The Transportation, Energy and Utilities Committee offers the following substitute to File No. 2017-805:

Introduced by the Council President at the request of the Context Sensitive Streets Standards Committee:

**ORDINANCE 2017-805**

AN ORDINANCE AMENDING CHAPTER 654 (CODE OF SUBDIVISION REGULATIONS), *ORDINANCE CODE*; AMENDING SECTION 654.106 (DEFINITIONS) TO MODIFY, ADD, AND DELETE CERTAIN DEFINITIONS; AMENDING SECTION 654.111 (DESIGN STANDARDS: STREETS) TO PROVIDE FOR CONNECTIVITY AND SHARED USE; AMENDING SECTION 654.133 (REQUIRED IMPROVEMENTS: STREETS, CURBS AND GUTTERS; SIDEWALKS; AND BIKEWAY REQUIREMENTS) TO PROVIDE FOR SHARED USE AND SIDEWALKS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**BE IT ORDAINED** by the Council of the City of Jacksonville:

**Section 1. Chapter 654 (CODE OF SUBDIVISION REGULATIONS), *Ordinance Code*, Amended.** Chapter 654 (CODE OF SUBDIVISION REGULATIONS), *Ordinance Code*, is hereby amended to read as follows:

**CHAPTER 654 – CODE OF SUBDIVISION REGULATIONS**

**\* \* \***

**Sec. 654.106. – Definitions.**

As used in this Chapter:

**\* \* \***

(mm) *Street* means a travel way ~~thoroughfare~~ which affords the principal means of vehicular access to abutting property regardless of the term, such as *lane* or *way*, used to describe it. ~~and:~~

**\* \* \***

(2) *Cul-de-sac* means a street ending in a dead-end with a vehicular turnaround. These streets are limited to 1,000 feet in length; however, the Department may approve a cul-de-sac of greater length~~s~~, where, due to topographical conditions, design considerations or the number of lots to be located on the street, a greater length may be deemed necessary.

**\* \* \***

~~(4)~~ *~~Interstate highway~~*~~means a freeway which is part of the designated National System of Interstate and Defense Highways mandated by Congress. An interstate highway, or~~*~~Interstate,~~*~~provides a very high level of transport service and continuity among the states. To classify as interstate, a freeway must meet full interstate standards for construction. For the purposes of discussion, unless specifically cited by use of the term~~*~~interstate,~~*~~a reference to~~*~~freeways~~*~~shall be construed to encompass interstate highways as well.~~

(4~~5~~) *Local street* means a street designed and maintained to provide access to abutting property. A local street is of limited continuity and not for through traffic.

(5~~6~~) *Major arterial* means a highway that serves major through movements of traffic between important centers of activity and a substantial portion of trips entering and leaving the area. It also connects freeways with major traffic generators. Service to abutting land is very subordinate to the function of moving through traffic.

(6~~7~~) *Minor arterial* means a facility that connects and augments the major arterial system. Although its main function is still traffic mobility, it performs this function at a lower level and places more emphasis on land access than does the major arterial.

(7~~8~~) *Private street* means a privately owned or controlled and maintained drive, street, road, lane, not ~~dedicated~~ accepted by the City of Jacksonville as a public road, which provides the primary means of vehicular ingress and egress from a public road to two or more dwelling units, lots, parcels, tracts, or principal buildings, whether created by a private right-of-way, easement, plat, or other device and which has been approved by the Director and appears on the Approved Private Streets List kept by the Director of Public Works as an approved private street.

(8~~9~~) *Public street* means a vehicular right-of-way, that is open to the public and under the control and jurisdiction of the City of Jacksonville pursuant to a deed of conveyance, deed of dedication, plat dedication, or other device accepted by the City, which provides the primary means of vehicular ingress and egress to two or more dwelling units, lots, parcels, tracts, or principal buildings.

(9) *Reconstructed street* means a rebuilt existing street such that its estimated life was lengthened, by means other than resurfacing, its vehicular carrying capacity by weight or volume of traffic was increased, or the curb to curb pavement width was increased to include bicycle facilities, raised medians or additional roadway elements.

