



**CITY OF ROLLINGWOOD
COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE
AGENDA**

Tuesday, March 26, 2024

Notice is hereby given that the Comprehensive Residential Code Review Committee (CRCRC) 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 Tuesday, March 26, 2024 at 5:00 PM. Members of the public and the CRCRC may participate in the meeting virtually, as long as a quorum of the CRCRC 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 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 COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE MEETING AND PUBLIC WORKSHOP TO ORDER

- 1. Roll Call

PUBLIC COMMENTS

Citizens wishing to address the Comprehensive Residential Code Review Committee 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 Committee is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Comprehensive Residential Code Review Committee 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 Comprehensive Residential Code Review Committee 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 March 18, 2024 CRCRC meeting

REGULAR AGENDA

- 3. Discussion and possible action on emails and letters to the CRCRC from January 5, 2024 to March 22, 2024
- 4. Discussion and possible action on residential building height, size and setback recommendations
- 5. Discussion and possible action on residential trees ordinance recommendation
- 6. Discussion and possible action on future meeting dates and agenda topics for discussion

ADJOURNMENT OF MEETING AND PUBLIC WORKSHOP

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 PM** on **March 22, 2024**.

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 City Council 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 COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE MINUTES

Monday, March 18, 2024

The Comprehensive Residential Code Review Committee 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 March 18, 2024. Members of the public and the Comprehensive Residential Code Review Committee were able to participate in the meeting virtually, as long as a quorum of the Comprehensive Residential Code Review Committee 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 COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE MEETING AND PUBLIC WORKSHOP TO ORDER

1. Roll Call

Chair Dave Bench called the meeting to order at 5:04 p.m.

Present Members: Chair Dave Bench, Alex Robinette, Duke Garwood, Brian Rider, and Thom Farrell (virtually)

Jeff Marx joined the meeting during item 3.

Also Present: City Administrator Ashley Wayman and Assistant City Administrator Desiree Adair

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2. Discussion and possible action on the minutes from the February 27, 2024 CRCRC Meeting

Brian Rider moved to adopt the minutes. Duke Garwood seconded the motion. The motion passed with 5 in favor and 0 against.

REGULAR AGENDA

3. Discussion and possible action on residential building height, size and setback recommendations

Chair Dave Bench discussed the recommendations brought to the last Planning and Zoning meeting and the process going forward.

Alex Robinette led a detailed discussion of building height, parallel plane, building height measurement, side setback vertical articulation, side setback “bulk/tenting” planes, and foundation heights.

The CRCRC discussed how Chat GPT was used to provide a summary and analysis of the survey comments.

Brian Rider moved that we approve 35 feet as the height maximum for the initial purposes contingent on future agreement and action with respect to tenting setbacks, articulations on the sides, and other aspects that go into how to implement a ceiling of 35 feet.

Duke Garwood requested a friendly amendment of “35 feet measured by way of a parallel plane method”. Brian Rider accepted the amendment.

Duke Garwood seconded the motion. The motion carried with 4 in favor and 0 against with 1 abstention (Farrell).

The CRCRC discussed terrain, measurement of building height, parallel plane, garages, natural grade, finish grade, basement space, and building envelope.

Jeff Marx joined the meeting at 5:22 p.m.

Brian Rider moved to make a supplemental motion that, in considering the building height, that areas of rugged terrain or minor topographic variations with a width of less than 25 feet, including pools and ponds, shall not be included when establishing the imaginary plane for building height maximum purposes.

Duke Garwood suggested changing the word “minor” to “unique”. Brian Rider suggested “which are unusual aspects of a particular property including pools, ponds, existing basements, or garages”. Duke Garwood recommended including “Rock outcroppings and natural drainage ways.”

Brian Rider restated his motion that, in considering building height, that areas of rugged terrain or unusual topographic variations with a width of less than 25 feet, including pools, ponds, existing basements, rock outcroppings, and natural drainage ways, shall not be included when establishing imaginary planes. Duke Garwood seconded the motion. The motion carried with 6 in favor and 0 against.

The CRCRC discussed “tenting” rules regarding height in conjunction with setbacks.

Brian Rider moved to make a supplemental motion to the 35 foot parallel plane concept that with respect to side walls of buildings, we have a program that requires a limitation of side building height that starts at 25 feet at 10 feet from the property line, and then incrementally goes up such that at 15 feet we would have 30 foot wall height maximum and at 20 feet, we would have reached the 35 foot maximum horizontal plane.

The CRCRC discussed incentivization to build particular roofs and use of the words “yard” and “setback”.

Jeff Marx recommended using a table to explain the information.

The Committee continued to discuss side setback planes including bulk, dormer and shed roofs, cumulative horizontal feet, height max of dormers, and side yards with associated height.

The CRCRC discussed front and side yard definitions and how those are defined with corner lots.

City Administrator Ashley Wayman explained that typically plats define the setbacks and determine the front of the house instead of addresses. She suggested that staff and the committee obtain more information regarding the front of the lot and how it is interpreted from the Code, plats, and addressing.

Alex Robinette moved to recommend 25 feet maximum height on a 10 foot setback, add one foot of wall height for every additional horizontal foot from the property line provided that the maximum height does not exceed 35 feet. Brian Rider seconded the motion. The motion carried with 6 in favor and 0 against.

Chair Dave Bench moved that with regard to dormers, 3 feet back from the wall line minimum and they do not exceed maximum heights and are no more than 15 feet cumulative along any axis measured from outside wall to outside wall. Alex Robinette seconded the motion. The motion carried with 6 in favor and 0 against.

Brian Rider moved to amend the prior motion regarding maximum building height related to the size of the side yard, we intended that height measurement to be measured to the upper most edge of roofing material or parapet. Duke Garwood seconded the motion. The motion carried with 6 in favor and 0 against.

Alex Robinette led a discussion on side wall articulation.

The CRCRC discussed sidewall articulation and alternate means of articulation in detail including the following recommendations:

If a side-wall of a building is more than 15 ft. high, the sidewall may not extend in an unbroken plane for more than 40 ft. in length along a side lot line without a sidewall articulation that meets the requirements of this section. (Or, every 50 ft. of a first floor wall that is 18 ft. tall or greater.)

A. To break the plane, a sidewall articulation must:

- be perpendicular to the side property line, at least 3 ft. deep, and extend along the side property line for at least 10 ft.;
- extend the entire height of the first floor of an addition to, or remodel of, an existing one-story building; flat decks and patios are not permissible;
- extend the entire height of the second story of an addition to, or remodel of, a two or more story building.

B. Alternate means of articulation within the same 15 ft. x 40 ft. plane, may include, but are not limited to:

- clear change in building materials for a minimum of 10ft., horizontal and vertical;
- windows that are recessed at least 6 in. as measured from face of veneer to face of glass, and that are a minimum of 30 sq. ft. in area.

The CRCRC discussed the latitude given by section B above. Chair Dave Bench would like to bring this back to the next meeting.

4. Discussion and possible action on residential trees ordinance recommendation

The CRCRC did not discuss this item.

5. Discussion and possible action on future meeting dates and agenda topics for discussion

The CRCRC did not discuss this item.

ADJOURNMENT OF MEETING AND PUBLIC WORKSHOP

The meeting was adjourned at 7:03 p.m.

Minutes adopted on the _____ day of _____, 2024.

Dave Bench, Chair

ATTEST:

Desiree Adair, City Secretary

From: Amy Pattillo [REDACTED]
Sent: Monday, March 18, 2024 9:58 AM
To: Desiree Adair <dadair@rollingwoodtx.gov>
Subject: CRCRC - Agenda Item 3 comments

Hi Desiree

Could you please forward these comments to the members of the CRCRC?

Thank you,
Amy

CRCRC members:

Thank you for your continued service on the CRCRC. I'm glad to see a group of neighbors taking a next look at the City's Tree Canopy Ordinance and recommending amendments for our community to consider. When I helped draft the original ordinance, there was a frequently stated intention that this ordinance would be reviewed annually, and I'm glad to see another round of updates being considered.

I've reviewed the amendments to the Tree Canopy Ordinance you all are proposing for community review and have a few comments and questions. I'm not able to attend your meeting today, so I hope that these comments can be considered during the meeting as if presented in person.

(1) Paragraph 7 of the attachment to agenda item 3 states: "Remove Sections (d) and (e) of Section 107-373 as we believe all protected trees and heritage trees removed from a lot should be replaced on that lot unless a variance is obtained to replant elsewhere."

Please clarify the language proposed for removal in sections (d) and (e) of section 107-373. In the code of ordinances available online, I only see (a)-(c) under section 107-373.

(2) Paragraph 14 of the attachment to agenda item 3 states: "Change the requirement for replacement of protected trees removed from the setback areas to 2 replacement trees for each removed. (Currently it is 3:1.)"

What is the goal in reducing the ratio of replacement trees required for protected trees removed in setback areas? The ethos behind the initial ratio of 3:1 was to incentivize maintaining the canopy provided by protected trees within some setback areas - and in the event that trees are removed in these setback areas, to increase the number of new trees planted to support the canopy and with regrowth, also enhance the privacy between yards. It is unclear to me how the community feedback in the survey supports a reduction in the tree replanting ratio to 2:1 for protected trees in setback areas, which would result in a reduction of the replaced tree canopy. While very few residential lots in the city have more than 7 protected trees, many more residential yards have protected trees in setbacks. The proposed change appears to weaken the ordinance, not maintain or strengthen it.

Best regards,
Amy

AMY J. PATTILLO
[REDACTED]

**CRCRC SURVEY ANALYSIS WITH RECOMMENDATIONS ON:
BUILDING HEIGHT, BUILDING HEIGHT MEASUREMENT, SIDE SETBACK VERTICAL
ARTICULATION, SIDE SETBACK “BULK/TENTING” PLANES, AND FOUNDATION HEIGHTS**

BASED ON:

- Feedback from 2021 Comprehensive Plan Strike Force Survey (See *CRCRC Strike Force Comments Poster*)
- 78 Resident Emails, (69 Indiv.) from Jan-Aug. 2023 (See *Constituent Emails Summary*)
- Research analysis of nearby and other US cities’ residential building codes (See *attached*)
- Careful study of old, new, and permitted homes in Rollingwood (See *RW FAR Property List, RW FAR Table, RW Height Study, RW Terracing Examples, RW Active Permits, RW Pending Projects, D. Bench Height Presentation, A. Robinette Height Presentation*)
- Public Workshop Poster Presentation and Comment Cards (See *CRCRC Poster Session*)
- Survey Results Analysis on 274 Respondents (See *CRCRC Q1-Q26 Summaries & Charts*)

According to the 2021 Comprehensive Plan Strike Force Survey responses from over 300 people, about 100 recent emails, public comments to the CRCRC, and the CRCRC Survey, most people welcome thoughtful new development, provided it maintains some amount of context and scale, preserving the “rolling” and the “wood”.

The Strike Force never asked a question, “do you want to change the residential building rules”, there were however a lot of unprompted responses regarding concerns about building trends. About 30% of responses on the 2021 Strike Force Residential Survey - Q3 specifically cited concerns over new building trends, versus 1% of responses in favor of current building trends, the remaining addressed other concerns.

Emails regarding potential building code changes indicate 47% in favor of changes, 28% asking for a limited or careful study, 15% preferring no changes, 10% N/A.

Q1 - Are you generally satisfied with the trend of new construction in Rollingwood?

138 (50%) Yes

130 (48%) No

6 (2%) No response

What we generally heard most people say:

- They like thoughtful custom homes that keeps some level of scale and context
- They like the variety, don’t want to dictate style or create cookie-cutter homes
- RW is not anti-development
- It’s not “just a few people” complaining about bigger homes
- It’s not “just a few bad actors” abusing code
- Especially noted is protecting the tree canopy

“The building code needs to balance the right of a property owner to do what they want with the need to protect the quality of life and property values of their neighbors.” R/W Resident

Q2 - Do you think RW should consider changes to its building codes?**175 (64%) - Yes**

80 (29%) - No

20 (7%) - No response

Q2 - Ambiguous “No or Blank” Comments:

- *I don't know them well enough to have an opinion.*
- *don't have enough understanding of current codes to answer*
- *Need more oversight and enforcement.*
- *My answer is “maybe”*
- *Not sure (X4)*
- *I think every community should be reflecting on what they want for the future of the community.*
- *Limit density*
- *Honestly, don't know enough about building codes to say*
- *Think homes should not be more than three stories.*
- *Hard to answer this since I am not aware of the building codes.*
- *I just want current rules to be enforced*

Of the 175 that answered “Yes” to Code Changes:**135 (77%) - want to change reference datum**

101 (58%) - side side setback distance was ok

122 (70%) - want building limits along setback**117 (67%) - want tenting**

43 (24%) - don't want tenting

Of the 80 that answered “No” to Code Changes:

5 (6%) - said Max. Ht. was too high

24 (30%) - want a diff. reference datum measurement

12 (15%) - want to consider FAR

6 (7%) - said setbacks are too small

21 (26%) - want limits along the setback

15 (19%) - want some form of tenting

Recommend: thorough analysis of responses and comments to various options for code modifications in survey. (See CRCRC - Q2 Summary)

Q3 - Is Rollingwood's maximum residential building height of 35 feet:**175 (64%) - About Right**

70 (26%) - Too High

21 (7%) - Too Low

8 (3%) - No Response

Q3 - That said “about right”, comments include:

- *It depends on where the 35 ft start and stop. Need clarity around this*
- *Depends on how it is measured*
- *the place of measurement is important*
- *It really depends on whether it is measured from the ground, or the finished floor elevation. It should be from the ground.*
- *The foundation should be included in this (unless the lot and highest backs onto a canyon or where it wouldn't be overbearing on a neighboring lot).*
- *The problem is not the height per se but the height from what grade?*
- *But: does that include the foundation thickness?*
- *this very much depends on the topography of the property and how the "height" is measured*
- *it depends on where it's measured, everyone seems to take their own advantage and finish new homes above 35' which is not right*
- *the code language needs to be more specific about the point from which the 35 feet is measured. Someone could build up the lot with berms - and then build a house that is (say) 50 feet higher than the street.*
- *But consideration should be made factoring in grade, inappropriate foundation heights and other “cheats” that can get around height regulation.*
- *Problem is that lots are being built up to get to house higher and that is not being penalized.*
- *I certainly wouldn't raise the maximum height; it's plenty high. I might consider slightly lowering it.*

Recommend: MAX HT. - No change, leave at 35ft., but study new ways to measure and enforce height. (See CRCRC - Q3 Summary)

Q4 - Should we look at alternate ways to measure building height, and if so, which options are preferred?

