

# CITY OF HOUSTON

PARKS AND RECREATION DEPARTMENT

Policy and Procedure Directive

<b>TITLE</b> NATURAL AREA ORDINANCE (AMENDED)	<b>POLICY NUMBER</b> 1730.1 Revised
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**1. Summary:** The purpose of this policy ("Policy") is to establish amendments made to the Natural Area Ordinance (Ordinance No. Sec. 32.10). The Natural Area Ordinance allows the Director to make amendments via Parks and Recreation Policy. This new policy shall supersede and replace any and all prior policy and policy amendments made to the Natural Area Ordinance.

**2. Introduction:** Alternative urban landscaping by the creation and maintenance of Natural Areas has the potential to be an important tool in reducing the ecological footprint in Houston area urbanization. Properly designed and created Natural Areas can reduce water usage, provide non-point source water quality improvements, help to mitigate flooding, increase the removal of carbon dioxide from the atmosphere, and provide habitat that supports native wildlife. The purpose of the Natural Area Ordinance amendment and the Policy is to encourage the creation and maintenance of Natural Areas and to protect those who choose to create and maintain Natural Areas. The Policy is focused on the use of native vegetation as the primary component of a Natural Area.

**3. Definition:** A "Natural Area" is a maintained area that provides the function of conserving natural resources. A Natural Area incorporates native vegetation that provides habitat for local and migratory wildlife. Native plants are plant species that occur naturally in Southeast Texas. Note: overgrown lawns and lots filled with non-native vegetation do not fit the definition of a Natural Area.

Natural Area benefits include, but are not limited to the following:

- Wildlife habitat
  - Habitat gardens provide the basics for wildlife: food, water and shelter and reflect the local natural habitats and vegetation. Specific native and hardy plant species are chosen to supply wildlife with the variety of food and shelter resources needed throughout the year. Understory vegetation is often layered beneath trees to create small thickets that attract songbirds. Dead trees, when not creating a safety hazard, provide shelter and nesting locations for cavity nesters, such as woodpeckers and squirrels. Bird baths serve as vital water sources but must be monitored so as not to breed mosquitos. Fallen logs, nest boxes, and bird feeders provide supplemental sources of food and shelter.
- Preservation or restoration of native plant communities
  - Native plant communities are preserved by implementing management strategies that encourage native plant species to flourish and multiply along with controlling and eradicating non-native/invasive plant species.
- Erosion control
  - Installation of native vegetation helps to hold soil in place and improves the ability of soil to absorb rainwater.

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- Educational programs
  - Natural Areas may be planted with native vegetation as demonstration sites to provide opportunities for education. This may consist of general plant and design information for the public. Signage may be installed to interpret the site.
- Passive flood control and rainwater filtration
  - Rain gardens, swales, or other features planted with native vegetation will support rainwater retention and filtration. French drains or areas where water remains standing longer than 48 hours are not acceptable features.
- Water conservation
  - Native plants, the primary vegetation found in a Natural Area, are adapted to the local soil and climate conditions. Once established, they have lower water demands than traditional lawn-centered landscapes. Mulches may be used to help retain moisture and keep soil temperatures even. Cisterns and rain barrels may be used for rainwater collection and must be equipped with appropriate screens to prevent mosquito breeding.

**4. Rules and Regulations:**

- a. The Natural Area Ordinance allows the City of Houston to issue a Natural Area Permit upon receipt of a proper application. The application will be reviewed and a response (Permit or explanation of Permit refusal) will be sent within 30 days of receipt. There is no requirement that a Natural Area Permit be obtained prior to the creation and maintenance of a Natural Area. However, the existence of such Natural Area Permit and compliance with it can be a defense to a complaint or prosecution for violation of this ordinance (reference chapter 10 section 10-451(b)(10)).
- b. Permits are valid for one year unless revoked for non-compliance with Natural Area rules and regulations. A new application must be submitted annually, 30 days prior to the expiration date of the Permit. Application fees will be due prior to the issuance of the permit. Current permit holders will have 30 days from the date on the notice of policy change sent by the City of Houston to submit an application, site plan, plant list, and maintenance plan.
- c. Applications must include an attached site plan, plant list, and maintenance plan.
- d. Native plants must comprise 66% or more of the total vegetation at the site.
- e. Species from the Invasive Plant List shall not comprise more than 5% of the total vegetation on the property.
- f. The area must be maintained and managed so that vegetation and debris shall not accumulate and create an imminent hazard to health or safety.

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## Parks and Recreation Department

- i. Debris is further defined as but not limited to non-organic manufactured items such as plastics, paper, metal, trash, tires, hubcaps, retired indoor furniture, carpets and indoor appliances.
  - ii. Vines shall not encompass buildings.
  - iii. Vegetation shall not damage fences or encroach on neighboring properties.
- g. Within 10 feet of a public roadway and within 5 feet of a public sidewalk, herbaceous vegetation must be maintained at a height of 2 feet or less to prevent uncontrolled growth. Trees and shrubs adjacent to the public roadway and sidewalk must be trimmed back so as not to impeded vehicular or pedestrian traffic. Plants in city right of way, including medians, are subject to requirements of the City of Houston Tree and Shrub Ordinance (reference Chapter 33 section 33-129, Appendix B, Appendix E). Vegetation growth shall not impair visibility in the public right of way.
- h. The Policy does not concern the permitting of water features, which are covered by Sec. 10-451(b)(11).
- i. Failure to comply with the rules and regulations as stated above may place the property in violation of City of Houston Ordinance No. Section 10-451: Nuisances, Generally.
- j. Nothing contained in The Policy shall be construed to supersede any lawful provisions of covenant and restriction on private property. A Natural Area Permit will not supersede property deed restrictions.
- k. A Natural Area Permit will not be issued for properties that are currently in violation of other City of Houston ordinances.
- l. To apply for a Natural Area Permit, complete the Natural Area Permit Application and submit to:

Natural Resources Management Program  
Houston Parks and Recreation Department  
2999 S. Wayside Drive  
Houston, TX 77023  
or via email at [Naturalresources@houstontx.gov](mailto:Naturalresources@houstontx.gov)