



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, November 06, 2024

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 November 06, 2024 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 October 2, 2024 Planning and Zoning Commission meeting

REGULAR AGENDA

- 3. Discussion and possible action on proposed amendments to the city's Code of Ordinances regarding residential building height and side yard projections in the Residential Zoning District
- 4. Discussion and possible action on facility placement in setback areas
- 5. Discussion and possible action regarding the regulation of accessory buildings and structures

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 on Friday, November 1, 2024 at 5:00 p.m.

Makayla Rodriguez

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 Board of Adjustment 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, October 02, 2024

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 October 2, 2024. 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 6:04 p.m.

Present Members: Chair Dave Bench, Jerry Fleming, Michael Hall, and Genie Nyer

Also Present: City Administrator Ashley Wayman, Interim City Secretary Makayla Rodriguez, Development Services Manager Nikki Stautzenberger, City Attorney Charles Zech, and Council Member Brook Brown

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2. Discussion and possible action on the minutes from the August 7, 2024 Planning and Zoning Commission meeting
3. Discussion and possible actions on the minutes from the September 4, 2024 Joint City Council, Planning and Zoning Commission, and CRCRC 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

4. Discussion and possible action on an amendment to the Code of Ordinances regarding residential lighting and related provisions

Michael Rhodes joined the meeting at 6:05 p.m.

Chair Dave Bench discussed documents in the packet. The Planning and Zoning Commission discussed lighting and the recommended changes to the ordinance.

Tony Stein joined the meeting at 6:14 p.m.

The Planning and Zoning Commission discussed the draft ordinance language and possible amendments.

Alex Robinette expressed her thoughts on the proposed language for lighting.

The Planning and Zoning Commission discussed dark sky, the draft ordinance language, lighting, and asked questions regarding the proposed amendments.

City Administrator Ashley Wayman clarified that the draft ordinance language will need to go through the public hearing process if passed.

The Planning and Zoning Commission and City Administrator Ashley Wayman discussed the recommendations and enforcement. The Planning and Zoning members also discussed the building height survey responses and the building permit process.

Alex Robinette discussed the survey data related to dark sky.

Planning and Zoning members asked questions regarding dark sky.

Genie Nyer moved to approve the amendment with the suggestion that City Council consider provisions for string lights and consider some Planning and Zoning Commissions members objections on uplighting on trees. Jerry Fleming seconded the motion.

Michael Rhodes amended the motion to have City Council consider not requiring replacement fixtures if one fixture does not match the rest, verify 3,000 kelvins, have timers in lieu of photocells, clean up the language for setback lighting, and consider a more reasonable fine. Genier Nyer accepted the amended motion.

Tony Stein amended the motion to add review of friendlier regulations for side lighting. Genier Nyer accepted the amended motion.

Alex Robinette discussed best practices for lighting.

The amended motion carried with 6 in favor and 0 against.

5. Discussion and possible action on an amendment to the Code of Ordinances regarding connecting driveways

Chair Dave Bench gave a brief recap of the discussion on the item and explained that the item is back with special exceptions. City Administrator Ashley Wayman clarified that the amendment would need to be reviewed by legal if approved.

Tony Stein moved to send the item forward to see if Council would like to consider and have legal flush it out. Jerry Flemming seconded the motion. The motion carried with 6 in favor and 0 against.

6. Discussion and possible action on an amendment to the Code of Ordinances regarding residential fence height and related provisions

Chair Dave Bench presented the proposed recommendations. The Planning and Zoning Commission discussed and asked questions regarding current fence ordinance, City of Austin's regulations, and materials.

Brian Nash joined the meeting at 7:03 p.m.

City Attorney Charles Zech of DRNRSZ provided clarity regarding enforcement of materials.

The Planning and Zoning Commission discussed fence materials, height, and provisions to the recommendations.

Tony Stein moved to send the item forward to City Council with a conceptual amendment to allow for stair stepping a fence in the context of sloping along the fence line, something possibly in concept with what the City of Austin does whereby the average height of the fence does not exceed 6ft with some allowance for up to 7ft in certain spots with same concept applying to the 8ft limitation on a sloped fence line. Michael Rhodes seconded the motion.

City Administrator Ashley Wayman asked for clarification regarding the motion.

Tony Stein withdrew his motion.

Tony Stein moved to approve sending the item forward to City Council and then hopefully legal will review objectivity around special exceptions that are ultimately generated. Michael Rhodes seconded the motion. The motion carried with 5 in favor and 2 against (Nash and Nyer).

7. Discussion and possible action on an ordinance designating that the front yard of a lot shall be the yard which abuts the addressed street

City Administrator Ashley Wayman stated that the item was requested by City Council for review before going through the public hearing process.

The Planning and Zoning Commission and City Administrator Ashley Wayman discussed proposed ordinance, address changes, and service delivery issues.

Council Member Brook Brown, 307 Nixon Drive, stated that there have been issues with first responders finding front door entrances. She continued to discuss safety issues, examples, and front doors.

Members of the Planning and Zoning Commission discussed their opinions regarding the ordinance.