172 (63%) - Yes

89 (32%) - No - 11 ambiguous comments

13 (5%) - No Response

- A lot of “No’s” said to “enforce the rules”, “things were better before”, “builders are exploiting loopholes”, etc.

Recommend: examining alternative ways to measure height in other cities, particularly those of similar size, topography, and economics. (See CRCRC - Q4 Summary; and full research examples below). What we heard was that people are ok with 35ft, which is tall, but really want to cap it at 35ft. In order to do that, we researched codes that offered that option. The other two options in the survey found an average, which still meant an unknown portion and percentage of the building could be above 35ft. We searched for something more uniformly applicable, with a guarantee to cap the height, while still working with highly variable topography.

22 (8%) - Option. 1 - average of slope

26 (9%) - Option 2 - average elevation of building footprint, measured from major corners

75 (28%) - Option 3 - parallel plane

151 (55%) - No response

- Of those that didn't respond to Option 1-3, comments appeared to indicate they want something, but they don't know what that is, or even what we are asking exactly.

List of some US cities using "Parallel Plane" to set maximum overall height:

Salt Lake City, UT

Culver City, CA

Tacoma, WA

Oakland, CA

Marin Co, CA

Los Angeles, CA

San Luis Obispo, CA

Sedona, AZ

Arcadia, CA

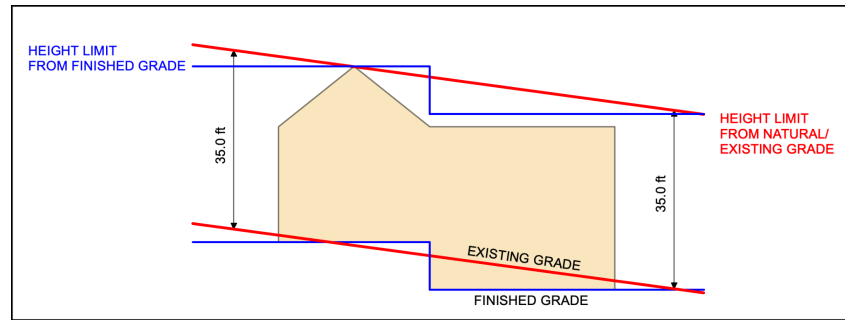
Buckeye, AZ

Temple City, CA

Recommend: Option 3 - no portion of a building can exceed the maximum height from a parallel line to existing or finished grade, whichever is lower.

BUILDING HEIGHT - FINAL

- Maximum permitted building height shall be 35ft.
- The maximum allowable height shall be measured as the vertical distance from the existing grade of the site to an imaginary plane located at the allowed height above and parallel to the grade. Height measurements shall be based on existing topography of the site, before grading for proposed on-site improvements, or finished grade, whichever is lower.
- Areas of rugged terrain or minor topographic variations, with a width of less than 25 feet, including pools and ponds, shall not be included when establishing imaginary planes.



Maximum permitted building height shall be measured based on the criteria:

- There shall be no point of any building or structure that exceeds 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.
- Antennae, chimneys, flues, vents, and similar structures shall not exceed the prescribed height limit by more than three (3) feet.

Q7 - Should we consider changes to front, side, or rear setback dimensions

177 (65%) - About Right

- 61 (22%) - Too Small
- 31 (11%) - Too Large
- 5 (2%) - No response

Recommend: No changes to side setback dimensions at this time. Continue to examine front/corner and rear setback dimensions based on survey comments.

Q8: Please indicate your general feelings on the new setback projection limits

167 (61%) - About Right

- 33 (12%) - Too Little
- 57 (21%) - Too Much
- 17 (6%) - No response

CRCRC Observation: The responses highlight the complexity of balancing setback regulations, aesthetic concerns, and practical considerations, with varying perspectives on specific elements like roof overhangs and bay windows. 61% view it as a step in the right direction, but there may need to be additional language to ensure that projections are limited in their length and height based on comment summaries.

Q9 - Should we consider any limitations on what can be built along a setback: Max. Height, Max length, Side Articulation/Variation; Max Eave Ht.; Max Foundation Ht.

154 (56%) - Yes

103 (38%) - No

17 (6%) - No response

Recommend: Consider certain restrictions to reduce the impact of large homes along the setback that can impact neighbors; provide relief to large, flat, uninterrupted facades by examining codes in other cities, and requiring min. changes to the facades.

SIDE-WALL ARTICULATION - FINAL

If a side-wall of a building is more than **15 ft. high**, the sidewall may not extend in an unbroken plane for more than **40 ft. in length** (CoA is 36ft) along a side lot line without a sidewall articulation that meets the requirements of this section. (Or, every 50 ft. of a first floor wall that is 18 ft. tall or greater.)

A. To break the plane, a sidewall articulation must:

- be perpendicular to the side property line, at least 3 ft. deep (CoA is 4ft.), and extend along the side property line for at least 10 ft.; *Include graphic*
- extend the entire height of the first floor of an addition to, or remodel of, an existing one-story building; flat decks and patios are not permissible;
- extend the entire height of the second story of an addition to, or remodel of, a two or more story building.

B. Alternate means of articulation within the same 15 ft. x 40 ft. plane, may include, but are not limited to:

- clear change in building materials for a minimum of 10ft., horizontal and vertical;
 - windows that are recessed at least 6 in. as measured from face of veneer to face of glass, and that are a minimum of 30 sq. ft. in area.
-

Q10 - Should we develop a set of “tenting” rules for RW that restrict building height along a setback?

142 (52%) - Yes

112 (41%) - No - 23 responded to wanting another form of Setback Bldg. Limitations

20 (7%) - No response

Recommend: Looking at how some cities try to minimize the impact of new residential construction on surrounding properties by defining an acceptable building area for each lot within which new development may occur. Prescribing side and rear setback planes helps to minimize the impact of new development and rear development on adjacent properties, but still allows a home to reach its maximum height further from adjacent properties

City of Austin “tenting” rules use an imaginary pole 15 ft. in height along the property line to set the spring point for a 45 degree angle that extends inward, regardless of front/side/rear setback depth. Nothing can be built outside that plane, with some exceptions regarding gable ends, shed roofs, and dormers.

- *Using this geometry, when the height of 15 ft. is applied to the typical setback dimensions in RW, it yields an eave height of:*
 - *25’ - 0” along a 10 ft setback*
 - *29’ - 4” along a 15 ft setback*

Hypothetically, you can have:	
	2ft. foundation (generous)
	12ft. ground floor (generous)
	2ft. floor cavity
+	9ft. 2nd story
	25ft. total wall height (not including roofing)

- *When we tested it on numerous home sizes, styles, and topographic conditions in RW, we found that it was both generous and right at the limit of what might create an impact on nearby neighbors.*
- *We also found that the “tenting” rules for measurement were cumbersome, and posed additional challenges for some of the more steeply-sloped lots in RW. Based on survey feedback, we concluded that the best option was to set a maximum height along the building setback, similar to the “parallel plane” concept, in that it is more uniformly applicable, and appears to work well on any topography, without creating a tremendous amount of geometric and graphic calculations.*

SIDE SETBACK “BULK/TENTING” PLANES - FINAL

- The maximum building height at the residential building perimeter - measured from the adjacent finished grade, to the top of roofing surface or parapet wall - is 25 ft when starting 10 ft from the property line.
 - One foot of residential building perimeter wall height can be added for every additional horizontal foot from the property line, provided that the maximum height at the building perimeter does not exceed 30 ft, when measured as above.
 - A dormer or shed roof that lies above the perimeter line must be set back a minimum of 3 ft from the residential building perimeter in order to not be included in the maximum perimeter height measurement, and may extend no more than 15ft. horizontally (measured from the uppermost edge of roofing material).
-

FOUNDATIONS/STREET-SCAPE R.O.W. - NEEDS EDITING!

I am not sure what to do about this street-scape or if it is even something we can legislate. We may want to just include our decisions about exposed foundations here. Let's discuss. (D.B.)

This standard seeks to establish a relationship between buildings and streets to create an engaging streetscape and discourage the isolation of homes from the surrounding neighborhood. The placement of buildings should seek to frame street edges physically or visually. Buildings should be oriented in a manner such that they are a component of the streetscape, which consists of the street itself and the buildings that surround it. Building orientation should provide a sense of interest and promote interaction between buildings and passersby.

Foundations should be measured from the estimated finished floor level to grade, regardless of finished exterior material.

Foundations shall not exceed 6 ft. in exposed height without the addition of planters, decks, grading, or dense, evergreen vegetative buffers, if visible from the public ROW.

FOUNDATIONS

What about porches?

What about giant retaining walls - Ashworth

Excessive grading?

RESEARCH/DATA ANALYSIS FROM OTHER CITIES/RESOURCES

AMERICAN PLANNING ASSOCIATION:

<https://www.planning.org/pas/reports/report237.htm>

Basic Assumptions that apply to RW, "Height regulations have these principal purposes":

- Protection of view
- Protection of the character of the neighborhood
- Protection of light and air

Biggest concern is "side yards" and "adjacent lots":

Beginning with the Lot

Starting with the lot, principal public concern is with parts of residential buildings closest to those on adjacent lots. This is usually at the inner edges of side yards, which becomes one critical point in providing light and air between buildings. Height here should be kept low.

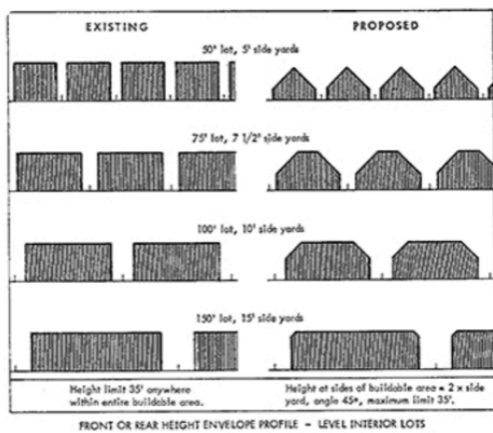
"To vary the pattern, height at edges of buildable areas, light plane, or maximum height over any portion of the lot could be changed. As an added refinement, length of building might be considered in setting side-yard requirements."

"In residential districts, it is sometimes suggested that limiting number of stories is a way to regulate population density. But there are far more effective means."

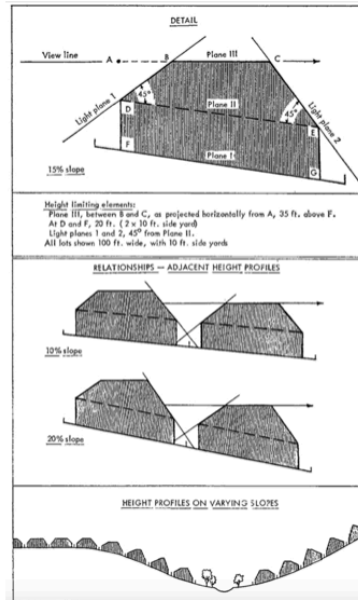
CRCRC NOTES:

1. Could potentially limit eave height of side yards, and/or the length that an elevation may extend at the maximum allowable height.
2. Want to encourage variety (projections/insets/material changes) along the side elevation so that you are not staring at a large flat wall, especially if it is light colored and highly reflective.

For Flat Lots:



For Sloping Lots:

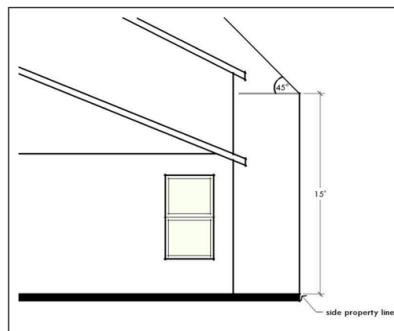


AUSTIN, TX

HEIGHT MEASUREMENT:

https://library.municode.com/tx/austin/codes/land_development_code?nodemd=TIT25LADE_CH25-2ZO_SUBCHAPTER_FREDECOST_ART2DEST_S2.6SEPL

- 32 feet for development located outside the 100-year floodplain; and
- 35 feet for development located in the 100-year floodplain.
- Height shall be the lower of natural grade or finished grade, and measured vertically from the average of the highest and lowest grades adjacent to the building:
- for a flat roof, the highest point of the coping
- for a mansard roof, the deck line
- for a pitched or hip roof, the gabled roof or dormer with the highest average height; or
- for other roof styles, the highest point of the building.
- For a stepped or terraced building, the height of each segment is determined individually.
- Side Setback Plane - uses a tent in two different ways depending on flat or sloped lot.



2.7. - SIDE-WALL ARTICULATION

https://library.municode.com/tx/austin/codes/land_development_code?nodemd=TIT25LADE_CH25-2ZO_SUBCHAPTER_FREDECOST_ART2DEST_S2.7SIWAAR

Except as provided in subsection 2.7.2, if a side wall of a building is more than 15 feet high and is an average distance of less than nine feet from an interior lot line, the sidewall may not extend in an unbroken plane for more than 36 feet along a side lot line without a sidewall articulation that meets the requirements of this section.

- A. To break the plane, a sidewall articulation must:
 1. be perpendicular to the side property line, at least four feet deep, and extend along the side property line for at least 10 feet, as shown in Figures 18 through 20;
 2. extend the entire height of the first floor of an addition to, or remodel of, an existing one-story building;
 3. extend the entire height of the second story of an addition to, or remodel of, a two or more story building;
 4. extend to the height of the top floor of a newly constructed building; and
 5. extend evenly upward for its entire height.
- B. A sidewall articulation cannot:
 1. create patios or decks or be screened from view; or
 2. serve as an eave or gutter.
- C. Sidewall articulation required under this section may be satisfied by horizontal articulation, such that each story above the first story is setback further from the property line by at least nine feet and extends along the side property line for at least 10 feet.
- D. For purposes of subsection 2.7.1, wall height:
 1. excludes side gables; and
 2. is measured from the lower of natural or finished grade adjacent to the structure up to the first floor wall plate, which is the lowest point of the existing first floor ceiling framing that intersects the exterior wall.

WESTLAKE HILLS, TX

<https://ecode360.com/40398940?highlight=build.height.heights&searchId=19247195155363312#search-highlight-40398940-0>

HEIGHT MEASUREMENT:

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, then no part of any principal structure shall rise more than 32' above natural ground grade directly below.

EXPOSED FOUNDATIONS:

Foundations with 4 vertical feet or more exposed must be concealed with dense, evergreen vegetative buffers if the exposed foundation is readily visible from any street or property.

