

Why Is Lee County Blocking the Public from Its Own Parks?

Lee County has a rule about its parks: county parks must be open to the public every day of the year, and no permit may be issued that blocks the public from using them.

That rule is Ordinance 18-12 — Lee County's own Parks and Recreation Ordinance.

So here is a simple question nobody has asked Lee County — until now: why is the public being turned away from county parks at Boca Grande's numbered beach access streets, and why did Ordinance 25-16 — the ordinance that did it — never once mention the parks rule that says it can't?

What Lee County's Own Records Say

The numbered beach access streets on the Gulf side of the island are not just roads that happen to end at the water. They are the island's primary public beach access points — the places residents and visitors have used for generations. Lee County's own County Parks and Preserves database — the official inventory of all 231 parks and preserves the county manages — classifies these streets as county parks maintained by Lee County Parks & Recreation. The county's own boundary data shows these park designations encompass the full parking areas, not narrow street ends.

That database is not hidden. It is on Lee County's own website at maps.leegov.com — updated as recently as this month — with the beach access streets labeled by name in the county's park map. The county's own website still lists Free Parking as an amenity at the Boca Grande Beach Accesses — ten months after most of those streets were converted to permit-only.

These are county parks. Lee County's own records say so on every page.

That classification matters. If these streets are county parks, Lee County should have explained why 18-12 did not govern the permit system imposed on them.

What Lee County Did

Last August, the Board of County Commissioners converted most of Boca Grande's numbered Gulf-side beach access streets into residential permit-only parking zones. Permits are not available to the general public. Lee County even wrote into 25-16 that it was not its intent to restrict the public's access to the beaches — but the permit system 25-16 created at county-classified beach access parks does exactly that. The \$200 fines started soon after.

The public beaches those streets lead to did not move. The county parks those streets are classified as did not change. The public was simply told to go away.

What Lee County Never Said

A search of the complete legislative record — every document, every agenda report, the entire Board of County Commissioners hearing transcript — finds exactly zero mentions of 18-12. The county's own parks ordinance was never mentioned, never addressed, never explained away. Lee County Parks & Recreation signs citing 18-12 are posted at these very locations right now. The county's own Beach Park user rules state it plainly: "No park permits/reservations will be issued and all groups and individuals must abide by Lee County Park Ordinance 18-12."

Leaving 18-12 out was a choice. It matters because Section 4.3 of 18-12 says a permit cannot be issued if it would restrict or prohibit the general public's use of a county park. Citing 18-12 would

have forced a confrontation with whether the permit system was even allowed. So it was left out entirely.

What the 25-16 record did cite at 5th Street Beach Access was “Lee County Parks and Recreation Ordinance 06-26, as amended” — a parks ordinance repealed and replaced in 2018, seven years before 25-16 was written. Six weeks earlier, the same county attorney’s office had correctly cited 18-12 in 25-14, a separate ordinance amending the parks rules to address smoking and vaping. Three attorneys reviewed and approved the 25-16 record. 18-12 was not in it. The repealed 06-26 was.

If these streets are not parks — just road rights-of-way, as the county may now claim — why did the 25-16 record need to cite any parks ordinance at all, even a dead one? The answer is that parks ordinance authority was required. The county’s own paperwork says so.

What This Means for You

If you have tried to park at one of the numbered streets since last August and been turned away, you were turned away from a county park. A county park that 18-12 says must be open to the public. A county park that Lee County Parks & Recreation still maintains, still signs, and still lists in its official inventory.

Lee County has never been asked why 18-12 was ignored when these locations were converted to permit-only. It has never been asked why the public can be excluded from parks its own records say are parks. It has never been asked who benefits.

Those are questions every person on this island deserves to have answered. Publicly. On the record.

It is time to start asking. And it is time for Lee County to start answering.

Open Shores of Southwest Florida, Inc. is a nonprofit organization focused on public beach access on Gasparilla Island. All sources cited are Lee County’s own public records, available for inspection at maps.leegov.com and leegov.com/parks.