



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: September 6, 2016

TO: Distribution

FROM: James Nagelvoort, City Engineer

SUBJECT: Clarifying Applicability of Excavation Moratorium to New Pavement in Public Right-of-Way in the Street Preservation Ordinance (San Diego Municipal Code §§ 62.1203 and 62.1206)

Background

The Street Preservation Ordinance (SPO), San Diego Municipal Code (SDMC) section 62.1201, et.al, became effective on February 1, 2013. The purpose of this SPO is to provide policies and procedures to minimize damage to public infrastructure, to ensure public safety and to establish cost recovery mechanisms for all costs to the City resulting from excavations in the public right-of-way (ROW). This memo on the SPO is to clarify the definition, amount and type of street repair in public ROW that triggers a five (5) year or three (3) year excavation moratorium due to reconstruction, resurfacing and slurry seal.

SDMC section 62.1203 defines Moratorium Street as any street, or portion thereof, that has been reconstructed or resurfaced in the preceding five year period or slurry sealed in the preceding three year period. This definition does not formally define the amount, type or extent of street reconstruction or resurfacing and slurry seal that triggers the moratorium period due to excavations, including work performed by City crews.

Clarifications

The five (5) year or three (3) year excavation moratorium shall apply to all new pavement reconstruction, resurfacing, or slurry seal installed as a complete and continuous section of pavement improvements from street intersection to intersection and curb to curb (or raised median to curb) as depicted in illustrations in Attachment A. The limit of street intersection is defined as a line connecting two ends of point of curb return (PCR) of resurfaced street (or tip of raised median) or to the edge of the cross gutter when one exists. Intersections shall be treated as separate moratorium areas outside of the street limits. New pavement is defined as any street or intersection repair, replacement, or installation that results in new asphalt concrete pavement of one-inch or more of thickness.

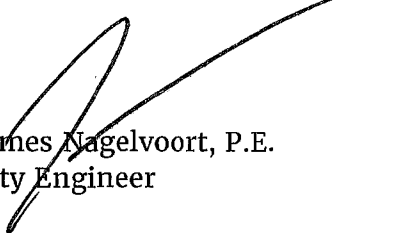
To this effect, if only a portion of the street or intersection with an area of new pavement or slurry seal of less than the street limits intersection to intersection and curb to curb (or raised

median to curb) or intersection limits (PCR to PCR on all corners) is resurfaced, the excavation moratorium does not apply as depicted in sample illustrations in Attachment B.

For construction of new adjacent lane installed as a complete and continuous section of new pavement improvement from street intersection to intersection and curb to curb (PCR to PCR) as depicted in illustration in Attachment A, the excavation moratorium shall apply. If only a portion of new adjacent lane is installed as a section of new pavement improvement less than the street limits intersection to intersection and curb to curb as depicted in illustration in Attachment B, the excavation moratorium does not apply.

Per SDMC section 62.1206 - Moratorium Streets, excavations of new pavement areas within these areas shall not be permitted in a moratorium street without a valid moratorium waiver.

This document applies to any street disturbance, either public or privately performed, effective the date of this memorandum. Please notify your Project Managers, designers, consultants, and maintenance and operation crews of this memorandum.

