1	CITY OF ROLLINGWOOD, TEXAS		
2 3	ORDINANCE NO. 2023-05-17-07		
4	ONDIANI(CE 1(0, 2025-05-17-07		
5			
6	AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,		
7	AMENDING THE CITY'S CODE OF ORDINANCES SECTION 107-3		
8	DEFINITIONS, RELATED TO THE DEFINITION OF BUILDING		
9	HEIGHT, RESIDENTIAL IN THE R- RESIDENTIAL ZONING DISTRICT;		
10 11	PROVIDING A SAVINGS CLAUSE, REPEALING CONFLICTING LAWS AND ESTABLISHING AN EFFECTIVE DATE		
11	AND ESTABLISHING AN EFFECTIVE DATE		
12 13	WHEREAS , the City of Rollingwood ("City") is a General Law Type A City under the statutes of the State of Texas; and		
14	WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning		
15	regulations regarding the location and use of buildings, other structures, and land for business,		
16	industrial, residential, or other purposes; and		
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17	WHEREAS, the Planning and Zoning Commission and City Council held a joint public		
18 19	hearing on April 5, 2023 on the proposed amendment to Section 107-3 Definitions; and		
20	WHEREAS, the Planning and Zoning Commission after consideration of the proposed		
20	amendment recommended denial of the proposed amendment to City Council; and		
22	unenament recommended domai of the proposed unenament to exty council, and		
23	WHEREAS, the City Council hereby finds and determines that the proposed amendment		
24	promotes the public health, safety, morals, and general welfare of the Community; and		
25			
26	WHEREAS, the City Council hereby finds and determines that the proposed amendment		
27	is consistent with the comprehensive plan for the City; and		
28 29	WHEREAS, the City has complied with all conditions precedent necessary to take this		
29 30	action, has properly noticed and conducted all public hearings and public meetings pursuant to the		
31	Texas Local Government Code and Texas Government Code, as applicable; and		
32			
33	WHEREAS, the City Council finds and determines that Section 107-3 Definitions of the		
34	City's Code of ordinances related to the definition of Building height, residential shall be amended		
35	as provided herein.		
36			
37			
38	NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLLINGWOOD TEYAS THAT:		
39 40	ROLLINGWOOD, TEXAS, THAT:		
40	SECTION 1. All the above premises are hereby found to be true and correct legislative		
42	and factual findings of the City Council and are hereby approved and incorporated into the body		
43	of this Ordinance as if copied in their entirety.		

44			
45	SECTION 2. The City's Code of Ordinances Chapter 107, Zoning shall be amended to		
46	read as follows, with <u>underlines</u> being additions and strikethroughs being deletions:		
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48	Sec.107-3 – Definitions.		
49			
50	Building height, residential, means the vertical distance above a reference		
51	datum measured to the highest point of the building. The reference datum		
52	shall be selected by either of the following, whichever yields a greater		
53	height of the building:		
54			
55	(1) The elevation of the highest adjoining original native ground surface-within		
56	a five-foot horizontal distance of to the exterior wall of the building when		
57	such original native ground surface is not more than ten feet above the		
58	lowest <u>adjoining original native ground surface grade</u> ; or		
59	for est <u>aujoining originar nauvo grouna sarravo</u> praad, or		
60	(2) An elevation of ten feet higher than the lowest adjoining original native		
61	ground surface grade when the highest adjoining original native ground		
62	surface described in subsection (1) of this section is more than ten feet above		
63	lowest <u>adjoining original native ground surface grade</u> .		
64	iowest <u>aujoining original native ground surface</u> grade.		
65	(3) The original native ground surface shall be determined as the existing grade		
66	on the lot prior to development of the residential building as may be shown		
67	on approved building plans or survey of the property.		
68	on approved building plans of survey of the property.		
69	This definition shall apply to all residential buildings or structures within		
70	the City including residential buildings constructed in the R - Residential		
70 71	Zoning District (see Sec.107-71 for Maximum permissible height in R -		
72	Residential Zoning District).		
73	residential Zoming District).		
74			
75	SECTION 3 . All provisions of the ordinances of the City of Rollingwood in conflict with		
76	the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other		
77	provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this		
78	ordinance shall remain in full force and effect.		
79	ordinance shan remain in run force and cricet.		
80	SECTION 4 . Should any sentence, paragraph, subdivision, clause, phrase or section of		
81	this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not		
82	affect the validity of this ordinance as a whole, or any part or provision thereof other than the part		
83	so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of		
84	Ordinances as a whole.		
84 85			
85 86	SECTION 5 . This ordinance shall take effect immediately from and after its passage and		
80 87	the publication of the caption, as the law and charter in such cases provide.		
88	the publication of the caption, as the faw and charter in such cases provide.		
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9	APPROVED, PASSED AND	ADOPTED by the City Council of the City of Rollingwood, Texas,
0	on the day of,	2023.
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2		APPROVED:
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5		Gavin Massingill, Mayor
6		
7	ATTEST:	
8		
9		
0	Desiree Adair, City Secretary	