



CITY OF ROLLINGWOOD COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE AGENDA

Tuesday, August 20, 2024

Notice is hereby given that the Comprehensive Residential Code Review Committee 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 August 20, 2024 at 5:00 PM. Members of the public and the Comprehensive Residential Code Review Committee may participate in the meeting virtually, as long as a quorum of the Comprehensive Residential Code Review Committee 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=QmNUbmZBQ1lwUjNjNmK5RnJreIRFUT09>

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

Meeting ID: 530 737 2193

Password: 9fryms

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

CALL 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 previously approved lighting recommendations
- 3. Discussion and possible action on previously approved recommendation regarding a driveway special exception

REGULAR AGENDA

- 4. Discussion and possible action of recommended building height text starting with “Suggested Rules” document, item 4
- 5. Discussion and possible action on foundation height
- 6. Discussion and possible action on critical root zone protection
- 7. Discussion and possible action on fence height recommendation
- 8. Continued discussion and possible action on Enforcement recommendation

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 on Friday, August 16, 2024 at 5:00 p.m.

Ashley Wayman

Ashley Wayman, City Administrator

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 Comprehensive Residential Code Review Committee 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.

Final versions of previously approved items are included in to consent agenda for your review and approval.

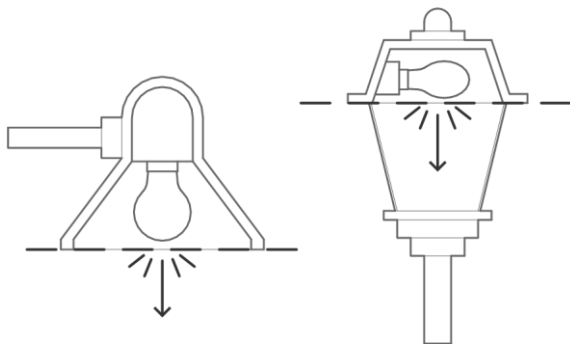
Lighting recommendations: Approved 7/8/24

Connection Driveway recommendation / special exception: Approved 7/23/24

Sec. 107-81. Exterior Lighting requirements.

(a) Definitions: As used herein:

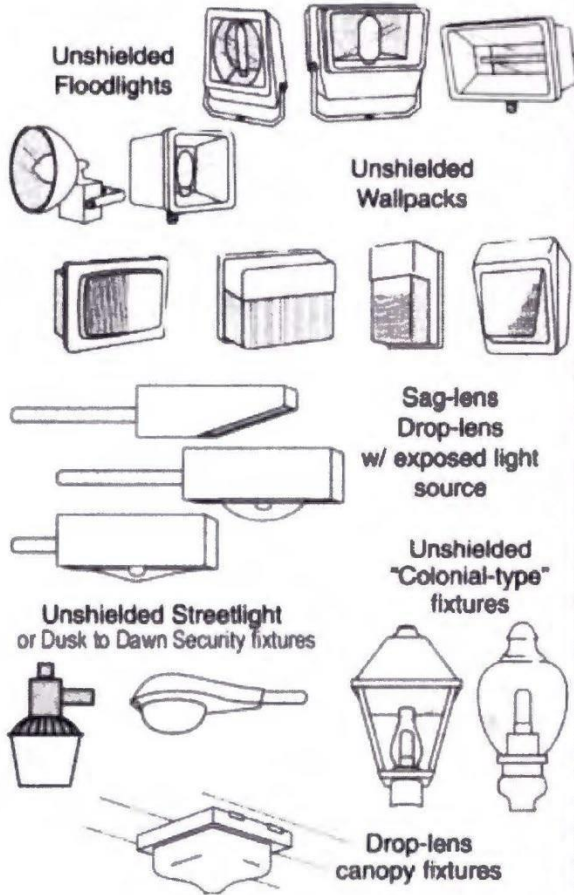
(i) "Shielded" means "installed in such a manner that all light emitted by the fixture, either directly from the bulb or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane immediately beneath the fixture's lowest light-emitting part."



In Figure A (below), the lights on the left are nonconforming. Those on the right can be used in most cases. However, the mounting height and proximity to the property line may cause them to need additional shielding to prevent the luminous elements from being visible from any other property.

