

# CITY OF EVERGLADES CITY

## 2045 COMPREHENSIVE PLAN



Adopted by Everglades City – City Council on July 5, 2022 pursuant to Ordinance No. 2022-03.

This Comprehensive Plan amendment became legally effective August 18, 2022 and supersedes and replaces the previously adopted City of Everglades Comprehensive Plan, including all previously adopted amendments.

# City Council

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**EVERGLADES CITY**

**ADMINISTRATION ELEMENT**

**Goal A-1: Maintain and Implement the Everglades City Comprehensive Plan.** The City shall periodically evaluate, amend and implement the Comprehensive Plan in accordance with Florida Statutes to correct existing deficiencies, plan for future growth, protect the environment and secure the public health, safety and welfare.

**Objective A-1.1: Adopted Component and Organization of Comprehensive Plan.** The Everglades City Comprehensive Plan shall consists of two volumes. Volume I shall be the adopted component of the Comprehensive Plan. Volume II shall not be adopted and serves as the support document for Volume I. Reference to the "Comprehensive Plan" in Volume I means the adopted component (i.e., Volume I) of the Comprehensive Plan unless otherwise indicated. This Administration Element shall set forth the organization of the Comprehensive Plan and address matters common to all Elements of the Comprehensive Plan.

**Policy A-1.1.1: Elements of Comprehensive Plan.** The Comprehensive Plan shall consist of the following twelve required and optional elements:

1. Optional Administration Element
2. Future Land Use Element
3. Transportation Element
4. Housing Element
5. Infrastructure Element
6. Recreation and Open Space Element
7. Conservation Element
8. Coastal Zone Management Element
9. Intergovernmental Coordination Element
10. Property Rights Element
11. Optional Economic Element
12. Capital Improvement Element

The elements of the Comprehensive Plan shall be internally consistent and rely on the same population forecasts for planning purposes, unless otherwise indicated. The Future Land Use designations set forth on the adopted 2045 Future Land Use Map shall be based on the character of developed and vacant lands, compatibility with abutting and nearby land uses, suitable topography and habitat conditions and the availability of utilities. The City shall also consider roadway, recreation/park and public education facility needs as addressed in the Transportation Element, Recreation Element and Future Land Use Element, respectively, and shall consider such needs in programming capital improvements in support of the Future Land Use Map to accommodate future population growth and economic development. While the City shall continue to plan for these needs, the City rescinds concurrency for roadways, recreation/parks and open space, and education facilities.

**Policy A-1.1.2: Planning Periods.** The Comprehensive Plan shall incorporate at least two planning periods. The short range planning period shall be five years and applies for the purpose of capital

improvement planning. The Capital Improvements Element shall address requirements for a five-year Capital Improvement Schedule. The Comprehensive Plan long range planning period extends to 2045 and is also known as the Comprehensive Plan horizon year. The horizon year is utilized for long range planning purposes and is intended to facilitate coordination with the *Collier County Growth Management Plan*, *Collier Metropolitan Planning Organization 2045 Long Range Transportation Plan* and the *South Florida Water Management District Lower West Coast Regional Water Supply Plan*. The Comprehensive Plan may include additional planning periods for other specified purposes.

**Policy A-1.1.3: Goals, Objectives and Policies.** Each element of the Comprehensive Plan shall consist of at least one adopted goal, at least one objective for each goal and at least one policy for each objective. The following definitions are adopted for these terms:

“Goal” means the long-term end toward which programs or activities are ultimately directed.

“Objective” means a specific, measurable, intermediate end that is achievable and marks progress toward a goal to the extent that the subject of the objective is reasonably measurable. Measures shall be utilized in the evaluation of the Comprehensive Plan to gauge progress and to determine whether the objective should be revised and whether policies or strategies should be revised to improve progress toward an objective. The City’s limited tax base and related fiscal challenges will require continued federal and state funding assistance to effectively implement certain provisions of the Comprehensive Plan, particularly as related to infrastructure needs as addressed in the Infrastructure and Capital Improvements Element.

“Policy” means the way in which programs and activities are conducted to achieve an identified goal.

**Policy A-1.1.4: Adopted Maps.** The Comprehensive Plan includes the following adopted maps:

1. The 2045 Future Land Use Map as further described in the Future Land Use Element.
2. The 2045 Future Traffic Circulation Map as further described in the Transportation Element.

The entire City lies within the Coastal High Hazard Area as noted on the 2045 Future Land Use Map.

**Policy A-1.1.5: Definitions.** Terms utilized in the Comprehensive Plan shall be as defined in Section 163.3164, Florida Statutes, unless otherwise defined within the Comprehensive Plan. Technical terms shall be given the meaning commonly accepted by professional texts. All other terms shall be given their common meaning as defined by standard dictionary.

**Objective A-1.2: Comprehensive Plan Evaluation and Amendments.** Periodically evaluate and amend the Comprehensive Plan in response to changed conditions, community needs and statutory requirements.

**Policy A-1.2.1: Technical Assistance Funds.** The City shall periodically request Community Technical Assistance Grant funds to evaluate and to the extent necessary amend the Comprehensive Plan based on the schedule adopted by the State Land Planning Agency pursuant to Section 163.3191,

Florida Statutes. The City shall also prioritize updating Volume II of the Comprehensive Plan. The FY 2022-2023 Technical Assistance Grant funded the update of Volume I, but only limited components of Volume II, which now includes updated population projections, land use analysis and the required supporting map series. The City shall request additional grant funding to further develop Volume II of the Comprehensive Plan.

**Policy A-1.2.2: Local Planning Agency Functions.** The Everglades City Planning Board is designated as the Local Planning Agency and shall make recommendations to the City Council regarding Comprehensive Plan amendments. The City Council shall adopt Comprehensive Plan amendments by majority vote and in accordance with procedural requirements set forth in Florida Statutes and the City Code. The adoption of Comprehensive Plan amendments shall be a legislative decision not subject to quasi-judicial procedures. Comprehensive Plan amendments shall be considered for adoption based on compliance requirements as specified in Chapter 163, Part II, Florida Statutes, and shall be prepared and adopted in accordance with the procedural requirements of Chapter 163, Part II, Florida Statutes. Comprehensive Plan amendment shall maintain the internal consistency of the Comprehensive Plan. Future annexations shall be coordinated with Collier County as addressed in the Intergovernmental Coordination Element.

**Objective A-1.3: Federal and State of Florida Funding Assistance.** Everglades City has a very limited tax base and faces significant fiscal challenges in implementing the Comprehensive Plan, particularly as related to infrastructure needs. As its highest priority, the City requires and shall continue to request significant funding assistance from federal agencies and the State of Florida to implement infrastructure improvements with priority focused on improvements to protect water quality.

**Policy A-1.3.1: Wastewater Treatment Plant.** The City has obtained a \$4.3MM grant from the State of Florida to construct a new wastewater treatment plant. Due to inflation driven by supply chain disruptions, labor shortages, oil prices, national and regional economic conditions and international events, the grant funding constitutes less than 50% of the funding need for the wastewater treatment plant. The City's highest and immediate priority is to obtain funding assistance to fully fund the construction of the Wastewater Treatment Plant as further addressed in the Infrastructure and Capital Improvement Element.

**Policy A-1.3.2:** The City shall request additional Community Technical Assistance grant funding to implement the Comprehensive Plan, including funding to prepare and adopt amended Land Development Regulations as specified in Policy L-1.2.1.



# **EVERGLADES CITY**

# **FUTURE LAND USE ELEMENT**

**Goal L-1:** Plan future land uses in a manner that serves the needs of Everglades City residents and visitors, protects and conserves natural and historic resources, supports multimodal mobility strategies and promotes diversification of the City's economic base while protecting maritime uses.

**Objective L-1.1: Land Use Distribution.** Control the distribution of land use types, density and intensity throughout the City by designating land use categories on the Future Land Use Map based on environmental suitability, community character, established land use patterns and potential for land use compatibility. The land use categories in conjunction with the policies of the Comprehensive Plan are intended to:

1. maintain and enhance the island lifestyle and character;
2. protect the environment, including habitats and water quality;
3. reduce vulnerability to flooding;
4. promote housing choices to accommodate permanent population growth;
5. accommodate housing for special needs population;
6. promote accommodation choices for seasonal population and tourists;
7. encourage ecotourism uses and activities as the preferred approach;
8. protect commercial fishing and related maritime activities;
9. support and prioritize non-automobile mobility options;
10. maintain an appropriate balance between residential and non-residential land use;
11. provide for the needs of the community as related to employment, shopping, services, healthcare, education, recreation, government functions, infrastructure and special uses, such as Everglades Airpark.

**Policy L-1.1.1: Residential Low (RL).** This category defines areas suitable for low density neighborhoods. The RL category permits single-family detached dwelling units, places of worship, parks, neighborhood clubhouses and community facilities. Accessory uses and structures are permitted. Maximum permitted density shall not exceed six (6) dwelling units per gross acre or one unit per Lot of Record pursuant to Policy L-1.3.2. Non-residential uses are not permitted.

**Policy L-1.1.2: Residential Multifamily (RM).** This category defines areas suitable for medium density residential neighborhoods and individual multifamily development sites. The RM category permits triplexes, quadraplexes, townhouses and other types of multifamily residential with more than four dwelling units in each building, including independent living facilities and assisted living facilities. Accessory uses and structures and places of worship are permitted. Minimum permitted density shall be greater than four (4) dwelling units per gross acre and maximum permitted density shall be sixteen (16) dwelling units per gross acre. For the purpose of independent and assisted living facilities, each bed shall count as .25 of dwelling unit. Non-residential uses are not permitted.

**Policy L-1.1.3: Tourist Residential (TR).** This category defines areas suitable for medium density, multifamily development including townhouses and other types of multifamily residential with more than four dwelling units in each building; tourist lodging facilities, such as hotel, motel and bed &



breakfast; and tourist-oriented commercial uses including restaurants, bars, personal services, and retail uses, subject to the following limitations:

1. Except for drive-through restaurants, motorized-oriented uses are not permitted.
2. Stand-alone commercial buildings (not part of tourist lodging structure) shall not exceed 8,000 square feet of gross floor area.
3. Total floor area including all uses shall not exceed a total floor area of 20,000 square feet or a floor area ratio of .40 as applied to a single development site or a Unified Development Site.
4. Outdoor sales are not permitted, except for temporary events as further defined in the Land Development Regulations.
5. Outdoor dining shall be permitted, subject to hours of operation, amplified music limits, size limitations and other restrictions as further defined in the Land Development Regulations.

