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WHEREAS, the City Council of the City of Rollingwood (“City Council”) previously established a Land Use Development Code as codified in its code of ordinances; and

WHEREAS, the City Council finds that regulating site disturbance activities is necessary to the orderly development of the community and promotes the aesthetics, health, safety, general welfare and convenience of the people; and

WHEREAS, the City Council finds and determines that Section 103-235 Site Disturbance the City's code of ordinances should be amended to add requirements for utilizing terraced cuts retaining systems.

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. Part II of the City's Code of Ordinances Chapter 103, Article IV, Division 2, Section 103-235, be amended as follows with strikethroughs being deletions and underlines being additions:

Sec. 103-235. - Site disturbance.

The requirements regarding site disturbances are as follows:

- (1) No rough cutting or site clearing shall be permitted without first obtaining a building permit.
- (2) No rough cutting or site clearing shall be permitted until the construction of temporary erosion and sedimentation controls and tree protection are in place.
- (3) No grade changes are allowed at any point along the property line.
- (4) Grading inside a ten-foot setback from a property line shall be a maximum of 4:1 (one foot elevation per four feet of horizontal) slope unless it is impracticable or such limitation on slope would not improve drainage conditions, and a deviation is approved by city engineer for construction of allowable drainage facility.
- (5) Outside of the designated building envelope and outside of ~~the a~~ ten-foot setback from a property line, the maximum allowable depth of cut is eight feet.

- (6) Outside of the designated building envelope and outside of ~~the a~~ ten-foot setback from a property line, the maximum allowable height of fill is eight feet.
- (7) Outside of the designated building envelope and outside of a ten-foot setback from a property line, the eight (8) foot maximum cut depth and fill height may be exceeded when using a terraced retaining system. Up to three (3) terraced cuts or fills may be created under a terraced retaining system, provided each wall is separated by a minimum three (3) feet setback (measured from face to face) for visual relief, safety, and revegetation. No individual portion of any terrace shall exceed six (6) feet in height. The total maximum height for cuts or fills retained under a terraced retaining system shall not exceed fifteen (15) feet.
- a. Cuts and fills associated with a terraced retaining system shall include substantial permanent stabilization measures that will prevent erosion and sediment discharges both during construction and after project completion. Substantial stabilization measures typically include engineered retaining walls and drainage control plans, or other structural measures, a well-defined sequence of construction and Erosion and Sediment Control (ESC) Plan, and other similar, proven design practices.
- (8) ~~(7)~~ Outside of ~~the a~~ ten-foot setback from a property line, vertical cut slopes should not be used unless the cut is in stable rock or adequately cemented soil.
- (9) ~~(8)~~ Outside of ~~the a~~ ten-foot setback from a property line, maximum slopes for cut and fill shall be 2:1 slopes, provided that adequate slope stabilization is provided as need to prevent movement of loose earth.
- ~~(10)~~ ~~(9)~~ Disturbance of earth in the 100-year floodplain is not allowed.
- ~~(11)~~ ~~(10)~~ Grade changes will not be approved that negatively impact adjacent property owners, or adjacent street flow.
- ~~(12)~~ ~~(11)~~ Slope stability shall be required for areas of cut or fill with steep slopes as needed to resist and prevent movement of loose earth. The method of stabilization shall be chosen as appropriate to the local soil conditions, steepness of slope, ability of vegetation to properly grow, and any other variable that would affect the functionality of the chosen stabilization method. Allowable stabilization methods include, geogrid or geotextile reinforcement (mats/blankets), rock rip-rap, rock rip-rap encased in concrete, retaining walls, rock gabions, slope roughening, and terracing. Refer to section 107-33 for more information on grading and retaining wall design requirements.
- ~~(13)~~ ~~(12)~~ All construction shall require the contractor to take special care when grading in the vicinity of critical root zones, including root zones for off-site trees with root zones that overlap property boundaries. Any permitted construction requiring tree removal that will negatively alter drainage flows as determined by the city engineer shall require approval by the city engineer or specific mitigation for the area effected.

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

SECTION 4. Should any sentence, paragraph, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of

1 this ordinance as a whole, or any part or provision thereof other than the part so decided to be
2 invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a
3 whole.

4
5 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and the
6 publication of the caption as the law provides.

7
8 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas,
9 on the ____ day of _____, 2022.

10
11 APPROVED:

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15 _____
16 Gavin Massingill, Mayor

17 ATTEST:

18
19
20 _____
21 Desiree Adair, City Secretary