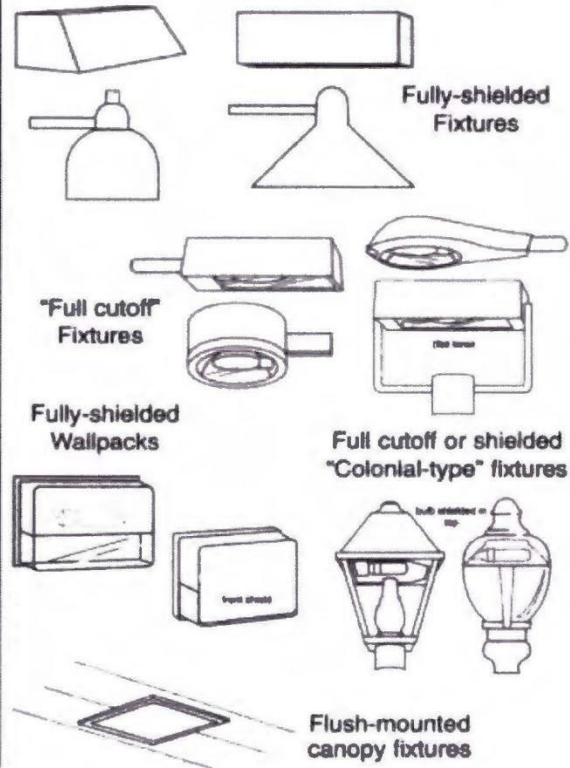
UNSHIELDED FIXTURES

Unacceptable / Discouraged Fixtures that produce glare and light trespass



Full Cutoff and Fully Shielded Fixtures

Acceptable Fixtures that shield the light source, to reduce glare and light trespass and to facilitate better vision at night.



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(ii) "Footcandle" as used herein shall mean: The illuminance produced on a surface one foot from a uniform point source of one candela and equal to one lumen per square foot.

(b) Applicability.

- (1) The regulations contained in this section are applicable to outdoor lighting fixtures installed on structures within the residential zoning districts of the City.
- (2) All outdoor lighting fixtures existing and legally installed and operating before the effective date of this section, or installed pursuant to a permit approved prior to the effective date of this Section, shall be brought into conformance with this Section upon the earlier of: (1) an application for a site plan or building permit for construction of a new building or modification of 50% or more of an existing structure, or (2) replacement or modification of an existing non-conforming fixture.

(3) This section does not apply to interior lighting; however, overly bright lighting emitted from a structure will be subject to this section if it is determined by the City Administrator or his/her designee that it creates a nuisance or a potential safety hazard.

(c) Exemptions. The following are exempt from the provisions of this section:

- (1) publicly maintained traffic control devices;
- (2) street lights installed prior to the effective date of this section;
- (3) temporary emergency lighting (fire, police, repair crews);
- (4) lighting fixtures and illumination requirements imposed by TxDOT within TxDOT rights of way (ROW);
- (5) moving vehicle lights;
- (6) navigation lights (aircraft warning beacons on water towers and wireless transmission facilities) required by State or Federal law;
- (7) signs and associated lighting that conform to the city's sign regulations in Chapter 24;
- (8) seasonal decorations with lights in place illuminated no longer than sixty (60) days; and
- (9) other temporary uses approved by the City Council (festivals, carnivals, fairs, night-time construction);
10. Unshielded decorative lights meeting the standard (not exceeding .25 footcandle which mimic natural gas flickering lights.

(d) General Standards. The following standards shall apply to all outdoor lighting installed after the effective date of this section:

- (1) Except for street lighting in public right of way, all exterior fixtures must be hooded or shielded so that the light source is not directly visible from adjacent properties or properties within 250 ft of light source. As directed by city building official a submittal of exterior light fixtures shall be included with the building permit plans that includes lumens output, color temperature and a physical description.
- (2) Lighting must have a color temperature of no more than 3000 Kelvins (K).
- (3) Exterior lighting may not exceed .25 footcandle across the source property line.
- (4) No light or illumination that flashes, moves, scrolls rotates, scintillates, blinks, flickers, varies in intensity or color, or uses intermittent electrical pulsations is permitted other than low voltage lights permitted under item 8 above for the limited period allowed in C8. Light fixtures may be controlled by a motion detector that deactivates fixtures after no more than 15 minutes.
- (5) Light fixtures shall be controlled a photocell that restricts activation to night time use only.
- (6) Private walkway light fixtures shall not exceed 385 lumens each.
- (7) Setback lighting. No Light fixtures shall be installed in any setback except for lighting installed in accordance with (6) above and for two light fixtures at a driveway entrance.
- (8) Landscape/yard lighting. Light fixtures used for illuminating landscape features shall not be used after 11:00 PM. Individual Fixtures shall not exceed 530 lumens.

