“POP-UP” GUIDE
for Outdoor Dining and Retail Display in Public Areas per the Rebound Program

Version 3.0
February 17, 2021
WHAT IS A POP-UP?
A Pop-Up temporarily transforms street space including sidewalks and on-street parking spaces into an area for outdoor dining or retail sales. In the context of the Rebound Program, Pop-Ups are intended to be quick-build, easy solutions for augmenting business operations. Walnut Creek already has parklets, which are the permanent version of Pop-Ups.

WHO IS RESPONSIBLE?
The responsibilities of the business and the City are clearly defined as follows. Business operators are responsible for the design, procurement, construction and maintenance of all infrastructure, except as specified. The City will provide traffic safety devices that enhance the separation between the Pop-Up and moving vehicles.

<table>
<thead>
<tr>
<th>Who is Responsible?</th>
<th>City</th>
<th>Business</th>
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<tbody>
<tr>
<td>Clearly defined street space to be used for Pop-Up</td>
<td>✓</td>
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<tr>
<td>Traffic safety device(s)</td>
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<td>Reflective signs for improved visibility</td>
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<tr>
<td>Tables, seating, temporary tents, outdoor structures &amp; amenities</td>
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<tr>
<td>Heavyweight Barriers</td>
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<td>Lightweight Barriers</td>
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<tr>
<td>Curb ramps and platforms</td>
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<td>Keep drainage pathways (e.g. gutters) clear</td>
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<td>Clean trash and leaf debris daily</td>
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<tr>
<td>Surface Treatments (Optional)</td>
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SUBSTANTIAL CHANGES IN THIS VERSION

NEW REQUIREMENTS
Updated Requirements

New and updated requirements for Pop-Ups are effective beginning as of the date of this document. Any existing Pop-Ups must be in compliance with the new requirements in order to remain in operation. Significant updates to the requirements include fire safety, temporary tents, and temporary outdoor structures. See the Requirements section for more details.
HOW DO I GET A POP-UP?

Follow these five steps:

1. **Submit**

   Apply online [here](#) and submit the following documents for City approval. All documents must be completed in full before build out and use of a Pop-up space can begin. See also the Checklists on the last page for a complete list of steps and online links to the documents and forms to complete the process.

   a. Fill out the [Temporary Encroachment Permit Agreement](#) and/or [Temporary Encroachment Permit Agreement Amendment No. 2](#) (to extend your existing Pop-Up until August 29, 2021).

   b. A $1M combined single limit per occurrence liability insurance policy is required and insurance requirements are detailed [here](#).

   c. Site Plan Exhibit showing how space will be utilized, including barriers, furnishings and dimensions. **Even if you already have a Temporary Encroachment Permit, you must submit an updated Site Plan Exhibit.** The Site Plan Exhibit shall be [drawn to scale](#) and include:

      - Outdoor structures (*Site Plan shall be prepared by WCD Architect*)
      - Tent(s)
      - Heaters (*include model information*)
      - Heavyweight Barriers (*e.g. planters*)
      - Lightweight Barriers (*e.g. fencing/railing*)
      - White traffic posts
      - Tables
      - Chairs

   - **Dimensions:**

      - Tables and chairs
      - Between Heavyweight Barriers
      - Distance from building, curb, centerline of street
      - Physical Distancing
      - Buffer around heater(s)
2. Establish

Based on your site plan and location, City staff will evaluate and establish the area for your Pop-Up. Staff may reach out and request a meeting at the site to ask questions or provide specific direction on build out based on the context of your location relative to nearby intersections, crosswalks, driveways, storm drains, etc.

- Staff may contact you for more information on your Pop-Up
- Staff may provide specific direction and more stringent requirements for your Pop-Up based on location, etc.
- City will install traffic safety devices (typically white traffic posts) to delineate the space for the Pop-Up
- Staff will contact you to let you know you've been approved and may begin build out

3. Build

Once you receive notification of approval from City staff, you may begin installing your Pop-Up. Do not place any materials in the street until you have received approval from the City. The business then has up to 14 days to complete installation and request City staff to inspect the space for compliance of all components of the Pop-Up. The minimum elements needed to establish a Pop-Up includes Lightweight Barriers and Heavyweight Barriers.

See the Requirements section for guidance on building out your Pop-Up.