Restaurants, gift shops and personal services are permitted. Cocktail lounges/bars are permitted as part of restaurants or as part of a transient lodging facility development. Accessory uses and structures as permitted.

Residential development shall be limited to 16 units per acre.

**Policy L-1.1.4: Mobile Home Park (MHP).** This category applies to mobile home parks and subdivisions. The MHP category permits one mobile home on each existing space or lot for permanent residential occupancy. This category permits accessory uses and structures, as well as additional supportive uses intended to support the MHP, such as an administration office, retail stores, restaurants and clubhouses, subject to size limitations as further specified in the Land Development Regulations. Maximum density shall not exceed twelve (12) mobile homes per gross acre. All structures within the MHP category are subject to compliance with floodplain management regulatory standards to the extent applicable. Transient vehicles are subject to different floodplain management regulatory standards as compared to mobile homes and are, therefore, not permitted in the MH land use category.

**Policy L-1.1.5: Transient Vehicle/Mobile Home Park (TVMHP).** This category applies to areas which may include a mix of transient vehicles, including recreational vehicles, motor coaches, travel trailers and similar types of vehicles that are road ready, mobile homes, and single-family dwelling units. Transient vehicles are intended for seasonal and tourist population and shall not be located on a site for more than 180 consecutive days. This category permits accessory uses and structures, as well as additional supportive uses intended to support the TVMHP, such as an administration office, retail stores, restaurants and clubhouses, subject to size limitations as further specified in the Land Development Regulations. Maximum density shall not exceed twelve (12) spaces/dwelling units per gross acre. All structures within the TVMHP are subject to compliance with FEMA regulatory standards to the extent applicable.

**Policy L-1.1.6: Historic Preservation (HP).** This category defines an area in proximity to the roundabout where a concentration of historic structures occurs. The HP category permits single

family, multifamily, tourist lodging, restaurants, low intensity retail uses, professional offices, public/semi-public uses and institutional uses. Mixed use buildings are permitted and adaptive re-use of historic structures is encouraged. Accessory uses and structures are permitted. The maximum density shall be 16 units per gross acre. Maximum floor area ratio for non-residential uses shall .40. Maximum impervious surface ratio shall be .70.

**Policy L-1.1.7: Village Commercial (VC).** This category defines areas suitable for low intensity commercial uses and office uses in proximity to residential neighborhoods. The VC category permits retail stores, banks, personal services, restaurants, bars, gas stations, professional offices, and similar uses as further specified in the implementing zoning district, subject to the following limitations:

1. Motorized-oriented uses are not permitted.
2. Only Low Trip Generation uses are permitted.
3. Individual buildings shall not exceed 10,000 square feet of gross floor area.
4. Total floor area shall not exceed 40,000 square feet or a floor area ratio of .40 as applied to the single development site or a Unified Development Site.
5. Outdoor sales are not permitted, except for temporary events as further defined in the Land Development Regulations.
6. Outdoor dining shall be permitted, subject to hours of operation, amplified music limits, size limitations and other restrictions as further defined in the Land Development Regulations.

Accessory uses and structures are permitted where supportive and subordinate the non-residential use. Residential uses may be permitted at a density up to sixteen (16) units per acre within a mixed use building, provided the first floor is limited to commercial uses. Residential uses may also be permitted within a mixed use, Traditional Neighborhood Developments, subject to procedures and development standards set forth in the Land Development Regulations.

**Policy L-1.1.8: Maritime Mixed Use.** This category defines areas suitable for maritime, water-dependent and water-related uses, including maritime-related industry, such as canneries and fish houses, commercial fishing, sport fishing charters, marinas, maritime-related equipment sales and rentals, maritime-themed museums, aquariums, restaurants and gift shops, subject to the permitting procedures and standards set forth in the Land Development Regulations. This category is intended to protect existing maritime uses from displacement, including recreational and commercial working waterfronts, and promote additional development of maritime uses. Land Development Regulations shall specify which of the permitted uses shall be subject to conditional or special exception review based on development standards controlling the location, number, size and other aspects of development to achieve the intent of this policy. Maximum floor area ratio shall not exceed .55. Impervious surface ratio shall not exceed 70% of a parcel or Unified Development Site. Residential is not permitted, except for one resident per commercial establishment, subject to heightened review to ensure compatibility with maritime industrial uses. Accessory uses and structures are permitted.

**Policy L-1.1.8: Condensed Commercial (CC).** This category defines areas suitable for commercial uses and office uses at a greater intensity than permitted by the VC category. The GC category permits all uses allowed by the VC land use category as well as medical clinics, medical/dentist offices, pharmacies, boat repair/service, boat sales, light industrial uses and other uses similar uses, subject to the following limitations:

1. Individual buildings shall not exceed 10,000 square feet of gross floor area.
2. Total floor area shall not exceed 40,000 square feet or a floor area ratio of .4 as applied to a single development site or a Unified Development Site.
3. Outdoor sales and storage are permitted, subject to development and operating standards as further defined in the Land Development Regulations.
4. Outdoor dining shall be permitted, subject to limitations as further defined in the Land Development Regulations.

Residential uses are not permitted in the General Commercial land use category. Accessory uses and structures are permitted.

**Policy L-1.1.9: Public/Institutional category (PI).** This category defines areas suitable for publicly owned or operated buildings and uses, including airports and associated fuel terminals, schools, government buildings, publicly-owned marinas, infrastructure and utilities. Public and private institutional uses are permitted, such as hospitals, nursing homes, assisted living facilities and places of worship. Maximum floor area ratio shall be .60. The Land Development Regulations shall specify additional development standards for these uses. The City shall adopt separate zoning districts for the airport, school, other public uses and institutional uses.

**Policy L-1.1.10: Parks and Recreation (PR).** This category defines publicly owned areas suitable for active and passive recreational uses. Permitted uses include public parks, passive recreation such as trails and boardwalks and all types of active recreational uses, such as swimming pools, tennis courts, playgrounds and similar activities. Permitted accessory uses for public parks include concession buildings, maintenance facilities, restrooms and parking. Pervious surfaces shall be encouraged through the Land Development Regulations. Impervious surfaces shall not exceed fifty percent (50%) of the gross site area.

**Policy L-1.1.11: Conservation/Open Space (COS).** This category applies to lands warranting protection due to the presence of natural resources. Lands within the COS category are owned by a government agency or are otherwise subject to conservation easements in favor of a government agency. The COS category permits passive recreation uses, such as boardwalks and trails. Permitted accessory uses include maintenance facilities, educational kiosks and restrooms. Limited parking and structures for education on natural resources are conditionally permitted, subject to the heightened review procedures and standards set forth in the Land Development Regulations. Impervious surfaces shall not exceed five percent and shall be subject to an approved management plan as further defined in the Land Development Regulations.

**Policy L-1.1.12: Definitions.** For the purpose of implementing the future land use categories, the following definitions apply:

1. *Essential services and facilities* means potable water, sanitary sewer, stormwater, substations, electrical transmission and similar uses required to support development.
2. *Floor area ratio (FAR)* means the total floor area of enclosed space within all buildings on a parcel divided by the square footage of the parcel. For example, a one story building with 10,000 square feet of enclosed floor area on a 20,000 square-foot parcel calculates to a FAR of .50 (10,000/20,000) as does a two-story building on a 20,000 square-foot parcel where each story has 5,000 square feet of enclosed floor area ((5,000+5,000)/20,000). For land use categories permitting mixed use, density and FAR shall be measured using the gross acreage of the site.
3. *Gross acre* means an area equals to 43,560 square feet and shall include all land above the mean high water line, including wetlands. Right-of-way is not included in gross acre, except in calculating the density for a proposed subdivision, in which case, gross acre includes all land within the subdivision.
4. *Heightened review* means that use requires conditional use approval, special exception approval or special use approval.
5. *Historic structure* means any structure 50 years or older that is listed on the Florida Master Site File maintained by the State Office of Historic Preservation.
6. *Intensity* means the measure of floor area ratio. Low intensity uses shall not exceed a floor area ratio of .30.
7. *Low Trip Generation Uses* means uses with a p.m. peak hour (adjacent street category) trip generation rate of 20 or fewer trips per 1,000 square feet of floor area as reported by the most recently published edition of the Institute of Traffic Engineers, Trip Generation Manual.
8. *Motorized-oriented Uses* means automated car washes, convenience stores, gas stations, service stations, auto/truck parts stores, vehicle services, vehicle repair and outdoor vehicle sales and uses with drive-through lanes.
9. *Accessory Uses* means uses and structures which are subordinate in size to the principal use and are intended to serve the principal use. Residential accessory uses include including driveways, parking, fences, decks, porches, screened enclosures, pools, sheds, docks, piers and similar uses as determined by the Land Development Regulations. Non-residential accessory uses and structures include fences, storage buildings, docks, and uses and structures specific to the particular type of non-residential principal use as referenced in the future land use categories and as further determined by the Land Development Regulations.
10. *Unified Development Site* means one or more contiguous parcels that function collectively as a common development as evidenced by one of more of the following indicators:
  1. common ownership or management;
  2. common signage
  3. shared parking, infrastructure or amenities

The intent of this policy is to ensure that a Unified Development Site cannot be misrepresented as multiple developments on multiple parcels for the purpose of increasing the maximum allowable building square footage. A jointly shared curb cut or connecting driveways between parcels shall not be evidence of a Unified Development Site.

**Policy L-1.1.13: Essential Services and Facilities.** All future land use categories except Conservation and Open Space shall allow essential services and facilities as-of-right. Essential services and facilities shall be subject to heightened review procedures where proposed within the Conservation and Open Space category.