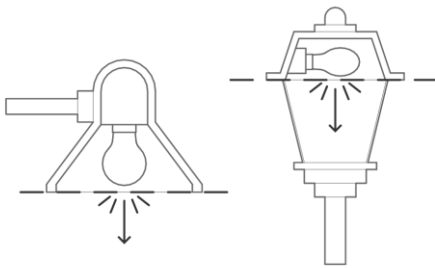
(9) Western Hills Athletic Club (WHAC) property. Lighting for new construction or over 50% renovation of facilities on WHAC property shall comply with this section.

(e) Enforcement. The city shall have the power to administer and enforce the provisions of this Section, as provided in this Chapter. Any violation of this Section is hereby declared to be a nuisance. A civil penalty of up to \$2,000 for each day a violation occurs may be assessed when it is shown that the defendant was actually notified of the provisions of this article and after receiving notice failed to take action necessary for compliance with this article.

Sec. 107-81. Exterior Lighting requirements.

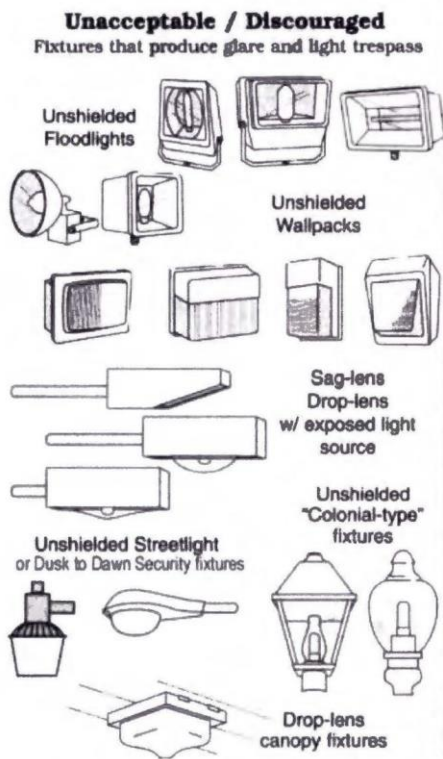
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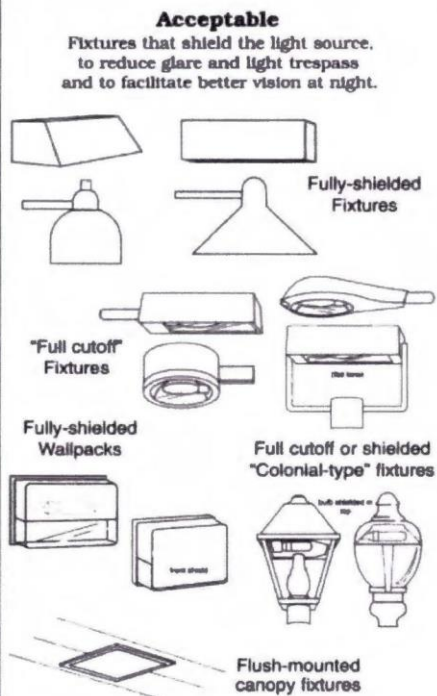