Staff is available to help. If you need assistance figuring out where and how to place your materials, contact us at rebound@walnut-creek.org.

4. Inspect

City staff will inspect the space for compliance of all components of the Pop-Up. You must build out your Pop-Up such that staff can easily relocate and adjust the components of your Pop-Up. There are multiple inspections that must be completed, and you may be required to get an inspection from an outside agency, such as Contra Costa Fire District. The following will be checked during the site inspections:

- Meets traffic safety requirements
- Meets drainage requirements—gutter and catch basins are clear and accessible
- Meets or exceeds physical distancing requirements
- Safe and accessible for all users including providing ADA Ramps and meeting path width requirements
- Complies with Fire requirements
- Aesthetically pleasing to surrounding area
- Follows the Do’s & Don’ts

Any addition or changes to components of the Pop-Up after the inspection takes place and even after your Pop-Up is operational requires re-inspection by City staff.
5. Maintain

Business operators are responsible for cleaning and sanitizing the Pop-Up space and any other adjacent areas designated by the City.

- Daily upkeep and routine maintenance of gutters, plants, platform elements, enclosures, shade structures or amenities is required by the business owner.
- Business operators must keep the Pop-Up free of debris, leaf material, grime, graffiti, etc. and must properly dispose of the debris; do NOT blow or sweep debris into the street.
- Adjacent sidewalks must remain unobstructed and accessible to pedestrians.
- All gutters and catch basins shall be clear of any objects or debris in order to allow for proper drainage.

For any City-provided elements that need attention or maintenance, please contact us at rebound@walnut-creek.org.

From time to time, the City may require that some or all of the business operator’s Pop-Up and appurtenances in the City right of way be either temporarily or permanently removed in certain circumstances, including when the City deems that the Pop-Up or appurtenances impede pedestrian and vehicle circulation or result in a safety hazard, or impedes the City’s ability to clean or repave streets or sidewalks. The City will strive to notify businesses as early as possible that the Pop-Up or appurtenances will need to be removed from the Rebound patio area. Circumstances permitting, business operators may be able to re-install the Pop-Up and appurtenances upon City authorization. The business operator is responsible for the costs of removing and re-installing the Pop-Up and appurtenances.
MATERIALS LIST

Please refer to the Tactical Urbanist’s Guide to Materials and Design\(^1\) for developing ideas for barriers, enclosures and surface coverings. The following are examples of materials that could be used in building your Pop-Up.

REQUIREDS ELEMENTS

### HEAVYWEIGHT BARRIERS

250 lbs or more

- Concrete Jersey Barrier
- Plastic Traffic Barriers
- Granite or Concrete Blocks
- Parking Stops
- Wood Barriers
- Planters

The most common type of heavyweight barriers in use currently are planters. See the Requirements section for more details. These are required for on-street pop-ups, unless within a street closure area.

### LIGHTWEIGHT BARRIERS

- Metal Railing
- Plastic Netting
- Rope
- Lattice
- Bamboo Curtains
- Get Creative!

Common lightweight barriers used are metal railings and lattice. The purpose of the lightweight barrier is to define the perimeter of your space and to prevent pedestrians from entering or exiting from the street.

OPTIONAL ELEMENTS

#### SURFACE TREATMENTS

- Back Floor Mats
- Chalk Paint
- Chalk
- Astroturf
- Sod
- Corn Starch Paint

Surface treatments help reduce pavement temperatures when it is sunny and contribute to aesthetics.

#### ETC.

- Accessible Ramps
- Platforms
- Temporary Tents
- Temporary Outdoor Structures
- Tables & Chairs
- Heaters
- And more…

\(^1\) [https://issuu.com/streetplanscollaborative/docs/tu-guide_to_materials_and_design_v1](https://issuu.com/streetplanscollaborative/docs/tu-guide_to_materials_and_design_v1)
EXAMPLE OF A POP-UP SITE PLAN

A. Vehicle travel lane is slimmed down to 10' to encourage slower speeds.
B. Vertical traffic safety devices such as delineators or cones signifying to drivers this is not a typical parking space.
C. Reflective materials along corner edge of Pop-Up to improve visibility under low light conditions.
D. A buffer zone of 2' between the edge of travel way and the perimeter of the Pop-Up.
E. Heavyweight Barriers shall be placed along the perimeter of the Pop-Up and shall be spaced no greater than 6' apart.
F. Lightweight Barriers shall be used between all Heavyweight Barriers to form a completely enclosed space.
G. Tables and Chairs shall be placed a minimum of 6' apart, measured as shown on page 13.
REQUIREMENTS

Pop-Ups shall conform to the following requirements. Failure to comply with any of the following requirements may result in immediate removal of the pop-up and any property removed may not be returned to the owner and/or fines.

