

# SIDEWALK DINING and PARKLETS HANDBOOK

DECEMBER 2018



CITY OF  
LONG BEACH

This handbook has been created to provide clear direction and the essential information needed to get started on your own sidewalk dining or parklet project. Sidewalk dining and parklet projects provide opportunities to expand business and improve pedestrian activity adjacent to your business. While we have included the typical scenarios and process, it is important to understand that each project is unique and requires a varying level of effort.

Long Beach values your ideas and your willingness to contribute to your community. We look forward to working with you on your project.

For additional information, please call the City of Long Beach Department of Public Works at (562) 570-5938, or email [PWPrivateDevelopment@longbeach.gov](mailto:PWPrivateDevelopment@longbeach.gov)



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**LONG BEACH**



**IMAGINE** WHAT'S POSSIBLE ON YOUR STREET  
and use this handbook to make it happen



CARLSBAD

PACIFIC

MODEL



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# 01

## let's do this!

This handbook provides applicants with a guide to ensure their public spaces prioritize safety, reflect high-quality design, and enrich the streetscape.

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# GO AHEAD, SET SOME GOALS! WE DID.

LET'S  
DO THIS



Whether a use is located within a sidewalk or on the street, creative and innovative solutions are encouraged to establish a pedestrian environment that meets these goals.

LET'S DO THIS



# long beach authority and relationship to other documents

All uses proposed in the right-of-way shall conform with Chapter 14.14 of the Long Beach Municipal Code and the development standards within this handbook. Additionally, all uses should be designed to meet the intent of the design guidelines within this document.

Additional policies and design considerations for public spaces are provided within the TOD/Downtown Pedestrian Plan and the Urban Design Element of the General Plan. The application packet to assist you in implementing your project can be found in Chapter 4 of this document. Refer to the Process Flow Chart to guide you through this process.

All projects within the public rights-of-way shall comply with the Americans with Disabilities Act (ADA) and current ADA Standards and guidelines. Refer to the Design Information Bulletin on Pedestrian Accessibility Guidelines for Long Beach Public Works.

# the basics

LET'S DO THIS



**COMPLETE STREETS** is a concept that aims to balance diverse means of transportation, including walking, biking, taking public transit, and driving. The following contribute to the complete streets concept by repurposing the street for innovative, inclusive uses.



**PARKLETS** repurpose part of the street next to the sidewalk into a public space for people. These small parks provide amenities like seating, planting, bicycle parking, and art.



**SIDEWALK DINING** repurposes the sidewalk into extensions of eateries where food may be served. Amenities include tables and chairs, and table service, if desired.



**BULBOUTS** are traffic calming measures used to extend the sidewalk. Bulbouts are common where speed limits exceed 25 miles per hour. Bulbouts must be constructed per City standards. Sidewalk dining requirements apply.



**STREETLETS** are small scale streets that are repurposed for pedestrian and bicycle use. Streetlets must go through a street closure process, not included in this handbook.

# design rules

vs.

# design guidelines

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## rules are mandatory

regulations that must be satisfied by all developments to which the standards apply. All projects are evaluated on their adherence to the Design Rules.

## guidelines are non-mandatory

but they create a highly encouraged framework of design principles that supplement the design rules in this document and the development standards found in the City of Long Beach Zoning Ordinance. The Design Guidelines provide direction on the more qualitative aspects of a development project and may be interpreted with some flexibility. The guidelines are utilized during the City's development review process to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Some guidelines may not apply in every circumstance. Applicants are encouraged to articulate their reasons or objectives in not meeting encouraged guidelines contained herein and are welcome to propose alternatives that meet the intent of an encouraged design guideline.

All projects are evaluated on the degree to which substantial compliance with the intent of Design Guidelines is demonstrated.

**Design Rules (R)**  
in this document are  
identified with  
this symbol.



**Design Guidelines (G)**  
in this document are identified  
with this symbol.



## important considerations

Refer to Chapter 14.14 of the Long Beach Municipal Code for additional requirements related to permitted uses and standards regulating public walkways and rights-of-way.

The physical conditions of the street, desired character and proposed use, and ability to comply with the standards and guidelines provided herein will shape the individual design for a specific location.

# process

Good design takes time, and we want to work with you to ensure a high-quality outcome. Your project design may have several rounds of review and revisions.

LET'S DO THIS

## Design your project!

Familiarize yourself with this document

Talk to your neighbors

We recommend discussing your plans with Public Works first. When you're ready to submit, make an appointment with Public Works. Bring your application and intake fees.

Submit your application



Determine if you qualify

Review all of the appropriate section(s) of this document and determine which application is right for you.

We're here for you!

The City is available to provide input and answer any questions you may have.

Is your project in the Coastal Zone?

If yes, additional fee and permit applies. Submit your Local Coastal Development Permit (LCDP) application. Your project will require a Zoning Administrator Hearing and Appeal period.

Design Review

Review the Public Works Development Guide for more details on this process.

Get your permit!

design and proposal

Depending on the size and complexity of your project, the City does a pre-installation site inspection and a pre-construction meeting.

### (OPTIONAL) Pre-construction Inspection and Discussion

Notify relevant departments 10 days before beginning construction.

Let us know when you're ready to build

Public Works will inspect the installation once completed. The permittee or permittee's contractor must notify Public Works 48 hours ahead of the scheduled inspection which shall coincide with completion of the install. The inspector may require modifications if the install does not comply with the approved permit. The permittee shall have 15 days to make any corrections. The permittee must notify Public Works 48 hours ahead of the scheduled re-inspection.

### A final look



## Get it built!

The permittee is required to remove all existing fixtures within the permit area and return to the appropriate party. The permittee is also responsible for the complete build out/ installation of the dining area/ parklet.

### Maintenance

The permittee is required to maintain the permit area and keep clean and safe at all times. The use of the permit area shall never impede ADA access, path of travel, water flow line, safety, or health of pedestrians. Public Works may conduct periodic inspections and cite permittees that are not in compliance. The permittee is required to remedy any citations within 15 days.

# construction and installation

# frontage zone

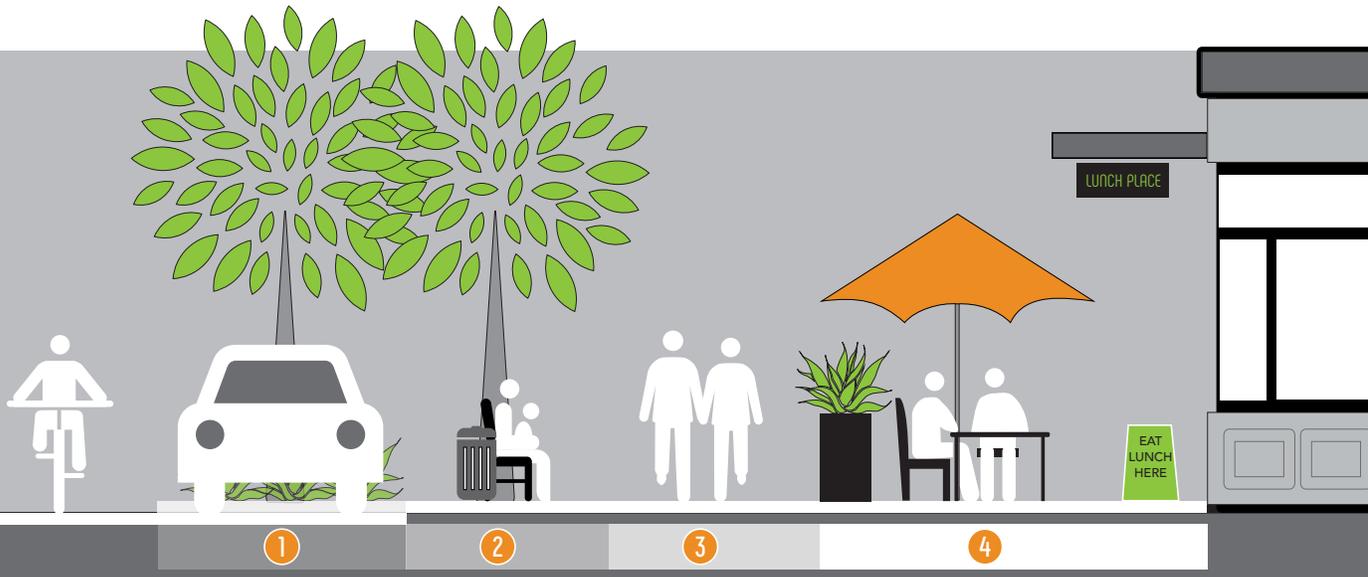
LET'S DO THIS

Public walkways and sidewalks are significant contributors to the overall mobility network. They provide pedestrian access to virtually any activity space and provide critical connections between other modes of travel, including the automobile, public transit, and bicycles. The creative use of public walkways and sidewalks can enrich the streetscape and provide a variety of opportunities for outdoor spaces and uses.

These areas contribute to establishing a streetscape character that operates as a “public room” - the area located between private property and the street. A well-designed streetscape establishes comfortable opportunities for all modes of travel and is bound by building facades on either side, encompassing pedestrian Frontage Zones that flank a public street.

The Frontage Zone is comprised of the area between the building and the street. This area contains one or more of the following zones based on sidewalk availability, vehicle speeds, pedestrian activity, adjacent uses, etc.

- 1. Parking/Parklet/Bulbout Zone
- 2. Planting and Amenity Zone
- 3. Walk Zone
- 4. Dining and Display Zone



## 1 Parking/Parklet/Bulbout Zone

This area provides parking along the street edge. Typical width of a parallel parking stall is 8'. Parking areas can be utilized as a parklet to enhance the public realm. Bulbouts are also used within the parking zone at intersections and mid-block crossings. Bulbouts keep crossing distances as short as possible, increase pedestrian and landscape areas, and slow traffic at intersections.



## 2 Planting and Amenity Zone

This area provides a buffer between the pedestrian Walk Zone and the street. Typical amenities located within this area include transit shelters and benches, kiosks, signal and street lighting poles, utilities, traffic and parking signs, parkway landscaping, and street trees.

The width of this zone varies based on sidewalk width and amenities within the zone. Wherever possible, the zone shall be a minimum of 4'. In some instances where narrow sidewalks exist (less than 10') the zone may be smaller to accommodate walking zone requirements noted below. The minimum zone width for sidewalk dining purposes is 5'. Amenities should be placed a minimum of 24" from the face of curb to allow for ingress and egress from vehicles. Amenities may be placed 18" from the face of curb where curbs are painted red.



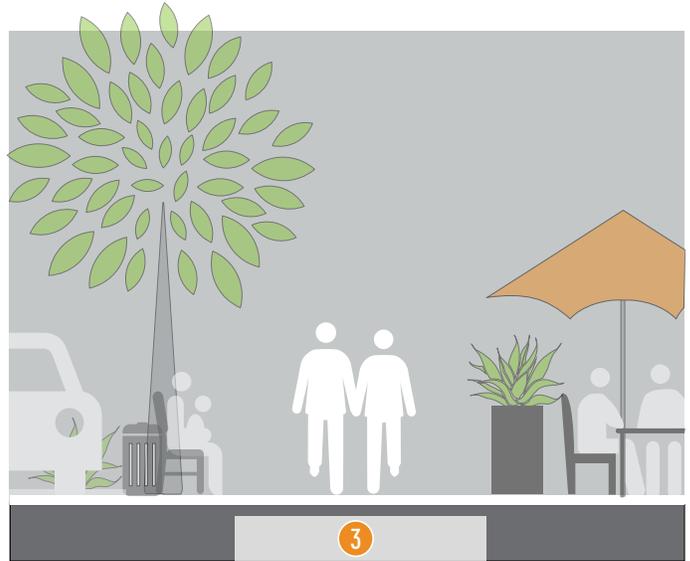
# frontage zone (continued)

LET'S DO THIS

## 3 Walk Zone

The Walk Zone shall be a minimum of 5' to allow for two people to walk comfortably side by side and accommodate ADA accessibility. A generally straight path (not meandering around obstructions or into other zones) should be provided to maintain easy pedestrian navigation (see dining enclosure diagrams on page 17). The Walk Zone should be clear of any obstacles to maintain an accessible route of travel from city block to city block.

