

File No. 230867

Committee Item No. 7

Board Item No. 2

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Transportation

Date: February 26, 2024

Board of Supervisors Meeting:

Date: March 12, 2024

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- PW Order No. 208323
- Microtrenching Standards MT-1 and MT-2
- CA Gov Code 65964.5
- CA SB378 – October 8, 2021
- CEQA Determination – October 11, 2023
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Prepared by: John Carroll

Date: February 23, 2024

Prepared by: John Carroll

Date: March 1, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Public Works Code - Excavation by Microtrenching for Fiber]

2

3 **Ordinance amending the Public Works Code to allow the use of microtrenching to**  
4 **install fiber-optic facilities; and affirming the Planning Department’s determination**  
5 **under the California Environmental Quality Act.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
8 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
9 **Board amendment additions** are in double-underlined Arial font.  
10 **Board amendment deletions** are in ~~Arial font~~.  
11 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
12 subsections or parts of tables.

10

11 Be it ordained by the People of the City and County of San Francisco:

12

13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this  
15 ordinance comply with the California Environmental Quality Act (California Public Resources  
16 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
17 Supervisors in File No. 230867 and is incorporated herein by reference. The Board affirms  
18 this determination.

19 (b) The City enacted Article 2.4 of the Public Works Code to regulate excavating in the  
20 public right-of-way under the jurisdiction of the Department of Public Works (“Department”). In  
21 addition to the requirements set forth in Article 2.4, the Department has the authority to adopt  
22 orders, regulations, standard plans, and specifications in order to preserve and maintain the  
23 public health, safety, welfare, and convenience. The Department has used this authority to  
24 regulate the technical means and methods of excavation through the adoption of various  
25 Department regulations and orders.

1 (c) Recently-enacted state law (California Government Code Section 65964.5)  
2 requires local governments to allow microtrenching in the public right-of-way for the  
3 installation of underground fiber-optic facilities, subject to certain conditions. This ordinance  
4 codifies the definitions and standards in state law to facilitate the Department's permitting of  
5 microtrenching for fiber-optic facilities, including the further implementation of this ordinance  
6 through the adoption of Department regulations and orders.

7  
8 Section 2. Article 2.4 of the Public Works Code, Subarticle I, is hereby amended by  
9 revising Sections 2.4.2, 2.4.3, and 2.4.4, to read as follows:

10  
11 **SEC. 2.4.2. PERMITS REQUIRED TO EXCAVATE.**

12 \* \* \* \*

13 (e) The Department shall issue permits to excavate that allow the permittee to use  
14 microtrenching to install fiber-optic facilities in the public right-of-way, subject to any orders,  
15 regulations, or standard plans and specifications the Department may adopt.

16  
17 **SEC. 2.4.3. DEPARTMENT ORDERS AND REGULATIONS.**

18 (a) In addition to the requirements set forth in this Article, the Department may adopt  
19 such orders or regulations as it deems necessary in order to preserve and maintain the public  
20 health, safety, welfare, and convenience. Each excavation in the public right-of-way pursuant  
21 to this Article shall be performed in accordance with the standard plans and specifications of  
22 the Department and any Department orders or regulations, except where the Director, in ~~his or~~  
23 ~~her~~ the Director's discretion, grants prior written approval to deviate from such standard plans  
24 and specifications, orders, or regulations. The Director shall develop guidelines to implement  
25 the granting of waivers authorized pursuant to this Article. Furthermore, excavation in the

1 public right-of-way shall conform to the orders, regulations, and rules of the Municipal  
2 Transportation Agency.

3 (b) The Department may adopt such orders, regulations, or standard plans and specifications  
4 as it deems necessary or appropriate to allow a permittee to use microtrenching to install fiber-optic  
5 facilities in the public right-of-way; provided, however, the Department shall (1) not require any  
6 increase in the requested width or depth of any microtrench unless it specifically finds that the increase  
7 would be necessary to preserve and maintain the public health, safety, welfare, and convenience, and  
8 ~~(2) not require any restoral or modification to any area outside the microtrench, provided that~~  
9 ~~the microtrenching complies with the orders, regulations, standard plans, specifications, and~~  
10 ~~any other conditions imposed on the permit. In such orders, regulations, standard plans,~~  
11 ~~specifications, and conditions, the Director may specify in an order these standard plans and~~  
12 ~~specifications that the Department may waive in a permit that allows for the use of~~  
13 ~~microtrenching.~~

14  
15 **SEC. 2.4.4. DEFINITIONS.**

16 \* \* \* \*

17 "Facility" or "facilities" shall include, but not be limited to, any and all cables, cabinets,  
18 ducts, conduits, converters, equipment, drains, handholds, manholes, pipes, pipelines, splice  
19 boxes, surface location markers, tracks, tunnels, utilities, vaults, and other appurtenances or  
20 tangible things owned, leased, operated, or licensed by an owner or person, that are located  
21 or are proposed to be located in the public right-of-way.