Genie Nyer moved to approve the draft ordinance and send it to City Council for final approval. Michael Hall seconded the motion.

City Administrator Ashley Wayman stated that the ordinance will go through the public hearing process because it has already been reviewed by City Council.

Brian Nash shared his concerns regarding the motion.

The motion carried with 6 in favor and 1 against (Nash).

8. Discussion and possible action regarding late CRCRC additions, if any, to its Residential Building Heights proposal

Chair Dave Bench discussed the documents in the agenda packet. Members of the Planning and Zoning Commission expressed their opinions regarding the proposed ordinance as well as made clarifications to the proposed language. They continued to discuss foundation and screening.

Members of the Planning and Zoning Commission shared their perspective on the tenting concept. Alex Robinette discussed the building height methods, sloped lots, and special exceptions with the Planning and Zoning Commission.

The Planning and Zoning Commission discussed their concerns and opinions regarding building height solutions and the recommendation process.

Chair Dave Bench moved to pass the item forward as written. Jerry Fleming seconded the motion.

Brian Nash shared his concerns with the motion.

Alex Robinette explained how the parallel plane method is measured.

The Planning and Zoning Commission discussed and asked questions regarding the parallel plane method and the tenting method.

The motion failed with 3 in favor and 4 against (Hall, Nash, Rhodes, and Stein).

Michael Rhodes moved to table item 8. Michael Hall seconded the motion.

Tony Stein explained his opposition to the previous motion.

Chair Dave Bench clarified that changes made would be made through the Planning and Zoning Commission and not the CRCRC.

The motion carried with 4 in favor and 3 against (Bench, Fleming, and Nyer).

9. Discussion and possible action on next steps for proposed amendments to the city's Code of Ordinances regarding residential landscape and tree canopy management, residential building height, and side yard projections in the Residential Zoning District

Chair Dave Bench explained documents in the agenda packet and stated that no changes have been made since the joint City Council, Planning and Zoning Commission, and CRCRC meeting.

Brian Nash discussed his reservations about the residential landscape and tree canopy management recommendations.

The Planning and Zoning Commission asked questions of Jay van Bavel regarding the proposed recommendations. Mr. van Bavel discussed fees, replacements of trees, protected trees, the critical root zone, and discussed the survey results.

Council Member Brook Brown explained that the recommended changes would protect trees from being clear-cut on lots. Members of Planning and Zoning asked questions of Council Member Brook Brown regarding the current ordinance.

The Planning and Zoning Commission discussed trees, the Board of Adjustment, critical root zones, and arborist involvement.

Chair Dave Bench moved to go forward to City Council with the recommendation as written. Jerry Fleming seconded the motion.

Genie Nyer amended the motion request that City Council find a way to simplify it. Chair Dave Bench accepted the amended motion

Members of the Planning and Zoning Commission discussed amendments and the ordinance.

City Attorney Charlie Zech provided clarity regarding conditions for a special exception.

Michael Rhodes amended the motion to provide provisions such that upon the recommendation of a third-party arborist, so accepted by the city arborist, they can grant removal of a heritage or protected tree outside of the Board of Adjustment process. Chair Dave Bench accepted the amended motion.

Tony Stein requested that an arborist review the recommendations.

The motion carried with 5 in favor and 2 against (Hall and Nash).

Michael Rhodes moved to table side yard projections until next month. Brian Nash seconded the motion. The motion carried with 6 in favor and 1 against (Bench).

10. Discussion and possible action on positioning tree protection during construction guidance within the code of ordinances.

Jay van Bavel provided an overview of the recommendations for tree protection during construction.

The Planning and Zoning Commission discussed the recommendations as well as tree protection in the City of Austin.

Brian Nash moved to send the item to City Council as written with a recommendation to get advice from a certified arborist as to any additional protections that make sense. Jerry Fleming seconded the motion.

City Administrator Ashley Wayman stated that the item would not go through public hearing process and go to City Council.

The motion carried with 7 in favor and 0 against.

11. Discussion and possible action on facility placement in setback areas

Michael Rhodes moved to table item 11. Brian Nash seconded the motion.

Chair Dave Bench expressed concern with the motion.

The motion carried with 7 in favor and 0 against.

12. Discussion and possible action regarding the regulation of accessory buildings and structures

City Administrator Ashley Wayman described the purpose and background of the item.

City Attorney Charles Zech suggested focusing on the definition.

The Planning and Zoning Commission discussed the item and next steps with City Administrator Ashley Wayman.

Chair Dave Bench moved to table the item until the next meeting. Tony Stein seconded the motion. The motion carried with 7 in favor and 0 against.

ADJOURNMENT OF MEETING

The meeting was adjourned at 9:50 p.m.

Minutes adopted on the _____ day of _____, 2024.

Dave Bench, Chair

ATTEST:

Makayla Rodriguez, Interim City Secretary

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

40 Section 107-3 of Definitions is amended to read as follows:

41 Building height, residential, means the vertical distance from the Original
42 Native Ground Surface or finished grade, whichever is lower, to the highest
43 point directly above.

