

R E S O L U T I O N
NUMBER 2025-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA INITIATING CONFLICT RESOLUTION PROCEDURES PURSUANT TO CHAPTER 164, FLORIDA STATUTES, TO RESOLVE ISSUES RELATING TO THE BOCA GRANDE PARKING ORDINANCE.

RECITALS

WHEREAS, on or about August 15, 2025, the Lee County Board of County Commissioners enacted Ordinance 25-16, restricting parking on Gasparilla Island upon a finding that visitors to the island's residential neighborhoods and low intensity resort areas is "inconsistent with their character and resulted in negative impacts to the County's (Lee) residents and taxpayers"; and

WHEREAS, Lee County Ordinance 25-16 introduced more restrictive and burdensome parking regulations within the Lee County administered portions of the island, effectively curtailing access to the area from nonresidents; and

WHEREAS, curtailing access to Boca Grande will have an adverse effect on Charlotte County residents, businesses and tourists alike; and

WHEREAS, the Florida Legislature determined that Boca Grande's conservation is in the best interest of the citizens of both Lee County and Charlotte County by passing the Gasparilla Island Conservation District Act of 1980 ("GICDA"); and

WHEREAS, Lee County Ordinance 25-16 is premised upon the protective nature of GICDA limiting development, not access, to benefit the residents of both Lee County

and Charlotte County, and yet the parking law operates exactly opposite of the legislature's stated and implied purposes; and

WHEREAS, Lee County Ordinance was passed without any underlying traffic study, no consideration of alternative parking options, and without any input or collaboration with Charlotte County; and

WHEREAS, prior to initiating court action against Lee County regarding Lee County Ordinance 25-16, Charlotte County wishes to initiate the conflict resolution procedures in Chapter 164, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida, that:

1. Charlotte County initiates the conflict resolution procedures with regards to Lee County Ordinance 25-16 and related actions.

2. The issues in conflict between Charlotte County and Lee County are as follows:

- a. Whether the ordinance passed by Lee County is a more restrictive regulation barred under Florida Statute 252.422.

- b. Whether the parking regulations present in Lee County Ordinance 25-16 create a tiered parking system that impermissibly curtails the use of the beach by residents of Charlotte County.

- c. Whether there is competent evidence to support the more restrictive approach to parking within Boca Grande.

- d. Whether a sufficient Business Impact Estimate was done to support the passage of Lee County Ordinance 25-16 in accordance with Florida Statute

Section 125.66(3)(a).

e. Whether a parking study or alternative parking options were considered.

f. Whether the Parking Oversight Committee should include residents of Charlotte County as the island is split between Lee County and Charlotte County.

g. Whether there is a possibility for an alternative to the restrictions presented in the ordinance including, but not limited to, increased public transportation or mutual parking agreements.

h. Whether Lee County Ordinance 25-16 penalizes public beachgoers while protecting Lee County residents who have illegal landscaping encroachments in ROW in violation of Lee County Ordinances 91-35 and 19-05.

i. Whether residents/visitors with limited mobility are disproportionately impacted by the removal of previously designated handicapped parking spaces.

3. The County Administrator is directed to mail a certified copy of this resolution by letter meeting the requirements of Section 164.1052, Florida Statutes, by certified mail, return receipt requested, to the County Manager of Lee County and provide copies of the resolution and letter to the executive director of the Gasparilla Island Bridge Authority within 5 days of the enactment of this resolution.

[SIGNATURE PAGE TO FOLLOW]

PASSED AND DULY ADOPTED this 12th day of November, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
LR25-1032 JS