natural grade;

(2) The total area of the playhouse shall not exceed one hundred (100) square feet in a required rear yard and fifty (50) square feet in a required side yard; and

(3) The playhouse must be set back at least six (6) feet from any property line.

SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the City of Rollingwood ordinances which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the _____ day of _____, 2025

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Gavin Massingill, Mayor

80 ATTEST:

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83 Makayla Rodriguez, City Secretary

Makayla Rodriguez

From: Pam Rabon [REDACTED]
Sent: Thursday, August 21, 2025 12:08 PM
To: Makayla Rodriguez
Subject: Play houses, play scapes, storage building and decks

Hi! Makayla, in response to the recent letter I received on the topic of play houses and play scapes:

In my opinion, all structures including play houses, playscapes, storage buildings and decks should not be placed in building set back areas or across public utility easements.

It really is not fair to the adjoining neighbors to have these structures built so close to the fence line. Building line set backs are there for a reason. With all the new construction, Rollingwood residents have already been expected to accept major privacy loss. I think it would be tragic to allow any of these structures in the little slice of buffer will still have.

Does this email get distributed to the proper people or do I need to send individually?

Thanks!

Pam Rabon
cell [REDACTED]

Makayla Rodriguez

From: Pari Schacht [REDACTED]
Sent: Wednesday, August 20, 2025 2:39 PM
To: Makayla Rodriguez
Subject: Playhouses and plascales

Hi Makayla,

I saw there is some conversation about playhouses and playscapes and wanted to comment that I think these should not be regulated by our city and should be left to individual home owners to determine.

I cannot make the meeting, but hoping my email helps add to the voices who are advocating for the city to not interfere.

Thank you!

Pari Schacht
[REDACTED]

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 107, SECTION 107-3
DEFINITIONS AND ADDING SECTION 107-84 OF THE CITY OF
ROLLINGWOOD'S CODE OF ORDINANCES RELATED TO
MECHANICAL EQUIPMENT IN REQUIRED YARDS;
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the Texas Local Government Code Chapter 211 provides authority to regulate the height, number of stories, and size of buildings and other structures, including mechanical equipment; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") finds that the placement of mechanical equipment in residential neighborhoods, particularly in required yards, can negatively impact the character of the area by obscuring open yards, generating noise, and compromising aesthetic harmony, which may affect the quiet enjoyment of adjacent properties; and

WHEREAS, the City Council finds that establishing reasonable regulations for the location, and screening of mechanical equipment is essential to maintaining the character of residential areas, minimizing conflicts between neighbors, and ensuring that such equipment is safely and appropriately integrated within properties.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Code Amendment. The following sections of the Rollingwood Code of Ordinances are hereby amended as follows with ~~strikethroughs~~ being deletions from the Code and underlines being additions to the Code:

Section 107-3 and 107-84 is amended as follows:

Sec. 107-3. – Definitions.

Mechanical equipment means heating and air conditioning units, pool equipment, and household generators.

Sec. 107- 84 Mechanical equipment in required yards.

(a) Mechanical equipment is prohibited in the required front yard.

(b) Mechanical equipment is permitted in the required side yard and in the required rear yard, subject to the following conditions:

(1) A minimum setback of ten (10) feet from the property line is required.

(2) The equipment shall be screened from public view using either vegetative or structured screening.

SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the City of Rollingwood ordinances which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the _____ day of _____, 2025

Gavin Massingill, Mayor

ATTEST:

Makayla Rodriguez, City Secretary

Makayla Rodriguez

From: Jeff Marx [REDACTED]
Sent: Saturday, August 16, 2025 4:22 PM
To: Alun Thomas; Makayla Rodriguez; Lindsay Saenz
Subject: Fwd: Pool equipment in setbacks
Attachments: IMG_0191.heic

Please pass this along to City Council and P&Z.

Hi City Council and P&Z -

I've been out of the conversation since resigning from the CRCRC, so excuse me if this is a bit naive. I received a public notice regarding a hearing for "definition and placement of mechanical equipment (generators, pool equipment, HVAC)".

