



# Public Works Department



## Chapter 49 & 53 Ordinance Amendments:

### Right-of-Way Management and Street (Utility) Excavations

City Council Presentation  
February 13, 2024





# RECAP

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- 1. December 5, 2023 – Item Tabled to Address CM Hernandez Comments.**
  - 2. January 9, 2024 – 1<sup>st</sup> Reading Passed**
    - Public Comments Provided by CBHBA & David Loeb
    - Item Amended on Floor to Include Appeal Process for Street Cut Variances to City Council.
  - 3. Public Works Met w/Several Stakeholders to Discuss Comments**
  - 4. February 13, 2024 – 2<sup>nd</sup> Reading (Final Recommendations)**
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# HISTORY

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## 1. Department of Public Works (PW) Established in 2019

- ROW Management – Director/Department of PW
- ROW Team - Established in FY23 Budget (Updated Fees)

## 2. Right-of-Way (ROW) Ordinances

- 1985 – Adoption of Manual of Driveway Design & Construction Standards
- 1988 - ROW Permit & Occupancy Fee Ordinance
- 2011 – UDC Adoption (Driveway Permit Requirements)\*
- 2015 – Driveway Construction Standards Updated (Engineering Services)
- 2013 - Street Cut Ordinance & Pavement Cost Recovery Fee\*

\*DSD Administration Per Current Ordinance

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# ORDINANCE GOALS

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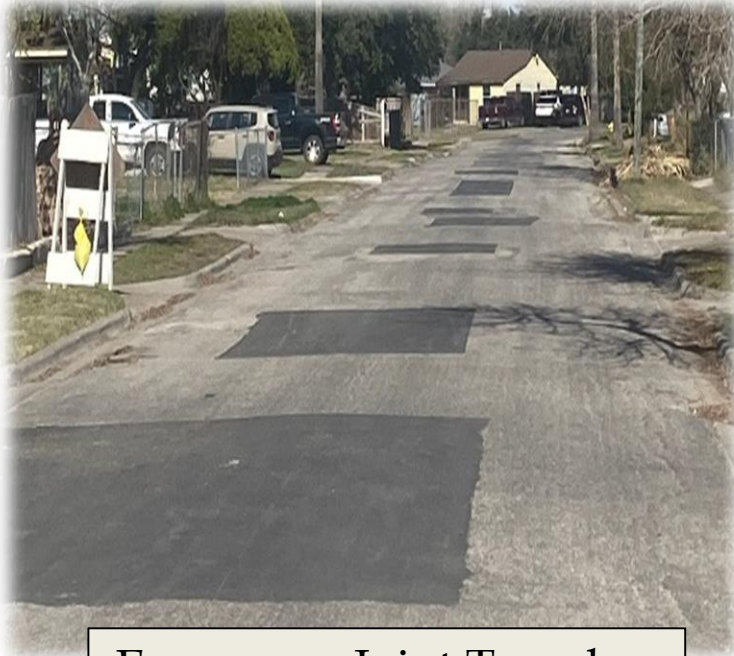
1. **Update Sections Related to Street Cuts, Driveways, Sidewalks, Curb & Gutter**
    - Amend to Designate Director/Department of Public Works
    - Require Permit for All Driveways (New & Existing)
  
  2. **Protect Public and City's ROW Infrastructure Investment:**
    - Track Utility Providers & Contractors
    - Update Street Repair Requirements
    - Reduce Street Infrastructure Damage
    - Increase Safety & Convenience for the Traveling Public
    - Protect Investments
    - Ensure Conformity to City Construction Standards
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# ORDINANCE GOALS



