

## *DIVISION 8. INDUSTRIAL DISTRICTS*

### **Sec. 34-901. Purpose and intent.**

(a) *Generally.*

- (1) The purpose and intent of the industrial districts is to regulate the continuance of certain land uses and structures lawfully existing as of August 1, 1986, which were originally permitted by the County Zoning Regulations of 1962, as amended, or 1978, as amended.
- (2) It is also the purpose and intent of the industrial districts to encourage industrial growth in accordance with the goals, objectives and policies set forth in the Lee Plan, and to guide most industrial growth into the future urban areas where required infrastructure exists or can be feasibly extended. However, some rural-oriented industrial activities will also be permitted in the nonurban areas.
- (3) In the industrial development land use category, offices and office complexes are only permitted when specifically related to adjoining industrial uses. Prior to issuance of any local development order, the developer must record covenants and restrictions for the property that limit any office uses to those which are specifically related to adjoining industrial uses as provided in Policy 1.1.7 of the Lee County Comprehensive Plan.

(b) *IL Light Industrial District.* The purpose and intent of the IL District is to permit the designation of suitable locations for and to facilitate the proper development and use of areas devoted to various light industrial and quasi-industrial commercial uses. While it is presumed that most industrial processes will take place within enclosed buildings, any activity not taking place within a building shall take place within a yard enclosed by an opaque wall or fence.

(c) *IG General Industrial District.* The purpose and intent of the IG District is to permit the designation of suitable locations for and to facilitate the proper development and use of areas devoted to various heavy industrial uses which have the potential of producing extensive adverse impacts on surrounding land uses or resources. Such uses include those which produce noise, odors or increased hazards of fire, or are generally incompatible with lower-intensity land uses.

(d) *IR Rural Industrial District.* The purpose and intent of the IR District is to designate and to facilitate the proper development and use of land of suitable character for limited industrial purposes in the nonurban area of the County. In the IR District, the uses of land are limited to industrial uses having a close or organic relation to the production of agricultural commodities and products, or which produce goods or provide services essential to agricultural activities.

(LDC 1994, § 34-901; Ord. No. 93-24, § 7(470.01), 9-15-1993; Ord. No. 94-24, § 24, 8-31-1994; Ord. No. 01-18, § 5, 11-13-2001; Ord. No. 04-05, § 1, 4-27-2004; Ord. No. 13-10, § 10, 5-28-2013)

### **Sec. 34-902. Applicability of use and property development regulations.**

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in the industrial districts for any purpose other than as provided in Section 34-903, pertaining to use regulations for industrial districts, and Section 34-904, pertaining to

property development regulations for industrial districts, except as may be specifically provided for in Article VIII of this chapter, or in Section 34-620.

(LDC 1994, § 34-902; Ord. No. 93-24, § 7(470.02), 9-15-1993; Ord. No. 98-11, § 5, 6-23-1998)

**Sec. 34-903. Use regulations table.**

Use regulations for industrial districts are as follows:

Table 34-903. Use Regulations for Industrial Districts

	<i>Special Notes or Regulations</i>	<i>IL Note (14)</i>	<i>IG Note (14)</i>	<i>IR Note (14)</i>
Administrative offices		P	P	P
Agricultural services: office/base operations	Note (9)	—	—	P
Aircraft landing facility, private:				
Lawfully existing:				
Expansion of aircraft landing strip or helistop or heliport landing pad	Section 34-1231 et seq.	SE	SE	SE
New accessory buildings	Section 34-1231 et seq.	P	P	P
New:				
Aircraft landing strip or heliport, ancillary hangers, sheds and equipment	Section 34-1231 et seq.	SE	SE	SE
Helistop	Section 34-1231 et seq.	SE	SE	SE
Amateur radio antennas and satellite earth stations when accessory to an existing principal use	Section 34-1175	Refer to Section 34-1175 for regulations.		
Animals:				
Animal clinic	Section 34-1321 et seq.	P	P	P
Animal kennel, when completely enclosed within a building	Section 34-1321 et seq.	P	P	P
Control center (including Humane Society)	Section 34-1321 et seq.	P	P	—
ATM (automatic teller machine)		P	P	—
Automobile repair and service (Section 34-622(c)(2)):				
Group I	Section 34-1351	P	P	—
Group II	Section 34-1351	P	P	—
Bar or cocktail lounge	Section 34-1261 et seq.	SE	SE	—
Blacksmith shop	Note (9)	P	P	P
Boat ramps		EO/SE	EO/SE	—
Brewpub	34-1261 et seq.	SE	SE	—
Broadcast studio, commercial radio and television	Section 34-1441 et seq.	P	P	—
Building materials sales (Section 34-622(c)(4))	Section 34-3001 et seq.	P	P	—
Business services (Section 34-622(c)(5)):				
Group I		P	—	—
Group II		P	P	—
Bus station/depot	Section 34-1381 et seq.	P	P	—

