



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

Tuesday, June 11, 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, June 11, 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=QmNUbmZBQ1lwUjNjNmM5RnJreIRFUT09>

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

Meeting ID: 530 737 2193

Password: 9fryms

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

CALL 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 May 28, 2024 CRCRC meeting

REGULAR AGENDA

- 3. Discussion and possible action on emails and letters to the CRCRC from May 11, 2024 to June 6, 2024
- 4. Discussion and possible action regarding Tree Subcommittee recommendations following the May 8, 2024 Planning and Zoning meeting
- 5. Discussion and next steps regarding Building Height recommendations following the April 17, 2024 City Council meeting Building Height discussion
- 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 June 7, 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**

Tuesday, May 28, 2024

The CRCRC 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 May 28, 2024. Members of the public and the CRCRC were able to participate in the meeting virtually, as long as a quorum of the CRCRC 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 5:05 p.m.

Present Members: Chair Dave Bench, Alex Robinette, Brian Rider, Duke Garwood, Jeff Marx, Jay van Bavel and Thom Farrell (virtually)

Also Present: Assistant City Administrator Desiree Adair and Development Services Manager Nikki Stautzenberger

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

- 2. Discussion and possible action on the minutes from the May 14, 2024 CRCRC meeting

Chair Dave Bench mentioned that there had been a few changes to the minutes for one of the public comments.

Thom Farrell moved to approve the minutes as amended. Alex Robinette seconded the motion. The motion passed with 7 in favor and 0 against.

REGULAR AGENDA

Chair Dave Bench called up item 7 at this time.

3. Discussion and possible action regarding building height recommendations following the April 17, 2024 City Council meeting Building Height discussion

Alex Robinette discussed how the CRCRC has taken into consideration all of the comments from the last meeting and finds that the parallel plane is still generally considered the most effective at controlling building height on slope while still allowing for reasonable development. She discussed projects in Rollingwood that have been built under the current rules and would still work with the parallel plane method. She explained how the average grade and average of corners methods don't control for height. Ms. Robinette and Duke Garwood discussed how an 18% slope would provide for an extra five feet of building height along the side setbacks for bulk plane recommendations. Alex Robinette explained how the setback from the front property line and side setbacks were taken into account.

Ms. Robinette suggested one amendment to measure from existing or finish grade whichever is lower for bulk plane recommendations.

Alex Robinette discussed how she likes the idea of using slope instead of feet because it takes into account the whole property and more accurately reflects the true character of the site. Parallel plane is intended to protect the air space of the property.

Duke Garwood discussed why they chose 18% as a slope in relation to feet of setback.

Alex Robinette discussed the pictures in the agenda packet including height calculation and parallel plane examples and bulk plane along setbacks examples.

Thom Farrell asked questions regarding drainage and the flood plain, the number of lots in Rollingwood with 18% or greater slope, and a separate calculation for these lots with the greater slope.

Jeff Ezell, 4709 Timberline, does not think that these changes address his concerns. He would like to have something more gracious for people with the average slope change of 5 to 10 percent. He discussed the time that it takes to buy a lot and get it to permitting which he believes is around 18 months.

The CRCRC and Mr. Ezell discussed accommodations for these particular situations, slopes of lots and height, average measurements, and impacts of the proposed changes.

Jeff Ezell would recommend relief but not being punitive. He suggested lowering the height to 30 feet on all lots and allow accommodation for residents that have a topographical challenge.

The CRCRC discussed averages and parallel plane and which process is more punitive.

Mr. Ezell described the parallel plane method as an architectural preference.

Thom Farrell discussed one of his concerns regarding averaging with a low point in a dry creek, the history of a maximum building height of 30 feet, and issues with averaging in the past.

Brian Rider explained what he thought the CRCRC is trying to accomplish with these building height restrictions.

Jeff Ezell explained that he appreciated their work but doesn't agree with the proposed solution.

The CRCRC discussed their reasons for coming to the recommended solution.

The CRCRC and Mr. Ezell discussed the effect of more flat roofs.

Alex Robinette discussed the different types of homes and roofs that work within their solution.

Mr. Ezell believes that this method will have severe impact and requested the CRCRC's analysis.

The CRCRC and Mr. Ezell discussed the professional effort put in to this project so far and the complex nature of this analysis.

Amy Pattillo, 3 Rock Way Cove, asked questions of the CRCRC regarding parallel planes including front to back planes and side planes and how a natural drainage way would be defined in 1b. The CRCRC and Ms. Pattillo discussed natural grade.

Amy Pattillo continued to ask about paragraph 2 including bulk planes and setbacks, grade, sloped lots that back up to a wooded area or City of Rollingwood boundary, and what qualifies as a wooded area or greenbelt.

Ms. Pattillo provided examples of wooded lots and the potential to take advantage. The CRCRC discussed what they are referring to with the wooded area language. Amy Pattillo asked for clarifications and definitions, and then thanked the CRCRC for the discussion.

Wendi Hundley, 401 Vale, thanked the CRCRC for their thoughtful discussion and understanding. She asked questions about how this new proposal would affect her home and existing grade with contours or drainageways. Ms. Hundley appreciates the thoughtful approach of the CRCRC but thinks this is punitive for people with sloped lots. Wendi Hundley asked how do the CRCRC would define a basement. She would like to understand fully what is being proposed and how it will be applied. She discussed how people game the system to get an advantage.

The CRCRC discussed defining the term basement.

