



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, December 04, 2024

Notice is hereby given that the Planning and Zoning Commission of the City of Rollingwood, Texas will hold a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on December 04, 2024 at 6:00 PM. Members of the public and the Planning and Zoning Commission may participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer are physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. The public may watch this meeting live and have the opportunity to comment via audio devices at the link below. The public may also participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

Link: <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUINjNmK5RnJreIRFUT09>

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

Meeting ID: 530 737 2193

Password: 9fryms

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

CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER

1. Roll Call

PUBLIC COMMENTS

Citizens wishing to address the Planning and Zoning Commission for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the Planning and Zoning Commission is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Planning and Zoning Commission with regard to matters on the agenda will be received at the time the item is considered.

CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the Planning and Zoning Commission and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a Board Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

- 2. Discussion and possible action on the minutes from the November 6, 2024 Planning and Zoning Commission meeting

REGULAR AGENDA

- 3. Discussion regarding intent to continue to serve on the Planning and Zoning Commission
- 4. Discussion and next steps on consultant review and assessment of segmenting and parallel plane height measurement approaches
- 5. Discussion and possible action on proposed amendments to the city's Code of Ordinances regarding side yard projections in the Residential zoning district
- 6. Update, discussion and possible action on a report from the Accessory Building and Structures subcommittee and a recommendation for accessory buildings
- 7. Discussion and possible action on a recommendation from CRCRC regarding Drainage, Impervious Cover and Floor Area Ratio (FAR)
- 8. Discussion and possible action on a recommendation from CRCRC regarding Code Enforcement
- 9. Discussion and possible action on recommendations for remaining CRCRC items
- 10. Discussion and possible action on a recommendation for fence construction materials

ADJOURNMENT OF MEETING

CERTIFICATION OF POSTING

I hereby certify that the above Notice of Meeting was posted on the bulletin board at the Rollingwood Municipal Building, in Rollingwood, Texas and to the City website at www.rollingwoodtx.gov on Wednesday, November 27, 2024 at 1:00 p.m.

Makayla Rodriguez

Makayla Rodriguez, City Secretary

NOTICE -

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

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

Consultation with legal counsel pursuant to section 551.071 of the Texas Government Code;
discussion of personnel matters pursuant to section 551.074 of the Texas Government Code;
real estate acquisition pursuant to section 551.072 of the Texas Government Code;
prospective gifts pursuant to section 551.073 of the Texas Government Code;
security personnel and device pursuant to section 551.076 of the Texas Government Code;
and/or economic development pursuant to section 551.087 of the Texas Government Code.
Action, if any, will be taken in open session.



CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, November 06, 2024

The Planning and Zoning Commission of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on November 6, 2024. Members of the public and the Planning and Zoning Commission were able to participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City’s website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER

1. Roll Call

Chair Dave Bench called the meeting to order at 6:01 p.m.

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

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

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2. Discussion and possible action on the minutes from the October 2, 2024 Planning and Zoning Commission meeting

Michael Hall moved to approve the meeting minutes. Jerry Fleming seconded the motion. The motion carried with 5 in favor and 0 against.

REGULAR AGENDA

3. Discussion and possible action on proposed amendments to the city's Code of Ordinances regarding residential building height and side yard projections in the Residential Zoning District

Tony Stein joined the meeting at 6:04 p.m.

Genie Nyer discussed displayed photos of a property near her home and discussed the impact of the current building height code.

Michael Rhodes presented an alternative building height method with the Planning and Zoning Commission.

Members of the Planning and Zoning Commission shared their feedback regarding the alternative building height method.

Brian Nash joined the meeting at 6:31 p.m.

Members of the Planning and Zoning Commission continued to share their feedback in regard to the alternative building height method and discussed the CRCRC building height survey data, and sloped lots. Jerry Fleming expressed concerns about addressing the looming factor.

The Planning and Zoning Commission discussed building height methods, building height, and a possible consultant workshop. They also discussed special exceptions, concerns, amendments to the recommendation, and next steps for recommendations to City Council.

Genie Nyer moved to send a memorandum to City Council that stated the Planning and Zoning Commission are at an impasse and need some professional drawings to reassure them that the ordinance will be appropriate and requesting City Council to appropriate money for that purpose. Michael Rhodes seconded the motion.

Michael Rhodes stated that he will find an architect.

Chair Dave Bench moved to amend the motion for Michael Rhodes to coordinate with a consultant and to get a proposal not to exceed \$3,000. Genie Nyer did not accept the amendment. The motion carried with 7 in favor and 0 against.

The Planning and Zoning Commission discussed side yard projections and concerns with the ordinance.

Council Member Brook Brown, 307 Nixon Drive and Liaison to the Planning and Zoning Commission, shared that there was a drafting error within the code and that the CRCRC has reviewed projections more comprehensively. She gave guidance to the Planning and Zoning Commission regarding the ordinance.

