



Subject: City of SeaTac
34th Avenue S Project
Pavement Moratorium

Dear Property Owner,

As a part of the ongoing 34th Avenue S construction project, the final layer of asphalt pavement is scheduled to be placed in September 2022 along 34th Avenue S between S 166th Street and S 160th Street. After placement of the final layer of pavement, the City's roadway will be subject to a five (5) year cutting and/or excavation moratorium, see Section 11.10.260 of the SeaTac Municipal Code attached.

Please schedule any work within the City's roadway prior to September 2022. Work may include but is not limited to sewer, water, gas, electrical, or telecommunications utilities. Right-of-Way Use Permits are still required for any work to be accomplished in the City's roadway.

Cutting and/or excavation of pavement within the (5) year moratorium period is subject additional restoration conditions and must be approved by the City's Public Works Director.

If you have any questions, please call Pete Kang at (206) 641-1306 or email at pkang@seatacwa.gov.

Sincerely,

Pete Kang,
Project Manager

Chapter 11.10
RIGHT-OF-WAY USE CODE

11.10.260 Right-of-way restoration.

A. Cutting and/or excavation of a City roadway, alley, or access drive **pavement** is not permitted within the first five (5) years of construction or rehabilitation of the subject roadway, alley, or access drive **pavement**. A waiver to permit cutting and/or excavation of **pavement** within this five (5) year **moratorium** may be granted subject to approval by the Director of Public Works or designee. Approval of a waiver allows for the **pavement** be cut/excavated subject to the following restoration conditions:

1. The cut/excavation is to be repaired as specified in the City of SeaTac Public Works Engineering Division current adopted standard **pavement** restoration detail.
2. In addition to subsection (A)(1) of this section, the existing **pavement** on either side of the cut/excavation repair shall be planed/milled down a minimum of two (2) inches throughout the full width of the **pavement** and for a minimum longitudinal distance of fifteen (15) feet in each direction, along roadway centerline. This area, which includes the cut/excavated repair area, shall then be overlaid with asphalt/concrete to transition to the adjacent existing **pavement**.
3. If the roadway, alley or access drive is constructed of concrete panels, the restoration shall include replacement of each panel disturbed by the work, to the nearest existing joint.

B. Permanent restoration of the right-of-way shall be made by the permittee in strict accordance with the standards and specifications of the City. Permanent restoration may include overlays of portions of the right-of-way which have been disrupted by excavation work.

C. The permittee shall guarantee conformance with the City's development standards and specifications as provided at SMC 11.10.170. Acceptance of any excavation work or right-of-way restoration shall not prevent the City from asserting a claim against the permittee and permittee's surety under the security device required by this chapter for incomplete or defective work, if such is discovered within the period of guarantee and maintenance. The presence of the Director, or designee, during the performance of any excavation work shall not relieve the permittee of any responsibility under this chapter. (Ord. 15-1014 § 1 (part); Ord. 96-1022 § 3)

11.10.260 Right-of-way restoration.

A. Cutting and/or excavation of a City roadway, alley, or access drive pavement is not permitted within the first five (5) years of construction or rehabilitation of the subject roadway, alley, or access drive pavement. A waiver to permit cutting and/or excavation of pavement within this five (5) year **moratorium** may be granted subject to approval by the Director of Public Works or designee. Approval of a waiver allows for the pavement be cut/excavated subject to the following restoration conditions:

1. The cut/excavation is to be repaired as specified in the City of SeaTac Public Works Engineering Division current adopted standard pavement restoration detail.
2. In addition to subsection (A)(1) of this section, the existing pavement on either side of the cut/excavation repair shall be planed/milled down a minimum of two (2) inches throughout the full width of the pavement and for a minimum longitudinal distance of fifteen (15) feet in each direction, along roadway centerline. This area, which includes the cut/excavated repair area, shall then be overlaid with asphalt/concrete to transition to the adjacent existing pavement.
3. If the roadway, alley or access drive is constructed of concrete panels, the restoration shall include replacement of each panel disturbed by the work, to the nearest existing joint.

B. Permanent restoration of the right-of-way shall be made by the permittee in strict accordance with the standards and specifications of the City. Permanent restoration may include overlays of portions of the right-of-way which have been disrupted by excavation work.

C. The permittee shall guarantee conformance with the City's development standards and specifications as provided at SMC [11.10.170](#). Acceptance of any excavation work or right-of-way restoration shall not prevent the City from asserting a claim against the permittee and permittee's surety under the security device required by this chapter for incomplete or defective work, if such is discovered within the period of guarantee and maintenance. The presence of the Director, or designee, during the performance of any excavation work shall not relieve the permittee of any responsibility under this chapter. (Ord. 15-1014 § 1 (part); Ord. 96-1022 § 3)