General

- Any business operating under a Rebound Temporary Encroachment Permit shall, at all times, remain compliant with all provisions of the Temporary Encroachment Permit Agreement and Rebound Program Guidelines.
- Nothing should be permanent or directly bolted or attached to the ground unless otherwise approved for installation. The Pop-Up shall not prevent the roadway from returning to its original state.
- Amenities within the Pop-Up space should provide comfortable seating and/or shopping arrangements.
- The roadway slope should be considered for elements placed closer to the curb.
- For restaurants, post completed CAL/OSHA COVID-19 General Checklist on front window of business.


Pop-Up Guide for Business Operation in Public Space
V3.0 2/17/2021
Traffic Safety

Safety is foremost in the City’s consideration. The following is required for traffic safety:

- Clear sight lines must be maintained both on the street and on sidewalks. That is, drivers must be able to see other vehicles, pedestrians, traffic signals, signs and other traffic control devices. Every location is different, so any amenities, including tents or structures, may not be allowed due to this requirement. Staff will work with you to figure out how to make best use of your space.

- Clear sight lines shall be maintained for all Pop-Ups located on the sidewalk and on-street.

- Enclosures are clearly defined using barriers to help create a comfortable and separated space for patrons in the Pop-Up.

- Heavyweight barriers shall be placed no more than 6 feet apart and be no taller than 2 feet. They must weigh a minimum of 250 pounds each.

- Staff may use different evaluation requirements depending on the context of your site.
The most common heavyweight barrier in use are planters.

**PLANTER TIPS**

A half whiskey barrel planter has a volume of 25 gallons and weighs approximately 25 pounds. Fill with 200 pounds of pebbles, and top with soil and plants to meet the 250-pound requirement.

A large 20-inch diameter plastic planter has a volume of 13.5 gallons. Fill with quick-setting concrete and top with soil and plants to meet the 250-pound requirement.

Dry sand unit weight is approximately 13.5 pounds per gallon.

Water unit weight is approximately 8.3 pounds per gallon. Use a 30-gallon container.

Using only soil or woodchips to fill planters is not advised as this would require very large capacity containers. Soil and woodchips or other lightweight materials may be used to top off the planter for aesthetics.
Lightweight Barriers demarcate the perimeter of the enclosure and prevent pedestrians from entering and exiting the Pop-Up from the street. For those restaurants serving alcohol, these perimeters overlap with requirements from Alcoholic Beverage Control (ABC). Lightweight barriers must not exceed 42 inches in height to meet vehicle sight line requirements.

**LIGHTWEIGHT BARRIERS**

Top surfaces of the tables shall be between 28 and 34 inches above the floor/ground surface.

Umbrellas and tents shall be a minimum of 96 inches above the ground surface. These are all site-specific requirements and engineering City staff will assist with visually inspecting the location as part of the post-build inspection.

Additional traffic safety elements will be installed by the City, including white traffic posts (delineators) with reflectivity and reflective object markers.
Drainage

Maintaining proper drainage helps to keep streets and businesses from flooding and safer for vehicles and pedestrians.

STREET ELEMENTS

- Gutters and catch basins shall be kept clear from obstructions and debris.
- Gutters and catch basins shall be accessible by City staff at all times.
- Removal of leaves and other debris in the vicinity of the Pop-Up is the responsibility of the business, not the City of Walnut Creek.

DRAINAGE

Platforms are not required for Pop-Up spaces and tables and chairs may be placed directly on the pavement. If you choose to build a platform, it must allow for proper drainage.
Emergency Access

The following emergency vehicle access considerations must be considered as part of the Pop-Up design.

- Tables, chairs, umbrellas, merchandise racks, or other objects shall not encroach into any fire lanes, circulation lanes, handicap parking spaces, pedestrian paths, sidewalk ramps, or corner curb ramp areas.
- Maintain 20-foot fire lane and emergency vehicle access on all streets.
- Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating.
Temporary Tents

A **tent** is an enclosure, canopy or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects. For the purpose of the Rebound program, **only temporary tent structures are allowed**, which are tents that have been erected for **less than 180 days in any 365-day period**.