22 "Fiber-optic facilities" shall mean fiber-optic cables, and related ancillary equipment such as  
23 conduit, ancillary cables, hand holes, vaults, and terminals.

1 "Incremental cost" shall mean the cost associated with adding City communications  
2 infrastructure to an excavation project, including the cost of the materials needed by the City  
3 and any additional labor cost.

4 \* \* \* \*

5 "Medium excavation project" shall mean any excavation of more than 100 but no  
6 greater than 1,000 square feet.

7 "Microtrench" shall mean an open trench that is less than or equal to 4 inches in width and not  
8 less than 12 inches nor more than 26 inches in depth, and that is created for the purpose of installing a  
9 subsurface pipe or conduit for fiber-optic facilities.

10 "Microtrenching" shall mean excavation of a microtrench.

11 "Moratorium street" shall mean any block that has been reconstructed, repaved, or  
12 resurfaced by the Department or any other owner or person in the preceding five-year period.

13 \* \* \* \*

14  
15 Section 3. Effective Date. This ordinance shall become effective 30 days after  
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
18 of Supervisors overrides the Mayor's veto of the ordinance.

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1           Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
5 additions, and Board amendment deletions in accordance with the “Note” that appears under  
6 the official title of the ordinance.

7

8           APPROVED AS TO FORM:  
9           DAVID CHIU, City Attorney

9

10          By:    /s/ Giulia Gualco-Nelson  
11                GIULIA GUALCO-NELSON  
              Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**  
*(Amended in Committee – February 26, 2024)*

[Public Works Code - Excavation by Microtrenching for Fiber]

**Ordinance amending the Public Works Code to allow the use of microtrenching to install fiber-optic facilities; and affirming the Planning Department’s determination under the California Environmental Quality Act.**

Existing Law

Article 2.4 of the Public Works Code regulates excavating in the public right-of-way under the jurisdiction of the Department of Public Works (“Department”). In addition to the requirements set forth in Article 2.4, the Department has the authority to adopt orders, regulations, standard plans, and specifications in order to preserve and maintain the public health, safety, welfare, and convenience.

California Government Code Section 65964.5 requires local governments to allow microtrenching in the public right-of-way for the installation of underground fiber-optic facilities, subject to certain conditions.

Amendments to Current Law

This ordinance would amend Section 2.4.4 of the Public Works Code to codify the definitions and standards in Government Code Section 65964.5. The ordinance would also amend Sections 2.4.2 and 2.4.3 of the Public Works Code to:

- codify the Department’s authority to issue permits for excavation by microtrench to install fiber-optic facilities, subject to the adoption of standard plans and specifications;
- provide that the Department shall not require any increase in the requested width or depth of any microtrench unless it specifically finds that the increase would be necessary to preserve and maintain the public health, safety, welfare, and convenience;
- provide that the Department may not require any restoral or modification to any area outside the microtrench, as long as the microtrenching complies with the orders, regulations, standard plans, specifications, and any other conditions imposed on the permit; and
- authorize the Director to specify in an order the standard plans and specifications that the Department may waive in a permit that allows for the use of microtrenching.

Background Information

This legislative digest reflects amendments made at the Land Use and Transportation Committee on February 26, 2024. Those amendments removed the language regarding restoral requirements. The amendments align the ordinance with the microtrenching standards set forth in Public Works Order No. 208323 (Microtrenching Standard), which was promulgated after this ordinance was first drafted.

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San Francisco Public Works  
General – Director’s Office  
49 South Van Ness Ave., Suite 1600  
San Francisco, CA 94103  
(628) 271-3160 [www.SFPublicWorks.org](http://www.SFPublicWorks.org)

**Public Works Order No: 208323**

## **MICROTRENCHING STANDARD**

ADOPTING MICROTRENCHING STANDARD PLANS NOS.  
120,964 THROUGH 120,965 and ALLOWING THE CITY ENGINEER TO GRANT  
EXCEPTIONS.

### **I. PURPOSE**

Public Works Code section 2.4.52 prohibits the use of rock wheel and trenchless technology and requires that no single excavation site be longer than 1,200 feet in length without prior written approval of the Director.

