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Bill 2018-271

White Paper

(Bill Version v5 Sub & Rerefer)

Objective(s) –

- To require bonding or other guarantees for “platted” right-of-way infrastructure improvements during construction and warranty bonding upon acceptance of those improvements, including roadways, curb and gutters, drainage piping, structures, and sidewalks.
- To require all local streets in a residential subdivision in RLD-60 zoning district or smaller to require minimum twenty-four (24) feet, not including curb and gutter.
- To require a two-lift pavement system in the building of new roadways.
- To provide for a requirement to connect parking lots creating a “service drive” for business and commercial property owners upon substantial improvements based on criteria as define.
- To require bonding or other guarantees for “non-platted” right-of-way infrastructure improvements during construction and warranty bonding upon acceptance of those improvements, including roadways, curb and gutters, drainage piping, structures, and sidewalks.

Bonding and Warranty Requirements

- [Amending Section 654.110 \(Procedure for approval and recordation of final plat\), Chapter 654 \(Code of Subdivision regulations\), Ordinance Code.](#)
- Ownership of improvements shall vest in the city, except street lighting to the electric utility, water & sewage to the holder of the certificate of public convenience or JEA and that the right-of-way within the subdivision must be accepted by the city for maintenance.
- Upon filing or recording a plat, a warranty, called “Warranty to Complete Required Improvements” shall be provided to the city in one of (3) forms including: Cash Deposit, Letter of Credit, or a Surety Bond.
- The amount of the warranty for the required improvements shall be equal to one-hundred percent (100%) of the total cost of the remaining required subdivision improvements.
- Developer shall be entitled to secure draws from the deposits or account as installation progresses at stage of construction.
- Upon the installation of the first-lift for roadways, acceptance of required improvements will be provided. Upon this acceptance, the required improvements will be secured by a “Post Construction Warranty Bond”, acceptable to the city in the amount equal to fifteen percent (15%) of the total of all construction contracts issued for the required improvements that the City has accepted for maintenance, plus the cost to secure the application of the wearing surface course (final lift).

- Release of the Post Construction Warranty Bond shall occur upon (12) months after the second-lift has been implemented.
- Prior to release of the Post Construction Warranty Bond, the city, upon request will reinspect dedicated city roadways for corrective items and required improvements.
- For private roadways, re-inspection and release of the Post Construction Warranty Bond may be requested any time after the installation of the final wearing surface course.

Road Widths for RLD 60 and Smaller

- [Amending Section 654.111 \(Design Standards: streets\), Chapter 654 \(Code of Subdivision Regulations\), Ordinance Code.](#)
- All new local streets in a residential subdivision that are adjacent to lots that are RLD60 zoning district or smaller or within a PUD shall have a minimum paving width of twenty-four (24) feet, not including curb or gutter.
- The twenty-four (24) feet requirement may be waived under the following criteria:
 - o The land is zoned Traditional Neighborhood Development (“TND”) District and an alley is provided relative to the street, then the dimensions for TND roadways shall apply.
 - o A minimum of five (5) on-site parking spaces are provided for each lot.
 - o A minimum of one (1) off-site parking spot for every three (3) lots is provided no further than three hundred (300) feet away from the furthest lot and
 - o At least one side of the road shall be designated as “No-Parking” with either signs, striping, curb painting, as approved by the Planning and Development Department.

Two-Lift Roadway Requirement

- [Amending Section 654.111 \(Design Standards: streets\), Chapter 654 \(Code of Subdivision Regulations\), Ordinance Code.](#)
- A two-lift pavement system with regards to application of the wearing surface is required for all “new” local roads.
- The installation of the second-lift or final wearing course in each phase of a single family or multi-family residential development shall be completed upon either: eighty percent (80%) of the units in that phase have received a Certificate of Occupancy or two (2) years have passed since the first Certificate of Occupancy was issued in that phase.

