

185.142 OFF-STREET PARKING AREA LANDSCAPING REQUIREMENTS.

Wherever in any zoning district, off-street parking areas in excess of one thousand five hundred (1,500) square feet, or five (5) spaces, exist, such parking areas and land shall conform to the minimum landscaping requirements set forth in this section; except, that single- and two-family residential uses on individually platted lots and multilevel parking structures shall be exempt from such requirements. All landscaped areas shall be protected from vehicular encroachment by curbs, wheel stops or other similar devices. Existing trees may be used to meet the requirements of this section.

(A) Plant material.

(1) Existing vegetation. The preservation and maintenance of existing native vegetation is strongly encouraged. Native species such as oaks, pines, sabal palms, red maples and mangroves having a trunk height of at least six (6) feet or having a caliper of at least two (2) inches may substitute for the tree planting requirements stated in this section. Existing vegetation may also substitute for buffer requirements along interior lot lines if such vegetation creates an opaque screen and has a caliper of at least two (2) inches. The following species, however, are not to be used as substitutes for the requirements in this section nor shall they be planted:

Botanical name (common names)

Casuarina (Australian pine, beefwood)

Melaleuca (cajeput, punk tree, paperbark tree)

Eucalyptus (gum tree)

Schinus terebinthifolius (Brazilian pepper)

Ricinus cummunis (castor bean)

Melia azedarach (chinaberry)

Enterolobium cyclocarpum (ear tree)

Sapium sebiferum (Chinese Tallow)

Cupaniopsis anacardioides (Carrotwood)

Leucaena leucocephala (White Leadtree)

(2) Drought tolerant vegetation. A minimum of fifty percent (50%) of total cumulative landscape plant material used to meet the provision of this section shall be drought tolerant as classified in the most recent edition of the *St. Johns Water Management District Xeriscape Plant Guide*, or other comparable publications approved by the Planning Division. Existing vegetation may be used to fulfill the requirements of this section.

(3) (a) Trees. All trees shall be species having an average mature spread or crown spread of fifteen (15) feet or greater in area and having trunks which can be maintained in a clean condition with over six (6) feet of clear wood measured from the ground. Trees having an average mature spread or crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. Tree species shall be a minimum of ten (10) feet in overall height at time of planting. Tree species whose roots are known to cause damage to public road ways or other public works shall not be planted closer than twelve (12) feet to such public works, unless the tree root system is completely contained within a barrier for which the minimum interior dimensions shall be five (5) feet square and five (5) feet deep, and for which construction requirements shall be four (4) inch thick concrete reinforced with No. 6 load mesh (6×6×6) or equivalent.

(b) No single species of tree shall be used to total more than fifty (50%) percent of the required number of trees.

(4) Palms. Palm trees may be used as a part of a landscaping plan; however, palms shall not be used to fill more than thirty percent (30%) of the requirements of this section. Existing native palms on site should be used and can substitute if the palms have a clear trunk height of at least six (6) feet or a caliper of at least six (6) inches.

(5) Shrubs and hedges. Shrubs shall be a minimum of three (3) feet overall in height when measured at planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen within six (6) months after time of planting.

(6) Ground covers. Ground covers used in lieu of grasses shall be planted so as to present a finished appearance. The use of marl, crushed shell, coquina, or other road base material as a ground cover is unacceptable. Railroad ties, wood, bricks, stones, and synthetic materials can be used to separate landscape areas, but cannot be used in place of required ground cover.

(7) Lawn grass. Lawn grasses shall be planted in grass species normally grown as permanent lawns in the county such as, but not limited to bahia, St. Augustine, and Bermuda species. All landscape areas to contain lawn grass shall be completely covered with solid sod. Solid sod shall be used in swales or other areas subject to erosion. Grass sod shall be clean and reasonably free of weeds, noxious pests or disease.

(8) Artificial plant material. Artificial plant material or artificial lawns or plants cannot be used.

(9) Conformance with state standards. All plant material used shall conform to the standards for Florida No. 1, or better, as given in *Grades and Standards for Nursery Plants*, State of Florida, Department of Agriculture.