**Policy L-1.1.14: Statutory Preemptions.** Certain uses are subject to regulatory preemptions as specified in Florida Statutes. This policy is intended to list those preemptions and shall be updated periodically:

1. Electric substations shall be permitted in all future land use categories, except the COS and MUHP categories.
2. Fuel terminals are permitted at the Everglades Airpark.
3. Community residential homes with six or fewer residents are permitted in future land use categories and zoning districts which permit residential development, including the SF, MF, HP and RT land use categories and all zoning districts which implement those land use categories.
4. Medical marijuana dispensaries are permitted in any land use category and zoning districts which permit pharmacies, subject to compliance with statutory criteria.
5. Manufactured housing shall be permitted in all future land use categories and zoning districts which permit residential uses and shall not be subject to design regulations, except to the extent that such design regulations are applicable to site-constructed residential development.
6. The Comprehensive Plan and Land Development Regulations are preempted from regulating tenancies within residential units. The Land Development Regulations may include regulations addressing other aspects of residential dwelling units that rented for periods of less than one month.

Statutory preemptions shall control to the extent of any conflict with the Comprehensive Plan and Land Development Regulations.

**Objective L-1.2: Implement the Future Land Use Map categories through Land Development Regulations, including zoning districts, which shall specify development review procedures and development standards applicable to each zoning district to ensure development orders, development permits and development activities are consistent with the Comprehensive Plan.**

**Policy L-1.2.1: Land Development Regulation Amendments.** The Land Development Regulations shall be updated within one year following the effective date of Comprehensive Plan amendments and shall be consistent with and implement the Comprehensive Plan as amended. During the interim period until such Land Development Regulations are amended, the Comprehensive Plan

shall control to the extent of any conflict between the Comprehensive Plan and the Land Development Regulations.

**Policy L-1.2.2: Land Development Regulation Consistency.** Land Development Regulations, including but not limited to zoning regulations and subdivision regulations, shall be consistent with the Comprehensive Plan. For the purpose of this policy, *consistent* means that Land Development Regulations and standards do not exceed any numeric thresholds set forth in the Comprehensive Plan, do not allow uses that are expressly not permitted within a future land use category and do not conflict with the guidance set forth in Comprehensive Plan polices. Development standards set forth in the Land Development Regulations may be more restrictive than the Future Land Use categories, but shall not be more permissive. Future land use categories may be divided into more than one zoning district, provided that each zoning district is consistent with the future land use category. For example, it would be appropriate to divide the PI land use category into two or more discreet zoning districts to ensure land use compatibility by separating institutional zoning from airport zoning.

The Land Development Regulations shall specify development review procedures and identify in each zoning district those uses which shall be permitted as-of-right and those uses which shall be subject to heightened review. While it is the intent to achieve land use compatibility primarily through the adoption of Land Development Regulations which shall specify compatibility buffers between dissimilar uses, certain more intensive uses may require additional evaluation to limit their number, size and location and to provide review criteria to achieve compatibility with abutting land uses through design, accounting for compatibility factors, such as visual, glare, shadows, noise, odors, dust, smoke and emissions. The Land Development Regulations shall define review procedures and criteria for uses requiring heightened review.

**Policy L-1.2.3: Development Order Consistency.** Development orders shall be consistent with the Comprehensive Plan. For the purpose of this policy, *consistent* means that development orders are compatible with and further the policies of the Comprehensive Plan as required by Section 163.3194, Florida Statutes. A development order or development permit shall be deemed consistent with the Comprehensive Plan if it is consistent with the permitted uses, density and intensity set forth in the applicable future land use category. It is hereby declared that *furthering* the Comprehensive Plan is achieved by a development order complying with the Land Development Regulations in regard to permitted uses, density and intensity. Pursuant to Policy L-1.2.2, a rebuttal presumption shall apply in favor of an applicant that compliance with the Land Development Regulations in regard to permitted uses, density and intensity achieves consistency with the Comprehensive Plan. If a development order is appealed based on an allegation that it is inconsistent with the Comprehensive Plan, the appellant must overcome the rebuttal presumption of consistency by:

1. demonstrating that the development order does not comply with the Land Development Regulations pertaining to permitted uses, density or intensity and, therefore, has not achieved consistency with the Comprehensive Plan; or

2. to the extent that the development order does comply with the Land Development Regulations pertaining to permitted uses, density and intensity, otherwise demonstrate that the applicable Land Development Regulations are not consistent with the Comprehensive Plan and, therefore, has resulted in the issuance of a development order that is not consistent with the Comprehensive Plan.

This policy explicitly recognizes that it is not practical for the Comprehensive Plan to list every possible use that could be permitted in a future land use category, and that the City Council must exercise reasonable judgement in enumerating permitted uses in the zoning districts that implement each future land use category based on the guidance provided by the future land use categories and in determining whether a proposed use not otherwise listed in a zoning district is similar to those uses listed in the future land use category. The rebuttal presumption in favor of the applicant is intended to provide a predictable and equitable process for determining consistency.

**Objective L-1.3: Reduce the extent and degree of nonconforming conditions in the City.**

**Policy L-1.3.1: Nonconformities.** Lawful nonconforming conditions include existing uses and structures that were lawfully established in accordance with applicable City laws, but are no longer consistent with the Comprehensive Plan or the Land Development Regulations. It is the intent of the City to reduce and ultimately eliminate lawful nonconforming uses and structures with certain limited exceptions as set forth in this policy. The Land Development Regulations shall implement the following requirements:

1. If a nonconforming use is changed to another use, the new use shall conform to the Comprehensive Plan and Land Development Regulations.
2. If a nonconforming use is abandoned, it shall not be renewed. The Land Development Regulations shall define the time period for abandonment, which shall allow for a reasonable period of time for change of tenants, changes in ownership, recession conditions, states of emergency, and other conditions that may temporarily prevent the continuation of the nonconforming use.
3. A nonconforming use shall not be expanded or enlarged in area than existed on the date that it became nonconforming.
4. A nonconforming use located within a conforming structure shall not be continued if the conforming structure is damaged by more than 70% of the pre-damage market value of the structure.
5. A structure that is nonconforming to the City's flood management ordinance shall not be substantially improved, except in accordance with the flood management ordinance.
6. A structure that is nonconforming to required setbacks shall not be enlarged or expanded in a manner that would increase the square footage within required setbacks.
7. A structure that is nonconforming to building height limitations shall not be enlarged or expanded in a manner that would increase the square footage of the structure above the height standard set forth in the Land Development Regulations.

8. A structure that is nonconforming to setbacks or building height regulations shall conform to the Comprehensive Plan and Land Development Regulations if damaged by more than 70% of the pre-damage market value of the structure.
9. A structure or use of premises that is nonconforming to applicable accessibility standards for disabled persons shall be comply with applicable federal and state laws when improvements or modifications to the structure or use of premises are proposed.
10. A structure or premises that is nonconforming to development standards governing parking, buffers and other requirements not listed above shall conform to the maximum extent feasible comply with applicable laws

In order to avoid the deterioration of nonconforming structures, owners of nonconforming structures or structures containing nonconforming uses are permitted to continue nonconforming uses and structures, maintain nonconforming structures and make improvements to nonconforming structures, except where in conflict with this policy. Historic structures listed on the Florida Master Site File shall be considered conforming uses and may be substantially improved, but shall not be expanded in size in a manner that encroaches in required setbacks. In addition, such historic structures are exempt from flood elevation requirements, but shall not be expanded in a manner that increases the extent or the volume of the structure, except in accordance with FEMA regulations. The Land Development Regulations may specify additional criteria regarding exceptions for uses and structures deemed essential for public health and safety.

**Policy L-1.3.2: Lots of Record.** Notwithstanding density limitations and other development limitations adopted by the Comprehensive Plan or the Land Development Regulations, lots existing prior to October 16, 1990 (adoption date of Comprehensive Plan) shall be entitled to develop one dwelling unit. The Land Development Regulations shall address development standards for lots of record.

**Policy L-1.3.3: Density Exemption.** Notwithstanding density limitations and other development limitations adopted by the Comprehensive Plan or the Land Development Regulations, an existing residential dwelling shall be entitled to a density exemption to allow for the replacement of the dwelling unit if substantially damaged or destroyed by a hurricane, fire or other casualty. This policy does not provide an exemption to any other development standards.

**Objective L-1.4: Historic Preservation.** Preserve the City's historic character through appropriate policies, regulations, educational activities and incentives.

**Policy L-1.4.1: Historic Preservation.** The City's policy is to encourage preservation of historic resources, including historic structures, landmarks, cultural sites and archaeological sites through the following strategies:

1. Allow for the substantial improvement of historic structures as referenced in Policy L-1.3.1 and encourage adaptive re-use of historic structures (also see Policy H-2.1.3).



2. Notwithstanding the applicable Future Land Use Category, privately owned historic structures located within the Single Family land use category or Multifamily land use category may be permitted for non-residential uses as permitted by the Village Commercial land use category, subject to heightened review procedures to be adopted in the Land Development Regulations.
3. The City shall evaluate and amend its Land Development Regulations to provide additional regulatory flexibility and incentives to encourage the preservation of historic structures and resources.
4. The City shall implement Objective H-2.1 with a particular focus on historic housing.
5. The City shall provide educational information to residents, including the Secretary of Interior Guidelines for Historic Preservation.
6. The City shall seek technical assistance from Collier County, the State Historic Preservation Office, the Secretary of the Interior's Historic Preservation program and from non-governmental organizations.
7. The City shall protect archaeological sites by designating as Conservation or otherwise maintaining as open space through clustering.

**Objective L-1.5. Land Use Compatibility.** Implement strategies to ensure land use compatibility.

**Policy L-1.5.1. Compatibility with Everglades Airpark.** Development activities within the City shall comply with surface zone restrictions applicable to Everglades Airpark as adopted by Collier County, and shall ensure that population concentrations are avoided in accordance with Chapter 333, Florida Statutes.

**Policy L-1.5.2. Compatibility Buffers.** The City implement a transitional land use pattern where feasible between the Maritime Commercial and Single Family land use categories. The City shall adopt land development regulations to require an applicant for non-residential development to provide a compatibility buffer where a contiguous lot:

1. is zoned as Single Family or Multifamily;
2. is zoned with a less intense zoning district;
3. is developed with an existing residential use; or
4. is developed with a less intense use.

The land development regulations shall include standards for determining the relative intensity of zoning districts and uses for the purpose of implementing this policy. The width/opacity of compatibility buffers shall be according to the degree of dissimilarity with the contiguous zoning/existing use.