- Tents require authorization and inspections by the City Engineering Division and the Contra Costa County Fire Protection District (CCCFPD). [Click here](#) for the online application, required documentation, and authorization process for both City and Fire District approvals.

- The number of sides open to the air shall comply with the most recent Contra Costa County Health Officer’s Order or requirements. **Note that tents are currently only allowed to have up to two sides per State and County regulations. No two sides should be adjacent to allow for cross ventilation.**

- The side(s) of the tent that are closed must be shown on the Site Plan Exhibit. **Any changes to the side of the tent(s) must be requested in writing and your Site Plan Exhibit must be updated and resubmitted to the City.** Changes may be implemented following written approval from the City.

- Tents are measured as the area of an individual tent or aggregate area of multiple tents that are adjacent or attached to one another. Any tents erected within a singular Pop-Up space will be measured by its aggregate area.

- All tents must be secured for the safety of staff and patrons.

- **Tents must be secured with minimum eight pounds of weight per square feet of tent area to resist wind pressure and uplift.**

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**SECURING YOUR TENT**

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<tr>
<th>FOR EVERY SQUARE FOOT OF TENT AREA</th>
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<td>USE 8 LB</td>
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- Tents and their appurtenances shall be designed and installed to withstand the elements of weather and prevent collapsing.

- No cooking is allowed inside a tent that will also be used for dining.
Minimum one emergency exit, 36-inch-wide and 80-inch-tall, is required per individual tent. Minimum two emergency exits, 72-inch-wide and 80-inch-tall each, are required per individual tent when the tent area exceeds 150 square feet.

Tents shall not block visibility for pedestrians, vehicles, or traffic control devices nor create hazardous conditions for drivers, bicyclists, or pedestrians.

All fabrics shall be approved by the State Fire Marshal Office.

One 2A:10B:C portable fire extinguisher shall be provided for each individual tent.

All electrical work shall be performed by a licensed electrician. Temporary cords shall be listed for outdoor use, and suitably secured in place. Temporary cord wire gauge shall meet the ampacity rating for the overcurrent devices it is connected to.

The Fire & Life Safety Guidelines for Tents during COVID-19 shall be regarded as the latest requirements for temporary tents.

Heaters may be used in tents, subject to all CCCFPD and City requirements:

- For the safety of staff and patrons, heating devices shall be reviewed by CCCFPD prior to installation.
- Follow the manufacturer’s instructions when operating heating devices.
- Provide a minimum of three-foot clearance in all directions around all heating devices.
- Keep anything flammable at least three feet (36") from heat sources.
- Place heater on a flat, level surface, on the ground.
- Ensure that the heater is situated properly and securely to avoid unintended contact with staff and patrons.
- Consider ventilation, especially with propane heaters, for the safety of staff and patrons.
- The latest CCCFPD requirements shall supersede the requirements provided in this list and may be accessed here and at cccfpd.org.
- Electric heaters are prohibited.

Business operators are required to abide by all effective tent requirements, including but not limited to approved site plans, fire permits, and heaters. The City will make reasonable efforts to notify business operators of any amendments to the above requirements.

New Temporary Outdoor Structures

A dining structure is an outdoor open enclosure with or without sidewalls or drops, constructed of rigid material (e.g. wood and metal) supported by heavy anchors. For the purpose of the Rebound program, only temporary outdoor structures are allowed, which are structures that have been erected for less than 180 days in any 365-day period.

Outdoor structures shall be located a minimum of 10 feet from any buildings and a minimum of 5 feet from the property line.
The number of sides open to the air shall comply with the most recent Contra Costa Health Officer’s Order or requirements. Note that outdoor structures are currently only allowed to have one side per State and County regulations.

Heaters may be used in temporary outdoor structures, subject to all CCCFPD and City requirements. See heater requirements listed in the following section: Fire, Heaters and Life Safety.

Electric heaters are prohibited.

Installation of Outdoor Structures require authorization from the City. Click here to learn how to apply for an Outdoor Structure through the Rebound Program.

Business operators are required to abide by all effective outdoor structure requirements, including but not limited to approved site plans, fire permits, and heaters. The City will make reasonable efforts to notify business operators of any amendments to the above requirements.

