

Land Development Code Reorganization and Updates

Summary and Table of Contents

Purpose. This table summarizes the proposed Land Development Code amendments by chapter, section, topic, description of the amendment, and page number. Related amendments may be grouped where they address the same subject, and technical or conforming edits may be summarized with the primary amendment.

Legend:

Single Underline means that something new has been added.

Double Underline means that something was relocated from a different Land Development Code Section.

~~Strikethrough~~ means something was removed.

Special Note: If a Section from the Land Development Code is not listed or shown within the packet, this means the Section remains and is not being edited or moved.

CHAPTER 2 – ADMINISTRATION

LDC Section(s)	Topic	Summary of Amendment	Page(s)
2-143, 2-146, 2-148, 2-149, 2-152	Bonus Density / TDU Program	Updates terminology and references associated with Lee Plan changes to community plan areas and planning districts.	1–2
2-440	Reasonable Accommodation	Establishes a process for reasonable accommodation requests for certified recovery residences consistent with Florida law.	2–3

CHAPTER 10 – DEVELOPMENT STANDARDS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
10-7	General Requirements	Removes obsolete Chapter 33 applicability language.	3–4
10-101	Development Orders	Adds an exception for qualifying County facilities approved by the Board.	4
10-329	Excavations	Streamlines excess spoil removal approvals and removes an unnecessary special exception requirement.	4–5
10-355	Utilities	Removes obsolete Compact Planned Development and Chapter 32 provisions.	5
10-416, 10-424, 10-425	Open Space / Landscaping	Updates landscaping and buffering provisions, removes obsolete community plan and cross-references, and deletes redundant requirements.	5–6
10-531–10-541	Lakes Park Regional Watershed	Deletes obsolete Lakes Park Regional Watershed regulations that are no longer consistent with current stormwater regulations and the Lee Plan.	6–9

CHAPTER 14 – ENVIRONMENT AND NATURAL RESOURCES

LDC Section(s)	Topic	Summary of Amendment	Page(s)
14-1	Community Plan Areas	Deletes obsolete Chapter 33 community plan applicability provisions.	9
14-374, 14-385	Tree Protection / Greater Pine Island	Relocates applicable Greater Pine Island environmental regulations and definitions from Chapter 33 and updates related references.	10–11

CHAPTER 30 – SIGNS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
30-2, 30-4, 30-6	General Sign Regulations	Updates definitions and sign permit provisions and incorporates a relocated residential nameplate standard.	11–12
30-56	Community Plan Areas	Deletes obsolete Chapter 33 community plan applicability provisions.	12
30-153	Permanent Signs	Removes obsolete community-specific sign provisions and updates related Lee Plan and roadway references.	12–14

CHAPTER 33 – COMMUNITY PLAN AREA REGULATIONS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Chapter 33	Community Plan Regulations	Deletes Chapter 33 in full. Applicable regulatory provisions are relocated to other LDC chapters as appropriate.	14

CHAPTER 34 – ZONING

ARTICLE I – IN GENERAL

LDC Section(s)	Topic	Summary of Amendment	Page(s)
34-2	Definitions	Revises, adds, deletes, and relocates definitions needed to support the proposed amendments and the relocation of applicable Chapter 33 regulations.	14–17
34-4	County Facilities	Clarifies zoning applicability for County facilities approved by the Board.	17
34-6	Community Plan Areas	Deletes obsolete Chapter 33 applicability provisions as part of the broader relocation and consolidation of community-specific regulations.	17

ARTICLE II – ADMINISTRATION

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 2: 34-83 Division 3: 34-145	Decision-Making / Judicial Review	Updates Board and Hearing Examiner authority and judicial review provisions, including elimination of the unique Board appeal process for wireless communication facility decisions.	17–19
Division 5: 34-174	Administrative Actions	Updates administrative approval authority, removes obsolete Chapter 33 references, aligns alcoholic beverage approvals, and establishes an administrative process for qualifying amendments to approved special exceptions.	20–21
Division 6: 34-200–202	Zoning Applications	Clarifies when an application is complete and streamlines general zoning application and submittal requirements.	22
Division 7: 34-231	Public Hearings / Participation	Clarifies participation, evidence, and testimony requirements for quasi-judicial zoning proceedings.	23

ARTICLE IV – PLANNED DEVELOPMENTS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 1: 34-341	PD Thresholds	Updates planned development applicability and terminology and relocates related provisions from elsewhere in the LDC.	24

