

DEFERRAL OF SIDEWALK CONSTRUCTION

CRITERIA FOR QUALIFICATION:

In situations where the construction of a sidewalk is not currently feasible, or unnecessary, projects may qualify on a case-by-case basis for the option to defer construction of the sidewalk. A Deferral of Sidewalk Construction will not require payment into the In-Lieu Sidewalk Program, but it does require the developer to execute and record an Agreement for Sidewalk Deferral in the public records of Duval County. This Agreement binds the owner of the property to construct a sidewalk when the City deems it necessary.

The decision to grant a Deferral is in the discretion of the Director of the Planning and Development Department based upon the **Code of Subdivision Regulations, Section 654.137 (Deviations)**. PLEASE SEND ALL DOCUMENTS TO: **Deferral@coj.net**

To qualify for the Deferral, please provide the site plan, and a contextual plan showing adjacent and nearby development, address, real estate number, written explanation, and all other necessary materials to verify the applicant's ability to qualify. Eligibility is dependent on the following variables:

1. The growth of the area surrounding the subject development parcel.
2. Whether there is a destination attraction such as a park, school, bus stop, shopping center, etc. within a reasonable walking distance from the subject parcel.
3. If the subject parcel is on a residential street, whether there is a sidewalk within 100 linear feet on the same side of the street.
4. Whether the subject parcel is on a City-maintained roadway. If the subject parcel has frontage on a state maintained roadway and FDOT does not recommend the construction of a sidewalk in their right-of-way (ROW), or that the sidewalk be a different design, the applicant MUST provide an official action issued from the FDOT.
5. Whether sidewalks were shown on the approved "10-set" for the development or subdivision containing the subject parcel.
6. Whether the subject parcel is on a dead end or cul-de-sac with fewer than 15 houses.
7. Whether the neighborhood was designed such that the sidewalks were allowed or required to be on only one side of the street.

APPLICANT NAME:

Building Permit # and Street Address

DATE APPLICATION WAS RECEIVED:

OFFICIAL USE ONLY

Director/Designee of Planning and Development Department

Recommendation: ☐ APPROVE Deferral ☐ DENY Deferral

Director/Designee's Name (Printed): _____ Date: _____

Director/Designee's Signature: _____

Director/Designee's Comments:

ASSESSED PAYMENT CALCULATION

Below is the applicant's estimate total number of the linear feet of property frontage (excluding driveway width) where sidewalks are required as part of the proposed project.

PERMIT #

ADDRESS:

Sidewalk project including piping, filling of ditches, or other additional work

Rate = \$45 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)

Proposed linear feet (LF) of sidewalk **with** additional work

Proposed linear feet (LF) of sidewalk **without** additional work

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

Proposed sidewalk width (ft):

Sidewalk Deferral Total Payment Amount

A limitation of the duration of the "Sidewalk Deferral" is (7) years from the date of the Certificate of Occupancy. This term shall not apply to any "Sidewalk Deferrals" issued prior to May 1, 2025.

The "Sidewalk Deferral" shall be limited in amount to the amount applicable to a "Sidewalk In-Lieu Fund" Contribution for the same property as of the time the Building Permit for the property is approved. This term shall not apply to any "Sidewalk Deferrals" issued prior to May 1, 2025.