(10) Mulch. All areas of required landscaping shall be mulched unless completely covered with grass or other approved ground cover.

(11) Vines. Plants which require support to reach mature form. Vines shall be planted no further apart than three (3) feet from each other when used to meet the requirements of division (B)(3)(g) below.

(B) *Development standards.*

- (1) Where parking areas are provided, there shall be required landscaping between such area and any abutting right-of-way as follows:
 - (a) A strip of land at least ten (10) feet in depth located adjacent to an abutting right-of-way shall be landscaped to include an average of one (1) tree for each fifty (50) linear feet or fractional part thereof. These trees shall have a minimum two (2) inch caliper with a height of ten (10) feet at time of planting.
 - (b) In addition, a hedge, wall, berm or other opaque durable landscape barrier of at least three (3) feet in height shall be placed along the entire length of the abutting right-of-way. Shrubs shall be planted twenty four (24) inches apart; this requirement shall apply to all sections of the landscape code where the planting of shrubs is required. If such opaque, durable barrier is of nonliving material, shrubs or vines shall be planted in such a manner as to break up the expanse of the wall. A two (2) foot berm may be used; however, additional landscaping at least one (1) foot in height at time of planting shall be installed. The remainder of the required landscape areas shall be landscaped with grass, ground cover or other landscape treatment.
 - (c) Large parcels. When multi-family or non-residential parcels or tracts of land contain frontage that exceeds three hundred (300') linear feet, these developments shall plant one (1) tree per thirty (30) linear feet, or fractional part thereof, for the entire length of the frontage. Trees may be clumped, provided that spacing between tree trunks is no greater than fifty (50) feet. The frontage shall also contain one (1) shrub per two (2) linear feet and these shrubs shall be a minimum of three (3) feet in height at time of planting.
- (2) Required landscaping adjacent to interior property lines:
 - (a) Where parking areas abut property zoned or, in fact, used primarily for residential or institutional purposes, that portion of such area not entirely screened visually by an intervening structure or existing conforming buffer from an abutting property shall be provided a landscaped buffer which shall be maintained and replaced as needed. Such landscaped buffer shall consist of plant material, wall or other durable barrier at least six (6) feet in height measured from the median elevation of the parking area closest to the common lot line, and shall be located between the common lot line and the abutting property. Where the screen is composed of plant material capable of reaching six (6) feet in height, it shall be at least thirty-six (36) inches in height at time of planting and shall attain opacity within twelve (12) months under normal growing conditions.
 - (b) In addition, an average of one (1) tree shall be provided for each thirty-five (35) linear feet of such parking area or fractional part thereof, adjacent to the common lot line, or a

ratio equal to one (1) tree per thirty-five (35) linear feet of fifty percent (50%) of the length of the common lot line, whichever is greater. Trees within perimeter landscape strips may be grouped, but the distance between these trees shall not exceed fifty (50) feet. These trees shall have a minimum two (2) inch caliper with a height of ten (10) feet at time of planting. Each such tree shall be planted in at least twenty-five (25) square feet of planting area with a minimum dimension of at least five (5) feet. Each such planting area shall be landscaped with grass, ground cover or other landscape treatment.

- (c) Where such area abuts a dedicated alley or property zoned and, in fact, used for office, commercial or industrial purposes, that portion of area not entirely screened visually by an intervening structure or existing conforming buffer shall comply with the tree provisions only as prescribed in this section.
 - (d) 1. Where a drainage or utility easement or right-of-way separates the parcel containing the off-street parking area and abutting properties or public rights-of-way, the provisions of this section shall apply unless the easements or rights-of-way contain trees which meet the planting and number requirements of this section. Should these trees be removed or die, the requirements of this section must be met.

