



## In-Lieu Sidewalk Fee Application

### APPLICATION SUBMISSION PROCESS:

Applicants seeking to qualify for the In-Lieu Sidewalk Fee shall complete an application for review and consideration prior to starting the 10-Set Review. Submittals for the 10-Set Review will not receive final approvals until complete payment for the In-Lieu Sidewalk Fee has been received.

Applicants completing Preliminary Site Development Plans and/or Planned Unit Development Applications shall submit the In-Lieu Sidewalk Fee Application as part of these review submittals. All other applicants shall submit the In-Lieu Sidewalk Fee Application directly to:

City of Jacksonville  
Planning & Development Department  
214 N. Hogan Street 3<sup>rd</sup> Floor  
Jacksonville, FL 32202  
Attn: Bicycle/Pedestrian Coordinator, In-Lieu Sidewalk Fee Application

### APPLICANT INFORMATION:

Please complete all items, and provide site plan, letter that explains hardship, and all other necessary materials to verify applicant's ability to qualify for the In-Lieu Sidewalk Fee. Sign application.

Date of Request \_\_\_\_\_ City Development Number (CDN) (if applicable) \_\_\_\_\_

Project Name & Address: \_\_\_\_\_  
\_\_\_\_\_

Applicant Name & Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

### APPLICANT SIGNATURE:

I have read and understand the contents of this application. I am requesting consideration to participate in the In-Lieu Sidewalk Fee 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 pay the In-Lieu Sidewalk Fee per linear foot of street frontage where sidewalks would have otherwise been required.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***10-SET REVIEWS WILL NOT BE COMPLETED UNTIL  
PAYMENT FOR IN-LIEU SIDEWALK FEE IS RECEIVED.***



## In-Lieu Sidewalk Fee Application

The City of Jacksonville 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 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 re-development in accordance with the City's Land Development Procedures Manual. If the Developer is unable to construct sidewalks, upon City approval, a contribution to the In-Lieu Sidewalk Fund shall be paid in lieu of constructing sidewalks.

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.

**EXPLORE ALTERNATIVES FIRST:** Prior to applying for the In-Lieu Sidewalk Fee, alternative options of accommodating sidewalks shall be considered and documented including but not limited to:

- Meandering (not direct) alignment  Considered  Does Not Apply
- Easement acquisition  Considered  Does Not Apply

**REVIEW & ASSESSMENT:** Upon submission of an official application, each request will be reviewed by the City Bicycle/Pedestrian Coordinator, Development Services, Right of Way and Stormwater Maintenance Division, and Traffic Engineering to assess compliance with the above criteria. The City Engineer shall review recommendations and comments prior to making a final determination. If the applicant qualifies, they shall first submit the In-Lieu Sidewalk Fee payable to the City of Jacksonville. Once payment is received, the applicant will receive written approval of qualifying for the waiver of sidewalk construction. If the applicant does not qualify, a written explanation shall be provided to the applicant. The review process typically takes up to 15 business days.

### FEE CALCULATION

The In-Lieu Sidewalk Fee shall be calculated per linear foot of property frontage (excluding driveway width). Applicants shall estimate fee which will be confirmed as part of staff review.

**APPEALS:** Applicants seeking to appeal decisions of the In-Lieu Sidewalk Fee request should follow instructions outlined in Section 654.137 (d), Ordinance Code.



## In-Lieu Sidewalk Fee Application

### CRITERIA FOR QUALIFICATION:

In situations where the construction of a sidewalk is not feasible, select projects may qualify for the option of making an In-Lieu Sidewalk Fee payment as an alternative to constructing a sidewalk. The In-Lieu Sidewalk Fee payment is not to be used as an option to reduce project costs.

To qualify for the In-Lieu Sidewalk Fee payment option a project must meet at least one of the following criteria **(check all that apply)**:

- 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 DBH of 24 inches or greater.
- 2. **ROW** - Contains significant right-of-way constraints.
  - a) If a project is constrained by the ROW, it shall obtain an easement in order to install a sidewalk. The easement shall be obtained prior to applying for the In-Lieu Sidewalk Fee.
- 3. **DRAINAGE** - Requires significant drainage modifications.
  - a) 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, where Section 2.2.2.4 states, "In some instances installing drainage pipe to replace a drainage ditch may be required and should be considered in the preliminary design." As such, 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.

**Economic Hardship:** Consistent with Section 654.137 (a), Ordinance Code, no In-Lieu Sidewalk Fee may be granted solely on the basis of economic hardship or if it would have the effect of nullifying the intent and purpose of these regulations.

### SUPPLEMENTAL INFORMATION:

In an attachment, please provide a detailed description of how the above 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.

### ASSESSED FEE CALCULATION

Below is the applicant's estimate of linear foot of property frontage (excluding driveway width) where sidewalks are required as part of the proposed project. The In-Lieu Sidewalk Fee is equal to \$40.00 per proposed linear foot of sidewalk. The estimated linear feet and fee will be confirmed as part of staff review.

**Proposed Linear Feet of Sidewalk:** \_\_\_\_\_ **In-Lieu Sidewalk Fee Estimate:** \$ \_\_\_\_\_



## In-Lieu Sidewalk Fee Application

FOR OFFICIAL USE ONLY

APPLICANT NAME:

DATE APPLICATION WAS RECEIVED:

**ROUTING LIST:** Reviewers, upon completing your review please provide your recommendation by checking approve or deny along with any relevant comments to support your decision. Once complete return the application to the Bicycle/Pedestrian Coordinator, who will circulate to the City Engineer for final determination.

**Development Services**

Recommendation:

APPROVE

DENY

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments:

**Bicycle/Pedestrian Coordinator**

Recommendation:

APPROVE

DENY

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments:

**ROW & Stormwater Maintenance**

Recommendation:

APPROVE

DENY

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments:

**Traffic Engineering**

Recommendation:

APPROVE

DENY

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments: \_\_\_\_\_

**City Engineer**

FINAL DETERMINATION:

APPROVE

DENY

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments:

**CONFIRM ASSESSED FEE CALCULATION**

Length of Sidewalk (L.F.): \_\_\_\_\_ Approved Fee: \_\_\_\_\_