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

48 (1) ~~— The elevation of the highest adjoining original native ground~~
49 ~~surface to the exterior wall of the building when such original native~~
50 ~~ground surface is not more than ten feet above the lowest adjoining~~
51 ~~original native ground surface; or~~

52 (2) ~~— An elevation of ten feet higher than the lowest adjoining~~
53 ~~original native ground surface when the highest adjoining original~~
54 ~~native ground surface described in subsection (1) of this section is~~
55 ~~more than ten feet above lowest adjoining original native ground~~
56 ~~surface;~~

57 (3) ~~— The original native ground surface shall be determined as the~~
58 ~~existing grade on the lot prior to development of the residential~~
59 ~~building as may be shown on approved building plans or survey of~~
60 ~~the property.~~

61 ~~This definition shall apply to all residential buildings or structures within~~
62 ~~the city including residential buildings constructed in the R Residential~~
63 ~~Zoning District (see section 107-71 for Maximum permissible height in R~~
64 ~~Residential Zoning District).~~

65 Original Native Ground Surface means the existing grade on a lot prior to
66 development of the residential building as may be shown on a certified topographic
67 survey of the property.

68 Parallel Plane is an imaginary plane that is thirty-five (35) feet above and parallel
69 to the original native ground surface. No part of a building or structure, exclusive
70 of the exceptions outlined in this chapter may break this plane.

71

72 Section 107-71 is amended to add the following language:

73 **Sec. 107-71. - Maximum permissible height.**

74 (a) No portion of any building or structure (except a chimney, attic vent,
 75 lightning rod, or any equipment required by the city building code) may
 76 exceed thirty-five (35) feet in height. Except as may be required by
 77 applicable codes, no chimney, attic vent, lightning rod or required
 78 equipment may extend more than three feet above the highest point of the
 79 following: the coping of a flat roof, the deck line of a mansard roof, or the
 80 gable of a pitched or hipped roof.

81 (b) The maximum allowable building height is twenty-five (25) feet when
 82 the building is placed ten (10) feet from the property line, as measured from
 83 the existing or finished grade, whichever is lower. For each additional foot
 84 of distance beyond ten (10) feet from the property line, the height may
 85 increase by one (1) foot, up to a maximum of thirty-five (35) feet. The
 86 maximum height of thirty-five (35) feet must be achieved at a distance of at
 87 least twenty (20) feet from the nearest property line.

88 (c) Should a landowner believe the slope of a lot be so severe that the
 89 requirements proposed above have extreme adverse impact on the lot, an
 90 owner may seek relief from these requirements by special exception granted
 91 by the Board of Adjustment.

Commented [AW1]: Legal recommendation is this be by variance.

92 (d) Existing grade may be adjusted graphically as a straight line across
 93 unusual or minor topographic variations including pools, ponds, existing
 94 basements, rock outcroppings depressions and natural drainage ways, with
 95 the intent to approximate original grade without penalty for previous
 96 construction.

97 (e) Building height may be increased below the parallel plane by way of
 98 excavation, when starting a minimum of twenty (20) feet horizontal from
 99 the side or rear property lines, as follows:

100 i. As to the portion of the building above the excavated area: forty
 101 (40) feet above finished floor for uppermost surface of eave/parapet;

102 ii. As to the portion of the building above the excavated area: forty-
 103 five (45) feet above finished floor for ridgeline of sloped roof with
 104 minimum of three over twelve (3/12) roof pitch.

105 The Parallel Plane may not be breached. Any exposed foundation resulting
 106 from this increase may not exceed eighteen (18) inches.

107 (f) Foundation exposure within public view from the right-of-way cannot
 108 exceed six feet. Foundation exposure within public view from the right-of-
 109 way must be screened such that the viewable portion does not exceed two
 110 and a half (2.5) feet.

111 Section 107-81 Special Exception.

112 Should some portion of the buildable area reside on or adjacent to a flood
 113 plain or drainage easement, and it can be shown that such would have
 114 extreme adverse impact on the lot's buildable potential, an owner may seek
 115 relief from these requirements by special exception granted by the Board of
 116 Adjustment. In such cases the Board may grant a special exception for up
 117 to five (5) additional feet of building height.

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

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

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

129 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of
 130 Rollingwood, Texas, on the _____ day of _____, 2024
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Gavin Massingill, Mayor