2. Where drainage facilities or drainage or utility easements exist along the lot lines within the parcel containing off-street parking areas, the required trees shall not be placed in any drainage facility or easement; however, trees may be located along the edge of drainage facilities.
- (3) Required interior parking area landscaping.
- (a) All parking areas shall be internally landscaped to provide visual and climatic relief from broad expanses of pavement and to channelize and define logical areas for pedestrian and vehicular circulation. Interior landscaping, excluding required parking setbacks, shall account for ten percent (10%) of the total parking area. Landscape dividing strips, with or without walkways, shall be used to subdivide the parking area into rows with not more than an average of ten (10) spaces, per row except that parking rows adjacent to required landscape row dividers shall only be required such landscape strips at the end of each landscape row divider.
 - (b) Each separate landscape area shall contain a minimum of one hundred (100) square feet and shall have a minimum dimension of at least ten (10) feet, measured at its narrowest area, except that islands required to be designed with turn radii are permitted to have less than ten (10) feet if approved by the Growth Management Director, or designee, and shall include at least one (1) tree, with the remaining area meeting the requirements of this code. The total number of trees shall not be less than one (1) per two hundred (200) square feet or fraction thereof of required interior landscaped area and shall exclude those trees required along the perimeter of the parcel. Such landscaped areas shall be protected from vehicular encroachment by curbs, wheelstops or landscape timbers. Whenever an off-street parking area is designed to provide parking of vehicles in five (5) rows or more, at least one (1) interior landscaped area not less than ten (10) feet in width shall be

provided the length of the parking rows, with at least one (1) landscaped row divider required for every five (5) parking rows. Landscaped areas, including landscaped islands, within or abutting vehicular use areas shall be excavated to a depth of two (2) feet to remove lot base course material, lime rock, asphalt, concrete, and similar material in order to ensure that adequate planting soil exists.

- (c) In other parking areas where the strict application of this section will seriously limit the function of such areas, such as off-street loading areas, the required landscaping may be located near the perimeter of the paved area. Such interior landscaping which is relocated as herein provided shall be in addition to the perimeter landscaping requirements.
 - (d) The front of a vehicle may encroach upon any interior landscaped area or walkway when the area is at least three and one-half (3½) feet in depth per abutting parking space and protected by motor vehicle stops or curbing. An overhang may be permitted in such landscaped area or walkway. If shrubs or hedges are planted in front of such parking areas, the shrubs must be planted a minimum of three and one-half (3½) feet from the back of the curb or wheel stop to prevent damage to the hedge.
 - (e) Interior landscaped areas may be used for retention and detention sites for groundwater recharge.
 - (f) All garbage/refuse containers shall be screened on at least three (3) sides by concrete block, fencing or other materials at least six (6) feet in height which renders the view of the container opaque.
 - (g) Landscape vines, shrubs, or a combination of the two, are required to be planted along the outside of subdivision walls and/or any required masonry walls facing canal, road, or other rights-of-way.
- (4) *Pedestrian zone landscaping.*
- (a) A pedestrian zone is defined as a setback from any building facade facing a parking area or driveway, excluding the rear of the building. In no case shall the required pedestrian zone have an area less than ten (10) feet in width; nor shall more than five (5) feet of the width of the required pedestrian zone be paved, except for necessary access perpendicular to building entries. A minimum of five (5) feet of the width of the required pedestrian zone shall be clear of roof overhand. For drive-thru facilities, the length of a building containing the drive-thru window(s), or the loading/unloading spaces and overhead doors in industrial/warehouse or commercial buildings shall be exempt from these provisions.
 - (b) Plant materials. All multi-family and all non-residential development shall have at least two (2) trees planted per pedestrian zone, except for areas under a canopy. The requirements of this subsection concerning pedestrian zone trees shall not apply for gasoline stations if such trees cause a line of sight obstruction.

(5) *Replacement Trees.* The requirements for replacement trees listed in § [180.16\(E\)](#) shall be observed. However, under extenuating circumstances where the requirements conflict with best horticulture practices for tree planting, some number of these trees may be planted within publically-owned lands. The number, location, and placement thereon, shall be approved by the Growth Management Director, or designee. As an alternative to planting the trees off-site, the developer may choose to mitigate said trees through the payment of a fee, into the Palm Bay Tree Replacement Trust Fund. The replacement contribution shall be as provided for in latest fee resolution.