**EVERGLADES CITY**

**TRANSPORTATION ELEMENT**

## **Goal T-1:**

**Objective T-1.1: Enhance Mobility Options.** Maintain a safe and efficient multimodal transportation system prioritizing non-automobile mobility options for residents and visitors, while accommodating automobile and truck access.

**Policy T-1.1.1: Rescind Transportation Concurrency.** The City hereby rescinds transportation concurrency.

**Policy T-1.1.2: Mobility Master Planning.** The City prepared the Everglades City Bike/Pedestrian Master Plan in August 2020 ("Mobility Plan"). The City shall continue to refine and implement the Master Plan, which shall serve as the framework for implementing mobility improvements within the City, including sidewalks, bike paths, trails and access to docks and boat launches.

**Policy T-1.1.3: Funding Mobility Plan.** Prioritize Mobility Plan improvements by identifying short term and long term funding needs. Include short-term mobility improvements in the Five-Year Capital Improvements Schedule, which shall identify improvement costs and indicate whether the improvement is funded or unfunded.

**Objective T-1.2: Intergovernmental Coordination.** Coordinate with the Collier Metropolitan Planning Organization ("MPO") and Florida Department of Transportation ("FDOT") Regarding Mobility Planning and Funding Needs.

**Policy T-1.2.1: MPO Coordination.** Coordinate with the MPO by providing a representative on the MPO Board and by meeting at least annually with MPO staff to request technical assistance in regard to refining the Mobility Plan; identifying operational improvements to ensure safe operation of roadways and the multimodal network within the City; identifying related improvements for inclusion in the MPO Five-Year Transportation Improvement Plan (TIP), which shall be deemed incorporated by reference in the City's Five-Year Capital Improvements Schedule upon adoption of the TIP; and participating in the MPO Long Range Transportation Plan update to recommend inclusion of long-term mobility improvements.

**Policy T-1.2.2: CR 29 Improvements.** Coordinate with Collier County, Collier MPO and FDOT at least annually to request technical assistance in refining and implementing the Mobility Plan recommendations, including conversion of CR 29 within the City limits from four lanes to two lanes with associated multimodal improvements, implementing context sensitive design and complete street cross sections, minimize crossing distance at intersections to the extent feasible, and in identifying related operational improvements to ensure safe operation of CR 29 and related multimodal improvements. The City shall recommend improvements for inclusion in the MPO Five-Year Transportation Improvement Plan, which shall be deemed incorporated by reference in the City's Five Year Capital Improvements Schedule upon adoption by the MPO. The City shall also coordinate with FDOT in regard to SR 29 improvements outside of the City limits.

**Policy T-1.2.3. Future Traffic Circulation Map and Functional Classification.** The City adopts the 2045 Future Traffic Circulation Map, which identifies CR 29 as two lanes. The City shall coordinate with FHWA, FDOT and Collier MPO in determining the appropriate functional classification of CR 29, consistent with the Transportation Element.

**Objective T-1.3: Access Management.** Adopt and implement access management regulations to ensure appropriate access design and standards for delivery trucks, transient vehicles (as defined in the FLUE), vehicles towing boats, and other vehicles, while ensuring the safety of pedestrians, bicyclists and other non-motorized modes.

**Policy T-1.3.1: CR 29 Access.** Implement FDOT access management standards as set forth in Rules 14-96 and 14-97, F.A.C., which standards shall be incorporated by reference in the City's Land Development Regulations. The City shall coordinate with FDOT regarding any rule variances that may be determined appropriate.

**Policy T-1.3.2: Local Road Access.** Coordinate annually with Collier MPO to request technical assistance regarding access management strategies and standards.

**Objective T-1.4: Right-of-Way.** The City shall reserve sufficient right-of-way for roads and associated multimodal improvements.

**Policy T-1.4.1: Right-of-Way Regulations.** Adopt Land Development Regulations to define and reserve sufficient right-of-way for all existing and planned roads and associated multimodal improvements in the City.

**Objective T-1.5: Coordination with Elements of Comprehensive Plan.** The City shall ensure the Transportation Element policies and strategies are internally consistent with the other elements of the Comprehensive Plan.

**Policy T-1.5.1: Consistency with Future Land Use, Housing and Recreation Elements.** The City shall prioritize transportation improvements with highest priority given to safe and efficient multimodal access to schools, parks and other locations commonly accessed by children, followed by improvements to support multimodal access between housing and non-residential uses, particularly for affordable housing multimodal access to employment opportunities.

**Policy T-1.5.2: Consistency with Conservation and Coastal Management Elements.** The City shall minimize and avoid transportation improvements that would impact wetlands and listed species habitat. Where impacts are not avoidable, the City shall coordinate with jurisdictional agencies to implement mitigation in accordance with applicable laws. The City shall coordinate with FDOT and Collier MPO to evaluate the feasibility of elevating CR 29 and other roadways to reduce the potential for flooding. The City shall evaluate its parking regulations to reduce, to the extent appropriate, minimum parking standards and to adopt maximum parking ratios to limit the potential extent of

impervious surfaces. The City shall adopt regulations to incentivize use of pervious surfaces, including pervious concrete, brick pavers, turf block and similar treatments.

**Policy T-1.5.3: Consistency with Infrastructure Element.** The City shall coordinate the location of utilities and stormwater improvements in conjunction with street design and right of way.

**Objective T-1.6: Airport Planning.** The City shall ensure that land uses and development in proximity to Everglades Airpark is compatible with the safe operation of the airport and that population concentrations are avoided in accordance with Chapter 333, Florida Statutes.

**Policy T-1.6.1: Surface Zones.** The City shall not permit structures or allow other airspace obstructions to breach airport surface zones established by Collier County as set forth in the County's Land Development Regulations. The City shall meet periodically with the Collier County Airport Authority to address land use compatibility and shall request input from Collier County on any applications for comprehensive plan amendments, zoning amendments and development order amendments that would potentially affect development within 1,000 feet of the airport.

**Policy T-1.6.2: Population Concentrations.** The City shall ensure that land use designations do not result in a concentration of residential population within the Five-Mile zone required by Section 333.03, Florida Statutes



**EVERGLADES CITY**

**HOUSING ELEMENT**

**Goal H-I: Provide an adequate supply of safe and sanitary housing to satisfy housing needs for existing and projected households and special needs population.**

**Objective H-1.1: Substandard Housing.** Eliminate substandard housing in Everglades City through a program of rehabilitation, repair, and, if required, demolition.

**Policy H-1.1.1: Identify Substandard Housing.** The City shall, on a continuing basis, identify substandard housing with priority given first to identifying substandard housing with unsafe structural conditions, unsanitary conditions and other substandard conditions threatening health and safety, followed by identifying other substandard housing conditions.

**Policy H-1.1.2: Dangerous Housing.** The City shall adopt regulations to require occupants to vacate housing when necessary due to unsafe structural or sanitary conditions. The City shall condemn and order demolition of structures that cannot be rehabilitated to a safe condition.

**Policy H-1.1.3: Grant Programs.** Utilize available state and federal grant programs to assist qualified individuals and families in correcting substandard housing conditions or otherwise obtaining housing meeting standard conditions.

**Policy H-1.1.4: Nonconforming Structures.** As addressed in the Future Land Use Element, maintain flexible policies in regard to nonconforming structures and nonconforming density to encourage owner investment to correct, maintain and improve deteriorating and substandard housing units.

**Objective H-1.2: Household Displacement.** Avoid displacement of households to the extent feasible and provide relocation assistance when displacement does occur due to unsafe housing conditions, government actions or landowner decisions.

**Policy H-1.2.1: Landowner Actions.** Encourage landowners to explore alternatives to displacement of households, to provide relocation plans as part of an application for development approval and to provide financial assistance for relocation.

**Policy H-1.2.2: Relocation Information.** Provide households with information on available relocation assistance.

**Policy H-1.2.3: Relocation Regulations.** Adopt regulations to require relocation assistance in accordance with applicable state and federal laws when City actions result in displacement of households.

**Policy H-1.2.4: Intergovernmental Coordination.** Coordinate with FEMA, the State of Florida and Collier County to implement relocation assistance following hurricanes and other natural disasters.



**Objective H-1.3: Affordable Housing.** Provide a diversity of housing options and sufficient housing supply to satisfy existing and projected affordable housing needs. For the purpose of this objective, affordable housing shall mean the definition set forth in s. 420.0004, Florida Statutes.

**Policy H-1.3.1. Affordable Housing Needs Assessment.** Periodically conduct an affordable housing assessment to quantify existing and projected affordable housing needs based on household income.

**Policy H-1.3.2. Affordable Housing Options.** Allow multifamily housing in all residential zoning districts, except for the single-family zoning district. Allow accessory apartments, as defined in s. 163.31771(2)(a), Florida Statutes and in compliance with the standards of s. 163.31771, Florida Statutes, in all residential zoning districts. Accessory apartments shall not count as a dwelling unit for the purpose of calculating allowable density. Allow live-work and caretaker units in the Residential Tourist and Village Commercial zoning districts as-of-right and allow in the Condensed Commercial and Commercial Fishing zoning districts, subject to heightened review procedures.

**Policy H-1.3.3. Affordable Housing Strategies.** Request assistance from the Southwest Florida Regional Planning Council and Collier County to evaluate cooperatives, land trusts, and other strategies for reducing or underwriting land cost to facilitate affordable housing, to assist in educating landowners regarding available government assistance and to recommend strategies for encouraging the private sector to deliver affordable housing.

**Objective H-1.4: Special Needs/Group Quarters.** Provide sufficient housing sites for special needs population groups and sites for non-traditional forms of housing, such as dormitory/group quarters.

**Policy H-1.4.1: Congregate Care Housing.** Allow Independent Living Facilities and Assisted Living Facilities as-of-right in the RM land use category and in other residential land use categories, subject to heightened review as further specified in the Land Development Regulations.

**Policy H-1.4.2: Community Residential Homes.** Allow Community Residential Homes with six or fewer residents as a permitted use in all future land use categories and zoning districts that permit residential development. Allow Community Residential Homes with seven to fourteen residents in all residential land use categories, subject to heightened review as further specified in the Land Development Regulations.