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 2: 34-371, 34-372, 34-373, 34-375, 34-376, 34-377, 34-378, 34-379, 34-380, 34-381	PD Application / Approval Process	Eliminates redundant and outdated procedural language and clarifies planned development application requirements, amendment procedures, and required information.	24–32
Division 3: 34-411, 34-412, 34-413, 34-414, 34-415	PD Development Standards	Streamlines planned development standards, including open space and related provisions, and removes language duplicated elsewhere in the LDC.	33–35

ARTICLE VI – DISTRICT REGULATIONS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 1: 34-612, 34-613, 34-614, 34-615, 34-621, 34-622, 34-623	Zoning District Framework	Updates the zoning district framework, removes redundant explanatory language, and corrects or consolidates related provisions.	35–39
Division 2: 34-653, 34-654	Agricultural District Use / Development Tables	Updates agricultural use and development tables, including removal of outdated or duplicative cross-references and targeted substantive revisions.	39–42
Division 3: 34-691, 34-694, 34-695, 34-713, 34-714, 34-715, 34-731, 34-735, 34-736	Residential District Use / Development Tables	Updates residential use and development tables, removes redundant or outdated provisions, and corrects related cross-references.	42–49
Division 4: 34-762, 34-763, 34-767, 34-768	Recreational Vehicle Use / Development Tables	Updates recreational vehicle district regulations and use/development tables, including revisions for consistency with state law.	49–50
Division 5: 34-813, 34-814	Community Facilities Use / Development Tables	Updates community facilities use and development tables and removes obsolete or duplicative cross-references.	51–52
Division 6: 34-844, 34-845	Commercial Use / Development Tables	Updates commercial use and development tables, removes outdated or duplicative cross-references, and incorporates targeted substantive revisions.	52–60
Division 7: 34-873, 34-874	Marine-Oriented District Use / Development Tables	Updates marine-oriented use and development tables and removes outdated or duplicative cross-references.	60–61
Division 8: 34-903, 34-904	Industrial Use / Development Tables	Updates industrial use and development tables and removes outdated or duplicative cross-references.	61–63
Division 9: 34-931–34-936, 34-939, 34-941	Planned Development Use / Development Tables	Updates planned development use and development regulations, relocates applicable provisions, and removes redundant or outdated requirements and cross-references.	63–73

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 10: 34-1036, 34-1040	Special Purpose Districts	Corrects outdated cross-references and related procedural provisions for special purpose districts.	73–74
Division 11, Subdivision I: 34-1080–34-1090	Redevelopment Overlay Districts	Deletes the obsolete Redevelopment Overlay District subdivision, which is no longer applicable within unincorporated Lee County.	74–79
Division 11, Subdivision II: 34-1091–34-1093	San Carlos Island Overlay	Relocates the San Carlos Island Redevelopment Overlay District regulations from Chapter 33 into Chapter 34 and updates numbering and cross-references.	79–88
Division 13: 34-1125–34-1151 New Division and Regulations	District-Specific Development Regulations	Consolidates and relocates applicable regulations for the North Fort Myers Commercial Corridor, Lehigh Acres Commercial Overlay, Matlacha Residential Overlay, and Northeast Lee County New Community.	89–102

ARTICLE VII – SUPPLEMENTARY DISTRICT REGULATIONS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 1: 34-1169, 34-1170, 34-1173, 34-1174, 34-1177, 34-1180	General / Accessory Regulations	Deletes redundant language, relocates provisions to more appropriate sections, and clarifies accessory use and structure regulations.	103–105
Division 5: 34-1264–34-1265	Consumption on Premises	Streamlines alcoholic beverage approvals by allowing qualifying indoor COP uses by right, retaining administrative review where compatibility concerns remain, and updating related approval provisions.	105–109
Division 7: 34-1322	Animal Clinics and Facilities	Revises the minimum setback applicable to animal clinics, kennels, and boarding facilities with outdoor facilities.	110
Division 8: 34-1351–34-1354 Division removed	Automotive Businesses; Convenience Food and Beverage Stores; Fast Food Restaurants	Deletes the division and relocates applicable automotive repair and service regulations to the use regulation tables.	110–113
Division 9: 34-1382–34-1387	Bus Depots, Stations and Terminals; Park-and-Ride Parking Lots	Deletes obsolete bus terminal provisions and relocates applicable parking standards to Section 34-2023.	113–114
Division 10: 34-1411, 34-1414	Care Facilities	Streamlines care-facility provisions and corrects related density cross-references.	115
Division 11: 34-1442, 34-1444–34-1447, 34-1450, 34-1451, 34-1453	Wireless Communication Facilities	Comprehensively updates WCF regulations, including public safety antenna-supporting structures, application requirements, review criteria, height and setback standards, landscaping, surety removal, and appeal procedures.	115–121
Division 12: 34-1493–34-1495	Density	Relocates and updates density-equivalent and residential density provisions, including Coastal Rural and Captiva Island standards.	121–123
Division 14: 34-1611–34-1617 Division removed	Essential Services and Facilities	Deletes the division because applicable essential service facilities are addressed by state law or other existing LDC regulations.	123