Ms. Hundley applied the parallel plane to her lowest grade in her backyard and discussed this with the CRCRC.

Chair Dave Bench stated that there will likely be a manual that will depict every situation.

Ryan Clinton, 4714 Timberline, stated that the changes do not resolve the concerns because it does more than solve the problem. The problem as he understands it is solved by tenting and he thinks that the parallel plane is not needed. He described the difference between a design preference and the building height problem in the community. Mr. Clinton stated why people want flat level first floors. He requested that the CRCRC not impose a design preference.

The CRCRC and Mr. Clinton discussed split level designs. Ryan Clinton described his motives and how they do not solve his personal home building issues. He stated that he is here to find

a solution that the community will embrace. Mr. Clinton would like the committee to solve the consensus problem in the least restrictive way. He stated multiple times that he is not advocating for the current rule.

Chair Dave Bench stated that they believe that what they are proposing causes no undue harm and that there are a number of answers to these questions but they have to pick one. He described how the solution being proposed is being used by other cities.

The CRCRC discussed moving forward with these comments and adjusting the solution. Thom Farrell recommended considering the input that has been received.

Brian Rider moved to adjourn. The motion failed for lack of a second.

Thom Farrell moved to table this item until the next meeting. Duke Garwood seconded the motion. The motion carried with 5 in favor and 2 against (Bench, van Bavel).

- 4. Discussion and possible action regarding Tree Subcommittee recommendations following the May 8, 2024 Planning and Zoning meeting

The CRCRC did not discuss this item.

- 5. Discussion and possible action regarding Lighting subcommittee recommendations

The CRCRC did not discuss this item.

- 6. Discussion and possible action regarding creation of Impervious Cover/Drainage subcommittee

Brian Rider, Thom Farrell and Duke Garwood volunteered to be on the impervious cover and drainage subcommittee. Brian Rider will chair this subcommittee.

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

Chair Dave Bench discussed a training for Planning and Zoning and the CRCRC and the Board of Adjustment on July 10, 2024 at 6:00 p.m. He asked members to consider adding this to their calendars.

The CRCRC discussed future meeting availability. Alex Robinette, Jeff Marx, and Duke Garwood will not be available on June 11th. Chair Dave Bench and Vice Chair Alex Robinette will likely not be available on June 25th. Chair Dave Bench asked Brian Rider to chair the June 25th meeting. Mr. Rider agreed to chair the June 25, 2024 meeting.

Chair Dave Bench returned to item 3 at this time.

ADJOURNMENT OF MEETING AND PUBLIC WORKSHOP

The meeting was adjourned at 7:23 p.m.

Minutes adopted on the _____ day of _____, 2024.

Dave Bench, Chair

ATTEST:

Desiree Adair, City Secretary

From: Wendi Hundley [REDACTED]
Subject: CRCRC Feedback
Date: May 31, 2024 at 12:54:19 PM CDT
To: CRCRC@rollingwoodtx.gov
Cc: Desiree Adair <dadair@rollingwoodtx.gov>, Ashley Wayman <awayman@rollingwoodtx.gov>, nstautz@rollingwoodtx.gov

Dear CRCRC Members,

Thank you for your dedication and hard work on the CRCRC over the past year. I've seen the effort and energy you've invested in finding solutions for our community, and it's truly appreciated.

I've been reviewing the proposal and trying to understand its language and intent, and applying it to my own property to see how it works in real life. I've noticed a bit of a mismatch between the verbal explanations, written descriptions, and illustrations. For example, during the last meeting, you demonstrated creating the lower plane using bent paper to mimic the hill on my lot (which is actual topography where it is higher in the middle and the two adjacent sides are lower) but some of the provided examples show a straight line drawn from the highest to the lowest elevation, while others show the grade. Additionally, it was discussed that for my property I should take the actual topography grades and measure from the interior lower floor (minus the basement) to get the height of the ridgeline. I didn't see language explaining this in the draft, so it was confusing to determine where to measure the ridgeline from.

Alex reached out to me and I think I'm starting to understand the intent better now, but it feels like everything hasn't quite come together in the proposed language yet. I still find it incredibly confusing and difficult to apply. I'm not trying to be critical of the work and effort that has gone into this. I hope you take this as constructive feedback. I know this has taken a lot of time and effort, and I genuinely appreciate it.

After the meeting, I reviewed the topo measurements and found that my house is slightly off when including the basement. Without the basement, it works. With the basement, I'm about 3 feet too tall.

Here's a summary of my measurements:

- Scale: 1mm = 1.5774'
- Lower Finished Floor: 546.54'
- Grade beneath the Ridgeline: Approx. 548'
- Reference Datum: 555.34'
- Ridgeline: 584.46'
- 35' Height Limit from Reference Datum: 590.34'
- Height from Ridgeline to Grade Beneath Ridgeline: 36.64'
- Height from Ridgeline to Finished Floor: 37.99'
- Height from Ridgeline to Imaginary Plane in "Basement": 31.83'

The previous home on my lot had a daylight basement on three sides, and in addition the top part of the basement wall in the front of the house stuck up above the highest grade. In the front, my lot slopes down from the middle on both sides and also from front to back. I've included some photos to help show our former daylight basement and have included both interior and exterior photos, which may help illustrate why we consider it to be basement space. I am sending these in case they might be helpful to you as you consider possible definitions for basements in the future.

