

CHAPTER 34

ARTICLE IV. SUPPLEMENTAL REGULATIONS

DIVISION 26. - PARKING

Sec. 34-2011. Types of parking facilities.

Parking facilities in the Town of Fort Myers Beach take a variety of forms, generally classified as follows:

- (1) *Single-purpose parking lots.* Single-purpose parking lots are designed to serve individual businesses, multiple-family buildings, mixed-use buildings, and multiple-occupancy complexes. Single-purpose parking lots are usually located on the same parcel as the use(s) they serve and may include parking spaces under a building or in a parking garage.
 - a. Most single-purpose parking lots are considered by this code to be accessory uses of land (§ 34-1171 of this chapter) and thus can be built to serve any permitted principal use on the same parcel of land.
 - b. Some single-purpose parking lots serve two or more non-abutting parcels, as provided in § 34-2018 of this chapter for joint-use parking lots.
 - c. Designated Surplus parking spaces in some single-purpose parking lots may be rented to the general public during peak periods, as provided in subsection 34-2019(a) of this chapter.
- (2) *Shared parking lots.* Shared parking lots are open to the public, generally for a fee, regardless of the destination of the person parking there. Shared parking lots may be operated as a private business or by a governmental entity, and may include a surface parking lot and/or a parking garage.
 - a. Permanent shared parking lots are considered a principal use of a parcel of land and may be approved in certain zoning districts only by special exception or through the planned development zoning district procedures.
 - b. Parking garages that operate in whole or part as shared parking lots are also considered a principal use of land and may be approved only through the planned development zoning district procedures (see §§ 34-620(d) and 34-676(e) of this chapter).
- (3) *On-street parking.* Governmental entities sometimes provide on-street parking spaces, usually with parking meters, that are available for use by the public regardless of their destination. On-street parking is closely related to the functioning of the adjoining street and is provided as a public works project rather than being regulated as a land development activity by this code.

Sec. 34-2012. Definitions.

For purpose of this division only, certain words or phrases are defined as follows:

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 applies to parking lots where vehicles are parked for relatively short periods of time ranging from a few minutes to several hours. Customer parking for retail stores, restaurants, bars, offices, or similar establishments is considered to be high turnover.

Low turnover applies to parking where vehicles are parked for relatively long periods of time, such as employee parking during the day, uses such as beach parking or marina parking where customers typically leave their cars for periods of several hours or more, and overnight parking in residential developments.

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 ~~which~~ 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. Some parking spaces are designated as disabled spaces.

Surplus parking spaces means additional parking spaces above and beyond those spaces required by the Land Development Code to support specific land uses (see § 34-2020 for required parking spaces by land use).

Sec. 34-2013. Access.

(a) Each parking lot must have a distinct parking lot entrance. Such entrance must meet the requirements of LDC ch. 10 ~~of this LDC~~, as well as the following:

- (1) Minimum width at the property line for one-way entrances is ten feet.
- (2) Minimum width at the property line for two-way entrances is 20 feet.
- (3) Maximum width at the property line is 25 feet.

The director may determine that traffic volumes, truck traffic, or other special circumstances warrant other requirements.

(b) Parking lot entrances must not exceed a six percent grade for 20 feet into any lot or parcel. A parking lot entrance must not 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 and two-family dwelling units, and must be submitted for review and approval in accordance with LDC ch. 10 ~~of this LDC~~. Developments that are not required to be approved in accordance with chapter 10 must submit plans to the director prior to issuance of a building permit. The plan must accurately designate the required parking spaces, parking aisles, and parking lot entrance, as well as the relation of any off-street parking facilities to the uses or structures such facilities are designed to serve.

Sec. 34-2015. Location and design.

