



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

Please review the following guidelines for consideration of City of Long Beach consent for use of **street occupancy**. For sidewalk occupancy, including parklets, please see the [sidewalk occupancy consent](#).

- A. Care shall be taken when locating tables, seating, racks, or other elements to avoid potential conflicts with existing 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 street occupancy zone should not extend beyond the property line of adjacent use without consent of adjacent property owner, to avoid infringing on a neighboring property street frontage. For extension beyond property line and into adjacent use, please have adjacent property owner sign form below.
- C. Any obstructions on a sidewalk must permit at least 5' of unobstructed area of walk zone. Occupancy zones shall not enclose or make any utility access points inaccessible. A minimum of one opening shall be provided on the public sidewalk side of the occupancy zone.
- D. 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](#).
- E. 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.
- F. Alcohol sales and consumption 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 of alcohol on public property. Public Works consent

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for street occupancy does not grant approvals related to alcohol sales or consumption.

- G. All occupancy zones shall conform to the requirements of Chapter 8.80 of the Long Beach Municipal Code regarding noise.
- H. 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.
- I. 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.
- J. 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.
- K. Business owner is responsible for all items (chairs, tables, racks, etc.) in the right-of-way. Consent by City may include site conditions requiring business owner to remove items during non-operational hours.
- L. Typical installations will be defined by a perimeter of water-filled K-rail barricades or delineators provided by the Public Works Department. The barricades may be covered with temporary materials for aesthetic improvement. If the barricades are covered with a decorative material, the edge of that material shall not extend beyond the approved boundaries of the occupancy zone. Barricades shall not be painted, punctured, or treated with materials that would permanently change the surface of the barricade.

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- M. Applicants may construct a platform within the defined occupancy zone for the purposes of creating a level surface from the sidewalk. Barriers, railings, or other fencing shall be included around the perimeter of a deck design and shall be attached to the platform structure and shall not be attached to the roadbed, curb, or K-rail barricades. Barrier extensions can be anchored to the sidewalk under direction of the City Engineer. Any hold or damage to the sidewalk shall be repaired by the permittee upon removal of the parklet. Barriers shall be a maximum 3' high to maintain visibility between the occupancy zone and the roadway. Barriers are not required adjacent to the sidewalk.
- N. When used, umbrellas should be suitable for outdoor use and shall be between 7 and 10 feet in height and shall not extend beyond the boundaries of the occupancy zone.
- O. Applicants may place decorative materials between the K-rail barricades along the perimeter of the occupancy zone in segments up to 15 feet long. Materials must prevent patrons from exiting the occupancy zone into the adjacent roadway and must be approved by the City Traffic Engineer. **If interested in providing decorative materials, please describe them on the next page or provide an illustration of the proposed materials.**

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Description of Decorative Materials