Caretaker's residence	Note (17)	AA	AA	—
Caterers		P	P	—
Cleaning and maintenance services (Section 34-622(c)(7))		P	P	—
Cold storage warehouse and processing plant (including pre-cooling)		P	P	P
Communication facility, wireless	Section 34-1441 et seq.	Refer to Section 34-1441 et seq. for regulations.		
Computer and data processing services		P	P	—
Consumption on premises	Sections 34-1261 et seq., 34-2352	AA/SE	AA/SE	—
Contractors and builders (Section 34-622(c)(9)):				
Group I		P (1)	P	—
Group II		P (1)	P	—
Group III	Sections 34-1352, 34-2443, 34-3001 et seq.	P (1)	P(12)	—
Day care center, child	Notes (10), (13) & (16)	P	—	—
Day care center, adult	Notes (10), (13) & (16)	P	—	—
Emergency operations center		P	P	—
EMS, fire or sheriff's station		P	P	P
Entrance gates and gatehouses	Section 34-1741 et seq.	P	P	P
Essential services	Section 34-1611 et seq.	P	P	P
Essential service facilities:	Section 34-622(c)(13)			
Group I	Sections 34-1611 et seq., 34-1741 et seq.	P	P	P
Group II	Sections 34-1611 et seq., 34-1741 et seq.	EO	—	—
Group III	Section 34-1611 et seq., CFPD, IPD, or MPD only	EO	—	—
Excavation:				
Water retention	Section 34-1651	P	P	P
Oil or gas		SE	SE	SE
Farm equipment, sales, storage, rental or service	Sections 34-1352, 34-3001 et seq.	—	—	P
Farm machinery and tractor repair		—	—	P
Flea market, open		SE	—	—
Food truck park	34-2352, Note (18)	P/SE	P/SE	P/SE
Freight and cargo handling establishments (Section 34-622(c)(17))	Section 34-3001 et seq., Note (9)	SE	P	P (3)
Gasoline dispensing system, special		P	P	—
Hatcheries, poultry	Note (9)	—	—	P
Health care facility, Group III (Section 34-622(c)(20))	Note (4)	SE	SE	—
Health club or spa		P	P	—
Heliport or helistop	Section 34-1231	See aircraft landing facilities, private		
Impound yard	Note: 9	EO	EO	—
Laundry or dry cleaning (Section 34-622(c)(24)), Group II		P	P	—

Machine shop		P	P	—
Maintenance facility (government)	Note (2)	P	P	—
Manufacturing, repair or wholesale sales of:				
Apparel (Section 34-622(c)(1))	Note (9)	P	P	—
Boats	Note (9)	SE	P	—
Chemicals and allied products (Section 34-622(c)(6)):				
Group I	Note (9)	EO	EO	—
Group II:				
Cosmetics, perfumes, etc.	Note (9)	P (5)	P (5)	—
All other chemicals	Note (9)	—	EO	—
Electrical machinery and equipment (Section 34-622(c)(11))	Note (9)	P	P	—
Fabricated metal products (Section 34-622(c)(14)):				
Group II	Note (9)	SE	P	—
Group III	Note (9)	—	P	—
Food and kindred products (Section 34-622(c)(15)):				
Group I	Note (9)	—	P	P
Group II	Note (9)	P	P	P
Group III	Note (9)	P	P	—
Furniture and fixtures (Section 34-622(c)(18))	Note (9)	P	P	—
Leather products (Section 34-622(c)(25)):				
Group I	Note (9)	—	P	P
Group II	Note (9)	P	P	P
Lumber and wood products (Section 34-622(c)(26)):				
Group I	Note (9)	—	EO	EO
Groups II and IV	Note (9)	P	P	—
Group III	Note (9)	—	P	—
Group V	Note (9)	—	EO	—
Group VI	Note (9)	—	EO	—
Machinery (Section 34-622(c)(27)):				
Group I	Note (9)	P (6)	P	—
Group II	Note (9)	P (6)	P	—
Group III	Note (9)	—	P	—
Measuring, analyzing and controlling instruments (Section 34-622(c)(28))	Note (9)	P	P	—
Novelties, jewelry, toys and signs (Section 34-622(c)(29)), Groups I, II and III	Note (9)	P	P	—
Paper and allied products (Section 34-622(c)(31)):				
Group II	Note (9)	P	P	—
Group III	Note (9)	P (7)	P	—
Rubber and plastic products (Section 34-622(c)(44)):				
Group I	Note (9)	—	EO	—
Group II	Note (9)	P	P	—
Stone, clay, glass or concrete products (Section 34-622(c)(48)):				