ASPEN, CO

https://library.municode.com/co/aspen/codes/municipal_code?nodeId=TIT26LAUSRE_PT400DEPERI_CH26.410REDEST_S26.410.030SIMIDUST

SIDE-WALL ARTICULATION:

Sec. 26.410.030. Single-family & duplex standards (edited)

- (1) *Articulation of Building Mass (Non-flexible).*
 - b. *Intent. This standard seeks to reduce the overall perceived mass and bulk of buildings on a property as viewed from all sides. Designs should promote light and air access between adjacent properties. Designs should articulate building walls by utilizing multiple forms to break up large expansive wall planes. Buildings should include massing and articulation that convey forms that are similar in massing to Aspen residential buildings.*
 - d. *Options. Fulfilling at least one of the following options shall satisfy this standard:*
 - 1. *Maximum Sidewall Depth. A principal building shall be no greater than fifty (50) feet in depth, as measured from the front-most wall of the front façade to the rear wall.*
 - 2. *Off-set with One-Story Ground Level Connector. A principal building shall provide a portion of its mass as a subordinate one-story, ground floor connecting element. The connecting element shall be at least ten (10) feet in length and shall be setback at least an additional five (5) feet from the sidewall on both sides of the building. The connecting element shall occur at a maximum of forty-five (45) feet in depth, as measured from the front-most wall of the front façade to the rear wall.*
 - 3. *Increased Side Setbacks at Rear and Step Down. A principal building shall provide increased side setbacks at the rear of the building. If the principal building is two (2) stories, it shall step down to one story in the rear. The increased side setbacks and one story step down shall occur at a maximum of forty-five (45) feet, as measured from the front-most wall toward the rear wall. The increased side setbacks shall be at least five (5) feet greater than the side setbacks at the front of the building. See Figure 7.*

ARCADIA, CA (Similar to San Luis Obispo, CA)

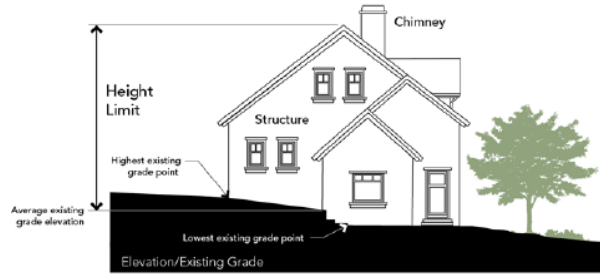
https://library.municode.com/ca/arcadia/codes/code_of_ordinances?nodeId=ARTIXDIUSLA_CH1DECO_DIV3REAPALZOITPLGEDEST_S9103.01SIPLGEDEST_9103.01.050HEMEEX

HEIGHT MEASUREMENT:

- a. *Structure Height. Structure height shall be measured from the average level of the highest and lowest existing grade elevation points of that portion of the site covered by the building, to the highest portion of the roof (excluding chimneys), except as otherwise specified by this Development Code. "Existing grade" shall be established by the Director, consistent with lots in the immediate*

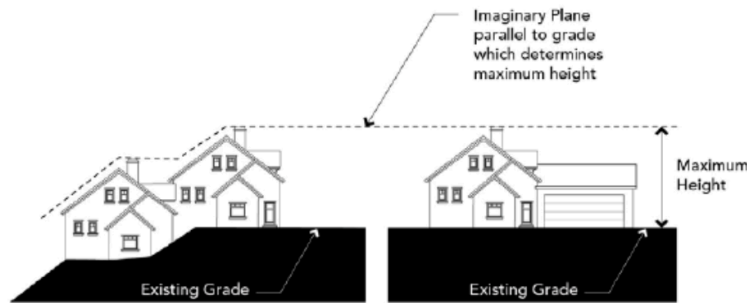
vicinity. See Figure 3-1 (Measurement of Structure Height: Flat Ground Level and Slopes of Less than 20 Percent).

Figure 3-1
Measurement of Structure Height: Flat Ground Level and Slopes of Less than 20 Percent



- b. *Structure 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 topmost point of the roof (excluding chimneys), except as otherwise specified by this Development Code. The maximum allowable height shall be measured as 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).*

Figure 3-2
Measurement of Structure Height: Slopes of 20 Percent or Greater



SAN LUIS OBISPO, CA (Similar to with same graphics as Acadia, CA)

[https://sanluisobispo.municipal.codes/Code/17.70.090\(B\)](https://sanluisobispo.municipal.codes/Code/17.70.090(B))

HEIGHT MEASUREMENT:

Adds one foot of setback to every foot of additional height you want to add above 35ft., with a maximum of 45ft.

Height is the vertical distance from the highest point of the structure to the average of the highest and lowest points where the vertical plane of the exterior wall would touch natural grade level of the site, except that finished grade instead of natural grade shall be the basis for height measurement when...(1a.) a site is graded or filled to conform the elevation of the building site with that of adjoining developed sites.

SIDE-WALL ARTICULATION:

Exterior Wall Surfaces.

- a. *Single-story and small-scale elements, setbacks, overhangs, roof pitches, and/or other means of horizontal and vertical articulation shall be used to create shade and shadow and break up otherwise massive forms to minimize the apparent size of exterior wall surfaces visible from public rights-of-way.*
- b. *Large flat building planes are prohibited; the spatial arrangement of the building, including roof overhangs, shall be used to achieve alternating light and dark building surfaces that will blend with similar contrasts found in the surrounding natural vegetation.*

SEDONA, AZ:

<https://sedona.municipal.codes/SLDC/2.24.E>

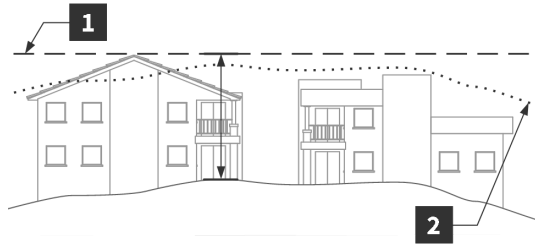
HEIGHT MEASUREMENT:

2. Parallel Plane

An imaginary plane that parallels the existing natural terrain, measured vertically from any point of the building or structure to natural grade. No part of a building or structure, exclusive of the exceptions in Section 2.24.E(3) and/or the alternate standards in Section 2.24.E(4), shall exceed 22 feet in height as measured from this plane. (See “2” in Figure 2-6.)

e. Areas of rugged terrain with a width of less than 25 feet shall not be included when establishing imaginary planes.

Figure 2-6: Building Height



(2) Maximum Overall Building or Structure Height

In addition to the maximum height requirements as stated in Section 2.24.E(1)d, Plane Requirements, the maximum overall height of any building or structure shall not exceed 40 feet measured vertically from the highest parapet or roof ridge to the natural or finish grade at the lowest point adjacent to the building exterior, excluding posts and masonry piers supporting decks or patios. This maximum height limitation applies to flat, gable, and pitched roofs, but shall not apply to the other generally established exceptions set forth in Table 2.7. (See Figure 2-7.)

Figure 2-7: Maximum Overall Building Height



SIDE-WALL ARTICULATION:

b. Wall Plane Relief and Reduced Light Reflectance Values (LRV)

1. An applicant may be eligible for greater height limits than otherwise established in this Code, as measured by the established imaginary plane in Section 2.24.E(1)d.2, provided the proposed development accumulates credits for unrelieved building planes or light reflectance values pursuant to Table 2.9, below. Each credit point earned is valued at one-half foot in greater height eligibility. Credit points can be earned by complying with either the largest unrelieved building plane requirement and/or the LRV percentage reduction.

2. The maximum additional height allowed through any single wall plane relief or reduced light reflectance value alternate standard, or combination of wall plane relief and reduced light reflectance value alternate height standards, shall not exceed five feet.

POULSBO, WA

<https://cityofpoulsbo.com/wp-content/uploads/2017/02/HeightMeasurement.pdf>

Building Height is the vertical distance measured from the average elevation of the finished grade at an exterior building wall or building segment to the highest point of the building wall or building segment. The overall building height shall be calculated as the average of all building sides.

STEP 1: Determine the number of outside building walls (see below).

STEP 2: Calculate the height of each primary building wall. Measure the finished grade directly beneath the outside face to the highest point of the primary wall

STEP 3: Calculate average height of building. Once each primary building wall's height has been calculated, the overall building height is determined as an average of all building walls.

BELLEVUE, WA

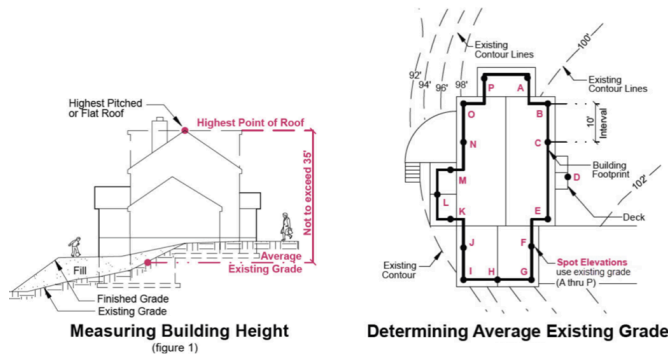
<https://bellevuewa.gov/city-government/departments/development/zoning-and-land-use/zoning-requirements/building-height>

HEIGHT MEASUREMENT:

- Uses average existing grade as reference datum, determined by taking point elevations every 10ft
- Building height max is 35ft.

CRCRC Notes:

1. Allowing a flat roof to go to 35ft. has too many impacts which could be mitigated by eave height restrictions
2. Flat roofs that represent a very small percentage of the overall, as in a tower, may reach max height

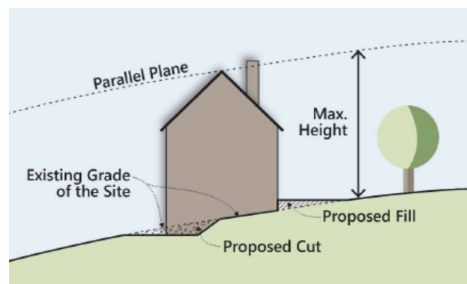


TEMPLE CITY, CA

https://codelibrary.amlegal.com/codes/templecityca/latest/templecity_ca/0-0-0-36437

HEIGHT MEASUREMENT:

1. Structures will not exceed the maximum allowable height for the zone in which the structure is located in compliance with the development standards of each zoning district, except as provided in Exceptions to Height Limits in all Zones below.
2. The max allowable height will be measured as 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 not including rooftop appurtenances.



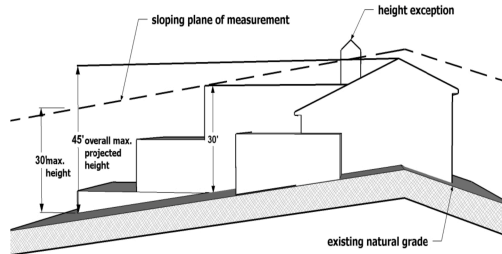
BUCKEYE, AZ

https://library.municode.com/az/buckeye/codes/code_of_ordinances?nodet=CD_ORD_CH7DECO_ART5DEDE

STGU

HEIGHT MEASUREMENT:

For development within the Hillside Areas, the height of structures shall be determined by the following and not by the definition of "building height" as described in Article 10, Definitions:



No part of any structure shall penetrate an imaginary plane (the "Sloping Plane of Measurement"), the height of which is 30 feet measured vertically from the highest ridge or parapet of the building to the existing natural grade directly beneath that point. Minor topographic variations may be excluded from those measurements if those areas are less than 25 feet in width. Exposed building walls measured in a vertical plane shall not exceed a height of 30 feet measured from the lowest point of the wall to the top of the wall. In addition, the overall projected height will be measured from the lowest wall improvement attached to the main structure to the highest ridge or parapet, and be limited to 45 feet. Exceptions to the maximum height requirements are allowed for architectural features that are less than ten percent of the entire roof area. The height measurements in Hillside Areas are depicted in Figure 5.2-A above.

LOS ANGELES, CA

https://planning.lacity.gov/Code_Studies/BaselineHillsideOrd/Height%20and%20Story%20Handout.pdf

HEIGHT MEASUREMENT:

What is an Envelope Height?

Envelope height (otherwise known as vertical height or "plumb line" height) would be the vertical distance from the grade of the site to an imaginary plane at the roof structure or parapet wall located directly above and parallel to the grade as illustrated in the figure to the right.

Measurement of the envelope height would originate at the lowest grade within 5 horizontal feet of the exterior walls of a building or structure and terminate at the highest elevation of the building pad. At no point shall any given section of any part of the proposed building or structure exceed the maximum envelope height.

What is an Overall Height?

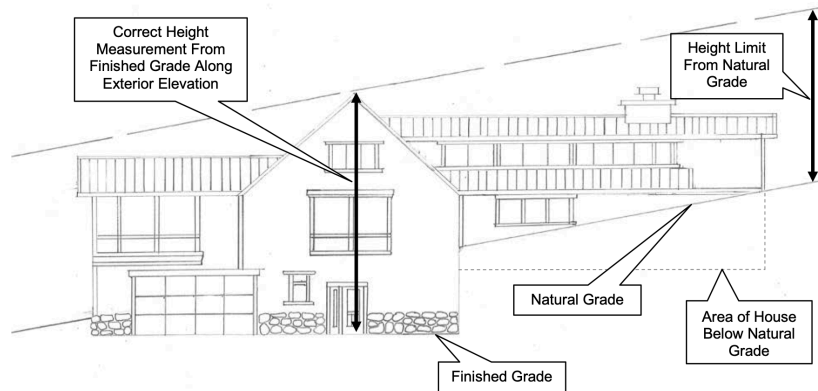
The overall height would be measured from the lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure, to the highest elevation point of the roof structure or parapet wall, as illustrated in the figure to the right.

MARIN COUNTY, CA

https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/factsheets/height_fact_sheet_3_5_09_dwa_vcp.pdf

HEIGHT MEASUREMENT:

- Due to the greatly varying topography of Marin County, height measurements are based on grade.
- "Grade" is defined as the ground elevation used as the basis for measurement of allowed structure height where grade is the elevation of the natural or finished grade at the exterior surface of the structure, whichever is more restrictive, and the elevation of the natural grade within the footprint of the structure.