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~~(9)~~

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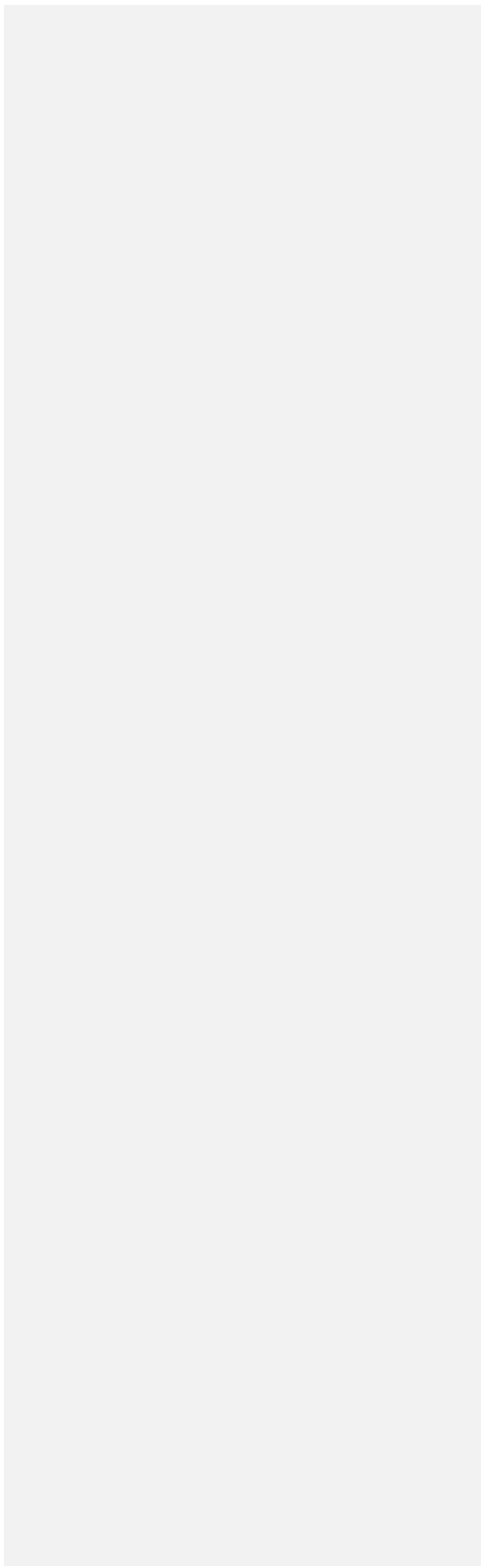
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Lighting recommendations: Approved 7/8/24

Connection Driveway recommendation / special exception: Approved 7/23/24

CRCRC RECOMMENDATION ON DRIVEWAYS CONNECTING 2 STREETS 7-23-2024

Survey Results Analysis on 274 Respondents

Should we reconsider code limitations placed on circular driveways for a corner lot that connects two streets?

156 (57%) Yes

112 (40%) No

6 (3%) No response

71 Comments: 48 for; 6 against for safety reasons; 16 against for misc (impervious, curb cuts, etc)

Current:

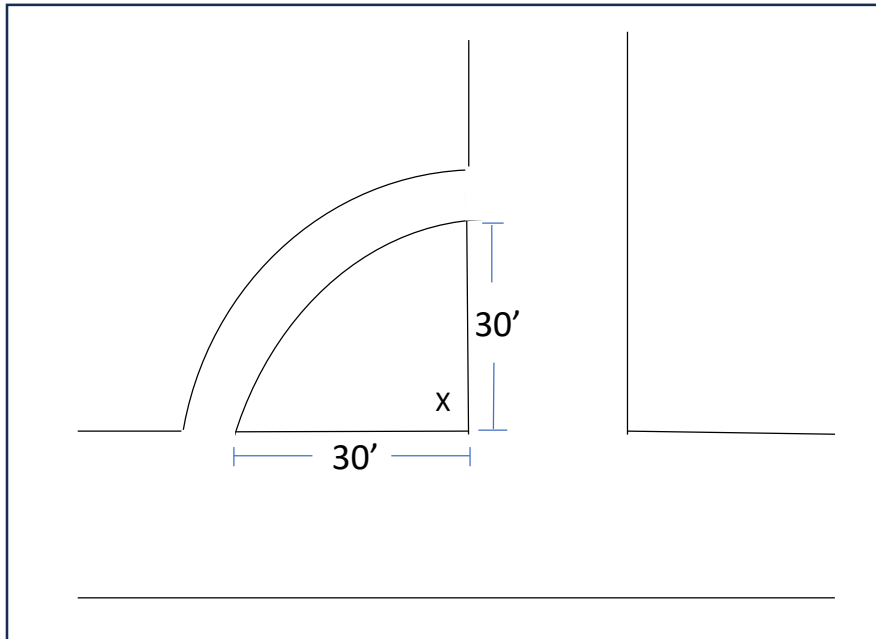
Sec. 28-70. - Driveways with more than one curb cut.

(4) Circular driveways or continuous driveways with more than one curb cut shall be allowed on only one street on corner lots. This includes driveways that cut across corner lots from one street to the intersection street.