	Group I	Note (9)	P	P	—
	Group II	Note (9)	—	P	—
	Group III	Note (9)	P (8)	P	—
Textile mill products (Section 34-622(c)(50)):					
	Groups I and II	Note (9)	P	P	—
	Tobacco (Section 34-622(c)(51))	Note (9)	—	P	—
Transportation equipment (Section 34-622(c)(52)):					
	Group II	Note (9)	SE	P	—
	Groups I, III and IV	Note (9)	—	P	—
	Marina	Section 34-1862	EO	EO	—
	Mass transit depot or maintenance facility (government)		P	P	—
	Message answering service		P	P	—
	Micro-brewery, -distillery, -winery	34-1261 et seq.	SE	SE	—
	Mini-warehouse		P	P	—
	Mobile home dealers	Section 34-1352	P	P	—
	Motion picture production studios	Note (9)	P	P	—
	Nightclub	Sections 34-1201 et seq., 34-1261 et seq.	SE	SE	—
	Nonstore retailers (Section 34-622(c)(30)), all groups		P	P	—
	Oxygen tent services		P	P	—
	Parcel and express services		P	P	—
Parking lot:					
	Accessory		P	P	P
	Commercial	Note (15)	P	P	P
	Garage, public		—	—	—
	Park-and-ride	Section 34-1388	P	P	P
	Temporary	Section 34-2022	P	P	P
	Parks (Section 34-622(c)(32)), Group I	Note (2)	P	P	—
	Personal services (Section 34-622(c)(33)), Group III		P	P	—
	Photofinishing laboratory	Note (9)	P	P	—
	Place of worship	Note (16), Section 34-2051 et seq.	P	P	P
	Post office	Note (2)	P	P	—
	Printing and publishing (Section 34-622(c)(36))		P	P	—
	Processing and warehousing		P	P	—
Recreation facilities:					
Commercial ((Section 34-622(c)(38)):					
	Group I		—	—	P
	Group III & IV		P	P	—
	Personal	P	P	P	P
	Private—On-site	P	P	P	P
	Private—Off-site	SE	SE	SE	SE
	Recycling facility (df)		P	P	—
	Religious facilities	Notes (2) & (16), Section 34-2051 et seq.	P	P	—

Rental or leasing establishments (Section 34-622(c)(39)):					
	Group II	Sections 34-1201 et seq., 34-1352, 34-3001 et seq.	P	P	—
	Group III	Sections 34-1352, 34-3001 et seq.	P	P	—
	Group IV	Sections 34-1352, 34-3001 et seq., Note (9)	P	P	—
Repair shops (Section 34-622(c)(40)):					
	Groups I, II, III, and IV		P	P	—
	Group V	Note (9)	P	P	—
Research and development laboratories (Section 34-622(c)(41)):					
	Group I	Note (9)	—	—	P
	Groups II and IV		P	P	—
Restaurant (Section 34-622(c)(43)):					
	Group I		P	P	P
	Group II	Section 34-1261 et seq.	P	P	—
Resource recovery facilities:					
	Recovery facilities to produce energy	IPD only	—	EO	—
	Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises		P	P	P
	Schools, commercial (Section 34-622(c)(45))		P	P	—
Schools, noncommercial:					
	Lee County School District	Note (16), Section 34-2381	P	P	P
	Other	Note (16), Section 34-2381	—	—	—
	Self-service fuel pumps		—	P (11)	—
	Signs in compliance with Chapter 30		P	P	P
	Social services (Section 34-622(c)(46)), Group II	Note (9)	P	P	—
Storage:					
	Indoor	Section 34-3001 et seq.	P	P	P (3)
	Open	Sections 34-3001 et seq., 34-1352	P	P	P (3)
	Studios (Section 34-622(c)(49))		P	P	—
	Temporary uses		TP	TP	TP
	Transportation services (Section 34-622(c)(53)), Groups II, III and IV		P	P	—
	Trucking terminal	Section 34-1352	SE	P	P (3)
Vehicle and equipment dealers (Section 34-622(c)(55)):					
	Group III		P	—	—
	Group IV		P	P	—
	Group V		P	P	—
Warehouse:					
	Hybrid	Section 34-3006	P	P	—
	Mini-warehouse		P	P	—
	Private		P	P	—
	Public		P	P	—