OAKLAND, CA

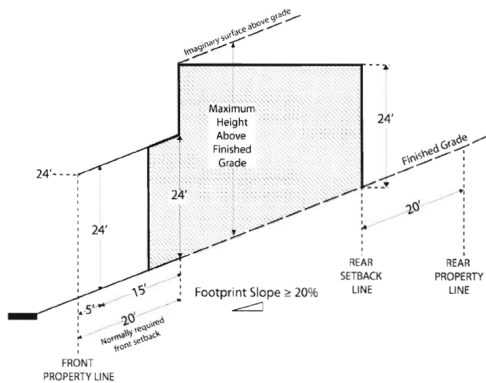
https://library.municode.com/ca/oakland/codes/planning_code?nodeId=TIT17PL_CH17.13RHHIREZORE_17.13.050PRDEST

HEIGHT MEASUREMENT:

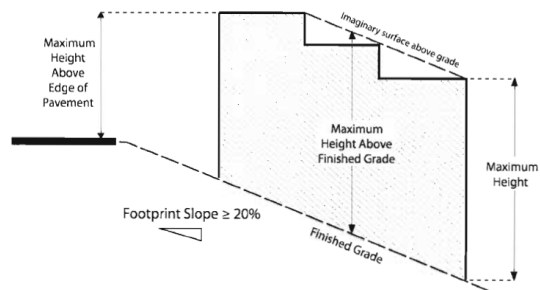
3. The building height is measured from finished or existing grade, whichever is lower.

Illustration for Table 17.13.05 [Additional Regulation 2]
*for illustration purposes only

Upslope



Downslope



BELMONT, CA

http://belmont-ca.granicus.com/MetaViewer.php?view_id=1&clip_id=97&meta_id=7967

SETBACK (Bulk) PLANES

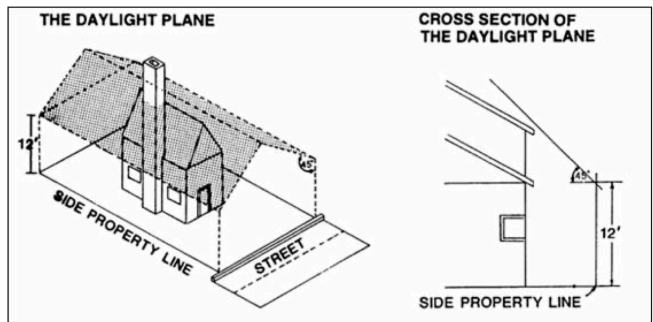
The Residential Design Criteria (RDC) is a companion document to the Zoning Ordinance. The RDC provides objective, measurable, or quantifiable criteria (standards) for the regulation of building bulk for single-family residential development.

Section 2 - Implementation of RDC Standards

Projects within the scope of the RDC must employ one or more RDC Standards (daylight planes, prescribed articulation, and second story stepbacks) to address building bulk on all affected building elevations.

Section 3 – Daylight Plane

(a) Daylight Plane for Side Yards. Except as provided in (a)(2), a structure may not extend above or beyond a side yard daylight plane projecting into the parcel at a 45 degree angle from each side property line from an initial height specified



Section 4 - Prescribed Articulation

(a) Front and Street-Facing Building Facades. Front and street-facing building facades must be articulated a minimum of 50% of the wall area.

(b) Rear and Interior Side-Facing Building Facades. Rear and interior side-facing building facades must be articulated a minimum of 30% of the wall area

(c) Minimum Design Standards for Specific Features.

(1) Projection, offset, or recess of the building wall must be at least 2 feet in depth.

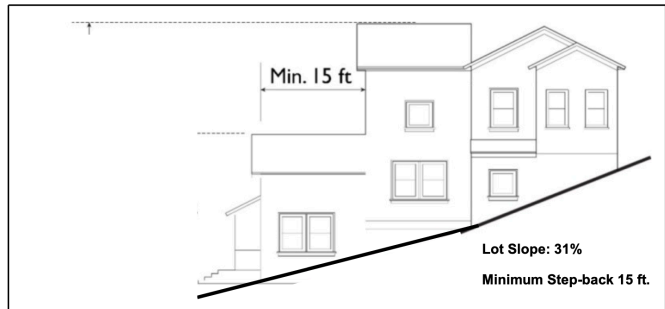
(2) Projection of bow, greenhouse or garden windows must be at least 8 inches in depth at the farthest point from the exterior walls of the home.

(3) Projection of bay windows must be at least 10 inches in depth measured at the farthest point.

(4) Projection of dormers must be at least 2 feet in depth measured at the farthest point from the exterior walls or roof surface of the home.

(7) Window Trim at least one inch in depth around windows, or window recessed at least two inches from the plane of the surrounding exterior wall.

Figure 8 – Second Story Step-backs (Upslope Lot)

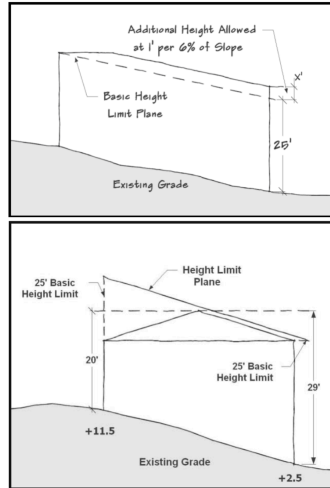


TACOMA, WA

<https://www.tacomapermits.org/tip-sheet-index/residential-height>

HEIGHT MEASUREMENT:

- *The height limit within the VSD is the vertical distance between existing grade and a plane essentially parallel to the existing grade.*
- *One foot of additional height is allowed on the lower corners of a building for every six percent of slope on sites located within the VSD.*



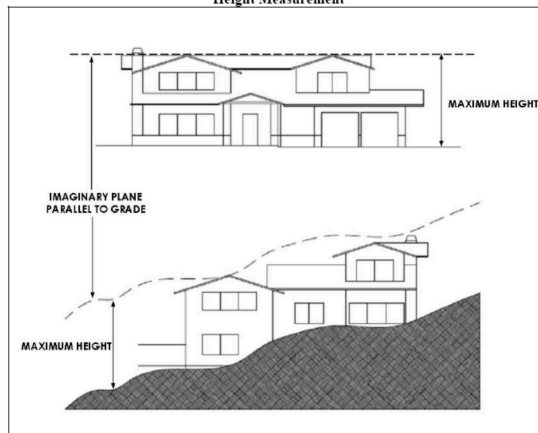
CULVER CITY, CA

https://codelibrary.amlegal.com/codes/culvercity/latest/culvercity_ca/0-0-0-51470

HEIGHT MEASUREMENT:

B. Height Measurement. The maximum allowable height shall be measured as 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. See Figure 3-3 (Height Measurement) at top of next page. "Existing Grade" shall be established by the Director, consistent with parcels in the immediate vicinity, and shall not be, nor have been, artificially raised to gain additional building height.

Figure 3-3
Height Measurement



SALT LAKE CITY, UT

<http://www.slcdocs.com/Planning/Planning%20Commission/2011/November/00055.pdf>

HEIGHT MEASUREMENT:

It is hoped that the proposed changes will provide a simpler and straight forward way of measuring height in residential and commercial zones. Currently, established grade is defined as that grade which existed after the final subdivision or site development activity was completed. The problem with this definition is that most subdivisions in the City were completed more than 50 years ago. Therefore, it is very difficult to identify that grade. The new definition would define established grade as that which exists at the time the applicant begins the proposed work on the lot. It also provides the Zoning Administrator authority to interpolate topographic lines, in cases where the established grade is not apparent. This feature would be used in cases where a house or building with a basement was removed and a new structure built in its place.

Currently, the height of exterior walls and dormers is regulated in the ordinance without reference to a definition. This has led to confusion on how to apply the rules (does one measure wall height from finished grade or established grade?). These definitions will clarify how these two elements are measured, and standardize application of the rules during permit review.

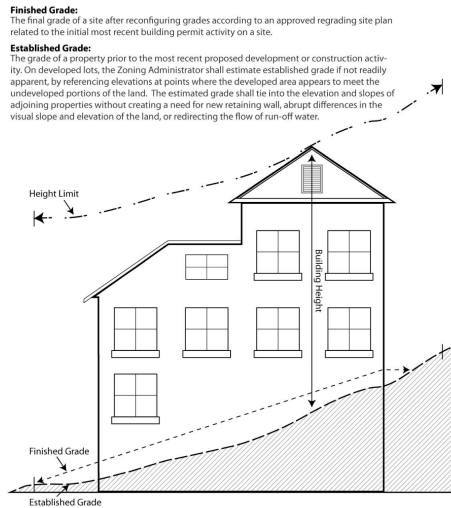
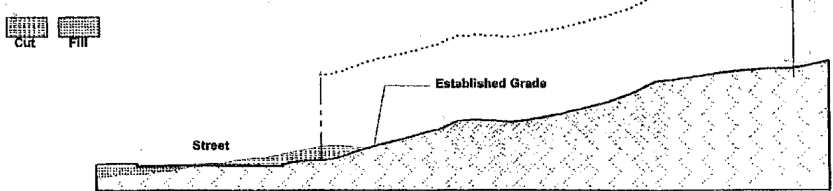


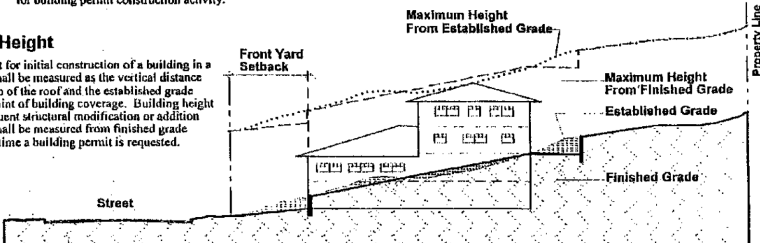
Illustration 'A'



Established Grade
"The natural topographic grade of undisturbed areas on a site or the grade that exists after approved subdivision site development activity has been completed prior to approval for building permit construction activity."

Building Height

Building height for initial construction of a building in a foothill zone shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested.



Finished Grade
"The finished grade of a site after reconfiguring grades according to an approved re-grading plan related to the initial building permit activity on a site."

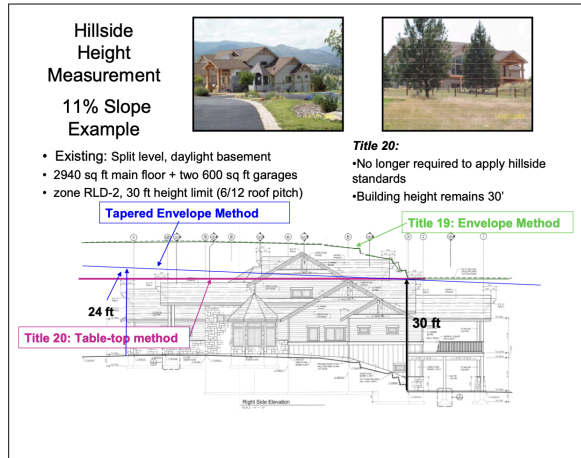
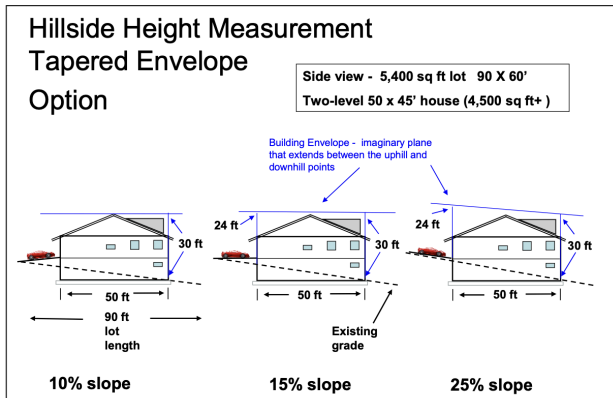
MISSOULA, MT

<http://www.ci.missoula.mt.us/DocumentCenter/View/2113/-Duncan-Associates-Hillside-Recommendations?bidId=>
HEIGHT MEASUREMENT:

3. The "tapered envelope" method, which is identical to the "envelope" method except that the top imaginary plane tapers down on the uphill end rather than running parallel to the lower plane (see illustration, p. 3).

Our original draft ordinance recommended use of the so-called "tabletop" method for all properties—flat lands, hillsides and everything in between. This recommendation was based on our belief that the new ordinance should include a uniform, predictable, reasonable and transparent formula for regulating and measuring building height.

We continue to believe that the building height measurement method presented in Sec. 22.110.060 of the proposed ordinance is the right approach...citywide. It will, we believe, be easiest to measure and administer. It is transparent, predictable and intuitive in that it treats all parts of the building the same, except for minor vertical projections such as chimneys and antennas (as opposed to the current approach of measuring only halfway up a pitched roof, as if the top portion of the roof was invisible). While this recommended approach is certainly not liberal, it does seem reasonable. It will require that some buildings on some sites be "stepped" to follow the slope of the site and may pose an obstacle to some building types/designs in hillside areas, but existing (5-foot) allowance for additional building height for steeply pitched roofs and the ever-present possibility of obtaining relief through the zoning variance process should help mitigate those concerns.



ST. PAUL, MN

<https://www.stpaul.gov/sites/default/files/Media%20Root/Planning%20%26%20Economic%20Development/Sidewall%20Articulation%20NPC%2005-18-16.pdf>

SIDE-WALL ARTICULATION:

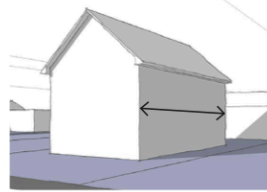
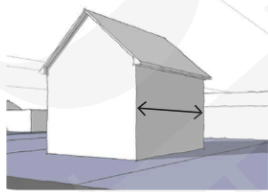
**SIDEWALL ARTICULATION FACT SHEET DRAFT
11/17/15**

Sec. 66.234. Sidewall Articulation

For R1-R4 residential districts in planning districts 14 and 15, excluding property with local heritage preservation site or district designation, sidewall articulation is required for building faces that exceed thirty-five (35) feet in length. Articulation shall be in the form of a structural projection of at least one (1) foot in depth and six (6) feet in length, and must extend from grade to the eave.