Add:

Special Exception

If it can be demonstrated that having a circular driveway connecting two streets will address a safety concern, a property owner may seek a special exception for such from the Board of Adjustment provided that the proposed driveway edges closest to intersecting street corner are no closer than 30 feet from the intersecting corner.



RESIDENTIAL BUILDING HEIGHT MEASUREMENT: CRCRC RECOMMENDATION

Approved 8-13-24:

Sec. 107-3. - Definitions

Building height, residential, means the vertical distance from the original native ground surface or finished grade, whichever is lower, to the highest point directly above.

Original native ground surface is the existing grade on the lot prior to development of the residential building as may be shown on certified topographic survey of the property

Proposed:

Parallel Plane is an imaginary plane that is 35' above and parallel to the original native ground surface. No part of a building or structure, exclusive of the exceptions outlined below may break this plane.

Excavation Allowance

Building height may be increased below the parallel plane by way of excavation, when starting a minimum of 20ft. horizontal from the side or rear property lines, as follows:

- a. 40ft. above finished floor for uppermost surface of eave/parapet;*
- b. 45ft. above finished floor for ridgeline of sloped roof with min. 3/12 pitch*

The parallel plane may not be breached. Any exposed foundation resulting from this increase may not exceed 18 inches.

CRCRC Approved 3-18-24;

P&Z Approved for City Council Recommendation 4-3-24

Presented to City Council 4-17-24

Discussion

A 35 foot maximum residential building height;

- That is measured from an enclosure whose base is defined by a survey of existing grade*
- And extending to an imaginary plane 35 feet above measured to the upper most edge of roofing material or parapet;*

- And providing that 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;
- *And subject to a program that limits side wall height to 25 feet at 10 feet from the property line and then increments 1 foot upward for every additional foot of horizontal distance to the property line such that at 15 feet from the property line there would be a 30 foot wall height limit and at 20 feet the 35 foot maximum horizontal plane would be reached;*
- *And allowing for dormers positioned a minimum of 3 feet back from the wall line and that do not exceed the maximum allowable height and are no more than 15 feet cumulative along any axis measured from outside wall to outside wall.*

Proposed

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

Special Exceptions

CRCRC RECOMMENDATION

Approved 7-23-24:

Extremely Sloped Lots

Should the slope of a lot be so severe that the requirements proposed above have extreme adverse impact on the lot, an owner may seek relief from these requirements by special exception granted by the Board of Adjustment. Although not required, letters of agreement from adjoining neighbors will be given due consideration.

Flood Plain / Drainage Easements

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

Proposed:**Side Setback Projections**

Amend setback rules Sec. 107-76 as follows, in bold: All other ordinary projections of building features typically used in residential building construction, may overhang into any required yard a maximum of two feet, when starting 12.5ft. from any side setback

Foundation Height

Foundation exposure within public view from the right-of-way cannot exceed 6'

Foundation exposure within public view must be screened such that viewable portion does not exceed 2.5 feet (30"

Sec. 107-34. - Fences.

(a) Except as otherwise provided in this section, no front-yard *fence* may be erected or maintained.

(b) A front-yard *fence* complying with the criteria provided in this subsection (b) of this section is allowed on property in a residential zoning district. The following criteria shall apply to such a *fence*:

- (1) The height shall not exceed three feet measured perpendicular from the adjacent finish grade;
- (2) Piers or posts may exceed the maximum height and *fencing* adjacent to the pier or post by four inches;
- (3) On sloped lots, to accommodate variations in elevation of the ground beneath a *fence* segment between two piers or posts, a *fence* may exceed the maximum height by up to six inches, provided that the average height of such *fence* segment does not exceed the maximum height;
- (4) The *fence* shall be constructed of such materials or in a manner to allow for an average of 80 percent visibility through the *fence*;
- (5) All *fence* components shall be a minimum of 15 feet from the curb, or edge of the street pavement where there is no curb;
- (6) The *fence* shall have columns, posts, or supports that are metal, brick, rock, stone, or wood;
- (7) If only one side of the *fence* is stained wood or other finished material, the finished side shall face away from the interior of the property; if support components are provided on only one side of the *fence*, such support components shall be on the side facing the interior of the property;
- (8) If a *fence* crosses a driveway or means of vehicular access to the property, the *fence* and any gate shall be located so that entering vehicles will be completely off the street when stopped for the gate to open, and such gate shall open parallel to or away from the street;
- (9) No chain link, barbed wire, or electrified *fences* shall be installed or maintained;
- (10) No *fence*, including decorative or ornamental *fence* tops, shall be designed to include or be constructed of barbed wire, broken glass or any exposed sharp or pointed materials that may penetrate or impale persons or animals.