Where sidewalk improvements are proposed, existing encroachments in the Walk Zone (furnishings, landscaping, signage, and utilities) should be relocated, where feasible. Sidewalk dining shall not encroach on the Walk Zone. **The Walk Zone is the priority of all zones and sets the parameters of the adjacent planting, amenities, the dining, and display zones.**



## 4 Dining & Display Zone

This is the area between the Walk Zone and the building. The Dining and Display zone may exist on both public and/or private property. This zone allows pedestrians a comfortable buffer from elements located on the property line such as buildings, fences, and hedges.

The width of this zone varies based on sidewalk width and the location of the walk zone. Wherever possible, the dining and display zone shall be a minimum of 1'. In some instances where narrow sidewalks exist (less than 10') the zone may be smaller or non-existent to accommodate the walking zone requirements noted above.



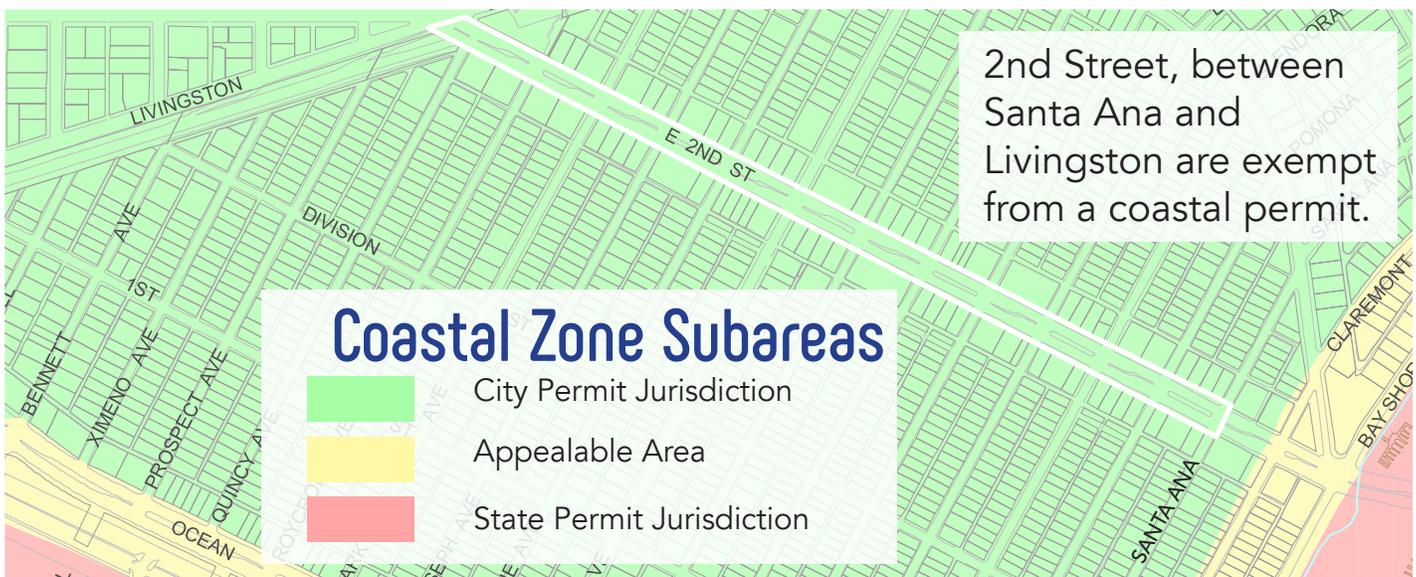
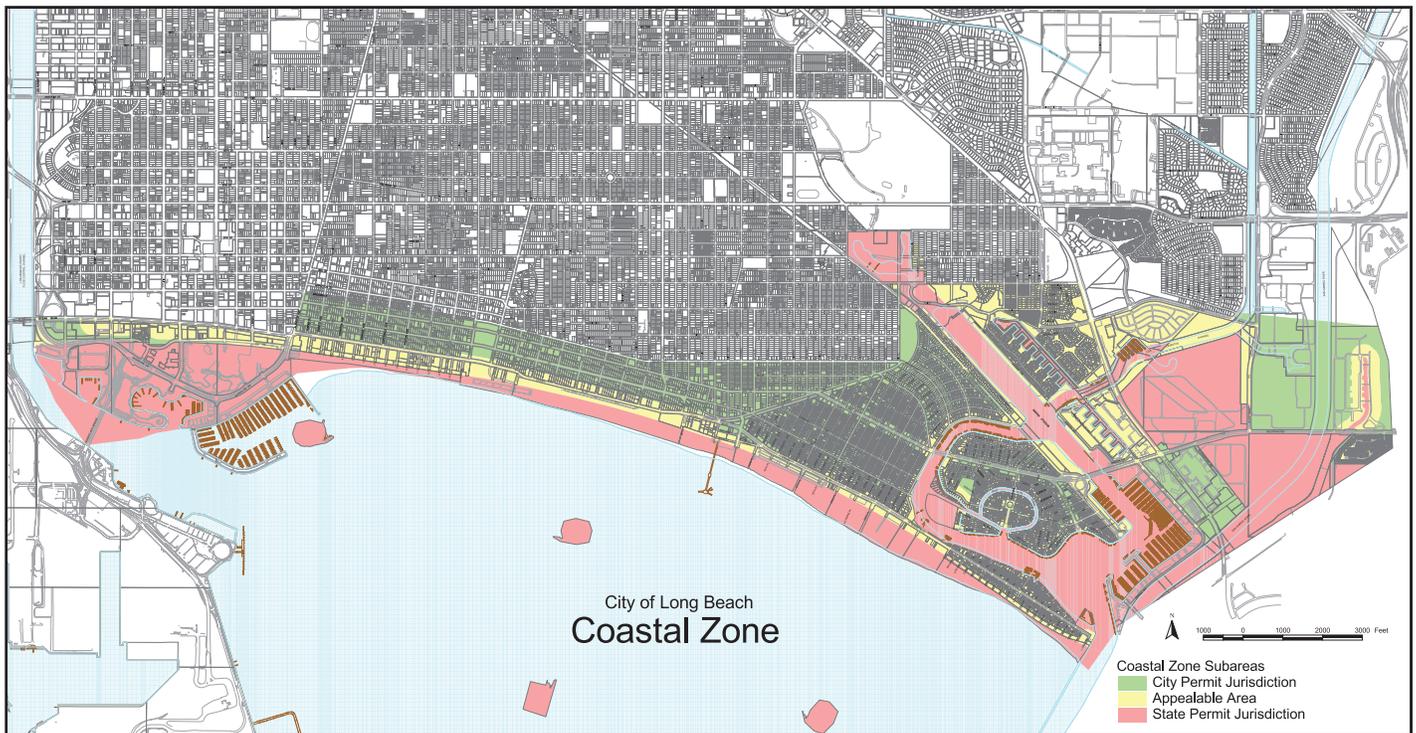
# coastal zone



## Is your project in the coastal zone?

You will need to also complete the Local Coastal Development Permit (LCDP) application.

LET'S DO THIS



# 02

## sidewalk dining

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# sidewalk dining: enhancing the frontage zone

SIDEWALK  
DINING

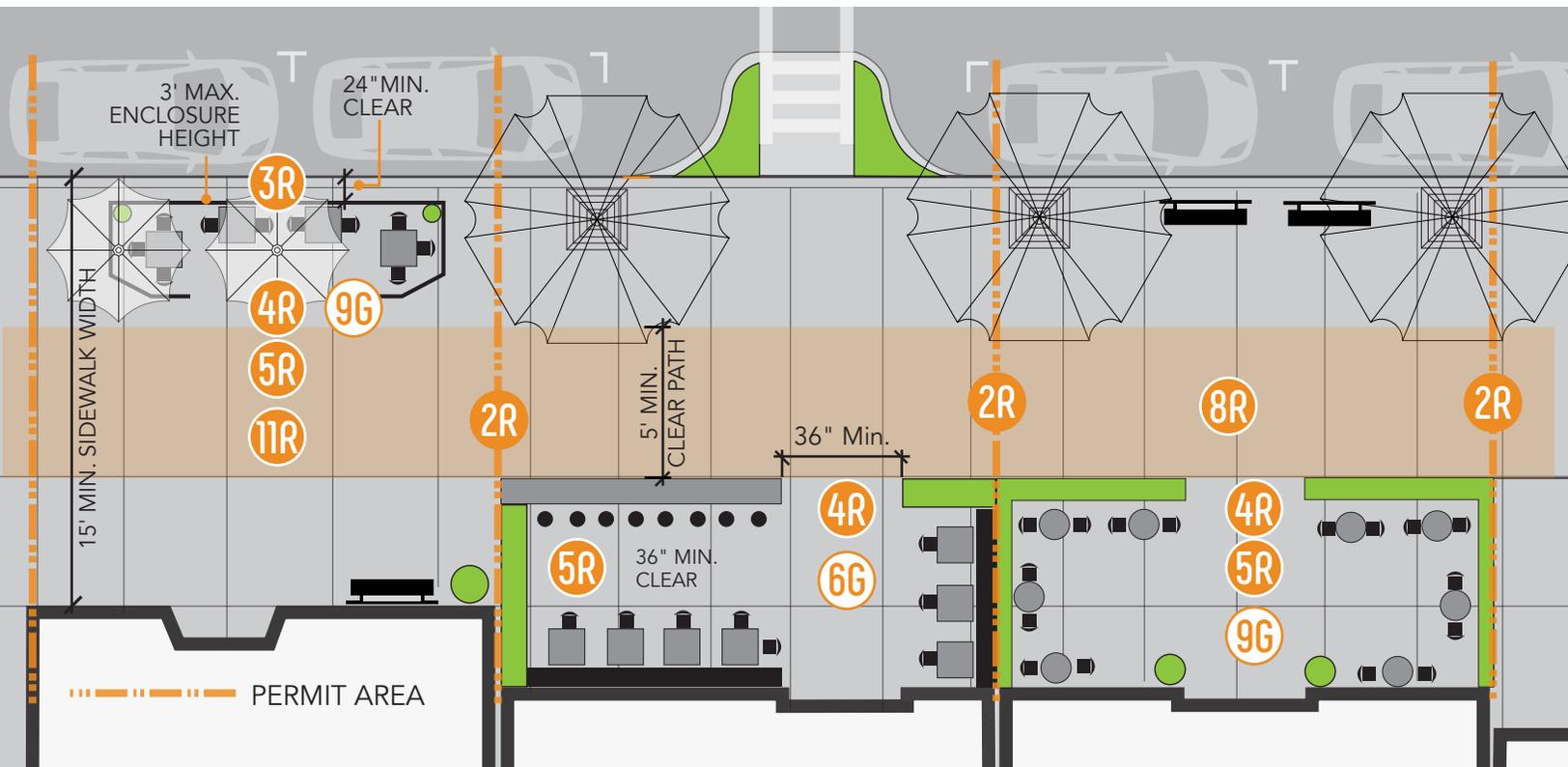
Sidewalk dining and seating activates the streetscape and helps transform the urban fabric of the public realm by using a portion of the sidewalk space for socializing and dining.

Sidewalk dining uses enhance the frontage zone by creating vibrant places for people to enjoy dining opportunities.