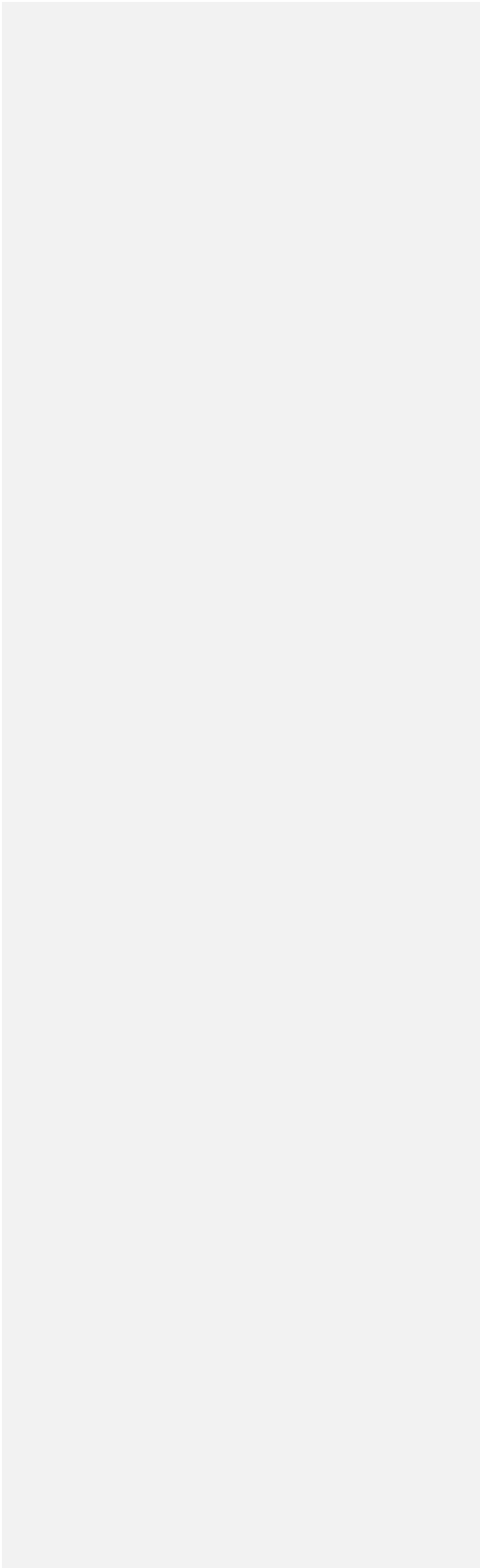
137 ATTEST:

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140 _____, City Secretary

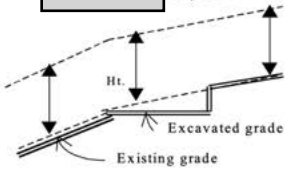
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Cities that use Parallel or Imaginary Plane:

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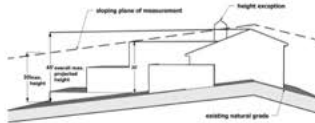
Flagstaff, AZ



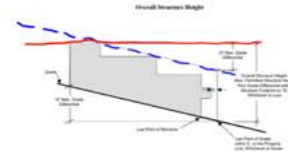
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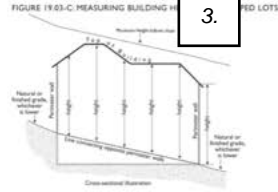
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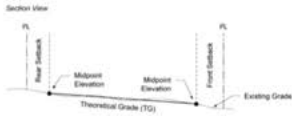
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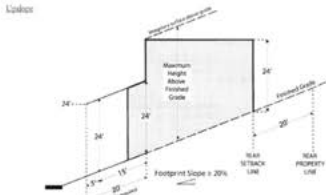
El Cerrito, CA



Santa Monica, CA



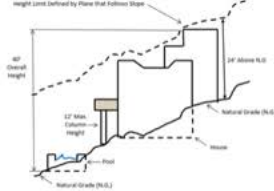
Oakland, CA



Temple City, CA



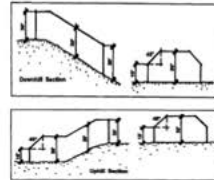
Paradise Valley, AZ



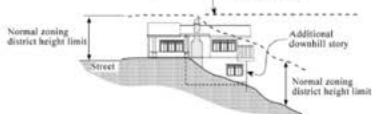
Arcadia, CA

nature height on Slopes with 20 Percent Grade. For lots with an average slope of 20 percent or greater, structure height shall be measured from the adjacent existing grade to the highest point of the roof (excluding chimneys), except as otherwise specified by this Development Code. The maximum allowable height shall be measured on the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade. "Existing grade" shall be established by the Director, consistent with lots in the immediate vicinity. See Figure 3.2 (Measurement of Structure Height: Slopes of 20 Percent or Greater).

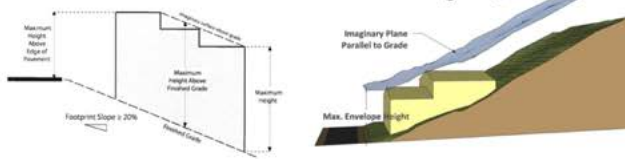
Murietta, CA



Chico, CA

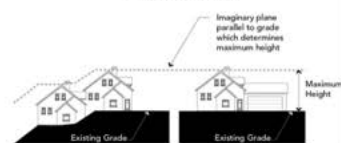


Los Angeles, CA



San Luis, Obispo, CA

Figure 3-4. Measurement of Structure Height: Slopes of Sixteen Percent or Greater



Sedona, AZ



Durango, CO



Belmont, CA



Pitched, gable or hip roof (parallel) plane measurement only)

May extend up to five feet above the maximum height requirement as measured by the imaginary line in Section 2.24.01(d), provided the pitch of the roof is a minimum rise over run ratio of 3.5:12. This exception for pitched, gable, or hip roofs may be used only in conjunction with the parallel plane measurement in Section 2.24.01(d).

