

Attachment No. 2, 3 & 4

Draft Arts and Culture Element and
Historical Resources Element & Draft
Harbor, Bay, and Beaches Element

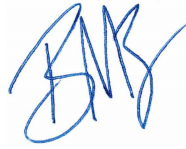


CITY OF NEWPORT BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

100 Civic Center Drive
Newport Beach, California 92660

949 644-3200
newportbeachca.gov/communitydevelopment

Memorandum

To: GPUSC Members
From: Benjamin M. Zdeba, AICP, Planning Manager 
Date: June 19, 2025
Re: Agenda Item IV(b) – Attachments 2 and 3, Draft Arts and Culture Element and Historical Resources Element

As indicated in the agenda narrative, the Arts and Culture/Historical Resources Subcommittee met on April 24, 2025, to review the initial drafts of the Arts and Culture and Historical Resources Elements. After discussion on several key points, the Subcommittee provided feedback and allowed City staff to work with Dudek on responsive revisions. The updated drafts were shared with the June 4, 2025 agenda packet for the full GPAC's review and consideration. At the meeting, Subcommittee Chair Greer provided perspective on the Subcommittee's focus and expressed support for the draft Elements moving forward for further review, input, and refinement. After some discussion and feedback from several members, the GPAC unanimously voted to share updated drafts with revisions based on the feedback received during the GPAC's meeting with the GPUSC for concurrence.

City staff (in consultation with Dudek), the Subcommittee, and GPAC are pleased to share the latest draft Arts and Cultural Element and the draft Historic Resources Element for the GPUSC's review. Please know that this is simply the text and is not fully formatted with graphics and photographs. The attachments show changes since the GPAC meeting in "redline-strikeout" format.

The recommended action is to support moving the draft Elements forward for additional input by the Arts Commission, and for the public to review and provide input on thereafter. The GPUSC's support for these drafts will not set them in stone, rather it will allow us to continue sharing for more input from others. The Elements will remain in draft form until they are ultimately adopted by the City Council.

Arts and Culture Element

PURPOSE

The Arts and Culture Element focuses on enriching the community by bolstering art and culture through facilities, educational programming and activities, and events and festivals that support art and culture.

OVERVIEW

The Arts and Culture Element focuses on enriching the community by bolstering art and culture through facilities, educational programming and activities, and events and festivals that support art and culture.

Art and culture play an important role in the social fabric of Newport Beach. The dedication and involvement of the City and the community have resulted in a wide range of art and culture organizations, resources, attractions, and activities that create a sense of community pride and enrichment. The Newport Beach Public Library offers robust art, culture, and literary programs, serving as a central hub for accessing and experiencing diverse forms of art and culture.

GOALS, POLICIES, ACTIONS

Engaging with Art and Culture

Art, culture, literary and educational opportunities, and creativity can enhance quality of life for residents, improve visitor experiences, and contribute to the local economy. Art and culture bring a unique sense of identity to Newport Beach and can connect residents to each other and their community by expanding creative opportunities, promoting art and culture activities, and facilitating partnerships that support art and culture.

Art and Culture Opportunities: Expanded art and culture opportunities can include new public art installations, culture events, and programs. Creating opportunities to engage with art and culture across Newport Beach can make art accessible to people of all backgrounds and generations.

Promoting Art and Culture: Raising awareness and generating enthusiasm for the arts and culture are key to increasing participation in programs, exhibits, and events. This entails distributing marketing materials throughout the city, initiating social media campaigns, and creating new ways for people to engage in the arts through interactive technologies. A multifaceted approach that includes both traditional and novel outreach and engagement methods can capture the attention of residents and visitors of all ages.

Strategic Partnerships: Partnerships are crucial for maintaining existing and realizing new opportunities to cultivate art and culture exhibits, programs, events, and funding. Strong coordination between City staff and private institutions, partner agencies, and local artist organizations can facilitate community involvement in art and culture, procurement of funding, and successful management of public art.