The location and design of all parking lots must comply with the following provisions:

- (1) *Location.* Parking spaces that are required to support specific land uses (see § 34-2020 ~~of this chapter~~) must be provided on the same premises and within the same zoning district as the use they serve, except in the Downtown zoning district as provided in § 34-676(a) ~~of this chapter~~. Joint-use parking lots are regulated by § 34-2018 ~~of this chapter~~.
- (2) *Design.* In addition to the requirements set forth in this division, all parking lots must be designed in accordance with the buffer, landscaping, drainage, and other requirements of this code.
- (3) *Lighting.* If the parking lot is to be used at night, adequate lighting must be provided for the driveways, ingress, and egress points, and parking areas of all commercial and

industrial uses. Such lighting must be so arranged and directed as to eliminate glare on any other use, and must comply with applicable sea turtle lighting restrictions in LDC ch. 14 of this LDC.

- (4) *Stacking.* All individual parking spaces must be accessible from a parking aisle intended to provide access to the space. Stacking of vehicles (one behind the other) may be permitted only where each dwelling unit has a specific garage or driveway appurtenant to it and in valet parking facilities wherein parking is performed only by employees of the facility.
- (5) *Exiting.* All parking lots must be provided with sufficient maneuvering room so as to allow an exiting vehicle to leave the parking lot in a forward motion, except where approved by the director under the following conditions:
 - a. The right-of-way is a local street and:
 - 1. There is insufficient room on the parcel for vehicles to turn and exit in a forward direction; and
 - 2. The number of parking spaces backing out are no more than the minimum required by this division to serve existing buildings; or
 - b. The parking spaces are in the "pedestrian commercial" category of the comprehensive plan and do not unduly interfere with critical congested road segments or the normal usage of existing or proposed sidewalks.
- (6) *End spaces.* Parking lots utilizing 90 degrees parking with dead-end aisles must provide a turning bay for those spaces at the end of the aisle.
- (7) *Pedestrian system.* In any parking lot where more than one tier of parking spaces is to be developed, walkways must be provided ~~which~~that accommodate safe and convenient pedestrian movement.

Sec. 34-2016. - Dimensional requirements; delineation of parking spaces.

In addition to satisfying all other provisions of this division, the arrangement and spacing of off-street parking lots must conform to the following requirements:

- (1) *Minimum dimensions.* Minimum aisle widths and parking space dimensions shall ~~bear~~be as follows:

Angle of Parking	AISLE WIDTHS		PARKING SPACES	
	One-Way (feet)	Two-Way (feet)	Width (feet)	Length (feet)
Parallel	10	20	7	20
45°—50°	11	20	8.5	
55°—60°	14	22	8.5	
70°—75°	17	22	8.5	
90°	20	22	8.5	18

- (2) *Effect of minimum dimensions on size of parking lots.* The following table illustrates the effect of the minimum aisle and parking space dimensions on the size of parking lots, keyed to the dimensions indicated in Figure 34-31:

DIMENSION (in feet):		45°	60°	75°	90°
Stall width	A	8.5	8.5	8.5	8.5
Stall width (parallel to aisle)	B	12.0	9.8	8.8	8.5
Aisle width (one-way travel)	C	11.0	14.0	17.0	20.0
Stall depth (interlock)	D	15.3	17.5	18.6	18.0
Stall depth (to wall)	E	17.5	19.1	19.4	18.0
Module (interlocking)	F	41.6	49.0	54.2	56.0
Module (wall to interlock)	G	43.9	50.6	55.0	56.0
Module (wall to wall)		46.0	52.2	55.8	56.0

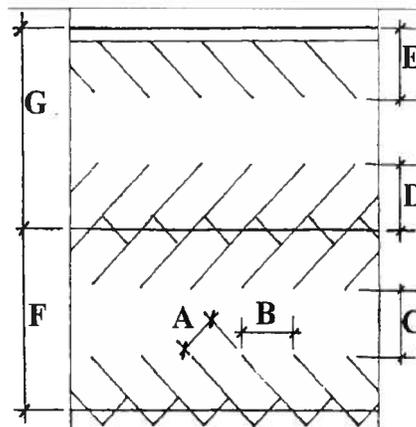


Figure 34-31

- (3) *Disabled space dimensions.* Individual disabled parking space dimensions must be 12 feet by 18 feet. Parking access aisles must be no less than five feet wide and must be part of an accessible route to the building or facility entrance. These dimensions do not guarantee compliance with the Americans with Disabilities Act (ADA) of 1990.

