



**EXECUTIVE REGULATORY OVERSIGHT COMMITTEE
COMMUNITY DEVELOPMENT/PUBLIC WORKS CENTER
1500 MONROE STREET, FORT MYERS, FL 33901
LARGE FIRST FLOOR CONF. RM. 1B**

**WEDNESDAY, MARCH 11, 2026
2:00 P.M.**

AGENDA

1. Call to Order/Review of Affidavit of Publication
2. Approval of Minutes – November 12, 2025
3. EROC Cover Memo & Ordinance Evaluation Guidelines
4. Land Development Code Amendments
 - A. Off-Street Parking and Loading Requirements (Amendments to move provisions for parking design requirements from Chapter 34 to Chapter 10 to more appropriately apply these requirements during the Local Development Order process).
 - B. Outdoor Lighting Standards (Amendments to similarly relocate outdoor lighting standards from Chapter 34 to Chapter 10 and eliminate requirements that apply only internally to a site and do not affect surrounding properties).
 - C. Turn Lane Extension Exemption (Amendments to Chapter 10 to clarify decision-making authority and responsibilities for turn lane extension exemptions for private or public roads).
5. Adjournment – Next meeting scheduled for May 13, 2026.

To view a copy of the agenda, go to www.leegov.com/dcd/calendar

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**MINUTES REPORT
EXECUTIVE REGULATORY OVERSIGHT COMMITTEE
(ERO)
Wednesday, November 12, 2025
2:00 p.m.**

Committee Members Present:

David Gallaher	Bob Knight
Sam Hagan	Ian Moore
Tracy Hayden, Vice-Chair	Ben Smith

Excused / Absent:

Carl Barraco, Jr.	Scott Edwards
Annette Carrasquillo	Randal Mercer, Chairman
Bill deDeugd	Michael Roeder
Victor Dupont	

Lee County Staff Present:

Brandon Dunn, Planning Manager	Adam Mendez, Zoning
Erika Garcia, DCD Administration	Janet Miller, DCD Planning
Michael Jacob, Deputy County Attorney	Anthony Rodriguez, Zoning Manager

AGENDA ITEM 1 - CALL TO ORDER/REVIEW OF AFFIDAVIT OF POSTING:

Ms. Tracy Hayden, Vice Chair, called the meeting to order at 2:00 p.m. The meeting was held in the Administration East Building, 2201 Second Street, Room 118, First Floor, Fort Myers, FL 33901. Ms. Hayden asked Mr. Michael Jacob, Deputy County Attorney, if we had a legal meeting.

Mr. Michael Jacob, Deputy County Attorney, confirmed the Affidavit of Posting was legally sufficient and the meeting could proceed.

AGENDA ITEM 2 - APPROVAL OF MINUTES – September 10, 2025

Ms. Hayden asked if anyone had any comments or changes to the minutes from the September 10, 2025 meeting. There were none. She asked for a motion to approve.

Mr. Knight made a motion to approve the September 10, 2025 minutes, as written. The motion was seconded by Mr. Moore. The Chair called the motion, and it passed 6-0.

Before getting to the items on the agenda, Ms. Hayden welcomed our newest member, Ben Smith, to the Executive Regulatory Oversight Committee.

AGENDA ITEM 3 – LAND DEVELOPMENT CODE AMENDMENTS

A. FIRE/EMS IMPACT FEE AMENDMENTS

Mr. Mendez gave an overview of the amendments.

Mr. Moore noted there was no statement in this document regarding “*extraordinary circumstances.*” He asked for confirmation that there is no intention for the Board to explore “*extraordinary circumstances.*”

Mr. Dunn stated that was correct.

Mr. Moore asked how often the County routinely commissions their fee studies.

Mr. Dunn stated they were typically conducted every 5 years or so. He noted staff would begin reviewing the remaining fees outside of Fire and EMS once this current effort is concluded.

Mr. Moore stated this effort is what is being seen routinely across multiple jurisdictions. The maximum increase is what is seen everywhere. He noted that Cape Coral recently attempted this, and it seems most of this is growth based. Mr. Moore stated that much of the building industry in the area is based on development and construction. Additional fees are inhibitive to that; therefore, he encouraged staff at the county level to make sure to conduct these studies early and often and to take every opportunity to make sure that everyone who is processing these fees are being diligent in how they are allocated, especially since these fees are routinely hidden maximums. Mr. Moore stated he was glad to see that the county is looking to comply with State law. He thanked staff for their hard work.

The Committee had no further comments/questions. Ms. Hayden asked if anyone from the public wished to comment. No members of the public wished to comment, so the public portion segment was closed.

Mr. Moore made a motion to approve the Fire and EMS Impact Fee Update amendments. The motion was seconded by Mr. Knight. The Vice Chair called the motion, and it passed 6-0.

B. MPD THRESHOLD AMENDMENTS

Mr. Rodriguez gave an overview of the amendments.

Mr. Smith stated he agreed with having additional flexibility and that it is always appreciated. He noted that many times when looking at a project and deciding what type of planned development to choose, they must look at the thresholds. With the way this is currently written, it seems that almost any type of request could be a mixed-use planned development. He asked for confirmation that this is how staff interprets it going forward. If so, would staff make that decision based more on the use tables and the property development standard tables that are associated with each type of planned development?

Mr. Rodriguez stated that would generally be the case. He noted there are some limitations in other types of planned developments. For example, in commercial planned developments, multi-family residential uses are not allowed unless they are entitled in conjunction with a minimum of 50,000 square feet of commercial uses. This limitation places a guardrail within commercial planned developments that will not exist in mixed-use planned developments if this amendment is adopted. In the end, mixed-use planned

developments will be the most flexible in terms of the types of uses that can be accommodated within that type of land development.

Mr. Smith referred to subsection (c) and noted that the way it was previously written there was some expectation that staff would designate different areas on the master concept plan for different use types. With the way it is written now, he asked what staff's expectation was for how that structure would or would not be enforced on the new requirement. In other words, what is staff going to be looking for on 34-940(c) in order to comply with that?

Mr. Rodriguez stated that typically what is seen through mixed-use planned development rezones, and rezones that propose more than one type of use, whether it be industrial, commercial, residential, staff typically sees a schedule of uses tied to parcel designations. This will be the expectation moving forward where there is going to be parcels that are designated with specific scheduled uses and those schedule of uses may differ depending on the parcel and ultimately the type of development envisioned on that particular parcel. As market demands change and the demand for a particular type of use ends up emerging or declining, you end up in a better position to be able to administratively amend that planned development in order to respond to that. It cuts down on the quasi-judicial nature of a public hearing process that would otherwise be required in order to amend that planned development. It allows things to be more flexible in terms of being able to respond quicker to market changes.

Mr. Smith asked for confirmation that staff perceives that these changes would allow for more amendments to be categorized in the administrative amendment category and less of them having to be processed through a public hearing.

Mr. Rodriguez stated that was correct.

Mr. Dunn stated that regarding what staff might be looking for in subsection (c), there may be cases in a mixed-use planned development where there is commercial and multi-family or commercial and residential. Because of this, staff needs to understand the difference in the areas in order to count for density calculation purposes. In staff's view, that did not need to be added to this section because it is covered elsewhere in the code.

The Committee had no further comments/questions. Ms. Hayden asked if anyone from the public wished to comment. No members of the public wished to comment, so the public portion segment was closed.

Mr. Hagen made a motion to approve the MPD Threshold amendments. The motion was seconded by Mr. Smith. The Vice Chair called the motion, and it passed 6-0.

C. FLOODPLAIN MANAGEMENT AND BUILDING CODE AMENDMENTS

Mr. Rodriguez gave an overview of the amendments.

The Committee had no comments/questions. Ms. Hayden asked if anyone from the public wished to comment. No members of the public wished to comment, so the public portion segment was closed.

Mr. Knight made a motion to approve the Floodplain Management and Building Code Amendments. The motion was seconded by Mr. Moore. The Vice Chair called the motion, and it passed 6-0.

AGENDA ITEM 4 - Adjournment

The next meeting is scheduled for Wednesday, January 14, 2026.

There was no further business.

Mr. Moore made a motion to adjourn. The motion was seconded by Mr. Knight. The Vice Chair called the motion, and it passed 6-0.

The meeting adjourned at 2:16 p.m.

MEMORANDUM
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT

TO: Executive Regulatory Oversight Committee (EROC) **DATE: February 25, 2026**

FROM: Brandon Dunn
Planning Manager

RE: Land Development Code (LDC) Amendments
Parking Design Standards, Turn Lane Extensions, Exterior Lighting Standards

On April 1, 2025, the BoCC authorized staff to begin work on drafting substantive and non-substantive “clean-up” amendments to the LDC that would increase efficiency, reduce unnecessary regulations, and maintain the protections of public health, safety and welfare while meeting State and Federal mandates. Staff is reviewing existing county requirements in the Lee Plan and Land Development Code to identify potential amendments meant to address the BoCC’s direction and will be bringing amendment packages forward over the next several months.

Currently, staff has conducted a review of certain sections within the Lee County Land Development Code (LDC) and identified opportunities to improve clarity, efficiency, and consistency. The following proposed amendments address three areas: Off-Street Parking and Loading Requirements, Outdoor Lighting Standards, and Turn Lane Extension Exemption.

The attached amendments to the LDC are consistent with BoCC direction and are summarized as follows:

A. Off-Street Parking and Loading Requirements

Issue: Current LDC provisions for parking requirements, including determination of required spaces and parking lot design, are in Chapter 34. While Chapter 34 appropriately addresses the number of spaces based on proposed uses, design requirements for parking lots are more appropriately applied during the Local Development Order process, which is governed by Chapter 10.

Proposed Solution: Relocate design-related parking requirements from Chapter 34 to Chapter 10, while retaining sections that address the number of spaces for specific uses in Chapter 34.

Intended Outcome: Ensure that design standards for parking are consolidated within Chapter 10 – Development Standards, improving consistency and clarity in the development review process.

B. Outdoor Lighting Standards

Issue: Current site lighting requirements in Chapter 34 are overly burdensome and include provisions with minimal off-site impact. Additionally, lighting design is a fundamental aspect of all development and should be addressed in the chapter governing development standards, rather than zoning.

Proposed Solution: Amend Chapters 10 and 34 to relocate outdoor lighting standards to Chapter 10 and eliminate requirements that apply only internally to a site and do not affect surrounding properties.

Intended Outcome: Streamline outdoor lighting regulations to reduce unnecessary requirements while maintaining protections for public health, safety, and welfare, and ensuring compliance with state and federal mandates.

C. Turn Lane Extension Exemption

Issue: Current regulations lack clarity regarding decision-making authority for Lee County's one-time turn lane extension exemption.

Proposed Solution: Amend Chapter 10 to clarify that, for private roads, the Manager of Development Services (or designee) has authority, while for public roadways, the Director of the Lee County Department of Transportation (DOT) holds decision-making authority.

Intended Outcome: Provide clear guidance on decision-making responsibilities for turn lane extension exemptions, reducing ambiguity and improving administrative efficiency.

Attachments

Draft LDC Amendments

EROC ORDINANCE EVALUATION GUIDELINES

Proposed Ordinance: Land Development Code (LDC) Amendments (Parking Design Standards, Turn Lane Extensions, Exterior Lighting Standards)

1. **What is the public interest that the Ordinance is designed to protect?**
The proposed regulations are intended to reduce regulations that do not address off-site impacts, relocate design-related requirements that are typically addressed during the Development Order process, and clarify who is responsible for certain decisions. These modifications will facilitate consistency and clarity in the development review process and reduce unnecessary requirements while maintaining protections for public health, safety, and welfare, and ensuring compliance with state and federal mandates.
2. **Can the identified public interest be protected by means other than legislation (e.g., better enforcement, education programs, administrative code in lieu of ordinance, etc.)? If so, would other means be more cost effective?**
No.
3. **Is the regulation required by State or Federal law? If so, to what extent does the County have the authority to solve the problem in a different manner?**
No.
4. **Does the regulation duplicate State or Federal programs? If so, why?**
No.
5. **Does the regulation contain market-based incentives? If not, could that be used effectively?**
N/A
6. **Is the regulation narrowly drafted to avoid imposing a burden on persons or activities that are not affecting the public interest?**
Yes.
7. **Does the regulation impose a burden on a few property owners for the benefit of the public as a whole? If so, does it provide any form of compensation?**
No.
8. **Does the regulation impact vested rights?**
No.
9. **Does the regulation provide prompt and efficient relief mechanisms for exceptional cases?**
Yes. By moving regulations to Chapter 10 of the LDC more flexibility or relief mechanisms will be available during the Development Order process.