# A. siting & location

SIDEWALK DINING

- 1R** Care should be taken when locating outdoor dining to avoid potential conflicts with existing building entrances, utilities, crosswalks, and other obstructions. Fixtures, furniture, and equipment shall not be located over any utility access points or conflict with any existing utilities. If there is a conflict, a mitigation plan shall be outlined, for example, relocation of bike racks, etc.
- 2R** The dining area shall not extend beyond the property line of the adjacent use, so as not to infringe on a neighboring property street frontage.
- 3R** Furnishings shall not encroach within 24" of the face of curb. Where a red curb exists or parallel parking, furnishings may encroach within 18" of the face of curb.
- 4R** A minimum of one opening shall be provided on a dining enclosure on the public sidewalk side of the space. Enclosed outdoor dining areas shall maintain an opening of 36" minimum. Access openings shall be kept clear of furnishings. Gates, while not preferred, shall not open outwards into path of travel or walk zone.
- 5R** Fire code compliance is required for egress purposes within the permit area. The most up to date requirements shall be verified and adhered to. At the time of the adoption of this handbook, a minimum 3' clear path of travel shall be provided and the number of seats provided shall not exceed 1 seat per 15 square feet within the permit area.
- 6G** Outdoor dining should function as an extension of an existing or proposed eating establishment.



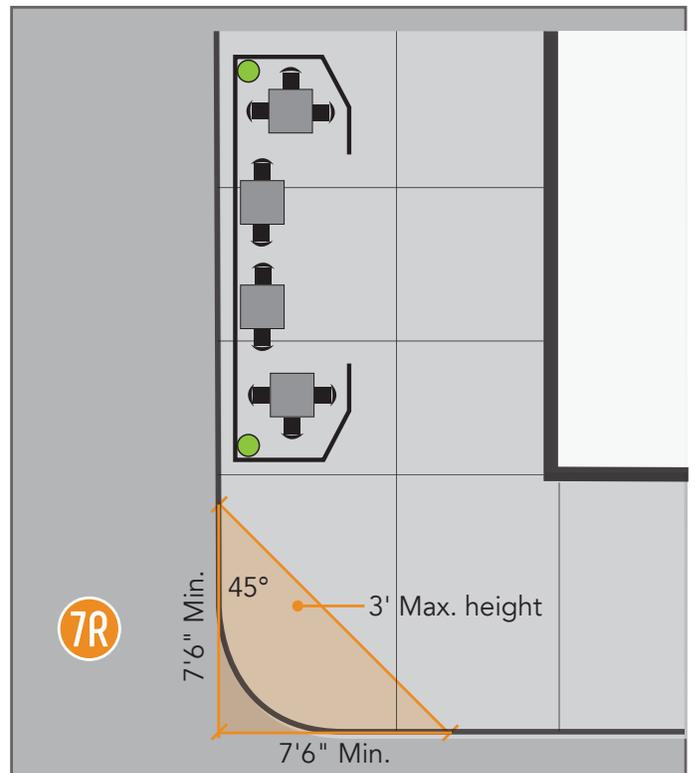
**7R** A clear zone adjacent to street, alley or driveway shall be maintained and shall consist of an isosceles right triangle with 7'-6" sides. The clear zone shall not be occupied by any objects or landscaping taller than 3'. See diagram below for details.

**8R** Any obstructions on a sidewalk must permit at least 5' of unobstructed area of walk zone, unless otherwise approved by Public Works on the basis of the considerations specified herein. Permit areas shall not enclose or make any utility access points inaccessible.

**9G** Outdoor dining areas designed to attract night-time noise shall conform to the requirements of Chapter 8.80 of the Long Beach Municipal Code regarding noise.

**10R** 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.

**11R** 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. Permitted locations shall be determined by Public Works after consideration of the above and other relevant factors in relation to the proposed site. Public Works may, in its discretion, place additional conditions upon the issuance of such permit in order to ensure the protection of the public health and welfare and public property.



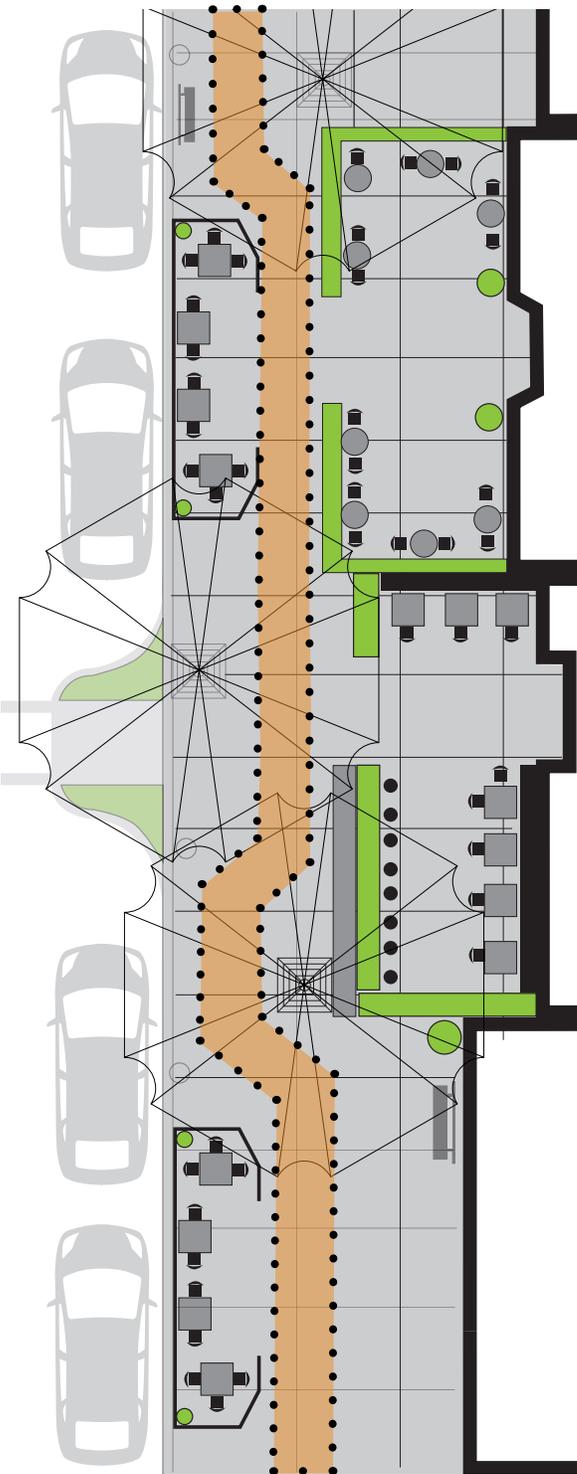
# B. dining enclosures

SIDEWALK DINING

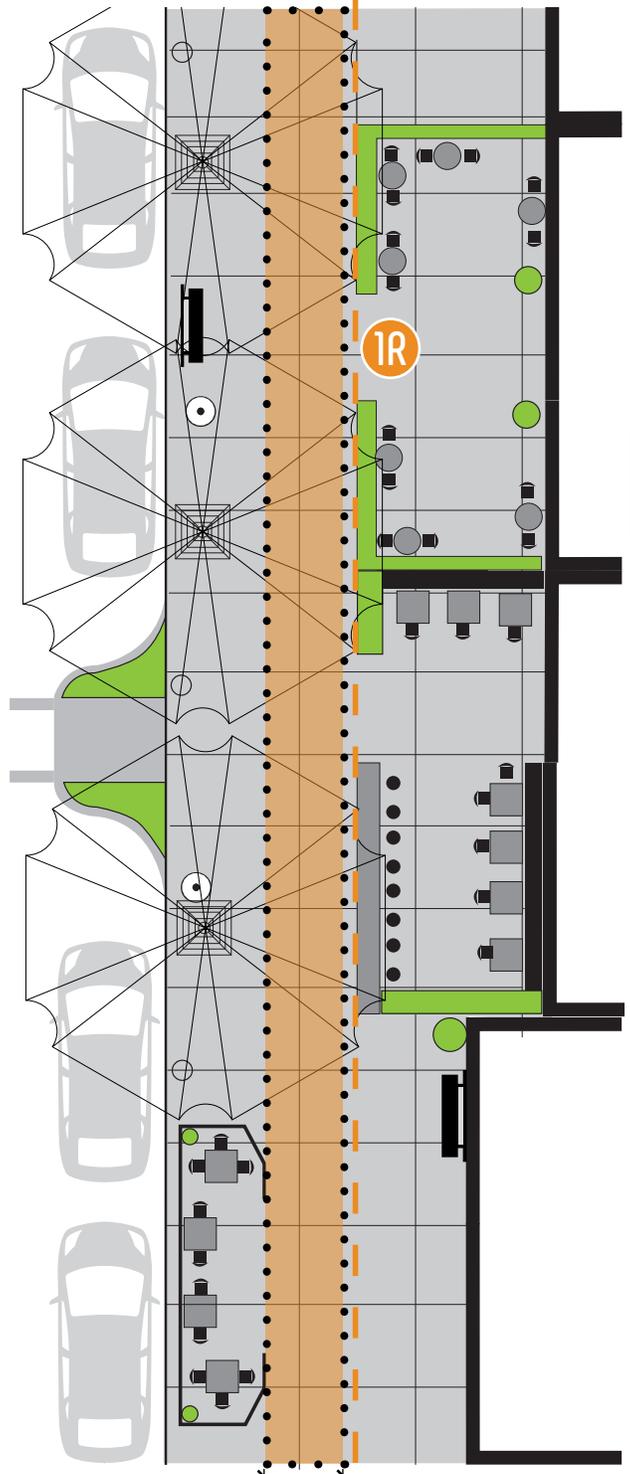
- 1R** Dining enclosures shall be aligned on the sidewalk to create a continuous, straight, and clear path of travel.
- 2G** Natural and high-quality material such as wood, cable, steel, or iron elements should be used for enclosures and fencing.
- 3G** Planters used as enclosures should be a minimum of 24" in length, width, and height to ensure visibility, durability, and permanence.
- 4G** Enclosures should be transparent above 3' in height to allow visibility to patrons, pedestrians, and vehicles.
- 5R** Chain link, off-the-shelf rope rails, or other items such as buckets, flag poles, newspaper stands and waste receptacles are not permitted.
- 6G** Anchored enclosures are preferred. Enclosures may be anchored to the sidewalk. Any unanchored enclosure must be maintained within the permitted area at all times.
- 7R** Enclosures shall be kept in a good state of repair and in a safe, sanitary, and attractive condition.
- 8R** Any holes or other damage to the sidewalk shall be repaired by the permittee upon vacation of the dining area.



AVOID



REQUIRED



5' Min.  
CLEAR PATH

# dining enclosures

should be aligned on the sidewalk to create a continuous, straight, and clear path of travel along the block.

# C. furnishing & landscaping

- 1G** Quality furniture and fixtures should be selected to complement the building architecture, business, or neighborhood character.
- 2G** Furnishings should create a unified style.
- 3G** Furnishings should be functional and well-maintained, as well as, contribute to a safe, comfortable, and attractive pedestrian environment. Acceptable materials include metal, finish grade wood, composite wood, and sturdy recycled materials. Flimsy plastic and unfinished wood shall not be used.
- 4G** Consider a graffiti-resistant coating on site furnishings to ensure a long-term quality appearance.
- 5G** Furniture should be grouped together to conserve sidewalk space and maintain a clear width sufficient to accommodate pedestrian flow.
- 6R** Furnishings and landscaping shall be kept in a good state of repair and in a safe, sanitary and attractive condition.
- 7G** Umbrellas should be suitable for outdoor use.
- 8R** Umbrellas shall be between 7 and 10 feet in height and not extend past the sidewalk dining area or barrier.
- 9G** Any landscaping in planters, pots, or window boxes should be well-maintained and kept free of litter and debris. Continuous plantings of a dense nature should be avoided. Provide regular openings in plant material to maintain visibility.
- 10R** Shade structures shall be ground mounted and shall not be attached to the building (per Fire Code requirements). Cut sheets of mounting details and/or load calculations shall be provided with permit application.