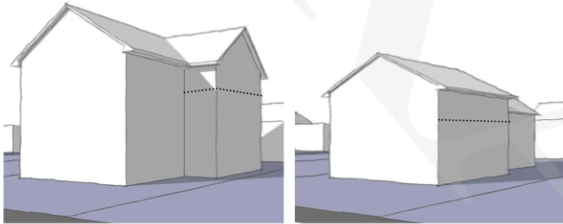
MEETS REQUIREMENT

DOES NOT MEET REQUIREMENT

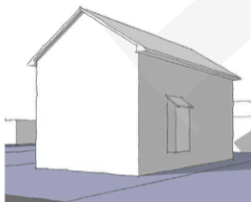
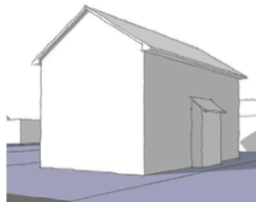
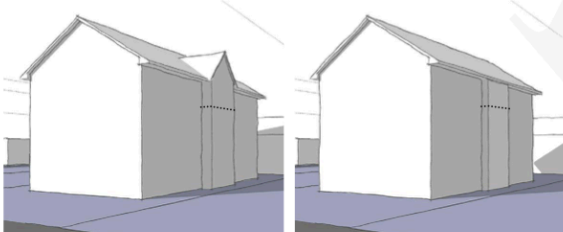


- Overall length less than 35' without articulation

- Overall length greater than 35' without articulation



- Overall length greater than 35' and with projection greater than 1' deep and 6' wide



- Projection extends from grade to eave
- Edge of projection is the footprint of the structure and must meet setback requirement

- Projection does not extend from grade to eave
- Edge of projection is not the footprint (gas fireplace insert, bay window) and can extend into setback (63.106)
- This projection is allowed, but does not fulfill articulation requirement

LAGUNA BEACH, CA

http://lagunabeachcity.granicus.com/MetaViewer.php?view_id=&clip_id=38&meta_id=3454

Residences should be designed at an appropriate scale with respect to the existing natural and built environment. The mass and scale of proposed residences need to be compatible with existing development in the surrounding neighborhood.

Design Articulation

Within the allowable building envelope, the appearance of building and retaining wall mass should be minimized. Articulation techniques including, but not limited to, separation, offsets, terracing and reducing the size of any one element in the structure may be used to reduce the appearance of mass.

Spatial Definition

Space that is designed in a meaningful way conveys a sense of human scale, creates value and positively contributes to the City's distinctive character. A sense of scale can be conveyed through a structure's massing, articulation, architectural details, building materials, landscaping and site orientation.

Balance of Indoor and Outdoor Space

Successful residential designs effectively integrate outdoor and indoor living spaces. Careful consideration is given to the design of outdoor living spaces that demonstrate respect for view equity and privacy issues.

Integration with Natural Environment

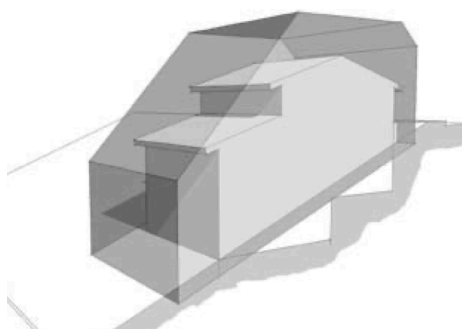
Development and landscape projects should respond to soil conditions, topography, privacy considerations and view opportunities and constraints. The natural context varies dramatically; this is part of the city's unique character.

Integration with Neighborhood

Respect for a neighborhood's architectural context and character is common practice. While individual residential designs are unique, the various neighborhoods throughout the City have a sense of interrelatedness.

Respect for Neighbors

Each property is an expression of individual tastes and needs, yet respect for adjacent neighbors and the surrounding neighborhood is paramount. The placement of buildings and the design of outdoor uses should acknowledge similar interests of abutting properties and demonstrate a sense of community within the neighborhood.



ASPEN, CO

https://library.municode.com/co/aspden/codes/municipal_code?nodeId=TIT26LAUSRE_PT4_00DEPERI_CH26.410REDEST_S26.410.030SIMIDUST

Sec. 26.410.030. Single-family & duplex standards (edited)

(1) *Articulation of Building Mass (Non-flexible).*

- b. *Intent.* This standard seeks to reduce the overall perceived mass and bulk of buildings on a property as viewed from all sides. Designs should promote light and air access between adjacent properties. Designs should articulate building walls by utilizing multiple forms to break up large expansive wall planes. Buildings should include massing and articulation that convey forms that are similar in massing to Aspen residential buildings.
- d. *Options.* Fulfilling at least one of the following options shall satisfy this standard:
 1. *Maximum Sidewall Depth.* A principal building shall be no greater than fifty (50) feet in depth, as measured from the front-most wall of the front façade to the rear wall.
 2. *Off-set with One-Story Ground Level Connector.* A principal building shall provide a portion of its mass as a subordinate one-story, ground floor connecting element. The connecting element shall be at least ten (10) feet in length and shall be setback at least an additional five (5) feet from the sidewall on both sides of the building. The connecting element shall occur at a maximum of forty-five (45) feet in depth, as measured from the front-most wall of the front façade to the rear wall.
 3. *Increased Side Setbacks at Rear and Step Down.* A principal building shall provide increased side setbacks at the rear of the building. If the principal building is two (2) stories, it shall step down to one story in the rear. The increased side setbacks and one story step down shall occur at a maximum of forty-five (45) feet, as measured from the front-most wall toward the rear wall. The increased side setbacks shall be at least five (5) feet greater than the side setbacks at the front of the building.

BOULDER, CO

<https://bouldercolorado.gov/sites/default/files/2021-03/guide-side-yard-bulk-plane.pdf>

SETBACK (Bulk) PLANES

Side Yard Bulk Plane: The purpose of the side yard bulk plane is to ensure that buildings step down towards neighboring properties in order to enhance privacy, preserve some views, and allow visual access to the sky for lots adjacent to new development.

Does the side yard bulk plane apply to my property?

- Side yard bulk plane applies to all:
 - Residential principal and accessory buildings in **RR-1, RR-2, RE, and RL-1** zoning districts
 - Principal and accessory buildings used for single family land use in the **RMX-1** zoning district

What is the side yard bulk plane, and how is it measured?

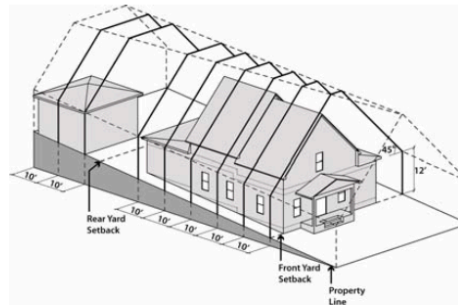
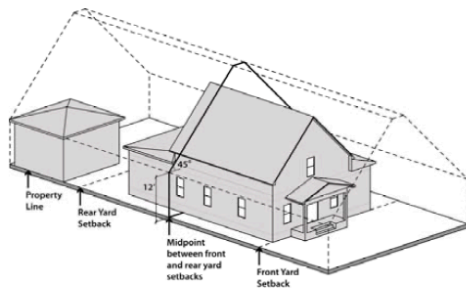
- The bulk plane begins at a point **12 feet** above the side property line of a lot, and then rises at a **45 degree angle** until it reaches the maximum permitted height.



- The bulk plane can be measured one of two ways:
 - For generally flat sites, the **grade level point method** allows the bulk plane to be measured at one time, at the midpoint of the side property line.

OR

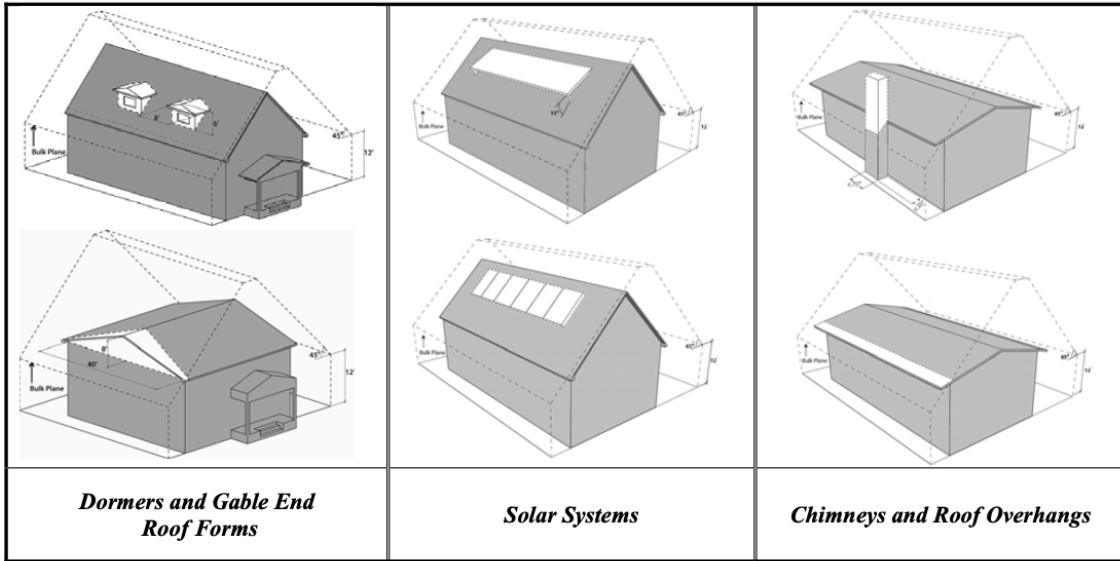
 - For generally sloping sites, the **parallel point method** allows the bulk plane to be measured from a series of points taken at 10 foot intervals along the side property line.



***Note that this document is intended to provide supplemental information, and not meant to replace Ordinance No. 7684.*

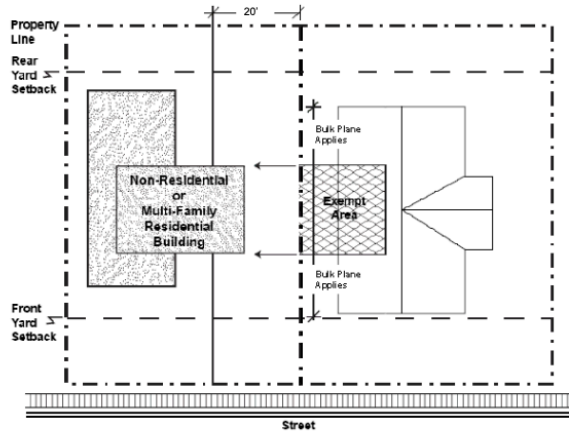
What if a part of my building extends above the side yard bulk plane?

- ❑ There are several elements of a building that are permitted to extend above the bulk plane as allowed encroachments per 9-7-9(d).



Are there any additional circumstances when side yard bulk plane would not apply to my lot?

- ❑ Lots with an **average width less than 45 feet** do not need to demonstrate compliance with the side yard bulk plane.
- ❑ Lots **less than 4000 square feet in area** do not need to demonstrate compliance with the side yard bulk plane.
- ❑ If your property is **adjacent to a lot that includes either a nonresidential land use or two or more dwelling units in a building** within 20' of the shared property line, the bulk plane does not apply for the length of the building that is within 20' of the shared property line.



***Note that this document is intended to provide supplemental information, and not meant to replace Ordinance No. 7684.*

Q1 - Are you generally satisfied with the trend of new construction in Rollingwood? Please mention what you do and/or don't like about building trends, be specific.

CRCRC Conclusions: The yes and no responses are pretty evenly split. Most people recognize and welcome positive new growth, but have concerns over the trend of some newer homes to maximize the buildable area, removing too many mature trees, and thus creating impacts to the quality of life of nearby neighbors. Finding the least invasive way to promote positive growth and development without impacting the property value of neighbors is a priority.

Following summaries provided by ChatGPT:

Yes (50%):

The feedback on the trend of new construction in Rollingwood is generally positive, with residents expressing satisfaction about the increased investment and the overall improvement of the neighborhood. Many appreciate the variety of architectural styles and the introduction of modern and elegant designs. However, there are concerns about some houses being too large for lot sizes, particularly with high foundations and odd-looking structures. The desire for height restrictions, cautious approaches to impervious cover, and concerns about specific modern boxy spec homes are also mentioned. While some express worry about the uniformity of designs, others appreciate the eclectic mix of homes in the neighborhood. Overall, residents seem to value the freedom to build and update their properties, with a preference for a balance between growth and maintaining the unique character of Rollingwood.

The positive feedback from respondents regarding new construction in Rollingwood includes the following key points:

1. **Architectural Quality:** Many respondents appreciate the elegant and modern designs of the new homes, noting that top-notch architects and builders contribute to maintaining a high standard in the neighborhood.
2. **Variety in Designs:** Some respondents value the variety of architectural styles in the neighborhood and the assortment of home designs. They appreciate the uniqueness and character that different homes bring to Rollingwood.
3. **Increased Property Values:** Several respondents mention that the new builds have increased property values throughout Rollingwood, contributing to the overall improvement of the community.
4. **Desirability and Community Growth:** The trend of increased investment, new development, and the turnover of older homes is seen as positive. Some respondents express satisfaction with the quality of new residents moving into the neighborhood.

5. **Custom Homes Over Spec Homes:** There is a preference for custom homes over builder spec homes. Some respondents believe that certain builder spec homes maximize square footage and height to the limits, resulting in oversized structures that may intrude on neighboring properties.
6. **Modernization and Efficiency:** The modernization of homes is generally well-received, with respondents expressing approval of more efficient use of space and tasteful designs.
7. **Allowing Property Owners Freedom:** Respondents appreciate the flexibility given to property owners to improve their properties without overly restrictive rules. The lack of an HOA and overregulation is viewed positively.
8. **Concerns and Suggestions for Improvement:** While overall satisfaction is expressed, some respondents note concerns such as potential rule violations (e.g., impervious cover), oversized houses, and the need for height restrictions. There are also suggestions for maintaining aesthetic standards and ensuring appropriate setbacks.
9. **Market-Driven Development:** There is an acknowledgment that the market and buyer preferences should play a role in determining factors like tree preservation. Some respondents highlight the importance of allowing property owners to make choices that align with market demands.
10. **Positive Impact on Neighborhood Character:** Many respondents see the new construction as contributing positively to the overall character of the neighborhood, bringing in new life and vibrancy.

In summary, while there are diverse opinions, the majority of respondents appreciate the positive impact of new construction on Rollingwood, with a focus on architectural quality, variety, increased property values, and overall community growth. Some concerns and suggestions for improvement have also been raised, indicating a desire for thoughtful development that aligns with the unique character of the neighborhood.

No (48%):

The feedback highlights various concerns about the trend of new construction in Rollingwood. Residents commonly express dissatisfaction with the size of homes, emphasizing issues related to excessive height, inadequate setbacks, and encroachment on neighboring properties. There are consistent complaints about the removal of trees, reduction in green space, and the impact on the character and aesthetics of the neighborhood. Concerns about drainage problems, privacy invasion, and noise during construction also feature prominently. The desire for more thoughtful and considerate design, along with a call for better communication between builders and residents, emerges as a recurring theme. Overall, the majority of responses

suggest a need for a balance between property rights, neighborhood aesthetics, and environmental considerations.