Goal AC-1: A community enriched by and connected to the arts, culture, and education

- Policy AC-1.1: Promote arts and culture by incorporating art in widely used public places such as parks, open space, public plazas, view sites, villages, and along corridors that attract visitors. (Imp. 1.1, 20.1, 20.3, 30.1)
- Policy AC-1.2: Attract new and cultivate existing signature events and programs that add to the quality of life for residents, enhance Newport Beach as a hub for art and culture, and stimulate economic activity. (Imp. 29.2, 23.3, 30.1)
- Policy AC-1.3: Assess capital improvement projects for opportunities to incorporate public art in a manner that enhances community character and the built environment. (Imp. 1.1, 20.1, 23.3, 29.2, 30.1)
- Policy AC-1.4: Develop regulations or incentives for the incorporation of public art into larger commercial projects that enhance the City's community character and its built environment. (Imp. 1.1, 8.1, 8.2)
- Policy AC-1.5: Acquire and display art in public facilities citywide to bolster civic pride and increase exposure to arts and culture. (Imp. 29.2)
- Policy AC-1.6: Explore and implement new technologies in art and culture displays, such as augmented reality and smartphone applications, to engage the public, track engagement, and enhance the educational experience of art and culture in innovative ways. (Imp. 29.2)
- Policy AC-1.7: Incorporate artwork into the public realm that encourages interaction while providing educational opportunities. This could include education for visitors in areas that attract tourists. (Imp. 1.1, 20.1, 23.3, 29.2, 30.1)
- Policy AC-1.8: Consider integration ~~of~~ integrate public art into other City planning efforts, such as Specific Plans and corridor plans. (Imp. 3.1, 20.1, 29.2,)
- Policy AC-1.9: Nurture creativity and artistic talent in local youth and adults through a rich offering of well-balanced and ~~equitably~~ appropriately distributed arts, culture, and literary educational programs and services. (Imp. 30.1)
- Policy AC-1.10: Coordinate with the Orange County Transportation Authority to explore options for the expansion of transportation services, such as trolleys, event-specific bus routes, or reduced transit fees, for major community art and culture events. (Imp. 14.4, 30.1)
- Policy AC-1.11: Continue to recognize and support musical performances as a vital community asset by providing increased opportunities for music in public spaces, signature music events, and other opportunities that highlight local talent and/or attract visitors.

Goal AC-2: Programs and exhibits within the city are widely promoted, marketed, and attended.

- Policy AC-2.1: Promote reasonable tourism in Newport Beach to attract visitors and tourists interested in art, culture, and literary events to support and sustain local arts through coordination with the Chambers of Commerce and other community groups. (Imp. 24.1, 29.1)

- Policy AC-2.2: Conduct marketing through the City’s various social media and communications platforms to build public awareness and encourage participation in City-affiliated arts, culture, and literary activities. (Imp. 29.1)
- Policy AC-2.3: ~~Develop-Maintain and develop~~ regulations for the reasonable provision of banners on lights or other media materials in the public right-of-way to promote and advertise Newport Beach’s art and culture events across various villages and neighborhoods. (Imp. 8.1, 8.2, 29.1)
- Policy AC-2.4: Expand awareness of art and culture by integrating public art and culture tours as a regular component of community engagement. (Imp. 23.3, 29.1, 29.2, 30.1)
- Policy AC-5.42.5: Improve and enhance existing library facilities, collections, and computer and related facilities, such as but not limited, to the Media Lab. (Imp. 23.2)

Goal AC-3: A City with strong partnerships that support thriving arts, culture, and education

- Policy AC-3.1: Partner with the community and educational institutions to encourage and strengthen arts education for children, youth, adults, and older adults in the cityCity. (Imp. 14.2, 29.1)
- Policy AC-3.2: Where available, provide reasonable in-kind resources and services, such as advertisements, equipment, security, and space, to artists and organizations offering programs for the public and contributing to art and culture in Newport Beach. (Imp. 29.2)
- Policy AC-3.3: Collaborate with local art and culture groups to pursue private and community sponsorships and donations for art and culture events and programs. (Imp. 29.1, 29.2)

Financing Art and Culture

Investment from philanthropic organizations, the City, and community members can help the arts thrive by supporting local artists, providing new and upgraded facilities, and bolstering programs. Such financial contributions to the arts can increase both the quantity and quality of art and arts programs in the community. Funding and investment should reflect the high value the community places on the arts.