- 10. Even though there is an interest to be protected, is it really worth another regulation?**
N/A – The proposed amendments both remove and relocate regulations. No new regulations are proposed.
- 11. Has this approach been tried in other jurisdictions? If so, what was the result? If not, what are the reasons?**
No.
- 12. If this regulation is enacted, how much will it cost on an annual basis, both public and private? If this regulation is not enacted, what will be the public and private cost?**
There are no costs associated with enacting these regulations.

AMENDMENT SUMMARY

Issue: The Land Development Code (LDC) currently places all parking-related regulations, including both the calculation of required spaces and design standards, within Chapter 34. While Chapter 34 is appropriate for use-based requirements, design standards are typically applied during the Local Development Order process, which is governed by Chapter 10. This structure creates inconsistency and complicates the review process.

Solution: Review existing parking regulations to determine which provisions should remain in Chapter 34 for use-based requirements and relocate design-related standards to Chapter 10 to align with development review procedures.

Outcome: Design standards for parking will be consolidated under Chapter 10 – Development Standards, improving clarity, consistency, and efficiency in the Local Development Order review process.

CHAPTER 10, ARTICLE I.

Sec. 10-1. Definitions and rules of construction.

No proposed amendments to subsection (a).

(b) *Definitions.* Except where specific definitions are used within a specific section of this chapter for the purpose of such sections, the following terms, phrases, words and their derivations will have the meaning given in this subsection when not inconsistent with the context:

No proposed amendments to the definitions from AC to Herbaceous plant.

High turnover means and applies to parking lots wherein vehicles are parked for relatively short periods of time ranging from a few minutes to several hours. Customer parking for retail establishments, offices, or similar establishments is considered high turnover.

No proposed amendments to the definitions from Historic District to Lot Width.

Low turnover means and applies to parking wherein vehicles are parked for relatively long periods of time, such as employee parking during the day, or uses such as marina parking, cruise ship parking, sports arena parking, etc., wherein customers leave cars for four or more hours while attending special events, or overnight parking in residential developments.

No proposed amendments to the definitions from Mining to Parking Lot Access.

~~Parking lot aisle means the portions (lanes) of a parking lot which provide direct access to individual parking spaces.~~

Parking aisle means an accessway within a parking lot that provides direct access to individual parking spaces.

Parking lot means an area of land designed, used or intended for parking five or more vehicles.

Parking space means an area of land designed or intended for parking one vehicle. Parking spaces are designated as disabled spaces or standard spaces, depending on the purpose of the space.

No proposed amendments to the definition for Paved shoulder.

Pedestrian accommodations for safe and convenient pedestrian movement means and may include striped crosswalks, sidewalks, shared use paths, signage and/or signals, lighting, curb cuts and ramps.

No proposed amendments to the definitions from Pedestrian way or walkway to Zoning ordinance.

CHAPTER 10, ARTICLE III, DIVISION 1.

Sec. 10-260. Off-street parking and loading requirements.

- (a) ~~Developments subject to this chapter must comply with the off-street parking regulations specified in Chapter 34, Article VII, Division 26. The development order drawings must show all project parking areas.~~
- (b) ~~Developments subject to this chapter must comply with the off-street loading requirements specified in Chapter 34, Article VII, Division 25. The development order drawings must show all project off-street loading areas.~~
- (a) New developments. Residential and nonresidential uses must provide off-street parking in accordance with the regulations in this section and Chapter 34, Article VII, Division 26. The development order drawings must show all project parking areas.
- (1) A parking plan is required for all uses, except single-family residence, duplex, two-family attached and single-family mobile home dwelling units, and must be submitted for review and approval. Developments that are not required to be reviewed and approved in accordance with Chapter 10, must submit plans prior to issuance of a building permit.
 - (2) The plan must accurately designate the required parking spaces, parking aisles, parking lot entrance, parking lot interconnections, bicycle parking facilities, pedestrian accommodations, and the relation of the off-street parking facilities to the uses or structures the facilities are designed to serve.
- (b) Existing developments.
- (1) Existing buildings and uses with existing off-street parking spaces may be modernized, altered or repaired without providing additional parking spaces, provided there is no increase in total floor area or capacity. Buildings which have been damaged by fire or other natural forces in excess of 50 percent and are reconstructed at (but not to exceed) the legally documented actual use, density, and intensity existing at the time of destruction must provide, no less than, the number of parking spaces existing prior to the date of destruction (if existing parking spaces are less than the amount of parking required under this Code). Any subsequent changes to the actual use or increases in density and intensity on the property will be required to provide additional parking spaces associated with the change of use or development increases. In calculating the required additional parking, the required additional spaces will be proportionate to the increase in density or intensity above the preexisting development intensities or densities.
 - (2) Existing buildings or uses enlarged in terms of floor area must provide additional parking spaces for the total floor area in accordance with this division.
 - (3) When the use of a building is changed to a use that is required to have more parking than exists, the additional parking must be provided.

- (c) Developments on islands without vehicular access to mainland. Developments on islands where direct vehicular access to the mainland by bridge, causeway or street system is not available are exempt from this division.
- (d) Access. Parking lots must be designed to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion. The Director may administratively approve parking to back out into rights-of-way in residential developments, subject to the following limitations:
- (1) The street must be a privately owned and maintained, low-volume, local street.
 - (2) All parking spaces must be for amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses.
 - (3) Parking spaces may be perpendicular or at a 30- or 45-degree angle to the roadway, and must comply with the parking space dimensions set forth in Section 10-260(h)(1). The Director may require surfacing to comply with Section 10-260(i)(1) or (2), depending on the type of amenity served.
- (e) Parking lot entrance(s).
- (1) Each parking lot must have a distinct parking lot entrance. The entrance must meet the requirements of Chapter 10, as well as the following:
 - (a) Minimum width at property line for one-way entrances is 15 feet.
 - (b) Minimum width at property line for two-way entrances is 24 feet.
 - (c) Maximum throat width at property line is 35 feet.
 - (2) Parking lot entrances may not exceed a six percent grade for 20 feet into any lot or parcel, nor may a parking lot entrance enter a street right-of-way or easement at an angle of less than 90 degrees unless a lesser angle is approved by the Director.
 - (3) The Manager may determine that high traffic volumes or other special circumstances warrant other parking lot entrance requirements. Emergency Services facilities, including fire, EMS, and sheriff's stations, are exempt from the maximum width requirements provided that the maximum throat width at the property line does not exceed 80 feet.
- (f) Design. Parking lots must be designed in accordance with the following:
- (1) Buffer, landscaping and drainage requirements required under this Chapter.
 - (2) If the parking lot will be used at night, adequate lighting must be provided for the driveways, ingress and egress points, and parking areas of commercial and industrial uses. Lighting must be designed in accordance Section 10-262.
 - (3) Individual parking spaces must be accessible from a parking aisle intended to provide access to the space. Stacking of vehicles (one behind the other) will be permitted only for single-family, duplex, two-family, and townhouses where each dwelling unit has a garage or driveway appurtenant to it and in valet parking facilities wherein parking is performed by employees of the facility.
 - (4) Parking lot spaces must be provided with sufficient maneuvering room to allow an exiting vehicle to leave the parking lot in a forward motion. Parking lots utilizing 90-degree parking with dead-end aisles must provide a turning bay for those spaces at the end of the aisle.
 - (5) In parking lots where more than one tier of parking spaces will be developed, pedestrian accommodations must be provided.
 - (6) Adjacent commercial uses must provide parking lot interconnections for automobile traffic.

(7) Traffic pattern. There must be adequate ingress and egress to the development. Except for streets in urban land use categories, single-family and two-family developments, and certain multifamily buildings as provided in Section 34-2020(a), Note (3), proposed parking spaces must be located so as to avoid backing of vehicles into streets, the intermingling of automotive and pedestrian traffic or the intermingling of traffic flow in opposite directions.

(g) Parking space dimension, delineation, angle and aisle width. In addition to satisfying the provisions of this section, off-street parking lots must conform to the following requirements:

(1) Parking space dimensions. Minimum individual parking space dimensions are as follows:

- a. Disabled parking (all): 12 feet by 18 feet. Parking access aisles which may be shared between two disabled spaces must be no less than five feet wide and must be part of an accessible route to the building or facility entrance. The individual parking space dimensions do not preclude compliance with the Americans with Disabilities Act (ADA) of 1990, as amended.
- b. High and low turnover parking lots:
 - 1. 90-degree parking: Nine feet by 18 feet.
 - 2. 30-, 45- or 60-degree parking: 8½ feet by 18 feet.
 - 3. Parallel parking: Eight feet by 22 feet.
- c. Golf cart parking: Five feet by eight feet.

(2) Delineation of spaces.

- a. Paved parking lots.
 - 1. Parking spaces must be delineated by all-weather painted lines, or thermoplastic striping, not less than four inches in width, centered on the dividing line between spaces.
Parking spaces for persons with disabilities must be prominently outlined with blue paint and must be repainted when necessary to be clearly distinguishable as a parking space designated for persons who have disabilities. Signs erected after October 1, 1996, must indicate the penalty for illegal use of the space.
 - 2. Parking spaces that abut a pedestrian walkway, required landscaping, or required open space must be provided with a parking block set two feet from the end of the parking space.
- b. Unpaved parking lots.
 - 1. Parking spaces in unpaved parking lots must be delineated by placing a parking block two feet from the end of the parking space and centered between the sides of the space.
 - 2. If the space abuts a structure, the space may be indicated on the structure, in which case parking blocks are not required.
- c. Temporary parking lots (see Section 34-2022.) Individual spaces in temporary parking lots do not need to be delineated provided the end of each space and all aisles are clearly delineated with temporary posts and ropes.

(3) Minimum aisle widths. Minimum aisle widths are as follows:

<u>Angle of Parking</u>	<u>Aisle Width</u> <u>(feet)</u>	
	<u>One-Way</u>	<u>Two-Way</u>
<u>Parallel</u>	<u>12</u>	<u>20</u>
<u>30</u>	<u>12</u>	<u>22</u>

<u>45</u>	<u>12</u>	<u>22</u>
<u>60</u>	<u>18</u>	<u>24</u>
<u>90</u>	<u>22</u>	<u>24</u>

(4) Parking angle. Parking must be developed throughout the site utilizing the same degree of angle. The mixture of one-way and two-way parking aisles, or different degrees of angled parking within any parking area is prohibited except:

- a. A single bay of parking provided along the perimeter of the site may vary in design in order to maximize the number of spaces provided on-site.
- b. Parking design may vary between individual parking areas, provided that the parking areas are physically separated from one another by buildings or a continuous landscape buffer a minimum of five feet in width. The Director may approve a minimum number of vehicle access points to pass through the landscaped buffer.

(h) Parking lot surface.

(1) High turnover parking lots.

- a. Parking aisles. Except as provided in Subsection (d) of this section, all high turnover parking lot aisles must be provided with a paved, dustfree, all-weather surface.
- b. Parking spaces. All parking spaces, except those seaward of the coastal construction control line, must have a paved, dustfree, all-weather surface from the aisle to the parking block or curb. All ADA required parking spaces, including disabled parking spaces seaward of the coastal construction control must be paved with asphalt, ADA approved paving blocks or concrete to provide a smooth surface without gaps or holes that create a danger to the user. For all other parking spaces, the term "paved" will be interpreted to mean and include asphalt, concrete, paving block and other similar types of treatment. Parking spaces, excluding disabled parking spaces, located seaward of the coastal construction control line must be stabilized with treatments approved by the Director.