## REDUCE STREET INFRASTRUCTURE DAMAGE



Encourage Joint Trenches



Specifying Restoration Requirements for New Streets



# ORDINANCE GOALS



## ESTABLISH DRIVEWAY PERMIT REQUIREMENT



New Commercial



New Residential



# ORDINANCE GOALS

## ENSURE CONFORMANCE TO CITY STANDARDS



Sidewalk Repair

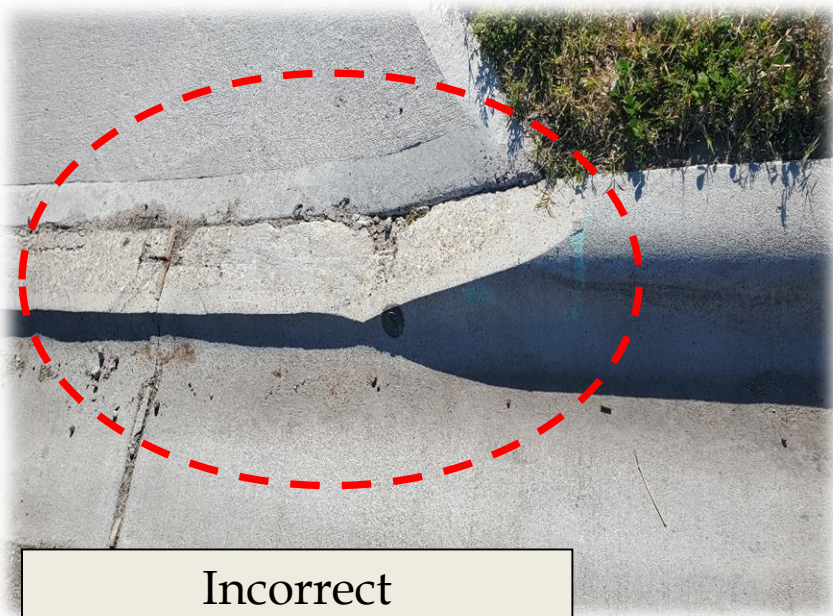


Driveway Repair

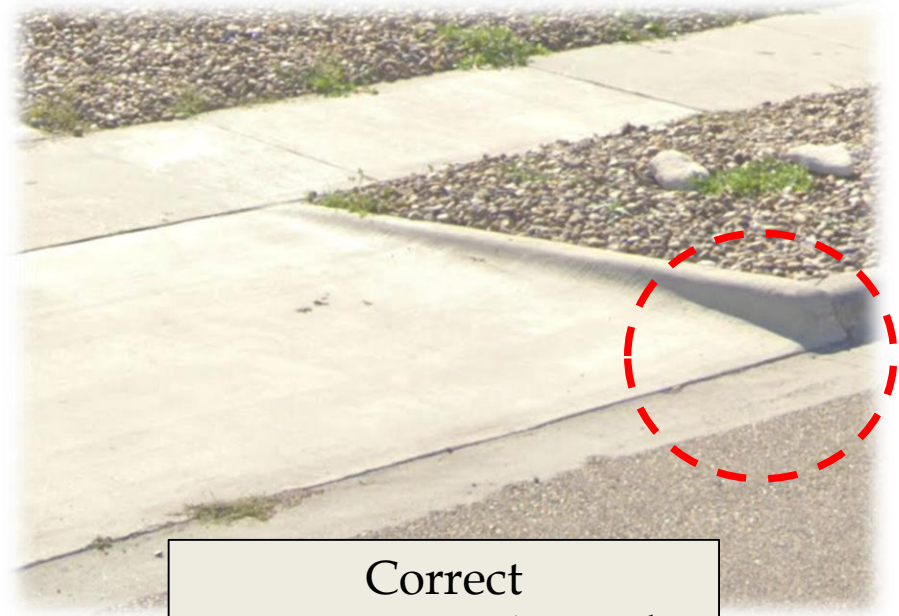


# ORDINANCE GOALS

## ENSURE CONFORMANCE TO CITY STANDARDS



Incorrect  
Curb Saw Cut



Correct  
Tie-In Driveway Approach





# ORDINANCE GOALS

## UPDATE & SPECIFY RESTORATION REQUIREMENTS



Staff Recommendation  
Curb to Curb



# ORDINANCE GOALS



## UPDATE "NEW" STREET RESTORATION REQUIREMENTS



Incorrect Restoration  
Full Lane



Staff Recommendation  
Curb to Curb



# RECOMMENDATIONS

## STREET RESTORATION REQUIREMENTS



	1st READING PROPOSED	FINAL STAFF*
"OLD" Street Definition	<ol style="list-style-type: none"> <li>Age: &gt; 7 YRS (Any Street)</li> <li>PCI &lt; 70</li> </ol>	<ol style="list-style-type: none"> <li>Age: &gt; 6 YRS (Any Street)</li> <li>PCI &lt; 80</li> </ol>
"OLD" Street Permit/Restoration Requirements (Asphalt)	<ol style="list-style-type: none"> <li>Administration: PW</li> <li>Permit: Yes</li> <li>Limits (Any Cut):               <ul style="list-style-type: none"> <li>-Width: Full Lane</li> <li>- Length: 10-ft (Min) Beyond Excavation Edge</li> <li>-3" Minimum Overlay Thickness</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>Administration: PW</li> <li>Permit: Yes</li> <li>Limits (Any Cut):               <ul style="list-style-type: none"> <li>-Width: Full Lane</li> <li>-Length: 10-ft (Min) Beyond Excavation Edge</li> <li>- Allow Overlay Thickness to Match Existing</li> </ul> </li> </ol>
"NEW" Street Definition	<ol style="list-style-type: none"> <li>Age: ≤ 7 YRS (Any Street)</li> <li>PCI ≥ 70</li> </ol>	<ol style="list-style-type: none"> <li>Age: 0 - 6 YRS (Any Street)</li> <li>PCI ≥ 80</li> </ol>