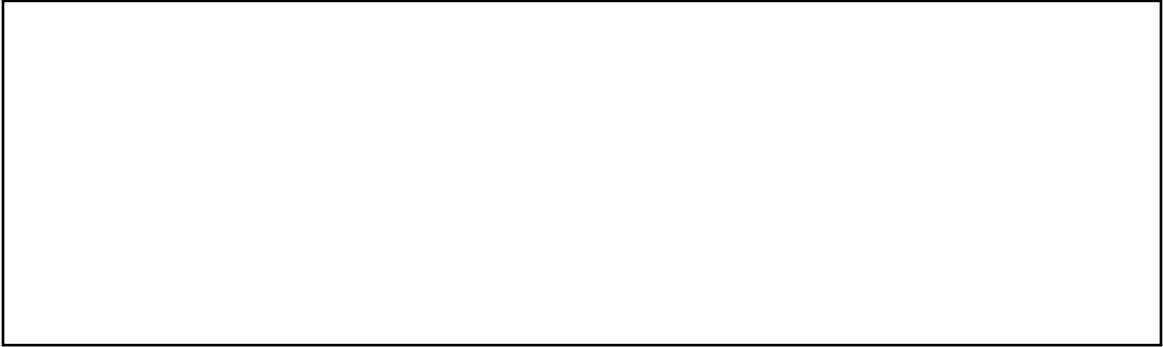
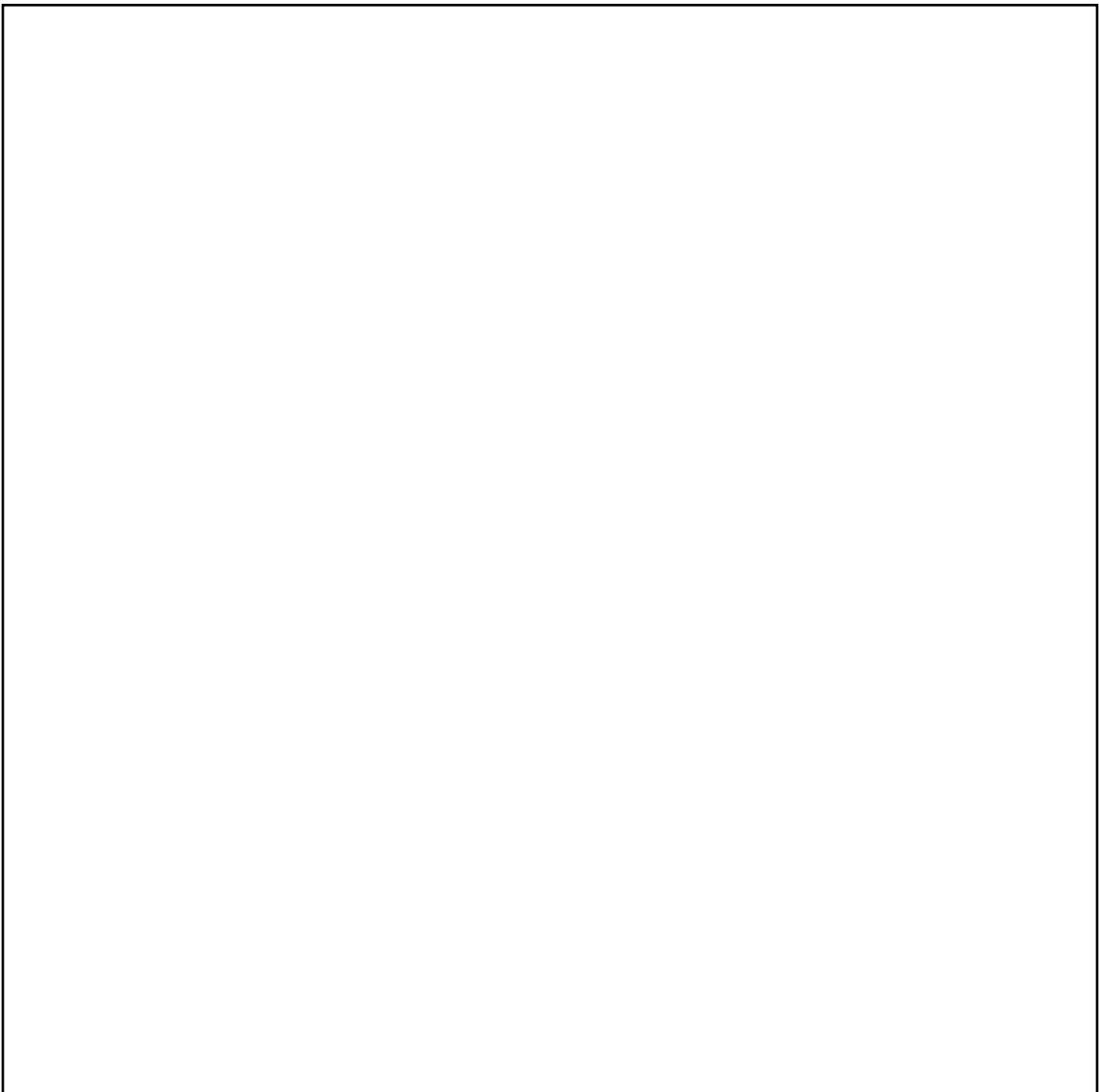
A large, empty rectangular box with a black border, intended for the user to provide a description of decorative materials.

Illustration (Optional)

A large, empty rectangular box with a black border, intended for the user to provide an optional illustration.

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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.

Complete the following prior to submittal:

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

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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