# D. artwork

- 11R** Planters shall contain living plants and landscaping shall be maintained to avoid growth that may interfere with the Walk Zone or pedestrian path of travel.
- 12G** Drought tolerant or low-water-use plant species should be selected to limit water and resource use. Consider edible plants, plants with fragrance, textures, and seasonal interest to add variety and soften the space.
- 13R** Street trees shall not be removed unless the tree is diseased or dying per the recommendations of the City arborist.
- 14R** Tree grates shall provide 1/2" wide maximum slots per ADA standards. Slot widths of 1/4" and 3/8" is encouraged to provide greater protection for spike style high heeled shoes. Tree grates shall be approved per the discretion of the City Engineer.
- 15R** Hazardous materials and plants bearing thorns, stickers or other potentially injurious parts shall be avoided.

- 1R** Advertising is not permitted.
- 2G** Sidewalk dining can be enhanced using public art. Consider the identity of a neighborhood and reinforce community pride with artwork that celebrates the unique cultural, ethnic, and/or historical context of a specific site or the City of Long Beach.
- 3G** Public art should have a human scale and interactive or tactical art is encouraged. Art should enhance the space with texture, color, shape and form, energy, movement, excitement, adventure, surprise, and humor.
- 4G** Art should either be stand-alone installations or integrated into the design of the parklet space, such as a mural, paving, seating, lighting, or other design element such as education or wayfinding.
- 5G** Local artists and local subject matter should be supported when designing public art components.

SIDEWALK  
DINING



## parklets

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# extending the pedestrian realm



PARKLETS

**PUBLIC PARKLET**  
ALL SEATING IS OPEN TO THE PUBLIC

# why parklets?

A parklet re-purposes parking space(s) or portions of a street into neighborhood gathering spaces. By converting one or more parking spots into public space, parklets extend the pedestrian realm and provide additional active and passive space for residents and visitors alike. This unique urban amenity has been a growing trend.

Parklets are intended to be temporary, or constructed in a way to be disassembled within a few hours, leaving no damage or impact on the street. Where they are located and permitted within a public right-of-way, they should be designed to serve the public.

Parklets should house creative and diverse uses that enhance the pedestrian environment. Generally, they should be designed to maximize benefit to the public not just the private user.

In general, all requirements for sidewalk dining also pertain to parklets (as applicable).



*Permitted uses include dining, planting, bicycle parking, and art. Additional uses and activities may be considered but will require City Council approval.*



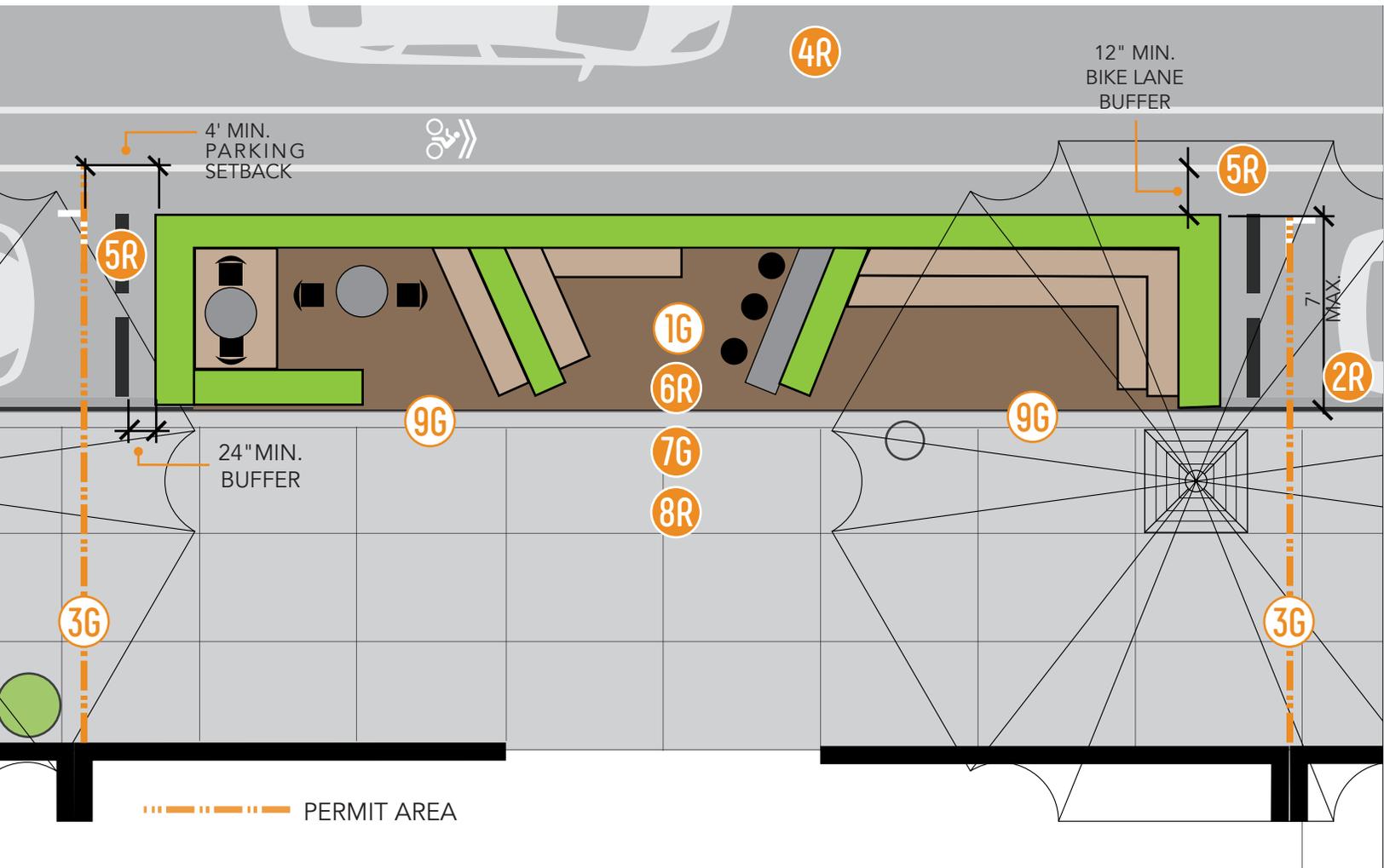


PARKLETS

# A. siting & location

- 1G Parklets should be creative spaces and allow for flexibility of uses, such as dining and public seating.
- 2R The Parklet may not extend beyond 7' from the curb line where there is parallel parking, or 15' from the curb line where there is diagonal parking.
- 3G A parklet should be sited entirely in front of the applicant's place of business.
- 4R Parklets are permitted on streets where the legal vehicle speed limit is 25 mph or less. On streets where the speed limit exceeds 25 mph, a permanent bulbout may be constructed per City standards and shall comply with all sidewalk dining requirements.
- 5R To ensure visibility to moving traffic and parking cars, parklets shall be buffered using a wheel stop or similar protective deterrent located a minimum of 24" from the parklet. Parklets shall provide a 4' minimum setback from adjacent parking spaces and 12" from an adjacent bicycle lane or traffic lane.

PARKLETS



**6R** Fire code compliance is required. The most up to date requirements should be verified and adhered to. At the time of the adoption of this handbook, a minimum 3' clear path of travel shall be provided and the number of seats provided shall not exceed 1 seat per 15 square feet of permit area.

**7G** Conflicts with existing sidewalk amenities, utilities, crosswalks, and other obstructions shall be avoided or a mitigation plan outlined, for example, relocation of bike racks, etc.

**8R** Parklets designed to attract night-time noise generating uses shall conform to the requirements of Chapter 8.80 of the Long Beach Municipal Code regarding noise.

**9G** Parklets should be designed as open, inviting spaces with multiple points of access along the curbside edge.



# A. siting & location (continued)

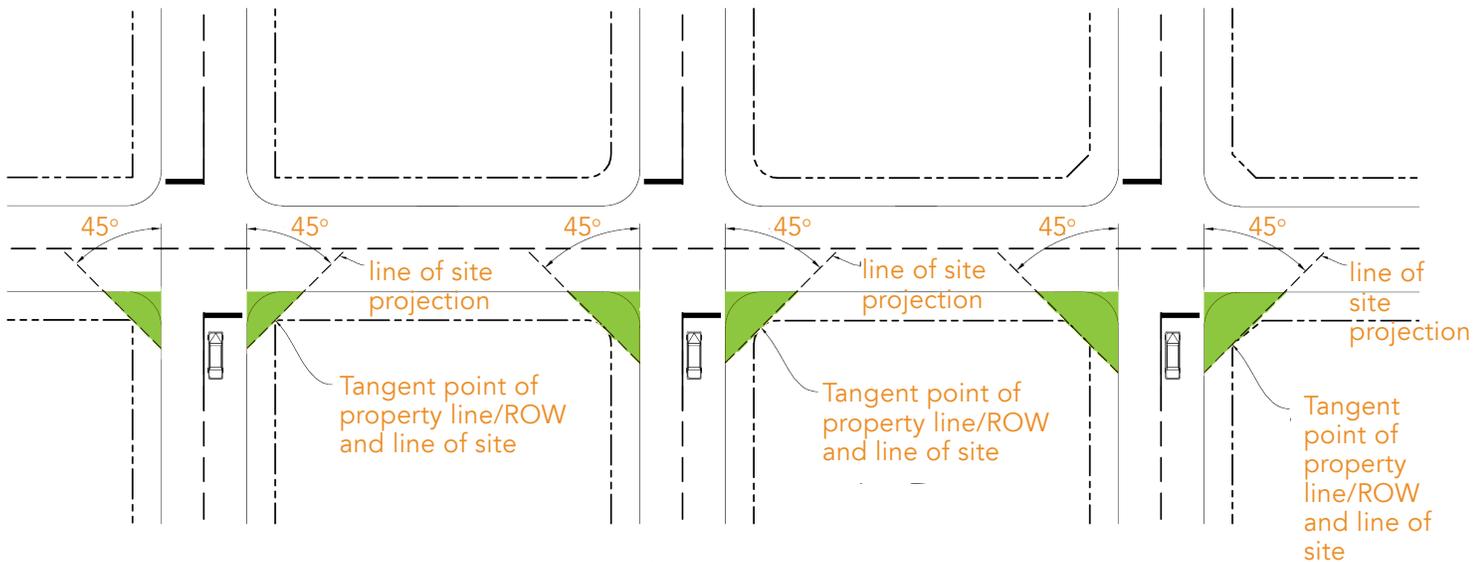
**10R** Parklets shall not be located within the 45 degree line of sight triangle adjacent to street, alley, or driveways unless otherwise approved by Public Works. In no case may parklets extend beyond the permittee's property which abuts the public right-of-way, see diagram below.

**11R** Parklets shall have a maximum slope as required for ADA compliance or wheelchair accessibility. Terraced parklets are permitted, but shall provide at least one wheelchair accessible entry and provide equivalent seating, tables, and counter tops for wheelchair users. Current ADA requirements shall be adhered to at the time of occupancy.

**12R** The applicant shall identify the existing curb marking condition; green, yellow, and unmarked curbs may be considered for parklet applications. The applicant may be required to identify a replacement location for yellow curb zones. A red curb is not suitable for a parklet as this typically demarcates a bus loading zone, fire access, traffic safety prohibition, etc. Specific projects in a red curb zone will be reviewed on a case by case basis. Fire and safety shall be a priority.

## Legend

- Roadway/Curb Line
- - - Property Line/Right-of-Way
- ROW Right-of-Way



Typical Intersection Layouts - Line Of Site Examples

**13R** If existing parking is removed, the City shall require a letter of support from the HOA/ community association.

**14G** Applicants are encouraged to look for opportunities to re-stripe and replace displaced parking within a 1-2 block radius.

**15R** Removal of existing parking is allowed providing that the proposed parklet does not cause more than 10% of available parking spaces within a 2 block radius to be occupied.

**16R** Parklets shall be located in a manner which will not interfere with visibility, vehicular or pedestrian mobility, or access to City or public utility facilities, and shall not compromise the safe use of any public walkway or other right-of-way. No parklets may be located over access or stormdrains, manhole covers, main utility lines, or shut off valves. Permitted locations shall be determined by Public Works after consideration of the above and other relevant factors in relation to the proposed site. Public Works may, in its discretion, place additional conditions upon the issuance of such permit in order to ensure the protection of public health and welfare and public property.