(C) *Intersection visibility.* Where an aisle, driveway, sidewalk, bike path or other access way intersects a public right-of-way, landscaping shall be used to define the intersection, provided, however, all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between two (2) and six (6) feet. Trees having limbs and foliage trimmed in such a manner that no limbs or foliage extend into cross-visibility shall be allowed, provided they are so located so as not to create a traffic hazard. Landscaping, except grass and ground cover, shall not be located closer than three (3) feet from the edge of any access way pavement. The triangular areas are:

- (1) The areas of property on both sides of an aisle, driveway or other access way formed by the intersection of each side of the aisle, driveway or access way and the public right-of-way pavement line with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third side being in line connecting the ends of the two (2) other sides.
- (2) The area of property located at a corner formed by the intersection of two (2) or more public streets with two (2) sides of the triangular area being measured thirty (30) feet in length along the right-of-way line (or in the case of an arc, the extensions of the right-of-way lines) from their point of intersection, and the third being a line connecting the ends of the other two (2) lines.

(D) *Installation and maintenance.*

(1) All landscaping shall be installed to accepted commercial planting procedures. Soil, which is free of lime rock, pebbles or other construction debris shall be provided. The owner of the property shall be responsible for the maintenance of all landscaping in good condition so as to present a neat, healthy and orderly appearance free of refuse and debris. All landscaped areas shall be provided with an irrigation system or available water supply with at least one (1) outlet located within one hundred and fifty (150) feet of the plant material. Where existing vegetation is used to meet the requirement along public rights-of-way or interior lot lines a water supply is not required. In order to reduce irrigation requirements, the following water saving techniques will be encouraged:

- (a) The use of reclaimed wastewater where available;
- (b) The use of drought tolerant ground cover instead of lawn grass;

- (c) Watering schedules for automatic systems to reduce irrigation in the rainy summer and dormant winter seasons;
- (d) The commitment to irrigate between sunset and sunrise when evaporation is minimal;
- (e) Irrigation systems shall be designed to the greatest extent practical, water being applied to impervious areas is eliminated;
- (f) The use of xeric landscaping techniques.

(2) If any living material that is required by this code and shown on the approved site/landscape plan dies or fails to achieve normal growth, it shall be replaced within thirty (30) days of notification from the Growth Management Director, or designee. Such replacement landscaping shall meet all requirements of this code and the approved site/landscape plan. Failure to maintain the minimum landscape requirements of this section shall constitute a violation of this code.

(3) Pruning and topping. Pruning restrictions shall not apply for trees located under power lines. Trees shall be pruned only as necessary to promote healthy growth. Trees shall be allowed to attain their normal size and shall not be severely pruned or “hat raked” in order to permanently maintain growth at a reduced height. Trees may be periodically pruned or thinned in order to reduce leaf mass in preparation for tropical storms All pruning shall be accomplished in accordance with the National Arborist’s Standards.

(E) *Site plan data.* Applicants for building permits shall submit a landscape plan containing the following:

- (1) An engineering scale (One (1) inch equals twenty (20) feet preferred).
- (2) Property lines.
- (3) Dimensions.
- (4) Structures.
- (5) Accurate parking lot design showing parking spaces, aisles, loading areas, driveways, islands, signs, and parking lot or security light fixtures and the like.
- (6) Calculations of total square footage of the parking and landscaped areas as well as indicating the number and location of existing trees to be used and the number of new trees to be planted.
- (7) Location of water lines or other underground utilities, fire hydrants and other above ground utility fixtures.
- (8) Grading plan.

(9) Plant specification list which is keyed to the plan and contains the botanical name, common name, estimated sizes at planting and at maturity (crown spread and height), quantity of each, and how transplanted to the site (container stock, bare root, balled or burlapped).