The Planning and Zoning Commission discussed amendments to the ordinance and next steps.

Michael Rhodes moved to table the item and to send it back to the CRCRC to get clarification on what the CRCRC would like. Brian Nash seconded the motion. The motion carried with 7 in favor and 0 against.

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

City Administrator Ashley Wayman explained the item and discussed structures with the Planning and Zoning Commission.

City Staff discussed structures and facility placement in setback areas. City Administrator Ashley Wayman expressed the need for clarification within the code.

Jerry Fleming presented a document with amendments to the ordinance. The Planning and Zoning Commission discussed the amendment language and requirements.

Michael Rhodes moved to table the item. Tony Stein seconded the motion. The motion carried with 7 in favor and 0 against.

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

City Administrator Ashley Wayman explained that City Council put a six-month enforcement abatement on a children’s playhouse to get clarification on restrictions and definitions for accessory buildings and structures.

City Administrator Ashley Wayman and the Planning and Zoning Commission discussed the playhouse, and the code for accessory buildings as well as structures.

Chair Dave Bench suggested forming a subcommittee to gather more information. Brian Nash, Jerry Fleming, and Michael Hall agreed to be on the Accessory Building and Structures subcommittee and to bring back more information in the next meeting.

Chair Dave Bench moved to assign Brian Nash, Jerry Fleming, and Michael Hall to a subcommittee to look at accessory buildings and structures. Genie Nyer seconded the motion. The motion carried with 7 in favor and 0 against.

ADJOURNMENT OF MEETING

The meeting was adjourned at 8:45 p.m.

Minutes adopted on the _____ day of _____, 2024.

Dave Bench, Chair

ATTEST:

Makayla Rodriguez, City Secretary

Planning and Zoning Commission

<u>Member Name</u>	<u>Position – Office</u>	<u>First Appointed</u>	<u>Current Term Ends</u>
Brian Nash	1 – Member	March 2018	December 2025
Genie Nyer	2 – Member	October 2023	December 2025
Michael Hall	3 – Member	March 2021	December 2025
Tony Stein	4 – Member	June 2017*	December 2025
Michael Rhodes	5 – Member	May 2020	December 2024
Jerry Fleming	6 – Member	February 2024	December 2024
Dave Bench	7 – Member/Chair	October 2021	December 2024

Council Liaison(s): Brook Brown

7 Members appointed by City Council, Chair designated by majority vote of Commission yearly. Commission meets the 1st Wednesday of each month at 6:00 p.m.

* Term of Service limitation extension granted by City Council 12-20-2023

SEGMENTING / PARALLEL SURFACE TENTING EVALUATION ----- DRAFT

Objective: Evaluate two approaches for limiting building height, each using a tenting method whose starting point is governed by property lines as per the following: 30 ft from front property line; 20 ft from rear property line; 10 ft from side property lines. Determine, given the constraints detailed below, if either or both approaches allow for the building of a second story over the entire allowable building area while constraining the height of the building to its allowable maximum and what, if any constraint modifications, would be required to make the approach workable.

Discussion: there is considerable concern among Rollingwood residents about recently built homes that “loom” over their neighbors’ lots. However, a survey revealed that most residents are in favor of maintaining the current 35-foot residential maximum building height, but nothing more. Observation, survey comments and neighbor complaints suggest that “looming factor” concerns increase as the edges of a building get closer to its property line. A technique called “tenting” is used by some cities to mitigate the looming factor by reducing the allowable building height at the edges of the buildable area and gradually increasing it as the distance from the property line increases. In fact, after much consideration, Rollingwood’s Comprehensive Residential Code Review Committee (CRCRC) recommended that the City introduce tenting into the building code. On a perfectly flat lot the application of tenting is fairly simple. However, it becomes significantly more difficult to apply to lots that are not flat. In addition to tenting, the CRCRC recommended using a parallel plane (more properly, “parallel surface”) methodology to regulate building height. However, it’s not clear that parallel surface and tenting are compatible, particularly if applied on uneven or highly sloped topography. The city of Austin uses an approach that breaks the buildable area into smaller segments with the rules of tenting applied to each segment individually thereby making it easier to handle sloped and uneven topography. However, the segmenting approach may introduce opportunity to exceed the 35’ maximum height, at least in a building’s center. These concerns and others are meant to be addressed in this exercise. In any case, it is the CRCRC’s and presumably the Planning and Zoning Commission’s aim to enable new-builds a minimum of 2 stories on each side of the lot’s allowable building area while adhering to the 35’ rule.

