

**RESOLUTION NO. 20140626-084**

**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:**

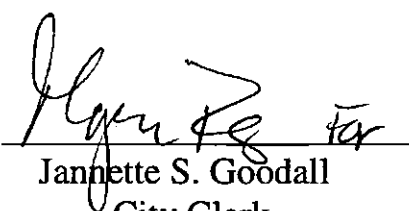
The City Manager is directed to look at how other cities communicate municipal requirements for the construction of a treehouse to the public so that the process is clear and simple.

**BE IT FURTHER RESOLVED:**

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

**ADOPTED:** June 26, 2014

**ATTEST:**

  
Jannette S. Goodall  
City Clerk