(2) Low turnover parking lots.

- a. Alternative surfaces may be permitted provided the areas are adequately drained and continuously maintained in a dustfree manner. Alternative surfaces may include gravel, crushed shell or other similar materials. Parking on grass or other unimproved surfaces such as sand or dirt is prohibited.
- b. Disabled parking spaces must be paved with asphalt or concrete to provide a smooth surface without gaps or holes which would create a danger to the user.

(3) Temporary parking lots. Temporary parking lots do not need to be surfaced and may be maintained as a grass area or in a dustfree manner.

(4) Director discretion. The Director is authorized to permit high turnover parking lots (including parking lot aisles), to meet the surfacing standards for low turnover parking lots (Subsection (h)(2) of this section) under the following circumstances:

- a. The property is not located in the intensive development or central urban land use categories;
- b. The proposed parking lot will contain no more than 25 spaces;
- c. The proposed alternative surface will be adequately drained; and

- d. The proposed alternative surface is consistent with the uses, and the parking lot surfaces in the surrounding neighborhood.

This subsection may not be construed inconsistently with the Americans with Disability Act (ADA) of 1990. The Director's decision is discretionary in nature and may not be appealed pursuant to Section 10-104(f) of this chapter.

- (i) Off-street loading area(s). Off-street loading requirements apply to commercial, industrial, and other non-residential uses.

- (1) Street access to off-street loading areas must comply with Section 10-260(d).
- (2) Service roads must be a minimum of 12 feet wide for one-way usage and 24 feet for two-way operations.
- (3) Site lighting, maintenance and drainage required for off-street loading areas must comply with Sections 10-260(g)(2) and 10-262.
- (4) When off-street loading areas are located adjacent to residential uses or zoning districts, and are not entirely visually screened at ground level, a continuous visual screen along the lot line abutting the residential use must be provided in accordance with Division 17 of Chapter 34 or Chapter 10, whichever is the most restrictive.
- (5) A plan for off-street loading areas must be provided as part of the site plan submitted for approval under Chapter 10, or, if the development is exempt from Chapter 10, then a plan must be submitted at time of application for a building permit.
 - a. Commercial, industrial and non-residential uses that receive or ship goods via large semitrailer or full trailer trucks must provide an off-street loading area. Establishments that receive or ship commodities via small panel trucks or vans will not be required to provide off-street loading areas and may utilize the parking area, provided:
 1. Deliveries are received before or after the hours open to the public.
 2. No delivery truck remains in the parking lot for more than four hours.
 3. Deliveries do not interfere with pedestrian or vehicle movements.
 - b. Off-street loading areas must comply with the following:
 1. Loading areas must be located on the lot or parcel it serves.
 2. The surfaced portions of loading areas, excluding driveways, must setback 20 feet from right-of-way lines and ten feet from property under separate ownership or control.
 3. Loading spaces may not obstruct, hinder or endanger the movement of vehicles and pedestrians.
 4. The off-street loading area must have a minimum width of ten feet and depth of 30 feet.
 - c. Establishments that receive or ship goods via large semitrailer or full trailer trucks must provide a minimum of one loading space for the first 10,000 square feet of floor area, plus one space for each additional 20,000 square feet of floor area or major fraction thereof.

CHAPTER 34, ARTICLE VII, DIVISION 9.

Sec. 34-1388. Park-and-ride parking lots.

No proposed amendments to subsection (a) through subsection (c).

(d) Access and design. Park-and-ride lots must have access in compliance with Section 34-2013 and be designed in compliance with ~~Sections 34-2015 through 34-2017~~ Section 10-260.

(e) Pedestrian accommodations. Pedestrian accommodations, as defined in Section ~~34-2012~~10-1, must connect the park-and-ride lot to the abutting bus station/depot or bus stop. A parking plan consistent with Section ~~34-2014~~ 10-260 must be provided.

No proposed amendments to subsection (f).

CHAPTER 34, ARTICLE VII, DIVISION 25.

~~Sec. 34-1981. Applicability.~~

~~The off-street loading requirements of this division shall apply to commercial, industrial and other nonresidential uses.~~

~~(LDC 1994, § 34-1981; Zoning Ord. 1993, § 202.15(A))~~

~~Sec. 34-1982. Access.~~

~~(a) Street access to off-street loading areas must comply with the provisions set forth for off-street parking in Section 34-2013.~~

~~(b) Except as provided in Section 34-1986, off-street loading areas must be spatially or physically separated from off-street parking areas and pedestrian walkways.~~

~~(c) Service roads must be a minimum of 12 feet wide for one-way usage and 24 feet for two-way operations.~~

~~(LDC 1994, § 34-1982; Zoning Ord. 1993, § 202.15(B); Ord. No. 12-20, § 4, 9-11-2012)~~

~~Sec. 34-1983. Lighting, maintenance and drainage.~~

~~Site lighting, maintenance and drainage required for off-street loading areas must comply with Sections 34-2015 and 34-2017.~~

~~(LDC 1994, § 34-1983; Zoning Ord. 1993, § 202.15(C); Ord. No. 12-20, § 4, 9-11-2012)~~

~~Sec. 34-1984. Other use of loading areas.~~

~~Off-street loading areas for the sale, repair, dismantling or servicing of any vehicles or equipment is prohibited, except on an emergency or temporary basis or as provided in Section 34-2019.~~

~~(LDC 1994, § 34-1984; Zoning Ord. 1993, § 202.15(D); Ord. No. 12-20, § 4, 9-11-2012)~~

Sec. 34-1985. Screening.

When off-street loading areas are located adjacent to residential uses or zoning districts, and are not entirely visually screened at ground level, a continuous visual screen along the lot line abutting the residential use must be provided in accordance with Division 17 of this article or Chapter 10, whichever is the most restrictive.

(LDC 1994, § 34-1985; Zoning Ord. 1993, § 202.15(E); Ord. No. 12-20, § 4, 9-11-2012)

Sec. 34-1986. Off-street loading area requirements.

(a) Commercial, industrial and nonresidential uses that receive or ship goods via large semitrailer or full trailer trucks must provide an off-street loading area. Establishments that receive or ship commodities via small panel trucks or vans will not be required to provide off-street loading areas and may utilize the parking area, provided:

(1) Deliveries are received before or after the hours open to the public.

(2) No delivery truck remains in the parking lot for more than four hours.

(3) Deliveries do not interfere with pedestrian or vehicle movements.

(b) A plan for off-street loading areas must be provided as part of the site plan submitted for approval under Chapter 10, or, if the development is exempt from Chapter 10, then a plan must be submitted at time of application for a building permit and be reviewed by the Zoning and Development Review Division for consistency with this division and this chapter.

(c) Off-street loading areas must comply with the following:

(1) Loading areas must be located on the lot or parcel it serves.

(2) The surfaced portions of loading areas, excluding driveways, must setback 20 feet from right-of-way lines and ten feet from property under separate ownership or control.

(3) Loading spaces may not obstruct, hinder or endanger the movement of vehicles and pedestrians.

(d) The off-street loading area must have a minimum width of ten feet and depth of 30 feet.

(LDC 1994, § 34-1986; Zoning Ord. 1993, § 202.15(F); Ord. No. 12-20, § 4, 9-11-2012)

Sec. 34-1987. Number of spaces.

Establishments that receive or ship goods via large semitrailer or full trailer trucks must provide a minimum of one loading space for the first 10,000 square feet of floor area, plus one space for each additional 20,000 square feet of floor area or major fraction thereof.

Secs. 34-1988-1981—34-2010. Reserved.

CHAPTER 34, ARTICLE VII, DIVISION 26.

Sec. 34-2012. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Drive-up means and is synonymous with the term "drive-through."

Employees means the regular working staff, paid, volunteer or otherwise, at maximum strength and in full-time equivalent numbers, necessary to operate, maintain or service a given facility or use under normal levels of service.

~~*High turnover* means and applies to parking lots wherein vehicles are parked for relatively short periods of time ranging from a few minutes to several hours. Customer parking for retail establishments, offices, or similar establishments is considered high turnover.~~

International cruise ships means ships that usually leave port for 24 hours or more and that provide meals, sleeping accommodations, gambling or other entertainment for customers.

Light industrial means industrial uses permitted by right in the IL Light Industrial Conventional Zoning District.

Local cruise ships means ships that usually leave port and return in less than 24 hours and that usually provide at least one meal, gambling or other entertainment.

~~*Low turnover* means and applies to parking wherein vehicles are parked for relatively long periods of time, such as employee parking during the day, or uses such as marina parking, cruise ship parking, sports arena parking, etc., wherein customers leave cars for four or more hours while attending special events, or overnight parking in residential developments.~~

Multiple-use development means a building or buildings containing two or more different uses. Multiple-use development includes occupants of multiple-occupancy complexes (df) and development on abutting properties not necessarily under unified or singular control. For the purposes of this definition only, the term "abutting property" means properties having a boundary line, or point or portion thereof in common, with no intervening street right-of-way or easement, or other easement over 50 feet in width.

Park-and-ride space means a parking space within 500 feet of a bus stop whereby a user leaves their vehicle and travels via bus, carpool, vanpool or bike. No part of a parking lot used to satisfy required parking for any existing use on the same premises may be used for park-and-ride spaces. Park-and-ride spaces may be located in accessory, park-and-ride or commercial parking lots or parking garages but must obtain designation by Lee County Transit (LeeTran) and approval by the Director.

~~*Parking aisle* means an accessway within a parking lot that provides direct access to individual parking spaces.~~

~~*Parking lot* means an area of land designed, used or intended for parking five or more vehicles.~~

~~*Parking lot entrance* means the accessway that provides ingress or egress from a street right-of-way or easement to a parking lot.~~

~~*Parking space* means an area of land designed or intended for parking one vehicle. Parking spaces are designated as disabled spaces or standard spaces, depending on the purpose of the space.~~

~~*Pedestrian accommodations for safe and convenient pedestrian movement* means and may include striped crosswalks, sidewalks, shared use paths, signage and/or signals, lighting, curb cuts and ramps.~~

Single-use development means buildings with a single occupant or multiple occupants with the same use. Single-use development includes occupants of multiple-occupancy complexes (df) and development on abutting properties not necessarily under unified or singular control.

Sec. 34-2013. Access.

(a) ~~Parking lots must be designed to permit vehicles exiting the parking lot to enter the street right of way or easement in a forward motion. The Director may administratively approve parking to back out into rights of way in residential developments, subject to the following limitations:~~

~~(1) The street must be a privately owned and maintained, low volume, local street.~~

~~(2) All parking spaces must be for amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses.~~

~~(3) Parking spaces may be perpendicular or at a 30 or 45 degree angle to the roadway, and must comply with the parking space dimensions set forth in Section 34-2016(1). The Director may require surfacing to comply with Section 34-2017(a) or (b), depending on the type of amenity served.~~

(b) ~~Each parking lot must have a distinct parking lot entrance. The entrance must meet the requirements of Chapter 10, as well as the following:~~

~~(1) Minimum width at property line for one-way entrances is 15 feet.~~

~~(2) Minimum width at property line for two-way entrances is 24 feet.~~

~~(3) Maximum throat width at property line is 35 feet.~~

~~The Manager may determine that high traffic volumes or other special circumstances warrant other requirements. Emergency Services facilities, including fire, EMS, and sheriff's stations, are exempt from the maximum width requirements provided that the maximum throat width at the property line does not exceed 80 feet.~~

(c) ~~Parking lot entrances may not exceed a six percent grade for 20 feet into any lot or parcel, nor may a parking lot entrance enter a street right of way or easement at an angle of less than 90 degrees unless a lesser angle is approved by the Director.~~

Sec. 34-2014. Parking plan.