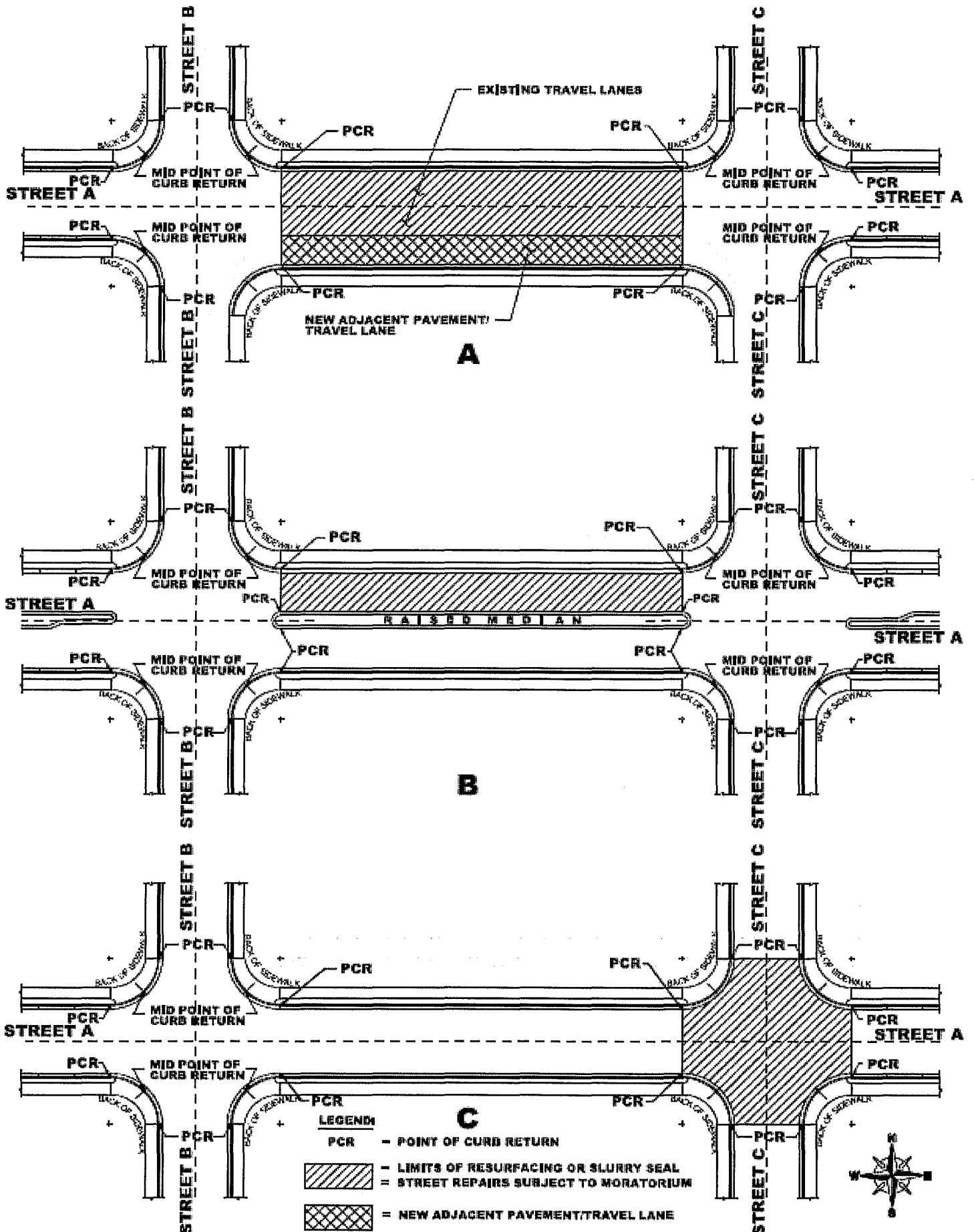


James Nagelvoort, P.E.
City Engineer

Attachments: A and B with Illustrations

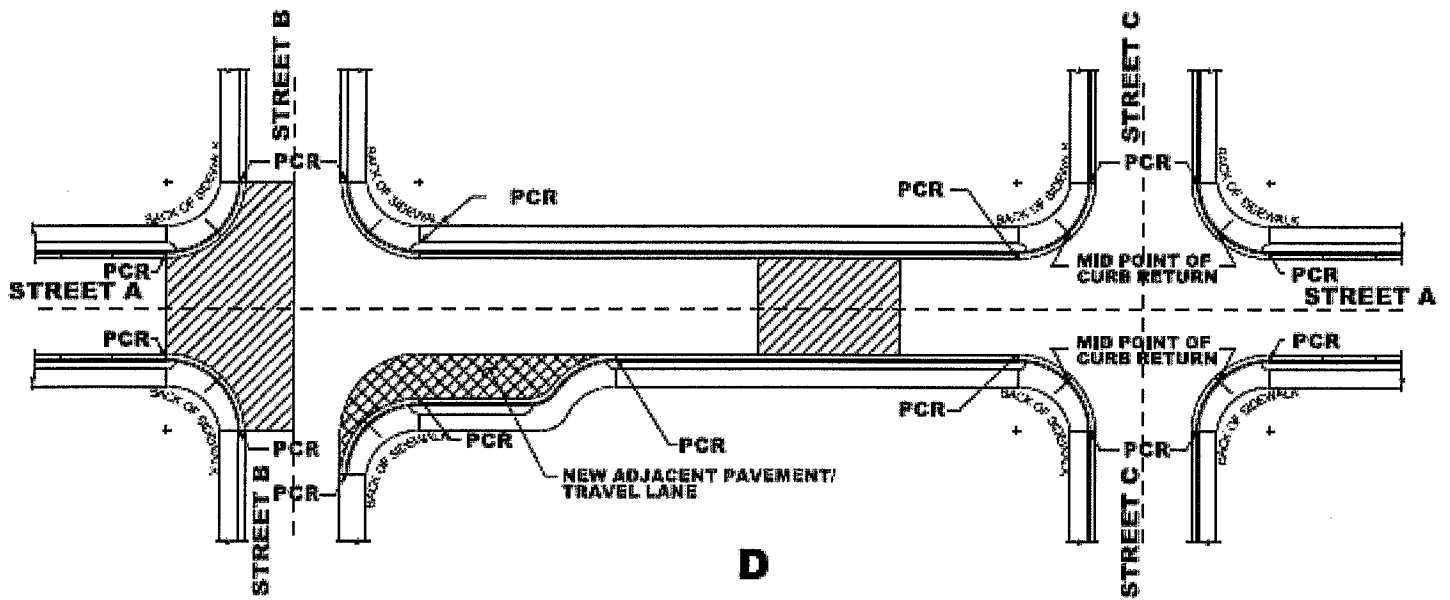
cc: Scott Chadwick, Chief Operating Officer
Stacey LoMedico, Assistant Chief Operating Officer
Paz Gomez, Deputy Chief Operating Officer, Infrastructure/Public Works Department
Ron H. Villa, Deputy Chief Operating Officer, Internal Operations
David Graham, Deputy Chief Operating Officer, Neighborhood Services
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Kris McFadden, Director, Transportation and Storm Water Department
Halla Razak, Director, Public Utilities Department
Mario X. Sierra, Director, Environmental Services Department
Marnell Gibson, Assistant Director, Public Works Department
Thomas Zeleny, Chief Deputy City Attorney, Office of the City Attorney
Afsaneh Ahmadi, Chief Building Official, Development Services Department
Greg Hopkins, Deputy Director/City Land Surveyor, Development Services Department
Edric Doringo, Program Manager, Development Services Department
Deputy City Engineers