Fire, Heaters and Life Safety

The following fire and life safety requirements must be met for any Pop-Up.

- No structures, tents, cables, wires or fixtures shall be attached to the building. Maintain a minimum 10-foot clearance to adjacent buildings.
- All fabrics and all interior decorative fabrics and materials shall be flame resistant, or approved by the State Fire Marshal Office.
- Unobstructed access to fire hydrants, drafting sources and other fire protection features shall be maintained at all times.
- Heaters may be used in a Pop-Up area subject to all CCCFPD and City requirements (see also requirements for Heaters in Tents above):
  - Heaters are NOT permitted under a tent or umbrella
  - All heaters must be a minimum of three feet (36”) from combustible materials.
  - Heaters must be a listed and approved appliance.
  - All heaters must have a tip-over switch which automatically shuts off the heater if tilted more than 15 degrees.
  - Ensure heaters do not block exits or egress aisle.
- Electric heaters are prohibited.
- The Fire & Life Safety Guidelines for Tents during COVID-19 shall be regarded as the latest requirements for temporary tents.
Accessibility

The following ADA considerations must be included to ensure equal access for all.

- Clear pathways on sidewalks and within Pop-Ups that are a minimum of 48 inches in width.
- Unobstructed access to public utilities, building entrances, crosswalks, bus stops and transit entrances.
- Curb ramps that are 48 inches wide (maximum 1:12 slope) shall be available for access between the sidewalk and Pop-Up on the street. Handrails at each side of the ramp are required if the ramp slope exceeds 1:20 (5%). Curb ramps shall be readily removable in order to meet drainage requirements, including access to gutters and catch basins for maintenance and to allow for water to flow along the gutter during rain.
- Where dining tables are placed, accessible dining spaces (which are inclusive of tables and chairs) shall be provided at a minimum of 30” wide for each space, and the top of dining surfaces shall be 28 inches to 34 inches above the ground. Minimum 44 inches wide accessible route is required between public sidewalk and the accessible dining spaces. Where elevation difference of the accessible route exceeds ½ inch, 48-inch-wide ramp (maximum 1:12 slope) will be required. Handrails at each side of the ramp are required when the ramp slope exceeds 1:20 (5%).
- The City asks that business operators follow the Planning Guide for Making Temporary Events Accessible to People with Disabilities³.

Physical Distancing

Physical distancing of tables and chairs will be inspected by City staff. Tables and chairs must be spaced a minimum of 6 feet apart from each other. Additionally, all dining elements need to sit flush with the ground without rocking.

DO’S & DON’TS

DO’s

✓ Do maintain a minimum of 6 feet of unobstructed clearance between tables, displays, walkways, checkout kiosks, queuing, etc.
✓ Do support social distancing for employees and customers and use masks and gloves as appropriate.
✓ Do sanitize and keep Pop-Up space free of debris, grime, and graffiti.
✓ Do offer hand sanitizer or washing stations to guests.
✓ Do offer Credit Card payment as preferred payment method.
✓ Do offer contact free digital menus as an option for outdoor dining.
✓ Do set up your outdoor business activity only in area designated by the City.
✓ Do ensure ground surface is stable, firm and slip resistant.
✓ Do remove trash created by users, leaves and other organic materials in a timely manner. Existing trash enclosures should continue to be utilized and maintained. Existing City trash and recycling cans may not be used.
✓ Do limit the height of any display racks, check-out kiosk, etc. to a maximum of 5 feet 9 inches.
✓ Amplified music is allowed, subject to Walnut Creek Municipal Code Title 4, Chapter 6 restrictions on noise. However, no live music or DJs are permitted in any Rebound-approved outdoor areas while Contra Costa County remains in the State's Purple Tier.

OUTDOOR DINING AREA HOURS ARE AVAILABLE ONLINE, click here.

ADDITIONAL REQUIREMENTS IF LOCATED IN A STREET:

✓ Do maintain a minimum of 6 feet of unobstructed clearance between the Pop-Up and building entrances, crosswalks, public utilities, fire hydrants, street furniture, bus stops, and transit entrances.
✓ Do keep gutter clean and clear at all times.
✓ Do provide ADA access between the sidewalk and Pop-Up area.