"NEW" Street Permit/Restoration Requirements (Asphalt)	<ol style="list-style-type: none"> <li>Administration: PW</li> <li>Permit: Variance Required</li> <li>Limits (Varied Depending on Street Age/Classification):               <ul style="list-style-type: none"> <li>-Width: Require Curb to Curb</li> <li>-Length: Block to Block (Arterials/Collectors; 0-2 Yrs)</li> <li>-Length: 25-ft (Arterials/Collectors; 2-7 Yrs)</li> <li>-Length: 10-ft (Local; 0 -7 Yrs)</li> <li>-2" Minimum Overlay Thickness (Arterial/Collector)</li> <li>-3" Minimum Overlay Thickness (Local)</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>Administration: PW</li> <li>Permit: Variance Required</li> <li>Limits:               <ul style="list-style-type: none"> <li>-Width: Require Curb to Curb</li> <li>-Length (Min): 25-ft (Min) Beyond Excavation Edge</li> <li>-Allow Overlay Thickness to Match Existing</li> </ul> </li> </ol>

*\*Recommended Updates to Existing Ordinance*



# RECOMMENDATIONS

## DRIVEWAY/SIDEWALK REQUIREMENTS



	EXISTING ORDINANCE		1st READING PROPOSED		FINAL STAFF RECOMMENDATIONS	
	RESIDENTIAL	COMMERCIAL	RESIDENTIAL	COMMERCIAL	RESIDENTIAL	COMMERCIAL
DRIVEWAY PERMIT REQUIRED New/Repair	NO*	YES	YES	YES	YES	YES
DRIVEWAY INSPECTION REQUIRED New/Repair	NO	YES	YES	YES	YES	YES
SIDEWALK/CURB & GUTTER PERMIT REQUIRED	NO	YES	YES	YES	YES	YES
SIDEWALK/CURB & GUTTER INSPECTION REQUIRED	NO	YES	YES	YES	YES	YES

*\*Existing Ordinance Requires Permit for Residential Abutting Ditch Section*



# STAFF RECOMMENDATIONS

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1. APPROVE ORDINANCE AMENDMENTS AS PRESENTED
    - a) *Repeal & Replace Street Cut Ordinance (Chapter 49) w/Amended Procedures*
    - b) *Repeal Section 53.195 - Conflicts w/Chapter 49.*
    - c) *Administration of ROW Permits - Public Works*
    - d) *Appeal Process - City Council*
    - e) *Residential ROW Driveway/Sidewalk Permits:*
      - *Permit Required*
      - *Issued Concurrently w/Approved Building Permit*
      - *Random Inspections by PW*
      - *Subject to Non-Compliance Fee*
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