

1 **ORDINANCE NO. _____**

2 **AN ORDINANCE AMENDING CHAPTER 107 OF THE CITY OF**
3 **ROLLINGWOOD’S CODE OF ORDINANCES RELATED TO**
4 **RESIDENTIAL SIDE YARD PROJECTIONS; PROVIDING FOR**
5 **SEVERABILITY AND AN EFFECTIVE DATE.**

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

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

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

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

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

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

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

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

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

33 Section 107-76 is amended as follows:

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

35 (e) Any building feature other than an eave or roof extension may not extend
36 into any required yard more than a maximum of two feet. In addition, no building

37 feature other than an eave or roof extension may be closer than 10 feet from a
38 property line. Eaves and roof extensions may ~~overhang~~ extend into any required
39 side yard a maximum depth of 33 percent of the required side yard. Eaves and roof
40 extensions may ~~overhang~~ extend into any required front or rear yard a maximum of
41 five feet. ~~All other ordinary projections of building features typically used in~~
42 ~~residential building construction, may overhang.~~

43 (f) Projections shall not contain habitable space, except for bay windows ten
44 feet wide or less.

45 (g) ~~Chimneys may encroach into a required yard a maximum of two feet.~~

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

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

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

57 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of
58 Rollingwood, Texas, on the _____ day of _____, 2025

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Gavin Massingill, Mayor

65 ATTEST:

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Makayla Rodriguez, City Secretary