Wholesale establishment:	Section 34-622(c)(56)			
Group I	Section 34-3001 et seq., Note (9)	P	P	P
Group II	Section 34-3001 et seq., Note (9)	—	—	P
Group III	Section 34-3001 et seq.	P	P	—
Group IV	Section 34-3001 et seq.	P	P	—

Notes:

- (1) Excluding asphalt or concrete batch plants that were not lawfully existing as of February 4, 1978.
- (2) New facilities of ten or more acres or expansion of an existing facility to ten or more acres requires a special exception.
- (3) Limited to agricultural products, livestock and equipment.
- (4) Expansion of an existing facility to over 50 beds requires a special exception.
- (5) Limited to manufacturing of cosmetics, perfumes and other toilet preparations only.
- (6) Limited to assembly of the finished product from its component parts.
- (7) Limited to SIC Code 265 (Paperboard Containers and Boxes) only.
- (8) Limited to small custom-designed concrete products produced in molds, such as decorative architecture or ornamental features commonly associated with residential uses.
- (9) The use is subject to the special setback regulations as set forth in Section 34-2443.
- (10) Family day care homes are exempt pursuant to F.S. § 125.0109.
- (11) Two pumps are permissible as an accessory use to businesses to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (12) Including asphalt batch plants.
- (13) A day care center, owned by the entity with title to the place of worship, that is operated within the building housing the place of worship is not required to obtain special exception approval.
- (14) In the industrial development land use category, offices and office complexes are only permitted when specifically related to adjoining industrial uses. Prior to issuance of any local development order, the developer must record covenants and restrictions for the property that limit any office uses to those that are specifically related to adjoining industrial uses consistent with Policy 1.1.7 of the Lee County Comprehensive Plan.
- (15) Limited to the parking of the following:
  1. A tractor-trailer or semi-trailer truck.
  2. A truck with two or more rear axles.
  3. A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 12,000 pounds.
  4. Any truck and trailer combination resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 12,000 pounds.
  5. Any trailer used in the conduct of a commercial or industrial business.

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- (16) Not permitted in Airport Noise Zone B.
  - (17) Not permitted in Airport Noise Zones B unless required to support a noise compatible use and constructed in compliance with limitations for dwelling unit type set forth in Section 34-1003 as applicable.
  - (18) Food truck parks within the Tradeport future land use category will be subject to limitations for stand-alone retail commercial uses identified in Lee Plan Policy 1.1.13. Food truck parks within the Industrial Development future land use category will be subject to limitations for recreational, service, and retail uses identified in Lee Plan Policy 1.1.7.

(LDC 1994, § 34-903; Ord. No. 93-24, § 7(table 470.A), 9-15-1993; Ord. No. 94-02, § 7, 1-19-1994; Ord. No. 94-24, § 49, 8-31-1994; Ord. No. 95-07, § 35, 5-17-1995; Ord. No. 96-06, § 5, 3-20-1996; Ord. No. 96-17, § 5, 9-18-1996; Ord. No. 97-10, § 6, 6-10-1997; Ord. No. 98-03, § 5, 1-13-1998; Ord. No. 98-11, § 5, 6-23-1998; Ord. No. 00-14, § 5, 6-27-2000; Ord. No. 01-18, § 5, 11-13-2001; Ord. No. 02-20, § 5, 6-25-2002; Ord. No. 03-11, § 1, 4-8-2003; Ord. No. 04-05, § 1, 4-27-2004; Ord. No. 05-14, § 6, 8-23-2005; Ord. No. 06-06, § 1, 4-11-2006; Ord. No. 08-21, § 3, 9-9-2008; Ord. No. 09-23, § 10, 6-23-2009; Ord. No. 11-08, § 10, 8-9-2011; Ord. No. 13-10, § 10, 5-28-2013; Ord. No. 14-13, § 7, 6-17-2014; Ord. No. 16-19, § 10, 11-15-2016; Ord. No. 19-03, § 7, 4-2-2019; Ord. No. 22-12, § 2(34-903), 5-17-2022; Ord. No. 25-12, § 2, 6-17-2025)