Goal AC-4: Funding that helps local artists and art programs flourish

- Policy AC-4.1: Partner with, and reasonably, support non-profit, private, and community organizations in applying for public and private grants and promote community and business donations that support art, culture, and literary activities. (Imp. 29.1, 29.2)
- Policy AC-4.2: Promote and support volunteer opportunities for public involvement in City-affiliated arts, culture, and literary programs and events. (Imp. 29.1, 29.2)
- Policy AC-4.3: Utilize culture resources outside of Newport Beach through the promotion of programs such as the Newport Beach Sister City Association and other culture exchange programs. (Imp. 29.1, 29.2)

Art and Culture Facilities and Assets

Facilities dedicated to the arts, such as galleries and performance halls including but not limited to Witte Hall, provide a place for the community to gather in appreciation of the arts and to promote Newport Beach as a regional destination for the arts. Additionally, integrating art into

existing community centers, libraries, recreation facilities, parks and other open spaces, as well as in private buildings, plays a vital role in realizing Newport Beach as a city of the arts. Such assets must be well-maintained, and they require a well-functioning system for accepting, maintaining, and rotating art and art-related activities/programs through public spaces and facilities to help sustain interest and ensure the high quality of exhibits. Developing guidelines and criteria for accepting art donations and acquisitions and dedicating staff to manage public art can ensure that the system for managing art is consistent and operates smoothly.

Goal AC-5: State-of-the-art facilities to host art exhibits and programs

- Policy AC-5.1: Explore opportunities to accommodate current or emerging culture and arts programs within existing and new facilities by working with community groups to facilitate sharing of performance and exhibit space, as well as consider the potential for new facilities. (Imp. 9.1, 29.1, 29.2)
- Policy AC-5.2: Explore reasonable opportunities, as needed, to create a new, larger arts center to host performances and exhibitions. (Imp. 1.1)
- Policy AC-5.3: Maintain the Newport Theatre Arts Center while exploring opportunities to enhance, expand, or relocate the facility based on community needs. (Imp. 9.1, 29.1, 29.2)
- ~~Policy AC 5.4: Improve and enhance existing library facilities, collections, and computer facilities. (Imp. 23.2)~~
- Policy AC-5.45: Amend-Consider amendments to the Zoning Code, as needed, to facilitate the temporary or interim use of vacant ground-floor commercial or lobby space for art exhibits, display space, and “pop up” art and culture activities. (Imp. 8.2)

Goal AC-6: A wide collection of art exhibited throughout the City

- Policy AC-6.1: Revise the City’s public art policy to (1) establish suitability criteria to guide the selection of sites for new and innovative public art installations in a manner that considers citywide needs and the balanced distribution of art throughout the city; (2) establish guidelines for the commissioning and conveyance of public art on private property; (3) refine guidelines and criteria for accepting art donations for display in public spaces and consider establishing guidelines for storage and long-term maintenance. (Imp. 8.2, 9.1)
- Policy AC-6.2 Pursue the adoption and regular updates of the ~~the adoption and update the Master Plan for 2014 Newport Beach Arts and Culture Plan and every five years or as necessary. Once adopted,~~ report periodically on implementation progress to City Council. ~~In the Master Plan for Arts and Culture identify~~ Identify future locations for public art citywide. (Imp. 8.2)
- Policy AC-6.3: Support the provision of reasonable staff resources for arts and culture programming, funding, arts management and maintenance, and coordination and communication with artists and City departments. (Imp. 30.1)

Historical Resources Element

PURPOSE

The Historical Resources Element focuses on the identification, documentation, preservation, and celebration of historical resources.

OVERVIEW

The Historical Resources Element focuses on the identification, documentation, preservation, and celebration of historical resources. Historic preservation is essential for preserving the unique character, culture, and identity of Newport Beach. By having systems in place to identify, preserve, and protect historical resources, the City is able to balance growth and development with the preservation of cultural and historical heritage while providing tangible benefits to the economy, environment, and the City's residents and visitors.

GOALS, POLICIES, ACTIONS

Identification of Historical Resources

Documenting and protecting archaeological and paleontological resources are crucial for preserving the evidence of human history and life forms of the distant past. These resources inform our understanding of ancient ecosystems and cultures. This stewardship fosters a culture of respect and responsibility, ensuring that future generations can continue to learn from and appreciate this history.