- (4) *Delineation of spaces.*
- a. *Paved parking lots.*
 1. Parking spaces must be delineated by all-weather painted lines, not less than four inches in width, centered on the dividing line between spaces.
 2. Parking spaces for the disabled 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 and must be posted with a permanent above-grade sign bearing the international symbol of accessibility and the caption "PARKING BY DISABLED PERMIT ONLY." Signs erected after October 1, 1996 must indicate the penalty for illegal use of these spaces.
 - b. *Unpaved parking lots.*
 1. Perimeter parking spaces in unpaved parking lots must be delineated by placing a parking block three feet from the end of the parking space and centered between the sides of the space.
 2. If a perimeter space abuts a structure, the space may be indicated on the structure, in which case parking blocks are not required.
 3. Parking spaces for the disabled must be clearly distinguishable as a parking space designated for persons who have disabilities and must be posted with a permanent above-grade sign bearing the international symbol of accessibility and the caption "PARKING BY DISABLED PERMIT ONLY." Signs erected after October 1, 1996 must indicate the penalty for illegal use of these spaces. Parking spaces for the disabled must comply with all other applicable requirements of state law and the Florida Building Code.

Sec. 34-2017. - Parking lot surfaces.

(a) *High turnover parking lots.* Except as provided in this section, all high turnover parking lot aisles and parking spaces must be a paved surface, except for the open space beyond parking blocks. The term "paved" means and includes asphalt, concrete, brick, paving blocks, porous (pervious) asphalt or concrete, and other similar treatments. Clean (washed) angular gravel (such as FDOT #57 stone) may also be used if stabilized as provided in ~~subsection 34-2017(b)(1) of this section.~~

- (1) Any parking spaces that may be permitted, seaward of the 1978 coastal construction control line shall be stabilized with best management practices approved by the director.
- (2) All disabled parking spaces, including disabled parking spaces seaward of the coastal construction control line, must comply with applicable requirements of state law and the Florida Building Code.

(b) *Low turnover parking lots.* Due to the low volume of vehicle turnover in this type lot, alternative unpaved parking lot surfaces may parking lot can be provided for some or all of the required parking spaces for two or more unrelated businesses also be permitted provided that the areas are adequately drained and continuously maintained in a dust-free manner.

- (1) Alternative surfaces may include stabilized surfaces of grass or clean (washed) angular gravel over a well-drained base, or other similar porous materials. Stabilization may be accomplished by turfblocks (concrete or plastic) or proprietary cellular or modular porous paving systems installed in accordance with manufacturers' specifications.
- (2) Crushed limerock that has not been washed or otherwise processed to remove fine particles will be permitted as a surface material only when designed, placed, and maintained in a manner that will:

- a. Prevent the flow of sediment-laden runoff from the lot; and
 - b. Keep the surface dust-free at all times.
- (3) The use of unimproved surfaces such as sand or dirt as approved parking ~~shall be~~ is prohibited.
- (4) Disabled spaces must comply with applicable requirements of state law and the Florida Building Code.
- (c) *Reduced surfacing standards.*
- (1) The director is authorized to permit portions of high turnover parking lots (including parking lot aisles), to meet the surfacing standards for low turnover parking lots (~~subsection §34-2017(b)(1), above~~) when the reduced surfacing standard will be used in those portions of the parking lot expected to receive the lightest usage, such as overflow or employee parking areas.
- (2) This subsection ~~must~~ may not be construed ~~inconsistently~~ in a manner inconsistent with the Americans with Disabilities Act (ADA) of 1990.
- (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 that:
- (1) The applicant clearly shows the reserved parking spaces on the site plan;
 - (2) The reserved parking areas must not be counted towards the minimum open space or landscaping or buffering requirements of this chapter or LDC chapter 10 ~~of this LDC~~;
 - (3) All drainage facilities ~~shall~~ must be calculated and built as though the reserved parking areas were impervious surfaces; and
 - (4) The reserved parking areas must not be used for any purpose other than landscaped open space or temporary overflow parking during special holiday seasons or sales.
- ~~Should~~If the property owner ~~decides~~ to pave the reserved area for parking, ~~he must submit~~ the original site plan or development order approval must be submitted to the director, who is authorized to approve the paving provided that such paving does not include any new entrances onto a public street. If the parking areas does involve new entrances, then a limited review development order is required.