In compliance with California Government Code 65964.5, the Director of Public Works adopts the following:

- A. Microtrenching Standard.
- B. Procedures for requesting the use of the Microtrenching Standard.
- C. Procedures for granting exceptions or accepting alternatives to the Microtrenching Standard.
- D. Guidelines for approving requests for an exception to the Microtrenching Standard.

### **II. MICROTRENCHING STANDARD**

- A. This Order hereby adopts the Microtrenching Standard as shown on standard plans numbered:

File No.  
120,964  
120,965

- B. Microtrenching Notes (File No. 120,964) sets forth the requirements to consider a segment for microtrenching, the excavation, fill and restoration requirements, vaults, and service connections requirements, microtrenching exclusions, utility clearances and typical permit requirements.

- C. Microtrenching Details and Tables (File No. 120,965) sets forth two excavation details that allow microtrenching in the public right-of-way to install telecommunication conduits.
  - 1. Standard Detail 1 requires readily available construction materials (hot mix asphalt and cement sand slurry) and allows trench widths up to 4 inches with City Engineer's approval.
  - 2. Standard Detail 2 requires fiber-reinforced cementitious material to reduce the restoration area and allows trench widths up to 2 inches.
- D. Permits issued after the effective date of this Public Works Order shall require compliance with the Microtrenching Standard.

### **III. PROCEDURES FOR THE USE OF THE MICROTRENCHING STANDARD**

- A. Request for the use of microtrenching shall be made in writing as part of the excavation permit application. The permit application shall also include the following:
  - 1. Limits of microtrenching clearly shown on the site plans and related required information under the permit section of Microtrenching Notes plan.
  - 2. Each microtrenching street segment identified on the online permit application.

### **IV. PROCEDURE FOR REQUESTING EXCEPTIONS TO THE MICROTRENCHING STANDARD**

- A. The City Engineer may grant exceptions to the Microtrenching Standard on a case-by-case basis.
- B. A request for a microtrenching exception must be submitted in writing to the City Engineer and shall include the following:
  - 1. An explanation of why use of the Microtrenching Standard is infeasible;
  - 2. A statement detailing which portions of the standard are proposed to be altered and how they will be altered;

3. The name of the person and/or organization requesting the exception;
  4. The contact person's name, phone number and address;
  5. The location of the requested exception to the Microtrenching Standard; and
  6. A detailed dimensioned plan and photographs documenting existing physical constraints at the location of the request for an exception.
- C. Public Works will only consider an exception request if it is made in conjunction with a specific permit or project including, but not limited to, a street improvement permit, a re-paving or excavation contract, a utility excavation permit, or any other applicable permits.

**V. GUIDELINES FOR APPROVING AN EXCEPTION TO THE MICROTRENCHING STANDARD**

- A. The City Engineer may grant an exception to the Microtrenching Standard only if compliance with the Microtrenching Standard is infeasible. The City Engineer may impose additional conditions on the grant of an exception.

X DocuSigned by:  
*Govindbhai Dhapa*  
Dhapa, I...A811FD2527F045D...  
Acting Bureau Manager

X DocuSigned by:  
*Nicolas Huff*  
Huff, Nicol...C0A758C115B741C...  
Bureau Manager

X DocuSigned by:  
*Albert Ko*  
281DC30E04CF41A...  
Ko, Albert J  
Deputy Director and City Engineer

X DocuSigned by:  
*Carla Short*  
073CF73A4EA6486...  
Short, Carla  
Interim Director of Public Works