(c) On a corner lot, a *fence* may be erected and maintained in a side yard and rear yard adjacent to a street, but may be located no closer than 15 feet from:

- (1) The edge of the street curb closest to the property, if the street has a curb; or
- (2) The edge of the street pavement, if there is no curb.

(d) If a *fence* along the side or rear of a lot or property is erected to the property line, adequate access to utility lines and meters shall be provided.

(e) In no event may a *fence* be erected or maintained in or upon a city right-of-way or public right-of-way, except when installed by the city or its agents for municipal purposes.

(f) All *fences* shall be maintained in good condition.

FENCES

There is no limit to the height of side and backyard fences. Front yard fences may not exceed 36 inches.

Q19: Should there be a height limit on side and backyard fences?

Yes	125
No	145
Blank	4
Comments	97

YES

10 feet

10 feet unless there's a hardship situation

10 max, unless incorporated into green solutions that promote screens, such as wire and vines

10'? Some limit is better than none. 6' would be the absolute minimum.

6 feet like Austin. This is a loophole that needs closing.

6 ft common. 8 ft with neighbors permission.

6' max height unless approved by the neighbor.

6-8 feet, again depending on topography. Given how some new houses have impinged on neighbor privacy, perhaps 8 feet would be appropriate in some places.

6-8 foot fence height is adequate

6-8 ft.

7 feet

7'

8' back and side on interior lots - 8' back with 6' on side of corner lots may create a more open feeling

8 feet

8 feet limit if affected neighbors agree. Also, eliminate the "cheat" of building a 6 foot fence on top of a 2 foot masonry footing.

8 feet maximum height on sides and back.

8 feet.

8 ft

8'

8ft

8ft. Also, Should allow for 4ft. fences when people want to put pools in side or front yards on unusual lots.

9ft seems plenty high

A limit on fence height enhances neighborhood appeal.

a side yard on a corner lot should not have a solid fence more than 36 inches

Agree as long as the maximum is not less than 7' in height.

An 8 foot limit should be adopted.

And there should be no front yard fences. How that got into the rules is beyond me.

Big walls from the neighbors are ugly and I have to see them as part of my yard.

Blanket approval of 6' maximum fence height along side and rear lines. Special permission to 8' maximum when agreed upon in writing by property owners on both sides of a fence.

But they should also be based on topography and location of lots.

Case by case- no one wants to look at a huge fence next door

Don't really care about back fences as much

I am not sure a fence needs to exceed 10-12 feet (depending on slope), but there should be a requirement that the immediate neighbor agrees with the height of the fence.

I like my 8' fences for privacy purposes, but I guess there may be some limit needed. I really do not have an informed opinion on this one.

I think side and backyard fences should be limited to 8 feet. The cinder block walls that went up on the sides and backs of the houses being built on Vale are huge & ugly.

I thought there was a height restriction for backyard fences.

I was told it was 8 feet. Guess that is not official

I would say a standard height of 6 ft., with an allowance to go up to 8 ft. if all neighboring properties agree.

I'm not sure what the appropriate height is but there should be a limit in place so people can't excessively wall off their properties.

I'm ok with having limits on side and back fences for the same reasons we have limits on the houses themselves and it's impact on the lot. But, there would need to be some flexibility in the rules to

accommodate the many reasons people put up fencing (by dimension and type of fencing). My point here is, while i agree on limitation, it needs to be a carefully thought out and logical code.

It can't be ridiculous like the side of a 5 story building

It really comes down to purpose and aesthetics - a significant slope and jump worthy dog may need a higher fence.

ITS NOT A NEIGHBORHOOD IF IT LOOKS LIKE A PRISON, RETENTION WALL, ETC. PLUS IT AFFECTS AIRFLOW AND THOSE THAT HAVE MONSTER FENCES ARE ACTUALLY HURTING THEIR LAWNS BY SMOTHERING THEM.

Just keep it reasonable

Keep things reasonable. I'm ok with tall fences but there should be limits

level fencing should be allowed with 6 feet height at highest natural slope

Maximum 6 -8 feet.