- (F) *Nuisance Vegetation.* All recognized nuisance trees (i.e. pepper trees, Australian pines, etc.) shall be removed during site preparation and perpetually removed (upon re- growth) after issuance of a Certificate of Occupancy.
- (G) The provisions of this section shall apply to all new off-street parking areas.
- (H) At such time as existing off-street parking or other vehicular use areas are enlarged, the enlarged areas shall meet the provisions of this section. The newly enlarged areas shall not cause the existing parking area landscaping to be more nonconforming.
- (I) At such time as existing off-street parking or other vehicular use areas are modified, the modification shall not cause the existing parking area landscaping to be more nonconforming. The intent of this provision is that any existing off-street parking or vehicular use areas shall, when feasible, become more conforming to the landscaping requirements of this section. Determination of the feasibility of modifying the existing parking or vehicular use areas, to become more conforming, shall be made by the Growth Management Director, or designee. This determination shall be based on the following considerations:
 - (1) Cost of compliance with specific criteria in the parking area landscaping code;
 - (2) Physical space available within the existing areas to comply with specific criteria in the parking area landscaping codes, such as existing "green" spaces;
 - (3) The extent that existing conditions represent safety hazards; and
 - (4) The extent to which modification addresses other criteria within the Code of Ordinances, such as, but not limited to, enhanced landscape installation, compliance with the Americans with Disabilities Act (ADA), stormwater management requirements, and similar regulations.

('74 Code, § 25-193) (Ord. 89-08, passed 4-27-89; Am. Ord. 94-04, passed 2-17-94; Am. Ord. 2008-71, passed 12-18-08; Am. Ord. 2016-17, passed 4-21-16)

185.143 LIGHTING STANDARDS.

It is the intent of this Code to define practical and effective measures by which the commercial outdoor light usage can be reduced, while preserving safety, security, and the nighttime use and enjoyment of property. These measures are intended to curtail the degradation of the nighttime visual environment, reduce light trespass, glare, energy consumption and resource waste by encouraging lighting practices that direct appropriate amounts of light where and when it is needed, increasing the use of energy-efficient sources, and decreasing the use of poorly shielded or inappropriately directed lighting fixtures.

- (A) *Conformance standards.* All outdoor lighting shall be installed in conformance with the provisions of this Code, the Florida Building Code, the National Electrical Code, the Energy Code, and the Sign Code of Palm Bay and under appropriate permit and inspection.
- (B) *Applicability.* New Uses, Buildings and Major Additions or Modifications. For all proposed new land uses, developments, buildings, and structures that require a permit, all outdoor lighting shall meet the requirements of this Code. All building additions or modifications of fifty percent (50%) or more in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or with cumulative additions subsequent to the effective date of this provision, shall invoke the requirements of this Code for the entire site, including previously installed and any new outdoor lighting. Cumulative modification or replacement of outdoor lighting constituting fifty (50) percent or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a non-conforming site, shall constitute a major addition for purposes of this section.
- (C) *General outdoor lighting standards.*
 - (1) *Shielding Standards.* All nonexempt outdoor lighting fixtures shall have shielding so that the total lumen output falls to zero (0.00) at the property line. (Exception:) seasonal decorative lighting (i.e. Christmas Lights) using typical low-wattage incandescent or LED lamps shall be permitted in all zoning districts from the Thanksgiving holiday through the 15th of January.
 - (2) The use of Metal Halide (MH), Light Emitting Diode (LED), Quartz Light (OL), and High Intensity Discharge (HID), when properly shielded is permitted for all exterior site lighting. Other types of lamps not listed shall be considered as a part of the permitting process.
 - (3) High Pressure Sodium (HPS) lighting is prohibited for building and security lighting.
 - (4) The use of Low Pressure Sodium (LPS) lighting is prohibited in all zoning districts.
 - (5) The undue lighting of the night sky by means of searchlights and similar devices without prior approval from the City Manager or their designee is prohibited.

- (6) Neon Lighting, LED strip and tracer lighting and other types of lighting used to illuminate the outline of a structure or storefront window system is prohibited.
- (7) No lighting fixture shall produce a lumen output exceeding one thousand (1000) lumens in any given area.
- (8) Poles and support structures used for outdoor lighting shall not exceed thirty feet (30') in height. The exception shall permit for required lighting of all communication towers or tall structures as mandated by the FAA and FCC.

(Ord. 2017-15, passed 2-16-17)