ADDITIONAL REQUIREMENTS IF LOCATED IN A SIDEWALK:

✓ Do set up outdoor dining or retail display areas within the section of the sidewalk directly in front of your business only.
✓ Do maintain a minimum 6 feet unobstructed pedestrian path within the public right-of-way at all times and a minimum 8 feet unobstructed pedestrian path within the public right-of-way adjacent to all fenced areas, unless approved by the City Engineer.
✓ Do maintain a minimum of 6 feet of unobstructed clearance within the outdoor dining or retail display area. Outdoor dining or retail display area may include portable tables, chairs, retail display racks, check-out kiosks, accessory umbrellas, landscape planter boxes, and limited fencing only.
✓ Do set up outdoor dining on hardscape portion of sidewalk only (concrete, asphalt, pavers, etc.)
✓ Do ensure all tables, chairs, display racks, and other obstructions are located a minimum of 2.5 feet away from the edge of the street.
✓ Do ensure all portions of an approved umbrella (excluding the support pole) are a minimum of 7 feet above the adjacent sidewalk.
DON'T

- Do not erect a tent or structure in any Rebound area for more than 180 days in any 365-day period.
- Do not set up outdoor business activity on any existing landscape areas or storm water treatment planters.
- Do not set up outdoor business activity on any handicap parking stalls, ramps, or accessible paths of travel.
- Do not obstruct fire access, fire exits, fire lanes, pedestrian paths, sidewalk ramps, or handicap parking spaces, and maintain a minimum 3 foot clearance from fire hydrants and fire department connections.
- Do not permanently fix to the ground or existing structure any tables, chairs, umbrellas, shade structures, barriers, check-out kiosks etc.
- Do not make any permanent modifications to a property:
  - Do not remove any existing buildings, portions of buildings, architectural features, fences, walls, artwork, utility infrastructure, lighting, etc.
  - Do not affix any wiring, cordage, string, or anything to the building or City street light poles, except LED string lights.
- Do not construct any new building, or expand any existing building.
- Do not remove any existing trees or landscaping, benches, trash cans, ponds, rock features, etc.
- Do not paint any existing building.
- Don't set up outdoor dining or retail display area on any existing sidewalk landscape areas or stormwater treatment planters (hardscape areas only such as concrete, asphalt, pavers etc.)
- **For use of the Sidewalk Areas, don't allow any portion of the outdoor dining or retail display area to encroach into the adjacent street.**
FAQ

Do I need to get approval to activate the sidewalk or parking spaces in front of my business?
Yes, business operators can apply to use adjacent sidewalk or parking spaces for expanding business retail or dining operations by following the process outlined in this guide. This is a temporary permission by the City and may be revoked at any time.

What is the timeline for installing a Pop-Up?
Generally, the City batches requests on a twice-weekly basis. We recommend you submit your Temporary Encroachment Permit Agreement (including required plans and insurance) no later than Monday at 12 noon so you can be approved for installation by mid-week.

How do I request closure of the street on the block my business is on?
Block closures are initiated by the City based on demand for reuse of public space and constraints.

What are the hours of operation allowed for a Pop-Up space?
✓ Please refer to the latest requirements for operation, which can be found on the City’s website here.

How does the 6 feet rule work for restaurant seating?
Maintain 6 feet of separation measured between back of seat to back of seat. Additionally, follow those suggestions outlined in COVID-19 Industry Guidance: Dine-In Restaurants.

How do I request to remove my Pop-Up?
Inform the City you would like to remove your Pop-Up and you will have 7 days to remove any business provided infrastructure. The City will remove the traffic safety elements.

What if I want to serve alcohol in my Pop-Up?
You need to contact and get approval from Alcoholic Beverage Control, which now has a relaxed process for allowing outdoor alcohol service. Keep in mind the City still designates the location of your Pop-Up. Additional information can be found on the Rebound website here.

Is live music allowed in my Pop-Up?
Amplified music is allowed, subject to Walnut Creek Municipal Code Title 4, Chapter 6 restrictions on noise. However, no live music or DJs are permitted in any Rebound-approved outdoor areas while Contra Costa County remains in the State's Purple Tier.

RIGHTS OF THE CITY

The City of Walnut Creek reserves the right to:

➤ Remove any item placed within the City right-of-way.

➤ Revoke a permit in the event the permittee violates the terms of the temporary encroachment agreement or the requirements contained within this document.