~~A parking plan is required for all uses, except single family residence, duplex, two family attached and single family mobile home dwelling units, and must be submitted for review and approval in accordance with Chapter 10. Developments that are not required to be reviewed and approved in accordance with Chapter 10, must submit plans to the Division of Zoning and Development Services prior to issuance of a building permit. The plan must accurately designate the required parking spaces, parking aisles, parking lot entrance, parking lot interconnections, bicycle parking facilities, pedestrian accommodations, and the relation of the off street parking facilities to the uses or structures the facilities are designed to serve.~~

Sec. 34-2015. Location and design generally. 34-2013. Parking space location.

(1) ~~Location.~~ All required parking spaces must be provided on the same premises and within the same zoning district as the use they serve or within a zoning district that permits the same use, except for off-site parking provided by the following parking facilities:

a. ~~Parking lots zoned CP;~~

b. ~~Parking lots part of a multiple-use development; or~~

c. ~~Commercial parking lots within the C1, C-2, and C-2A zoning districts.~~

d. ~~Parking lots within the Mixed-Use Overlay, when developed consistent with 34-2020(e).~~

(2) ~~Design.~~ Parking lots must be designed in accordance with the following:

-
- a. — Setback, buffer, landscaping and drainage requirements required under Chapter 10.
 - b. — If the parking lot will be used at night, adequate lighting must be provided for the driveways, ingress and egress points, and parking areas of commercial and industrial uses. Lighting must be designed in accordance Section 34-625.
 - c. — Individual parking spaces must be accessible from a parking aisle intended to provide access to the space. Stacking of vehicles (one behind the other) will be permitted only for single family, duplex, two-family, and townhouses where each dwelling unit has a garage or driveway appurtenant to it and in valet parking facilities wherein parking is performed by employees of the facility.
 - d. — Parking lot spaces must be provided with sufficient maneuvering room to allow an exiting vehicle to leave the parking lot in a forward motion. Parking lots utilizing 90-degree parking with dead-end aisles must provide a turning bay for those spaces at the end of the aisle.
 - e. — In parking lots where more than one tier of parking spaces will be developed, pedestrian accommodations must be provided.
 - f. — Adjacent commercial uses must provide parking lot interconnections for automobile traffic.
 - g. — Traffic pattern. There must be adequate ingress and egress to the development. Except for streets in urban land use categories, single family and two-family developments, and certain multifamily buildings as provided in Section 34-2020(a), Note (3), proposed parking spaces must be located so as to avoid backing of vehicles into streets, the intermingling of automotive and pedestrian traffic or the intermingling of traffic flow in opposite directions.

Sec. 34-2016. Parking space dimension, delineation, angle and aisle width.

In addition to satisfying the provisions of this division, off street parking lots must conform to the following requirements:

- (1) — *Parking space dimensions.* Minimum individual parking space dimensions are as follows:
 - a. — Disabled parking (all): 12 feet by 18 feet. Parking access aisles which may be shared between two disabled spaces must be no less than five feet wide and must be part of an accessible route to the building or facility entrance. The individual parking space dimensions do not preclude compliance with the Americans with Disabilities Act (ADA) of 1990, as amended.
 - b. — High and low turnover parking lots:
 - 1. — 90-degree parking: Nine feet by 18 feet.
 - 2. — 30-, 45- or 60-degree parking: 8½ feet by 18 feet.
 - 3. — Parallel parking: Eight feet by 22 feet.
 - c. — Golf cart parking: Five feet by eight feet.
- (2) — *Delineation of spaces.*
 - a. — *Paved parking lots.*
 - 1. — Parking spaces must be delineated by all weather painted lines, or thermoplastic striping, not less than four inches in width, centered on the dividing line between spaces.

Parking spaces for persons with disabilities must be prominently outlined with blue paint and must be repainted when necessary to be clearly distinguishable as a parking space designated for persons who have disabilities. Signs erected after October 1, 1996, must indicate the penalty for illegal use of the space.

2. — Parking spaces that abut a pedestrian walkway, required landscaping, or required open space must be provided with a parking block set two feet from the end of the parking space.

b. — *Unpaved parking lots.*

1. — Parking spaces in unpaved parking lots must be delineated by placing a parking block two feet from the end of the parking space and centered between the sides of the space.
2. — If the space abuts a structure, the space may be indicated on the structure, in which case parking blocks are not required.

c. — *Temporary parking lots.* (See Section 34-2022.) Individual spaces in temporary parking lots do not need to be delineated provided the end of each space and all aisles are clearly delineated with temporary posts and ropes.

(3) — *Minimum aisle widths.* Minimum aisle widths are as follows:

<i>Angle of Parking</i>	<i>Aisle Width (feet)</i>	
	<i>One-Way</i>	<i>Two-Way</i>
Parallel	12	20
30	12	22
45	12	22
60	18	24
90	22	24

(4) — *Parking angle.* Parking must be developed throughout the site utilizing the same degree of angle. The mixture of one-way and two-way parking aisles, or different degrees of angled parking within any parking area is prohibited except:

- a. — A single bay of parking provided along the perimeter of the site may vary in design in order to maximize the number of spaces provided on-site.
- b. — Parking design may vary between individual parking areas, provided that the parking areas are physically separated from one another by buildings or a continuous landscape buffer a minimum of five feet in width. The Director may approve a minimum number of vehicle access points to pass through the landscaped buffer.

Sec. 34-2017. Parking lot surface.

(a) — *High turnover parking lots.*

- (1) — *Parking aisles.* Except as provided in Subsection (d) of this section, all high turnover parking lot aisles must be provided with a paved, dustfree, all-weather surface.
- (2) — *Parking spaces.* All parking spaces, except those seaward of the coastal construction control line, must have a paved, dustfree, all-weather surface from the aisle to the parking block or curb. All disabled parking spaces, including disabled parking spaces seaward of the coastal construction control must be paved with asphalt or concrete to provide a smooth surface without gaps or holes that create a danger to the user. For all other parking spaces, the term "paved" will be interpreted to mean and include asphalt, concrete, paving block and other similar types of treatment. Parking spaces, excluding disabled parking spaces, located seaward of the coastal construction control line must be stabilized with treatments approved by the Director.

~~(b) — *Low turnover parking lots.*~~

- ~~(1) — Alternative surfaces may be permitted provided the areas are adequately drained and continuously maintained in a dustfree manner. Alternative surfaces may include gravel, crushed shell or other similar materials. Parking on grass or other unimproved surfaces such as sand or dirt is prohibited.~~
- ~~(2) — Disabled parking spaces must be paved with asphalt or concrete to provide a smooth surface without gaps or holes which would create a danger to the user.~~

~~(c) — *Temporary parking lots.* Temporary parking lots do not need to be surfaced and may be maintained as a grass area or in a dustfree manner.~~

~~(d) — *Reservation of spaces for future use.* When a use or activity is required by this chapter to provide more than ten high turnover parking spaces, the Director may approve leaving up to 25 percent of the required spaces as landscaped areas reserved for future use, provided:~~

- ~~(1) — The applicant clearly shows the reserved parking spaces on the site plan;~~
- ~~(2) — The reserved parking areas are not counted towards the minimum open space or landscaping or buffering requirements of this chapter or Chapter 10;~~
- ~~(3) — All drainage facilities must be calculated and built as though the reserved parking areas were impervious surfaces; and~~
- ~~(4) — The reserved parking areas may not be used for any purpose other than landscaped open space or temporary overflow parking during special holiday seasons or sales.~~

If the property owner decides to pave the reserved area for parking, he must submit the original site plan or development order approval to the Director, who is authorized to approve the paving provided paving does not include new entrances onto a public street. If the parking areas does involve new entrances, then a limited review development order is required.

~~(e) — *Director discretion.*~~

- ~~(1) — The Director is authorized to permit high turnover parking lots (including parking lot aisles), to meet the surfacing standards for low turnover parking lots (Subsection (b) of this section) under the following circumstances:
 - ~~a. — The property is not located in the intensive development or central urban land use categories;~~
 - ~~b. — The proposed parking lot will contain no more than 25 spaces;~~
 - ~~c. — The proposed alternative surface will be adequately drained; and~~
 - ~~d. — The proposed alternative surface is consistent with the uses and the parking lot surfaces in the surrounding neighborhood.~~~~
- ~~(2) — This subsection may not be construed inconsistently with the Americans with Disability Act (ADA) of 1990.~~
- ~~(3) — The Director's decision is discretionary in nature and may not be appealed pursuant to Section 34-145(a) of this chapter.~~

Sec. 34-2014 to 34-2018. Reserved.

Sec. 34-2020. Required parking spaces.

All uses are required to provide off-street parking based on the single-use development requirement unless the use is located in a development that qualifies as a multiple-use development, in which case, the minimum required spaces for multiple-use developments may be used. Use of the multiple-use development minimum parking regulations is optional. Parking for uses not specifically mentioned in this section must meet the minimum parking requirement for the use most similar to that being requested.

- (a) *Residential uses.* Residential uses permitted under this chapter are subject to the following minimum requirements:

Table 34-2020(a). Required Parking Spaces for Residential Uses

<i>Use</i>		<i>Special Notes or Regulations</i>	<i>Minimum Required Spaces for Single-Use Development</i>	<i>Minimum Required Spaces for Multiple-Use Development</i>
1.	Single-family, duplex, two-family attached and mobile home units		2 spaces per unit	—
2.	Townhouses	Note (1)	2 spaces per unit	—
3.	Multiple-family and timeshare units	Notes (1) & (3)	2 spaces per unit	—
4.	Assisted living facilities	Note (2), Sections 34-1414(c) et seq. (e) & 34-1494 1493 et seq.	0.54 spaces per unit	0.41 spaces per unit
5.	Continuing care facilities	Note (2), Sections 34-1414(c) et seq. (e) & 34-1494 1493 et seq.	1.12 spaces per unit	1 space per unit
6.	Independent (self-care) living facilities, including group quarters, health care (Groups I & II), social services (Groups III & IV) and other similar uses	Note (2), Sections 34-1414(c) et seq. (e) & 34-1494 1493 et seq.	1 space per unit	0.59 spaces per unit
7.	Clubhouse and ancillary uses within a residential community	Notes (4) & (5)	4 spaces per 1,000 square feet of total floor area	3.5 spaces per 1,000 square feet of total floor area

Notes:

- (1) In addition to the spaces required, additional parking spaces equal to ten percent of the total required must be provided to accommodate guest parking in a common parking lot.

- (2) Where the living units are maintained under single management and the residents are not capable or permitted to own or operate private vehicles on the same premises, the Director may authorize up to a 75 percent reduction in required parking spaces if sufficient parking is provided for employees and visitors.
 - (3) If vehicles back directly onto an internal roadway or accessway, the driveway must be designed so that:
 1. The driveway connects to a private internal local road or accessway with a design and posted speed limit of 25 miles per hour, or less;
 2. The visual clear zone sight distance (considering vehicles that may be parked nearby) is a minimum of 200 feet and in conformance with the visibility triangle criteria of Section 34-3131;
 3. Traffic calming devices are provided per Lee County AC-11-14; and
 4. The length of the driveway, as measured from the garage structure or the end of the stacked parking space farthest from the street or accessway must be a minimum of 22 feet to the edge of a private street right-of-way or easement line or 27 feet to the edge of pavement of an accessway. However, this section is not to be interpreted to allow buildings or structures closer to a street right-of-way or easement than permitted by Section 34-2192.
 - (4) May include administrative offices or other ancillary uses to the clubhouse such as a gym and/or meeting room.
 - (5) Where a residential community includes a golf course, parking for a clubhouse with food and beverage service, limited or a restaurant will be six spaces per hole or 12.5 spaces per 1,000 square feet of restaurant whichever is greater.
- (b) *Nonresidential uses.* Nonresidential uses permitted under this chapter are subject to the following minimum requirements:

Table 34-2020(b). Required Parking Spaces for Nonresidential Uses

<i>Use</i>	<i>Special Notes or Regulations</i>	<i>Minimum Required Spaces for Single-Use Development</i>	<i>Minimum Required Spaces for Multiple-Use Development</i>
Airports, landing strips and heliports		Determined by the Director	—
Animal clinics		5 spaces per veterinarian, plus 1 space per employee	—
Animal kennels		5 spaces	—
Automotive drive-in oil change establishments	Section 34-2021(c)	1.5 spaces per service bay	—
Automotive repair and service (excluding drive-in oil change establishments); automotive service stations		4 spaces per service bay, plus 1 space per employee	—