**Policy H-1.4.3: Dormitories/Group Quarters.** Allow dormitories, group quarters and other nontraditional forms of housing to serve commercial fishing industry workers and service workers.

**Goal H-2: Preserve and Protect Contributing Historic Structures as Part of the City's Housing Supply**

**Objective H-2.1: Historic Preservation Program.** Implement historic preservation program to protect contributing historic structures with specific strategies focused on housing supply.

**Policy H-2.1.1. Historic Preservation Board.** Adopt regulations to establish Historic Preservation Board for the purpose of making recommendations to City Council on historic preservation strategies, implementing historic preservation program strategies and conducting reviews required by the Land Development Regulations.

**Policy H-2.1.2: Historic Preservation Regulations.** Adopt Land Development Regulations to regulate the rehabilitation, demolition and relocation of contributing historic structures in accordance with the Secretary of Interior Guidelines for Historic Preservation.

**Policy H-2.1.3: Adaptive Re-Use.** As addressed by the Future Land Use Element, allow mixed use combining residential and non-residential uses within contributing historic structures and premises to potentially generate additional revenue for owners to invest in rehabilitation.



**EVERGLADES CITY**

**INFRASTRUCTURE ELEMENT**

**Goal I-1:** Maintain infrastructure at adopted level-of-service standards, ensure sufficient water supply and maintain natural groundwater recharge.

**Objective I-1.1: Potable Water.** Provide potable water treatment and maintain a distribution network to serve Everglades City households, visitors, businesses and other users with potable water at the adopted level of service standard and in accordance with applicable water quality standards.

**Policy I-1.1.1: Potable Water LOS.** The City adopts the following level of service standards for potable water: 244.30 gallons per day per capita for water supply planning and, for the purpose of issuing development orders, gallons per day as listed in Table 1\_of Rule 64-E-6.008, Florida Administrative Code (Table 1), effective July 1, 2018, shall be utilized as the level of service standard for the applicable land use type.

**Policy I-1.1.2: 10-Year Water Supply Plan.** Within 18 months following the South Florida Water Management District's adoption of the Lower West Coast Regional Water Supply Plan, the City shall evaluate and forecast the City's water supply needs for a projected ten-year period and shall adopt a 10-Year Water Supply Plan that identifies water sources necessary to satisfy the City's projected water demand. The Water Supply Plan shall identify the City's conservation strategies to reduce demand as set forth in the City of Everglades Consumptive Use Permit and shall evaluate additional strategies to reduce water consumption. The 10-Year Water Supply Plan shall be consistent with the Lower West Coast Regional Water Supply Plan and shall identify potential alternative water supplies to the extent required.

**Policy I-1.1.3: Intergovernmental Coordination.** The City shall coordinate with the South Florida Water Management District, Collier County and other utilities during the preparation of the 10-year Water Supply Plan to evaluate opportunities for jointly addressing water demands and addressing development of alternative water sources to the extent required.

**Objective I-1.2: Sanitary Sewer.** Provide wastewater treatment and maintain a collection system to serve Everglades City households, visitors, businesses and other users with sanitary sewer service at the adopted level of service standard.

**Policy I-1.1.1: Sanitary Sewer LOS.** The City adopts the following level of service standard for sanitary sewer service: 275 gallons per day per Equivalent Residential Unit. For non-residential uses, ERU shall be calculated as estimated water demand for proposed development based on Rule 64E-6, Part I, divided by 275.

**Policy I-1.1.2: Wastewater Plant.** The City's highest priority is the funding and construction of the new wastewater treatment plant. The City shall continue to apply for state and federal grants to fully fund the construction of the new Wastewater Plant and dismantling of the obsolete wastewater plant.

**Policy I-1.1.3: Wastewater Collection System.** The City shall continue to apply for funding to study the wastewater collection system, identify and construct improvements to correct infiltration, exfiltration and other identified deficiencies, and to identify and implement improvements to make the wastewater system resilient to flooding impacts.

**Objective I-1.3: Solid Waste.** Provide solid waste collection and disposal at the adopted level of service standards and reduce solid waste generation through recycling efforts.

**Policy I-1.1.1: Solid Waste LOS.** The City incorporates by reference the County's adopted level of service standard for solid waste service.

**Policy I-1.1.2: Contract with Collier County Solid Waste Services.** The City will continue to contract with Collier County Solid Waste Services to maintain solid waste services at the adopted level of service standard.

**Policy I-1.1.3: Recycling.** The City will continue to implement strategies to reduce solid waste generation, including disseminating information from Collier County Solid Waste Services regarding recycling, safe reuse of household products and

**Objective I-1.4: Drainage/Stormwater Management.** Provide a stormwater management system comprised of publicly maintained stormwater management ponds, drainage conveyances and outfalls and privately maintained stormwater management components at the following adopted level of service standards.

**Policy I-1.1.1: Drainage LOS.** The City adopts the following level of service standards for drainage/stormwater management: 10-year (frequency)/24-hour (duration). The City shall require documentation that an applicant has obtained an Environmental Resource Permit from the South Florida Water Management District for any development subject to its jurisdiction and for which an individual permit is required.

**Policy I-1.1.2: Funding.** The City shall apply for funding from federal and state agencies to support studies of the City's stormwater management system to evaluate potential engineering solutions to maximum the ability of the stormwater management system to treat stormwater runoff prior to discharge and to achieve positive outfall, accounting for projected sea level rise through 2060.

**Objective I-1.5: Natural Groundwater Recharge.** Protect natural groundwater recharge in geographic areas affecting the City's wellfield.

**Policy I-1.5.1: Coordination with Collier County.** The mucky soils within the City are not conducive to groundwater recharge. The City shall coordinate with Collier County to ensure the low density and conservation future land use categories are maintained within geographic areas potentially impacting the City's wellfield protection area.



**EVERGLADES CITY**

**RECREATION AND OPEN SPACE**

**ELEMENT**

**Goal R-1:** Provide public and private recreational sites and facilities to meet the existing and projected needs of households and to support ecotourism.

**Objective R-1.1. Active Recreation.** Maintain and expand active recreational sites and facilities within the City.

**Policy R-1.1.1. Evaluate Needs.** The City hereby rescinds recreational/open space concurrency policies and related level-of-service standards. The City shall periodically evaluate recreational needs based on projected population/demographics.

**Policy R-1.1.2. Active Parks.** Provide and maintain public mini-park sites/playground equipment for younger children and larger neighborhood/community parks with active sports (courts, field, etc.) within the fiscal capabilities of the City. Request County, State and Federal funding and apply for available grants to support recreation/park improvements. Identify funded and unfunded needs in the Five-Year Capital Improvements Schedule.

**Policy R-1.1.3. School Recreation.** Coordinate with the School District to maintain playgrounds/active sports at the Everglades City School.

**Policy R-1.1.4. Multifamily Recreation.** Adopt land development regulations to require multifamily projects to provide private recreational sites.

**Policy R-1.1.5. Incentives.** Adopt regulatory incentives to encourage the provision of neighborhood parks as part of a proposed re-plat.

**Policy R-1.1.6. Private Sites.** Encourage houses of worship, private schools and day-care facilities to allow public use of grounds for field sports and to allow public use of recreational facilities.

**Policy R-1.1.7. Maritime Recreation.** Provide and maintain public boat launching sites and docking facilities.

**Policy R-1.1.8. Mobility Master Plan.** Coordinate active recreation sites with pedestrian and bike lane improvements pursuant to the City's *Pedestrian and Bike Master Plan*.

**Objective R-2. Passive Recreation.** Maintain passive recreational sites facilities within the City.

**Policy R-2.1. Passive Recreational Improvements.** Request County, State and Federal funding and apply for available grants to maintain and improve passive recreational sites/activities, such as trails, benches, piers and bike racks. Encourage programming and expenditure of County, State and Federal funds at sites owned or managed by those jurisdictions within and near Everglades City.

**Policy R-2.2. Ecotourism.** The City shall continue to promote ecotourism by providing information on the City website regarding the Pedestrian/Bike Master Plan, the City's Trail Town designation and its many recreational opportunities and facilities for visitors.



**EVERGLADES CITY**

**CONSERVATION ELEMENT**



**Goal CE-1.** Protect the environment by ensuring future growth and development occurs in a sustainable manner that does not adversely affect natural resources, water quality and air quality.

**Objective CE-1.1: Marine Resources.** Identify and protect fisheries, marine habitats and listed species utilizing marine habitats from adverse development impacts through land use controls, wastewater treatment and stormwater management, development standards and intergovernmental coordination.

**Policy CE-1.1.1: Infrastructure Improvements.** The City shall prioritize intergovernmental coordination efforts to obtain additional and sufficient funding for a new wastewater treatment plant, and for additional funding to support improvements to the wastewater collection network and stormwater management system.

**Policy CE-1.1.2: Development Standards.** The City will undertake an analysis to re-evaluate the impervious surface development standards and identify opportunities to improve stormwater management with particular emphasis placed on maritime industrial areas.

**Objective CE-1.2: Wetland and Upland Resources.** Identify and protect wetlands and related soil types, upland habitats, including forests and related soil types, and listed species utilizing wetlands and upland habitats from adverse development impacts through land use controls, development standards and intergovernmental coordination.

**Policy CE-1.2.1. Wetland Protection.** Wetlands shall be designated as Conservation and Open Space upon either acquisition by a government agency or upon impressing with a Conservation Easement. Wetlands that are not currently owned by a government agency or protected by a Conservation Easement are deemed appropriate for potential acquisition or protection pursuant to a Conservation Easement. One significant wetland area remains in private ownership within the City and is not designated as Conservation. This area is located immediately east of the airport and was changed from Conservation to Residential Tourist in 1993 pursuant to Ordinance 93-1. This land use category indicates that maximum densities and impervious surface ratio may not be achievable, particularly where wetlands occur. These wetlands are hereby prioritized for acquisition and/or protection through a Conservation Easement. Any proposed development application on a parcel containing wetlands shall require an environmental assessment, which identifies the location, type, values, functions and size of the wetlands, and shall demonstrate that wetland impacts have been minimized, avoided and mitigated where incompatible uses occur within wetland areas. The application must provide permits from state agencies, the South Florida Water Management District and federal agencies with jurisdiction prior to issuance of building permits for development within jurisdictional wetlands, and any such building permits shall be consistent with jurisdictional permits.