# B. platform

**1R** Because a parklet is intended to be easily removed, it shall be designed as a freestanding platform or foundation that rests on the street. Permanent materials, such as poured in place concrete, are prohibited. Parklets shall not rest directly on the roadbed. Lightweight concrete poured on foam without rebar is permitted.

**2R** Platforms shall be designed so as not to impede the flow of stormwater. A gap shall be provided along the gutter to allow rainwater to naturally flow without obstruction and screens shall be located on either end of the platform to prevent debris from building up underneath the platform deck.

**3R** Decking shall be constructed of a quality, non-slip, and weather resilient material.

**4R** The platform shall meet the curb with a maximum horizontal gap of 1/2". Vertical transitions shall align flush or shall provide a maximum slope of 1:4 (25%) bevel for vertical differences over 1/4". Refer to the Americans with Disabilities Act (ADA) for accessibility requirements.

**5R** Bolting is not preferred. No bolting into the roadbed or the top of curb is allowed. Bolting into the face of the curb may be allowed on a case by case basis.



# C. barriers

- 1R Barriers shall not encroach onto the Walk Zone or pedestrian path of travel.
- 2R Barriers shall be aligned with the outside edge of the parking lane or inside travel lane to protect the user and prevent obstruction of a travel lane.
- 3R Barriers, railings, or other fencing shall be attached to the platform structure and shall not be attached to the roadbed or curb. Barrier extensions can be anchored to the sidewalk under direction of the City Engineer. Any hole or other damage to the sidewalk shall be repaired by the permittee upon removal of the parklet.
- 4G Natural and high-quality material such as wood, cable, steel, or iron elements should be used for barriers and fencing.
- 5R Barriers shall be a maximum 3' high to maintain a visual connection to the street and allow for visibility into the parklet from multiple vantage points. A support or shade structure may be permitted, but shall provide 7' minimum clearance from top of parklet to bottom of structure.
- 6R Chain link, off-the-shelf rope rails, or other items such as buckets, flag poles, newspaper stands, and waste receptacles are prohibited as barriers.
- 7G Planters containing live plants may be used as barriers and may include planters, planter boxes, hanging baskets, green walls, espalier, raised beds, and planter pots.
- 8R Barriers shall be kept in a good state of repair and in a safe, sanitary, and attractive condition.
- 9R For safety purposes barriers shall provide, at a minimum at each end, retro-reflective bands or sleeves for delineators and shall comply with the Minimum Retro-reflectivity Requirements of the latest edition of the California MUTCD.



# D. furnishing & landscaping

- 1G Quality furniture and fixtures should be selected to complement the building architecture, business, or neighborhood character.
- 2G Furnishings should be selected to create a uniform style and character within a parklet.
- 3G Furnishings should be functional and well-maintained, as well as, contribute to a safe, comfortable, and attractive pedestrian environment. Acceptable materials include metal, finish grade wood, composite wood, and sturdy recycled materials. Flimsy plastic and unfinished wood are discouraged.
- 4G Consider a graffiti-resistant coating on furnishings to ensure a long-term quality appearance.
- 5G Furnishings may be both permanent seating affixed to the parklet, and movable furniture to allow flexibility of use and space.
- 6G Seating should be creative to provide a variety of seating options beyond traditional benches or chairs and can be built into the parklet structure. Consider using railings designed for leaning, narrow benches, two-sided benches, seating steps, stools, bean bags, coffee tables that perform as benches, etc., for flexibility in furnishing uses.
- 7G Seating should be comfortable and inviting to create welcoming spaces.
- 8R Shade structures shall be ground/parklet mounted and shall not be attached to the building (per Fire Code requirements). Cut sheets of mounting details and/or load calculations shall be provided.
- 9R Umbrellas and shade structures shall be between 7 and 10 feet in height and shall not extend past the barrier.
- 10G Umbrellas should be suitable for outdoor use.
- 11G Where bicycle racks are provided, the design may be selected from the fun, custom designs provided by the City. Refer to [www.bikelongbeach.org](http://www.bikelongbeach.org).
- 12R Landscaping must be maintained to avoid growth that may interfere with visibility or accessibility.
- 13R All landscaping shall be well-maintained and kept free of litter and debris. Street trees shall not be removed unless the tree is diseased or dying per the recommendation of the City Arborist.
- 14G Trees should be selected on a performance basis with the objective of minimizing water use, providing shade, minimizing hazardous litter, minimizing root intrusion, and providing color and contrast. Trees may not always be appropriate and may be approved on a case-by-case basis.
- 15G Existing mature landscaping should be incorporated into the parklet where feasible.
- 16G Drought tolerant or low-water-use plants should be selected to limit water and resource use. Consider edible plants, plants with fragrance, textures, and seasonal interest to add variety and soften the space.
- 17G Donor plaques recognizing sponsors are acceptable upon review but shall not be allowed outside of the permitted area of the parklet. Ensure size and location are identified on plans upon application submittal.



PARKLETS

# E. artwork

- 1R** Advertising is not permitted.
- 2G** Parklets can be enhanced using public art. Consider the identity of a neighborhood and reinforce community pride with artwork that celebrates the unique cultural, ethnic, and/or historical context of a specific site or the City of Long Beach.
- 3G** Public art should have a human scale and interactive or tactical art is encouraged. Art should enhance the space with texture, color, shape and form, energy, movement, excitement, adventure, surprise, and humor.
- 4G** Art should either be stand-alone installations or integrated into the design of the parklet space, such as a mural, paving, seating, lighting, or other design element such as education or wayfinding.
- 5G** Local artists and local subject matter should be supported when designing public art components.



# F. lighting

- 1G Lighting should be incorporated into the design of a parklet, where feasible.
- 2G Solar-powered lighting, or battery powered lights should be used instead of connecting electrical to an adjacent building. Connecting to an existing building will require a separate electrical permit and also require trenching within the right of way.
- 3G Lighting should be designed to control glare, minimize light trespass onto adjacent properties, promote effective security, and avoid interference with the safe operation of motor vehicles.
- 4G To the extent feasible, all exterior lighting fixtures should utilize “shut off” controls such as sensors, timers, motion detectors, etc.
- 5G Blinking, moving, or changing intensity of illumination should be avoided.
- 6G Parklets should stay illuminated at night either from adjacent street lighting or building lighting.
- 7G Lighting should incorporate full cut-off type fixtures to control glare and direct view of illumination sources, and to confine illumination to the parklet to avoid impacting neighboring residential properties.



# 04

## permitting need to know

Ready to get started on your parklet or sidewalk dining project? Here are some details on permitting and everything else you need to know.

A Note on Permits 35

Getting it Done 36

In the Event 37

Public Works Application 38

Insurance Requirements 48

Installation 49



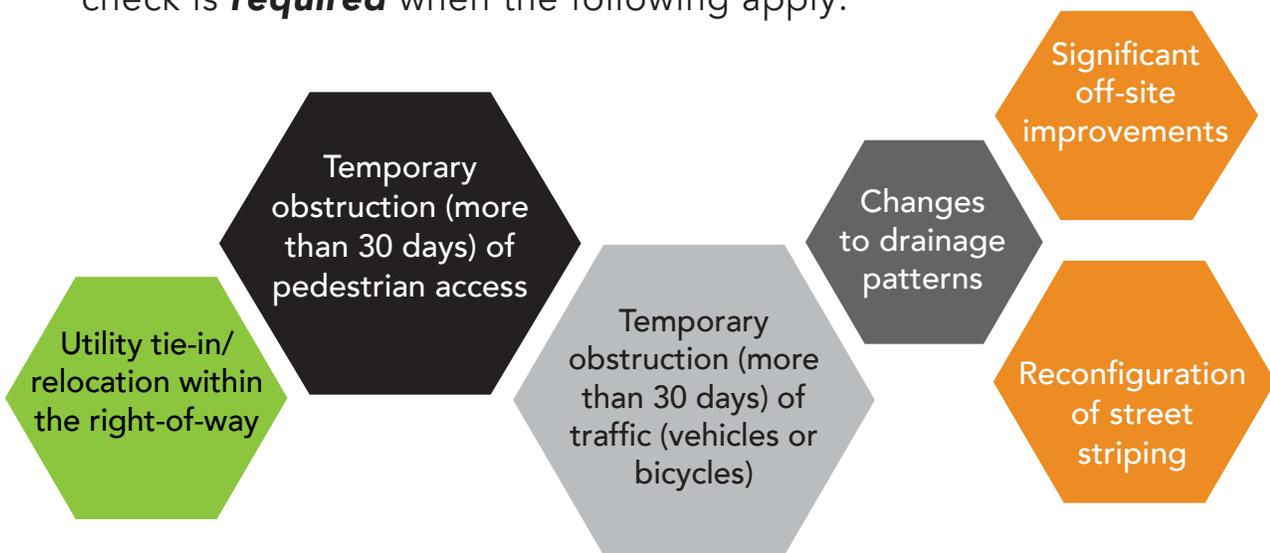
# ALL WORK IN THE PUBLIC RIGHT-OF-WAY

(work outside the property line) requires a permit from the Public Works Department.

...but first, let's review your project

## PRE-PLAN CHECK MEETING

A pre-plan check meeting is **highly encouraged for all projects** to ensure that the plan check process is as effective as possible. Pre-plan check is **required** when the following apply:



Bringing a **design phase schedule** to your pre-plan check meeting will assist in reviewing feasibility of anticipated timing. While this is optional (unless improvements are over \$1 million), this step helps avoid any confusion or delays during the plan check process.



Public Works will route the project to other departments to ensure compliance with other regulations. Additional requirements outside of the City may be required (e.g., ABC for alcohol sales).

# getting it done

## BEFORE CONSTRUCTION

### submit your application

Submit application, all required items and pay the necessary fees. The more complete your plan submittal, the faster it will proceed through the Public Works review process. Incomplete plans and missing information will stall the Public Works review process and add to the total review time needed.

### get your plan check done

The application and submitted documents will be routed for review and comment. This should take approximately 20 business days. The applicant is then responsible for remedying concerns received from any of the interested parties. An inspection is conducted during plan check to ensure the design accurately reflects the existing conditions. Note: multiple submittals may be required before an item is deemed complete. Once plan check is complete, a certification letter is processed which details the approvals and costs for inspection.

### get your permit

The applicant shall bring the certification letter to City Hall along with any other outstanding items (contractors insurance for example) and pay the inspection fee to obtain the permit. If needed, a pre-construction meeting shall be held at the time of permit pick up. The applicant must also fulfill all Local Coastal Development Permit requirements if project is located within the Coastal Zone Boundary.

## AFTER CONSTRUCTION

### inspection

Unless otherwise stipulated on the permit, only a single inspection is required at the end of the project. The contractor shall be responsible for calling the inspector a minimum of 48 hours prior to the requested inspection date to schedule the inspection.

### renewals

Permits must be renewed per your agreement. Inspections are conducted annually and/or at the time of renewals. Insurance must be kept current throughout the permit period. There are two classes of renewals: minor and major. A minor renewal is a streamlined process when there are no changes in permit area. For example, a permit area that is not changing includes changes in equipment or furnishings only. A major change includes a modification to the permit area or substantial equipment modifications.

### maintenance

The permit holder is responsible for the maintenance of the entire permitted area throughout the duration of the permit/agreement.

# in the event...



## you sell your business or inherit a project/use (change of ownership)

When a business vacates an area they should notify Public Works, who will inspect the area and determine if additional work is needed to return the area to like new condition (i.e. remove fixtures, patch sidewalk, etc.). The security deposit on file will be utilized to make such remedies. Any remaining security deposit will be returned to the permittee once all repairs have been made. Any remaining security deposit can also be transferred to the new owner or occupant via a written letter from the previous owner.

