

RESOLUTION NO.

WHEREAS, currently certain improvements in the public right-of-way require a license agreement with the City to set out the terms of that use; and

WHEREAS, the license agreement review process may take steps to ensure the safety of users of the structure as well as the public right-of-way; and

WHEREAS, these license agreement requirements apply equally to accessory structures, including treehouses, in the right-of-way, without regard to whether the right-of-way is in current use by the City; and

WHEREAS, accessory structures are subject to front yard setback requirements regardless of whether adjacent neighbors approve of the structure; and

WHEREAS, safety and tree preservation priorities must be maintained when a treehouse, or any accessory structure, is built; and

WHEREAS, cities like Wilmette, IL, have developed regulations specific to treehouses and playhouses, preserving the safety of the users while exempting those without ground supports or water and/or electricity supply from building permits, and allowing a standard accessory structure permit for those that do have ground supports or water and/or electricity supply; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to work with stakeholders to make recommendations on a process for permitting treehouses in the public right-of-way, including exploring the feasibility of setback waivers in certain circumstances.

BE IT FURTHER RESOLVED:

The City Manager is directed to look at how other cities communicate municipal requirements for the construction of a treehouse to the public so that the process is clear and simple.

BE IT FURTHER RESOLVED:

The City Manager is directed to bring a report back to Council outlining any recommendations by October 1, 2014.

ADOPTED: _____, 2014 **ATTEST:** _____

Jannette S. Goodall
City Clerk