The feedback from respondents highlights several concerns related to the size, height, and impact of new construction in Rollingwood. Some common themes include:

1. **Size and Privacy:** Many respondents express dissatisfaction with the size of new homes, stating that they are too large for the lots and often lack adequate yard space or buffers between neighbors. The trend of maximizing square footage is seen as a departure from the original appeal of the neighborhood, leading to privacy issues.
2. **Height and Design:** Concerns are raised about the height of new constructions, with comments about homes being built too tall or having designs that impact the privacy and sunlight of neighboring properties. The aesthetics of new homes, including the use of stucco and the removal of trees, are also mentioned as issues.
3. **Tree Removal and Impervious Cover:** Several respondents express dissatisfaction with the removal of trees during construction, emphasizing the importance of preserving the natural beauty of the neighborhood. The increase in impervious cover is seen as contributing to drainage issues.
4. **Lack of Consistency:** There are mentions of inconsistency in the enforcement of codes and ordinances, leading to varied building heights, setbacks, and designs. Some respondents call for better regulation to maintain neighborhood character and aesthetics.
5. **Noise and Construction Impact:** Concerns are raised about the impact of construction activities on the quality of life, including noise pollution, traffic congestion, and the lack of communication or notification from builders about disruptive activities.
6. **Loss of Neighborhood Character:** Respondents express a sense of loss regarding the changing character of the neighborhood, with mentions of homes looking similar, loss of green space, and a departure from the original charm and appeal of Rollingwood.
7. **Consideration for Existing Neighbors:** Some respondents feel that new construction does not adequately consider the impact on existing neighbors, with examples of homes being built too close to property lines, reducing privacy and negatively affecting adjacent properties.

8. **Overall Urban Forest Preservation:** Concerns about the reduction of the urban forest due to tree removal and increased impervious cover are highlighted as issues that need attention.

The feedback suggests a desire for more thoughtful, considerate, and consistent development practices that preserve the unique character of Rollingwood while addressing concerns related to size, privacy, and environmental impact.

Blank (2%)

The responses indicate a mixed sentiment, with individuals expressing a neutral stance on the trend of new construction in Rollingwood. Some acknowledge the benefits of increased property values but also highlight concerns such as congestion, noise, and diverse opinions on the architectural styles of new houses. Overall, it appears that opinions vary, and individuals may appreciate certain aspects while remaining indifferent or critical of others.

Q2 - Do you think Rollingwood should consider changes to its building codes?

CRCRC Conclusions: Very strong indication of interest to address areas of RW building code that are causing direct impacts to neighbors, particularly height, size, placement along building setbacks, and loss of tree canopy, while balancing the obvious trend to rebuild aging infrastructure with the need to protect resident's property value and investment.

When sorting just the "No" responses against remaining questions regarding changing building codes later in the survey, 33% of the "No's" ultimately responded in favor of some type of change. (see chart)

All summaries provided by ChatGPT:

Yes (63%):

Input highlights several common themes, including the need for better enforcement, clarity, and adjustments to the existing codes. Here's a summary of the key points:

- **Height Restrictions and Measurement:**
 - Clarify and strictly enforce height restrictions.
 - Consider redefining or clarifying how building height is measured.
- **Impervious Cover and Drainage:**
 - Implement or strengthen impervious cover restrictions to address drainage issues.
 - Consider limits on the size of homes relative to lot sizes to prevent excessive impervious cover.
- **Setbacks and Building Placement:**
 - Review setbacks and consider adjustments to prevent crowding and maintain privacy.
 - Evaluate the impact of building placement on neighbors, especially for corner lots.
- **Tree Protection:**
 - Strengthen tree protection measures and replanting requirements.
 - Consider stricter regulations on tree removal.
- **Consistency and Clarity:**
 - Ensure consistent application and interpretation of building codes.
 - Work towards a more straightforward and comprehensible set of codes to facilitate compliance.
- **Environmental Considerations:**
 - Address concerns related to water retention and rainwater collection.
 - Explore options for preserving open spaces and promoting environmental sustainability.
- **Flexibility and Adaptability:**

- Consider flexibility within the codes to accommodate changing needs, but with limits.
- Explore adjustments to encourage remodels over tear-downs.
- **Neighborhood Aesthetics:**
 - Consider aesthetics and compatibility with the neighborhood, avoiding a cookie-cutter appearance.
 - Encourage a mix of architectural styles and discourage excessively large homes.
- **Enforcement and Monitoring:**
 - Strengthen enforcement mechanisms for existing codes.
 - Consider regular monitoring of building sites to ensure compliance.
- **Other Concerns:**
 - Address external lighting concerns with clear ordinances.
 - Explore options for more flexibility in ADUs (Accessory Dwelling Units).

The citizen input reveals a mix of concerns related to aesthetics, environmental impact, code enforcement, property rights, and community well-being. Residents emphasize the importance of a balanced approach to building codes that addresses specific issues while considering the broader needs of the community.

The most frequently mentioned issues in the citizen input for Rollingwood's building codes include concerns about building height, drainage problems, oversized homes, tree preservation, and the need for clearer code enforcement. Residents express a desire for stricter regulations on impermeable ground cover, limitations on home sizes relative to lot sizes, and more explicit guidelines on setbacks. The community appears divided on the balance between property rights and the need for regulations, emphasizing the importance of addressing these issues to maintain the neighborhood's character and harmony.

No (29%):

Responses emphasize the importance of balancing property rights, maintaining property values, and considering the character of Rollingwood. Here's a summary of the key points from the feedback:

- **Respect for Property Rights:**
 - Emphasis on property rights and the idea that homeowners should have the freedom to build within reason.
- **Concerns About Negative Impact on Property Values:**
 - A common concern about potential changes negatively affecting property values.
- **Preference for Maintaining Current Codes:**
 - Contentment with the existing building codes and a preference for maintaining them.
- **Unique Character of Rollingwood:**

- Recognition of Rollingwood's uniqueness and a desire to avoid excessive regulation that might hinder the neighborhood's character.
- **Resistance to Additional Restrictions:**
 - Resistance to additional restrictions that may impede development or alter the neighborhood's attractiveness.
- **Recognition of Market Dynamics:**
 - A belief that market dynamics, rather than increased regulations, should guide development.
- **Ease of Building:**
 - Appreciation for the ease of building in Rollingwood compared to surrounding areas.
- **Acknowledgment of Neighborhood Change:**
 - Acknowledgment of neighborhood changes and a recognition that preferences for home sizes and styles may differ among residents.
- **Balancing Tradition and Evolution:**
 - Balancing the preservation of Rollingwood's character with the need for evolution and growth.
- **Potential Impact on Older Homes:**
 - Concern about potential regulations affecting the ability to remodel older homes.

Input highlights the diversity of opinions within the community and the importance of finding a balance that respects individual property rights while preserving the unique character of Rollingwood. Striking a balance between regulatory measures and the evolving needs of the community is essential for Rollingwood to navigate its path forward, ensuring both responsible development and the preservation of the neighborhood's cherished qualities.

Blank (7%)

The responses generally express uncertainty or lack of personal experience with the Rollingwood building codes. Some respondents mention not having enough information to provide informed feedback, while others express a desire for the current rules to be enforced. Overall, there is a lack of specific opinions or suggestions regarding changes to the building codes.

Q3: Is RW maximum height of 35ft too high, too low, or about right?

CRCRC Conclusions: We determined that most people are comfortable with the building height of 35ft, the issue is how it is measured and enforced.

All summaries provided by ChatGPT:

Too High (25%):

The comments express concerns about the maximum height limit of 35 feet, with many arguing that it is too high. There are observations that the code is not consistently enforced, allowing creative strategies to surpass the limit. Suggestions include reevaluating height calculations, considering slope allowances, and tightening enforcement to address privacy issues and neighborhood aesthetics. Some propose lowering the maximum height to 25 or 30 feet, limiting structures to two stories, and closing loopholes that lead to taller buildings. Overall, there is a consensus that the current height limit may not adequately consider topography, resulting in structures that appear taller than expected.

Too Low (7%):

Some individuals express the view that the maximum height of 35 feet is too low. They argue for increased flexibility, suggesting a higher limit of 40 feet to accommodate three floors and maximize square footage on lots. Some also mention the potential benefits of higher height limits for incorporating multifamily options and accommodating diverse property owner needs. Overall, there is a sentiment that more height flexibility could enhance design possibilities and meet varying circumstances.

About Right (63%):

The comments revolve around the regulation of building heights, specifically set at 35 feet. There are varying opinions on whether this height is appropriate, with considerations for factors such as the measurement point (ground or finished floor elevation), slope of the lot, and potential exploitation of loopholes. Some argue that the existing height is suitable for aesthetics, resale value, and neighborhood attractiveness, while others express concerns about overbuilding, manipulation of codes, and the impact on natural light and views. Suggestions include clearer code language, considerations for foundation thickness, and addressing issues related to sloped lots. Some advocate for maintaining the status quo, while others propose adjustments based on topography or setbacks. Overall, the consensus seems to be a need for clarity in measurement points and potential adjustments for specific conditions like slope or lot size.

Sample Comments for “About Right” were important to parse as it was most preferred:

- *It depends on where the 35 ft start and stop. Need clarity around this*
- *Depends on how it is measured*
- *the place of measurement is important*
- *It really depends on whether it is measured from the ground, or the finished floor elevation. It should be from the ground.*

- *The foundation should be included in this (unless the lot and highest backs onto a canyon or where it wouldn't be overbearing on a neighboring lot).*
- *The problem is not the height per se but the height from what grade?*
- *But: does that include the foundation thickness?*
- *this very much depends on the topography of the property and how the "height" is measured*
- *it depends on where it's measured, everyone seems to take their own advantage and finish new homes above 35' which is not right*
- *the code language needs to be more specific about the point from which the 35 feet is measured. Someone could build up the lot with berms - and then build a house that is (say) 50 feet higher than the street.*
- *But consideration should be made factoring in grade, inappropriate foundation heights and other "cheats" that can get around height regulation.*
- *Problem is that lots are being built up to get to house higher and that is not being penalized.*
- *I certainly wouldn't raise the maximum height; it's plenty high. I might consider slightly lowering it.*
- *This needs to be clarified to avoid builders taking advantage of sloped lots.*
- *The height needs to vary/adjust/step up or down on flatter lots and you should not be able to build 35' right on the setback. The max height should be restricted to the "middle" of the lot.*
- *Homes should be street level.*
- *I don't think the code needs to be changed to address the height of houses - instead, I think it needs to look at houses in relation to neighboring houses and lots. New houses should only be approved if they don't substantially decrease the sunlight or privacy of neighboring houses.*

Q4: Should we look at alternate ways to measure height?

CRCRC Conclusions: We determined that most people want an alternate measure for height than current, and the preferred method that appears to be the simplest and most fair is a parallel plane to the existing or finished grade, whichever is lower, at a maximum height of 35ft.

All summaries provided by ChatGPT:

Yes (62%):

The majority of respondents (172) express support for exploring alternate ways to measure building height. Scenario #3, which involves measuring height parallel to the existing grade, is favored by many. There are various preferences and considerations, with some mentioning the impact on property value, the need to account for foundation height, and the desire for simplicity and symmetry in the neighborhood. Some respondents express uncertainty or suggest a combination of scenarios. Overall, there is a strong inclination toward investigating alternative measurement methods to ensure more accurate and fair assessments of building height in Rollingwood.

No (32%) 11 either Yes or ambiguous:

The majority of respondents (89) express a preference for maintaining the current building height code, deeming it appropriate for Rollingwood. Concerns include potential loopholes and inconsistent enforcement. Some mention the importance of the code in the context of sloping lots and Rollingwood's topography. Others oppose unnecessary changes, citing potential negative impacts on property owners, including those with sloped lots. Some express a desire for consistency and flexibility in adapting to terrain, suggesting that the current code strikes a good balance. Overall, there is a sentiment against altering the existing building height regulations.

Blank (5%)

Comments from those with "Blank" response:

- *Not sure*
- *3*
- *The least restrictive measure*
- *Unknown, I don't know enough about this.*
- *Because of the slopes in the neighborhood, I'd go with a standard height above existing grade (and or a maximum height above the highest existing grade. I think the idea is not to have buildings with imposing heights vs. neighbors. If the land is at X height, having a building Y height above that, seems to make sense to me*
- *Scenario 2*

Comments that answered "No", but seem to suggest something else:

- *Already new builds are too inconsistent with one another in size and style which diminishes the beauty of Rollingwood*
- *Because of the slopes in the neighborhood, I'd go with a standard height above existing grade (and or a maximum height above the highest existing grade. I think the*

idea is not to have buildings with imposing heights vs. neighbors. If the land is at X height, having a building Y height above that, seems to make sense to me

- *#3. The height is 35 feet wherever the height is measured. The other scenarios are subject to abuse and misinterpretation.*
- *I think #2 would work... again, if enforced*
- *3*
- *Unknown, I don't know enough about this.*
- *I am not opposed to looking at it to make it more consistent and make more sense, but I do not mean that as an open door to build in onerous new restrictions, Rollingwood is already very difficult*
- *Scenario 2*
- *The least restrictive measure*
- *Scenario 3*

Q5 - Should we measure the maximum height of a home with a flat roof differently from one with a pitched roof?

CRCRC Conclusions: Most people answered “No” to this question, and in an effort to maintain simplicity and focus on the biggest concerns, we concluded flat roofs should not be subjected to different height regulations, although flat roofs do pose a unique impact that may be mitigated along the setbacks through methods of tenting and side articulation. 90 of 165 respondents (55%) that answered “No” to this question said “Yes” to having some form of vertical setback limits throughout the remainder of the survey.

All summaries provided by ChatGPT:

Yes (36%):

Respondents express various concerns and considerations regarding homes with flat roofs and the same height. There is a general sentiment that flat roofs can create a greater mass and visual impact compared to pitched roofs. Privacy issues, the potential for abuse, and the impact on neighboring properties are mentioned. Some respondents suggest limiting flat roofs to a lower height, such as 30 feet, to address these concerns. Others emphasize the aesthetic preference for pitched roofs and suggest giving them a slight height advantage. The overall consensus seems to be that measuring height differently for flat roofs may help address privacy, visual, and aesthetic considerations in the neighborhood.

No (60%):

Respondents express a range of opinions on whether there should be a distinction in height measurement between flat roofs and pitched roofs. Some respondents are unsure or open to the idea, but concerns about consistency, aesthetic preferences, and the potential for abuse are raised. Some argue against creating distinctions based on roof type, emphasizing the importance of simplicity and not imposing restrictions that favor one aesthetic over another. Others suggest that if there is any distinction, it should be minimal and not disadvantage flat roofs. The idea of removing height restrictions altogether or limiting the number of stories is also mentioned by some respondents. Overall, there is no clear consensus on whether a distinction based on roof type is necessary or desirable.

