

**CITY OF ROLLINGWOOD**

**ORDINANCE NO. 2018-02-21 (B)**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES TO  
PROVIDE FOR AMENDED DEFINITIONS AND AMENDED REGULATIONS  
PERTAINING TO VISION CLEARANCE AND RETAINING WALLS; PROVIDING  
SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, the Planning and Zoning Commission has recommended amendments of Chapter 14 of the City Code of Ordinances to provide for revised definitions of terms, regulation of vision clearance, and regulation of retaining walls; and

**WHEREAS** the City Council finds that such recommendations are meritorious, and approves the recommended amendments; now, therefore,

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

**SECTION 1.** Section 14.02.051 of the City Code of Ordinances (“**Code**”) is amended to delete the definition of “alteration.”

**SECTION 2.** Code Section 14.02.051 is further amended to change the definitions of the terms, “reconstruction” and “remodel” to provide as follows:

*Reconstruction.* A construction project that constitutes the rebuilding, using the original building footprint, of a building, or structure, whether a dwelling or other that is damaged or destroyed by fire or other accidental or natural means.

*Remodel.* Any addition or alteration to an existing building or its foundation or any component thereof, including but not limited to the addition or alteration of any porch, deck, or garage.

**SECTION 3.** Code Section 14.02.124 is amended to provide as follows:

**Sec. 14.02.124 Vision Clearance**

- (a) On a corner lot, any tree and any vegetation with a height greater than thirty-six inches above top of curb may not be placed, planted, or maintained within fifteen feet of the intersection of the street surfaces of the two streets bordering the lot.
- (b) A tree existing prior to January 1, 2017 is exempt from the requirements of subsection (a); provided, however, that the foliage of an exempted tree shall be maintained at a height no lower than 96” above the top of curb.

(c) New plantings, including trees, shall not impede vision of approaching traffic through the intersection.

(d) On a corner lot, no structure, fence, retaining wall, or berm with a height greater than thirty-six inches above top of curb may be constructed, placed, planted, maintained or allowed to grow within fifteen feet of the intersection of the right-of-way lines of the two streets bordering the lot.

**SECTION 4.** The Code is amended to add new section 14.02.124.1 to provide as follows:

**Sec. 14.02.124.1 Retaining Walls**

(a) No retaining wall, or portion of a retaining wall with a height greater than thirty-six (36) inches above the street curb level may be constructed within fifteen (15) feet of a front lot line, or side lot line adjacent to the street of a corner lot.


(b) If a retaining wall is constructed at a distance greater than fifteen feet from a front lot line, or a side lot line adjacent to the street of a corner lot, the maximum allowable height of the retaining wall above the street curb level may be increased by twelve inches for each additional five feet of distance between the retaining wall and the applicable lot line.

(c) The height of a retaining wall is defined as the vertical distance measured from a reference datum, which may vary with the elevation of the curb at the street, to the top of the retaining wall at the point where the measurement is taken. The reference datum shall be the point where a line, which is level with the top and perpendicular to the face of the curb at the street, intersects the vertical face of the retaining wall.

**SECTION 5.** If any provision of this Ordinance is found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of this Ordinance, and all other provisions hereof shall remain in full force and effect.

**SECTION 6.** This Ordinance shall take effect and shall be in force immediately upon approval and adoption by the City Council.

PASSED AND APPROVED this 21st day of February, 2018.

  
Roxanne McKee, Mayor

ATTEST:

  
Robyn Ryan, City Secretary