Permits are **not** transferable, however, in some cases, Public Works may authorize the permitted area to remain in place while the new business pursues a new permit. If a business owner is the holder of the permit and the business vacates, the new business entering the space does **not** have a permit to utilize the right of way for business purposes. **The new business will need to apply for a new permit.**

If the building owner is the permittee, as long as the building owner keeps the permit in good standing, the permit remains valid even through a change of business operating within the space.



## you already have a parklet or sidewalk dining facility that is not in conformance with these design rules (nonconforming uses)

As permits are renewed and/or as new businesses take over existing spaces with nonconforming permits, they will be required to come into conformance with these guidelines.

Nonconforming parklets or sidewalk dining facilities can continue to be used and maintained as approved in the current Public Walkways Occupancy Permit providing the permit is kept in good standing and all requirements of such permit are fulfilled. Renewal applications for nonconforming uses will be accepted up to January 1, 2021. Renewal permits for nonconforming uses will not be issued after January 1, 2022. All nonconforming permit areas must be vacated by January 1, 2023.

Any modification or expansion requires the entire facility to be brought into conformance.

# public works application

PERMITTING

# insurance requirements and endorsement



**OWNER/ PROJECT INFORMATION**

**This section must be completed for all applications.**

|                                                          |      |                                 |          |
|----------------------------------------------------------|------|---------------------------------|----------|
|                                                          |      | PERMIT (OFFICE USE)<br>NUMBER : | DATE:    |
| PROJECT ADDRESS                                          |      | PROJECT NAME (IF ANY)           |          |
| OWNER CONTACT NAME                                       |      | OWNER EMAIL ADDRESS             |          |
| ADDRESS                                                  | CITY | STATE                           | ZIP CODE |
| FRANCHISE AND/OR MASTER AGREEMENT NUMBER (IF APPLICABLE) |      |                                 |          |
| DESCRIPTION OF PROJECT/ REASON FOR APPLICATION           |      |                                 |          |

**OWNERS AGENT INFORMATION**

**This section must be completed if the applicant is NOT the owner.**

|                                                                                                                                                                                                                                                                                    |                         |       |          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------|----------|
| APPLICANT NAME                                                                                                                                                                                                                                                                     | APPLICANT EMAIL ADDRESS |       |          |
| RELATIONSHIP TO THE OWNER (MUST INCLUDE AN AUTHORIZATION LETTER TO ACT ON THE OWNERS BEHALF)<br><input type="checkbox"/> DESIGNER <input type="checkbox"/> OWNERS AGENT <input type="checkbox"/> LESSEE/TENANT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> OTHER: |                         |       |          |
| APPLICANTS BUSINESS NAME/DBA                                                                                                                                                                                                                                                       | PHONE NUMBER            |       |          |
| ADDRESS                                                                                                                                                                                                                                                                            | CITY                    | STATE | ZIP CODE |

I the undersigned declare, under penalty of perjury under the laws of the State of California, that I am the owner or authorized representative; that the information on all plans, drawings, and sketches attached hereto and all the statements and answers contained herein are, in all respects, are true and correct.

NAME (PRINTED)

SIGNATURE

DATE

Send the complete application and all required submittals via e-mail to [PWPrivateDevelopment@longbeach.gov](mailto:PWPrivateDevelopment@longbeach.gov) OR bring all items in electronic format (USB drive) to the public counter at City Hall. Bring a check payable to the City of Long Beach to the public counter, pay the appropriate fees, and provide payment receipt to the permit technician. The plan check process will NOT begin until payment is confirmed.



**MAPPING/ SURVEY**

**Complete this section ONLY IF applying for mapping/ survey activities noted below.**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                            |                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------------------------------|
| DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                            |                                              |
| <input type="checkbox"/> VACATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> PARCEL MAP        | <input type="checkbox"/> TRACT MAP           |
| <input type="checkbox"/> EASEMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> GRANT OF EASEMENT | <input type="checkbox"/> DEDICATION          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                            | <input type="checkbox"/> LOT LINE ADJUSTMENT |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                            | <input type="checkbox"/> QUITCLAIM           |
| RIGHT OF WAY TO BE VACATED: EAST OF                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                            | AND NORTH OF                                 |
| AREA IN SQUARE FEET TO BE VACATED (VACATION ONLY)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                            |                                              |
| # OF LOTS (MAPS ONLY)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                            |                                              |
| COMMENTS/REMARKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                            |                                              |
| <b>ITEMS THAT MUST ACCOMPANY THIS APPLICATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                            |                                              |
| <p>ITEMS THAT MUST ACCOMPANY ALL APPLICATIONS</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Title documents (title report or grant deed) less than 90 days old.</li> <li><input type="checkbox"/> Survey tie sheets</li> <li><input type="checkbox"/> Articles of incorporation (if LLC)</li> <li><input type="checkbox"/> CEQA categorical exemption or environmental review (can be provided after application submission)</li> <li>    Date Received:</li> <li><input type="checkbox"/> Notice of final action (If applicable, can be provided after application submission)</li> </ul> <p>ADDITIONAL ITEMS THAT MUST ACCOMPANY A VACATION APPLICATION</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Legal description and sketch prepared by a licensed surveyor</li> <li><input type="checkbox"/> Engineer's estimates for the performance, labor, and materials bonds</li> <li><input type="checkbox"/> Performance, labor, and materials bonds (provided after estimate has been reviewed)</li> </ul> <p>ADDITIONAL ITEMS THAT MUST ACCOMPANY A GRANT OF EASEMENT, EASEMENT, OR DEDICATION APPLICATION</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Legal description and sketch prepared by a licensed surveyor</li> </ul> <p>ADDITIONAL ITEMS THAT MUST ACCOMPANY A QUIT CLAIM APPLICATION</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Legal description and sketch prepared by a licensed surveyor</li> <li><input type="checkbox"/> Confirmation letter from easement grantor that the easement is no longer required</li> <li><input type="checkbox"/> Copy of the easement to be quit claimed</li> </ul> <p>ADDITIONAL ITEMS THAT MUST ACCOMPANY A MAP APPLICATION</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Parcel/ Tract Map on City Template</li> <li><input type="checkbox"/> Engineer's estimates for the performance, labor, and materials bonds</li> <li><input type="checkbox"/> Performance, labor, and materials bonds (provided after estimate has been reviewed)</li> <li><input type="checkbox"/> Confirmation that tax requirements are satisfied</li> <li><input type="checkbox"/> Utility clearance letters for any public entity or utility</li> </ul> |                                            |                                              |
| FEE (Office Use)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 6.2% SURCHARGE                             | TOTAL FEE                                    |
| \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$                                         | \$                                           |



**CONTRACTOR INFORMATION**

This section is required for all work applications except for mapping/ survey, PWOP renewals or parklet renewals.

|                                      |               |                 |                 |  |
|--------------------------------------|---------------|-----------------|-----------------|--|
| STATE LICENSE NUMBER                 |               | CLASS           | EXPIRATION DATE |  |
| CITY BUSINESS LICENSE NUMBER*        |               | EXPIRATION DATE |                 |  |
| LIABILITY INSURANCE CARRIER*         | POLICY NUMBER |                 | EXPIRATION DATE |  |
| OWNER NAME                           | PHONE NUMBER  |                 | EMAIL ADDRESS   |  |
| ADDRESS                              | CITY          | STATE           | ZIP CODE        |  |
| ADDITIONAL CONTACT/SITE CONTACT NAME |               | PHONE NUMBER    |                 |  |

\*NOTE: The names listed on the STATE LICENSE, CITY LICENSE and INSURANCE POLICY must be identical. Include a copy of the insurance policy AND the completed City endorsement form with this application.

**ITEMS THAT MUST ACCOMPANY THIS APPLICATION**

- Construction schedule
- List of subcontractors and applicable contractor's license
- Contractors Insurance Certificate
- Completed City Insurance Endorsement Form
- Statement of approximate value for work within the right of way/ park

**NOTE: TEMPORARY OCCUPANCY PERMITS CAN ONLY BE ISSUED OVER THE COUNTER IF THE CONTRACTORS BUSINESS LICENSE AND INSURANCE IS ALREADY IN THE CITY DATABASE AND CURRENT. IF NOT, A MINIMUM 10 DAY REVIEW PERIOD IS REQUIRED.**



**Complete Only the following sections (A-F) that apply to your project. Typically, only a single section (A-F) needs to be completed.**

**A – TEMPORARY OCCUPANCY PERMIT (Less than 90 days)**

Complete this section ONLY IF your project includes temporary encroachments within the ROW of less than 90 days. Examples include; utilizing a parking stall for material deliveries, laydown, storage of equipment, dumpster, parking of construction vehicles, etc. Minor improvement work can be completed under this permit as outlined below.

|                                                                                                                                  |                      |                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------------------|--|
| <b>PERMIT TYPE (CHECK AS APPROPRIATE)</b>                                                                                        |                      | <b>IN COMPLIANCE WITH THE FOLLOWING STANDARD</b> |  |
| <input type="checkbox"/> Replacement of existing residential driveway                                                            |                      | City Standard Plan                               |  |
| <input type="checkbox"/> Closure of residential driveway                                                                         |                      | City Standard Plan                               |  |
| <input type="checkbox"/> Installation of ADA ramp                                                                                |                      | City Standard Plan                               |  |
| <input type="checkbox"/> Replacement of curb and gutter less than 50 linear feet                                                 |                      | City Standard Plan                               |  |
| <input type="checkbox"/> Replacement or Installation of sidewalk less than 50 linear feet                                        |                      | Standard Plan for Public Construction            |  |
| <input type="checkbox"/> Install, and/or trim street trees in front of residence                                                 |                      | Muni Code                                        |  |
| <input type="checkbox"/> Installation of mailboxes, news racks, & benches                                                        |                      | City Standard Plan                               |  |
| <input type="checkbox"/> Occupancy of 1-2 parking stalls (dumpster, pod, laydown)                                                |                      | City Standard Plan                               |  |
| <input type="checkbox"/> Residential sewer/ water repair as approved by LBWD                                                     |                      | Long Beach Water Department                      |  |
| <input type="checkbox"/> Window Washing                                                                                          |                      |                                                  |  |
| <input type="checkbox"/> Other activity using ROW for less than 90 days                                                          |                      |                                                  |  |
| <b>ITEMS THAT MUST ACCOMPANY THIS APPLICATION</b>                                                                                |                      |                                                  |  |
| ITEMS THAT MUST ACCOMPANY ALL APPLICATIONS                                                                                       |                      |                                                  |  |
| <input type="checkbox"/> Site plan/ staging drawings clearly identifying total area (in square feet) of ROW being used/ occupied |                      |                                                  |  |
| <input type="checkbox"/> Photos of existing conditions of the area                                                               |                      |                                                  |  |
| <input type="checkbox"/> Details of the installation/ work being completed                                                       |                      |                                                  |  |
| <input type="checkbox"/> Traffic control drawings (if working within roadway)                                                    |                      |                                                  |  |
| <input type="checkbox"/> Caltrans approval (if work is in PCH or State Route 22)                                                 |                      |                                                  |  |
| FEE (Office Use)<br>\$                                                                                                           | 6.2% SURCHARGE<br>\$ | TOTAL FEE<br>\$                                  |  |

**B - PUBLIC ART/ OBJECTS**

Complete this section if your project includes artwork or installation of other objects within the ROW

|                                                                                                                                  |                      |                 |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>ITEMS THAT MUST ACCOMPANY THIS APPLICATION</b>                                                                                |                      |                 |
| <input type="checkbox"/> Site plan drawings                                                                                      |                      |                 |
| <input type="checkbox"/> Photos of existing conditions of the area                                                               |                      |                 |
| <input type="checkbox"/> Details of the installation                                                                             |                      |                 |
| <input type="checkbox"/> Renderings of the artwork (if applicable)                                                               |                      |                 |
| <input type="checkbox"/> Letter of approval from homeowner's association (HOA) OR community association (If No HOA) (if artwork) |                      |                 |
| <input type="checkbox"/> Completed installation and maintenance agreement (IMA)                                                  |                      |                 |
| <input type="checkbox"/> Articles of incorporation or other means to verify authority to sign IMA.                               |                      |                 |
| NOTE: This must match with the information filed with the Secretary of State                                                     |                      |                 |
| FEE (Office Use)<br>\$                                                                                                           | 6.2% SURCHARGE<br>\$ | TOTAL FEE<br>\$ |



## C – RIGHT OF WAY OCCUPANCY/ EXCAVATION

Complete this section ONLY IF:

- your project includes excavation on private property 3' or more below grade
  - excavation within the ROW 10" or more below grade
  - occupancy of the ROW for more than 90 days.
- This including: trenching, staging, fencing, monitoring wells, soil borings, Not required for PWOP or WTF.