Goal HR-1: A city that recognizes and protects historically significant landmarks, sites, and structures

- Policy HR-1.1: Maintain and update as needed, the Newport Beach Register of Historical Property for buildings, objects, structures, and monuments having importance to the history or architecture of Newport Beach. (Imp. 9.1, 10.1, 29.2)
- Policy HR-1.2: Encourage local residents to research and nominate properties for review by the City and/or Newport Beach Historical Society. (Imp. 29.1, 29.2)
- Policy HR-1.3: ~~Develop~~Consider developing standards for the review of demolition, grading, and building permits prior to granting City approval based upon potential effects on historical resources. If demolition is granted, require photo documentation (in conformance with the standards outlined by the National Park Service Historic American Buildings Survey program) of inventoried historic structures prior to demolition. (Imp. 2.1, 8.1, 8.2)
- Policy HR-1.4: Encourage the preservation of structures listed in the National Register of Historic Places, and/or the list of California Historical Landmarks, and/or the Newport Beach Register of Historical Property. Provide reasonable incentives, such as waivers of application fees, permit fees, and/or any liens placed by the City for properties listed in the National Register of Historic Places, State Register, or the Newport Beach Register of Historical Property in exchange for preservation easements, designation applications, and other related preservation incentives. (Imp. 8.2, 29.2)
- Policy HR-1.5: ~~Complete a~~Consider preparing a Citywide Historic Context Statement to provide a consistent framework for evaluations and surveys. (Imp. 29.2)

- Policy HR-1.6: Every 10 years or as needed, ~~complete and update~~consider completing and updating a Citywide historical resources survey to identify historical resources. Include community, neighborhood, cultural, and historic preservation groups; property owners; land developers; and the building industry in planning and implementing historical surveys. (Imp. 29.2)
- Policy HR-1.7: ~~Consolidate all~~Consider provisions and policies related to historical resources under one ordinance in the Municipal Code to facilitate consistent application of the regulations and easier staff review. This ~~could may~~ include the following:
 - Establish the National Park Service Secretary of the Interior's Standards as the baseline City standard for project reviews, providing opportunity for certain projects to qualify for a categorical exemption under the California Environmental Quality Act (Class 31 Categorical Exemption).
 - Define categories of major and minor changes that would be subject to review, the review required, and the assigned decision-making body responsible for the associated determination.
 - Revise, consolidate, and better define the City's classification system for historical resources to align with the Federal and State systems of classification. Streamline the process for how landmarks are considered for listing in the City's classification system. One decision-making body (~~preferably the e.g. the~~ Planning Commission~~-or a newly established Cultural Heritage Commission~~) should be given authority to review, conduct hearings, and make recommendations to City Council on the adoption of the historical resources designation. (Imp. 8.1, 8.2, 9.1)
- Policy HR-1.8: ~~Support~~Consider supporting the provision of staff resources to hire or train a preservation planner to advise staff on matters related to historical resources. (Imp. 30.1)
- Policy HR-1.9: Consider taking the steps necessary to meet the requirements for becoming a Certified Local Government, including adopting a historic preservation ordinance, establishing a qualified preservation review commission, providing adequate public participation in the historic preservation program, and completing other responsibilities identified by the State. (Imp. 29.2)

Goal HR-2: Well-documented and protected archaeological and paleontological resources

- Policy HR-2.1: Allow access to historical records between local preservation and cultural groups and between City departments and County agencies to the extent legally permissible. (Imp. 29.2)
- Policy HR-2.2: ~~Complete and~~Consider completing, and updating~~ing~~ as needed, a Citywide Prehistoric and Ethnohistoric Context Statement to serve as a template for identifying, evaluating, and developing plans for the treatment of archaeological resources. (Imp. 29.2)
- Policy HR-2.3: Require that new development meet the applicable requirements of, in accordance with the California Environmental Quality Act (CEQA) with respect to, new development protect and preserve paleontological and archaeological resources from destruction, and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archaeological and

~~paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA. (Imp. 11.1)~~

- ~~• Policy HR-2.4: As permitted by law, maintain sources of information regarding paleontological and archaeological sites and the names and addresses of responsible organizations and qualified individuals who can analyze, classify, record, and preserve paleontological or archaeological findings. Require a qualified paleontologist/archaeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archaeological, or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archaeologist, subject to the approval of the City Planning Division. (Imp. 11.1)~~

Preservation of Historical Resources

Preserving the City's history is essential for maintaining its unique identity and cultural heritage. By celebrating and safeguarding historically significant landmarks, sites, structures, and legacy businesses, the City can honor the stories and achievements of past generations. Further, by recognizing and celebrating those who have contributed to Newport Beach's past, present, and future, our storied history can be captured. The recognition and protection of history not only enriches a community's sense of place and continuity but fosters civic pride and can attract tourism.