➤ Impose fines in the event the permittee violates the terms of the temporary encroachment agreement or the requirements contained within this document.

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Indemnification of the City

Disclaimer: These are guidelines and may not be required in all cases. Similarly, there may be instances where City staff requires additional design interventions not covered in these guidelines. Your Pop-Up approval is ultimately subject to the discretion of the City of Walnut Creek.

VIOLATIONS OF REBOUND PROGRAM GUIDELINES

Any violation of Rebound Documents (including City permits, this Guidebook or other written requirements from the City) shall be considered a violation of the Rebound Program Guidelines and subject to an administrative citation and fine (pursuant to the City of Walnut Creek Resolution No. 20-77), modification of the Encroachment Permit, revocation of the Encroachment Permit, or removal of “pop-up” materials. The administrative citation and fine structure for violations of the Rebound Program Guidelines apply the administrative citation and fine structure established under Municipal Code Section 1-7.100 et seq.

Violations of the Rebound Program Guidelines are punishable by a fine not exceeding $100 for a first violation, a fine not exceeding $200 for a second violation of the same regulation within one year, and a fine not exceeding $500 for each additional violation of the same regulation within one year. Each day the violation continues is deemed to be a separate offense. Please refer to Municipal Code Section 1-7.100 et seq. for additional administrative citation and fine information.
POP-UP CHECKLIST

- Step 1: Review Pop-up Guide v 3.0 [this document], which includes information on use of heaters.
- Step 2: Submit site plan, temporary encroachment permit amendment 2 and insurance to City by completing the Public Area Outdoor Dining and Retail Display Renewal Form.
- Step 3: The City will review the application and contact the business to confirm the application is complete.
- Step 4: Set-up dining or retail area according to submitted site plan.
- Step 5: Send email to rebound@walnut-creek.org to request City Inspection of traffic and physical distancing requirements for 2021 August renewal.
- Step 6: Upon approved inspection the City will issue a Rebound Certification. Businesses must post certification in a visible location on the exterior of tent.

POP-UP WITH TENT(S) CHECKLIST

- Step 1: Review Fire Department requirements for Tents, Do's and Don'ts for Temporary Public Tent, and Pop-Up Guide Book 3.0 [this document]
- Step 2: Submit site plan, temporary encroachment permit and insurance to City by completing the Public Area Tent Request form
- Step 3: The City will review the application and contact the business to confirm a tent is allowed at the requested location.
- Step 4: Complete Fire Department Tent Application
- Step 5: Submit completed Fire Department Tent Application to info@cccfpd.org
- Step 6: The Fire Department will review your application and will contact the business to issue approval to install tent
- Step 7: Businesses may then install tent
- Step 8: Send email to rebound@walnut-creek.org to request City Inspection of traffic and physical distancing requirements.
- Step 9: Once tent is installed contact the Fire Department to request an inspection at info@cccfpd.org.
- Step 10: Submit your Fire Department Certification to rebound@walnut-creek.org
- Step 11: The City will issue a Rebound Certification. Businesses must post certification in a visible location on the exterior of tent.

POP-UP WITH OUTDOOR STRUCTURE(S) CHECKLIST

- Step 1: Review Pop-up Guide v3.0 [this document], Do's and Don'ts for Structures in Public Areas. Submit your request for a temporary outdoor structure to Walnut Creek Downtown at services@walnutcreekdowntown.com
☐ Step 2: Coordinate with Walnut Creek Downtown pre-approved architect and contractor(s) to discuss preliminary costs and layout of structure.

☐ Step 3: Business to request a pre-meeting with City and their contractor to discuss their proposal at dutyengineer@walnut-creek.org.

☐ Step 4: After City approves proposal, the pre-approved architect may draw the site plan for structure.

☐ Step 5: Walnut Creek Downtown to review submittal documentation including your site plan, insurance and temporary encroachment permit.

☐ Step 6: Submit application and documents to the City by Completing the Public Area Structure Request Form.

☐ Step 7: Upon receipt of written City approval construction of the structure can begin.

☐ Step 8: Submit request for inspection to rebound@walnut-creek.org by Friday to be scheduled for the following Tuesday - Thursday.

☐ Step 9: The City will issue a Rebound Certification. Businesses must post certification in a visible location on the exterior of tent.