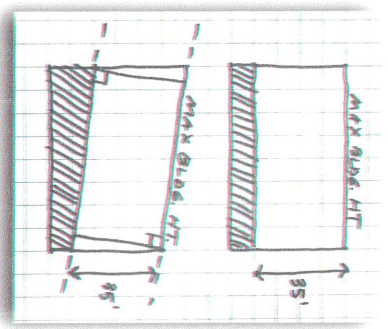
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2. Use a Parallel Plane Method

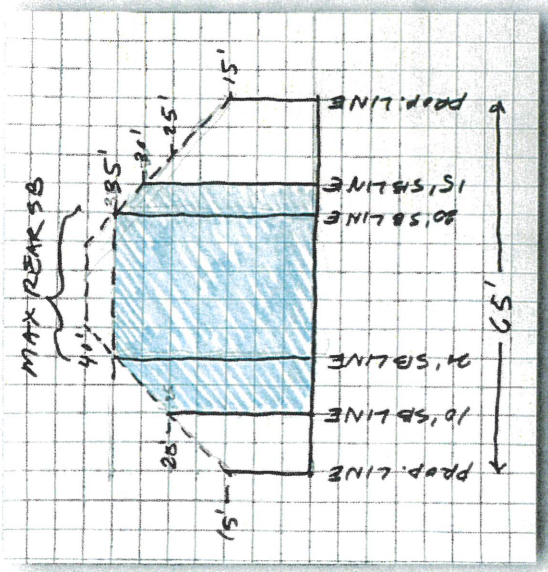
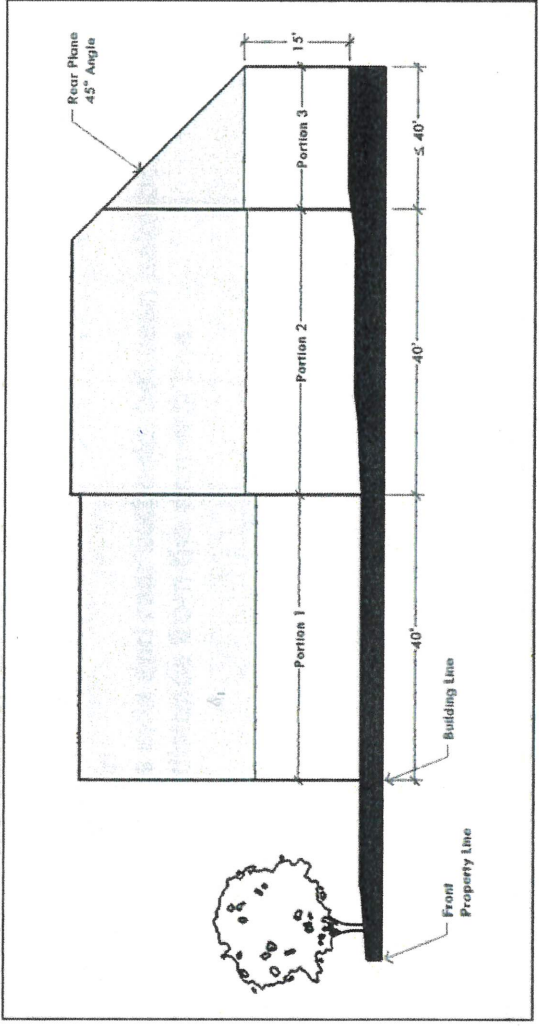
- An imaginary plane that matches the existing grade surface at a specified distance above.
- Natural or existing grade serves as the reference datum.
- Building heights are measured from this reference to the highest point of the building's roof or other elements.
- Determines the maximum allowable height of a building in a consistent way, especially on sloped lots or areas with varying terrain.
- Contour lines can be cleaned up within the buildable area in such a way that new development is not limited by previous structures.

How much does buildable area is lost on a sloped lot using parallel plane?



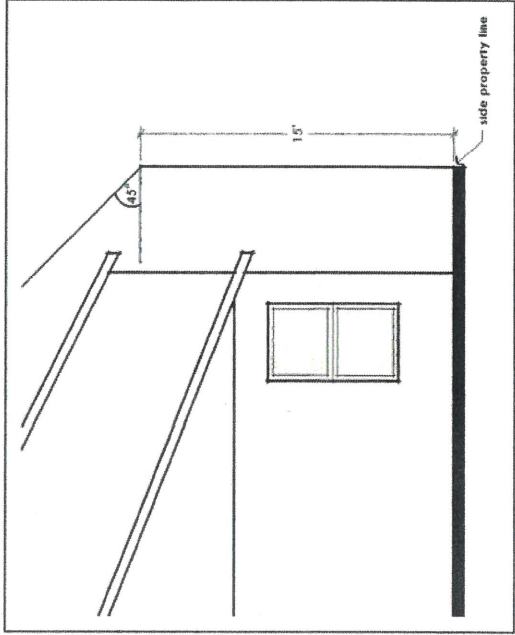
Calculating the cross-sectional area of the parallelogram based on slope:

- 10% loses 0.5%
- 15% loses 1%
- 20% loses 2%



City of Austin - Setback Planes

*No portion of any Front Elevation shall exceed 35ft.
 Set 15' springline along Property Line



Sec. 107-71. Building Heights

92 (d) Existing grade may be adjusted graphically as a straight line across unusual or minor topographical variations including, but not limited to, pools, ponds, existing basements, rock outcropping depressions and natural drainage ways. In a similar manner the original grade may be approximated without penalty for previous construction.

