



# Wylie City Council

## AGENDA REPORT

Department: Planning  
Prepared By: Jasen Haskins, AICP

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, Ordinance No. 2023-47 of the City of Wylie, Texas, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, Chapter 78 (Parks and Recreation), Article VIII (Planting, Maintaining Trees, Shrubs on Public Property), Section 78-256(b)(3)a. (Adjacent Landowner Responsibility); increasing the required clearance height of trees and shrubs that extend over the curb line; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption hereof.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The City Ordinance allows property owners to plant shrubs and trees along a street in an area that is adjacent to their property but in the public ROW, an example of which is shown as the highlighted area in the aerial. However, the ordinance does require the property owner to maintain any trees or shrubs that are in that area.

While this ordinance is overall beneficial as it creates an aesthetically improved streetscape and can reduce temperatures by shading the concrete, there can be an issue with low overhanging trees. Staff is recommending an amendment to Section 78-256(b)(3)a. of the City of Wylie Code of Ordinances to increase the clearance height from 13' to 15'. The amendment is recommended to afford clearance of certain public service vehicles, such as utility and fire trucks.

The amendment only affects trees that overhang the street itself and nothing within the private property.

The amended ordinance will read as follows:

(3) *Create a traffic hazard.*

*a. Property owners must maintain a clear space of eight feet above the surface of a sidewalk and 15 feet above the curb line of an adjacent street. In any event, no tree, shrub or other landscaping shall interfere with the free passage of vehicles on the street or of pedestrians on the sidewalk or obscure the view of motor vehicle operators of any traffic-control device or street sign, visibility triangle, or otherwise create a traffic hazard and shall at all times comply with city rules, regulations and ordinances.*