**Policy CE-1.2.2. Upland Habitat Protection.** The Future Land Use Classification and Cover System (FLUCCS) Map presented in Volume II indicates that the City has very limited upland habitats, if any, within its boundaries. Development applications proposing to remove or impact existing, forested areas shall identify habitat type as part of an environmental assessment and confirm whether any such areas are presently utilized by listed species.

**Objective CE-1.3: Water Sources.** Protect the quantity and quality of current and projected water sources through land use controls, development standards and intergovernmental coordination.

**Policy CE-1.3.1: Wellfield Protection.** The City's wellfields are located in unincorporated Collier County and are subject to County jurisdiction in regard to land use and development regulations. Adopt agreement with Collier County to define wellfield protection areas, maintain conservation or very low density future land use categories within wellfield protection areas and to provide for the County adoption of land development regulations to uses and development activities to ensure protection of wellfield protection areas.

**Policy CE-1.3.2: Structured Use Rates.** Continue to implement a structured rate program in accordance with Water Use Permit conditions to encourage water conservation.

**Policy CE-1.3.3: Groundwater Recharge.** City of Everglades soil types, which consist primarily of muck, are not conducive to natural groundwater recharge. The City shall coordinate with Collier County regarding groundwater recharge in relation to the City's wellfield.



**EVERGLADES CITY**

**COASTAL MANAGEMENT**

**ELEMENT**

**Goal CM-1:** Protect coastal and marine resources, prioritize water dependent and water related uses, retain and promote commercial fishing and ecotourism, increase resilience to flood events and sea level rise, implement hurricane preparedness, recovery and post disaster recovery and maintain acceptable hurricane evacuation clearance time for residents and visitors.

**Objective CM-1.1: Coastal and Marine Resources.** Protect coastal and marine resources by designating suitable coastal land uses, density and intensity, adopting and implementing appropriate development standards and planning, funding and constructing required potable water, wastewater and stormwater improvements to maintain or improve water quality.

**Policy CM-1.1.1: Wetland Protection.** Designate lower density land uses based on the type, quality and function of wetlands as further addressed in the Conservation Element. Require applicants to provide documentation of required state, South Florida Water Management District, and federal permits prior to issuance of a building permit for development within wetlands.

**Policy CM-1.1.2: Listed Species Protection.** Designate lower density land uses within known listed species habitat areas. Require applicants to provide documentation of required state and federal permits prior to issuance of a building permit for development within listed species habitat.

**Objective CM-1.2: Shoreline Priorities.** Maintain and expand traditional maritime uses where appropriate from an environmental perspective.

**Policy CM-1.2.1: Shoreline Land Use.** Future land use designations shall ensure commercial fishing, maritime industrial, such as canneries, sport fishing/ecotourism uses and other water dependent uses are permitted as-of-right within established areas and that potentially competing uses will be subject to heightened review to avoid displacing traditional water front uses.

**Policy CM-1.2.2: Open Space and Impervious Coverage.** Ensure development standards require sufficient open space to allow for proper stormwater management, while accommodating heavy equipment where established for maritime industrial uses.

**Objective CM-1.3: Hurricane Preparedness, Response, Recovery and Post Disaster Reconstruction.** Maintain hurricane evaluation capability by generally maintaining the established residential development pattern and avoiding density increases that would increase hurricane evacuation clearance time. Maintain an emergency management program in coordination with County, State and Federal agencies to ensure public safety, minimize property damage and facilitate recovery and longer term post disaster reconstruction.

**Policy CM-1.3.1: Coastal High Hazard Area (CHHA) Density Limitations.** The City of Everglades lies entirely within the CHHA, defined by s. 163.3178, F.S., as the area inundated by a Category 1 storm surge as determined by the Sea Lake and Overland Surges from Hurricane Model (SLOSH). The Future Land Use map designates extensive areas of the City as low density, single family neighborhoods along with certain blocks designated for higher density multifamily development.

The City shall generally maintain this development and density pattern, discourage comprehensive plan amendments and zoning amendments that would increase density, and will not consider any such applications, except in accordance with the criteria set forth in Section 163.3178, F.S.

**Policy CM-1.3.2: Public Expenditures in the CHHA.** All public expenditures within the City will occur within the CHHA. The City shall avoid subsidizing excessive development within the CHHA by maintaining the development and density patterns as established by the Future Land Use Map and Zoning Map. Capital improvements shall not oversize facility capacity beyond projected needs.

**Policy CM-1.3.3: Hurricane Preparedness.** The City shall implement its Comprehensive Emergency Management Plan and maintain operational readiness in coordination with Collier County, State Division of Emergency Management and the Federal Emergency Management Agency.

**Policy CM-1.3.4: Hurricane Evacuation.** The City adopts the hurricane evacuation clearance time standards set forth in Section 163.3178, F.S., for the purpose of considering Comprehensive Plan amendments pursuant to Policy CM-1.3.1. The City shall coordinate with Collier County on evacuation strategies for residents that require public assistance to evacuate to a hurricane shelter or other location. The City shall make public information available to residents concerning hurricane evacuation and support mandatory evacuation orders.

**Policy CM-1.3.5: Hurricane Recovery and Post Disaster Construction.** The City shall implement its Comprehensive Emergency Management Plan and maintain operational readiness in coordination with Collier County, State Division of Emergency Management and the Federal Emergency Management Agency to support recovery operations immediately following a hurricane or other natural disaster. The City shall adopt land development regulations to establish a triage process for giving highest priority to emergency permits required to correct unsafe structural conditions and other hazards, expedited building permits to avoid further immediate damage, buildings that sustained damage, but are generally not susceptible to immediate additional damage, and building permits for longer term post disaster reconstruction.

**Objective CM-1.4: Resilience to Flooding.** Policy CM-1.4.1. The City shall adopt and implement policies, regulatory standards, administrative procedures, incentives or other strategies to reduce vulnerability to sea level rise, high-tide events, storm surge, stormwater runoff and flash floods.

**Policy CM-1.4.1. Decision-making Process.** The City shall consider in all decision-making processes whether the action or decision will increase, reduce or mitigate flood potential from sea level rise, high tide and storm surge, including:

1. Comprehensive Plan and Land Development Code amendments. The City shall evaluate its policies and regulations on a periodic basis to consider amendments to reduce and/or mitigate flooding impacts and shall ensure amendments do not increase the extent and depth of flood potential.

2. Subdivision and Site Plan reviews. The City shall ensure all applicable policies and regulations are enforced during development review procedures.
3. Budgetary Process, Strategic Plans and Departments. The City shall consider opportunities to reduce and/or mitigate flood impacts in preparing its budget, evaluating public projects and determining priorities by Department.
4. Infrastructure Improvements. The City shall apply for grants to elevate vulnerable infrastructure above the projected 2060 sea level rise inundation area and implement floodproofing and other engineering solutions to increase public health and safety and improve flood resiliency.

**Policy CM-1.4.2. Reduce Insurance Claims.** The City shall implement the following redevelopment and development principles, strategies and engineering solutions to reduce insurance claims:

1. Evaluate land acquisition opportunities based on the following guiding principles:
  - a. Identify and prioritize sites that are determined most susceptible to flooding based on modeling and/or records on repetitive structural damage.
  - b. Prioritize sites that maximize public benefits, including shoreline access, recreation, conservation and other objectives of the Comprehensive Plan.
  - c. Reduce acquisition costs by seeking out willing sellers through voluntary land acquisition.
  - d. Coordinate with regional, state and federal agencies and non-profit programs on funding acquisition priorities.
  - e. Pursue options to aggregate acquisition lands to maximize effectiveness and reduce infrastructure demands.
2. Implement strategies to reduce density/intensity of development in flood zones:
  - a. Prioritize potential sites appropriate for less than fee simple purchase of partial development rights following the same principles as for fee simple acquisition.
  - b. Prioritize sites that are suitable for conversion to less susceptible and or lower value land uses in conjunction with fee simple purchase of partial development rights.
  - c. Evaluate opportunities to implement drainage improvements, selective seawall construction or other engineering solutions in conjunction with density reduction strategies.
3. Amend floodplain regulations to require a cumulative calculation of improvement costs in determining whether improvements result in a substantial improvement to a nonconforming structure below required base floor elevation.
4. Prioritize public expenditures that would elevate key infrastructure components above projected flooding from high tides and projected sea level rise through 2060.
5. Seek grant funding to improve stormwater management capability. Conduct periodic inspections of drainage systems to ensure maximum conveyance.

6. Coordinate with the Florida Department of Transportation, Collier County, Collier School District and other government agencies that own development sites, control right-of-way or provide services in order to evaluate opportunities for partnering on drainage improvements and to encourage designs that minimize and mitigate flood impacts.

**Policy CM-1.4.3. Site Development Techniques and Best Management Practices.** The City shall evaluate and adopt Land Development Regulations to require or incentivize the following site development techniques and best management practices to reduce losses due to flooding and resulting insurance claims:

- a. Evaluate the feasibility of adopting more stringent drainage level-of-service standards as related to duration, frequency and recovery design criteria.
- b. Evaluate the feasibility of revising regulations to reduce the extent of required impervious surfaces, including minimum and maximum off-street parking ratios, options for compact parking spaces, bicycle storage parking credits, specific shared parking ratios for uses with different peak periods, and use of pervious materials for driveways, parking and sidewalks.
- c. Require shared access points and cross-connections between developments where feasible and where it result would reduce impervious surfaces.
- d. Reduce minimum pavement width requirements for driveways and local streets.
- e. Enforce floodplain regulations to require minimum floodplain standards to be met.
- f. Continue to provide public education on flood protection, best management practices and the National Flood Insurance Program via its website, pamphlets workshops, and other outreach methods.

**Policy CM-1.4.4. Consistency with Florida Building Code.** The City shall maintain flood-resistant construction requirements that are consistent with, or more stringent, than the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R., Part 60.

**Policy CM-1.4.5. Compliance with Chapter 161, Florida Statutes.** Construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 shall be consistent with Chapter 161, Florida Statutes.