Applicants often request an Occupancy AND/OR Excavation Permit ahead of the Right of Way Improvement Permit due to project phasing or other reasons. For this reason, we have separated out the requirements, but an applicant can submit both at the same time for a single review and permitting process.

### ITEMS THAT MUST ACCOMPANY THIS APPLICATION

#### ITEMS THAT MUST ACCOMPANY ALL APPLICATIONS FOR OCCUPANCY, EXCAVATION, GRADING, TRENCHING, UTILITY TIE IN, AND MONITORING WELLS

- Notice of Final Action and Conditions of Approval (if applicable)
- Site plan drawings (this must clearly identify any meters being impacted)
- Staging drawings clearly identifying total area (in square feet) of ROW being occupied
- Traffic control drawings (if in the roadway)
- Pedestrian protection drawings (if occupying sidewalk)
- Scaffolding plan and engineering calculations (if within ROW)
- Caltrans approval (if work is in PCH or State Route 22)
- Graphic fence wrap for temporary fencing (if project is longer than 6 months)

#### ADDITIONAL ITEMS THAT MUST ACCOMPANY EXCAVATION, GRADING WORK

- Excavation drawings (if excavation is greater than 3'deep)
- Haul route plan (if hauling spoils)
- Hydrology report (if applicable)
- Dewatering report (if applicable)
- Geotechnical report (if applicable)
- Shoring plans (if excavation is greater than 5'deep)
- Tie back agreement (if applicable)

#### ADDITIONAL ITEMS THAT MUST ACCOMPANY TRENCHING, UTILITY WORK

- Civil drawings clearly identifying total area (in square feet) of ROW being excavated AND repaired
- Approved design/ authorization from applicable utilities (SCE, LBWD, LB Fire, LA County...)

#### ADDITIONAL ITEMS THAT MUST ACCOMPANY MONITORING WELL WORK

- Health Department well permit
- Depth of well details
- Security (Cash, bond, CD) in the amount of \$5,000 per monitoring well

|                  |                |           |
|------------------|----------------|-----------|
| FEE (Office Use) | 6.2% SURCHARGE | TOTAL FEE |
| \$               | \$             | \$        |



## D - RIGHT OF WAY/ PARK IMPROVEMENT(S)

Complete this section ONLY IF your project includes right of way improvements. This includes but is not limited to: paving of streets or alleys, installation of curb, sidewalk, gutter, and/ or storm drains, upgrades to traffic signals, striping, parkway improvements etc. This section is not required for repairs due to utility tie in or monitoring wells.

Applicants often request an Occupancy AND/OR Excavation Permit ahead of the Right of Way Improvement Permit due to project phasing or other reasons. For this reason, we have separated out the requirements, but an applicant can submit both at the same time for a single review and permitting process.

### ITEMS THAT MUST ACCOMPANY THIS APPLICATION

To expedite review, even if the following items were submitted previously for an excavation permit they MUST be resubmitted. This ensures that any changes are properly captured and that there is no delay in project review and permit issuance.

#### HAS AN OCCUPANCY/ EXCAVATION PERMIT ALREADY BEEN ISSUED?

- Yes, and there are no changes to any of the previously approved items
  - Submit a copy of the previously issued permit(s)
- Yes, but there are some changes to the previously approved items
  - Submit a copy of the previously issued permit(s)
  - Submit all applicable documents to verify the changes
- No, a consolidated review and permitting process is requested
  - Complete the occupancy/ excavation section of this application and include all required submittals

#### ITEMS THAT MUST ACCOMPANY ALL APPLICATIONS

- Civil Improvement drawings
- Civil Drainage drawings
- Precise grading drawings
- Striping drawings
- Traffic signal drawings
- Landscape and irrigation drawings
- Arborist report (if trees are being removed)
- Engineers estimate for the ROW improvements

ADDITIONAL ITEMS THAT MUST ACCOMPANY A PROJECT WITH MATERIALS THAT DEVIATE FROM THE STANDARDS (Examples: decorative pavers, decorative crosswalk art, or other items noted within the conditions of approval)

- Completed installation and maintenance agreement (IMA)
- Articles of incorporation or other means to verify authority to sign IMA.

NOTE: This must match with the information filed with the Secretary of State

|                        |                      |                 |
|------------------------|----------------------|-----------------|
| FEE (Office Use)<br>\$ | 6.2% SURCHARGE<br>\$ | TOTAL FEE<br>\$ |
|------------------------|----------------------|-----------------|



**E - PUBLIC WALKWAYS OCCUPANCY**

Complete this section ONLY IF your project includes sidewalk dining or a parklet

**Permit Type:**  New  Renewal (No Changes)  Renewal (Minor Modifications)  Change of Ownership

**ITEMS THAT MUST ACCOMPANY THIS APPLICATION**

ITEMS THAT MUST ACCOMPANY A NEW APPLICATION

- Drawings and specifications as applicable for the improvement
- Site plan drawings including all existing items and utilities within right of way clearly identifying area (in square feet) the total area being occupied
- Seating and equipment drawings
- Detail drawings/ cut sheet of the barrier/ railing and any equipment stamped by a CA registered engineer
- Photos of existing conditions of the area
- Renderings of the installation
- Letter of approval from building owner
- Landscape and irrigation drawings (if applicable)
- Arborist report (if trees are being removed)
- Completed installation and maintenance agreement (IMA)
- Articles of incorporation or other means to verify authority to sign IMA.

NOTE: This must match with the information filed with the Secretary of State

- Comprehensive liability certificate of insurance. Liquor liability must be included if serving beer, wine or liquor
- Completed City Insurance Endorsement Form
- Liquor license. NOTE: extension of premise can be provided after the PWOP is installed (if applicable)
- Engineers estimate for the cost of removal of the PWOP
- Security Deposit in the amount of the engineers estimate for the cost of removal of the PWOP
- California Coastal permit (if within the coastal zone)

ADDITIONAL ITEMS THAT MUST ACCOMPANY A PARKLET APPLICATION

- Detail drawings of the platform and barricade stamped by a CA registered engineer
- Letter of approval from homeowner's association (HOA) OR community association (If No HOA)
- Location of relocated parking meters (if applicable)
- Traffic control drawings

ITEMS THAT MUST ACCOMPANY A RENEWAL APPLICATION

- Previous permit or agreement
- Photos of existing conditions of the area
- Detail drawings of any modifications/ changes being requested (if minor modifications)
- Comprehensive liability certificate of insurance. Liquor liability must be included if serving beer, wine or liquor
- Completed City Insurance Endorsement Form

ITEMS THAT MUST ACCOMPANY A CHANGE OF OWNERSHIP

- All items required for a renewal application
- Completed installation and maintenance agreement (IMA)
- Articles of incorporation or other means to verify authority to sign IMA.

NOTE: This must match with the information filed with the Secretary of State

- A letter from the previous owner relinquishing the security deposit to the new owner

OR

- Engineers estimate for the cost of removal of the PWOP
- Security Deposit in the amount of the engineers estimate for the cost of removal of the PWOP

|                  |                |           |
|------------------|----------------|-----------|
| FEE (Office Use) | 6.2% SURCHARGE | TOTAL FEE |
| \$               | \$             | \$        |



| <b>F – WIRELESS TELECOMMUNICATION FACILITY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                | Complete this section ONLY IF your project includes installation of a wireless telecommunications facility |                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------|-----------------|
| Type of Permit applying for: <input type="checkbox"/> Tier A (Unprotected) <input type="checkbox"/> Tier B (Protected) <input type="checkbox"/> Modification <input type="checkbox"/> Renewal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                                                                                                            |                 |
| #                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Pole #         | Property Address Adjacent to Installation                                                                  | GIS Coordinates |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| 10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                                                                                                            |                 |
| <b>ITEMS THAT MUST ACCOMPANY THIS APPLICATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                                                                                            |                 |
| <input type="checkbox"/> Copy of the Long Beach master license agreement (LBMC Chapter 15.34.030.B.1.b.x.8-9)<br><input type="checkbox"/> Signed letter on CPUC Franchise Entity letterhead authorizing the applicant to act on behalf of the franchise.<br>Letter must include: <ul style="list-style-type: none"> <li>• Franchise name, address, contact phone and contact email address</li> <li>• Franchise entity CPUC license number</li> <li>• Authorized applicant firm name, address, contact phone and contact email address</li> <li>• Authorized applicant’s limits of responsibility</li> </ul> <input type="checkbox"/> Site plan drawings (LBMC 15.34.030.D.2-3)<br><input type="checkbox"/> Electrical drawings (LBMC 15.34.030.D.11)<br><input type="checkbox"/> Structural drawings/calculations (LBMC 15.34.030.D.10)<br><input type="checkbox"/> Traffic control drawings (as applicable) (LBMC 15.34.030.D.12 and LBMC 14.14.040.E)<br><input type="checkbox"/> Landscape drawings (if applicable) (LBMC Chapter 21.56.100.A.5)<br><input type="checkbox"/> Street tree plan (if applicable) (LBMC 15.34.030.G)<br><input type="checkbox"/> CALTrans approval (if work is in PCH or State Route 22)<br><input type="checkbox"/> Radio frequency engineering report (LBMC 15.34.030.D.7)<br><input type="checkbox"/> Noise analysis (manufactures specifications acceptable) (LBMC 15.34.030.D.14)<br><input type="checkbox"/> GIS map (Electronic) showing underground conduit runs (LBMC 15.34.030.D.4)<br><input type="checkbox"/> GIS map (Hardcopy) showing underground conduit runs (LBMC 15.34.030.D.4)<br><input type="checkbox"/> Photos of existing conditions of the area (LBMC 15.34.030.D.5)<br><input type="checkbox"/> Photo simulation of proposed project (LBMC 15.34.030.D.12)<br><input type="checkbox"/> Maintenance plan (LBMC 21.56.050.B and LBMC 15.34.030.B.1.b.7.i)<br><input type="checkbox"/> Joint pole commission approval letter for wooden poles only (LBMC 15.34.030.B.1.b.ii)<br><input type="checkbox"/> CEQA categorical exemption or environmental review (if not covered under blanket exemption)<br><input type="checkbox"/> Approval letter from the Cultural Heritage Commission (if placed on a designated Historic Landmark)<br><input type="checkbox"/> Propagation/Coverage Maps (if denial would cause a “significant coverage gap”) (LBMC 15.34.030.D.6)<br><input type="checkbox"/> Completed antenna, equipment and site location preference form (see following page) (LBMC 15.34.030.B.1.b.vi) |                |                                                                                                            |                 |
| <b>ADDITIONAL ITEMS THAT MUST ACCOMPANY A <u>TIER B</u> (PROTECTED LOCATION) APPLICATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                                                                                                            |                 |
| <input type="checkbox"/> Letter explaining the installation will not significantly detract from any defining characteristics of the area or the view corridor (LBMC 15.34.020.Z)<br><input type="checkbox"/> Confirmation of public notification including notice by mail and notice by posting (LBMC Chapter 15.34.030.K.1-3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                                                                                                            |                 |
| FEE (Office Use)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 6.2% SURCHARGE | TOTAL FEE                                                                                                  |                 |
| \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$             | \$                                                                                                         |                 |



Per LBMC 15.34.030.B. 1.b.vi Aesthetic Impacts, all wireless telecommunication facilities shall be designed and located to eliminate or substantially reduce their visual and aesthetic impacts upon the surrounding public rights-of-way and public vantage points. To accomplish this goal, all wireless telecommunication equipment shall be developed with the intent of locating and designing such facilities in the order of preference (from top to bottom) as outlined below. In instances where a facility is proposed at a location, or in a manner, that is not the highest preference (top of list), the applicant shall make a factual showing that ALL higher preferences are infeasible. Attach additional sheets as necessary.