Blank (3%)

Comments from those with “Blank” response:

- *Unsure, maybe*
- *It depends on what you mean. Flat roofs should not be able to game the system.*
- *Leave it alone.*
- *I prefer the current code.*

Q6 - Should we consider adding FAR and/or ratio of building footprint to lot size to Rollingwood's building code?

CRCRC Conclusions: The responses were very evenly split on whether to use FAR. Of those that said "No", 57% wanted to change building height measurements, 23% wanted tenting, 27% wanted vertical setback restrictions, 10% thought setbacks were too small (should be larger) and/or there should be upper floor restrictions. (see separate chart). We hear a desire to control the entire buildable area from being consumed with house. Additional restrictions may help address these concerns initially, but a high FAR % may capture certain homes that attempt to push every maximum. CRCRC's position is to revisit this option when all other tools have been assessed.

All summaries provided by ChatGPT:

Yes (49%):

Respondents express a variety of opinions on the implementation of a Floor Area Ratio (FAR) restriction. Many respondents support the idea, citing concerns about the increasing size of homes, loss of green space, and drainage issues. Some highlight the importance of maintaining the open, sylvan feel of the neighborhood and preventing overbuilding. Others emphasize the need for restrictions on lot coverage and impervious cover to address these issues. Some respondents express uncertainty or suggest a need for more information, while a few caution against being as restrictive as other municipalities like the City of Austin. Overall, there is support for measures that would regulate the size of homes and preserve the character of Rollingwood.

No (47%):

Respondents express diverse opinions on the idea of implementing a Floor Area Ratio (FAR) restriction. Some respondents support the idea, citing concerns about the increasing size of homes, drainage issues, and maintaining the character of the neighborhood. Others, however, strongly oppose the idea, emphasizing property rights, the desire for larger homes, and concerns about the potential negative impact on property values. Some express uncertainty or suggest that setbacks and height restrictions are sufficient to regulate building size. Overall, opinions are divided on the necessity and desirability of implementing FAR restrictions in Rollingwood.

Blank (3%)

"No" to FAR, but "Yes" to:

FAR	Ref Datum	Impervious Cover	Tenting	Setback Dev. Restrictions	Setbacks Too Small	Upper Floor Restrictions
No	Yes	Yes	Yes	Yes	Too small	Yes
No	Yes	Yes	Yes	Yes	Too small	Yes
No	Yes	Yes	Yes	Yes	Too small	Yes
No	Yes	Yes	Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes	Too small	Yes
No	Yes		Yes	Yes		Yes
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		
No	Yes		Yes	Yes		

Q7 - Please indicate your feelings on Rollingwood's current setback dimensions, and clarify in the comments if you have thoughts or concerns specific to front, side, or rear.

CRCRC Conclusions: After examining the potential benefits between neighbors in simplifying RW side setbacks to both be 15ft., including slightly reduced fire risk, we concluded that making this change might be too disruptive to current precedent and infrastructure, and based on resident feedback, that addressing specific vertical impacts along the building setbacks would be more beneficial.

There is still on-going discussion regarding front and rear setbacks, and corner lot setback dimensions. Additionally, we are examining pool setback requirements.

Following summaries provided by ChatGPT:

[About Right \(64%\):](#)

The majority of respondents (177) feel that Rollingwood's current setback dimensions are "about right." Some specific feedback includes suggestions for adjustments in certain situations, such as corner lots where the owner might choose which side is considered "side" or "rear." Others recommend reducing front setbacks for privacy, allowing some auxiliary building within setbacks, and ensuring setbacks are consistently enforced. Concerns about tree removal within setbacks and the need for better enforcement are also mentioned. Overall, while many find the setbacks appropriate, some suggest considering adjustments in specific circumstances.

This consolidated list captures the key themes from resident "About Right" responses regarding Rollingwood's current setback dimensions:

Mixed Opinions on Setback Adjustments:

Varied opinions on setbacks, ranging from suggestions to reduce setbacks for urban living to concerns about preserving space and tree appeal.

Specific Recommendations for Change:

Specific recommendations include allowing owners to choose sides for corner lots, combining setbacks with new restrictions, and adjusting setbacks based on lot characteristics.

Concerns About Developer Exploitation:

Residents express concerns about developers exploiting setbacks and propose solutions such as grandfathering existing buildings to maintain boundaries.

Enforcement and Consistency:

Strong emphasis on consistent enforcement of setback rules, addressing issues like encroachments and acknowledging the importance of understanding and following the rules.

Consideration for Corner Lots:

Proposals for corner lots include adjustments to setback sizes, ROW inclusion, and a case-by-case approach to accommodate unique configurations.

Preserving Aesthetics and Greenery:

Residents highlight the importance of setbacks in preserving the neighborhood's aesthetics, greenery, and overall appeal, emphasizing the need for tree preservation.

Flexibility for Specific Structures:

Calls for flexibility within setbacks for specific structures, like pools, decks, and auxiliary buildings, with conditions to maintain harmony with neighboring properties.

Balancing Privacy and Design Flexibility:

Suggestions to balance privacy concerns with design flexibility, including considerations for setback adjustments, especially in the context of larger, custom-designed homes.

Zoning Disparities and Jurisdictional Impact:

Concerns about zoning disparities, with proposals to align setbacks with neighboring jurisdictions, especially where Austin properties are involved.

Impact on Neighborhood Character:

Reflections on setbacks influencing the overall character of the neighborhood, with some advocating for larger setbacks to maintain spacious lots and others suggesting adjustments for more usable space.

Too Small (22%):

The residents who feel that Rollingwood's current setback dimensions are "too small" (61 respondents) express concerns primarily about side and rear setbacks. Common themes include the impact on privacy, the encroachment of larger homes on neighboring properties, and the need for more space between houses. Suggestions for improvement include increasing side setbacks to 15-20 feet, adjusting cumulative setback calculations, and considering setbacks relative to lot size. Some residents emphasize the importance of maintaining the appeal of Rollingwood with larger setbacks to accommodate the size of new constructions. Overall, the feedback suggests a desire for adjustments, especially in side and rear setback dimensions.

This consolidated list captures the key themes from resident “Too Small” responses regarding Rollingwood's current setback dimensions.

General Concerns about Setback Size:

Many residents express concerns that setbacks, especially for the sides and rear, are currently too small, leading to issues with privacy, sunlight, and overall neighborhood character.

Proposals for Larger Setbacks:

Several suggestions advocate for larger setbacks, ranging from specific measurements like 15 feet to more flexible approaches relative to lot size and increased dimensions for specific sides.

Specific Issues with Side Setbacks:

Residents highlight specific problems with side setbacks, including the 10-foot minimum with a cumulative 25 feet, which some find inelegant and difficult to resolve in case of disputes between neighbors.

Impact of New Construction:

Concerns are raised about the impact of new construction, with mentions of houses becoming too close, reduced open spaces between homes, and a shift away from the natural feel that attracted residents to Rollingwood.

Flexibility Based on Lot Characteristics:

Calls for setbacks to be more flexible, considering lot characteristics such as trees and terrain, with a focus on preserving greenery and privacy.

Need for Increased Rear Setbacks:

Specific emphasis on increasing rear setbacks for more yard space, with suggestions ranging from 15 to 30 feet to address concerns about the scale of new constructions.

Concerns about Sunlight Blockage:

Specific instances are cited where a 10-foot side setback is deemed insufficient, especially with taller homes, resulting in sunlight blockage to neighboring properties.

Desire for Consistent Enforcement:

Residents express the need for consistent enforcement of setback rules, suggesting that the effectiveness of setbacks lies not in the rules themselves but in their enforcement.

Proposals for Setback Adjustments:

Proposals include adjusting setbacks based on lot size, ensuring setbacks are relative to Rollingwood's lot dimensions, and making allowances for specific structures like pools within setbacks.

Balancing Privacy and Design Flexibility:

Suggestions for setbacks that balance privacy concerns with design flexibility, acknowledging the importance of tree preservation and the overall aesthetic appeal of the neighborhood.

Too Large (11%)

Residents who feel that Rollingwood's current setback dimensions are "too large" (31 respondents) express concerns, especially regarding the front setback. The common themes include the perceived wastage of land, water usage issues, and outdated regulations that were established during the septic system era. Some residents suggest decreasing setbacks, particularly for corner lots, to allow for more usable land and to align with neighboring cities' regulations. Concerns are raised about the impact of setbacks on the buildable area, limitations on pool construction, and restrictions on land use. Overall, these residents advocate for a more flexible approach, considering the unique characteristics of Rollingwood's lots and the desire for increased choice in land utilization.

This consolidated list captures the key themes from resident "Too Large" responses regarding Rollingwood's current setback dimensions.

Concerns about Setback Size:

Residents express that setbacks, especially for corner lots, are perceived as too large, limiting buildable space and restricting land use, particularly with regard to swimming pools.

Front Setback Criticisms:

Specific criticisms focus on the front setback, describing it as outdated, excessively large, and environmentally unfriendly due to the encouragement of large grass front yards, leading to water wastage.

Inconsistencies and Rigidity in Setback Rules:

Concerns are raised regarding inconsistencies and rigidity in setback rules, with residents suggesting that rules should be more consistent, especially for corner lots, and that the setbacks are often too rigid, especially for irregularly shaped lots.

Impact on New Constructions and Building Rights:

Residents express dissatisfaction with recent constructions, describing them as too cramped and emphasizing the need for more significant borders. There's a

call to allow residential owners more flexibility in using their land without excessive limitations on building rights.

Desire for Choice and Flexibility:

A desire for more choice and flexibility in land use, suggesting that residents should be able to use their land more freely. The argument includes opposition to setbacks that limit usable space, particularly in front yards, and a preference for larger back setbacks and smaller front setbacks.

(1) Comment from “Blank”(3%) responses:

The resident disagrees with the 20-foot setback requirement along the back fence for pools, emphasizing the relatively small yards in Rollingwood. They express frustration with the building code restrictions that prevent the construction of a deck for an outdoor table or a retaining wall within 10 feet of a fence, as required by the city.

Q8: On April 5, 2023 Rollingwood City Council set limits on projections into setbacks, as follows:

***Roof overhangs** may encroach into front and rear yard setbacks up to 5 feet, and into side yard setbacks up to 33 percent of their maximum width. **Projections** that include chimneys and bay windows may encroach only 2 feet into setbacks on all sides.*

Prior to this amendment, the code excepted these types of building extensions from setback limits, thus allowing unlimited encroachment of projections into setbacks.

Please indicate your general feelings on the new setback projection limits described below, and clarify if you have concerns specific to roof or bay window projections:

CRCRC Conclusions: The responses highlight the complexity of balancing setback regulations, aesthetic concerns, and practical considerations, with varying perspectives on specific elements like roof overhangs and bay windows. Our sense is that most view it as a step in the right direction, 60% say it's "about right", but there may need to be additional language to ensure that projections are limited in their length and height.

Following summaries provided by ChatGPT:

[About Right \(60.7%\)](#)

Residents exhibit diverse opinions on the new setback projection limits in Rollingwood, with sentiments ranging from support for the changes to requests for further clarification. Some view the adjustments as necessary and reasonable, emphasizing the importance of preventing the crowding of neighboring homes. Concerns about potential abuse and the need for strict enforcement of building codes are expressed, with a call for simpler regulations to prevent gaming of setbacks. There's a recognition of the significance of overhangs for energy efficiency, but varying opinions on their inclusion in setback limits. The desire for limitations on the width and length of chimney or bay window projections is raised, suggesting a need for more specific guidelines. Overall, residents highlight the importance of maintaining setback limitations and simplicity in code regulations.

- Mixed feelings, some find it reasonable, others question the definition of "too much."
- Recognition of landscape variations and the need for reasonable exemptions.
- Emphasis on preventing setbacks from being abused and the importance of strict enforcement.

- Acknowledgment of the role of drainage concerns and the existing drainage manual.
- Requests for clarity on the meaning of "too much" in setback projection limits.
- Support for the recent changes as a much-needed adjustment.
- Diverse opinions on including roof overhangs in setback limits.
- Calls for simplicity in code regulations and avoidance of setbacks being abused.
- Suggestions to limit the width and length of chimney or bay window projections.
- Emphasis on the importance of energy-efficient overhangs and their encouragement in building codes.

Too Much (20.7%):

Residents hold diverse views on the new setback projection limits in Rollingwood, with some advocating for stricter regulations and others expressing concerns about the impact on home size and building processes. Here's a summary:

- Projections should not exceed setback limits, but opinions vary on whether they are appropriate for side or street setbacks.
- Some residents oppose the changes, seeing them as unnecessary and resulting in smaller houses and a more burdensome building process.
- There's acknowledgment of setbacks impacting neighbors, with concerns about increasing setbacks affecting the overall size of homes.
- Suggestions for exceptions to setbacks based on reasonable Floor Area Ratio (FAR) considering lot irregularities.
- Calls to revert to the pre-April 5, 2023 framework, emphasizing building entirely within allowable setbacks with no overhanging projections.
- Opposition to further regulation and a preference for rolling back the recent change.
- Concerns about code dictating overhang allowances, deemed intrusive by some.
- Proposals to limit roof overhangs to 3 feet, restricting habitability or deck conversion, and placing limits on bay windows and cantilevers to avoid excessive projection.
- Calls for uniform overhang limits of 2 feet on side yards to prevent houses from being too close together.
- Advocacy for a simple and generous building code, avoiding unnecessary constraints.
- Some express dissatisfaction with new houses being too close to property lines.
- General consensus against any building structure inside setback limits, citing concerns about gaming the system and fire hazards.
- Mixed opinions on the reasonableness of the setbacks, with some feeling that the existing generous setbacks are sufficient.

Overall, residents exhibit a range of perspectives, emphasizing the need for a balance between setback regulations, privacy concerns, and building design flexibility.

Too Little (12%):

Residents express clear and varied opinions on the new setback projection limits in Rollingwood, leaning towards restricting encroachments to ensure aesthetic and safety standards. There is a strong sentiment against allowing projections like bay windows in setback areas, emphasizing setbacks for privacy and space between homes. The recent fire incident is cited as evidence for maintaining strict limits on setback encroachments. Some advocate for setbacks up to 10 feet instead of 5 feet, while others propose limiting the height in setback areas to around 12 feet. Concerns about the size of new homes and the need for privacy are prevalent, with calls to avoid anything, especially livable space or two-story structures, in setbacks. Overall, the desire to prevent overcrowding, maintain privacy, and limit the intrusion of large structures in setbacks is evident.