I'm confused by this topic, because as a CRCRC member, we spent countless hours surveying the residents and summarizing the concerns. I didn't recall these items being a high priority, so I went back and reviewed the survey results to test my memory. I did find 243 references to setbacks, but those references largely discussed the size of setbacks. There are another 43 references to pools. Most of the discussion of pools relates to pool fencing. There's a few responses that discuss whether pools and pool decking should be allowed in the setbacks. See examples below:

It's fine. I WOULD allow some auxiliary building within the setback (pool mechanics, an uncovered patio, etc) so long as it wasnt higher than fence height (or something...ie, dont make it habitable or affect a neighbor)

Setbacks are generally fine. The problem is allowing people to clear-cut all the trees in the setbacks. Also - pools should be allowed in the setback. Doing so would give people more flexibility in design to avoid more tree cutting.

I do not think pool decking should extend into the setback. It is a structure just as a pool is and should not be excluded from setback requirements.

Not letting pools exist in set backs. As I said before none of these lots are the same and these older houses were built at different times. We could not put a pool in our back yard because the set back were so large.

I could not find a single example discussing pool equipment in the setback. Among all the topics that are of interest to the public, I'm very confused why this is being selected as an item for a public hearing.


I found 2 references to HVACs, and one response is relevant:

Setbacks should be enforced to no cantilevered rooms overhanging into the setback zones. The only exception to anything permanent being allowed in the setback zone would be for HVAC condensers that should be allowed to be placed in the setback zones but as long as they are no further than 3 ft away from the houses exterior walls.

In summary, I don't believe this topic has broad support from the residents.

For my build from 2021, we initially planned to not have a pool, and later decided to add one. We built the home up to the setback line and were able to use the setback for pool equipment. The side setback is heavily shaded to the point where no grass or plants can grow. It serves as the perfect location for pool equipment. I can't imagine the frustration if we were told we had to place the pool equipment in our backyard somewhere. I expect that our neighbors would happily agree. I've attached a pic for reference.

Thank you,
Jeff Marx



Makayla Rodriguez

From: Elizabeth Bray [REDACTED]
Sent: Monday, September 1, 2025 4:35 PM
To: Makayla Rodriguez
Subject: Comments for 9/3/25 and 9/17/25 Public Meetings

Follow Up Flag: Flag for follow up
Flag Status: Completed

To whom it may concern-

Thank you kindly to all those whom have stepped up to serve on the Planning and Zoning Commission and the City Council. The enclosed comments should please be shared for both the September 3, 2025 meeting and the September 17, 2025.

These comments are made related to the issue being debated for the ability to have HVAC, pool equipment and generator equipment in side yards.

I do not think it is possible to have a general rule for this issue. Rollingwood has several lots where there is virtually no "backyard" capacity due their unusual layouts and the front and back set back stipulations already within our city building codes.

Many of these smaller and irregular sized lots are also taxed disproportionately higher per square foot than larger and more uniform lots despite the inability for an opportunity enjoyed by the majority of residents to build a larger house on their property for more proportional taxation. Should the inability to place these utilities in side yards be a mandate for all, these properties would be further disadvantaged.

With this in mind, I would rather see a recommendation for where these utilities should be placed and building plans subject to approval accordingly. This allows the city the same opportunity for control but also flexibility for properties that require the ability for side yard placement without pejorative ramifications either for new builds or replacements as needed.

Detailed stipulations to consider for the placement of utility equipment.

- This should only be considered as a rule for regular sized square lots that a minimum of 13,000 to 16,999 sq/ft (base lot size as defined as the average tax based size by TCAD)
- Smaller and odd sized lots should qualify for an exemption based on a case by case review for new construction/installations.

Placement of equipment linked to gas lines may require special consideration due to the safety hazards involved with extending a gas lines unnecessarily.

- Existing lots, regardless of size or shape, should be grandfathered and exempt from this rule, including replacements as needed, if HVAC/Generators/Playscapes have already been in installed prior to the ordinance.