Aside from trying to understand, I do have some concerns about equity for sloped lots that I think can be solved. I continue to ask if under the proposed rules, a home like mine can be allowed to be built, if the previous house didn't have a basement garage but instead had a foundation. I asked if the word "existing" in front of basement was meant to grandfather properties or if the word "existing" could be modified to allow for some kind of subterranean basement in new builds. Maybe it could be considered that instead of saying "existing basement," it could be defined to allow such a design in new builds under specific circumstances. I also wonder why the language includes man-made features like pools and basements alongside natural formations. These likely need different treatments.

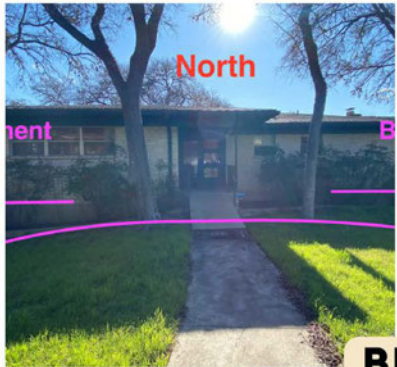
I am most concerned about making sure that whatever code is adopted is easy to understand and apply consistently. It's important to have clear and understandable rules that can be evenly applied so we don't put our staff in a position to have to make subjective calls that could get them caught up in politics.

Thank you again for your hard work and dedication.

Best regards,

Wendi Hundley

401 Vale Street



BEFORE







MIDDLE INTERIOR



**INTERIOR EAST
SIDE 1**



**DAYLIGHT
SOUTH
SIDE 2**



**INTERIOR SOUTH
SIDE 2**



**DAYLIGHT
WEST
SIDE 3**



**INTERIOR WEST
SIDE 3**



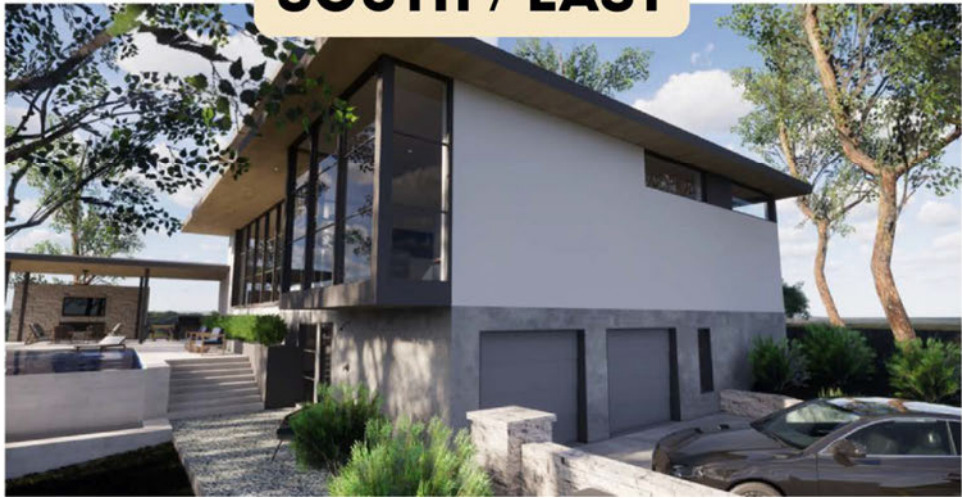


EAST





SOUTH / EAST







WEST

HARD TO
PHOTOGRAPH
BECAUSE OF
LANDSCAPE AND
TRAMPOLINE

From: Dave [REDACTED]
Sent: Tuesday, June 4, 2024 8:10 AM
To: Wendi Hundley [REDACTED]
Cc: West Bank [REDACTED] Alex Robinette [REDACTED]; Jeff [REDACTED]; Jvan Bavel [REDACTED]; Dukester [REDACTED]; Desiree Adair <dadair@rollingwoodtx.gov>; Ashley Wayman <awayman@rollingwoodtx.gov>; Nikki Stautzenberger <nstautz@rollingwoodtx.gov>; Brider Austin [REDACTED]
Subject: Re: CRCRC Feedback

Dear Wendi

Thank you for the detailed and well considered email. I'm glad that the parallel plain concept is starting to make sense. Admittedly, it takes some imagination, but we find it to be the method that will get us to an evenly applied and consistent 35 foot maximum. What you've seen in presentation is a little loose - its intent is to communicate concepts, not final wording. Still, each reading leads to further tightening. Your suggestions will help with that. Once our recommendations have been vetted and approved by P&Z and City Council, we will work with a professional planner to codify them before going through the review and approval process all over again. The process should result in a clearly worded document (or documents) that should be easy to follow, understand and administer.

Thanks again,

Dave

Recommended Changes to Rollingwood Tree Maintenance Ordinance from the CRCRC.

These recommended changes are 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% of respondents 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. There was strong support in all the comments for increasing the protection for “heritage trees”.

Based on these survey results, the CRCRC had made the following recommendations to strengthen the current tree ordinance to make it more effective in protecting and maintaining the current tree canopy.

Exact proposed wording or specific change is in green.