Segment Evaluation Method:

- 1) Create a set of contours that approximate a 15% grade with some additional side-to-side sloping (Fig 1).
- 2) Impose a 100’ x 150’ rectangular lot (15000sf) onto the contours. Show maximum buildable area on the lot using currently required yard dimensions: front -30’; back - 20’; and 2 sides - 10’ each (actually 10’ and 15’, but two 10’ yards ensures a proper level of difficulty). Divide the buildable area into 3 segments: 40’, 40’ and 20’(Fig 2)
- 3) Establish a datum for each segment side at the segment high points (e.g. points B and D for the center segment). Using those datum points, construct tenting constraints for each segment starting at 25’ at 10’ from the side lot line and adding 1 foot of height for every additional 1 foot of distance from the lot line to a maximum of 35’.
- 4) Answer these questions:
 - a. Can each segment support a second story at its exterior walls? (assume a 12 foot first floor and a 10 foot second floor)
 - b. Can a second story be extended from one segment into the next one adjacent?

- c. Does the building height ever exceed 35' within the segment plane defined by A,B,C,D and if so, by how much.
- 5) Repeat steps 3 and 4 using segment low points (e.g. points A and C for the center segment) to establish a datum.
- 6) Repeat steps 3 and 4 using the average of points A, B, C and D to establish a datum.
- 7) Skew the buildable area on the contours to the right and repeat steps 3, 4, 5 and 6 (Fig 3).
- 8) Skew the buildable area on the contours to the left and repeat steps 3, 4, 5 and 6 (Fig 4).

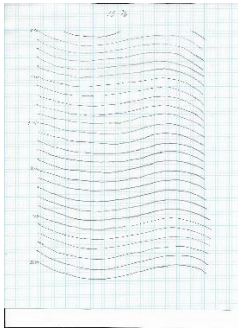


Fig 1

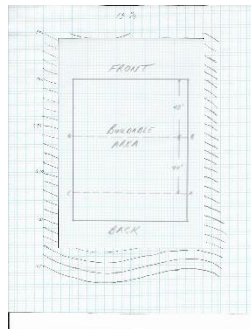


Fig 2

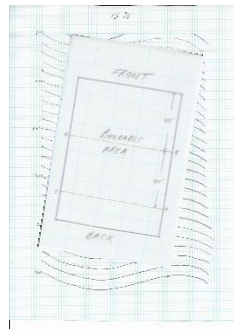


Fig3

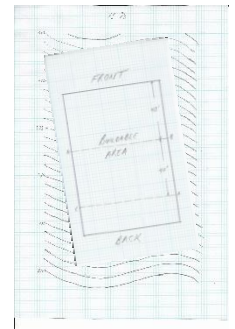


Fig 4

Parallel Surface Evaluation Method:

Using the Fig 1 contours:

- 1) Impose a 100' x 150' rectangular lot (15000sf) onto the contours. Show maximum buildable area on the lot using currently required yard dimensions front - 30'; back - 20'; and 2 sides - 10' each. (Fig 5).
- 2) Construct a continuous set of tenting constraints over the entire buildable area using the intersections of buildable area perimeter and the topographic contours as starting points. Start with 25' at 10' from the side lot line and add 1 foot of height for every additional 1 foot of distance from the lot line to a maximum of 35'.
- 3) Answer this question:
 - a. What is the maximum front to rear distance that will support two unbroken stories at the building exterior perimeter assuming a 12 foot first floor and a 10 foot second floor.
- 4) As in the Segment method, repeat steps 2 and 3 first skewing the buildable area to the left and then to the right.

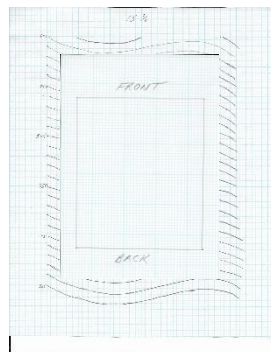


Fig 5

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ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 107 OF THE CITY OF ROLLINGWOOD’S CODE OF ORDINANCES RELATED TO PROJECTIONS INTO RESIDENTIAL YARDS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the Texas Local Government Code Chapter 211 provides authority to regulate the height, number of stories, and size of buildings and other structures; and

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

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

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

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

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

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

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

Section 107-76 is amended as follows:

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

38 (e) Eaves and roof extensions may extend ~~overhang~~ into any required side yard
39 a maximum depth of 33 percent of the required side yard. Eaves and roof
40 extensions may extend ~~overhang~~ into any required front or rear yard a
41 maximum of five feet. All other ordinary projections of building features
42 typically used in residential building construction, may extend ~~overhang~~ a
43 maximum of two feet into any a required yard having a width greater than
44 10 feet. a maximum of two feet. No building feature other than an eave or
45 roof extension may extend into a side yard having a width of 10 feet or less.

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

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

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

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

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Gavin Massingill, Mayor

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66 ATTEST:

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68 _____

69 Makayla Rodriguez, City Secretary

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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 and enforce them effectively.

We leave it to the mayor and City Staff in conjunction with recommendations from City Council to consider these recommendations and act on them as they see fit.