107 (f) The height of foundation exposure within public view from public right-of-way cannot exceed six feet. Foundation exposure within public view from the right-of-way must be screened such that the topmost viewable portion does not exceed two and a half (2.5) feet height.

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ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 107 OF THE CITY OF ROLLINGWOOD’S CODE OF ORDINANCES RELATED TO RESIDENTIAL SIDE YARD PROJECTIONS; 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; and

WHEREAS, the City Council of the City of Rollingwood (“City Council”) finds that residential neighborhoods are often characterized by their scale, form, and spacing between structures and that building projections that extend beyond established building envelopes can alter the aesthetic and functional character of these areas.; and

WHEREAS, the City Council finds and determines that building projections such as balconies, decks, and overhangs can impact the privacy of adjacent properties by overlooking private spaces, such as backyards and windows; and

WHEREAS, the City Council finds and determines that unregulated or poorly managed building projections can potentially affect property values by disrupting the visual coherence of a neighborhood or causing disputes between property owners; and

WHEREAS, the Comprehensive Residential Code Review Committee (the “CRCRC”) was appointed, among other issues, to study the effect of residential building projections; and

WHEREAS, the City Council finds and declares that regulating residential building projections is essential for preserving the community's character, protecting residents' privacy, promoting environmental sustainability, and ensuring equitable and sustainable growth. These findings form the basis for the proposed regulations, which will be implemented in accordance with applicable laws and community goals.

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 is hereby amended as follows with ~~striketroughs~~ being deletions from the Code and underlines being additions to the Code:

37 Section 107-76 is amended as follows:

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

39 (f) Projections shall not contain habitable space, except for bay windows
40 ten feet wide or less. Except as to roof overhangs, in a side yard of 12.5 feet
41 or greater, other ordinary projections of building features typically used in
42 residential building construction may extend into the required yard a
43 maximum of two feet. In no event shall any projection extend into a side
44 yard of 10 feet or less excluding roof overhangs

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

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

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

56 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of
57 Rollingwood, Texas, on the _____ day of _____, 2024

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Gavin Massingill, Mayor

ATTEST:

_____, City Secretary

Makayla Rodriguez

From: Genie Nyer [REDACTED]
Sent: Tuesday, November 5, 2024 9:49 AM
To: Makayla Rodriguez
Cc: Ashley Wayman
Subject: RE: Agenda and Packet Available

Good morning Ashley and Makayla! Please forward this email to all P&Z members.

Dear P&Z members,

To illustrate the benefits of tenting and the parallel plane concept, I invite all of you to come to my house prior to our meeting this week. It is not sufficient to simply drive by the properties. You need to actually walk around the properties. Please walk all the way up our driveway to see how the small area at the back of the lot at 208 Ashworth was used to calculate the height of the home under construction. Because of the small area at the back of the lot, their architects were able to design a home that is significantly higher than 35 feet. You should also walk around to the other side of their property that is not adjacent to our property. The side adjacent to 210 Ashworth has a larger side setback and has the tenting that is being proposed. You will see what a difference this tenting can make.

Please take this opportunity to view what can continue to affect adjacent properties and property privacy if our codes are not altered to protect those “who are downstream” from new construction.

Thank you,
Genie Nyer
206 Ashwoth Drive

From: Makayla Rodriguez <mrodriguez@rollingwoodtx.gov>
Sent: Friday, November 1, 2024 4:27 PM
To: Makayla Rodriguez <mrodriguez@rollingwoodtx.gov>
Cc: Ashley Wayman <awayman@rollingwoodtx.gov>
Subject: Agenda and Packet Available

Good afternoon Planning and Zoning Commission,

The agenda and packet for the Planning and Zoning Meeting on Wednesday, November 6, 2024, has been posted and can be found at the following link: <https://www.rollingwoodtx.gov/meetings>

Please let me know if you have any questions. Have a great weekend!

