

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF ROLLINGWOOD APPROVING AN AMENDMENT TO THE CITY OF ROLLINGWOOD, TEXAS CODE OF ORDINANCES, PART I CODE OF ORDINANCES, SECTION 28-70 DRIVEWAYS WITH MORE THAN ONE CURB CUT; 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;

**WHEREAS**, driveways are a means of ingress and egress from residential lots;

**WHEREAS**, ingress and egress from residential lots needs to be safe for both public benefit and property owner benefit;

**WHEREAS**, there has been continued desire to maintain open frontage on residential lots;

**WHEREAS**, there are frontage requirements for residentially zoned lots;

**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, Section 28-70 Driveways with more than one curb cut, is hereby amended by deleting (strike-through) and adding (underlined) language as follows:

Circular driveways or continuous driveways with more than one curb cut are allowed, provided that all other aspects of the building permit are in order and full compliance is made with all applicable city ordinances, and the following:

- (1) The centerlines of the driveways are no closer to each other than 35 feet.
- (2) The edge of any resulting driveway is not closer to the side property line than five feet.
- (3) The grade of the driveway is such that it provides positive drainage to the street, or, if

that is not possible due to topography, drainage structures or grading/landscaping is provided to ensure that drainage from the driveway does not cause flow onto another property in such a manner as to cause damage to that property.

- (4) Circular driveways or continuous driveways with more than one curb cut shall be allowed on only one street on corner lots. This includes driveways that cut across corner lots from one street to the intersection street.
- (5) Each residential lot shall maintain not more than three (3) total curb cuts, with no more than two curb cuts on a single street frontage.
- (6) The total combined widths of all aprons on a residential lot shall not exceed a combined width of forty-five (45) feet.

**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