Goal HR-3: A city that celebrates, preserves, and protects its history

- Policy HR-3.1: Encourage alternatives to demolition of historical sites or structures by promoting architecturally compatible rehabilitation or adaptive reuse. ~~Provide~~ Consider incentives such as permit and application fee waivers, flexible building requirements, and free technical advice by person(s) qualified in historic preservation. (Imp. 8.2, 29.2)
- Policy HR-3.2: ~~Require that~~ Encourage proposed development located on a historic site or structure to incorporate a physical link to the past within the site or structural design, if preservation or adaptive reuse is not a feasible option. For example, consider incorporating historical photographs or artifacts within the proposed project or preserve the location and structures of existing pathways, gathering places, seating areas, rail lines, roadways, or viewing vantage points within the proposed site design. (Imp. 1.1, 29.2)
- ~~• Policy HR-3.3: Require that, prior to the demolition of a historic structure, developers offer the structure for relocation by interested parties. (Imp. 8.2)~~
- ~~• Policy HR-3.4: Require that, prior to the issuance of a demolition or grading permit, developers of a property that contains a historic structure as defined by the California Environmental Quality Act retain a qualified consultant to record the structure in accordance with U.S. Secretary of Interior guidelines and submit this information (which includes drawings, photographs, and written data) to the Newport Beach Historical Society, Orange County Public Library, and City Planning Division. (Imp. 8.2)~~
- Policy HR-3.53: Consider the development of a voluntary local Mills Act program to offset the ongoing stewardship and care of historic properties through property tax savings. (Imp. 8.2)
- Policy HR-3.64: ~~Develop~~ Consider developing a legacy business program that aims to recognize, honor, and support longstanding businesses within a community that have made

significant contributions to its history, culture, and identity. The program ~~could~~may include the promotion of legacy businesses and potential grants. (Imp. 8.2)

Celebrating Historical Resources

Education is a key tool for enshrining the City's history and ensuring that future generations appreciate and understand this heritage. Integrating local history into programs and events sponsored by the City, library, and others and promoting it through various media can create a well-informed community that values its roots. This awareness not only enhances residents' connection to their city but also helps future generations value the past.

The foundational history of Tribal nations of the City's land provides unique insight into the importance of cultural places. Native American groups and individuals hold special interest in the protection of cultural places. Tribal views toward protection and preservation of cultural resources in the City should be respected, and the history of Tribal nations should be recognized and ~~celebrated~~acknowledged.

Goal HR-4: A city that enshrines its history through education

- Policy HR-4.1: Encourage the placement of historical landmarks, photographs, markers, or plaques at areas of historical interest or value. ~~Create~~Consider creating a Landmark Plan that will recognize and designate culturally important heritage sites that are eligible for the placement of historical landmarks or plaques. The Landmark Plan ~~could~~may also identify funding opportunities to support the program, such as development fees, corporate or civic sponsorships, donations, or by utilizing General Funds. (Imp. 8.2, 9.1, 10.1, 29.2)
- Policy HR-4.2: ~~Expand~~Consider expanding interest in and knowledge of local history through historic landmarks, photographs, markers, and plaques, or self-guided walking tours as a means to promote and celebrate historic preservation in the City. Such information ~~could~~may be published on the City's website or made available through channels such as local publications and social media, to encourage thoughtful conversation about the history of Newport Beach. (Imp. 1.1, 29.1, 29.2, 30.1)
- Policy HR-4.3: ~~Coordinate with~~Encourage collaboration with local preservation organizations, like the Newport Beach Historical Society, to research, conduct outreach, and develop programs and activities to encourage and support historic preservation and cultural tourism. (Imp. 14.16)
- Policy HR-4.4: Encourage collaboration with local educational institutions on preservation programs, activities, and exhibits/collections. (Imp. 14.2)
- ~~Policy HR-4.5: Develop a program on local history and architecture for use in local classrooms, including age-appropriate materials that describe the importance of city history and historic preservation.~~
- Policy HR-4.6~~5~~5: ~~Consider encouragement of partnerships between~~Encourage local interested parties and historical societies ~~to partner and~~ to consolidate and share materials such as historical photographs, firsthand historical accounts and interviews, and any additional archival information. This ~~may~~could be done through the establishment of a City-recognized historical society or platform that welcomes representatives from various

existing groups to share resources and collectively provide input to the City on historical resources.

