

In-Lieu Sidewalk Program Application Form

The City of Jacksonville (COJ) is committed to applying the guidelines of complete streets per Resolution 2019-653. COJ requires that new development and redevelopment projects include adequate pedestrian access via the construction or reconstruction of sidewalk infrastructure. The goal of this policy is to ensure that all modes of transportation are taken into consideration when designing road improvements. Furthermore, it is ensuring that a complete sidewalk network is provided throughout the City, while also recognizing that sidewalks are not feasible in all circumstances due to unforeseen or uncontrollable situations.

Sidewalks shall be provided within all proposed development and redevelopment in accordance with the City's Land Development Procedures Manual. In situations where the construction of a sidewalk is not feasible, select projects may qualify for the option of making an In-Lieu Sidewalk Program payment as an alternative to constructing a sidewalk. The In-Lieu Sidewalk Program payment is not to be used as an option to reduce project costs. The failure to construct a sidewalk shall not cause or contribute to a safety hazard as determined by the City. Closing critical gaps in the sidewalk network and being the first to initiate development in an area or along a corridor are valid reasons to provide sidewalks and contribute to an effective countermeasure for the safety of pedestrians.

Consistent with Section 654.137 (a), Ordinance Code, an In-Lieu Sidewalk Program Application may not be granted solely based on economic hardship or if it would have the effect of nullifying the intent and purpose of these regulations.

APPLICATION PROCESS:

Applicants seeking to qualify for the In-Lieu Sidewalk Program shall complete an application before resubmitting civil plans for review after the first round of comments if disapproved the first time based on a lack of sidewalks. Applications should include this signed form, a justification letter as described below, a site plan, and any other relevant information. Applications should be submitted online at https://jaxepics.coj.net/Deviation/Create by selecting the Deviation Type 'Site Regulations' and the Sub Type 'Sidewalk construction waiver and payment into Sidewalk Fund'. If accepted into the program, civil plans will not receive final approvals until payment for the In-Lieu Sidewalk Program has been received by the Tax Collector.

Applicants completing Preliminary Site Development Plans, In-Fill Developments (defined for the purposes of this Form to be a maximum of 3 adjacent lots in an existing development), and/or Planned Unit Development Applications shall submit the In-Lieu Sidewalk Program Application during the review process for those applications following the same process as described above.

Upon submission of an official Application, each request will be reviewed by the City Bicycle and Pedestrian Coordinator, Development Services Division, Right of Way and Stormwater Maintenance Division, and Traffic Engineering to assess compliance with the below criteria. The City Engineer shall review recommendations and comments prior to making a final determination. If the applicant qualifies, they will receive written notice approving their In-Lieu Sidewalk Program Application with payment amount. If the applicant does not qualify, a written explanation shall be provided. If approved, the process is not considered complete until payment is received. Written approval and payment receipt should be submitted to the original civil plan, preliminary site development plan, in-fill development permit, or planned unit development application. The review process can take up to 15-business-days.



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ASSESSED PAYMENT CALCULATION:

Criteria for Qualification section specifies if a project is eligible for the In-Lieu sidewalk Program. The In-Lieu Sidewalk Program final amount will be calculated by square feet of property frontage (excluding driveway width). Applicants are to provide the total number of square feet being submitted to the In-Lieu Sidewalks Program, which will be confirmed as part of staff review. If approved, the official letter will have the final payable amount based on the following rates.

- Sidewalk project including piping, filling of ditches, or other additional work:
 Rate = \$45.00 x (Development Area Sidewalk Width in Feet) x (Sidewalk Length in Linear Feet)
- Sidewalk project NOT including any piping, filling of ditches, or other additional work:

 Rate = \$10.25 x (Development Area Sidewalk Width in Feet) x (Sidewalk Length in Linear Feet)

Development Area	Minimum Sidewalk Width (ft)*
Downtown	8
Urban Priority Area	6
Urban Area	6
Suburban Area	6
Rural Area	5

*To be determined on a case-by-case basis. The minimum width may need to match the width of an existing sidewalk connection.

CIVIL ENGINEERING PLANS WILL NOT BE APPROVED UNTIL IN-LIEU SIDEWALK PAYMENT IS RECEIVED

JUSTIFICATION LETTER & SUPPLEMENTAL INFORMATION:

Prior to applying for the In-Lieu Sidewalk Program, alternative options of accommodating sidewalks shall be considered and documented, including but not limited to meandering sidewalks and construction of sidewalk on private property within an easement conveyed to the City. In a separate document, please provide a detailed description of how alternative options are not feasible and the below criteria prevent the construction of sidewalks as part of the proposed development. Include as much detail as possible to document the constraints, limitations, and impacts influencing your project, including but not limited to tree list, site plan, drainage survey, etc.

If approved based on criterion #5 of the Criteria for Qualification, the developer must post a sidewalk bond in case the sidewalk construction is canceled or delayed. If sidewalk construction is canceled or delayed, the construction of the sidewalk is required and expected to start when the developer receives formal written communication by City Staff. After construction of the sidewalk, the bond will be returned following the guidelines of the COJ Public Works Department.



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CRITERIA FOR QUALIFICATION:

To qualify for the In-Lieu Sidewalk Program payment option a project must meet at least one of the following criteria.

- 1. **EXCEPTIONAL SPECIMEN TREE** Requires the removal of or will adversely impact the health of a significant tree or an exceptional specimen tree as defined by Section 656.1203 (bb) (3), Ordinance Code Hardwood tree with a Diameter Breast Height (DBH) of 24 inches or greater.
- **2. ROW** Contains significant right-of-way constraints and an easement is not a feasible alternative.
- 3. **DRAINAGE** Requires significant drainage modifications. Note: A certain level of drainage improvements shall be expected when installing sidewalks. In accordance with the Land Development Procedures Manual, installing drainage pipe is considered the minimum standard of making required site improvements. Installing drainage pipe to replace an existing drainage ditch does not qualify as a significant drainage modification."
- **4. REGULATORY HARDSHIP** A regulatory hardship means an official action issued, in writing, by a governmental agency that prevents the applicant from sidewalk installation requirements. Such official governmental action may include but is not limited to a recommendation of denial of any permits or other required regulatory approvals such as building permits, environmental permits, administrative final orders, etc.
- 5. CAPITAL IMPROVEMENT PROGRAM, DOWNTOWN COMMUNITY REDEVELOPMENT PLAN, JTA MOBILITY WORKS, OR BETTER JACKSONVILLE PLAN When Included as part of these documents, installing sidewalks may not be required when construction of sidewalks by the City or State is funded and provided in any of these two lists and when construction is scheduled to begin within two years.
- 6. NO PEDESTRIAN ACCESS Building the sidewalk, in an existing non-residential or residential area, would not improve or add to any existing or future pedestrian access. The most common instance of this is an existing non-residential or residential development located directly adjacent to the end of a dead-end street where building a sidewalk toward the dead-end road does not provide pedestrian access to any building entrance, home, parking lot, or other activity area. In this case, sidewalk will not be required to be built between the dead end of the street and proposed development site.
- 7. APPROVED DRAWINGS Approved engineering drawings did not include sidewalks.

APPLICANT SIGNATURE:

I have read and understand the contents of this application. I am requesting consideration to participate in the In-Lieu Sidewalk Program. To the best of my ability, I have provided adequate and accurate information to support the requested relief from required development regulations. If approved, I agree to follow the In-Lieu Sidewalk Program guidelines regarding street frontage where sidewalks would have otherwise been required.

Applicant Signature:	Date:
Applicant Name (Print):	