

## **ORDINANCE NO. 2025-XX-XX-XX**

AN ORDINANCE AMENDING CHAPTER 107, SECTION 107-3  
AND ADDING SECTION 107-85 OF THE CITY OF  
ROLLINGWOOD'S CODE OF ORDINANCES RELATED TO  
PLAYHOUSES AND PLAYSCAPES; PROVIDING FOR  
SEVERABILITY AND AN EFFECTIVE DATE.

7                   **WHEREAS**, the City of Rollingwood is a General Law Type A City under the  
8 statutes of the State of Texas; and

9           **WHEREAS**, the Texas Local Government Code Chapter 211 provides authority to  
10 regulate the height, number of stories, and size of buildings and other structures such as  
11 playhouses and playscapes; and

12           **WHEREAS**, the City Council of the City of Rollingwood (“City Council”) finds  
13 that scale and placement of playhouses and playscapes can impact the character of  
14 residential neighborhoods by affecting the spacing between structures, visibility from  
15 adjacent properties, and overall aesthetic harmony; and

16           **WHEREAS**, the City Council finds and determines that playhouses and  
17 playscapes, particularly those of significant height or located near property lines, can  
18 impact the privacy and quiet enjoyment of adjacent properties by creating sightlines into  
19 private spaces and generating noise; and

20           **WHEREAS**, the City Council finds and determines that unregulated placement of  
21 oversized playhouses and playscapes may create safety concerns, obstruct views, or lead  
22 to neighborhood disputes regarding setbacks, visual impact, and compatibility with  
23 surrounding structures; and

24           **WHEREAS**, the City Council finds and declares that establishing reasonable  
25 regulations for the size and location of playhouses and playscapes is essential to  
26 maintaining the character of residential areas, minimizing conflicts between neighbors, and  
27 ensuring that such structures are safely and appropriately integrated within properties.

28 NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
29 OF ROLLINGWOOD, TEXAS, THAT:

30 **SECTION 1.** All the above premises are hereby found to be true and correct legislative  
31 and factual findings of the City Council and are hereby approved and incorporated into the  
32 body of this Ordinance as if copied in their entirety.

33 **SECTION 2.** Code Amendment. The following sections of the Rollingwood Code of  
34 Ordinances are hereby amended as follows with ~~strikeouts~~ being deletions from the  
35 Code and underlines being additions to the Code:

36 Section 107-3 and 107-85 are amended as follows:

### 37 Sec. 107-3. – Definitions.

38 Playhouse means a freestanding temporary structure with a roof supported  
39 by walls, designed as a toy for children's activities, and not supplied with  
40 utilities.

41 Playscape means a freestanding temporary structure that is mostly  
42 unenclosed, having no solid floor at grade level or within 48 inches of  
43 grade, and designed for children's activities. A playscape typically consists  
44 of a swing, slide, and climbing walls or ladder.

45 **Sec. 107- 85 Playhouse and Playscape.**

46 (a) Any playhouse or playscape is an accessory building; however, a  
47 playhouse or playscape meeting the requirements of this section shall  
48 be treated as a "qualifying playhouse" or "qualifying playscape" and  
49 shall not require a building permit. One accessory building and one  
50 qualifying playhouse or qualifying playscape shall be allowed on a lot.

51 (b) A "qualifying playscape" means a playscape not exceeding [redacted] feet in  
52 height, as measured from the natural grade, and not exceeding a  
53 footprint area of [redacted] square feet. A qualifying playscape may be  
54 located in a side or rear yard but may not be located in a front yard,  
55 natural drainage way or public drainage easement, and may not impede  
56 access to public utility facilities or any public utility easement.  
57 Additionally, on a corner lot, a qualifying playscape may not be located  
58 within a side yard adjacent to the side street if the adjacent side street  
59 lot faces the side street.

60 (c) A "qualifying playhouse" means a playhouse not exceeding [redacted] feet  
61 in height, as measured from the natural grade, and not exceeding a  
62 footprint area of [redacted] square feet. A qualifying playhouse may not  
63 be located within any required yard, public utility easement, natural  
64 drainage way, drainage easement. Additionally, on a corner lot, a  
65 qualifying playhouse may not be located within a side yard adjacent to  
66 the side street if the adjacent side street lot faces the side street.

67 (d) Any playhouse or playscape not meeting the requirements of a  
68 qualifying playhouse or qualifying playscape as described in this section  
69 must meet all requirements of this code applicable to an accessory  
70 building.

**Commented [AP1]:** Is there a specific time frame intended for temporary? What is the purpose of adding this term? If the intent is to allow the City to remove it at a later date, we may want to define temporary more clearly.

**Commented [CZ1R2]:** Temporary does imply that it will come down at some point. May need to clarification on intent.

**Commented [NS2]:** Definition options for 'temporary':

**Temporary** means a structure that is not permanently affixed to the ground, may be relocated without structural alteration.

**Temporary** means a non-permanent structure that is not connected to utilities; rests on skids, blocks, or other non-permanent supports; and can be moved or removed without excavation or structural modification.

**Temporary** means a structure placed on a site for a limited duration and not intended or constructed for permanent installation

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

76 **SECTION 4.** Should any sentence, paragraph, sub-article, clause, phrase or section of this  
77 ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not  
78 affect the validity of this ordinance as a whole, or any part or provision thereof other than  
79 the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity  
80 of the Code of Ordinances as a whole.

81 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and  
82 the publication of the caption, as the law and charter in such cases provide.

83 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of  
84 Rollingwood, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2025

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90 Gavin Massingill, Mayor

91 ATTEST:

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94 Makayla Rodriguez, City Secretary