

Focus on New Laws: Managed Natural and Native Landscaping Permitted in Cities

July 7, 2023

Cities must now allow managed natural landscaping to be installed and maintained on all parcels.

Effective July 1, 2023, municipalities are required to allow property owners and occupants to install and maintain managed natural landscapes.

Chapter 62 ([HF 1830](#)*/SF 1426) is the omnibus state government finance bill that was signed into law on May 24, 2023. Article 3, section 9 creates a new provision of law as Minnesota Statutes, section 412.925:

- Subpoint (a) requires all statutory cities or home rule charter cities to allow an owner, authorized agent, or authorized occupant of any privately owned lands or premises to install and maintain a managed natural landscape and defines a number of associated.
- Subpoint (b) states that managed natural landscapes may exceed 8 inches in height and be allowed to go to seed, but must be maintained and cannot include noxious weeds.
- Subpoint (c) states that weeds and grasses that are not part of a managed natural landscape cannot exceed 8 inches in height or be allowed to go to seed.

City ordinances that are not consistent with this change would not be enforceable and may need to be amended or repealed.

Managed natural landscape defined

“Managed natural landscape” is defined as a planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state.

The bill permits landowners to maintain managed natural landscapes in excess of 8 inches in height. However, weeds or grasses that are growing on land in a city, are taller than 8 inches, have gone to seed, and are not a part of a managed natural landscape are prohibited. The law went into effect July 1, 2023, and supersedes any local regulations requiring residents to maintain a managed turf-grass lawn.

Lawn law history

Minnesota is not the first state to pass legislation loosening local requirements with respect to residential lawns. In 2009, the Florida Legislature passed Florida Statutes 373.185, establishing a definition for “Florida-Friendly Landscaping” in the interest of preserving water and protecting local wetlands and waterfronts from lawn care runoff.

This legislation encouraged, but did not require, local government authorities to consider permitting Florida-friendly landscaping, including the use of more native plants and grasses in residential yards. Similarly, in 2021, Maryland passed House Bill 322, which prohibited homeowners’ associations from imposing unreasonable limitations on low-impact landscaping.

The Minnesota bill follows the nationwide trend, but expands its authority significantly by not merely encouraging the use of native plants and grasses, or limiting only homeowners’ associations from restricting such landscaping choices, but requiring cities to allow them and setting height requirements for turf-grass surfaces.

Next step for cities

The League recommends that cities and their attorneys review their local codes and ordinances to determine whether they have contradictory policies on the books.

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