**Policy CM-1.4.6. National Flood Insurance Program.** The City shall continue to participate in the National Flood Insurance Program Community Rating System and shall periodically evaluate program options for improving its rating to maximum insurance premium discounts.



**EVERGLADES CITY**

**INFRASTRUCTURE ELEMENT**



**Goal I-1:** Maintain infrastructure at adopted level-of-service standards, ensure sufficient water supply and maintain natural groundwater recharge.

**Objective I-1.1: Potable Water.** Provide potable water treatment and maintain a distribution network to serve Everglades City households, visitors, businesses and other users with potable water at the adopted level of service standard and in accordance with applicable water quality standards.

**Policy I-1.1.1: Potable Water LOS.** The City adopts the following level of service standards for potable water: 244.30 gallons per day per capita for water supply planning and, for the purpose of issuing development orders, gallons per day as listed in Table 1 of Rule 64-E-6.008, Florida Administrative Code (Table 1), effective July 1, 2018, shall be utilized as the level of service standard for the applicable land use type.

**Policy I-1.1.2: 10-Year Water Supply Plan.** Within 18 months following the South Florida Water Management District's adoption of the Lower West Coast Regional Water Supply Plan, the City shall evaluate and forecast the City's water supply needs for a projected ten-year period and shall adopt a 10-Year Water Supply Plan that identifies water sources necessary to satisfy the City's projected water demand. The Water Supply Plan shall identify the City's conservation strategies to reduce demand as set forth in the City of Everglades Consumptive Use Permit and shall evaluate additional strategies to reduce water consumption. The 10-Year Water Supply Plan shall be consistent with the Lower West Coast Regional Water Supply Plan and shall identify potential alternative water supplies to the extent required.

**Policy I-1.1.3: Intergovernmental Coordination.** The City shall coordinate with the South Florida Water Management District, Collier County and other utilities during the preparation of the 10-year Water Supply Plan to evaluate opportunities for jointly addressing water demands and addressing development of alternative water sources to the extent required.

**Objective I-1.2: Sanitary Sewer.** Provide wastewater treatment and maintain a collection system to serve Everglades City households, visitors, businesses and other users with sanitary sewer service at the adopted level of service standard.

**Policy I-1.1.1: Sanitary Sewer LOS.** The City adopts the following level of service standard for sanitary sewer service: 275 gallons per day per Equivalent Residential Unit. For non-residential uses, ERU shall be calculated as estimated water demand for proposed development based on Rule 64E-6, Part I, divided by 275.

**Policy I-1.1.2: Wastewater Plant.** The City's highest priority is the funding and construction of the new wastewater treatment plant. The City shall continue to apply for state and federal grants to fully fund the construction of the new Wastewater Plant and dismantling of the obsolete wastewater plant.

**Policy I-1.1.3: Wastewater Collection System.** The City shall continue to apply for funding to study the wastewater collection system, identify and construct improvements to correct infiltration, exfiltration and other identified deficiencies, and to identify and implement improvements to make the wastewater system resilient to flooding impacts.

**Objective I-1.3: Solid Waste.** Provide solid waste collection and disposal at the adopted level of service standards and reduce solid waste generation through recycling efforts.

**Policy I-1.1.1: Solid Waste LOS.** The City incorporates by reference the County's adopted level of service standard for solid waste service.

**Policy I-1.1.2: Contract with Collier County Solid Waste Services.** The City will continue to contract with Collier County Solid Waste Services to maintain solid waste services at the adopted level of service standard.

**Policy I-1.1.3: Recycling.** The City will continue to implement strategies to reduce solid waste generation, including disseminating information from Collier County Solid Waste Services regarding recycling, safe reuse of household products and

**Objective I-1.4: Drainage/Stormwater Management.** Provide a stormwater management system comprised of publicly maintained stormwater management ponds, drainage conveyances and outfalls and privately maintained stormwater management components at the following adopted level of service standards.

**Policy I-1.1.1: Drainage LOS.** The City adopts the following level of service standards for drainage/stormwater management: 10-year (frequency)/24-hour (duration). The City shall require documentation that an applicant has obtained an Environmental Resource Permit from the South Florida Water Management District for any development subject to its jurisdiction and for which an individual permit is required.

**Policy I-1.1.2: Funding.** The City shall apply for funding from federal and state agencies to support studies of the City's stormwater management system to evaluate potential engineering solutions to maximum the ability of the stormwater management system to treat stormwater runoff prior to discharge and to achieve positive outfall, accounting for projected sea level rise through 2060.

**Objective I-1.5: Natural Groundwater Recharge.** Protect natural groundwater recharge in geographic areas affecting the City's wellfield.

**Policy I-1.5.1: Coordination with Collier County.** The mucky soils within the City are not conducive to groundwater recharge. The City shall coordinate with Collier County to ensure the low density and conservation future land use categories are maintained within geographic areas potentially impacting the City's wellfield protection area.



**EVERGLADES CITY**

**PROPERTY RIGHTS ELEMENT**

**Goal: Protect property rights in accordance with Florida Statutes.**

**Objective PR-1: Property Rights Consideration.** Consider property rights in all decision-making processes, including, but not limited to, those property rights specified in this element.

**Policy PR-1.1: Possession and Control.** The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

**Policy PR-1.1: Use and Development.** The right of a property owner to use, maintain, develop, and improve his or her for personal use or for the use of any other person, subject to state law and local ordinances.

**Policy PR-1.1: Privacy.** The right of a property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

**Policy PR-1.1: Property Disposition.** The right of a property owner to dispose of his or her property through sale or gift.



**EVERGLADES CITY**

**CAPITAL IMPROVEMENT**

**ELEMENT**

**Goal CIE-1:** Maintain a fiscally sound capital improvements program to fund capital improvements based on the needs identified in each element of the Comprehensive Plan.

**Objective CIE-1.1: Capital Improvement Needs, Revenues and Expenditures.** Identify capital improvement needs, projected revenue, projected expenditures and projected unmet needs for the pending fiscal year and five-year planning period based on each element of the Comprehensive Plan during the City's annual budgetary process.

**Policy CIE-1.1.1: Internal Coordination on Capital Improvement Needs.** Coordinate internally to determine potable water, wastewater, stormwater management, transportation, Fire Department equipment, government building and recreation capital improvement needs for the pending fiscal year and five-year planning period based on each element of the Comprehensive Plan during the City's annual budgetary process.

**Policy CIE-1.1.2: Facility Studies.** Request funding assistance and apply for available federal and state grants to fund studies required to identify potable water, wastewater, stormwater management, Fire Department equipment, government building and recreation improvement needs.

**Policy CIE-1.1.3: New Wastewater Plant.** Funding a new Wastewater Treatment Plant remains the City's highest priority for Capital Improvement funding assistance. Continue to request funding assistance from the federal and state governments and apply for available grants to obtain sufficient revenue to fund the new Wastewater Treatment Plant.

**Policy CIE-1.1.4: Other Major Capital Improvement Priorities.** Wastewater collection system inflow/infiltration remediation and stormwater improvements are also major capital improvement funding priorities.

**Policy CIE-1.1.5: Technical Assistance.** Continue to request technical assistance each year from FDEP, SFWMD, and the Florida Rural Water Association regarding funding strategies, fiscal management, facilities studies and service strategies related to water supply, potable water system, wastewater system, stormwater system and water quality protection.

**Policy CIE-1.1.6: Transportation Needs.** Coordinate with the Collier MPO to present short-term and long-term City transportation needs during the preparation of the MPO Five-Year Transportation Improvement Plan and Long Range Transportation Plan, respectively.

**Objective CIE-1.2: Capital Improvement Schedule.** Adopt a Five-Year Capital Improvements Schedule by Ordinance each year following the annual budget process to include funded and unfunded capital improvements, projected revenue for capital improvement needs, funding source and planned/projected expenditures for same.

**Policy CIE-1.2.1: Prioritization.** Prioritize capital improvements based on the following order:

1. Public health and safety emergency needs;
2. Replacing obsolete or worn out facilities required to protect public health and safety;
3. Replacing obsolete or worn out facilities required for environmental protection;
4. Replacing obsolete or worn out facilities for other identified public purposes;
5. Supporting new growth and redevelopment needs

**Policy CIE-1.2.2: Fiscal Management.** Maintain sound fiscal management practices in accordance with accepted standards.

**Policy CIE-1.2.3: Five-Year Capital Improvements Schedule.** The City hereby adopts the Five-Year Capital Improvements Schedule:

**Table 1. Five-Year Capital Improvements Schedule (Expenditures subject to funding availability per Table 2.)**

Facility Type	FY 2023-2024	FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028	Total
<b>Wastewater</b>						
New Wastewater Treatment Plant	\$4,300,000	\$5,200,000				<b>\$9,500,000</b>
Everglades City Pump Station Rehab Package B	\$197,400					<b>\$197,400</b>
Effluent Disposal Capacity Upgrade		\$1,536,000				<b>\$1,536,000</b>
Carnestown to Copeland Pump Station Rehab		\$67,800				<b>\$67,800</b>
Plantation Island Septic to Sewer					\$3,408,000	<b>\$3,408,000</b>
Wastewater Collection	\$100,000	\$150,000	\$200,000	\$242,900	\$242,900	<b>\$935,800</b>
<b>Total</b>	<b>\$4,575,400</b>	<b>\$6,953,800</b>	<b>\$200,000</b>	<b>\$242,900</b>	<b>\$3,650,000</b>	<b>\$15,622,100</b>

<b>Potable Water</b>						
Replace surge/hydro tank at WTP		\$340,000				\$340,000
<b>Drainage</b>						
Drainage Master Plan	\$250,000					\$250,000
<b>Roads and Multimodal</b>						
None						
<b>Fire Department</b>						
None						
<b>Government Buildings</b>						
None						
<b>Parks</b>						
None						
<b>Miscellaneous</b>						
None						

