

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROLLINGWOOD APPROVING AN AMENDMENT TO THE CITY OF ROLLINGWOOD, TEXAS CODE OF ORDINANCES, PART II OF THE LAND DEVELOPMENT CODE, SECTION 107-3 DEFINITIONS; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds the City of Rollingwood (City) is a Texas General Law Municipality and the Texas Local Government Code authorizes the City of Rollingwood to exercise jurisdiction over City zoning as deemed appropriate by the City; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City’s zoning regulations, boundaries, or classifications; and

WHEREAS, on October 6, 2021 the Planning and Zoning Commission conducted a public hearing and after consideration, hereby makes a recommendation of approval of this amendment; and

WHEREAS, on (date) the City Council conducted a public hearing and after consideration and recommendation by the Planning and Zoning Commission determined that the ordinance amendment be approved as provided herein.

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

Section 1. Findings. 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 and findings of fact.

Section 2. Amendment to Municipal Code of Ordinances. The City of Rollingwood, Texas Code of Ordinances, Part II Land Development Code; Section 107-3 Definitions, is hereby amended by deleting (strike-through) and adding (underlined) language as follows:

Retaining Wall means any fence or wall built or designed to retain or restrain lateral forces of soil or other materials, said fence or wall being similar in height to the height of the soil or other materials being retained.

Section 3. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 4. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Bee Cave, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Rollingwood except insofar as the provisions thereof might be inconsistent or in

conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 5. Effective Date. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF ROLLINGWOOD, TEXAS

By: _____
Michael Dyson, Mayor

ATTEST:

Ashley Wayman, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC