

## COTTAGE FOOD LAW REPORT

# Lee County

Florida · Fort Myers · FIPS 12071 · Population 772,902 ·  
Crosodo Index #924\*

## STATE BASELINE

Fla. Stat. §500.80 (Home Sweet Home Act, 2021); annual cap \$250,000

## STATE TIER

**Great**

## ANNUAL SALES CAP (STATE)

**250000**

## CONFIDENCE

HIGH

## LAST VERIFIED

2026-05-05

**IMPORTANT – NOT LEGAL ADVICE**

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

**Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision.** Consult a licensed attorney for advice specific to your situation.

FLORIDA: LEE COUNTY

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# Lee County

Population 772,902 · State baseline: Fla. Stat. §500.80 (Home Sweet Home Act, 2021); annual cap \$250,000 · **HIGH**

### QUICK VIEW FOR BAKERS IN THIS COUNTY

**HOME KITCHEN ALLOWED?**

Yes (Florida strong state preemption: local governments cannot restrict cottage food operations. Must be produced in operator’s home kitchen only (no garages, sheds, motor homes). Non-TCS foods only. Production and storage in single-family domestic residence.)

**SEPARATE KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Not specified in state law; no contamination

**HOME OCCUPATION PERMIT?**

Conditional (State preemption (§500.80(6)) prevents local restriction on cottage food operations. However, Lee County and municipalities (Fort Myers, Cape Coral, etc.) can regulate traffic, parking, noise, signage, and hours. Contact Lee County Community Development for any applicable home occupation standard. Business tax receipt from Lee County Tax Collector may be required.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Upon-complaint (Complaint only per Fla. Stat. §500.80(7). Lee County Health Department has no additional inspection authority.)

### Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	Yes — Florida strong state preemption: local governments cannot restrict cottage food operations. Must be produced in operator’s home kitchen only (no garages, sheds, motor homes). Non-TCS foods only. Production and storage in single-family domestic residence.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Not specified in state law; no contamination
<b>WATER SUPPLY</b>	Only potable water from properly constructed on-site well or municipal water system
<b>HANDWASHING</b>	Standard sanitation practices
<b>FOOD STORAGE</b>	Storage in single-family domestic residence only; no garage/shed/barn/outbuilding storage

### Inspection & permitting

<b>INSPECTION REQUIRED</b>	Upon-complaint — Complaint only per Fla. Stat. §500.80(7). Lee County Health Department has no additional inspection authority.
<b>HOME OCCUPATION PERMIT</b>	Conditional — State preemption (§500.80(6)) prevents local restriction on cottage food operations. However, Lee County and municipalities (Fort Myers, Cape Coral, etc.) can regulate traffic, parking, noise, signage, and hours. Contact Lee County Community Development for any applicable home occupation standard. Business tax receipt from Lee County Tax Collector may be required.
<b>LOCAL BUSINESS LICENSE</b>	Varies

### Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Home, online, mail-order, farmers markets, flea markets, roadside stands. Mail delivery permitted. No wholesale to restaurants or grocery stores. \$250,000 annual cap.
MAX EMPLOYEES IN HOME	Unknown

### Relevant county code

Fla. Stat. §500.80; local traffic/parking/noise/signage ordinances still apply

#### RESEARCH NOTES

Lee County follows Florida state baseline. Strong state preemption means Lee County and its municipalities cannot restrict cottage food operations beyond traffic/parking/noise/signage/hours. Lee County Health Department ([lee.floridahealth.gov](http://lee.floridahealth.gov)) has no inspection authority beyond complaints. The county experienced significant growth post-Hurricane Ian (2022).

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#### SOURCES VERIFIED AT RESEARCH TIME

<https://lee.floridahealth.gov>

<https://www.leegov.com/dcd>

<https://www.leegov.com>

<https://www.fdacs.gov/Business-Services/Food/Food-Establishments/Cottage-Foods>

<https://ij.org/issues/economic-liberty/homemade-food-seller/florida/>

**Questions?** Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/florida/lee-county-discuss>

## State context — Florida cottage food law

Lee County’s rules sit on top of Florida’s state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

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<b>STATUTE</b> Fla. Stat. §500.80	<b>ANNUAL SALES CAP</b> 250000
<b>REGISTRATION REQUIRED</b> No	<b>FOOD HANDLER CERT</b> No
<b>KITCHEN INSPECTION</b> Upon-complaint	<b>DIRECT SALES ONLY</b> No
<b>INDIRECT SALES</b> Limited (see notes) — Florida prohibits wholesale sales but allows online, mail-order, and in-person sales including delivery to consumers; state law preempts local restrictions on cottage food operations.	

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For the full state-level analysis including the verbatim statute text, see the [Florida cottage food law report](#).

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### STATE-LEVEL REFERENCES

State statute: [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0500-0599/0500/Sections/0500.80.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0500-0599/0500/Sections/0500.80.html)

State dept cottage food page: <https://www.fdacs.gov/Business-Services/Food/Cottage-Foods>

Forrager.com: <https://forrager.com/law/florida/>

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# Questions?

Join the Crosodo Forum to discuss Lee County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/florida/lee-county-discuss>

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