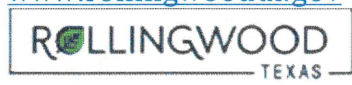
Best,

Makayla Rodriguez

m City Secretary

City of Rollingwood
(512) 327-1838

www.rollingwoodtx.gov









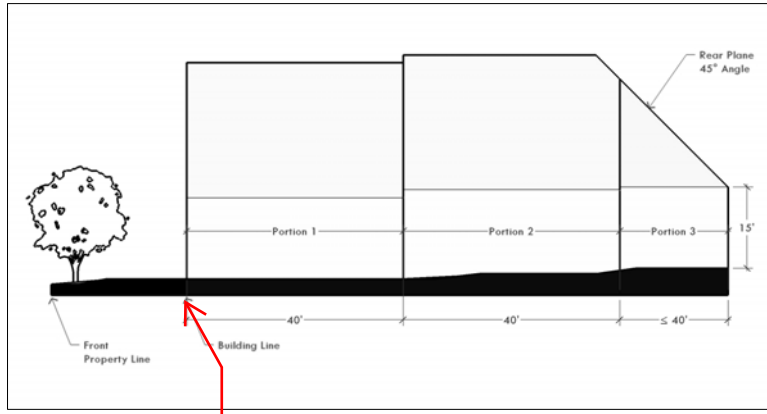






Third component of buildable area: SETBACK PLANES

– Creating setback planes on a sloping lot

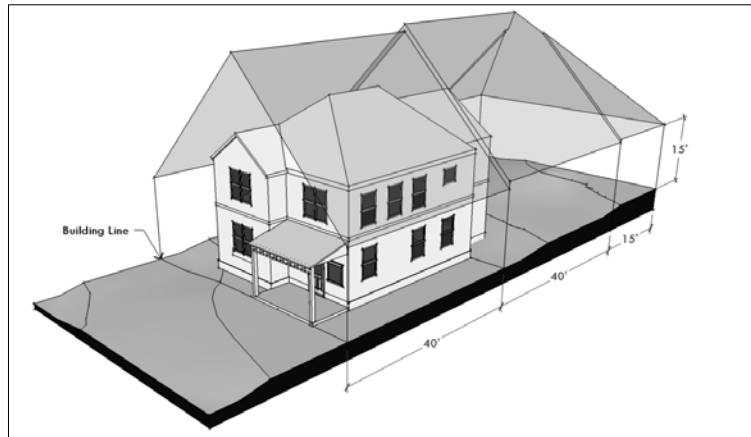


Building Line or Front
of Building

(Figure 7, Page 9)

Third component of buildable area: SETBACK PLANES

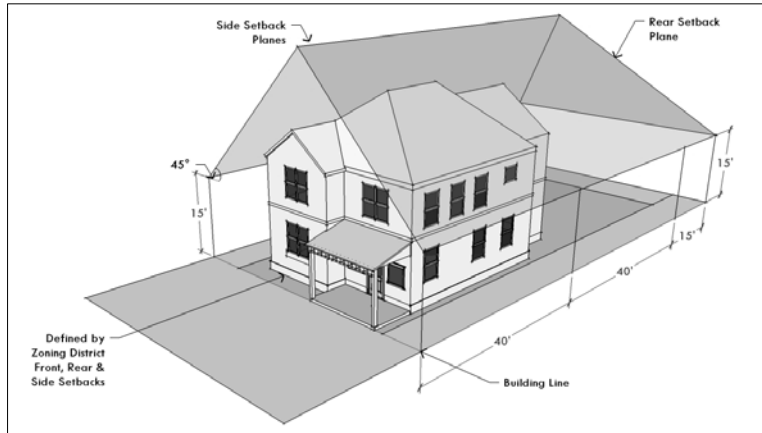
– Side & rear setback planes on sloping lot



(Figure 9, Page 10)

Third component of buildable area: SETBACK PLANES

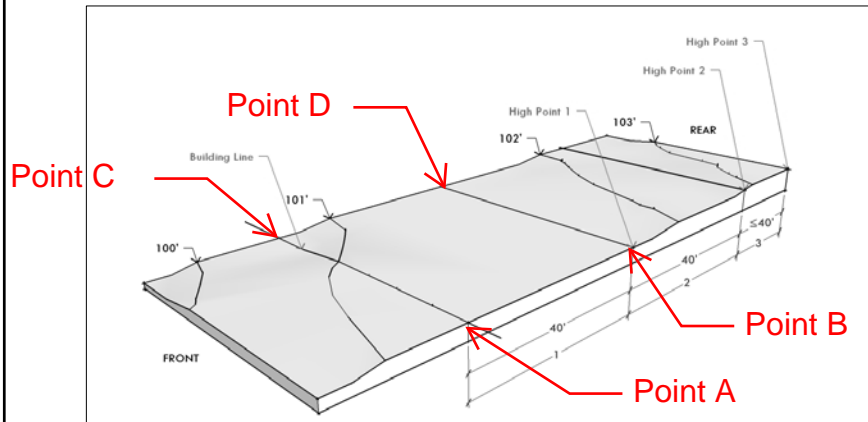
– Side and rear setback planes combined



(Figure 8, Page 10)

Third component of buildable area: SETBACK PLANES

– Determining high points on a sloping lot



(Figure 5, Page 8)

You take the higher of Point A and B on one side and the higher of Point C and D on the other

Alternate Proposal for Tenting and Building Height

3 Stories max unless 4th story is 100% underground on all sides – open only for code required egress (i.e. a real basement)