Banks and financial establishments	Section 34-2021(a)	3 spaces per 1,000 square feet of total floor area	2.5 spaces per 1000 square feet of total floor area
Bars and cocktail lounges, nightclubs, micro-breweries, -distilleries, -wineries, tasting rooms	Notes (1) and (17)	21 spaces per 1,000 square feet of total floor area	14 spaces per 1,000 square feet of total floor area
Barbershops, beauty shops, massage parlors, etc. (personal services Group II)		3 spaces per operator (chair) or 1 space per 100 square feet, whichever is greater, with a minimum of 5 spaces	—
Bed and breakfast	Section 34-1494 1493 (b)(1)	1.2 spaces per rental unit	—
Bowling alleys	Note (1)	4 spaces for each lane	—
Carnivals, fairs and amusement attractions and devices	Section 34-3042(b)	10 spaces per amusement device	—
Car washes	Section 34-2021(b)	1.5 spaces per car stall	—
Convenience food and beverage stores	Notes (1) & (15)	1 space per 200 square feet of total floor area (one parking space per four fuel pumps will be credited against the required parking), with a minimum of 5 spaces	—
Day care centers	Note (2)	2 spaces per employee	—
Educational institutions:			
a. Public schools		Parking must be provided In compliance with State law	—
b. Private or parochial schools:		—	—
1. Elementary or middle schools		1 space per employee, plus 1 space per 40 students	—
2. High schools		1 space per employee, plus 1 space per 10 students	—
3. Colleges, universities and trade and vocational institutions	Note (3)	1 space per employee, plus student parking as the Director deems necessary	—

Essential service facilities		1 space per employee on the largest shift	—
Flea market, indoor		1 space per 100 square feet of total floor area	—
Flea market, open		5 spaces per rental space or booth	—
Food truck parks	Note (16)	10 spaces per conveyance pad	5 spaces per conveyance pad
Funeral homes	Note (14)	1 space per 4 seats or 4 spaces per 250 square feet of chapel area, whichever is greater	—
Golf courses	Note (4)	6 spaces per hole	—
Health and fitness clubs		7 spaces per 1,000 square feet of total floor area	5 spaces per 1,000 square feet of total floor area
Hospitals (health care facilities, Group IV)		1 space per bed, excluding bassinets and gurneys, plus 1 space per employee on the largest shift	—
Hotels and motels	Note (1), Section 34-1801 et seq.	1.2 spaces per rental unit	—
Marinas and other water-oriented uses	Note (1)	—	—
a. Boat slips		1 space for every 2 slips	—
b. Boat ramps	Note (5)	10 spaces per boat ramp	—
c. Multi-slip docking facility		Determined by Director	—
d. Dry storage		1 space per 5-unit stalls	—
e. Charter or party fishing boat	Note (6)	1 space per 3 people	—
f. Local cruise ships	Note (6)	1 space per 2 people	—
g. International cruise ships	Note (6)	1 space per 3 people	—
h. Live-aboards		2 spaces per 3 live-aboards	—
Manufacturing and light industrial	Note (1)	1.75 spaces per 1,500 square feet of total floor area	1.5 spaces per 1,500 square feet of total floor area

Meeting halls, clubs (fraternal and membership) and other places for group assembly not otherwise listed	Notes (7) & (14)	1 space per 100 square feet of total floor area	—
Miniature golf	Note (1)	1.5 spaces per hole	—
Multiple-occupancy complex with total floor area of 350,000 square feet or more		—	4.5 spaces per 1,000 square feet of total floor area
Museums, art galleries, libraries, studios and other similar uses not covered elsewhere		3 spaces per 1,000 square feet of total floor area	—
Offices, excluding medical (including, but not limited to, business services, Group I, contractors and builders, insurance companies, nonstore retailers, personal services, Group IV, social services, Group I, and other similar offices.)		1 space per 300 square feet of total floor area	1 space per 350 square feet of total floor area
Offices, medical and health care facilities, Group III		4.5 spaces per 1,000 square feet of total floor area	4 spaces per 1000 square feet of total floor area
Places of worship	Note (14); Section 34-20512052 et seq.	1 space per 3 seats	1 space per 5 seats
Recreation facilities, indoor	Note (1)	4 spaces per 1,000 square feet of total floor area	3.5 spaces per 1000 square feet of total floor area
Recreation facilities, outdoor, commercial		Determined by the Director.	—
Religious facility	Notes (1) & (14); Section 34-20512052 et seq.	1 space per 3 seats	—
Restaurants and brewpubs	Notes (8), (9) & (10)	14 spaces per 1,000 square feet of total floor area; outdoor seating area is calculated at same rate	12.5 spaces per 1,000 square feet of total floor area; outdoor seating area is calculated at same rate
Restaurants, fast food	Note (9)	13 spaces per 1,000 square feet of total floor area; outdoor	—

			seating area is calculated at same rate	
Retail or business establishments				
	a. Small products or commodities: Auto and boat parts; clothing stores; department stores; drugstores; food stores; hardware stores; hobby, toy and game shops; package stores; household/office furnishings Group II; personal services Group I (excluding barbershops, beauty shops & massage establishments); specialty retail shops Groups I, II and III; used merchandise stores Group I; variety stores; and other similar type establishments	Section 34-2021 et seq.	1 space per 250 square feet of total floor area, with a minimum of 5 spaces; dead storage is calculated at same rate	1 space per 350 square feet of total floor area; dead storage is calculated at same rate
	b. Large products or commodities: Used merchandise stores Groups II and III; vehicle and equipment dealers Group II; and other similar type establishments	Note (1); Section 34-2021 et seq.	2.5 spaces per 1,000 square feet of total floor area, with a minimum of 5 spaces; dead storage is calculated at 1 space per 1,000 square feet	2.5 spaces per 1,000 square feet of total floor area; no parking is required for areas of the building used only as dead storage and not available to the public
	c. Very large products or commodities: Household/office furnishings Groups I & III; mobile home dealers; specialty retail stores Group IV; used merchandise stores Group IV; vehicle and equipment dealers Groups I, III, IV and V;	Note (1); Section 34-2021 et seq.	1 space per 700 square feet of total floor area, with a minimum of 5 spaces; dead storage is calculated at 1 space per 1,500 square feet	1 space per 700 square feet of total floor area; no parking is required for areas of the building used only as dead storage and not available to the public

	and other similar type establishments			
Schools, commercial			2 spaces per 100 square feet of total classroom floor area	1 space per 100 square feet of total classroom floor area
Tennis courts, commercial		Note (14)	3 spaces per court, plus one space per 3 spectator seats	—
Theaters, auditoriums, stadiums, arenas and other similar places of public assembly		Notes (1) & (14)	1 space per 4 seats	1 space per 4 seats
Warehouse, high-cube		Note (1)		
	a. Passenger car parking		1 space per 1,000 square feet of total floor area for the first 20,000 square feet, plus 1 space per 2,000 square feet for the second 20,000 square feet to 99,999 square feet, plus 1 space per 5,000 square feet for that portion over 100,000 square feet	—
	b. Truck and trailer parking	Notes (12) & (13)	1 space for every 5,000 square feet of total floor area	—
Warehouse, mini-warehouse			1 space per 25 storage units, with a minimum of 5 spaces	—
Wholesale, processing and warehousing establishments		Note (1)	1.25 spaces per 1,500 square feet of total floor area	0.75 spaces per 1,500 square feet of total floor area

Notes:

- (1) Accessory or ancillary uses must be calculated separately and in compliance with this division.
- (2) In addition to the minimum parking requirement for day care centers, adequate and safe provisions for loading and unloading clients must be provided.
- (3) An additional one space for every six seats must be provided when public use of an auditorium or other place of assembly within a school is likely.
- (4) Parking for a clubhouse with a restaurant will be six spaces per hole or 12.5 spaces per 1,000 square feet of restaurant whichever is greater.

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- (5) Parking space dimensions for boat ramps must be a minimum of 12 feet wide by 40 feet long to accommodate a vehicle and boat trailer.
 - (6) Minimum parking requirement is based on the boat manufacturer's specifications related to the maximum passenger capacity and crew capacity of the boat or ship using the dock or loading facility.
 - (7) For meeting facilities with fixed seats, refer to recreational facilities, indoor.
 - (8) If over 50 percent of the total floor area of a restaurant is used as a bar or cocktail lounge, then the minimum parking requirement will be 14 spaces per 1,000 square feet for the floor area used as the restaurant and 21 spaces per 1,000 square feet for the floor area used as the bar or cocktail lounge.
 - (9) The minimum required parking requirement for Groups I, II and fast-food restaurants with no drive-up facilities located in a multiple-use development is one space per 350 square feet of total floor area.
 - (10) No additional parking spaces are required when a restaurant is located within the same building as the principal use and is provided primarily for the employees and customers of the principal use.
 - (11) Reserved.
 - (12) Truck dock/loading bay spaces may be used to satisfy the truck and trailer parking requirement. Truck dock/loading spaces do not have to be striped.
 - (13) Parking space dimensions of 15 feet wide by 60 feet long are required to accommodate truck and trailer parking. However, truck and trailer parking spaces located in truck dock/loading bays do not have to meet the parking space dimension requirements.
 - (14) Where occupants utilize benches, pews or other similar seating arrangements, each 24 linear inches of seating facilities will be counted as one seat for the purpose of computing off-street parking requirements.
 - (15) If more than 20 percent of the total floor area or 600 square feet, whichever is less, is used for the preparation and/or sale of food or beverages in a ready-to-consume state, parking will be calculated the same as a fast-food restaurant.
 - (16) For the purposes of determining parking requirements, parking shall be determined based on a standard conveyance pad size of ten feet by 30 feet or 300 square feet of conveyance pad area. Food truck parks located in a future urban area that are connected to central utilities (water and sewer) and located within one quarter mile of at least 100 residential units with pedestrian or bicycle connections, or food truck parks located in the Mixed Use Overlay have a reduced parking requirement of four parking spaces per conveyance pad in lieu of the Mixed Use Overlay parking reduction in Table 34-2020(c).
 - (17) Floor area dedicated to the production and packaging of beers, meads, wines, liquor, or similar beverages and not accessible to the general public may utilize the minimum parking requirement for "Manufacturing and Light Industrial."

No proposed amendments to subsection (c) through subsection (e).

CHAPTER 34, ARTICLE VII, DIVISION 27.

Sec. 34-2052. Parking.

No proposed amendments to subsection (a) and subsection (b).

(c) Parking on grass. Up to 50 percent of the parking spaces required for the sanctuary or main assembly hall of a place of worship may be provided as parking on grass, provided the regulations set forth in the following sections, pertaining to off-street parking requirements, are met:

- (1) Section ~~34-2013~~ 10-260(d), parking lot access.
- (2) Section ~~34-2014~~ 10-260(a), parking plans.
- (3) Section ~~34-2015(1)~~2013, location.
- (4) Section ~~34-2015(2)a, c and d~~, 10-260(f), design.
- (5) Section ~~34-2016(1)b~~ 10-260(g), dimensional requirements.
- ~~(6) Section 34-2016(3), aisle widths.~~

AMENDMENT SUMMARY

Issue: The current Land Development Code (LDC) section addressing site lighting design requirements is overly restrictive and includes provisions that have minimal or no off-site impact. Additionally, these standards are located in Chapter 34, which primarily governs zoning and land use, even though outdoor lighting is a fundamental component of all development types.

Solution: Amend the LDC by relocating outdoor lighting standards to Chapter 10, which addresses Development Standards, and streamline requirements by reducing or eliminating provisions that apply only to internal site conditions without external impacts.

Outcome: The revised standards will appropriately reside in Chapter 10 of the LDC, ensuring alignment with development regulations. The amendments will enhance efficiency, eliminate unnecessary requirements, and maintain protections for public health, safety, and welfare while complying with state and federal mandates.

