

AGENDA ITEM SUMMARY SHEET

City of Rollingwood

Meeting Date: January 7, 2026

Submitted By:

Staff

Agenda Item:

Discussion on an ordinance amending Chapter 107, Section 107-3 and adding Section 107-85 of the Rollingwood Code of Ordinances related to Playhouses and Playscapes

Description:

At the December 17, 2025, City Council meeting, Council members discussed the proposed ordinance, its definitions, and the amendments provided to the draft ordinance. The following motions were made:

Council Member Kevin Glasheen moved to take no action on the item. The motion failed for lack of a second.

Council Member Kevin Glasheen moved to amend the code to state that a reasonable playhouse or a reasonable playscape is not an accessory building subject to the code. The motion also failed for lack of a second.

Mayor Pro Tem Sara Hutson moved to proceed by working from the 'BBB draft,' and Council Member Brook Brown seconded the motion.

Council Member Brook Brown noted that if the motion failed, the current ordinance would remain in effect. The vote was as follows:

**Council Member Brook Brown – Yes
Council Member Kevin Schell – Abstain
Council Member Kevin Glasheen – No
Council Member Phil McDuffee – No
Mayor Pro Tem Sara Hutson – Yes
Mayor Gavin Massingill – No**

With the vote resulting in a tie, the item did not move forward.

Chair Dave Bench requested that the item be placed back on the Planning and Zoning Commission's agenda for discussion. The City's legal counsel advised staff that if the ordinance were to return to both the Commission and City Council, it would be required to be re-noticed in accordance with state law. Re-noticing would require written notice to be mailed to all property owners within the city and publication in the newspaper. The associated costs for printing, postage, and newspaper publication are estimated at approximately \$2,200.00.

Action Requested:

No action is permitted for this item, however, staff requests that the Commission discusses the City Council's position and comments made at the December City Council meeting, and determine the Planning and Zoning Commission's decision to move forward or not.

Fiscal Impacts:

No fiscal impacts.

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
- Dave Bench - Playhouses and Playscapes Synopsis