Sec. 34-2018. - Joint use of parking lots.

- (a) A single-purpose parking lot can provide some or all of the required parking spaces for two or more unrelated businesses, provided that such joint-use parking lot:
- (1) Is built on a parcel where a commercial parking lot is permitted; and
 - (2) Is placed on the parcel so as not to violate any applicable build-to lines or block visibility of vehicles (see § 34-3131 ~~of this chapter~~); and
 - (3) Is built to the same standards as a single-purpose parking lot; and
 - (4) Is located within 750 feet of each business.
- (b) The peak parking demands of the different uses must occur at different times. The director may require an applicant to provide a technical analysis of the timing and magnitude of the proposed parking demands.
- (c) Applications for joint-use parking lots must include:

- (1) A notarized statement from all property owners involved indicating the use of each property and forecasting that the peak level of activities of for each separate building or use ~~which~~ creates a demand for parking that will occur at different times.
- (2) A draft joint-use parking agreement, acceptable to the town, that:
 - a. Specifically identifies the designated spaces that are subject to the agreement;
 - b. Includes a statement indicating that the parties understand that these designated spaces cannot be counted to support any use other than those identified in the agreement;
 - c. Identifies the current property uses, property owners, and the entity responsible for maintenance of the parking area;
 - d. Includes a backup plan to provide sufficient parking if the joint-use parking agreement is violated by either party.
- (3) Upon approval of the agreement by the town, the agreement(s) must be recorded in the Lee County public records at the applicant's expense.
- (4) A certified copy of the recorded joint-use parking agreement must be provided to the town before any joint-use of parking spaces may commence.

Sec. 34-2019. - Other use of parking lots.

(a) Designated surplus Pparking spaces that are not in daily use and are located in parking lots having ten or more delineated parking spaces and meeting the other requirements of this division may be rented to the general public ~~during peak periods~~ provided that a use permit has been obtained. The use permit application must include:

- (1) A survey of the subject property;
- (2) An analysis of the required parking spaces utilizing § 34-2020 for required parking spaces by land use;
- (3) A parking plan that includes the total number of parking spaces, the number of required parking spaces to accommodate existing uses of the subject parcel, and the number of designated surplus parking spaces provided;
- (4) The parking plan must include the location of the designated surplus parking spaces and the methodology (such as parking block, signage, or pavement markings such as paint) of delineating the surplus parking spaces;
- (5) Any signage advertising designated surplus parking spaces must be in conformance with the requirements of chapter 30.

(b) The following structures and uses may be approved in parking lots by the director, provided that a site plan is submitted showing that the structure will not reduce the parking spaces required for the principal use, or create a traffic or pedestrian hazard:

- (1) Charitable or other similar drop-off collection stations.
- (2) Aluminum can or other similar receiving machines or facilities.
- (3) Photo pickup stations.
- (4) Telephone booths and pay telephone stations.
- (5) Automatic teller machines (ATMs).
- (6) Other similar uses that do not unreasonably interfere with the normal functioning of the parking lot.

(c) Except as provided in this section and for ancillary temporary uses as provided in § 34-3048 of this chapter, required parking areas must not be utilized for the sale, display, or storage of merchandise, or for repair, dismantling, or servicing of any vehicles or equipment. This subsection does not prohibit a residential property owner from the occasional servicing of his own noncommercial vehicle or conducting normal residential accessory uses.

Sec. 34-2020. - Required parking spaces.

(a) *New developments.* New residential and nonresidential uses must provide off-street parking spaces in single-purpose parking lots in accordance with the standards specified in this section, as modified by certain reductions as provided in the Downtown and Santini zoning districts (see division 5 of article III of this chapter).

(b) *Existing developments.* Existing buildings and uses may be modernized, altered, or repaired without providing additional parking spaces, if there is no increase in total floor area or capacity.

(1) Existing buildings or uses enlarged in terms of floor area must provide additional parking spaces for the enlarged floor area in accordance with the standards specified in this section.