1. Change the name of Article II, Division 10, Subdivision 2 to “Residential Landscape and Tree Canopy Management.”
2. Introduce the concept of xeriscape landscaping into the ordinance, with some suggestions to use 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 that turf grass preferably having summer dormancy capabilities such as Buffalo grass, Zoysia grass, or non-seeding varieties of Bermuda grass.” Section 107-369 (a): Purpose
3. Insert a definition for a “Heritage Tree” category into ordinance for those trees 24 inches in diameter measured 4 ½ feet above natural grade. “Heritage tree” means a tree of a “protected species” defined as having a diameter of 24 inches or more, measured 4½ feet above natural grade. To determine the diameter of a multi-trunk tree, measure all the trunks; add the total diameter of the largest trunk to ½ the diameter of each additional trunk. A total diameter of 24” or higher for a multi-trunk tree would qualify as a Heritage tree. (Sec 107-371 Subdivision b- 2). (see addendum A- list of protected species)
4. Change the criteria for planting alternatives to protected species (from the utility setback tree list) to limit it to only protected trees removed from 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.” Sec 107-369 (c)- 2 (see Addendum B Replacement species list for trees planted 20ft from utility lines.)
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” means the area around and under a tree having a radius of one foot per inch of diameter from the trunk of the tree outwards and twenty-four inches in depth. For example, for a tree having a 10-inch diameter, the critical root zone is 10 feet out from the trunk and twenty-four inches deep. 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.” Sec 107-369 (g).

6. Change the term “city arborist” used 13 times in the current ordinance indicated to review, approve, and implement all tree removal permits to “City Development Officer”. A city arborist will be used in those areas of code where the expertise of an arborist is necessary or desired.
7. Remove Sections (d) and (e) of Section 107-372. We believe all protected trees and heritage trees removed from a lot should be replaced on that lot unless a Special Exception is obtained to replant elsewhere. (see number 8 below) 107-372 (d) and (e).
8. Removal of Heritage trees would require a separate “Heritage Tree Removal Permit”. Removal of a Heritage tree is prohibited unless a Heritage Tree Removal Special Exception is granted by the Board of Adjustment upon a finding that: (i) all reasonable efforts have been made to avoid removing the tree, (ii) the location of the tree precludes all reasonable access to the property or all reasonable use of the property, and (iii) removal of the tree is not based on a condition caused by the method or design chosen by the applicant to develop the property. 107-373 (a).
9. A Heritage Tree Removal Special Exception will not be required for Heritage Trees removed from the buildable area and would be subject to the normal tree removal and replacement process.
10. Protected trees (12–24-inch diameter) removed from the buildable area must be replaced by one protected species tree. Replacement of a Heritage Tree removed from setback areas, (with Heritage Tree Removal Special Exception) and the buildable area (which would not requiring a Special Exception), 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.
11. 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. Sec 107-375 (c).
12. 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. Sec 107-376 (a)-1.
13. 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 to be inserted into Purpose Section of Sec 107-369.
14. Change the maximum number of replacement trees from “7” to “unlimited”, no matter what the size of the lot. An exception to these mitigation requirements may be granted by the city development officer, after consulting with the City Arborist, and with the approval of the BOA if the applicant demonstrates : (1) the existing tree canopy would prohibit the growth of the replacement tree(s); or (2) the required replacement trees to be installed would be planted under the canopy of an existing tree. See section 107-375 (h).
15. 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.) Sec 107-375 (a).
16. 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, during and after construction until an occupancy certificate is granted. Sec 107-376 (a)-1

17. All replacement trees must survive for at least three years, and the city development officer shall keep track of these replacements, so that at 3 years post planting, their survival and health can be assessed, consulting with an arborist if necessary. Sec 107-378 (d).
-

These items would not require code changes:

18. 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 no cost permit from the city. Sec 107-380.
19. The CRCRC supports a program to plant “commemorative trees” on city property, especially parks, where the cost would come through citizen donations. This program is under consideration by the Parks Commission.
20. 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 may investigate further the practical and legal ramifications of this idea, perhaps presenting it later.

ADDENDUM A:

Sec. 107-371. - Definitions.

In this subdivision:

Protected species means:

(1)

Ash, Texas

(2)

Cypress, Bald

(3)

Elm, American

(4)

Elm, Cedar

(5)

Madrone, Texas

(6)

Maple, Bigtooth

(7)

All Oaks

(8)

Pecan

(9)

Walnut, Arizona

(10)

Walnut, Eastern Black

ADDENDUM B:

Replacement species means:

For trees planted within 20 feet of an above-ground power, cable, or telephone line:

a.

Anacacho Orchid Tree

b.

Common Tree Senna

c.

Crape Myrtle (dwarf)

d.

Desert Willow

e.

Evergreen Sumac

f.

Eve's Necklace

g.

Flameleaf Sumac

h.

Goldenball Leadtree

i.

Mexican Buckeye

j.

Mexican Plum

k.

Possumhaw Holly

l.

Rough Leaf Dogwood

m.

Texas Mountain Laurel

n.

Texas Persimmon

o.

Texas Pistache

p.

Texas Redbud

q.

Wax Myrtle

r.

Yaupon Holly

s.

Cherry Laurel

Note: this document is in draft. The graphics depicting highly sloped conditions show 18% grade. A change to 15% is under current consideration.