**\* \* \***

**Sec. 654.111. – Design standards: streets.**

**\* \* \***

(b) Local streets shall be designed to provide connectivity while discouraging cut-through traffic. ~~so laid out that their use by through traffic will be discouraged.~~

**\* \* \***

(d) Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Department may require an access street approximately parallel to and on each side of the right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park or shared use/multi-use path purposes in appropriate districts. Distances involving rights-of-way shall also be determined with due regard for the requirements of approach grades and future grade separations.

**\* \* \***

(n) The City shall require all new or reconstructed ~~local~~ streets to include bicycle facilities. Bicycle facilities shall meet the design standards in the City Standard Details, Land Development Procedures Manual, and Policy 4.1.1 of the Transportation Element of the City’s *2030 Comprehensive Plan.* ~~projected to serve in excess of 1,600 vehicles per day and all new collector and minor arterial roadways to accommodate~~. ~~bicyclists within the roadway unless determined by the Department that such need does not exist.~~

**\* \* \***

**Sec. 654.133. - Required improvements: streets; curbs and gutters; sidewalks; and bikeway requirements.**

**\* \* \***

(c) Sidewalks shall be provided in developments and along streets to provide safe pedestrian travel. The following table outlines general sidewalk requirements. Deviations from the general requirements may be granted by the Department. The Department may require a transportation study to substantiate deviations from the general requirements. Sidewalks shall be ~~a minimum of four feet wide and shall be~~ constructed in accordance with the Land Development Procedures Manual. Should the City Engineer ~~Development Services Division and the Planning and Development Department~~ grant an applicant the option of depositing monies into the sidewalk fund referenced under the provisions of Section 2.2 of the Land Development Procedures Manual, the City shall deposit said funds into the Sidewalk Construction Special Revenue Fund created in Section 111.550, Ordinance Code.

(d) The City shall require all new ~~dedicated~~ or reconstructed streets ~~serving nonresidential areas~~ to include ~~five foot~~ sidewalks within the ~~dedicated~~ approved right-of-way or a shared use/multi-use path subject to approval by the Department. ~~an approved alternative pedestrian circulation system, unless determined by the Department that such need does not exist.~~ A shared use/multi-use path may be approved by the Department based upon the presence of nearby paths, if the location is part of an established plan for shared use/multi-use paths or if the location is an important link between existing bicycle and pedestrian facilities. Table 1 below outlines sidewalk requirements for each Development Area. Sidewalk design shall conform to the specifications outlined in the City Standard Details. All sidewalks shall maintain a minimum of four feet of continuous, unobstructed path of travel.

Table 1. Sidewalk Requirements by Development Area

|  |  |  |
| --- | --- | --- |
| **Development Area** | **Sidewalk Location** | **Minimum Sidewalk Width (feet)** |
| Downtown | Both sides of street | 8 |
| Urban Priority Area | Both sides of street | 8 |
| Urban Area | Both sides of street | 6 |
| Suburban Area | Both sides of street | 6 |
| Rural Area | Both sides of street | 5 |

~~Sidewalk Requirements~~

|  |  |
| --- | --- |
| ~~Type of Development~~ | ~~Requirements~~ |
| ~~1. Residential:~~ |  |
| ~~a. Collector~~ | ~~Both sides~~ |
| ~~b. Local~~ | ~~One side (note i)~~ |
| ~~c. Cul de sac (note ii):~~ |  |
| ~~-more than 15 lots~~ | ~~One side~~ |
| ~~-15 lots or less~~ | ~~None~~ |
| ~~2. Commercial/Light Industrial:~~ |  |
| ~~a. Collector~~ | ~~Both sides~~ |
| ~~b. Local~~ | ~~One side~~ |
| ~~c. Cul de sac~~ | ~~One side~~ |
| ~~3. Heavy/Industrial~~ | ~~One side~~  ~~(note iii)~~ |

NOTES:

~~i. Where sidewalks are required on one side of the street, they should be placed on the side intersecting the most number of side streets unless otherwise justified.~~

~~ii. The number of lots on a cul-de-sac should include only those lots fronting on the cul-de-sac. Corner lots fronting the local street should not be included in the count. Corner lots fronting the cul-de-sac should not be included in the count.~~

1. When standard sidewalk width cannot be attained due to demonstrated right-of-way constraints, provide the greatest sidewalk width possible, but not less than five feet.
2. ii. Safe and exclusive pedestrian access shall be provided between existing bus stops and identified future bus stops and individual building lots ~~and to all existing bus stops and identified future bus stops~~.