Interconnectivity of Commercial and Office properties

- [Amending Section 654.115 \(Design Standards: streets: Access to Public Right-of-Way\), Chapter 654 \(Code of Subdivision Regulations\), Ordinance Code.](#)
- This bill does not create but continues with the implementation of the policy within the City’s 2030 Comprehensive Plan and approved by the State of Florida which states:
 - o 2.3.8 – The City shall encourage, through the development review process, development that will minimize external trip generation through the integration of land uses by requiring such measures as interconnecting land uses, sharing access drives and off-street parking areas, and encouraging planned unit developments. The City’s Land Development Regulations shall be revised as necessary to enforce this policy.
 - o 2.3.9 - The City shall encourage, though the development review process, the interconnections of land uses that reduce the need for external trip generation and encourage alternative methods of movement. The City’s Land Development Regulations shall be revised as necessary to enforce this policy.
- This bills’ only new objective is to expand this policy to consider older commercial corridor whereby the same requirements can be considered with various exceptions and abatements.

- Commercial or office use developments abutting a designated collector or higher functional roadway, a service or access drive, lane or way (“service drive”) shall be constructed to connect the properties adjacent to the collector roadway to provide for interconnectivity of traffic flow through and along parking lots and access roads leading to and from adjacent developments.
- If a service drive does not exist, a stub out shall be constructed in order to connect when the adjacent property or properties come into compliance. The stub out may be use for extra parking.
- Existing commercial or office use developments shall be brought into compliance with this requirement under the following conditions:
 - When a new roadway connection permit is required for the existing development.
 - When substantial enlargement or improvements to the existing development are undertaken or the total square footage of a structure is expanded to 50% or greater as well as any cumulative square footage expansions totaling 50%. Substantial defined as within any three-year period, when the total cumulative renovation of existing development is equal to at least 50% of the assessed value of the lot improvements (including structures and parking and exterior areas but no the value of the land).
 - When 25% or greater increase in vehicle trip generation is attributable to the new development as compared to the existing development is documented.
 - If the principal activity on the property is discontinued for a consecutive period of 365 days.
- Construction or erection of any barrier or obstacle which would prohibit access to the service drive for interconnectivity is prohibited.
- Exemptions to, or abatement of, the Director may grant under the following conditions:
 - A physical constraint on a currently developed property prohibit the construction of a service drive.
 - An abatement is requested based on an adjacent property as inconsistent with the character of the use requesting the delay. Inconsistent uses include adult entertainment, dancing entertainment, retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises or off-premises consumption or both that is not in conjunction with a restaurant or similar uses.
 - Upon termination of the inconsistent use, then the requirement to connect is established, and the abatement ends.

Warranty for Right-of-Way Improvements (Non Platted)

- [Amending Section 744.110 \(Street Excavations; work in rights-of-way; permit; violations, civil penalties, enforcement and abatement\), Chapter 744 \(Street Construction Regulations\), Ordinance Code.](#)
- Right-of-Way work less than 1,000 linear feet in scope or is not part of a proposed off-site improvement associated with an approved development, at the time of permitting shall require the following requirement for surety.
 - Surety shall be provided by annual surety bond, cash deposit, or an unconditional and irrevocable letter of credit effective for one year in the penal sum of \$5,000.
 - Upon acceptance of the required improvements, the applicant shall provide security to the city, guaranteeing and warranting the workmanship and materials for a period of one (1) year from the date of completion of all work performed.
- Right-of-Way work 1,000 linear feet or greater in scope or is part of a proposed off-site improvement associated with approved development, shall require the following requirement for surety.

- Surety shall be provided by annual surety bond, cash deposit, or an unconditional and irrevocable letter of credit effective for one year in the amount equal to one-hundred percent (100%) of the estimated total cost of the required improvements.
- Upon acceptance of the required improvements, the applicant shall provide security to the city, in the amount equal to fifteen percent (15%) of the actual total cost of the improvements, warranting the workmanship and materials for a period of one (1) year from the date of completion of all work performed.

Prospective Effective Date for changes to Sec. 654.110 and Sec. 654.111, *Ordinance Code*

- The new requirements contained within this ordinance 2018-271-E shall not be enforced until sixty (60) days after the Effective Date of this ordinance, and all construction plans submitted for 10-set review to the Planning and Development Department prior to sixty (60) days from the Effective Date shall be reviewed based upon the previous version of the Ordinance Code.

Road Widths: Min 24Ft for RLD 60' or Less Neighborhoods (Public Safety thru our most dense neighborhoods)



Two-Lift Paving Process (Protecting Our Investment, Improving the Quality of our New Streets):