# MICROTRENCHING NOTES

**GENERAL**

1. MICROTRENCHING MAY BE USED TO INSTALL UNDERGROUND FIBER TELECOMMUNICATION CONDUITS PURSUANT TO CALIFORNIA GOVERNMENT CODE 65964.5.
2. REFER TO MICROTRENCHING STANDARD FILE NO. 120,965 "MICROTRENCHING DETAILS AND TABLES" FOR MICROTRENCH CLEARANCE REQUIREMENTS AND MICROTRENCH MATERIAL REQUIREMENTS.
3. ALL WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST SAN FRANCISCO PUBLIC WORKS STANDARD SPECIFICATIONS, DPW ORDER NO. 187,005 "REGULATIONS FOR EXCAVATING AND RESTORING STREETS IN SAN FRANCISCO", SAN FRANCISCO PUBLIC UTILITIES COMMISSION (SFPUC) ASSET PROTECTION STANDARDS, CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) GENERAL ORDER 128, AND ALL OTHER FEDERAL, STATE AND LOCAL REGULATIONS AS APPLICABLE.
4. MICROTRENCHING THROUGH AN INTERSECTION OR LEGAL PEDESTRIAN CROSSING MAY REQUIRE CURB RAMP EVALUATION AND CONSTRUCTION PER DPW ORDER NO. 184,350. IF CONSTRUCTION IS REQUIRED, THE CONTRACTOR SHALL PROVIDE CURB RAMP DESIGN PLAN(S) AND OBTAIN APPROVAL FROM THE DISABILITY ACCESS COORDINATOR.
5. UNDERGROUND SERVICE ALERT (U.S.A.) MUST BE CONTACTED AT LEAST 48 HOURS PRIOR TO THE START OF WORK. ALL EXISTING UTILITIES, INCLUDING SERVICE CONNECTIONS IN THE FIELD MUST BE IDENTIFIED WITHIN A MINIMUM DISTANCE OF 3- FEET ON EITHER SIDE OF THE PROPOSED ALIGNMENT.
6. EXPLORATORY WORK SHALL BE PERFORMED TO AVOID CONFLICTS WITH OTHER UTILITIES, MEET THE UNDERGROUND UTILITY CLEARANCE REQUIREMENTS AS STATED IN NOTES 39-42 BELOW, AND TO DETERMINE THE EXISTING UTILITY ALIGNMENT AND ELEVATION. EXPLORATORY HOLES SHALL BE IMMEDIATELY BACKFILLED AND COMPACTED IN ACCORDANCE WITH THE CITY STANDARD SPECIFICATIONS OR RESTORED AS DIRECTED BY THE CITY ENGINEER OR THEIR DESIGNEE.
7. ANY FACILITIES DAMAGED DURING CONSTRUCTION MUST BE RESTORED.
8. MICROTRENCHING WITHIN OTHER JURISDICTIONS SUCH AS CALTRANS, PORT OF SAN FRANCISCO, SAN FRANCISCO RECREATION AND PARKS, GOLDEN GATE NATIONAL RECREATION AREA, SHOULD BE COORDINATED APPROPRIATELY.
9. MICROTRENCHING WITHIN THE LIMITS OF HOMEOWNER ASSOCIATIONS OR COMMUNITY GROUPS SHALL BE COORDINATED APPROPRIATELY.

**LIMITS OF REMOVAL, TRENCH WIDTH, AND LOCATION**

10. THE MICROTRENCH EXCAVATION LIMITS SHALL FOLLOW DPW ORDER NO. 187,005 AND MAY NOT EXCEED 1,200 LINEAR FEET AT ANY TIME.
11. THE MICROTRENCH SHALL BE CONSTRUCTED WITH CONTINUOUS, UNIFORM, STRAIGHT AND NEAT EDGES. DAMAGED PAVEMENT AND CONCRETE SPALLS WITHIN 12-INCHES OF THE MICROTRENCH SHALL BE REPAIRED TO FACILITATE STRAIGHT PAVEMENT CUTS.
12. MICROTRENCH ALIGNMENTS SHALL CONSIST OF RUNS PARALLEL TO THE CENTERLINE OF THE STREET.
13. THE EDGE OF THE MICROTRENCH SHALL BE A MINIMUM DISTANCE FROM THE EXISTING PAVEMENT FEATURE AS SHOWN IN TABLE A ON MICROTRENCHING STANDARD FILE NO. 120,965.
14. MICROTRENCH SHALL BE LOCATED OUTSIDE OF WHEEL PATH TO THE EXTENT POSSIBLE TO MINIMIZE VEHICULAR LOADING.
15. MICROTRENCH WIDTH SHALL BE A MINIMUM OF 1-INCH AND A MAXIMUM OF 2-INCHES FOR STANDARD DETAIL 2, AND FOR STANDARD DETAIL 1, A MAXIMUM OF 4-INCHES WITH THE CITY ENGINEER OR THEIR DESIGNEE'S APPROVAL.
16. THE TOPMOST CONDUIT SHALL BE INSTALLED AT A MINIMUM DEPTH OF 18-INCHES BELOW THE TOP OF PAVEMENT SURFACE.
17. THE MAXIMUM DEPTH FROM THE TOP OF PAVEMENT SURFACE TO THE BOTTOM OF THE TRENCH SHALL BE 26-INCHES.
18. MICROTRENCHING MAY BE ALLOWED ON CONCRETE PAVED STREETS ON AN EXISTING JOINT PER STANDARD DETAIL 2 WITH APPROVAL FROM CITY ENGINEER OR THEIR DESIGNEE.

