1	ORDINANCE NO
2 3	AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,
4 5	AMENDING PART II, CHAPTER 107, ARTICLE III, PROVIDING FOR THE REGULATION OF OUTDOOR PICKLEBALL PLAY IN
6	RESIDENTIAL AREAS.
7	REGIDENTIAL TREMS.
8	WHEREAS, the City is empowered by Chapter 211 of the Texas Local
9	Government Code to establish a zoning ordinance establishing zoning districts and
10	permissible land uses within the incorporated limits of the City, and may from time to time
11	choose to amend, supplement, change or modify the City's zoning regulations, boundaries,
12	or classifications; and
13	
14	WHEREAS, Chapter 217 of the Texas Local Government Code authorizes the City
15	of Rollingwood ("City") to define and declare what constitutes a nuisance, to authorize and
16	direct the summary abatement of a nuisance in any manner the City considers expedient
17	and to punish by fine any person responsible for a nuisance; and
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19	WHEREAS, the City Council finds and determines that pickleball constitutes a
20	significant change in the acoustic environment of the area surrounding and that the
21	impulsive sound produced by the impact of a hard plastic pickleball on the paddle can cause
22	significant noise impact for those living near the courts; and
23	
24	WHEREAS, City Council finds and determines that persistent impulsive sounds
25	create annoyance as they are like general sounds that contain important information about
26	our environment such as footsteps, a door opening, a tap at the window, or speech to which
27	indicate a possible necessary response; and
28	WWWDPEAG GIV G 11 G 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
29	WHEREAS, City Council finds and determines that the continuous false alarms
30	created by the popping sound created by pickleball paddle impacts make it difficult to relax,
31	concentrate, or sleep soundly without disturbance as each time a pop is heard it draws the
32	attention, creating distraction; and
33 34	WHEREAS, the City Council finds and determines that the noise created by
3 4 35	pickleball play creates a nuisance which necessitates the following regulations which are
36	in the best interest of the general welfare of the City of Rollingwood by furthering the
37	public health; and
38	public health, and
39	WHEREAS, the City Council finds that the City's zoning regulations, as amended
40	herein, are necessary for the promotion of the aesthetics, health, safety, general welfare and
41	convenience of the citizens.
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46	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
47	THE CITY OF ROLLINGWOOD, TEXAS:
48	SECTION 1. The forest in a motitals are horsely found to be true and connect and are horsely.
49 50	SECTION 1 . The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.
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52 53	SECTION 2. Code Amendments.
55 54	The Pollingwood Code of Ordinances is amended to as follows with underlines being
55 55	The Rollingwood Code of Ordinances is amended to as follows with underlines being additions to the Code and strikethroughs being deletions from the Code:
56	additions to the Code and strikethroughs being defending from the Code.
57	Section 107-3 Definitions
58	Section 107-3 Definitions
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.
62	by two single players of two pairs of players.
63	Section 107-39 Outdoor Pickleball Courts
64	Section 107 37 Outdoor Fickiebun Courts
65	(a) Conditional Use Permit (CUP).
66	(a) Commona Osci Cimii (CCI).
67	(1) An Outdoor Pickleball court is an authorized use in the
68	City's Residential district upon the issuance of a CUP.
69	Stoy of Processing States up on the localisation of the Corr.
70	(2) A CUP is required for each individual Pickleball court.
71	
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.
78	
79	(b) CUP Application. A complete CUP application must be submitted
80	to the City to include the following:
81	
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	with Municipal Code Chapter 10, Offenses and Musunces.
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	method of study.
113	(5) Fees: The applicant shall pay all fees outlined in the adopted
114	City Fee Schedule.
115	City I ce Benedule.
116	(c) Setbacks.
117	(C) Seibacks.
118	(1) The minimum Setback is feet from lot lines of
119	adjacent residential property lines.
120	adjacent residential property lines.
121	(2) The Planning and Zoning Commission may reduce the
121	minimum Setback to no less than feet if:
123	imminum Setback to no less than teet ii.
124	(i) The required noise study demonstrates compliance
125	with Municipal Code Chapter 18, Offenses and Nuisances.
126	(ii) The approval is conditioned upon construction and
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.
140	the more restrictive setback of distance requirement shan appry.
141	(d) Courts per Residential Lot. No more than Pickleball courts
142	shall be authorized on any Residential Lot.
143	shall be authorized on any Residential Lot.
144	(a) Standards for CUD Issuance
145	(e) Standards for CUP Issuance.
146	(1) When considering an application for a CUD, the Dlanning
	(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	<u>circumstances.</u>
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
166	
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:
174	
175	(1) A substantial violation of any of the plans, terms, conditions,
176	or limitations applicable to the CUP; or
177	
178	(2) A substantial violation of any ordinance or regulation
179	applicable to Pickleball.
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183	SECTION 4 . Cumulative and Rε dinance 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.
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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.
202	
203	PASSED AND APPROVED this day of, 2024.
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205	CITY OF ROLLINGWOOD,
206	TEXAS
207	
208	by:
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210	GAVIN MASSINGILL, Mayor
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215	ATTEST:
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219	DESIREE ADAIR, City Secretary
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222	
223	APPROVED AS TO FORM:
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226	
227	
228	CHARLES E. ZECH, City Attorney
229	DENTON NAVARRO ROCHA BERNAL & Lacoura