~~iv.~~ iii. ADA standard curb ~~Curb cut~~ ramps are required at all intersections where one or more of the rights-of-way of the intersecting streets contain~~s~~ sidewalks ~~and where roadway lane width do not exceed 12 feet unless authorized by the Director, or his or her designee~~.

Sidewalks shall be required on new, reconstructed and existing streets adjacent to proposed developments when the development is within reasonable pedestrian access of public facilities (i.e., schools, parks, shopping centers, etc.), as determined by the Planning and Development Department or where an existing sidewalk could be joined. This requirement may only be waived by the Department when developers are approved to pay into the Sidewalk Construction Special Revenue Fund pursuant to Section 111.550, Ordinance Code ~~there is not adequate public space for the construction of the sidewalk~~.

(e) Sidewalks along residential local subdivision streets have two sidewalk options. Residential local subdivision streets are local streets within platted subdivisions that provide access to residential lots and that do not provide connectivity to major arterials, minor arterials, collector streets or serve major traffic generators.

i. Option A: Provide five foot (5’) wide unobstructed sidewalks on both sides of all streets.

ii. Option B: Provide a six foot (6’) wide unobstructed sidewalk on one side of the street, as long as the sidewalk establishes good interconnections, and is located on the side of the street that will serve the most residential lots.

iii. Sidewalks are not required on a cul-de-sac with less than 15 lots (Note: corner lots shall be included in the lot count).

iv. A five foot wide sidewalk is required on one side for cul de sacs and minor roads that serve fifteen and up to thirty lots.

(f) The subdivision entrance street or streets in a platted subdivision which provide a connection to a collector street, major arterial or otherwise serve as the entrance or exist point(s) to the subdivision, shall provide a six-foot (6’) sidewalk on both sides of the subdivision entrance street (s), and shall connect to external sidewalks, if the same exist. If external sidewalks adjacent to the subdivision do not exist, connecting six feet sidewalks shall be installed subject to staff review.

~~(e) Rural area sidewalk deferrals. The Director may grant deferrals from the requirements of this Section for development in rural areas until such time as sidewalks are needed. The Director shall determine when sidewalks are needed based on the growth of the area surrounding the development. For the purposes of this subsection, rural areas shall be defined by the Director. A deferral granted pursuant to this subsection shall be executed by an affidavit signed by the property owner(s) and in a form acceptable to the Office of General Counsel. The Office of General Counsel shall record the affidavit in the official records of Duval County and shall forward a recorded copy of the affidavit to the Department and the Department of Public Works.~~

~~(f) Bikeways shall be required on all new collector and arterial roadways projected to serve in excess of 1,600 vehicles per day by providing:~~

~~(1) Outside roadway lanes not less than 14 feet wide; or,~~

~~(2) Paved shoulders not less than four foot wide beyond~~  ~~outside lanes; or,~~

~~(3) Bike paths separated and/or protected by physical barriers from vehicular traffic and devoted to the primary use of bicycle traffic.~~

(g) ~~(4)~~ Developments of large scale shall give consideration to on-site provisions of bike lockers and showers.

**\* \* \***

**Section 2. Severability.** The provisions of this Ordinance are intended to be severable and if any provision is declared invalid or unenforceable by a court of competent jurisdiction, such provision shall be severed and the remainder shall continue in full force and effect with the Ordinance being deemed amended to the least degree legally permissible.

Section 3. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor’s signature.

Form Approved:

/s/ Shannon K. Eller\_\_\_\_\_

Office of General Counsel

Legislation prepared by: Cherry Shaw Pollock

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