If applying for more than one facility on a single permit, the antenna, equipment AND site preferences shall be the same for each location. If they are not the same, a separate application is required.

**ALL higher preferences not selected MUST contain a factual statement about infeasibility.**

| <b>Antenna Preferences (check the box of the preference being used)</b>                                                 |  |
|-------------------------------------------------------------------------------------------------------------------------|--|
| i. <input type="checkbox"/> Existing street light pole (No infeasibility statement required if this option is selected) |  |
| ii. <input type="checkbox"/> Replacement street light pole                                                              |  |
| iii. <input type="checkbox"/> Existing structure other than a street light pole or utility pole                         |  |
| iv. <input type="checkbox"/> New structure other than a street light pole or utility pole (e.g., wireless kiosk)        |  |
| v. <input type="checkbox"/> Existing non-wood utility pole                                                              |  |
| vi. <input type="checkbox"/> New non-wood utility pole                                                                  |  |
| vii. <input type="checkbox"/> Existing wood utility pole                                                                |  |



| <b>Equipment preferences (check the box of the preference being used)</b>                                                                                                                                        |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| i. <input type="checkbox"/> Bundled in an all-in-one equipment cabinet with the antenna (No infeasibility statement required if this option is selected)                                                         |  |
| ii. <input type="checkbox"/> Below-grade equipment vault, or on a street light or utility pole that does not place new cabinets or other above ground furniture, and the power supply equipment is undergrounded |  |
| iii. <input type="checkbox"/> Attached to existing power source in an existing utility box;                                                                                                                      |  |
| iv. <input type="checkbox"/> Enclosed at the base of the pole on which the antenna is proposed for installation                                                                                                  |  |
| v. <input type="checkbox"/> In an existing ground-mounted (grade-level) equipment cabinet, with no expansion or additional cabinets to be added                                                                  |  |
| vi. <input type="checkbox"/> Within a new equipment enclosure 26 mounted at grade.                                                                                                                               |  |

| <b>Site Location Preferences (check the box of the preference being used)</b>                                                                                                           |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| i. <input type="checkbox"/> Not in a center median, not requiring removal of parkway trees or landscaping, and not requiring modifications or relocation of existing infrastructure     |  |
| ii. <input type="checkbox"/> Requires minor alteration to the existing public improvements and/or infrastructure (i.e. reduction of landscape area)                                     |  |
| iii. <input type="checkbox"/> Requires significant alteration to the existing public improvements and/or infrastructure (i.e. removal of a street tree or relocation of infrastructure) |  |



# CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS ATTN: RIGHT-OF-WAY COORDINATOR

333 West Ocean Boulevard, 10<sup>th</sup> Floor • Long Beach, California 90802 • (562) 570-7954 FAX (562) 570-5640

## General Liability Endorsement – Public Walkways Occupancy Permits

*Minimum Limits: \$1,000,000 per occurrence, \$2,000,000 general aggregate*

### A. GENERAL LIABILITY POLICY INFORMATION

1. Insurance Company \_\_\_\_\_
2. Policy No. \_\_\_\_\_ Policy Term (from) \_\_\_\_\_ (to) \_\_\_\_\_
3. Endorsement effective date \_\_\_\_\_ Endorsement expiration date \_\_\_\_\_
4. Name of Insured \_\_\_\_\_
5. Address of Named Insured \_\_\_\_\_
6. Address of Permitted Operations \_\_\_\_\_
7. Deductible or Self-insured Retention (nil unless otherwise specified) \$ \_\_\_\_\_
8. Policy Limits: Occurrence \$ \_\_\_\_\_ General Aggregate: \$ \_\_\_\_\_
9. Policy Form equivalent to: CG 00 01 \_\_\_\_\_ CG 00 02 \_\_\_\_\_ GL 00 02 \_\_\_\_\_

### B. POLICY AMENDMENTS

This endorsement is issued in consideration of the policy premium. Notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any other endorsement attached thereto, it is agreed as follows:

1. **ADDITIONAL INSURED.** The City of Long Beach, its boards and commissions, and their officials, employees, and agents are included as additional insured with respect to all loss, liability, claims, demands causes of action, damages, settlement, expenses, and costs (including but not limited to attorney's fees and defense and investigation expenses) arising out of, or in any manner incident to, operations performed by or on behalf of the Named Insured related to the permit issued by the City.
2. **PRIMARY AND NONCONTRIBUTORY COVERAGE.** The coverage afforded by this policy to the City, its boards and commissions, and their officials, employees and agents shall be primary insurance. Any other insurance or self-insurance maintained by the City, its boards, officials, employees, and agents shall be in excess of this insurance and not contribute to it.
3. **SEVERABILITY OF INTERESTS.** The insurance afforded by this policy applies separately to each insured that is seeking coverage or against whom a claim is made or a suit is brought, except with respect to the Insurer's limit of liability.
4. **CROSS LIABILITY.** The naming of more than one insured under this policy shall not, for that reason alone, extinguish any rights of one insured against another, subject to the insurer's limit of liability.
5. **CANCELLATION NOTICE:** This insurance shall not be cancelled, nonrenewed, or reduced in coverage or limits except after thirty (30) days prior written notice has been given to the City (ten (10) days prior written notice if the policy is cancelled for nonpayment of premium). Such notice shall be addressed to the City of Long Beach at the address above.

### C. INCIDENT AND CLAIM REPORTING PROCEDURES

Incident and claims are reported to the insurer at:

ATTENTION: \_\_\_\_\_  
(Name) (Title) (Company)

ADDRESS: \_\_\_\_\_

TELEPHONE: ( ) \_\_\_\_\_ FAX: ( ) \_\_\_\_\_

### D. SIGNATURE OF INSURER OR AUTHORIZED REPRESENTATIVE OF THE INSURER

I, (print name) \_\_\_\_\_, warrant that I have authority to bind the insurance company listed above in Item A.1. and by my signature hereon do so bind this company.

SIGNATURE OF AUTHORIZED REPRESENTATIVE (original signature required) \_\_\_\_\_ DATE \_\_\_\_\_

TITLE: \_\_\_\_\_ ORGANIZATION: \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE: ( ) \_\_\_\_\_ FAX NO. ( ) \_\_\_\_\_

# installation and maintenance agreement template



IMA# \_\_\_\_\_

## INSTALLATION AND MAINTENANCE AGREEMENT

FOR \_\_\_\_\_

AT \_\_\_\_\_, LONG BEACH, CA

The CITY OF LONG BEACH ("City"), acting through the Department of Public Works, grants permission to:

\_\_\_\_\_ ("Permittee")  
(*legal name*)

to install and maintain:

\_\_\_\_\_ ("the permitted installation") within public right-of-way property as shown on the attached Exhibit A, incorporated herein by this reference.

1. Neither Permittee nor the permitted installation shall hinder, impede, or deter public use of the public right of way. Permittee will, on City's written request, promptly remove or modify any improvements which interfere with the use of the public right of way.
2. This Agreement shall commence on \_\_\_\_\_, and shall continue month to month until terminated by either party giving written notice to the other party thirty (30) days prior to such termination.
3. Permittee shall apply for and obtain any and all required permits and entitlements, including a Public Works street improvement permit, and any other required permits and/or environmental approvals, prior to the effectiveness of this permit.
4. Permittee shall, and its sole cost and expense, maintain the permitted installation in good condition to the satisfaction of the City Engineer. The City makes no warranties or representations of any kind regarding the suitability of this public right-of-way location for the proposed installation.
5. Should the City Engineer determine, in his/her exclusive and unfettered discretion, that Permittee is not maintaining the permitted installation in good condition as set forth in Paragraph 4 of this Agreement, or that some part of the permitted installation hinders, impedes, or otherwise deters free movement in the public right-of-way, City may conduct any required maintenance or repair as necessary to bring the area back into satisfactory condition and/or may remove any such impediment and charge any expense incurred, including labor and material, to the Permittee, provided that the City gives Permittee notice of the condition and a reasonable opportunity to cure.

6. Permittee may, only with the prior written approval of the Director of the Department of Public Works, or his designee, and at Permittee's sole cost and expense, modify or make further improvements to the permitted installation shown in Exhibit A. Permittee will be responsible for obtaining any and all other necessary permits or entitlements. When this Agreement terminates, the City may require Permittee to remove the permitted installation and restore the public right of way to its previous condition in good repair.
7. Permittee shall, with respect to the permission granted in connection with the permitted installation, indemnify and hold harmless the City, its Boards, Commissions, and their officials, employees and agents (collectively in this section, "City") from and against any and all liability, claims, demands, damage, loss, causes of action, proceedings, penalties, costs and expenses (including attorney's fees, court costs, and expert and witness fees) (collectively "Claims" or individually "Claim"). Claims include allegations and include by way of example but are not limited to: Claims for property damage, personal injury or death arising in whole or in part from any negligent act or omission of Permittee, its officers, employees, agents, sub-consultants, or anyone under Permittee's control (collectively "Indemnitor"). Independent of the duty to indemnify and as a freestanding duty on the part of Permittee, Permittee shall defend City and shall continue such defense until the Claim is resolved, whether by settlement, judgment or otherwise. No finding or judgment of negligence, fault, breach, or the like on the part of Indemnitor shall be required for the duty to defend to arise. Permittee shall notify the City of any Claim within ten (10) days. Likewise, City shall notify Permittee of any claim, shall tender the defense of such Claim to Permittee, and shall assist Permittee as may be reasonably requested, in such defense.
8. City shall not be responsible or liable in any way for Permittee's permitted installation or for Permittee's loss by theft, fire, flood, burglary, vandalism, or any other cause whatsoever.
9. No hazardous or toxic material will be brought into the public right-of-way in association with the installation of the permitted installation.
10. Should City revoke or terminate this Agreement as a result of future development or roadway improvements by the City, or for any other reason whatsoever, Permittee shall not be entitled to any relocation benefits or other compensation from the City due to such revocation or termination.
11. Permittee acknowledges that, by this Agreement, they do not acquire any right, title or interest of any kind in the property on which the permitted installation is installed. This Agreement is personal to Permittee and they shall not assign this Agreement without the express written consent of the Director, which shall not be unreasonably withheld or delayed.
12. City may revoke this Agreement for any reason by giving thirty (30) days' notice to Permittee. Upon revocation, Permittee shall remove all permitted installations constructed or placed by Permittee or any previous party to this Agreement at no cost to City and in accordance with all applicable laws.



PERMITTEE and CITY have executed this Agreement as of the dates shown below.

**PERMITTEE:**

DATE: \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Business/Restaurant name

**By:**

Print name: \_\_\_\_\_

Sign: \_\_\_\_\_

Print name: \_\_\_\_\_

Sign: \_\_\_\_\_

**CITY OF LONG BEACH**, a municipal corporation

DATE: \_\_\_\_\_ 20\_\_

By: \_\_\_\_\_

**Craig Beck**  
**Director of Public Works**

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INTENTIONALLY BLANK.



**City of Long Beach**  
333. W. Ocean Blvd.  
Long Beach, CA 90802

Visit us at [www.longbeach.gov/PW](http://www.longbeach.gov/PW)



@LBPublicWorks

This information is available in alternative format by request at 562.570.5938.

For an electronic version of this document, visit our website at [www.longbeach.gov/PW](http://www.longbeach.gov/PW)