CRCRC RECOMMENDATION ON RESIDENTIAL BUILDING HEIGHTS AND HEIGHT MEASUREMENT

MAXIMUM RESIDENTIAL BUILDING HEIGHT

Survey Results Analysis on 274 Respondents

Q3: Is Rollingwood’s maximum residential building height of 35 feet:

Too high:	71	26%
Not high enough:	21	8%
About right:	175	64%
Blank:	7	2%
Comments:	109	40%

Maximum height: Austin - 32ft Westlake Hills - 30ft Lakeway - 32ft

CRCRC RECOMMENDATION:

Sec. 107-71. - Unchanged: *Maximum permissible height - No portion of any building or structure (except a chimney, attic vent, lightning rod, or any equipment required by the city building code) may exceed 35 feet in height. Except as may be required by applicable codes, no chimney, attic vent, lightning rod or required equipment may extend more than three feet above the highest point of the following: the coping of a flat roof, the deck line of a mansard roof, or the gable of a pitched or hipped roof.*

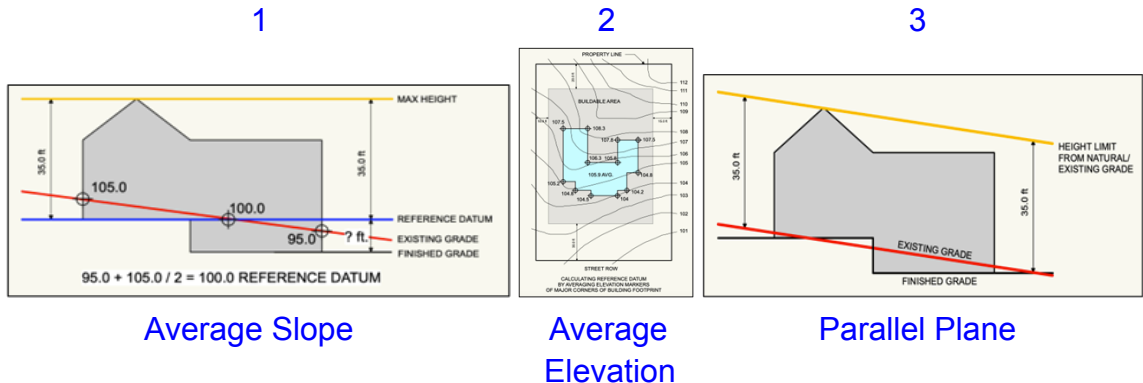
RATIONALE

The polling numbers show strong support for “About right” and to a lesser degree “Too high”. Comments on this question are varied, but primarily focus on the challenges of sloped lots; how new homes should fit into the existing neighborhood; and concerns that the current system is being “gamed”.

RESIDENTIAL BUILDING HEIGHT MEASUREMENT

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

Yes:	171	65%
No:	89	32%
Blank:	14	5%



If so, which of the ways listed above would you prefer?

Scenario 1: Average Slope	25	9%	15% of yes
Scenario 2: Average Elevation	24	9%	14% of yes
Scenario 3: Parallel Plane	78	28%	46% of yes
Comments:	170	62%	

Discussion: This question pair could have been designed better. While it does a pretty good job determining if alternate measurement methods should be considered (65% yes), the scenario selection and comments were combined into a single field and they shouldn't have been. So the responses include various combinations of scenario selection and comments that support it or some other view. Most of the responses are "1", "2" or "3". Some are "1 or 2". Many comments do not include a scenario preference but do make a statement. Statements range from "I'm not sure. I'd have to see what 35 feet high looks like" to "The problem is not the height, but the scamming that goes on in measuring the height" to "35ft is so close to perfect it's not worth changing". For reasons discussed below, popular scenario, parallel grade, was likely preferred because its description featured this statement: "This method does not provide height forgiveness". There are also likely several reasons why there are fewer scenario selections than "yes" responses. One is because the question features complex geometries whose features and differences might have been confusing to the respondent. Another is that the respondent didn't feel qualified to choose and so thought that the decision was better left to those who'd really studied the issue. Finally, the scenarios as posted were not labeled 1,2, 3 or A,B,C. Instead, the respondent was left to recognize that the order in which they were presented established how the question needed answered: first, second or third. Again, an issue of flawed question design.

Height measurement: Austin - AS Westlake Hills - AE Lakeway - varied

CRCRC RECOMMENDATION:

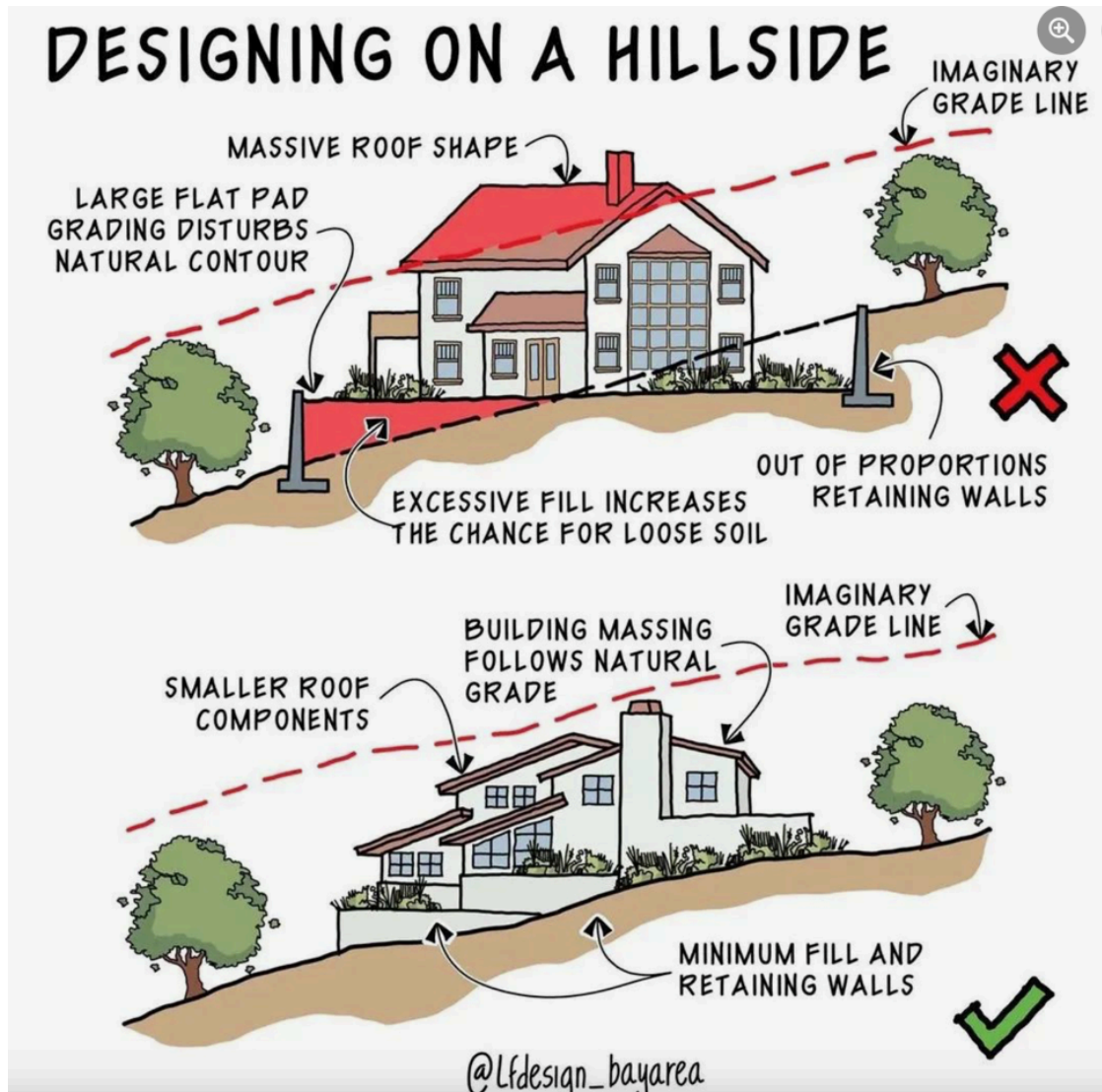
Sec. 107-3. - Definitions.

Building height, residential, means the vertical distance above any point on a surveyed existing grade.

RATIONALE: The combined "About right" (175) and "Too high" (71) responses to the 35 foot maximum building height question above suggest a strong Rollingwood preference for no more than 35 feet (90% of responses altogether). Both the datum calculated by average slope and the datum calculated by average elevation approaches allow for recovery of some maximum height loss to even the slightest grade change. This means that the maximum allowable is not really 35', but rather 35' plus half of the elevation difference within a buildable area + or -.. For example: if across the buildable area there is 6 feet of relief (a fairly common relatively flat lot in Rollingwood), a maximum allowable building height on the lower side of the buildable area would likely be 38': $(35' + (\frac{1}{2}*6')) = 38'$. The current method would have allowed recovery of

the full 6' of relief, so the averaging method does provide some improvement over the current one. However, given the strong preference for a 35' maximum and the many CRCRC survey comments that discuss height "gaming" and "better enforcement", the CRCRC recommends adoption of a method that does not calculate from a datum average, but rather uses the existing grade survey to establish the maximum allowable building elevation. It works like this: consider a survey of a lot's buildable area that is complete with contours. Now add 35' to each of those contours to create a parallel contour surface or plane that is directly above the existing survey. The space between those two surfaces represents the maximum height allowable at any point within the buildable area. No part of the planned building may penetrate the 35' surface and therefore no part of the building may exceed 35' in height. The big difference in methods is that the existing grade calculation moves up and down with the topography. Conversely, both datum averaging methods create a buildable-area-wide maximum that is represented by a perfectly horizontal line or plane that is not sensitive to the topography. There are caveats to each that are discussed later, but that's the basic principle.

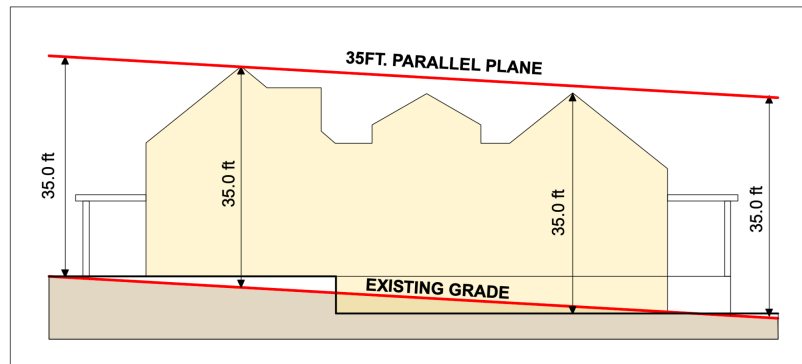
In a nutshell: Datum averaging = changing the topography to conform to the building design;
 Native grade = designing the building to conform to the topography,



EXECUTION

Maximum Allowable Height by Parallel Plane - General Case:

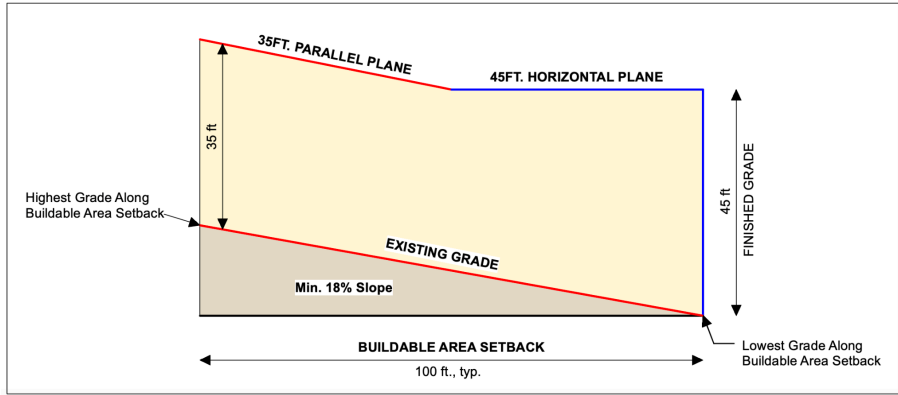
1. Start with an existing grade survey complete with contours within the buildable area limits.
2. Reconcile the existing survey across the footprint of a knocked-down house by straight-line interpolation between like-elevation contours that are adjacent to the heritage footprint. Other minor topographic variations, including pools and ponds should be handled the same way with the intent to approximate the original grade without penalty due to previous construction.
3. Create a plane directly vertical to the existing survey by adding 35 feet to the reconciled existing survey contours. This is the Parallel Plane.
4. The maximum building elevation is 35ft. measured vertically from the finished grade to highest point of roofing surface or parapet and may not penetrate the Parallel Plane.
5. Building areas fully concealed beneath the finished grade are not included in height calculations.



Maximum Building Height for Highly Sloped Lots:

The CRCRC recognizes that about 10% of Rollingwood lots have considerable slope. Most of that slope faces commercial or wooded areas, i.e. areas from which a view of a greater than 35' wall would not be cause for concern. A secondary maximum elevation calculation was devised for lots whose grade is 18% or greater.

6. **Establish Maximum Slope** (%): using contour elevations of any two opposing major corners along building setbacks, including diagonal. Slope % is calculated as rise (height in ft.) over run (distance in ft.) x 100.
7. **When Maximum Slope is minimum 18%** as calculated above, then maximum height may be adjusted by extension of a horizontal plane located 45ft. above the lowest existing grade along any setback, which intersects the 35ft. parallel plane established in General Case above.



Alternate / Opposing Views

The first City Council reading of CRCRC recommended building heights proposal occurred on April 17, 2024. Over the course of nearly 2 hours, a number of concerned citizens came to the podium to express alternate views on the way building height should be measured and questioned the CRCRC process. City Council instructed members of the CRCRC to invite more citizen input at its May 14 and May 28 meetings; consider using that input to find a compromise set of solutions and possibly use a special exception as a tool to address difficult cases.

The May 14 CRCRC meeting had 5 citizen speakers; 1 concerned about the way last year’s CRCRC survey was interpreted; 1 concerned that lots with drainage easements were not being given special consideration; 1 didn’t understand how the proposed height changes would affect their property; 1 suggesting that an average elevation approach is more in line with young family’s needs and 1 praising the CRCRC for its efforts. A lot of the discussion centered on how highly sloped lots were unfairly treated by the parallel plane proposal. In response, the CRCRC building heights subcommittee met and worked up the “Maximum Building Height for Highly Sloped Lots” recommendation seen above to accommodate the 10% or so of Rollingwood building lots whose buildable area grade is 18% or greater.

4 of the 5 citizens above returned to the May 28 CRCRC meeting. The CRCRC presented its addendum for highly sloped lots but it was not well received. Comments included that the CRCRC recommendations make for “winners” and “losers” and force a “split level” design on sloped lots. The CRCRC motioned to table an approval vote until at least the next meeting.

MAXIMUM HEIGHT ALONG BUILDING SETBACKS

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

Yes:	143	52%
No:	112	41%
Blank:	19	7%

Comments: 68 25%

The comments around this question were evenly split - about half saying “Yes, please” and the other half saying “They do this in Austin and it’s awful”.

CRCRC RECOMMENDATION:

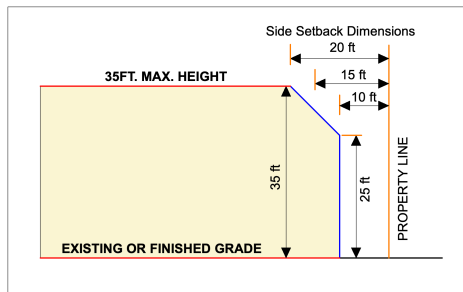
Adopt a set of tenting rules that restricts exterior wall heights incrementally by distance from the lot line.

RATIONALE: The survey asked several questions about different ways to reign in “bulk”, that is, how a house sits relative to the size of the lot it sits on. These Included questions about Floor Area Ratio (132 yes; 125 no), flat roofs vs pitched roofs (100 yes; 165 no), tenting (143 yes; 112 no) and the number of allowable stories limitation (104 yes; 166 no). All of them can have some positive effect on a building’s “bulk”, but it’s “tenting” that has the most measurable impact and has the most public support. We’ve looked hard at the Austin tenting guidelines and agree that they are overly ambitious and even onerous. Our recommendation is to keep it as simple as possible.