**RESTORATION**

19. THE MICROTRENCH SHALL BE COMPLETELY FILLED WITH A 5000 PSI CEMENT SAND SLURRY OR A FIBER-REINFORCED CEMENTITIOUS MATERIAL AS SHOWN ON THE DETAILS TO FINISH GRADE WITHIN 120 HOURS AFTER THE PLACEMENT OF CONDUIT.
20. BACKFILL/BEDDING BELOW CEMENT SAND SLURRY SHALL BE DRY SAND AND PLACED 2-INCHES ABOVE AND BELOW EDGE OF NEW CONDUIT(S). SEE NOTE 37 FOR ADDITIONAL REQUIREMENTS.
21. CEMENT SAND SLURRY FILL SHALL CONTAIN ACCELERANTS OR OTHER ADMIXTURES IN ACCORDANCE WITH SECTION 207 OF THE STANDARD SPECIFICATIONS AND SHALL BE CURED PER THE MANUFACTURER'S RECOMMENDATIONS BEFORE OPENING TO TRAFFIC.

**NON-STANDARD PAVEMENT SHALL BE RESTORED IN KIND.**

22. NON-STANDARD PAVEMENT SHALL BE RESTORED IN KIND.
23. IF MICROTRENCHING THROUGH THERMOPLASTIC PAINT (SUCH AS DESIGNATED TRANSIT LANE OR BICYCLE FEATURES), THE THERMOPLASTIC PAINT SHALL BE RESTORED IN KIND. THE CONTRACTOR SHALL CONTACT SFMTA TO REQUEST FOR RESTORATION.
24. ALL TRAFFIC MARKINGS AND FEATURES DISTURBED BY MICROTRENCHING OPERATIONS SHALL BE RESTORED IN KIND. THE CONTRACTOR SHALL CONTACT SFMTA TO REQUEST RESTORATION.
25. THE CONTRACTOR SHALL REFER TO SFMTA "REGULATIONS FOR WORKING IN SAN FRANCISCO STREETS" SECTION 11 WHEN WORK WILL DISTURB OR DAMAGE ROADWAY DETECTORS SUCH AS TRAFFIC SIGNAL AND BIKE COUNTER DETECTOR LOOPS AND SENSORS.
26. IN ACCORDANCE WITH THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AUTHORITY (SFMTA) "REGULATIONS FOR WORKING IN SAN FRANCISCO STREETS," THE CONSTRUCTION SITE SHALL BE METAL-PLATED AND PROTECTED WITH APPROPRIATE TRAFFIC CONTROL ELEMENTS IF NOT COMPLETED AND RESTORED THE SAME DAY.

**VAULTS AND SERVICE CONNECTIONS**

27. CONNECTION TO SERVICE LATERALS, JUNCTION BOXES, ETC. SHALL BE DONE SUCH THAT THE CURB, GUTTER, PARKING STRIP OR BUS PAD ARE NOT DISTURBED, SETTLED OR DAMAGED. REMOVAL LIMITS OF SIDEWALK SHALL FOLLOW APPLICABLE SAN FRANCISCO PUBLIC WORKS STANDARDS AND REQUIREMENTS AS APPROVED BY THE CITY ENGINEER OR THEIR DESIGNEE.

**IDENTIFICATION**

28. EACH MICROTRENCH SHALL BE IDENTIFIED WITH A METAL IDENTIFICATION TAG LISTING THE OWNER, YEAR OF CONSTRUCTION, AND INCLUDE THE WORDS "NOT A SURVEY POINT." IF THE WORK IS MORE THAN 50- FEET IN LENGTH, PLACE THE TAG NEAR EACH END OF THE MICROTRENCH AND AT INTERVALS NOT TO EXCEED 50- FEET.
29. WARNING/IDENTIFICATION TAPE SHALL BE FOLDED AND INSTALLED TO IDENTIFY LOCATION OF MICROTRENCH, 2-INCHES MAXIMUM ABOVE CONDUIT AND PER APWA COLOR CODE SPECIFICATION.