CHAPTER 6, ARTICLE II, DIVISION 3.

Sec. 6-113. Compliance with outdoor lighting standards.

All non-residential building permits must comply with the requirements of Section ~~34-625~~10-262.

CHAPTER 10, ARTICLE II, DIVISION 2.

Sec. 10-154. Additional required submittals.

The following must be submitted with an application for development order approval:

- (1) *Legal description and sketch to accompany legal description.* A metes and bounds legal description along with a sketch of the legal description, prepared by a State-Licensed Surveyor and Mapper, must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177. If the subject property is one contiguous parcel, the legal description must specifically describe the entire continuous perimeter boundary of the property subject to the development order application with accurate bearings and distances for every line. If the subject property consists of undivided, platted lots, then a complete legal description (i.e., lot, block, subdivision name, public records recording information) of the platted subject property is required. A sketch of the undivided, platted lots is not required. The Director has the right to reject any legal description that is not sufficiently detailed so as to locate the property on County maps.

No proposed changes to subsections (2) through (7)

- (8) *Exterior lighting plan, photometrics and calculations.* An exterior lighting plan and photometric information must be submitted. The plan and photometric information must be provided in full compliance with Section ~~34-625~~10-262 of the Land Development Code and must demonstrate compliance with all standards and criteria specified therein.

No proposed amendments to subsection (9) through subsection (28).

CHAPTER 10, ARTICLE III, DIVISION 1.

Sec. 10-262. Outdoor lighting standards.

- (a) *Applicability.* All new luminaires within nonresidential or multifamily developments, regardless of whether a development order is required, must comply with the provisions and standards of this section.
- (b) *General exemptions.* The following are generally exempt from the provisions of this section:
- (1) Emergency lighting required for public safety and hazard warning luminaires required by federal or State regulatory agencies;
 - (2) Low wattage holiday decorative lighting fixtures used for holiday decoration; and
 - (3) Lighting for roads, except as provided in Section 14-77, to safely illuminate roads, including but not limited to their driving lanes, sidewalks, shoulders, and emergency lanes. Lighting on private roads must be shielded with full cutoff luminaires with recessed bulbs and flat lenses to prevent direct illumination on nearby residences.
- (c) *Standards and criteria.* In addition to the standards and criteria for outdoor lighting established in this section, there are standards for sea turtle lighting in Chapter 14, Article II, Division 2.
- (1) In no case may the illumination exceed 0.5 footcandle measured at the property line. The amount of illumination projected from a property onto a residential use or residentially zoned property may not exceed 0.2 footcandle measured at ten feet from the property line onto the residential property.
 - (2) Lamp standards. Mercury vapor lamps are prohibited. The installation, sale, offering for sale, lease or purchase of any mercury vapor light fixture or lamp for use as outdoor lighting in the County is specifically prohibited.
 - (3) Luminaire standards. Fully shielded, full cutoff luminaires with recessed bulbs and flat lenses are the only permitted fixtures for outdoor lighting, with the following exceptions.
 - a. Luminaires that have a maximum output of 260 lumens per fixture may be left unshielded, provided the fixture has an opaque top to keep light from shining directly up.
 - b. Luminaires that have a maximum output of 1,000 lumens per fixture may be partially shielded, provided the bulb is not visible and the fixture has an opaque top to keep light from shining directly up.
 - c. Sensor activated lighting may be unshielded provided it is located in such a manner as to prevent direct glare and lighting into abutting properties under separate ownership or into a public right-of-way, the light is set to only go on when activated and to go off within five minutes after activation has ceased, and the light is not be triggered by activity off the property.

- d. Flood or spot luminaires with a lamp or lamps rated at 900 lumens or less may be used except that no spot or flood luminaire may be aimed, directed, or focused to cause direct light from the luminaire to be directed toward residential buildings on abutting or nearby property, otherwise create glare perceptible to persons operating motor vehicles on public ways, directed skyward, or directed towards shoreline areas.
- e. All externally illuminated billboards and signs must be lit by shielded fixtures mounted at the top of the sign and aimed downward. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Illumination resulting from sign lighting must be considered as contributing to the illumination levels specified herein.
- f. Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping, or art must be located, aimed and shielded so that light is directed only on those features. Such fixtures must be aimed or shielded to minimize light spill onto adjacent properties or into the night sky in conformance with illumination and luminaire standards.
- g. All nonessential exterior commercial lighting must be turned off after business hours.

(4) Luminaire mount standards. The following standards apply to luminaire mountings.

- a. Freestanding luminaires. The maximum height of light poles for parking lots and vehicular use areas may not exceed 25 feet measured from the ground level directly below the luminaire to the bottom of the lamp itself. Light poles located within 50 feet of a residential use or residentially zoned property may not exceed 15 feet. Poles used to illuminate pedestrian walkways may not exceed 15 feet. Lighting for outdoor recreational facilities (public or private) including but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, etc., are exempt from the mounting height standards, provided that all other applicable provisions are met.
 - b. Building mounted luminaires. These luminaires may only be attached to the building walls, and the top of the fixture may not exceed the height of the parapet, or the roof, or 25 feet, whichever is the lowest.
 - c. Canopy lighting. Light fixtures mounted on the underside of a canopy must be recessed or shielded full cutoff type so that the light is restrained to 85 degrees or less from the vertical. As an alternative (or supplement) to the canopy ceiling lights, indirect lighting may be used where the light is beamed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy. Exposed lights may not be mounted on the top or sides (fascia) of the canopy. The sides (fascia) of the canopy may be illuminated as long as the illumination is consistent with the County restrictions on off-site light spillage which must be analyzed in the photometry plan.
 - d. Trees and landscaping. To avoid conflicts, locations of all light poles and fixtures must be coordinated with the locations of all trees and landscaping whether existing or shown on the landscaping plan. Vegetation screens may not be employed to serve as the means for controlling glare.
 - e. Glare control must be achieved through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- (d) Development order and permit criteria. The applicant for any development order or building permit, as applicable under the provisions of this Code involving outdoor lighting fixtures, must submit as

part of the application evidence that the proposed work will comply with the outdoor lighting standards of this Code. Specifically, the submission must include the following:

- (1) Plans indicating the location on the premises and the type of illuminating devices, fixtures, lamps, supports, reflectors and other devices.
- (2) A detailed description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description must include manufacturer's catalogue cuts and drawings, including pictures, sections, and proposed wattages for each fixture.
- (3) All applications for development orders or building permits, except for single-family and duplex building permits, must provide photometric data, such as that furnished by the manufacturer of the proposed illuminating devices, showing the angle of cut-off and other characteristics of the light emissions including references to the standards contained herein.
- (4) All applications for development orders or building permits, except for single-family and duplex building permits, must provide photometrics in initial footcandles output for all proposed and existing fixtures on-site shown on a 20-foot by 20-foot grid on an appropriately scaled plan. On-site lighting to be included in the calculations must include, but is not limited to, lighting for parking lot, canopies, and building mounted and recessed lighting along the building facades and overhangs. The photometric plan must include a table showing the average, minimum, and maximum footcandles of illumination on the site and the calculations deriving the averages. The use of a light loss factor (LLF) is not permitted in these photometrics.

(e) Compliance.

- (1) Prior to the final inspection for a Certificate of Compliance pursuant to Section 10-183, site verified footcandle readings must be provided demonstrating that the outdoor lighting, as installed, conforms with the proposed photometrics and the letter of substantial compliance provided by a registered professional engineer must include a certification that the outdoor lighting is in compliance with this Code.
- (2) Outdoor lighting must be maintained in compliance with this Code.

CHAPTER 10, ARTICLE III, DIVISION 2.

Sec. 10-296. Street design and construction standards.

- (a) *Generally.* All public and private streets must be designed to accommodate all expected users, where applicable, and constructed and improved in accordance with the specifications set out in this section, as well as the other requirements of this division. In addition, the following standards and criteria will be applicable: American Association of State and Highway Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, as modified by the State Department of Transportation (FDOT) Florida Greenbook, FDOT Design Standards, FDOT Drainage Manual and FDOT Standard Specifications, current editions, with supplements, and such other applicable publications, editions and amendments as may be adopted by the State Department of Transportation, and sound engineering judgment. Construction on State facilities must be done in accordance with applicable State statutes and regulations.

No proposed changes in subsection (b) through d(5).

- (6) *Signs and pavement markings, street lighting and traffic control devices.*
 - a. *Street name and regulatory signs.* Street name and regulatory signs will be installed by the developer at all intersections and on the streets in the development prior to the acceptance of

the streets or the release of the security. Regulatory signs will not be required at parking lot entrances for parking lots containing less than 25 parking spaces.

- b. *Street lighting.* Street lighting may be installed at the developer's option and expense in compliance with Section ~~34-625~~10-262. Where street lighting is to be provided, the streetlight improvements must be maintained and operated through a covenant that runs with the land in the form of deed restrictions, a property owners' or condominium association, or another legal mechanism, acceptable to the County, which assures the beneficiaries of the service that the street lighting will be continually operated and maintained. Regardless of the method chosen to provide for the continual maintenance and operation of the streetlights, the beneficiaries of the service must be provided with a legal right to enforce the assurance that the lighting will be continually operated and maintained. The legal documents that provide for the continual maintenance and operation of the lighting may be accepted and recorded only after they are reviewed and approved by the County Attorney's office for compliance with this section. In the alternative, the Board may satisfy this requirement by establishing a street lighting municipal service taxing or benefit unit that includes operation and maintenance of the streetlights.
- c. *Street and intersection improvements; traffic control devices.*
1. All streets and intersections within a development must operate at service level C or higher. The developer must design and construct those traffic control devices and acceleration, deceleration, turning or additional lanes, referred to in this subsection as traffic improvements, deemed necessary to bring the level of service up to service level C or higher.
 2. Traffic control devices and acceleration, deceleration, turning and additional lanes must be specifically indicated on the development order plan. These traffic control devices must be designed and shown on the development order plans as per MUTCD standards.

No proposed changes in subsection (d)6 through (o).

CHAPTER 10, ARTICLE IV.

Sec. 10-610. Site design standards and guidelines for commercial developments.

(a) *Purpose and intent.* The purpose and intent of these provisions is to supplement and enhance existing regulations and to require the design of developments that will provide safe, convenient, and efficient access for vehicles while also providing safe, convenient, and efficient passage for pedestrians from the public right-of-way to the commercial building or development, and between buildings within the commercial development. It is further the purpose and intent of these provisions to require parking, lighting, and lighting fixtures to be designed, installed, and maintained in a consistent and coordinated manner for the entire site (including their out parcels) and integrated and designed so as to enhance the visual appearance and impact on the community. The Development Services Director is hereby authorized to grant deviations from the technical standards in this subsection, subject to the criteria set forth in Section 10-104.

(b) *Lighting standards.* All outdoor lighting must comply with Section ~~34-625~~10-262.

No proposed changes in subsection (c) through (f).

CHAPTER 12, ARTICLE II.

Sec. 12-111. Mine site plan; site map and engineering plan set.

A series of maps and engineering plans, including drawings prepared and sealed by an appropriate registered professional in the State (e.g., engineer, architect, surveyor) must be provided to obtain MDO approval in accordance with the provisions of this section. This map and plan series, known as the Mine Site Plan, must meet and include the following minimum criteria:

- (1) Be drawn at an appropriate scale, to be determined at the preapplication meeting based upon the size of the property. The scale must be sufficient to allow all information to be clearly and legibly depicted and described. A consistent scale between the maps and plans is preferred and recommended to assist in review of the information provided and to minimize the need to request additional submittals.

No proposed changes in subsections (2) through (11).

- (12) Exterior lighting plan, photometrics and calculations. An exterior lighting plan and photometric information must be submitted. The plan and photometric information must be provided in full compliance with Section ~~34-625~~10-262 and demonstrate compliance with all standards and criteria specified therein.
- (13) Calculations and other pertinent materials. The Development Services Director may also require submission of calculations in support of all proposed drawings, plans and specifications. Calculations, data and reports to substantiate engineering designs, soil condition, flood hazards, compensation of floodplain storage (see Section 10-253), wet season water table, etc., may be required.