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 15: 34-1651 Division removed	Excavation Activities	Deletes the division because excavation activities are regulated elsewhere in the LDC.	124
Division 16: 34-1711	Agritourism Activities, Produce Stands, and U-Pick Operations	Updates agritourism provisions for consistency with revised definitions and related regulations.	124
Division 17: 34-1748	Entrance Gates and Gatehouses	Restores previously omitted turn-around requirements for gated access without substantive change.	124
Division 18: 34-1773	Live-Work Units	Corrects an outdated cross-reference.	124
Division 19: 34-1803, 34-1805 Sections removed	Hotels / Motels and Captiva Density	Deletes obsolete hotel/motel provisions and relocates the Captiva residential density limitation to the density regulations.	125
Division 23: 34-1921, 34-1922 Division removed	Mobile Homes	Deletes redundant mobile home provisions addressed by the Florida Building Code and applicable permitting procedures.	125
Division 24: 34-1953, 34-1954	Speculative and Model Homes / Model Units	Deletes obsolete speculative home provisions and relocates applicable Lehigh Acres model home regulations for countywide application.	125–127
Division 26: 34-2011, 34-2012, 34-2021, 34-2023	Parking	Consolidates, relocates, and updates parking regulations; removes provisions duplicated elsewhere in the LDC; and updates use-specific parking and stacking requirements.	127–128
Division 28: 34-2081–34-2086 New Division and Regulations	Coastal Rural Development Standards	Relocates Coastal Rural development regulations from Chapter 33 into Chapter 34 and updates related cross-references and terminology.	129–134
Division 29: 34-2111 Division removed	Private Clubs, Fraternal Clubs and Membership Organization Clubs	Deletes an unnecessary district-use applicability provision.	134
Division 30, Subdivision II: 34-2175	Height Limitations	Relocates applicable community-specific provisions and updates height standards for special areas and Lee Plan future land use categories.	134–136
Division 30, Subdivision III: 34-2192	Setbacks	Deletes a redundant street setback exception.	136
Division 33: 34-2411 Division removed	Signs	Deletes the redundant zoning sign provision because signs are regulated in Chapter 30.	136

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 36: 34-3001, 34-3005	Storage Facilities and Outdoor Display of Merchandise	Removes obsolete cross-references and storage requirements addressed by current state and federal regulations.	136–137
Division 37, Subdivision II: 34-3041, 34-3042, 34-3047, 34-3049, 34-3050	Temporary Uses	Updates temporary use provisions, relocates applicable community-specific language, corrects cross-references, and removes obsolete requirements.	137–139
Division 39: 34-3105, 34-3106, 34-3108	Use, Occupancy and Construction Regulations	Updates shipping-container regulations, removes a state-preempted residential design standard, and relocates Pine Island commercial fishing equipment storage provisions from Chapter 33.	139–140

ARTICLE VIII – NONCONFORMITIES

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Division 1: 34-3202–34-3205	Nonconformities, General	Deletes redundant or obsolete provisions, relocates a definition, and streamlines general nonconformity regulations.	140–141
Division 2: 34-3223, 34-3224	Nonconforming Use of Land	Clarifies discontinuance of nonconforming uses associated with zoning actions and deletes redundant provisions.	141
Division 3: 34-3241	Nonconforming Buildings and Structures	Relocates a definition and deletes outdated or redundant nonconforming structure provisions.	141–143
Division 4: 34-3271, 34-3274	Nonconforming Lots	Updates nonconforming lot terminology and clarifies development standards for mobile home and recreational vehicle lots of record.	143

APPENDIX I – PLANNING COMMUNITY AND REDEVELOPMENT OVERLAY DISTRICT BOUNDARIES AND LEGAL DESCRIPTIONS

LDC Section(s)	Topic	Summary of Amendment	Page(s)
Appendix I	Planning Community / Redevelopment Overlay Boundaries	Deletes Appendix I in full as part of the relocation and removal of community plan and redevelopment overlay provisions.	143