**EXCLUSIONS**

30. MICROTRENCHING SHALL NOT BE ALLOWED IN SIDEWALKS, PARKWAYS, CURBS OR GUTTERS.
31. MICROTRENCHING ALIGNMENT SHALL NOT CROSS RAILWAYS OR TRACKWAYS.
32. STANDARD DETAIL 2 SHALL NOT BE USED ON THE SAN FRANCISCO BICYCLE NETWORK INCLUSIVE OF BICYCLE LANES, CYCLE TRACKS, TRAFFIC CALMING DEVICES AND OTHER FEATURES.
33. STANDARD DETAIL 2 SHALL NOT BE USED AT AN INTERSECTION OR LEGAL CROSSING.
34. STANDARD DETAIL 2 SHALL NOT BE USED AT BENDS IN THE CONDUIT.

**MATERIAL PROPERTIES**

35. REFER TO MICROTRENCHING STANDARD FILE NO. 120,965 TABLE B FOR MATERIAL REQUIREMENTS.
36. CEMENT SAND SLURRY SHALL BE FLOWABLE AND SELF-COMPACTING.
37. DRY SAND SHALL BE SE 50 OR BETTER AND COMPACTED BY WATER METHOD.
38. MATERIAL COLOR SHALL MATCH ADJACENT PAVEMENT.

**UNDERGROUND UTILITY CLEARANCES**

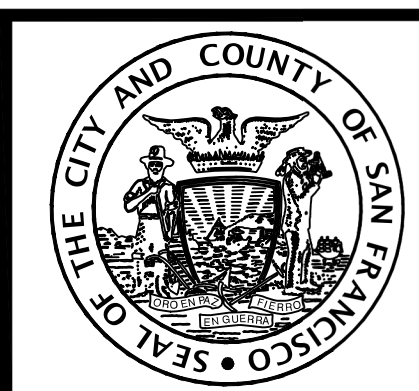
39. MICROTRENCH SHALL MAINTAIN 2- FEET MINIMUM HORIZONTAL CLEARANCE FROM EXISTING CONDUIT, PIPE, OR OUTSIDE WALL OF AN UNDERGROUND UTILITY ACCESS VAULT OR STRUCTURE, EXCEPT FOR UTILITY CROSSINGS WHERE 1- FOOT MINIMUM VERTICAL CLEARANCE FROM EXISTING PIPE IS REQUIRED, UNLESS OTHERWISE NOTED BELOW.
40. MICROTRENCH SHALL MAINTAIN 3- FEET MINIMUM HORIZONTAL CLEARANCE AND 1- FOOT MINIMUM VERTICAL CLEARANCE FROM EXISTING WATER ASSETS SUCH AS HYDRANT LATERALS, WATER MAINS, AND AUXILIARY WATER SUPPLY SYSTEM (AWSS) LINES, UNLESS OTHERWISE REQUIRED BY THE UTILITY OWNER.
41. MICROTRENCH SHALL MAINTAIN 3- FEET MINIMUM HORIZONTAL CLEARANCE AND 6- INCH MINIMUM VERTICAL CLEARANCE FROM TRAFFIC SIGNAL INTERCONNECT CONDUITS AND ALL CITY- USED UNDERGROUND COMMUNICATION CONDUITS, UNLESS OTHERWISE REQUIRED BY THE UTILITY OWNER.
42. MICROTRENCH SHALL MAINTAIN 3.5- FEET MINIMUM HORIZONTAL CLEARANCE AND 1- FOOT MINIMUM VERTICAL CLEARANCE FROM WASTEWATER ASSETS SUCH AS SIDE SEWERS, CULVERTS, AND SEWER MAINS, UNLESS OTHERWISE REQUIRED BY THE UTILITY OWNER.

**PERMIT**

43. THE CONTRACTOR SHALL SUBMIT A COMPLETE UTILITY EXCAVATION APPLICATION AND FOLLOW ALL REQUIREMENTS LISTED ON THE BUREAU OF STREET-USE AND MAPPING WEBSITE.
44. THE CONTRACTOR SHALL SUBMIT THE FOLLOWING AS PART OF THE EXCAVATION PERMIT APPLICATION, INCLUDING BUT NOT LIMITED TO:
  - A) A DETAILED SITE PLAN SHOWING THE LENGTH, WIDTH, AND LOCATION OF THE MICROTRENCH IN THE RIGHT-OF-WAY, AND THE PROPOSED CONNECTIONS TO SERVICE LATERALS AND JUNCTION BOXES AND CONSTRUCTION METHODS.
  - B) A STREET CROSS SECTION SHOWING THE APPROXIMATE PAVEMENT SECTION, DEPTH AND WIDTH OF MICROTRENCH, DEPTH OF TOPMOST CONDUIT, AND DISTANCE OF MICROTRENCH TO NEAREST PAVEMENT FEATURE.
  - C) PROPOSED FILL MATERIAL AS SPECIFIED IN TABLE B ON MICROTRENCHING STANDARD FILE NO. 120,965.
  - D) CUT SHEETS OF THE PROPOSED EQUIPMENT PARTICULARLY SUITABLE FOR MICROTRENCHING.