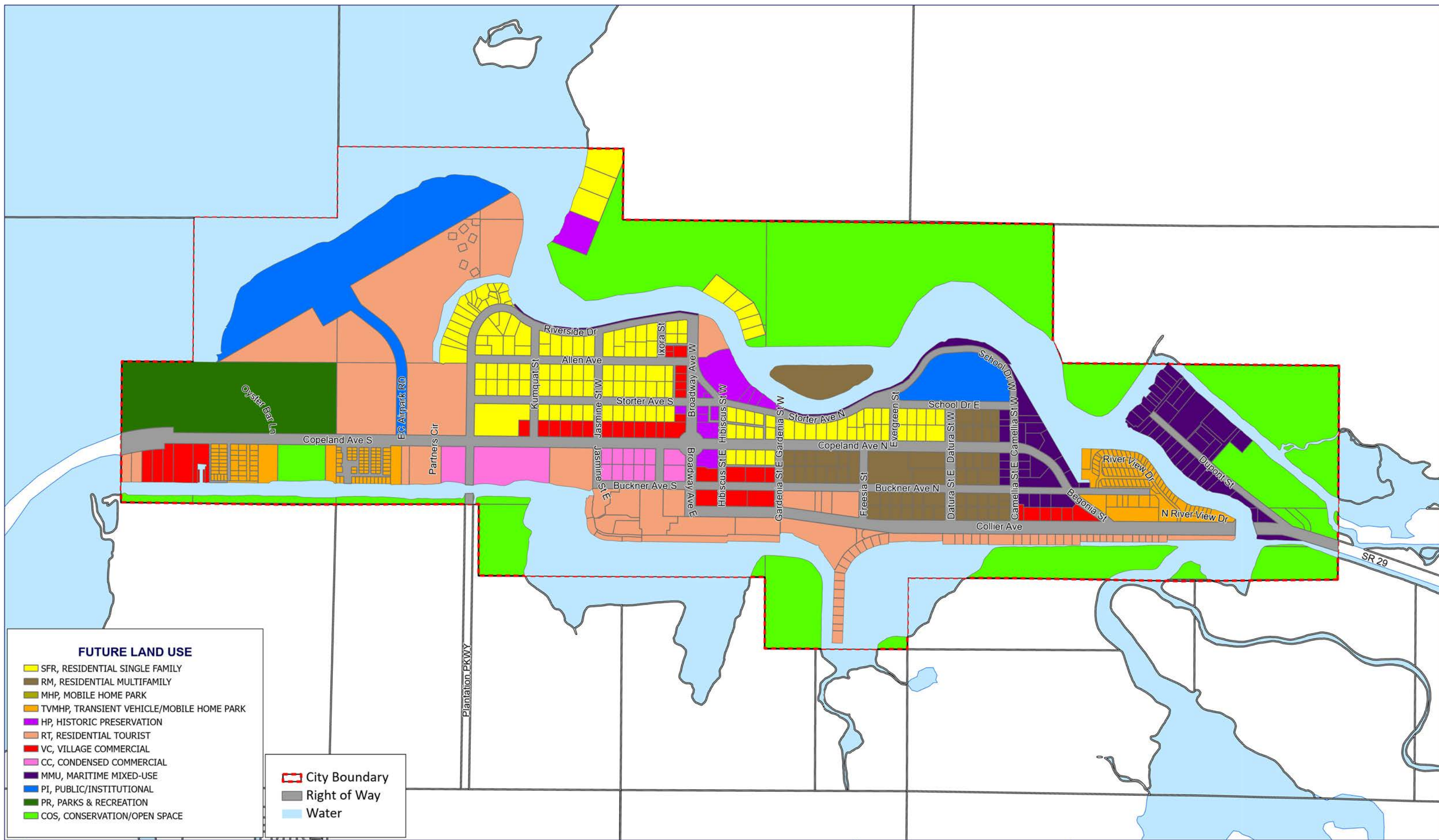
Table 2. Five-Year Capital Improvements Schedule (Revenue/Funding Source)

Facility Type	FY 2023-2024	FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028	Total
<b>Wastewater</b>						
New Wastewater Treatment Plant	\$4,300,000 FDEP Grant	<b>Unfunded Need:</b> \$5,200,000 High Priority				\$4,300,000 (funded) \$5,200,000 (anticipated funding)



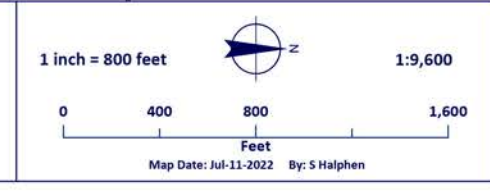
Everglades City Pump Station Rehab Package B	\$197,400 Unfunded Need - 20% SRF Loan/80% Grant (High Priority)					\$197,400 (anticipated funding)
Effluent Disposal Capacity Upgrade		\$1,536,000 Unfunded Need - 20% SRF Loan/80% Grant (High Priority)				\$1,536,000 (anticipated funding)
Carnestown to Copeland Pump Station Rehab		\$67,800 Unfunded Need - 20% SRF Loan/80% Grant (High Priority)				\$67,800 (anticipated funding)
Plantation Island Septic to Sewer					\$3,408,000 Unfunded Need - 20% SRF Loan/80% Grant (Low Priority)	\$3,408,000 (anticipated funding)
Wastewater Collection (Utility Revenue)	\$100,000	\$150,000	\$200,000	\$242,900	\$242,900	\$935,800
Total						\$5,235,800 (funded) \$10,386,300 (funding needed)

<b>Potable Water</b>						
Replace surge/hydro tank at WTP		<b>Unfunded Need:</b> \$340,000 80% grant/20% loan anticipated. (High Priority)				\$340,000 (funding need)
<b>Drainage</b>						
Drainage Master Plan	Unfunded Need: \$250,000 (High Priority)					\$250,000 (funding need)
<b>Roads and Multimodal</b>						
TIP Project 4482651 (sidewalks)			\$430,000 (funded)			\$430,000
<b>Fire Department</b>						
None						
<b>Government Buildings</b>						
None						
<b>Parks</b>						
None						
<b>Miscellaneous</b>						
None						



TITLE:

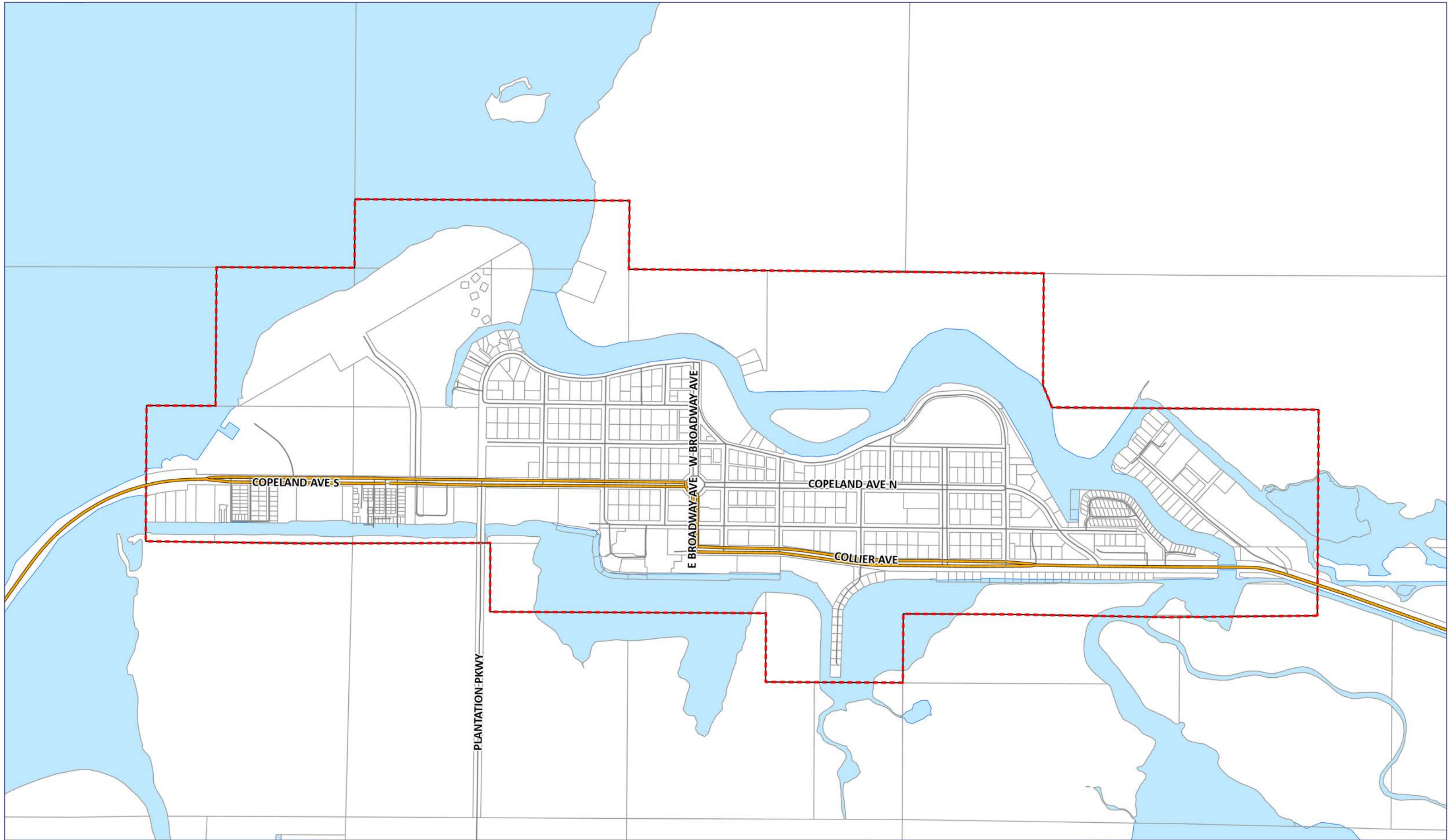
# 2045 Future Land Use Map adopted July 5,2022



PROJECT:

# EVERGLADES CITY

Collier County, Florida



- |                      |                    |
|----------------------|--------------------|
| CITY BOUNDARY        | <b>ROADS</b>       |
| COLLIER PARCELS 2020 | ROAD CLASS         |
| WATERBODIES          | COLLECTOR, 2 LANES |
|                      | LOCAL              |

TITLE:

# FUTURE TRAFFIC CIRCULATION 2045



PROJECT:

## CITY OF EVERGLADES

Collier County, Florida