



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

Tuesday, November 12, 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 November 12, 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=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 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 the minutes from the October 22, 2024 CRCRC meeting

REGULAR AGENDA

- 3. Discussion and possible action on emails and letters to the CRCRC from October 22, 2024 to November 11, 2024
- 4. Update and discussion regarding the November 6, 2024 Planning and Zoning meeting
- 5. Discussion and possible action on a recommendation for drainage, impervious cover, and floor-area ratio (FAR)
- 6. Discussion and possible action on a recommendation for building code enforcement
- 7. Discussion and possible action on finalizing CRCRC business

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, November 8, 2024 at 5:00 p.m.

Makayla Rodriguez

Makayla Rodriguez, City Secretary

NOTICE -

The City of Rollingwood is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact the City Secretary, at (512) 327-1838 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

The Board of Adjustment will announce that it will go into executive session, if necessary, to deliberate any matter listed on this agenda for which an exception to open meetings requirements permits such closed deliberation, including but not limited to consultation with the city's attorney(s) pursuant to Texas Government Code section 551.071, as announced at the time of the closed session.

Consultation with legal counsel pursuant to section 551.071 of the Texas Government Code;
discussion of personnel matters pursuant to section 551.074 of the Texas Government Code;
real estate acquisition pursuant to section 551.072 of the Texas Government Code;
prospective gifts pursuant to section 551.073 of the Texas Government Code;
security personnel and device pursuant to section 551.076 of the Texas Government Code;

and/or economic development pursuant to section 551.087 of the Texas Government Code.
Action, if any, will be taken in open session.



CITY OF ROLLINGWOOD COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE MINUTES

Tuesday, October 22, 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 October 22, 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 5:01 p.m.

Present Members: Chair Dave Bench, Duke Garwood, and Brian Rider

Also Present: City Administrator Ashley Wayman, Interim City Secretary Makayla Rodriguez, 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 September 26, 2024 CRCRC meeting

Brian Rider moved to approve the meeting minutes as amended. Chair Dave Bench seconded the motion. The motion carried with 3 in favor and 0 against.

REGULAR AGENDA

3. Discussion and possible action on emails and letters to the CRCRC from September 26, 2024 to October 21, 2024

Chair Dave Bench discussed the email received during the timeframe.

- 4. Discussion and possible action on amending the recommendation for drainage and impervious cover

Chair Dave Bench discussed feedback received from Mayor Pro Tem Sara Hutson regarding drainage and impervious cover at the previous CRCRC meeting.

The CRCRC discussed additional recommendations to City Council to address drainage and impervious cover.

- 5. Discussion on CRCRC position regarding enforcement

The CRCRC discussed maximizing enforcement fines for violations.

ADJOURNMENT OF MEETING AND PUBLIC WORKSHOP

The meeting was adjourned at 5:33 p.m.

Minutes adopted on the _____ day of _____, 2024.

Dave Bench, Chair

ATTEST:

Makayla Rodriguez, City Secretary

Report of the Subcommittee
Drainage, Impervious Cover, and FAR Issues
Rollingwood CRCRC

The subcommittee of the CRCRC which was assigned the task of considering and researching the issues of Drainage, Impervious Cover and FAR (floor to area ratio) was composed of Brian Rider (Chair), Thom Farrell, and Duke Garwood. The Subcommittee reports as follows:

The subcommittee had several meetings, mostly at City Hall, and all very informal. We considered the questionnaire and responses to the questionnaire sent out as the full CRCRC began its work. We asked Jerry Fleming, a Rollingwood resident and engineer whose home is significantly impacted by the ongoing drainage work at this time, to sit in with us. We also asked Nikki Stautzenberger, our Development Services Manager, to attend meetings and respond to questions and make suggestions.