Tenting – Same as proposed by CRCRC, where you start at a point on the property line that is 15' high and then take a 45 degree angle, so that you are at 25' high at the 10' setback line. However, follow the City of Austin McMansion guidelines, but the high point is taken one on each side instead of the four corners, see attached. Use the same segments of 40, 40 and whatever is left. Rollingwood lots are similar depth generally, so these segments probably work. The few odd shaped and culdesac lots would be handled by using the front façade instead of the Building Line, or in the event the house gets pushed back on a few of the very deep lots. Very few houses, if any, span more than 100' front to back. No rear yard tenting as you already get to 35' at the rear setback. While there could be a portion of a wall within one segment higher than 25' it would only be to the extent that the high point exceeds the low point on that side of the lot. As an example, a 15% slope on the property line (which would be very dramatic over a 40' segment) could result in a 31' wall just at the low point of the segment.

Height - No change to height, except 32' for any roof slope less than 3:12. Once we have some tenting diagrams, a discussion on the datum for measuring height should occur. There probably needs to be one datum line per segment, which could be an average between high and low, or similar to what we have now. This can and should be analyzed in diagrams once the tenting concept is solidified.

Steps to Finalize the Plan

Step 1 – Have outside consultant draw tenting scheme on different lots with varying slope – i.e. front to back, back to front, side to side and diagonally.

Step 2 – Review tenting to achieve number one priority of reducing height at the property line.

Step 3 – Discuss how to measure height and the practicalities of plan review process with city staff/consultants.

AGENDA ITEM SUMMARY SHEET

City of Rollingwood

Meeting Date: November 6, 2024

Submitted By:

Staff

Agenda Item:

Discussion and possible action regarding the regulation of accessory buildings and structures

Description:

At the September City Council Meeting, the City Council had a discussion about accessory buildings and structures after a recent instance of a large children’s playhouse being constructed in the city. Definitions of Accessory Building or Structure, Building and Structure were discussed as well as the regulations on Accessory Buildings or Structure.

After review of these definitions and how they had been applied, the City Council directed that this issue be sent to the Planning and Zoning Commission to discuss accessory buildings and structures in general so that Council can clarify what the intention of the code is and ensure that the language meets that intention.

While we have listed the current code sections below, we’d like to have a broad discussion on what should or shouldn’t be allowed when it comes to accessory buildings/structures so that we can receive direction about any code amendments/clarifications that need to be made. Some of the questions we would like the Commission to discuss are:

- What should be considered an accessory building or structure?
- Where should accessory buildings or structures be allowed to be located?
- What restrictions should be imposed on accessory building or structures?

Here are the current code sections:

Sec. 107-3. - Definitions.

Accessory building or structure means a building or structure which does not share a common roof or common wall, including, but not limited to, a toolhouse, home workshop, greenhouse, garage, carport, children’s playhouse, or swimming pool house, which:

- (1) Is located on the same lot as a dwelling;
- (2) Is subordinate in area to the dwelling and is used for a purpose customarily incidental to the dwelling;

- (3) Is detached from the dwelling except that a connected foundation or walkway may exist with the dwelling;
- (4) Does not provide complete independent living facilities for one or more persons which include permanent provisions for living, sleeping, and sanitation facilities; and
- (5) Is not used for lease or rental, or for a commercial purpose other than a home occupation by a resident of the main dwelling.

Building means any structure which is:

- (1) Permanently affixed to the land;
- (2) Has a roof supported by columns or walls; and
- (3) Is built for the enclosure, shelter or protection of persons, animals or property of any kind.

Structure means anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, including, but not limited to, signs, and excepting utility poles, berms, fences, mailboxes and retaining walls.

Sec. 107-77. - Accessory buildings.

- (a) No more than one accessory building may be located on a lot.
- (b) An accessory building may be located only in a rear yard or in a side yard that does not border a street.
- (c) An accessory building may not:
 - (1) Exceed one story in height;
 - (2) Exceed the height of the main building located on the same lot; or
 - (3) Exceed 500 square feet in area.
- (d) The exterior of an accessory building used as a detached garage shall match the exterior of the main building.
- (e) An accessory building may not be constructed until after commencement of construction of the main building, nor may an accessory building be used unless the main building on the lot is also being used.

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, or uncovered porches.
- (e) Eaves and roof extensions may overhang into any required side yard a maximum depth of 33 percent of the required side yard. Eaves and roof extensions may overhang into any required front or rear yard a maximum of five feet. All other ordinary projections of building features typically used in residential building construction, may overhang into any required yard a maximum of two feet.
- (f) Projections shall not contain habitable space, except for bay windows ten feet wide or less.
- (g) Chimneys may encroach into a required yard a maximum of two feet.

Sec. 107-78. - Temporary buildings.

- (a) No more than one temporary building may be located on a lot.
- (b) A temporary building shall be located only in a rear yard or in a side yard that does not border a street.
- (c) A temporary building shall not:
 - (1) Be attached to a main building; or
 - (2) Exceed ten feet in height nor 120 square feet in area.

Action Requested:

No action requested at this time.

Fiscal Impacts:

No significant fiscal impacts anticipated at this time.

Attachments:

N/A