(2) When the use of a building is changed to a different use that is required to have more parking than exists, the additional parking must be provided in accordance with the standards specified in this section.

(c) *Bicycle parking.* Commercial, multiple-family, and mixed-use buildings may eliminate one required parking space by providing and maintaining a bicycle rack able to hold four bicycles.

(d) *Minimum parking standards.*

(1) *Residential uses.*

a. *Dwelling units with individual driveways:* The minimum requirement is 2.0 spaces for each dwelling unit. Stacking of vehicles in the driveway is permitted.

b. *Dwelling units with common parking lots:* Minimum requirements are as follows:

1. Studio or efficiency: 1.0 spaces per unit.

2. One bedroom: 1.25 spaces per unit.

3. Two bedrooms: 1.25 spaces per unit.

4. Three or more bedrooms: 1.5 spaces per unit.

5. Live/work units: 2.0 spaces per unit. Stacking of vehicles is not permitted except as provided in § 34-2015(5) of this chapter.

c. *Timeshare units:* Parking requirements are the same as for multiple-family buildings. If lock-off accommodations are provided, 0.5 extra spaces per lock-off unit are required.

d. *Living units without kitchens:* Living units that do not contain customary cooking facilities within the individual units but instead have a central kitchen for food preparation and where meals are served in a central dining area or individual rooms must provide one parking space per four residents or four beds (whichever is greater), plus ten percent.

e. Group quarters, excluding living units subject to subsection (d)(1)d. of this section. The minimum requirement is one parking space per bedroom or one space per two beds, whichever is greater.

(2) *Commercial uses.*

- a. *Bars and cocktail lounges.* The minimum requirement is 15 spaces per 1,000 square feet of total floor area. If outdoor seating is provided, an additional one space per four outdoor seats or 75 square feet of outdoor seating area (whichever is greater) must be provided. See also ~~subsection §34-2020(d)(2)h. of this section, pertaining to restaurants, and subsection §34-2020(d)(4) of this section.~~
- b. *Bed-and-breakfast inns.* The minimum requirement is one parking space for each guest room plus one space for the owners' quarters.
- c. *Car washes.* The minimum requirement is two spaces per car wash stall or space, plus drive-through facilities (see ~~subsection § 34-2020(d)(2)d. of this section~~). Each individual car wash stall or space may count as one of the required two parking spaces per stall.
- d. *Drive-through facilities.* Where permitted, any commercial establishment providing drive-through service windows or stalls must provide separate vehicle stacking for those uses. For the purpose of this section, a stacking unit is defined as 18 feet in length and nine feet in width. The total number of stacking units required is based on the type of business, as follows:
 1. *Banks and financial establishments:* Stacking lanes to accommodate three cars per window.
 2. *Car washes:* Stacking to accommodate one (1) car per service stall or three cars, whichever is greater.
 3. *Restaurants:* New or expanded drive-through facilities are not permitted for restaurants (see § 34-620(g) of ~~this chapter~~). For existing drive-through facilities that are being lawfully reconfigured, stacking lanes to accommodate six cars per service lane, with a minimum of four spaces preceding the menu board.
 4. *Other:* Stacking for two cars.
- e. *Hotels and motels.* The minimum requirement is 1.2 parking spaces for each guest unit up to 450 square feet and 1.5 spaces for each larger guest unit.
- f. *Offices.* This category includes offices of all types not specifically listed elsewhere, including banks and medical facilities. The minimum requirement is two spaces per 1,000 square feet of total floor area. See also ~~subsection § 34-2020(d)(2)d. of this section~~ pertaining to vehicle stacking for drive-through facilities.
- g. *Personal services.* The minimum requirement is five spaces per 1,000 square feet.
- h. *Restaurants.* With the exceptions noted below, the minimum parking requirements for restaurants is eight spaces per 1,000 square feet of total floor area plus any outdoor seating area.
 1. *Accessory restaurant.* When a restaurant is located within the same building as the principal use, and is clearly provided primarily for the employees and customers of the principal use, no additional parking spaces are required.
 2. *Bars and cocktail lounges.* If the restaurant contains a cocktail lounge or bar, the minimum requirement is eight spaces per 1,000 square feet of total floor area plus five additional spaces per 1,000 square feet of floor area used for the bar or cocktail lounge. If outdoor seating is provided,

parking must also be provided for the area used for outdoor seating at these same rates.