NO.	DATE	DESCRIPTION	BY	APP.
TABLE OF REVISIONS				

REFERENCE INFORMATION & FILE NO. OF SURVEYS
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**BUREAU OF ENGINEERING**  
CITY & COUNTY OF SAN FRANCISCO  
**SAN FRANCISCO PUBLIC WORKS**  
49 SOUTH VAN NESS AVENUE, Suite 800  
SAN FRANCISCO, CA 94103

Acting Section Mgr: DEANNA CALLEROS <i>Deanna Calleros</i>	Date: 07/10/2023
Acting Bureau Mgr: IQBAL DHAPA <i>Iqbal Dhapa</i>	Date: 07/10/2023
City Engineer: ALBERT KO <i>Albert Ko</i>	Date: 07/12/2023

DESIGNED: DATE: PUBLIC WORKS 4/23	CHECKED: DATE: PUBLIC WORKS 4/23
DRAWN: DATE: PUBLIC WORKS 4/23	



SCALE: NOT TO SCALE
SHEET OF SHEETS: 1 OF 2

**MICROTRENCHING STANDARD**

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**MICROTRENCHING NOTES**

CONTRACT NO. NONE
DRAWING NO. MT-1
FILE NO. 120,964
REV. NO.

Dimension Scale: 1 Model Units: Inches Measurement Units are English



# Cal. Gov. Code § 65964.5

Section 65964.5 - Microtrenching for the installation of underground fiber

- (a) For purposes of this section, the following definitions apply:
- (1) "Fiber" means fiber optic cables, and related ancillary equipment such as conduit, ancillary cables, hand holes, vaults, and terminals.
  - (2) "Local agency" means a city, county, city and county, charter city, special district, or publicly owned utility.
  - (3) "Microtrench" means a narrow open excavation trench that is less than or equal to 4 inches in width and not less than 12 inches in depth and not more than 26 inches in depth and that is created for the purpose of installing a subsurface pipe or conduit.
  - (4) "Microtrenching" means excavation of a microtrench.
- (b)
- (1) The local agency with jurisdiction to approve excavations shall allow microtrenching for the installation of underground fiber if the installation in the microtrench is limited to fiber, unless the local agency makes a written finding that allowing microtrenching for a fiber installation would have a specific, adverse impact on the public health or safety.
  - (2) Upon mutual agreement, a microtrench may be placed shallower than 12 inches in depth.
  - (3) To the extent necessary, a local agency with jurisdiction to approve excavations shall adopt or amend existing policies, ordinances, codes, or construction rules to allow for microtrenching pursuant to this subdivision.
  - (4) Nothing in this section shall supersede, nullify, or otherwise alter the requirements to comply with safety standards, including, but not limited to, the following:
    - (A) Article 2 (commencing with Section 4216) of Chapter 3.1 of Division 5 of Title 1.
    - (B) Public Utilities Commission General Order No. 128, or a successor standard.
- (c) A local agency may impose a fee on an application for a permit to install fiber consistent with Section 50030. The reasonable costs of providing the service for which the fee is charged, as that phrase is used in Section 50030, shall be limited to the reasonable costs of the local agency to process and issue the permit and inspect the installation that is the subject of the permit, including any costs incurred if the applicant elects to expedite processing and review.
- (d) The Legislature finds and declares that installation of fiber is critical to the deployment of broadband services and other utility services, is a matter of statewide concern, and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.

*Ca. Gov. Code § 65964.5*

Added by Stats 2021 ch 677 (SB 378),s 3, eff. 1/1/2022.

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## Senate Bill No. 378

### CHAPTER 677

An act to add Section 65964.5 to the Government Code, relating to local government.

[Approved by Governor October 8, 2021. Filed with Secretary  
of State October 8, 2021.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 378, Gonzalez. Local government: broadband infrastructure development project permit processing: microtrenching permit processing ordinance.

Existing law, the Permit Streamlining Act, governs the approval process that a city or county is required to follow when approving, among other things, a permit for construction or reconstruction for a development project for a wireless telecommunications facility and a collocation or siting application for a wireless telecommunications facility.