The issues of drainage, impervious cover and floor-to-area ratio (“FAR”) are intertwined in that building regulations of each kind do impact the amount of water runoff and/or the speed of water runoff from developed properties. In addition, each indirectly or directly impacts how much development can occur on a lot. Nearby cities have used one or more of these kinds of regulations precisely for those building size limitations in addition to water runoff impacts.

The interconnection of these issues is demonstrated by consideration of what drainage features should or could be required in connection with a lot development or redevelopment (for example detention features in landscaping or more formal detention ponds). That kind of regulation could deal with how fast or how slowly rainfall would drain off of an improved lot and the impact of that water flow and timing issues of water flow on downstream homes. It is assumed that a requirement of more pervious cover (that is more grass, shrubs, trees) and less impervious cover on an improved property (more driveways, sidewalks, roofs, etc.)

would result in some way to reduce and slow water runoff from that property, which then impacts possible flooding, and so impervious cover issues are involved in drainage issues. And a lower floor-to-area-ratio is another possible regulation which could result in more yard area (and therefore more pervious cover) and so impact the amount and speed of runoff, meaning that FAR issues are also involved in drainage issues.

The issues of impervious cover are to some degree dealt with by the Texas Commission on Environmental Quality (TCEQ). Rollingwood is in the Edwards Aquifer recharge zone and TCEQ has regulations in place which require some drainage control if development of a lot is to result in more than 20% impervious cover. This regulation is a matter of state level law and is separate from any regulation which Rollingwood could possibly consider. For most of the citizens of Rollingwood, this regulation is manifest by the presence on newly constructed home lots of large metal (usually) tanks into which rainwater from roofs is to drain and then later drain onto the ground in a more controlled and slower way.

Regulation of all of these factors (drainage structures, impervious cover limits, and FAR limitations) in development of property are used in various areas of the municipalities which surround Rollingwood or which are in the Austin area. Members of the subcommittee have had involvement in these issues in their business lives outside of their ownership of homes in Rollingwood.

While the purposes and features of land use regulations intended to deal with drainage, impervious cover and FAR are not difficult to understand in a broad sense, the true impact of such regulations on a particular tract is a matter of significant engineering work and expertise. The subcommittee was aware that the City of Rollingwood has expended significant amounts of money to study drainage in the city and has multiple studies on file which could be excavated if needed, but the CRCRC does not have a budget to engage engineers whose expertise would be the efficiency of the regulations to be considered. The subcommittee therefore considered the information available to it, the experience of its sources, and the wishes of the community as expressed in the survey done by the CRCRC. The Subcommittee studied the questions and answers of the survey, as well as studying

in detail the many comments made by our citizens in answering the survey questions

Drainage:

Results of citizen questionnaire: There was no question on the questionnaire specifically about drainage. Citizens did comment with some frequency about drainage matters in their responses to other questions.

The final meeting of the Subcommittee in early July occurred on an afternoon when the excavation for drainage improvements which are part of the City’s project were loudly heard in City Hall. The committee did not find that there were issues of drainage beyond the issues dealt with by the City’s project for any significant numbers of citizens. The subcommittee did not think it had the expertise to make improvements on the City’s current drainage manual or that there was any demand for us to insert ourselves into the ongoing work of the City’s engineers and Council.

Impervious Cover:

Results of citizen questionnaire: The questionnaire solicited citizen response to the question (no. 20) whether more should be done to limit the amount of impervious cover on a building lot. The responses were 102 for and 159 against. The comments, analyzed separately, did indicate that the citizens of Rollingwood understood that the issue of impervious cover had drainage implications and the commentators suggested that the city should rely on the City’s studies and initiatives with bonds, etc. to deal with drainage problems. The issue of whether we need to use impervious cover regulations to curb development of “big” houses was mentioned, but reliance on setbacks and other design standards was frequently cited as a better approach to the building size issue.