ILLUSTRATIONS FOR MORATORIUM

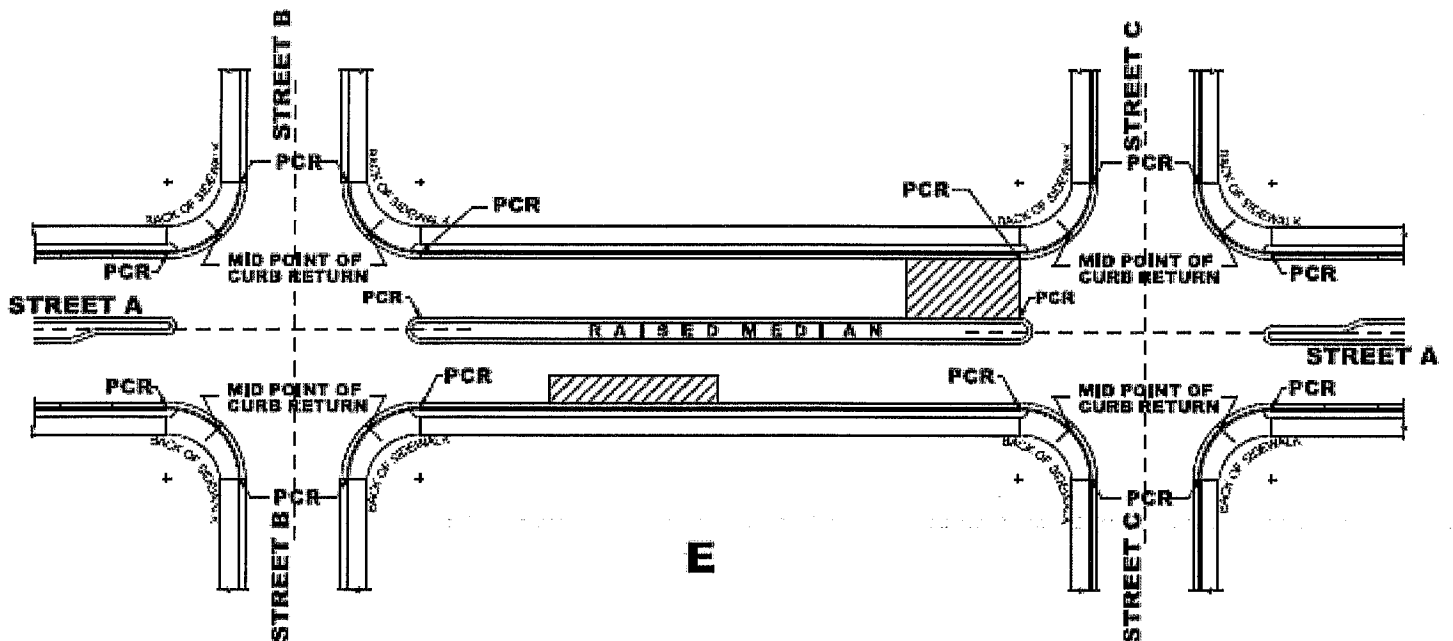


ATTACHMENT A (MORATORIUM)

ILLUSTRATIONS- NOT SUBJECT TO MORATORIUM



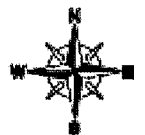
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LEGEND:

- PCR = POINT OF CURB RETURN
- = LIMITS OF RESURFACING OR SLURRY SEAL
- = STREET REPAIRS NOT SUBJECT TO MORATORIUM
- = NEW ADJACENT PAVEMENT/TRAVEL LANE



ATTACHMENT B