This bill would require a local agency to allow, except as provided, microtrenching for the installation of underground fiber if the installation in the microtrench is limited to fiber. The bill would also require, to the extent necessary, a local agency with jurisdiction to approve excavations to adopt or amend existing policies, ordinances, codes, or construction rules to allow for microtrenching. The bill would provide that these provisions do not supersede, nullify, or otherwise alter the requirements to comply with specified safety standards. The bill would authorize a local agency to impose a fee for its reasonable costs on an application for a permit to install fiber, as provided. By imposing new duties on local agencies with regard to the installation of fiber, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. This act shall be known as the Broadband Deployment Acceleration Best Practices Act of 2021.



SEC. 2. The Legislature hereby finds and declares all of the following:

(a) Californians need improved access to high-speed internet now more than ever to meet a variety of demands including, but not limited to, remote work, distance learning, telehealth, emergency response and public safety, agriculture, innovation, and commerce.

(b) High-speed internet is delivered to Californians through wireline and wireless broadband infrastructure that is installed either aerially or underground. Wireless broadband service relies on wireline facilities, especially fiber backhaul lines.

(c) Deployment of fiber is critical to connect more Californians to high-speed internet.

(d) Quick and cost-effective ways to install fiber include trenching and boring as well as microtrenching.

(e) By expediting fiber permit applications, local agencies will help promote the deployment of fiber for high-speed internet access across California.

SEC. 3. Section 65964.5 is added to the Government Code, to read:

65964.5. (a) For purposes of this section, the following definitions apply:

(1) "Fiber" means fiber optic cables, and related ancillary equipment such as conduit, ancillary cables, hand holes, vaults, and terminals.

(2) "Local agency" means a city, county, city and county, charter city, special district, or publicly owned utility.

(3) "Microtrench" means a narrow open excavation trench that is less than or equal to 4 inches in width and not less than 12 inches in depth and not more than 26 inches in depth and that is created for the purpose of installing a subsurface pipe or conduit.

(4) "Microtrenching" means excavation of a microtrench.

(b) (1) The local agency with jurisdiction to approve excavations shall allow microtrenching for the installation of underground fiber if the installation in the microtrench is limited to fiber, unless the local agency makes a written finding that allowing microtrenching for a fiber installation would have a specific, adverse impact on the public health or safety.

(2) Upon mutual agreement, a microtrench may be placed shallower than 12 inches in depth.

(3) To the extent necessary, a local agency with jurisdiction to approve excavations shall adopt or amend existing policies, ordinances, codes, or construction rules to allow for microtrenching pursuant to this subdivision.

(4) Nothing in this section shall supersede, nullify, or otherwise alter the requirements to comply with safety standards, including, but not limited to, the following:

(A) Article 2 (commencing with Section 4216) of Chapter 3.1 of Division 5 of Title 1.

(B) Public Utilities Commission General Order No. 128, or a successor standard.

(c) A local agency may impose a fee on an application for a permit to install fiber consistent with Section 50030. The reasonable costs of providing

the service for which the fee is charged, as that phrase is used in Section 50030, shall be limited to the reasonable costs of the local agency to process and issue the permit and inspect the installation that is the subject of the permit, including any costs incurred if the applicant elects to expedite processing and review.

(d) The Legislature finds and declares that installation of fiber is critical to the deployment of broadband services and other utility services, is a matter of statewide concern, and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

BOARD of SUPERVISORS



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MEMORANDUM

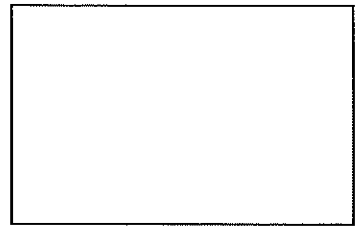
Date: August 8, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230867
Public Works Code - Excavation by Microtrenching for Fiber

- California Environmental Quality Act (CEQA) Determination (California Public Resources Code, Sections 21000 et seq.)
Ordinance / Resolution
Ballot Measure
Amendment to the Planning Code, including the following Findings:
Amendment to the Administrative Code, involving Land Use/Planning
General Plan Referral for Non-Planning Code Amendments
Historic Preservation Commission

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

**Introduction Form**

*(by a Member of the Board of Supervisors or the Mayor)*



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor [ ] inquires..."
- 5. City Attorney Request
- 6. Call File No. [ ] from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the Board on [ ]

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission     Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

*(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)*

Sponsor(s):

Safai, Engardio

Subject:

Microtrenching: Public Works Code Amendments

Long Title or text listed:

See ordinance attached

Signature of Sponsoring Supervisor: