



46           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
47 **THE CITY OF ROLLINGWOOD, TEXAS:**

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49 **SECTION 1.** The foregoing recitals are hereby found to be true and correct and are hereby  
50 adopted by the City Council and made a part hereof for all purposes as findings of fact.

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52 **SECTION 2.** Code Amendments.

53  
54 The Rollingwood Code of Ordinances is amended to as follows with underlines being  
55 additions to the Code and strikethroughs being deletions from the Code:

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57           Section 107-3 Definitions

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59                   “Pickleball” means an outdoor game that is played on a level court with  
60 short- handled paddles and a perforated plastic ball volleyed over a low net  
61 by two single players or two pairs of players.

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63           Section 107-39 Outdoor Pickleball Courts

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65                   (a)    Conditional Use Permit (CUP).

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67                           (1)    An Outdoor Pickleball court is an authorized use in the  
68 City’s Residential district upon the issuance of a CUP.

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70                           (2)    A CUP is required for each individual Pickleball court.

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72                           (3)    The granting of a CUP is considered zoning and as such, all  
73 noticing requirements and procedures for changing a zoning district apply  
74 to an application for a CUP. After a public hearing and upon the  
75 recommendation of the Planning and Zoning Commission, the city council  
76 may approve, deny or modify the site plan and issue a CUP containing such  
77 requirements and safeguards as necessary to protect adjoining property.

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79                   (b)    CUP Application. A complete CUP application must be submitted  
80 to the City to include the following:

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82                           (1)    General Description: An overview of the proposed outdoor  
83 Pickleball court, including hours of operation, anticipated use, evidence of  
84 sufficient required off-street parking, and other applicable information.

85  
86                           (2)    Site Plan: A site plan shall be submitted to scale not to  
87 exceed one inch to 100 feet indicating in detail how the proposal will  
88 comply with the International Building Code and this Code. The site plan  
89 shall indicate the location of the outdoor Pickleball court on the property  
90 and clearly show distances from all property lines and structures. The site

91 plan shall include elevation contours, adjacent neighboring properties, and  
92 neighboring residences.

93  
94 (3) Noise Study. A noise study shall be prepared by a certified  
95 professional at applicant's cost and shall simulate, through engineering  
96 models, field noise level data collection, computer generation, or similar  
97 techniques, the impact of the proposed outdoor Pickleball court. The noise  
98 study shall indicate the noise impact from at least five (5) locations around  
99 and within 150 feet of the proposed outdoor Pickleball Court, in addition to  
100 the noise impact measured at all property boundaries. The noise study must  
101 also show what alternatives have been considered for the mitigation of noise  
102 with the pre- and post-court use noise levels. The noise study shall  
103 demonstrate that the outdoor Pickleball court will be used in compliance  
104 with Municipal Code Chapter 18, Offenses and Nuisances.

105  
106 (4) Additional Studies. The Planning and Zoning Commission  
107 may require applicants to submit additional studies, including a visual  
108 analysis of the proposed outdoor Pickleball court. If the Planning and  
109 Zoning Commission requires the Applicant to submit additional studies, the  
110 Planning Department and City Engineer may recommend the scope and  
111 method of study.

112  
113 (5) Fees: The applicant shall pay all fees outlined in the adopted  
114 City Fee Schedule.

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116 (c) Setbacks.

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118 (1) The minimum Setback is [redacted] feet from lot lines of  
119 adjacent residential property lines.

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121 (2) The Planning and Zoning Commission may reduce the  
122 minimum Setback to no less than [redacted] feet if:

123  
124 (i) The required noise study demonstrates compliance  
125 with Municipal Code Chapter 18, Offenses and Nuisances.

126  
127 (ii) The approval is conditioned upon construction and  
128 completion of the noise mitigating features included in the  
129 noise study.

130  
131 (3) The Planning and Zoning Commission may require  
132 additional landscaping for noise mitigating measures.

133  
134 (4) In no instance shall the midpoint of a Pickleball court be  
135 closer to a neighboring residential lot line than to the nearest outside edge  
136 of the home on the premises where the Pickleball court is located.

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138                   (5) In the instance of a conflict in setback or distance requirements,  
139 the more restrictive setback or distance requirement shall apply.

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141                   (d) Courts per Residential Lot. No more than [REDACTED] Pickleball courts  
142 shall be authorized on any Residential Lot.

143  
144                   (e) Standards for CUP Issuance.

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146                   (1) When considering an application for a CUP, the Planning  
147 and Zoning Commission, in making its recommendation and the city  
148 council in rendering its decision on the application shall, based on the site  
149 plan, the required studies, and other information submitted, evaluate the  
150 impact of the CUP on, and the compatibility of the use with, surrounding  
151 properties and neighborhoods to ensure the appropriateness of the use at a  
152 particular location. The Planning and Zoning Commission and the city  
153 council shall specifically consider the extent to which the proposed use  
154 meets all supplemental standards specifically applicable to the requirements  
155 for Pickleball use as set forth in this Code and that the proposed Pickleball  
156 court location is compatible with and preserves the character and integrity  
157 of adjacent development and neighborhoods, as required by the particular  
158 circumstances.

159  
160                   (2) A CUP may require improvements or modifications to  
161 mitigate development-related adverse impacts, including but not limited to:

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163                                   (i) Adequate parking and ingress and egress to property  
164 and proposed court with reference to vehicular and  
165 pedestrian safety, convenience, and access; and

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167                                   (ii) Screening and buffering, features to minimize visual  
168 impacts, and/or setbacks from adjacent uses.

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170                   (f) Revocation. The city council, after compliance with the noticing  
171 requirements and zoning procedure and providing the property owner  
172 associated with CUP an opportunity to be heard, may revoke any CUP for  
173 one or more of the following reasons:

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175                                   (1) A substantial violation of any of the plans, terms, conditions,  
176 or limitations applicable to the CUP; or

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178                                   (2) A substantial violation of any ordinance or regulation  
179 applicable to Pickleball.

183 **SECTION 4.** Cumulative and Repeal. This Ordinance shall be cumulative of all  
184 other ordinances of the City and shall not operate to repeal or affect any other ordinances  
185 of the City except insofar as the provisions of any less restrictive regulations might be  
186 inconsistent or in conflict with the provisions of this Ordinance, in which event such  
187 conflicting provisions, if any, are hereby repealed to the extent of such conflict.  
188

189 **SECTION 5.** Severability Clause. The sections, paragraphs, sentences, clauses, and  
190 phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or  
191 section of this Ordinance shall be declared unconstitutional or invalid, such  
192 unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses,  
193 sentences, paragraphs or sections of this Ordinance, since the same would have been  
194 enacted by the City Council without the incorporation in this Ordinance of any such  
195 unconstitutional or invalid phrase, clause, sentence, paragraph or section.  
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197 **SECTION 6.** Penalty. The Code's general penalties and specific penalty for nuisances  
198 are shall be applicable for violations of this Ordinance.  
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200 **SECTION 7.** Effective Date. That this Ordinance will become effective on its adoption  
201 and passage by the City Council.  
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203 PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

204  
205 CITY OF ROLLINGWOOD,  
206 TEXAS

207  
208 by:

209 \_\_\_\_\_  
210 GAVIN MASSINGILL, Mayor  
211

212  
213  
214  
215 ATTEST:

216  
217  
218 \_\_\_\_\_  
219 DESIREE ADAIR, City Secretary  
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221  
222  
223 APPROVED AS TO FORM:  
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225  
226  
227 \_\_\_\_\_  
228 CHARLES E. ZECH, City Attorney  
229 DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.