Thank you and kind regards-

Elizabeth Bray

AGENDA ITEM SUMMARY SHEET

City of Rollingwood

Meeting Date: September 3, 2025

Planning and Zoning Commission

Submitted By:

Staff

Agenda Item:

Public hearing, discussion, and possible action on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-85 of the Rollingwood Code of Ordinances related to Playhouses and Playscapes

Description:

At the May 7, 2025, Planning and Zoning Commission meeting, the Commission voted 5-0 recommending approval of the proposed ordinance creating definitions for Playhouse and Playscape(Sec. 107-3), along with corresponding placement guidelines for each (New Section 107- 85).

At the May 21, 2025 City Council meeting Council Member Brook Brown moved to send the two draft ordinances back to the Planning and Zoning Commission for consideration of the Council's comments regarding the definition of playscape and look at the area of a playhouse. Council Member Kevin Glasheen seconded the motion. The motion carried with 5 in favor and 0 against.

At the June 4, 2025, Planning and Zoning Commission Meeting, the Commission discussed the request of the City Council in which Commissioner Jerry Flemming suggested edits to the definition of playscape, adding 'at grade level nor within 48" of grade'.

Commissioner Flemming also made edits to the area of a playhouse, suggesting that the total area of a playhouse shall not exceed 100 square feet in a required rear yard rather than the 120 square feet as the City Council draft ordinance showed.

Commissioner Jerry Flemming moved to approve the edits that he made, and Commissioner Genie Nyer seconded the motion. The motion carried with 4 in favor and 1 against (Tony Stein).

Action Requested:

Hold a public hearing, discuss, and make a recommendation to the City Council regarding ordinance amending Chapter 107, Section 107-3 and adding Section 107-85 of the Rollingwood Code of Ordinances related to Playhouses and Playscapes.

Fiscal Impacts:

No significant fiscal impacts anticipated at this time.

Attachments:

- Draft ordinance amending the zoning ordinance amending Chapter 107, Section 107-3 and adding Section 107-85 related to Playhouses and Playscapes

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 107, SECTION 107-3
AND ADDING SECTION 107-85 OF THE CITY OF
ROLLINGWOOD'S CODE OF ORDINANCES RELATED TO
PLAYHOUSES AND PLAYSAPES; PROVIDING FOR
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the Texas Local Government Code Chapter 211 provides authority to regulate the height, number of stories, and size of buildings and other structures such as playhouses and playscapes; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") finds that scale and placement of playhouses and playscapes can impact the character of residential neighborhoods by affecting the spacing between structures, visibility from adjacent properties, and overall aesthetic harmony; and

WHEREAS, the City Council finds and determines that playhouses and playscapes, particularly those of significant height or located near property lines, can impact the privacy and quiet enjoyment of adjacent properties by creating sightlines into private spaces and generating noise; and

WHEREAS, the City Council finds and determines that unregulated placement or oversized playhouses and playscapes may create safety concerns, obstruct views, or lead to neighborhood disputes regarding setbacks, visual impact, and compatibility with surrounding structures; and

WHEREAS, the City Council finds and declares that establishing reasonable regulations for the size and location of playhouses and playscapes is essential to maintaining the character of residential areas, minimizing conflicts between neighbors, and ensuring that such structures are safely and appropriately integrated within properties.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Code Amendment. The following sections of the Rollingwood Code of Ordinances are hereby amended as follows with ~~striketroughs~~ being deletions from the Code and underlines being additions to the Code:

Section 107-3 and 107-85 is amended as follows:

Sec. 107-3. – Definitions.

Playhouse means a freestanding structure with a roof supported by walls and is designed as a toy for children's activities.

Playscape means a freestanding structure that is mostly unenclosed, has no solid floor at grade level or within 48 inches of grade, and is designed for children's activities. A playscape typically consists of a swing, slide, and climbing walls or ladder.

Sec. 107- 85 Playhouses and Playscapes.

(a) Playhouses and playscapes are exempt from regulations for accessory buildings or structures, if they comply with the regulations outlined in this subsection.

(b) Playscapes may be in a required side or rear yard.

