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ORDINANCE NO. 2026-XX-XX

AN ORDINANCE AMENDING CHAPTER 107, SECTION 107-3 OF THE CITY OF ROLLINGWOOD’S CODE OF ORDINANCES RELATED TO PLAYHOUSES AND PLAYSCAPES; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION; 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 such as playhouses and playscapes; and

WHEREAS, the City Council of the City of Rollingwood (“City Council”) finds that scale and placement of playhouses and playscapes can impact the character of residential neighborhoods by affecting the spacing between structures, visibility from adjacent properties, and overall aesthetic harmony; and

WHEREAS, the City Council finds and determines that playhouses and playscapes, particularly those of significant height or located near property lines, can impact the privacy and quiet enjoyment of adjacent properties by creating sightlines into private spaces and generating noise; and

WHEREAS, the City Council finds and determines that unregulated placement or oversized playhouses and playscapes may create safety concerns, obstruct views, or lead to neighborhood disputes regarding setbacks, visual impact, and compatibility with surrounding structures; and

WHEREAS, the City Council finds and declares that establishing reasonable regulations for the size and location of playhouses and playscapes is essential to maintaining the character of residential areas, minimizing conflicts between neighbors, and ensuring that such structures are safely and appropriately integrated within properties.

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 are hereby amended as follows with ~~striketroughs~~ being deletions from the Code and underlines being additions to the Code:

Sec. 107-3. – Definitions.

39 *Accessory building or structure* means a building or structure which does not share a
40 common roof or common wall, including, but not limited to, a toolhouse, home workshop,
41 greenhouse, garage, carport, children's playhouse (excluding an “exempt children’s
42 playhouse” or “playscape” as defined herein), or swimming pool house, which:

- 43 (1) Is located on the same lot as a dwelling;
- 44 (2) Is subordinate in area to the dwelling and is used for a purpose customarily
45 incidental to the dwelling;
- 46 (3) Is detached from the dwelling except that a connected foundation or walkway
47 may exist with the dwelling;
- 48 (4) Does not provide complete independent living facilities for one or more persons
49 which include permanent provisions for living, sleeping, and sanitation facilities;
50 and
- 51 (5) Is not used for lease or rental, or for a commercial purpose other than a home
52 occupation by a resident of the main dwelling.

53 *Exempt children’s playhouse* means a temporary, freestanding structure not permanently
54 affixed to the ground, with a roof supported by walls, designed for children’s activities,
55 with no utility facilities, not exceeding 100 square feet in area or 10 feet in height, located
56 in a side or rear yard no closer than 8 feet from the lot line and outside of any drainage
57 easement, public utility easement or public right of way, and, on a corner lot where the
58 lot’s rear yard abuts the neighboring property’s front yard, an exempt children’s playhouse
59 must be located behind a fence, or, if there is no fence, no closer than 20 feet from the
60 property line along the front yard of the abutting lot and no closer than 15 feet from the
61 adjacent street.

62 *Playscape* means a freestanding temporary structure, not permanently affixed to the
63 ground, mostly unenclosed, having no solid floor at grade level or within 48 inches of
64 grade, and designed for children’s activities. A playscape typically consists of a
65 combination of swings, slides, climbing walls, and/or ladders.

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

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

75 **SECTION 5.** This ordinance shall take effect immediately from and after its passage.

76 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of
77 Rollingwood, Texas, on the _____ day of _____, 2026.

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Gavin Massingill, Mayor

83 ATTEST:

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_____, City Secretary

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