

ENCROACHMENTS ON PUBLIC SIDEWALKS

Newport Beach sidewalks are a desirable place to walk, stroll and jog and it is, therefore, the policy of the City that public sidewalks are to provide unobstructed passage whenever possible.

Sidewalks shall be reserved for public use and the rights of the public shall not be diminished by the installation of benches, planters, bicycle racks, etc., by private entities nor by the installation of facilities by public utilities or other public agencies.

In addition to the provisions of Chapter 5.70 of the Newport Beach Municipal Code dealing with newspaper racks and in conformance with Council Policy L-6, it is the policy of the City that encroachments on public sidewalks shall be subject to the following:

A. General.

1. They shall not reduce the sidewalk width available for normal pedestrian movement.
2. Encroachments may be located in areas between tree wells or other existing improvements as long as they do not interfere with pedestrian travel.
3. They shall be located at least 18" from the curb face. In areas where vehicles do not park or otherwise extend over the sidewalk, this setback may be reduced.
4. They shall not be located within 36" of a parking meter or street light, nor shall they be located where they will interfere with the normal use of other facilities.
5. Encroachments shall not block access from parked cars.
6. They shall not be located within 10' of a crosswalk, fire hydrant or driveway.
7. Encroachments may not be chained or otherwise anchored to any tree, streetlight, parking meter or other property.

8. Applicant shall pay all costs for CalTrans permit processing where necessary.
9. Applicant shall pay all costs associated with the installation of encroachments by the City or private installer.

B. Benches.

1. When applying the above requirements to benches, allowance shall be made for the space required for a person sitting on the bench.
2. Benches to be installed in an area where there is a theme or bench style shall conform to that theme or style.

C. Bicycle Racks.

1. Bicycle racks shall be located to allow bicycles to extend 5' from the center of the rack and comply with the above requirements.

**Adopted - January 11, 1993
Reaffirmed - January 24, 1994
Amended - February 26, 1996**

Formerly L-18