(c) Playhouses less than six (6) feet in height may be in a required side or rear yard

(d) Playhouses exceeding six (6) feet in height may be in a required side or rear yard if all of the following conditions are met:

(1) The maximum height, measured to the topmost part of the playhouse, does not exceed twelve (12) feet above natural grade;

(2) The total area of the playhouse shall not exceed one hundred (100) square feet in a required rear yard and fifty (50) square feet in a required side yard; and

(3) The playhouse must be set back at least six (6) feet from any property line.

SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the City of Rollingwood ordinances which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the _____ day of _____, 2025

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Gavin Massingill, Mayor

80 ATTEST:

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83 Makayla Rodriguez, City Secretary

AGENDA ITEM SUMMARY SHEET

City of Rollingwood

Meeting Date: September 3, 2025

Planning and Zoning Commission

Submitted By:

Staff

Agenda Item:

Public hearing, discussion, and possible action on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-84 of the Rollingwood Code of Ordinances related to mechanical equipment

Description:

At the May 7, 2025, Planning and Zoning Commission meeting, the Commission voted 5-0 recommending approval of the proposed ordinance creating a definition for mechanical equipment (Sec. 107-3), along with corresponding placement guidelines for each (New Section 107- 84).

At the May 21, 2025, City Council meeting, Council Member Brook Brown moved to send the draft ordinance back to the Planning and Zoning Commission for consideration of the Council's comments regarding the location of mechanical equipment. Council Member Kevin Glasheen seconded the motion. The motion carried with 5 in favor and 0 against.

At the June 4, 2025, Planning and Zoning Commission Meeting, the Commission discussed the City Council's request regarding ordinance revisions. Commissioner Jerry Flemming proposed edits to the section on mechanical equipment, removing the phrase "(b) mechanical equipment is permitted in the required back yard" and adding "and the required rear yard." As a result, subsection (c) was renumbered to (b) to read: "(b) Mechanical equipment is permitted in the required side yard and rear yard subject to the following conditions:"

Commissioner Jerry Flemming made a motion to approve the edits that he made, and Commissioner Genie Nyer seconded the motion. The motion carried with 4 in favor and 1 abstention (Tony Stein).

Action Requested:

Hold a public hearing, discuss, and make a recommendation to the City Council on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-84 of the Rollingwood Code of Ordinances related to mechanical equipment

Fiscal Impacts:

No significant fiscal impacts anticipated at this time.

Attachments:

- Draft ordinance amending the zoning ordinance, amending Chapter 107, Section 107-3, and adding Section 107-84 related to mechanical equipment

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 107, SECTION 107-3
DEFINITIONS AND ADDING SECTION 107-84 OF THE CITY OF
ROLLINGWOOD'S CODE OF ORDINANCES RELATED TO
MECHANICAL EQUIPMENT IN REQUIRED YARDS;
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the Texas Local Government Code Chapter 211 provides authority to regulate the height, number of stories, and size of buildings and other structures, including mechanical equipment; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") finds that the placement of mechanical equipment in residential neighborhoods, particularly in required yards, can negatively impact the character of the area by obscuring open yards, generating noise, and compromising aesthetic harmony, which may affect the quiet enjoyment of adjacent properties; and

WHEREAS, the City Council finds that establishing reasonable regulations for the location, and screening of mechanical equipment is essential to maintaining the character of residential areas, minimizing conflicts between neighbors, and ensuring that such equipment is safely and appropriately integrated within properties.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Code Amendment. The following sections of the Rollingwood Code of Ordinances are hereby amended as follows with ~~strikethroughs~~ being deletions from the Code and underlines being additions to the Code:

Section 107-3 and 107-84 is amended as follows:

Sec. 107-3. – Definitions.

Mechanical equipment means heating and air conditioning units, pool equipment, and household generators.

Sec. 107- 84 Mechanical equipment in required yards.

(a) Mechanical equipment is prohibited in the required front yard.

(b) Mechanical equipment is permitted in the required side yard and in the required rear yard, subject to the following conditions:

(1) A minimum setback of ten (10) feet from the property line is required.

(2) The equipment shall be screened from public view using either vegetative or structured screening.

SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the City of Rollingwood ordinances which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the _____ day of _____, 2025

Gavin Massingill, Mayor

ATTEST:

Makayla Rodriguez, City Secretary