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# **NEWPORT BEACH**

## **Harbor Commission Staff Report**

August 13, 2025  
Agenda Item No. 7.2

**TO:** HARBOR COMMISSION

**FROM:** Paul Blank, Harbormaster  
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**TITLE:** Discussion of Proposed Revisions to NBMC Title 17

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### **ABSTRACT:**

Included in the Harbor Commission's 2024 Objectives is objective number one the title of which is "Conduct annual review of Title 17 and recommend updates to City Council where necessary." The full Commission will listen to and provide input on a proposal prepared by the subcommittee responsible for that objective.

### **RECOMMENDATION:**

- 1) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- 2) Consider a proposal from the subcommittee responsible for the current Harbor Commission Objective one on potential revisions to the Newport Beach Municipal Code (NBMC) related to the harbor; and
- 3) If desired, provide direction to the objective subcommittee and staff to finalize recommended revisions to be considered at a subsequent Harbor Commission meeting.

### **FUNDING REQUIREMENTS:**

There is no fiscal impact related to this item as the proposal is considered by the Harbor Commission. If the Commission recommends the proposal be forwarded to the City Council, a financial analysis will be performed, and estimated costs included in what the Council considers.

### **DISCUSSION:**

The Harbor Commission is currently considering proposed harbor-related revisions to the City of Newport Beach Municipal Code (NBMC). The proposal has been brought forth for public review and comment as the Harbor Commission evaluates the potential benefits and impacts of these changes.

This proposal resulted from the subcommittee responsible for the current Harbor Commission Objective number one. The subcommittee tasked itself to conduct a review of Title 17 and recommend updates.

Commissioner Yahn will introduce material collected from various sources in various formats related to potential revisions to the NBMC. He will solicit feedback from the public and Commissioners on where to focus further efforts in this regard, based on the contents of the suggested revisions. He may solicit volunteers from among the Commissioner colleagues (no more than two) to work with him on refining the contents, along with the feedback, into an actionable item on a future Harbor Commission agenda.

The proposed revisions to the NBMC came from numerous sources, including but not limited to public comments in Harbor Commission and City Council meetings, in written form collected by staff, and from a previous subcommittee's review of parts of the code related to harbor use and operation.

As part of the review process, the Harbor Commission will carefully examine factors such as the safety and usability of the harbor and balancing public access needs. Community input will be an important consideration as the Commission works to determine whether the proposed changes align with the broader goals and management of the Newport Harbor. Also to be considered are the operational characteristics of the proposed changes and what might be necessary to implement them.

#### **ENVIRONMENTAL REVIEW:**

Staff recommends the Harbor Commission find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in a physical change to the environment, directly or indirectly.

#### **NOTICING:**

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