



## Open Streets Initiative – Sidewalk Occupancy Policy & Guidelines for Consent of Use

- A. Care shall be taken when locating outdoor dining to avoid potential conflicts with existing building entrances, utilities, crosswalks, and other obstructions. Furniture and equipment shall not be located over any utility access points or conflict with any existing utilities.
- B. The dining area should not extend beyond the property line of adjacent use without consent of adjacent property owner, in order to avoid infringing on a neighboring property street frontage. For extension beyond property line and into adjacent use, please have property owner sign form below.
- C. Any obstructions on a sidewalk must permit at least 5' of unobstructed area to support walking and ADA access. Consent areas shall not enclose or make any utility access points inaccessible.
- D. Furnishings shall not encroach within 24" of the face of the curb. Where a red curb or parallel parking exists, furnishings may encroach within 18" of the face of the curb.
- E. A minimum of one opening shall be provided on a dining enclosure on the public sidewalk side of the space.
- F. Fire code compliance is required for egress purposes within the consented area. The most up to date requirements shall be verified and adhered to. Currently, a minimum 3' clear path of travel shall be provided, and the seating shall comply with existing [Health Order guidelines](#).
- G. Site plans for seating areas need to include dimensions showing appropriate distances are being met between clear pedestrian paths in the sidewalk, seating areas, and tables and chairs within the seating areas.

- H. Outdoor dining should function as an extension of an existing eating establishment. [Guidelines](#) and [protocols](#) for all existing permits and licenses must always be followed.
- I. Alcohol sales and consumption on sidewalk right-of-way is only allowed as approved through a business's ABC license. It is the business owner's responsibility to obtain, comply with, and enforce ABC license and/or permit guidelines as it relates to sale and/or consumption on public property. Public Works consent for sidewalk occupancy does not grant approvals related to alcohol consumption and does not supersede ABC policy or regulation.
- J. A clear zone adjacent to street, alley, or driveway shall be maintained and consist of an isosceles right triangle with 7'-6" sides. The clear zone shall not be occupied by any objects taller than 3'.
- K. All dining areas shall conform to the requirements of Chapter 8.80 of the Long Beach Municipal Code regarding noise.
- L. Obstructions shall not be located in a manner which interferes with the flow of pedestrian or other traffic, or which creates a potential threat to public safety, as determined by the City Engineer, Traffic Engineer, or Fire Marshal.
- M. Obstructions shall be located in a manner which will not interfere with visibility, vehicular or pedestrian mobility, access to City or public utility facilities, and will not compromise the safe use of any walk zone or other right-of-way. Consented locations shall be determined by Public Works after consideration of the above and other relevant factors in relation to the requested site. Public Works may, in its discretion, place additional conditions upon the issuance of such consent in order to ensure the protection of the public health, welfare, and public property.
- N. Consent for use is valid during the Open Streets Initiative program which is in place through October 31, 2020. Any extensions will be communicated to business owners. Use ends upon termination of the Open Streets Initiative supporting COVID-19 relief efforts.

O. Business owner is responsible for all items (chairs, tables, etc.) in the right-of-way. Consent by City may include site conditions requiring business owner to remove items during non-operational hours.

P. No outdoor music is permitted within any sidewalk occupancy area.

By signing below and submitting this request for consent to the Department of Public Works, you are hereby ensuring compliance with the Policy and Guidelines as outlined above. Any findings of non-compliance will result in revocation of the consent for use of sidewalk occupancy in the public right-of-way.

**Please submit a drawing of your proposed sidewalk dining area for staff to review and approve.**

**Complete the following prior to submittal and e-mail completed form to [Rachel.Junken@LongBeach.gov](mailto:Rachel.Junken@LongBeach.gov).**

Business Name (include DBA): \_\_\_\_\_

Business Address: \_\_\_\_\_

Current Operating Hours: \_\_\_\_\_

Contact Person Name: \_\_\_\_\_

Contact Person Phone: \_\_\_\_\_

\_\_\_\_\_  
Owner/Operator name (Print)  
**\*Must reflect name as shown on City-issued business license**

\_\_\_\_\_  
Owner/Operator Signature

\_\_\_\_\_  
Date

**Complete the following for sidewalk occupancy which extends applicant property line into adjacent property:**

Adjacent Business Name (include DBA): \_\_\_\_\_

Adjacent Business Address: \_\_\_\_\_

Adjacent Business Operating Hours: \_\_\_\_\_

Adjacent Business Contact Person Name: \_\_\_\_\_

Adjacent Business Contact Person Phone: \_\_\_\_\_

\_\_\_\_\_  
Adjacent Business Owner/Operator Name (Print)

\_\_\_\_\_  
Adjacent Business Owner/Operator Signature

\_\_\_\_\_  
Date