



NEWPORT BEACH

City Council Staff Report

June 13, 2023
Agenda Item No. 3

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: Paul Blank, City Harbormaster - 949-270-8159,
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TITLE: Ordinance No. 2023-8: Recommendations Resulting from Harbor Commission Objective 2.3 to Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchange Requests

ABSTRACT:

For the City Council's consideration is the authorization of a pilot project related to mooring field optimization and amendments to Title 17 (Harbor Code) related to mooring standards and permits. These efforts implement Harbor Commission Objective 2.3 (Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchange Requests). The attached ordinance was introduced and considered at the May 23, 2023 City Council meeting.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 under Class 2 (Replacement or Reconstruction) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment; and
- b) Conduct a second reading and adopt Ordinance No. 2023-8, *An Ordinance of the City of Newport Beach, California, Amending Sections 17.25.020 (Anchorage, Berthing and Mooring Regulations) and 17.60.040 (Mooring Permits) of the Newport Beach Municipal Code.*

DISCUSSION:

On May 23, 2023, the City Council introduced Ordinance 2023-8, authorizing a pilot project to reconfigure the C Mooring Field and revising sections of NBMC Title 17. The ordinance is now ready for its second reading and adoption.

Revisions to NBMC Section 17.25.020, Anchorage, Berthing and Mooring Regulations are part of the ordinance and include clean-up and clarification of requirements for mooring in Newport Harbor.

Revisions to NBMC Section 17.60.040 Mooring Permits are also part of the ordinance and include clean-up and clarification of requirements for maintaining a mooring permit in Newport Harbor. Revisions to this section also define the conditions in which a mooring size exchange or extension within a row designated for larger moorings can be requested by a permittee.

The proposed NBMC amendments also include a provision for any new moorings installed or acquired by the City of Newport Beach to be made available to the public pursuant to a revised mooring permit that ensures equal opportunity for new mooring permittees to access public tidelands in Newport Harbor. Any new mooring permits created will not be transferrable. The transferability for all existing mooring permits will remain the same.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 under Class 2 (Replacement or Reconstruction) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment. CEQA Class 2 consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Ordinance No. 2023-8