- i. *Retail stores, freestanding.* This subsection applies to individual retail or business establishments. Any retail establishment proposing drive-through facilities must also meet the requirements of ~~subsection §34-2020(d)(2) of this section.~~
 - 1. *Convenience food and beverage stores.* The minimum requirement is four spaces per 1,000 square feet of total floor area. 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 required for this area is the same as a restaurant. One parking space per four pumps will be credited against the required parking.
 - 2. *Other retail or business establishments.* The minimum parking requirement is three spaces for each 1,000 square feet of total floor area. Required parking for areas within the principal building that are used only for dead storage and are not available to the public is two spaces per 1,000 square feet.
- j. *Warehousing (mini-warehouses).* The minimum requirement is one space per 25 storage units, with a minimum of three spaces.
- k. *Wholesale establishments.* The minimum requirement is one space per company vehicle plus one space per 1,000 square feet of total floor area.

(3) *Miscellaneous uses.*

- a. *Educational institutions.*
 - 1. *Public schools.* Parking must be provided in compliance with state law.
 - 2. *Private or parochial schools and day care centers.* The minimum requirement is one space per employee plus one space for each 40 students.
- b. *Marinas and other water-oriented uses.* Minimum requirements are as follows:
 - 1. *Boat slips:* One space per two slips.
 - 2. *Dry storage:* One space per six unit stalls.
 - 3. *Charter or party fishing boat services:* One space per three people based on maximum passenger capacity of the boats using the dock or loading facility.
 - 4. *Cruise ships:* One space per three people based on the maximum passenger and crew capacity of the ship.
 - 5. *Water taxis:* Dedicated parking spaces are not required at stopping points for water taxis or water shuttles.
 - 6. *Other uses:* Other uses including accessory or ancillary marina uses such as restaurants, bars, or lounges, boat sales, etc. must be calculated separately in compliance with this division.
- c. *Museums, art galleries, libraries, and other similar uses not covered elsewhere:* The minimum requirement is one parking space for each 500 square feet of total floor area.
- d. *Places of worship and religious facilities.* Refer to division 27 of this article.
- e. *Recreation facilities, indoor.* The minimum requirement is one parking space for each 150 square feet of total floor area.

- f. *Theaters, auditoriums, meeting halls, and other similar places of public assembly, not covered elsewhere.* The minimum requirement is one parking space for each four seats plus one space per employee.
 - g. *Carnivals, fairs, and amusement attractions and devices.* The minimum requirement is five parking spaces provided for each permanent amusement device.
- (4) *Combined uses.* The number of parking spaces required for combined uses is the total of the spaces required for each separate use established by this schedule. Exceptions are as follows:
- a. *Joint use of parking lots.* As provided in § 34-2018 of this chapter.
 - b. *Multiple-occupancy complexes.* This subsection applies to multiple-occupancy complexes where five or more individual business establishments are located and that all share a common parking area. Specifically excluded from this subsection are theaters and hotels. Minimum requirements are as follows:
 - 1. If the complex contains less than 25 percent of its gross floor area as restaurants, bars, and cocktail lounges, two spaces per 1,000 square feet.
 - 2. If the complex contains 25 percent to 50 percent of its gross floor area as restaurants, bars, and cocktail lounges, four spaces per 1,000 square feet.
 - 3. If the complex contains 50 percent to 75 percent of its gross floor area as restaurants, bars, and cocktail lounges, six spaces per 1,000 square feet.
 - 4. If the complex contains over 75 percent of its gross floor area as restaurants, bars, and cocktail lounges, eight spaces per 1,000 square feet.
- (5) *Uses not specifically listed.* Uses not specifically mentioned in this chapter must provide the same number of off-street parking spaces as for the most similar use.

Sec. 34-2021. - Reserved.

Sec. 34-2022. - Reserved.

Secs. 34-2023—34-2030. - Reserved.