

ORDINANCE NO. 2026-XX-XX-XX

AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS, AMENDING THE CODE OF ORDINANCES, PART II, CHAPTER 101 AND CHAPTER 107, ZONING, TO AMEND SECTION 101-256 (TREE PROTECTION REQUIREMENTS), SECTION 107-34 (FENCES), SECTION 107-71 (BUILDING HEIGHT), SECTION 107-83 (SPECIAL EXCEPTION), SECTION 107-118 (SPECIAL USES), SECTION 107-370 (APPLICABILITY), SECTION 107-386 (NON-RESIDENTIAL TREE CANOPY MANAGEMENT), AND SECTION 107-422 (NONCONFORMING BUILDINGS, STRUCTURES); CLARIFYING CROSS-REFERENCES GOVERNING THE PROTECTION OF TREES AND CRITICAL ROOT ZONES; CONSOLIDATING SPECIAL EXCEPTION RELIEF FROM BUILDING HEIGHT LIMITATIONS; ELIMINATING REDUNDANT AND OBSOLETE PROVISIONS; CONFORMING THE CODE TO STATE LAW; PROVIDING FINDINGS OF FACT; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR OPEN MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council periodically reviews the City's land development and zoning regulations set forth in the Code of Ordinances to ensure clarity, internal consistency, and conformity with state law; and

WHEREAS, the City Council finds that certain provisions of Chapter 101 and Chapter 107 of the Code of Ordinances should be amended to clarify the cross-references governing the protection of trees and their critical root zones, to consolidate the standards for special exception relief from the building height limitations within the building height regulations, to eliminate redundant and obsolete provisions, and to conform the Code to the limitations imposed by Chapter 3000, Texas Government Code, on the regulation of building materials and products; and

WHEREAS, after notice and public hearing as required by state and local law, and following the recommendation of the Planning and Zoning Commission, the City Council has determined that the amendments set forth herein promote the public health, safety, and general welfare of the City and its residents.

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

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

SECTION 2. The City of Rollingwood Code of Ordinances, Part II, Chapter 101 and Chapter 107, Zoning, are hereby amended as provided for in the attached Exhibit A, with underlines being added to the Code and ~~strikethroughs~~ being deletions from the Code.

SECTION 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 8. This Ordinance shall be effective upon its adoption by City Council.

PASSED AND APPROVED this _____ day of _____, 2026.

Gavin Massingill, Mayor

ATTEST:

Erin Penney, City Secretary