Sec. 12-121. Existing mine operations.

(a) *Existing mine defined.* An existing mine is a mine operation approved by the Board of County Commissioners or Hearing Examiner prior to September 1, 2008, that meets the following criteria:

- (1) Approved by special exception under Chapter 34; or
- (2) Approved as an Industrial Planned Development (IPD) or Residential Planned Development (RPD) under Chapter 34 and has a valid/current master concept plan in place; and
- (3) The right to pursue mining activity on either the special exception or IPD/RPD zoned property has not expired under the terms and condition of the zoning approval.

LDC 12-121 (b) through LDC 12-121(f)(13) no change.

- (14) Exterior lighting plan, photometrics and calculations. An exterior lighting plan and photometric information must be submitted. The plan and photometric information must be provided in full compliance with Section ~~34-625~~10-262 and demonstrate compliance with all standards and criteria specified therein.
- (15) Calculations and other pertinent materials. The Director may also require submission of calculations in support of all proposed drawings, plans and specifications as well as additional information consistent with Subsection (g) of this section to address issues not reflected the by the balance of the requirements set forth in Subsection (f) of this section. Calculations, data and reports to substantiate

engineering designs, soil condition, flood hazards, compensation of floodplain storage (see Section 10-253), wet season water table, etc., may be required.

No proposed amendments to subsection (g) through subsection (k).

CHAPTER 33, ARTICLE IV, DIVISION 2.

Sec. 33-1256. Lighting.

In addition to the requirements of Section ~~34-625~~10-262, development design must include the following:

- (a) Lighting of building entryways at the pedestrian level, such as lighted bollards, doorway lighting, etc.
- (b) Light fixtures must complement the overall building development.
- (c) Lighting throughout all parking areas must utilize decorative light poles/fixtures. Except for pedestrian light fixtures, all other outdoor light fixtures must be fully shielded.
- (d) Lighting plans must be coordinated with landscape plans to identify and eliminate potential conflicts with required landscaping.
- (e) No light poles may be located in parking lot islands that contain required landscaping.
- (f) Buildings, awnings, roofs, windows, doors and other elements may not be outlined with light. Exposed neon and backlit awnings are prohibited. Temporary seasonal lighting during the month of December is excluded from this requirement.

CHAPTER 33, ARTICLE V, DIVISION 2.

Sec. 33-1413. Lighting.

In addition to the requirements in Section ~~34-625~~10-262:

- (1) Light fixtures must complement the building development with an architectural theme consistent with the overall development.
- (2) Parking lot lighting must utilize decorative light poles/fixtures.
- (3) Outdoor light fixtures must be shielded. Lighting must be directed to avoid intrusion on adjacent properties and away from adjacent thoroughfares.

Sec. 33-1420. Permanent signs in commercial and industrial areas.

No proposed changes in subsection (1) through (3).

- (4) Lighting.
 - (a) Ground-mounted identification signs:
 - (1) Illumination must comply with Section ~~34-625~~10-262.
 - (2) Exposed raceways are prohibited.

- (b) Wall-mounted signs:
 - (1) Raceways and electrical junction boxes must be painted to match the building exterior.
- (c) Electrical connections, wiring, etc., must be concealed.

CHAPTER 33, ARTICLE VII, DIVISION 2.

Sec. 33-1491. Lighting.

In addition to the requirements of Section ~~34-625~~10-262, the following standards must be incorporated into development design:

- (a) Pedestrian level lighting must be provided at building entryways and on pedestrian walkways from parking areas to building entryways.
- (b) Lighting must be given a consistent architectural theme that complements the building's exterior and the overall building development.
- (c) Lighting must be provided throughout all parking areas utilizing decorative light poles/fixtures.
- (d) Light fixtures must be fully shielded except for pedestrian light fixtures. Lighting must be directed to avoid intrusion on adjacent properties and away from adjacent thoroughfares.
- (e) Light fixtures must not conflict with landscaping requirements. Lighting plans must be coordinated with landscape plans to eliminate potential conflicts.
- (f) Buildings, awnings, roofs, windows, doors and other elements may not be designed to be outlined with light. Exposed neon and backlit awnings are prohibited. Temporary seasonal lighting during the month of December is excluded from this requirement.

CHAPTER 33, ARTICLE IX, DIVISION 2.

Sec. 33-1623. Outdoor lighting.

- (a) *Outdoor lighting standards.* The following standards to prevent light trespass apply to outdoor lighting on Captiva in addition to the sea turtle lighting standards found in Sections 14-71 through 14-79, and the outdoor lighting standards found in Section 34-625. Enforcement shall be pursuant to Section 14-73(b).
 - (1) All new outdoor lighting, including lighting on docks and bulkheads, shall be hooded or shielded so that the direct horizontal surface of the light source is masked, shall not shine directly beyond or above the structure or property to be illuminated, and shall not otherwise constitute light trespass.
 - (2) Spotlights on landscaping and foliage shall be hooded or shielded, shall not shine above the highest foliage to be lit, and shall not spill onto adjacent property.
 - (3) Fixtures affixed to poles, trees, and other structures shall be no more than 15 feet above grade, hooded or shielded, and directed downward.

- (4) Outdoor lighting shall comply with the above standards at the time the existing lighting is replaced. This provision shall not apply to a repair or a partial replacement of a complete and uniform set of light or lighting fixtures.
 - (5) Lights aimed, directed, or focused onto adjacent property, or causing direct light or glare to be projected onto adjacent property, are not permitted at any time. Such existing lights shall be corrected immediately and are not subject to Subsection (a)(4) of this section.
- (b) *Exemptions.* The following sources of light are exempt from this section:
- (1) Temporary emergency lighting needed by firefighters, police officers, or emergency work crews.
 - (2) Lights on approved vehicles.
 - (3) Lights required by government agencies near airstrips or heliports, or on communication towers.
 - (4) Seasonal and special event decorations with individual lights in place up to 60 days per year.
 - (5) Lights or lighting that is required by other sections of the Code.

CHAPTER 33, ARTICLE IX, DIVISION 4.

Sec. 33-1645. Signs not requiring a permit.

- (a) Residential identification sign. Identification signs not exceeding six square feet. The height of identification signs may not exceed four feet above grade and may be placed in rights-of-way and subject to the following standards and restrictions:
- (1) Identification signs must comply with Sections 14-76 and ~~34-625~~10-262 and may be illuminated only in accordance with the following standards:
 - a. The area occupied by the luminaire and its supports will not be included when calculating the square footage of the sign.
 - b. Sign lighting must be designed and located so as not to cause confusion with traffic control devices.
 - c. Full cutoff fixtures with black nonreflective interior surfaces must be used. Uplighting is prohibited. No sign may have internal illumination.
 - d. If exterior lighting is used to illuminate the sign, the lights must be down lights with shields and louvers to pinpoint the light.
 - e. Illumination must be with white light only, using fluorescent lamps or bulbs, except if visible from the beach, then they must be amber LED bulbs used in properly shielded fixtures. Mercury vapor and metal halide lighting is prohibited. LED bulbs are recommended. Fluorescent fixtures must be of the enclosed type with a gasketed lens and a wet location label.
 - f. A maximum of one fixture is allowed per sign face.
 - g. The maximum wattage may not exceed 36 watts per sign face.
 - h. Approval for electric hookup to illuminate the sign must be obtained from the County Department of Transportation.

No proposed changes in subsection a(2) through (j).

Sec. 33-1648. Permanent signs in commercial areas.

Ground-mounted or wall-mounted signs located in the C-1, CS-1, CT or RM-2 zoning categories must comply with Sections 14-76 and ~~34-625~~10-262.

- (a) Ground-mounted identification signs are subject to the following limitations:
 - (1) No signs may be erected closer than 30 feet to the boundary line dividing the zoning district of the property on which the sign is erected from a zoning district in which they are prohibited.
 - (2) Sign area is limited to 32 square feet.
 - (3) Signs cannot exceed a maximum of ten feet in height or ten feet in width.
 - (4) The sign must display the street number of the property on the face of the sign. Each numeral must measure four to six inches in height. The copy area of the street number will not be counted toward the allowable sign copy area.
- (b) Wall-mounted signs. Wall signs are limited to ten percent of a tenant's wall area, with a maximum size of 32 square feet.
- (c) Illuminated, ground-mounted, and wall signs must comply with lighting requirements set forth in Sections 14-76 and ~~34-625~~10-262.

CHAPTER 33, ARTICLE XI, DIVISION 4.**Sec. 33-1736. Outdoor lighting standards.**

The following standards apply to outdoor lighting on Upper Captiva in addition to the sea turtle lighting standards found in Chapter 14, Article II, and the outdoor lighting standards found in Section ~~34-625~~10-262:

- (1) All outdoor lighting, including lighting on docks and bulkheads, must be designed, installed, located, and maintained to be hooded, shielded, and/or aimed downward.
 - a. Examples of acceptable and unacceptable shielding and hooding are shown in Figures 1 through 3 of this section.
 - b. The hood or shield must mask the direct horizontal surface of the light source, or the light must be aimed to ensure that the illumination is only pointing downward onto the ground surface, with no escaping light permitted to contribute to sky glow by shining upward into the sky.

No proposed changes in subsection (2) through (6).

CHAPTER 34, ARTICLE VI, DIVISION 1.**~~Sec. 34-625. Outdoor lighting standards.~~**

- ~~(a) *Purpose.* The purpose of this provision is to curtail and reverse the degradation of the nighttime visual environment by minimizing light pollution, glare, and light trespass through regulation of the form and use of~~

outdoor lighting; and to conserve energy and resources while maintaining nighttime safety, utility, security and productivity.

(b) *Applicability.* All new luminaires, regardless of whether a development order is required, must comply with the provisions and standards of this section.

(c) *General exemptions.* The following are generally exempt from the provisions of this section:

- (1) Emergency lighting required for public safety and hazard warning luminaires required by federal or State regulatory agencies;
- (2) Outdoor light fixtures producing light directly by the combustion of fossil fuels, such as kerosene and gasoline;
- (3) Low wattage holiday decorative lighting fixtures (comprised by incandescent bulbs of less than eight watts each or other lamps of output less than 100 lumens each) used for holiday decoration; and
- (4) Lighting for public roads, except as provided in Section 14-77.

(d) *Standards and criteria.* In addition to the standards and criteria for outdoor lighting established in this section, there are standards for sea turtle lighting in Chapter 14, Article I, Division 2 and further technical standards are specified in a related County Administrative Code. When specific standards are not addressed in these sources, the standards contained in the Illuminating Engineering Society of North America (IESNA) Handbook (latest edition) will apply.

(1) *Illuminance.* Table 1 of this section is provided as a general synopsis of the illumination level requirements. These levels are based upon general use or task categories and are measured in footcandles on the task surface (for example the parking lot or area surface) with a light meter held parallel to the ground or other surface, facing up, unless otherwise specifically stated. Illuminance levels specified in this Code apply to all outdoor lighting.