- Projections, especially bay windows, should not exceed setback limits.
- Setbacks and easements are crucial for aesthetics and safety and should be strictly enforced.
- Strong opposition to allowing any projections/encroachments in setbacks, with exceptions only for proven hardships.
- Ambiguity in answers regarding setbacks and a preference for clarity in code language.
- New homes are perceived as too large for the available lots.
- Resistance against allowing overhangs and projections in setback areas.
- Preference for setbacks up to 10 feet, and suggestions to limit height in setback areas.
- Emphasis on protecting privacy and preventing intrusion into setback areas.
- Opposition to anything in easements, side, or back setbacks.
- Concerns about the size of new homes, advocating for less density and more space between properties.

Blank (5.8%)

Residents expressing disagreement with any encroachment argue for a return to the original code, emphasizing the importance of adhering strictly to setback regulations. There is a belief that exceptions should not be accepted and that the focus should be on the overall footprint rather than overhangs and projections. Some residents find the language regarding side yard setbacks confusing and call for a reversal of the recent amendment, suggesting that changes should only occur after obtaining community feedback. The sentiment is strong that collaboration with citizens is essential in making such regulatory decisions.

Q9: Should we consider any limitations on what can be built along a setback? This was a question asked in response to residents that have written emails with concerns about the impacts of buildings and landscape along, and within the setbacks, including:

- **Building to the allowable maximum height of 35 feet, and up to 45 feet on sloped lot**
- **Building along the entire length of setbacks, including to the maximum height**
- **Minimal side articulation by building flat walls and roofs with minimal variation or changes in building form or material**
- **Foundation height - allowable to any height within overall max. building height**
- **Land removal**
- **Tree removal**

CRCRC Conclusions: This was one of the more meaningful questions that led to thoughtful insights and observations. The crux of the question centers around privacy and quality of life between neighbors. It's clear that residents don't want rules that determine or limit designs, so creating a set of rules that serve only to restrict the most significant impacts that can occur between homes is critical, without limiting personal aesthetic choices. Many large homes that have been built in the last 10-20 years obey a set of traditional rules about design that favor a tiered approach to not only the landscape, but to making smaller or single-story areas of the home that are closer to neighbors, while consolidating the larger/taller portions of the home to the middle of the lot. That trend appears to be changing with a number of homes building-out along the setbacks in ways the neighborhood has not experienced previously. An effort should be made to restore the expected privacy traditionally afforded to RW residents by controlling the overall building and foundation height along the setback lines, as well as promoting side articulation to create variation, shadow lines, and reduced glare from continuous flat, white surfaces.

All summaries provided by ChatGPT:

Yes (56%):

Residents express a range of concerns and suggestions regarding Rollingwood's setback development. Many emphasize the need to avoid building along the entire length of setbacks, suggesting limitations on building height, foundation height, and tree removal within setbacks. There's a strong call to consider the impact on neighboring properties, ensuring shade, privacy, and visual appeal. Some advocate for a tiered setback system, incorporating both at-grade and above-first-floor setbacks. The preservation of heritage trees is a recurring theme, with residents calling for strict limitations on tree removal and potential penalties for violations. There's also a desire for more stringent rules and enforcement to prevent excessive construction and tree

removal. Overall, residents are looking to maintain the natural and open character of Rollingwood, advocating for thoughtful construction practices and limitations on the size and impact of structures within setbacks.

- Limitations on building along the entire length of setbacks, considering impacts on neighboring properties.
- Restrictions on maximum building and foundation height, with consideration for the natural topography.
- Preservation of heritage trees and limitations on tree removal within setbacks.
- Tiered setback system, including both at-grade and above-first-floor setbacks.
- Stricter rules and enforcement to prevent excessive construction and tree removal.
- Consideration of the impact on shade, privacy, and visual aesthetics for neighboring properties.
- Prohibition of exposed concrete foundations and encouragement of tasteful landscaping in setbacks.
- Preservation of a natural hill country feel, with a focus on maintaining trees and green space.
- Concerns about the potential negative impact of high foundations and structures on neighboring views.
- Suggestions for exemptions in cases where neighbors' existing structures do not meet new setback rules.

No (37%):

Residents express a desire for flexibility and individual choice within setbacks, emphasizing the importance of avoiding overly restrictive regulations. They argue against micromanaging the aesthetic aspects of construction, stating that allowing variety prevents the neighborhood from becoming a uniform collection of similar structures. The sentiment is that as long as setbacks and building heights are appropriately defined and enforced, property owners should have the freedom to make decisions within those limits. Some residents propose limiting foundation heights, while others advocate against further restrictions if existing setback and height regulations are sufficient. Concerns are raised about the potential negative impacts of constant changes to building codes and the need to avoid unnecessary regulations that could lead to increased architectural and engineering expenses.

- Residents advocate for individual choices within setbacks, emphasizing flexibility in landscaping and construction.
- Opposition to micromanaging aesthetic aspects to prevent the neighborhood from becoming uniform.
- Support for clearly defined and enforced setback and building height regulations.
- Some suggest limiting foundation heights to a maximum of three feet above ground level.

- Concerns about unnecessary regulations leading to increased architectural and engineering expenses.

Blank (5.8%)

- Mixed opinions exist among residents regarding building codes and construction practices.
- Visual concerns focus on large foundations, suggesting solutions like "tenting" or landscaping to mitigate their impact.

Q10 - Should we develop a set of “tenting” rules for Rollingwood that restrict building height along a setback?

CRCRC Conclusions: There is a perception among some that “tenting” translates into a design form, rather than its intent as a tool to limit the height of buildings along a setback, and thereby reduce impacts between nearby neighbors. Tenting is a way to maintain a more traditional site-development precedent for building in older neighborhoods, as mentioned in regards to Q9, which many residents assumed would be the case when they moved or built in RW. The more negative perceptions of “tenting” seem to center around design-limitations, however 20% of those who said “no” to tenting selected “yes” to alternative tools to restrict development impacts along the setbacks. Our sense is that “tenting” in City of Austin is too onerous, so simplifying the most relevant aspects are likely to produce the results residents are seeking, and that this is an important tool towards maintaining privacy, property values, and quality of life between neighbors.

All summaries provided by ChatGPT:

Yes (51.6%):

Residents' responses to the idea of implementing "tenting" rules in Rollingwood to restrict building height along a setback are mixed. Some express support for the concept, emphasizing the need to maintain property rights and privacy for existing homes. Others are unsure or feel the rules could complicate matters further. Some suggest considering the success of similar rules in Austin before deciding. Concerns are raised about potential complications, enforcement challenges, and the impact on the aesthetics of newer/modern flat-roofed architecture. Despite varying opinions, many residents agree that the issue of setbacks, sunlight, and overall harmonization with the neighborhood needs careful consideration.

- Prefer tenting rules combined with a building to lot size ratio limit.
- Concerns about potential complications and enforcement challenges.
- Support contingent on maintaining property rights and privacy for existing homes.
- Suggested harmonizing with newer homes rather than original 1950s-era houses.
- Consideration of the success of similar rules in Austin is recommended.
- Mixed opinions on the effectiveness and potential complications of "tenting" rules.
- Emphasis on addressing setbacks, sunlight, and harmonization with the neighborhood.
- Uncertainty about the impact on newer/modern flat-roofed architecture.

No (40.7%):

Residents' responses to the proposal of developing "tenting" rules in Rollingwood that restrict building height along a setback are largely negative. Concerns include the perceived limitations on design variation, potential stifling of innovation, and comparisons to Austin's McMansion ordinance, which is criticized as a disaster. Some residents argue against additional rules, suggesting that existing regulations on heights and setbacks should be strictly enforced. Others express worries about the impact on architectural appeal, potential for cookie-cutter homes, and the discouragement of creativity in building design. Overall, a significant number of respondents are against the implementation of "tenting" rules, advocating for alternative approaches to address the concerns related to building height and setbacks.

- Concerns about limiting design variation and potential for cookie-cutter homes.
- Negative comparisons to Austin's McMansion ordinance, perceived as a disaster.
- Advocacy for enforcing existing rules on heights and setbacks without introducing new restrictions.
- Worries about stifling innovation and creativity in building design.
- Opposition to "tenting" rules as a potential long-term solution with unnecessary restrictions.
- Skepticism about the effectiveness of "tenting" and its impact on architectural appeal.
- Calls to avoid turning Rollingwood into Austin based on negative examples.
- Some residents express uncertainty or lack of understanding regarding the concept of "tenting."

Blank (6.9%)

Residents' responses to the proposal of developing "tenting" rules in Rollingwood that restrict building height along a setback are mixed, with a predominant theme of uncertainty and lack of understanding regarding the concept. Some express the need for reevaluating setbacks and basing them on lot size to prevent developers from maximizing square footage at the expense of aesthetics, privacy, and the environment. Others admit a lack of familiarity with the concept and express reservations about potential complications. Concerns are raised about the need for exemptions for existing houses that may not meet new rules and skepticism about adopting rules similar to those in Austin.

- Some residents call for a reevaluation of setbacks based on lot size to prevent the construction of large, box-like structures by developers.
- Uncertainty and lack of understanding are prevalent themes, with residents expressing confusion about the concept of "tenting" rules.
- Concerns about potential complications and the need for exemptions for existing houses that may not comply with new rules.

Recommended Changes to Rollingwood Tree Maintenance Ordinance from the CRCRC.

Based on the strong support in the survey (question 15) for maintaining the tree canopy in Rollingwood (74% said maintaining the tree canopy had either high or very high priority). When asked whether they thought the current tree ordinance was adequate to this task (question 16) , 51-57% of respondents (depending on how you calculate the responses) said “yes”. However, in the comments from those “yes” votes, many were either uncertain what the current tree ordinance stated and/or had not any occasion to refer to the ordinance for recent tree work on their property.

Based on the survey results the CRCRC had made the following recommendations to strengthen the current tree ordinance to make it more effective in maintaining the current tree canopy and try to keep the “wood” in Rollingwood in our beautiful city. Exact proposed wording or specific change is in green.

1. Change the name of section to “Residential Landscape and Tree Canopy Management.”
2. Introduce the concept of xeriscape landscaping into the ordinance with some suggestions to consider regarding using native and adapted low water use plants, and drought tolerant turf grasses for lawns. (no regulations, only education) “Landscape: Because the city experiences frequent drought conditions, low water demanding landscapes (Xeriscapes) are encouraged by using native and adapted low water use plants from the Austin Grow Green Guide (Insert link here). Consideration should also be given to planting turfgrass on less than 50% of the total landscaped areas, with turf grass preferably having summer dormancy capabilities such as Buffalo grass, Zoysia grass, or non-seeding varieties of Bermuda grass.”
3. Insert a definition for a “heritage tree” category into ordinance with trees 24 inches in diameter measured 4 ½ feet above natural grade. “A heritage tree means a tree that has a diameter of 24 inches or more, measured four and one-half feet above natural grade, and is one of the protected species.”
4. Change the criteria for planting alternatives to protected species (utility setback trees) to limit it to only areas 20 feet from a utility line. In other words, a protected species removed from setbacks, right of way and buildable area must be replaced with a protected species if not removed from the 20 ft utility setback area.” For protected trees removed from within 20 feet of an above-ground power, cable, or telephone line the following species can be used for replacement: These species CANNOT be used to replace a protected tree removed from areas that are not 20 feet from an above ground power cable, or telephone line.”
5. Adding a definition for Critical Root Zone (CRZ) that is area around tree trunk with a radius of one foot for every inch of diameter. “Critical Root Zone (CRZ) means an area around the trunk with a radius of one foot for every inch of trunk diameter. No construction or disturbance shall occur within an area that constitutes more than (50%) of the total critical root zone, and one half the radial distance of the CRZ for each tree being preserved as a protected tree or heritage tree.”
6. Redefine the definition of “city arborist” used 13 times in the current ordinance to review, approve, and implement all tree removal permits. The definition of “City Arborist” used throughout has been amended to include a city official. “City Arborist means an ISA certified arborist, OR an administrator or designated officer of the city appointed by the city council to perform the duties of a “city arborist” when a certified arborist is not available.”
7. Remove Sections (d) and (e) of Section 107-373 as we believe all protected trees and heritage trees removed from a lot should be replaced on that lot unless a variance is obtained to replant elsewhere.

8. Removal of Heritage trees requires a separate “Heritage Tree Removal Permit” that can only be approved by a majority vote of the city council.
9. Protected trees removed from the buildable area must be replaced by one protected species tree. “Replacement of a Heritage tree removed from the buildable area, with City Council approval, must be replaced with one tree 6 inches in diameter, or more, for every 12 inches in diameter of the removed tree. For example: 24 inches = 2 six-inch diameter trees, 36 inches = 3 trees, etc. to be replaced” We will also come up with a definition of how to measure multi-trunk trees and branched trees, which occur below the 4 ½ foot measuring height.
10. If a protected or heritage tree straddles the boundary between setback line and buildable area line, it shall be considered removed from the setback area if 25% or more of the trunk diameter is in the setback area.
11. An application for a tree removal permit must include a tree survey that shows all trees that are at least 12 inches in diameter 4 ½ feet above natural grade and indicate the Critical Root Zone of these trees as well.
12. Inserted statement that “the site plan and project design will preserve the existing natural character of the landscape and the retention of protective trees as much as possible” This statement inserted into “Purpose” Section.
13. Change the maximum number of trees that need to be replaced from “7” to “unlimited”, no matter what the size of the lot. See section 107-375 (h).
14. Change the requirement for replacement of protected trees removed from the setback areas to 2 replacement trees for each removed. (Currently it is 3:1.)
15. Development application requirements must include a tree survey indicating the location of all protected and heritage trees together with their CRZ. A protection plan must be submitted for these trees to include evidence that sufficient care must be demonstrated to ensure survival of these protected trees, including adequate watering before and during construction.
16. All replacement trees must survive for at least three years, and the city arborist or other suitable city employee (see item #6) shall keep tract of these replacements, so that at 3 years post planting their survival and health can be assessed.
17. Section 107-380 requires all vendors doing tree trimming, removal, or demolition, to have an annual permit to do so from the city secretary. The city website should be amended so that residents can easily access the up-to-date list of approved and permitted tree service vendors and how a preferred vendor can obtain a permit from the city.
18. The CRCRC strongly supports a program to plant “commemorative trees” on city property where the cost would come through citizen donations. This program is under consideration by the Parks Commission.
19. The CRCRC also supports a proposal that was very strongly supported in the survey (question 17, 85% said “yes”) to consider a plan sponsored by the city, or private donations, to plant additional trees, with owner approval, in public ROW. The CRCRC did not include any proposed changes to the current ordinance, to accommodate this proposal, and will investigate further the practical and legal ramifications of this idea, and present it at a later date.