More research needed as sloped lots need to be taken into account but need to avoid someone putting up a 30 foot fence/wall. I'd favor no more than 10-12 in a normal situation with some sort of allowance in a unique sloped situation

no more than 10 feet

No more than 6 ft.

One or two ugly ones around. Less ugly would be good! 6 feet seems about right.

probably 6 feet on side fences unless agreed to by affected neighbor than 8 feet and up to 8 feet on backyard,

Should be limited to normal privacy fence height.

Standardize and keep consistent.

There should be some reasonable height max.

There should probably something that prevents the egregious. I haven't seen it but I can imagine an unusually high fence would be an eyesore.

This has gotten weird lately. What is it with these super tall fences. I do support a height restriction.

This is tricky and I only say "yes" because I fear this is open to abuse - even unintentionally given the construction boom in this city.

This should be set just to protect against egregious fence heights (e.g., a 20 foot fence)

Unless all neighbors agrees that would be along the fence line

we don't want 20' walls between properties

We should also address retaining walls as well. Right now these are built on property lines and with a slope it's a fence to the property downslope

We should also allow 4' fences in front yards to allow for pool fencing issues.

YES!! Neighbor's 10'+ fence on my southern boundary KILLED my lawn and landscaping--along with the new 35' house built right on setback.

Yes, but (and I know this is likely a non-starter) they should also increase the height for front yard fences to allow for front courtyards

Yes, there should be limits. It is paradoxical to prohibit certain builds in a setback, yet allow a fence/wall of ANY height ON THE PROPERTY LINE. In some cases, retaining walls of great height are built, and then a 6 foot fence is placed on top of the wall. Incredible!

Yes. But we need to resolve the conflicts between max front yard fence heights versus minimum fence heights for pool enclosures.

You should increase the height of your fence in the front yard as 36 inches is not sufficient to keep dogs in the yard or small children from crawling out

NO

36 inches should be changed to 48 inches so pools can be adequately insured and the public protected.

Absolutely not - especially in instances when neighbors lots are geographically much higher up than yours.

Allow residents who back up to Austin to have unlimited fencing heights since Austin residences can build their homes near the fence line due to more relaxed Austin rules.

As long as they can't run their side fences up to the street where you can't see oncoming traffic

Do whatever is wanted to provide privacy.

Given the varied topography of our neighborhood, I don't think it logistically makes sense. You are potentially creating the need for more "exceptions".

However, there must be a "good neighbor" review/policy.

I am fine if folks want to build a higher fence in the back yard. I think that there SHOULD be a height limit on side fences on a corner, that face the street/pedestrian traffic.

I don't feel strongly on side and back yard fences. I do not like any front yard fences.

If a family wants a front gate/fence for safety/privacy shouldn't they be allowed to do so. 36" in the front isn't protecting or adding any privacy

If a neighbor has built a 35' - 45' structure on the setback, I see know problem with building a structurally sound fence for my privacy. Fix other problems first, then revisit this.

Let people make their own decisions in this regard.

Lots are big and privacy is important

No, I think we should allow for privacy

One of the only tools for regaining privacy is to build a fence that blocks my neighbor from viewing my life

other than to say not 25 foot tall, or something ridiculous.

Privacy is important. Especially given all the prior questions on height, setback, etc.

Set an areas where someone can materially you're the one that block a view

Taller front yard fences should also be allowed for owner privacy and security given the increasing rate of break ins etc

There is too much variation in topography of our lots.

There should be restrictions on the materials and construction style of tall fences to ensure they are not an eye-sore.

There should not be front yard fences.

This is a solution to the other problems. Particularly if both neighbors agree then why should the city intervene?

This is particularly personal to me... the city approved the plans for the guy next door to me to build an elevated pool that now sits at the heights of my 6 foot fence... to achieve any privacy I will now need to build a 10 or even higher fence... the city is creating these problems... then don't approve these things that require the next door homeowner to solve the problem...

This is private property and no reason to restrict it

Unless it's so high and blatantly blocking neighbors views

When we came to Rollingwood the 'front fence' was a retaining wall only, but now we have fenced in front yards. Since we maintain this I think 36 inches along front and front sides to build line is appropriate and then at building line the fence can increase height. Might be OK with 10/12 foot height restriction.

With the topography of RW and ever-higher homes being built next door, sometimes high fences are needed to ensure privacy.