Table 1. Illumination Level Requirements⁽⁴⁾

Use/Task	Initial Actual Footcandles ^{(2),(4)}	Initial Uniformity Avg. ⁽³⁾
Parking, multifamily		
Low vehicular/pedestrian activity	0.3 min.	4:1
Medium vehicular/pedestrian activity	0.8 min.	4:1
Parking, industrial/commercial/ institutional, municipal		
High activity, e.g., shopping centers, fast food facilities, major athletic/civic, cultural events.	1.2 min.	4:1
Medium activity, e.g., office parks, hospitals, commuter lots, cultural/civic/recreational events	0.8 min.	4:1
Low activity, e.g., neighborhood shopping, industrial employee parking, school, church parking	0.3 min.	4:1
Nonresidential walkways and bikeways	0.3 min.	5:1
Canopy, drive through, fuel pumps, overhang	6.0 min	5:1

Notes:

- (1) These specified illumination level criteria are the initial actual levels to be measured at the time of final inspection for a Certificate of Compliance. The outdoor lighting must be maintained so the average illumination levels do not increase above the specified values. The minimum illumination levels may decrease over time consistent with the Light Loss Factor (LLF) associated with the installed fixtures.
 - (2) In no case may the illumination exceed 0.5 footcandle measured at the property line. The amount of illumination projected onto a residentially zoned property or use from another property, may not exceed 0.2 footcandle measured at ten feet from the property line onto the adjacent residential property.
 - (3) Uniformity ratios dictate that the average illumination values may not exceed initial values by more than the product of the initial value and the specific ratio. For example, in the case of commercial parking and high activity, the initial average illuminance may not be in excess of 4.8 footcandles (1.2 x 4).
 - (4) Where all night safety or security lighting is to be provided, the lighting intensity levels should provide the lowest possible illumination to discourage crime and undesirable activity and to effectively allow surveillance but may not exceed 50 percent of the levels normally permitted for the use as specified in this Code.
- (2) *Lamp standards.* Lamp types and colors must be in harmony with the adjacent community, any special circumstances existing on the site, and with surrounding installations. Lamp types must be consistent with the task and setting and should not create a mix of colors unless otherwise specifically approved by the Director for a cause shown. Specifically, mercury vapor lamps are prohibited. The installation, sale, offering for sale, lease or purchase of any mercury vapor light fixture or lamp for use as outdoor lighting in the County is specifically prohibited.
- Lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, etc., are exempt from the lamp type standards, provided that all other applicable provisions are met.
- (3) *Luminaire standards.* Fully shielded, full cutoff luminaires with recessed bulbs and flat lenses are the only permitted fixtures for outdoor lighting, with the following exceptions:
- a. Luminaires that have a maximum output of 260 lumens per fixture (the approximate output of one 20-watt incandescent bulb), regardless of number of bulbs, may be left unshielded, provided the fixture has an opaque top to keep light from shining directly up.
 - b. Luminaires that have a maximum output of 1,000 lumens per fixture (the approximate output of one 60-watt incandescent bulb), regardless of number of bulbs, may be partially shielded, provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - c. Sensor activated lighting may be unshielded provided it is located in such a manner as to prevent direct glare and lighting into properties of others or into a public right of way, and provided the light is set to only go on when activated and to go off within five minutes after activation has ceased, and the light must not be triggered by activity off the property.
 - d. Flood or spot luminaires with a lamp or lamps rated at 900 lumens or less may be used except that no spot or flood luminaire may be aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, or directed skyward,

or directed towards the shoreline areas, The luminaire must be redirected or aimed so that illumination is directed to the designated areas and its light output controlled as necessary to eliminate such conditions. Illumination resulting from such lighting must be considered as contributing to the illumination levels specified herein.

- e. All externally illuminated billboards and signs must be lighted by shielded fixtures mounted at the top of the sign and aimed downward. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols is preferred to minimize detrimental effects. Illumination resulting from sign lighting must be considered as contributing to the illumination levels specified herein.
 - f. Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping, or art must be located, aimed and shielded so that light is directed only on those features. Such fixtures must be aimed or shielded to minimize light spill onto adjacent properties or into the night sky in conformance with illumination and luminaire standards.
 - g. All nonessential exterior commercial lighting must be turned off after business hours.
- (4) *Luminaire mount standards.* the following standards apply to luminaire mountings.
- a. *Freestanding luminaires.* Light poles must be placed on the interior of the site. When light poles are proposed to be placed on the perimeter of the site, specific consideration should be addressed to compliance with the illumination standards at the property line and off the property onto adjacent residential property. The maximum height of light poles for parking lots and vehicular use areas may not exceed 25 feet measured from the ground level directly below the luminaire to the bottom of the lamp itself. Light poles located within 50 feet of a residentially zoned property or use may not exceed 15 feet. Poles used to illuminate pedestrian walkways may not exceed 15 feet. Lighting for outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, etc., are exempt from the mounting height standards, provided that all other applicable provisions are met.
 - b. *Building mounted luminaires.* These luminaires may only be attached to the building walls and the top of the fixture may not exceed the height of the parapet, or the roof, or 25 feet, whichever is the lowest.
 - c. *Canopy lighting.* Light fixtures mounted on the underside of a canopy must be recessed or shielded full cutoff type so that the light is restrained to 85 degrees or less from the vertical. As an alternative (or supplement) to the canopy ceiling lights, indirect lighting may be used where the light is beamed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy. Exposed lights may not be mounted on the top or sides (fascia) of the canopy. The sides (fascia) of the canopy may be illuminated as long as the illumination is consistent with the County restrictions on off-site light spillage which must be analyzed in the photometry plan.
 - d. *Trees and landscaping.* To avoid conflicts, locations of all light poles and fixtures must be coordinated with the locations of all trees and landscaping whether existing or shown on the landscaping plan. Vegetation screens may not be employed to serve as the means for controlling glare. Glare control must be achieved through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.

(e) ~~Development order and permit criteria.~~ The applicant for any development order or building permit, as applicable under the provisions of this Code involving outdoor lighting fixtures, must submit as part of the application evidence that the proposed work will comply with the outdoor lighting standards of this Code. Specifically, the submission must include the following:

1. ~~Plans indicating the location on the premises and the type of illuminating devices, fixtures, lamps, supports, reflectors and other devices.~~
2. ~~A detailed description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description must include manufacturer's catalogue cuts and drawings, including pictures, sections, and proposed wattages for each fixture.~~
3. ~~All applications for development orders or building permits, except for single family and duplex building permits, must provide photometric data, such as that furnished by the manufacturer of the proposed illuminating devices, showing the angle of cut-off and other characteristics of the light emissions including references to the standards contained herein.~~
4. ~~All applications for development orders or building permits, except for single family and duplex building permits, must provide photometrics in initial footcandles output for all proposed and existing fixtures on-site shown on a 20-foot by 20-foot grid on an appropriately scaled plan. On-site lighting to be included in the calculations must include, but is not limited to, lighting for parking lot, canopies, and building mounted and recessed lighting along the building facades and overhangs. The photometric plan must include a table showing the average, minimum, and maximum footcandles of illumination on the site and within 50 feet of the site and the calculations deriving the averages. Evidence must be provided demonstrating that the proposed lighting plan will comply with the requirements of this Code. The use of a light loss factor (LLF) is not permitted in these photometrics. This photometric plan must be coordinated with the landscape plan to identify the location of trees and other landscaping features with respect to the lighting devices. Rejection or acceptance of the photometric plan will be based on this Code.~~

(f) ~~Compliance.~~

1. ~~Prior to the final inspection for a Certificate of Compliance pursuant to Section 10-183, site-verified footcandle readings must be provided demonstrating that the outdoor lighting, as installed, conforms with the proposed photometrics and the letter of substantial compliance provided by a registered professional engineer must include a certification that the outdoor lighting is in compliance with this Code.~~
2. ~~If any outdoor light fixture or the type of light source therein, is changed after the permit or development order has been issued, a change request or development order amendment must be submitted for approval together with adequate information to ensure compliance with this Code. This request or amendment must be approved prior to the installation of the proposed change.~~
3. ~~Outdoor lighting must be maintained in compliance with this Code.~~

Chapter 34, ARTICLE VII, DIVISION 8.

Sec. 34-1352. Display, sale, rental or storage for motor vehicles, boats, recreational vehicles, trailers, mobile homes or equipment.

Purpose and intent. The purpose of this section is to ensure that all establishments engaged in the outdoor display, sale, rental or storage of motor vehicles, boats, recreational vehicles, trailers, mobile homes, construction or farm

equipment, or other similar items do not adversely impact adjacent land uses, especially residential land uses. The high levels of traffic, glare, and intensity of use associated with these uses may be incompatible with surrounding uses, especially residential uses. Therefore, in the interest of protecting the health, safety and general welfare of the public, the following regulations will apply to the location, layout, drainage, operation, landscaping, and permitted sales and service activities:

No proposed amendments to subsection (a) through subsection (e).

- (f) *Lighting.* Site lighting must be designed in accordance with Section ~~34-62510-262~~.

No proposed amendments to subsection (g) through subsection (i).

Sec. 34-1353. General provisions.

- (a) *Purpose and intent.* The purpose and intent of this section is to ensure that establishments such as convenience food and beverage stores with or without gas pumps, automobile service stations with or without gas pumps, fast food restaurants, and car washes, accessory or stand alone, do not adversely impact adjacent land uses. The hours of operation, high levels of traffic, noise, glare and intensity associated with these uses may be incompatible with surrounding uses, specifically residential uses. In the interest of protecting the health, safety and welfare of the public, the following regulations apply to the location, design, operation, landscaping and related activities.

No proposed amendments to subsection (b) through subsection (f).

- (g) *Canopies.*

- (1) Flat-roof canopies are allowed unless prohibited by conditions in a Planned Development. Canopies must be consistent with the architectural design, predominant color and features of the principal structure.
- (2) Canopy lighting must comply with Section ~~34-62510-262~~(d)(4)c.
- (3) Canopies must be consistent with the predominant color of the principal structure.

No proposed amendments to subsection (h) through subsection (i).

AMENDMENT SUMMARY

Issue: Current Land Development Code (LDC) regulations lack clarity regarding decision-making authority for Lee County's one-time turn lane extension exemption. This ambiguity creates uncertainty about which department is responsible for approvals in different roadway scenarios.

Solution: Amend Chapter 10 of the LDC to clarify and explicitly define decision-making authority:

- For **private roads**, the Manager of Development Services (or designee) will have approval authority.
- For **County-maintained public roadways**, the Director of the Lee County Department of Transportation (or designee) will have approval authority.

These amendments ensure clear and consistent application of the exemption process.

Outcome: Establishes a clear and transparent framework for determining the appropriate decision-maker for Lee County's one-time turn lane extension exemption, reducing ambiguity and improving administrative efficiency.

Sec. 10-288. Turn lanes.

Access to streets will not be permitted unless turn lanes are constructed by the applicant where turning volumes make such improvements necessary to protect the health, safety and welfare of the public or to reduce adverse traffic impacts on the adjacent street system. Turn lanes must be designed in accordance with standards set forth in the County Administrative Code. Turn lane design must accommodate bicycle and traffic in a manner similar to Illustration 10-288 and must include or replace existing widths of paved shoulders or bicycle lanes. An existing development may request a one-time exception wherein only the expansion will be used to calculate the traffic generated by the development for the purpose of determining whether turn lanes are required. Requests on County-maintained roadways are subject to approval by the Director of the Department of Transportation, or their designee. Requests on private roads are subject to approval by the Manager of Development Services, or their designee. The decision of the Director or Manager is discretionary and may not be appealed. After utilization of the one-time exception, the further expansion of a facility will be added to the existing facility for the purpose of calculating traffic generation and the entire development (existing and expansion) will be deemed a new development.

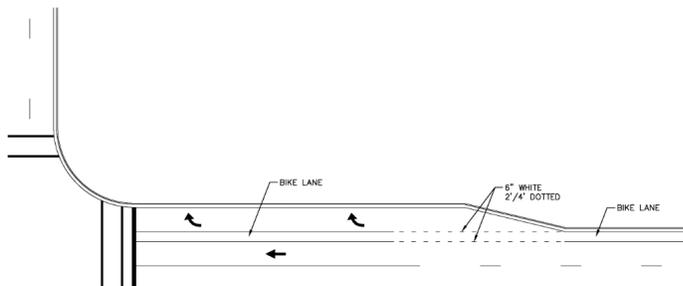


Illustration 10-288
Driveway or Intersection
Right Turn With Bike Lane

Wherever turn lanes are installed, the pavement and base material type and thickness of the added lane must match existing lanes. If the addition of a turn lane requires a lateral shift of the centerline or other lanes, the entire pavement area must be re-surfaced to create matching surfaces throughout. New and replacement pavement markings must be provided.

On arterial or collector streets with restrictive medians, existing parcels with insufficient road frontage to meet the minimum connection spacing required in Table 1 may be required to extend and utilize an adjacent existing right-turn lane.