The CRCRC has recommended regulations for building setbacks. The CRCRC has also recommended improvements to the ordinances requiring plantings of trees and shrubs in those areas. TCEQ regulations require drainage improvements if the impervious cover of a lot in Rollingwood used for residential development exceeds 20%. The subcommittee feels that it does not have either a mandate from the citizens to improve regulations dealing with impervious cover other than by

suggestions for setback recommendations and the landscaping recommendations within those setbacks. Neither the subcommittee nor the whole of the CRCRC has the expertise to deal with the more sophisticated issues of impervious cover regulations and has no budget for hiring that expertise. The subcommittee does not recommend any regulation directly addressing mandatory minimums or maximums for impervious cover for the residential areas of Rollingwood.

Floor to Area Ratio:

Results of citizen questionnaire: Citizen response to this question (no. 6) about adoption of a FAR, was evenly split with 136 in favor and 131 opposed. The commentary responding to the questionnaire focused on the use of setbacks and vegetation requirements in those setbacks as the better way to deal with what FAR might deal with – which is protecting the neighborhood feel of Rollingwood and the appearance that Rollingwood is an area of lots of trees. Commentary about protection of “property rights” and the possible infringements of those rights by FAR regulation was particularly strong.

After review of the survey answers and comments which were reviewed, as well as the impact of TCEQ regulations, the proposed building height, setback requirements and tenting regulations, and in view of the lack of significant desire by the citizens for any FAR regulations, the subcommittee does not recommend any FAR regulations for Rollingwood. The subcommittee believes that the goal of the CRCRC effort is not to discourage large houses in Rollingwood. The subcommittee finds that maintaining the character of the community can be done via the building height proposal, the tenting proposals, the tree ordinance, the drainage ordinance, and setback ordinances rather than directly attacking building sizes, which is what FARs usually do.

Conclusion: The subcommittee has no recommendation that Rollingwood should adopt any building regulation on the residential areas of the city, beyond the existing drainage ordinances and drainage manual, the proposed building height and setback and setback area vegetation requirements, the proposed tenting

regulations, and the tree ordinance, to deal with matters of on-lot drainage structures, impervious cover requirements, or FAR. The CRCRC for its part has dismissed the utility of FAR for solving any residential issues.

One significant contributing success factor to other CRCRC recommendations was having within its membership the residential design and execution expertise that was provided by its two professional architects. The CRCRC lacks similar expertise in the areas of drainage and impervious cover and FAR. The Subcommittee suggests to the City Council that if it desires a deeper dive into the subjects of on-site drainage regulations, impervious cover requirements, or FAR regulations, that a similar model be employed by drawing expertise in these matters from the local citizenry, and employing a CRCRC-like, community driven approach to developing a set of recommendations. Budget for outside professional assistance may be required.

DRAFT

11/12/24 CRCRC RECOMMENDATIONS ON ENFORCEMENT

The CRCRC considered including a question on ordinance enforcement in its late 2023 public survey but collectively decided that enforcement was outside of CRCRC scope even though “Ordinance Enforcement” is one of the items for address listed in the CRCRC charter. Still, various derivations of the word “enforcement” are mentioned unprompted 67 times in the 2023 survey comments spread among 46 of the survey’s 274 respondents. Of those, 14 enforcement comments are in response to the general survey question #2 “Do you think Rollingwood should consider changes to its building codes?”. Here respondents mostly commented on the need to better enforce current ordinances rather than change them or create new ones. Another 14 comments are directed at the common nuisances of construction: working outside of allowable hours; long standing empty houses; contractor parking; etc. Concerns about tree ordinance enforcement are mentioned 6 times. The remaining “enforcement” occurrences are scattered.

Given the number of unprompted comments identifying ordinance enforcement as a potential issue, the CRCRC makes these recommendations:

- 1) Review current staffing levels and processes to ensure that ordinances are being enforced effectively and if not, take corrective action.
- 2) Set the penalties for ordinance violations to the maximum allowable.

We leave it to City Staff and City Council to consider these recommendations and act on them as they see fit.