

# AGENDA ITEM SUMMARY SHEET

## City Council City of Rollingwood

**Meeting Date: December 17, 2025**

**Submitted By:**

Staff

**Agenda Item:**

Discussion and possible action on definitions and regulations of playhouses and playscapes

**Description:**

At the **May 21, 2025, City Council meeting**, the Council discussed the proposed ordinance language for adding definitions and Section 107-85 regarding Playhouses and Playscapes. Council had comments regarding:

- Definition of Playscape specifically “has no solid floor” as some play scape structures have an upper floor with a ‘playhouse’ component. This definition is unnecessarily restrictive.
- Placement of Playhouses. Make sure all yards are taken into consideration.
  - Proposed language: Sec. 107-85(d)(3) the playhouse must be set back at least six (6) feet from any property line
  - What about on a corner lot? Example: Sec. 107-34(b)(5)- Fences- All fence components shall be a minimum of 15 feet from the curb, or edge of the street pavement, where there is no curb
  - Council is making sure that you couldn’t have a playhouse closer to the street than you could have a fence

At the **June 4, 2025, Planning and Zoning Commission Meeting**, the Commission discussed the request of the City Council. Commissioner Jerry Fleming made some edits and the Commission discussed.

**Commissioner Jerry Fleming moved to approve the edits that he made (adding “at grade level nor within 48” of grade’ to the definition of playscape, the total area of a playhouse shall not exceed 100 square feet in a required rear yard) and Commissioner Genie Nyer seconded the motion. The motion carried with 4 in favor and 1 against (Tony Stein).**

At the **September 3, 2025, Planning and Zoning Commission meeting**, the Public Hearing was held. After the Public Hearing the Commissioners discussed public comments included in the meeting packet regarding properties with larger side yards on corner lots and how the drafted language needed further clarification. The word ‘encroach’ would be better suited to replace ‘exceed’ in Sec. 107-85(d)(2). Additionally, the drafted ordinance did not mention anything about corner lots.

**Commissioner Stein moved to recommend approval with the following changes:**

1. **Adjust the definition of Playhouse to include “which will not be supplied by utilities”;**
2. **Adjust Sec. 107-85(d)(2) by swapping the word ‘exceed’ with ‘encroach’ to read: The total area of the playhouse shall not encroach one hundred (100) square feet in a required rear yard and shall not encroach fifty (50) square feet in a required side yard;**

3. Add (e) to Sec. 107-85 to read: For corner lots, a playhouse exceeding more than six (6) feet in height and no taller than twelve (12) feet in height shall be allowed in both the required rear yard and required side yard so long as it is a minimum sixteen (16) feet from the curb and no greater than one hundred (100) square feet of surface area.

Commissioner Bench seconded the motion. The motion carried with 6 in favor and 1 opposed (Brian Nash).

At the **September 17, 2025, City Council meeting**, the Council reviewed the draft ordinance along with the recommended changes from the Planning and Zoning Commission. Council Member Brown and Mayor Pro Tem Hudson agreed to refine the language and present the updated version at the next City Council meeting.

At the **October 15, 2025, City Council meeting**, Council Member Brook Brown stated that further work is needed on the ordinance, and Mayor Pro Tem Sara Hutson noted that there is no consensus on an appropriate solution.

Members of Council discussed accessory buildings, the permitting process, how other cities address playhouses and playscapes, and possible solutions. They also discussed definitions, placement, and dimensions of playhouses and playscapes.

Mayor Gavin Massingill stated that staff will bring back the draft ordinance containing Council Member Brook Brown's edits and the Planning and Zoning Commission's proposed ordinance and will have legal counsel draft an ordinance for the City Council to review and fill in the blanks.

**Ahead of the December 17, 2025** City Council meeting, Planning and Zoning Chair Dave Bench and Council Member Brook Brown reviewed the progression of the Playhouse and Playscape ordinance language and identified that the maximum footprint for a playhouse had been omitted.

During the **February 5, 2025 Planning and Zoning Commission meeting**, the motion specified that a playhouse shall have a "maximum 120-square-foot footprint."

Accordingly, Section 107-85, Paragraph (d)(2) is missing the qualifier "not to exceed 120 square feet." This paragraph should therefore be revised to read: "(d)(2) The total area of the playhouse shall not exceed 120 square feet."

#### **Action Requested:**

Review the proposed drafted ordinances and provide recommendations specifically to the ordinance contained in the packet, which includes legal counsel's recommended definitions and placeholders, and consider the ordinance for adoption.

#### **Fiscal Impacts:**

No Fiscal impacts presented at this time.

#### **Attachments:**

- Draft ordinance amending Section 107-3 Definitions and adding Section 107-85 related to the playhouses and playscapes as **presented with the Public Hearings (9/3/2025 & 9/17/2025)**
- Draft ordinance **edited by P&Z relating to comments given at the 9/3/2025 Public Hearing**
- Draft ordinance **edited by Council Member Brook Brown for 10/15/2025 City Council Meeting**

- Draft ordinance **edited by P&Z relating to comments given at the 9/3/2025 Public Hearing reviewed by Legal Counsel with blanks**
- Draft ordinance as edited by Council Member Brook Brown for 10/15/2025 City Council Meeting **reviewed by Legal Counsel with blanks**