EXECUTION

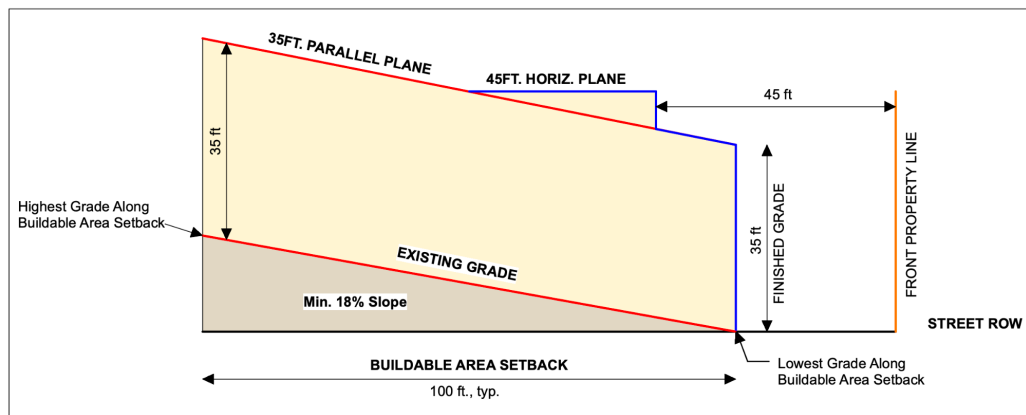
Side Setback:

The maximum building height along the building setbacks, when starting from the 10ft. setback is 25ft., as measured from existing or finished grade, whichever is lower, adding one foot of height to every additional foot of setback, up to 35ft., such that the maximum height of 35ft. is at least 20ft. horizontal from the nearest property line.



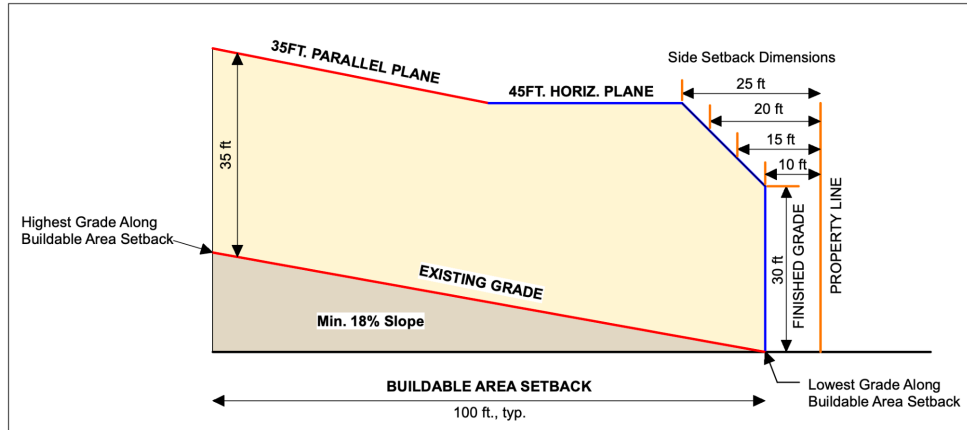
Front Setback - highly sloped lot

Maximum building height along the front setback is 35ft., until 45ft. horizontal from front property line:



Side Setback - highly sloped lot

Maximum building height along the side setbacks, when starting from the 10ft. setback is 30ft., adding one foot of setback to every additional foot of height up to 45ft., such that the maximum height of 45ft. is located 25ft. horizontal from the nearest property line.



Setback Intrusions: No portion of any structure can overhang any setback above 25ft., as measured from adjacent finished grade, with the exception of uninhabitable roof projections. (per RW code)

NOTES:

1. Using slope as a measure for existing conditions helps to eliminate the gaming of contours to meet certain criteria. It frees someone to build within the best features of the site, rather than the area that gets them the greatest height. Percent slope more accurately reflects the true character of a site in terms of whether it is gently or steeply sloping.
2. Establishing an imaginary parallel plane above the existing grade helps maintain the broader context of the highly variable topography in the city, and protect the sanctity of the surrounding neighbors. Its strength lies in its simplicity and dependence on a certified document required for all building permits, namely a survey. Recent changes in the way Rollingwood “ground truths” its surveys, that is, anchoring them to manhole cover elevations, makes establishing the imaginary parallel plane as simple as adding 35’ to any existing elevation contour.
3. Imaginary Parallel Plane is more effective at controlling height than determining a reference datum based on average grade, or an average of building corners/midpoints. The latter two formulae still allow for an unknown amount of height to be added back in, which is what RW has currently. We suspect a majority of people who chose that option in the survey noted this detail.
4. Setting a maximum height dependent on finished grade, rather than existing grade, offers more design flexibility, provided it doesn’t break the 35ft. parallel plane barrier.
5. Bulk Plane/Tenting restrictions are generous and consistent with many other communities around the country, allowing for multi-story homes of any design style, with some restriction on where the maximum height can be located. Additional side setback height is allowed for slopes 18% or greater.
6. In comparing this approach to recent builds, we find that most fall within the new constraints, while a few of the outliers could have met the new constraints with minor adjustments.

7. There is some public interest in allowing houses built alongside a drainage easement some additional height consideration. The CRCRC will look at this when it gets to its drainage / impervious cover work, not yet started. We expect to find this issue as one that is not common and best worked through a special exception.