


CITY OF HOUSTON

PARKS AND RECREATION DEPARTMENT

Policy and Procedure Directive

TITLE NATURAL AREA ORDINANCE (AMENDED)	POLICY NUMBER 1730.1		
<p>Summary The purpose of this policy is to establish amendments made to the Natural Area Ordinance (Ordinance No. Sec. 32.10). The Ordinance allows the Director to make amendments via Parks and Recreation Policy.</p> <p>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, non-point source water quality impacts, flooding, hydrocarbon usage and carbon dioxide generation and support native wildlife. The purpose of this amendment is to encourage the creation and maintenance of "natural areas" and to protect those who choose to create and maintain "natural areas".</p> <p>DEFINITION A "Natural Area" is a maintained area which provides the function of conserving natural resources. This includes the promotion of the conservation of soils, wetlands and waterways, habitat, and special plants, animals, and native plant communities. Native plants are herein defined as species that occur naturally in Southeast Texas. Note: Overgrown lawns and lots filled with weeds do not fit the definition of a Natural Area. (Reference rules and regulations #2b for further definition of weeds included in the packet).</p> <p>Natural area examples shall include but not be limited to areas as defined herein:</p> <ul style="list-style-type: none"> • Plantings of native plants or wildflowers <ul style="list-style-type: none"> ○ Plantings that have 70% of the species native to Southeast Texas and the native species comprise 66% or more of the total vegetation. • Wildlife habitat plantings <ul style="list-style-type: none"> ○ 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 or deed violation, provide shelter and nesting locations for cavity nesters, such as woodpeckers and squirrels. Bird baths and small ponds serve as vital water sources, but must be monitored so as not to breed mosquitoes. Fallen logs, nest boxes, and bird feeders provide supplemental sources of food and shelter. • Preservation or restoration of native plant communities <ul style="list-style-type: none"> ○ Identification of plant community and implementation of management strategies to encourage native plant species to flourish and multiply along with controlling and eradicating non-native/invasive plant species. 			
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- **Erosion Control**
 - Vegetation that helps to hold soil in place and improves the ability for soil to absorb rain water

- **Wooded areas**
 - Consists of a dense grouping of trees and/or shrubs, either planted or occurring naturally, that at maturity will provide overhead vegetation coverage of at least 75%. Woody vegetation shall be native. Wooded areas that are at the edge of urban spaces should conform to fire safety and defensible space standards, as defined by the Texas Forest Service.

- **Managed governmental programs**
 - Several governmental agencies and non-profit organizations encourage participation in programs to create wildlife habitats.

- **Educational programs**
 - Natural areas may be planted 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.

- **Cultivated areas**
 - A cultivated area is a portion of a landscape devoted to the growing of vegetables, herbs, or fruits. Cultivated areas visible from the street need to be free of: weeds over 4 inches tall, and dead plants. Raised beds and containerized plants are permitted provided that (1) they don't permit standing water and (2) external edges are free of weeds over 4 inches.

- **Biological control areas**
 - A portion of a landscape designed to reduce insect pests without the use of pesticides. Such areas are designed to provide habitat necessary for pest destroying beneficial organisms.

- **Passive flood control and rain water filtration**
 - Rain gardens, swales, or other features that allow rain water to be slowed down, retained, filtered and soaked into the ground. Not included are French drains and areas where water remains standing longer than 48 hours.

- **Water conservation**
 - Native plants, the primary vegetation found in natural areas, are adapted to the local soil and climate conditions and have lower water demands, once established, than traditional, lawn-centered landscapes. Mulches may be used to help retain moisture and keep soil temperatures even. Cisterns and rain barrels can be used for rainwater collection and must be equipped with appropriate screens to prevent mosquito breeding.

- **Building soil fertility**
 - In natural landscapes, organic matter such as leaves or spent vegetation is often used as mulch, left in place to naturally break down, or placed in compost bins. Compost, made up of decomposed organic matter, when added to existing soil, increases soil fertility and has many other useful purposes. Compost bins should only be used for the collecting and decomposing of organic material.

RULES AND REGULATIONS

1. This section of the code of ordinances 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. Permits will be valid indefinitely unless revoked for non-compliance with Natural Area rules and regulations. 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 10451b10)
2. Area must be maintained and managed so that no weeds or debris are allowed to accumulate and create an imminent hazard to health or safety.
 - a. Debris is further defined as but not limited to non-organic manufactured items such as plastic, paper, metal, glass trash, tires, hubcaps, retired indoor furniture, carpets and indoor appliances.
 - b. Weeds are further defined as any noxious, invasive or undesired plants. Weeds shall include but not be limited to those that appear on the City of Houston Weed & Invasive Plant List. (www.houstonparks.org)
3. Within 5 feet of public roadway and within 2 ½ feet of a public sidewalk, vegetation must be maintained at a height of 2 feet or less so as to prevent uncontrolled growth and shall not encroach the sidewalk area. Plants in medians are subject to requirements of the tree and shrub ordinance (reference Chapter 33). Vegetation growth shall not impair visibility in the public right of way.
4. Failure to comply with the rules and regulations as stated above will place the property in violation of City of Houston Ordinance No. Section 10-451: Nuisances, Generally.
5. Nothing contained herein shall be construed to supersede any lawful provisions of covenants and restrictions on private property. A Natural Area permit will not supersede property deed restrictions.
6. To apply for a Natural Area permit, complete the Natural Areas Permit Application and submit to:

**Natural Area Coordinator
Grounds Maintenance Division
Houston Parks and Recreation Department
2999 S. Wayside Drive
Houston, TX 77023**

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Sample of Permit

NATURAL AREAS Permit Application:

In reference to City of Houston, Texas, Ordinance No. Sec. 32-10:
Creation, Maintenance or adoption of natural areas.

Property Owner: _____

Property Address: _____

City, State, Zip: _____

Harris County Tax ID: _____

Contact Person: _____

Phone Number: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

[Legal description of property]
 Size (in acres or square feet) _____

Lot & Block Number(s) _____

Primary use (residential, commercial, agricultural, etc.): _____

Permit Checklist:

Please indicate yes or no to the following questions

	<u>YES</u>	<u>NO</u>
Does a pond, pool or other water feature exist in the proposed natural area? Do you have plans to include a water feature?		
Rain barrels/Rain collection devices		
Southeast Texas native plants		
Is a compost pile onsite or is one planned?		
Vegetation in the public right of way?		

What is the purpose of your natural area?

Please check all that apply to your natural area:

- Plantings of native plants or wildflowers
- Wildlife habitat plantings
- Preservation or restoration of native plant communities
- Erosion control
- Wooded areas
- Managed governmental programs
- Educational programs
- Cultivated areas
- Biological control areas
- Passive flood control and rain water filtration
- Water conservation
- Building soil fertility

Please include a plant list:

Please sign below to indicate that you have read and understand the Rules and Regulations for Natural Areas and will regularly maintain the natural area as to comply with the ordinance.

X _____ Date: _____

Print Name: _____

Department use only

Approved: _____
HPARD, Deputy Director, Grounds Maintenance