- ~~Policy HR-4.7: Leverage available outreach channels (such as local publications, TV channels, social media channels, etc.) to highlight and encourage visitation of historic landmarks.~~

Goal HR-5: A city and community that celebrate Tribal Cultural Resources

- ~~Policy HR-5.1: Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact Tribal Cultural Resources. Allow representatives of such groups to monitor grading and/or excavation of development sites. (Imp. 11.1)~~
- ~~Policy HR-5.2: Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible. (Imp. 11.1)~~
- Policy HR-5.13: Encourage ~~Ffoster~~ing government-to-government relationships with California Native American tribes in Newport Beach regarding issues of mutual concern. (Imp. 14.6)
- Policy HR-5.24: Encourage-Consider the use of foundational local history themes in public spaces that highlight California Native American tribes, in coordination with tribal representatives. (Imp. 29.2)
- Policy HR-5.3: Require that new development meet the applicable requirements of the California Environmental Quality Act (CEQA) with respect to tribal cultural resources.



CITY OF NEWPORT BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

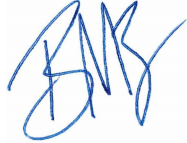
100 Civic Center Drive
Newport Beach, California 92660

949 644-3200

newportbeachca.gov/communitydevelopment

Memorandum

To: GPUSC Members

From: Benjamin M. Zdeba, AICP, Planning Manager 

Date: June 19, 2025

Re: Agenda Item IV(b) – Attachment 4 , Draft Harbor, Bay, and Beaches Element

As indicated in the agenda narrative, the Harbor, Bay, and Beaches Subcommittee met on April 30, 2025, to review the initial draft of the Harbor, Bay, and Beaches Element. After discussion on several key points, the Subcommittee provided feedback and allowed City staff to work with Dudek on responsive revisions. The updated draft was shared with the June 4, 2025 agenda packet for the full GPAC's review and consideration. As he could not attend the meeting, Subcommittee Chair Black provided written correspondence indicating his review and support for the draft Element moving forward for further review, input, and refinement. After some discussion and feedback from several members, the GPAC unanimously voted to share an updated draft with revisions based on the feedback received during the GPAC's meeting with the GPUSC for concurrence.

City staff (in consultation with Dudek), the Subcommittee, and GPAC are pleased to share the latest draft Harbor, Bay, and Beaches Element for the GPUSC's review. Please know that this is simply the text and is not fully formatted with graphics and photographs. The attachments show changes since the GPAC meeting in "redline-strikeout" format.

The recommended action is to support moving the draft Element forward for additional input by the Harbor Commission, Water Quality and Coastal Tidelands Committee, and possibly the Parks, Beaches, and Recreation Commission, and for the public to review and provide input on thereafter. The GPUSC's support for these drafts will not set them in stone, rather it will allow us to continue sharing for more input from others. The Elements will remain in draft form until they are ultimately adopted by the City Council.

Harbor, Bay, and Beaches Element

PURPOSE

The Harbor, Bay, and Beaches Element guides the preservation and enhancement of water-dependent recreational and commercial activities and uses along the beaches and in Newport Bay, which includes Upper Newport Bay and Newport Harbor in Lower Newport Bay.

OVERVIEW

The Harbor, Bay, and Beaches Element guides the preservation and enhancement of water-dependent recreational and commercial activities and uses along the beaches and in Newport Bay, which includes Upper Newport Bay and Newport Harbor in Lower Newport Bay. It builds upon the adopted General Plan's vision of balancing the needs of residents, businesses, and visitors while ensuring that Newport Bay and Harbor are accessible and preserved, offer recreational opportunities, and support the local economy. The Harbor, Bay, and Beaches Element addresses a wide range of topics, including land and water uses, harbor coordination and administration, public access to coastal resources, and coastal ecosystems.

The Harbor, Bay, and Beaches Element is coordinated with the Natural Resources, Recreation, Safety, and Land Use Elements to support the preservation of water-dependent recreational and commercial activities.

GOALS, POLICIES, ACTIONS

Land and Water Use

Diversity of Land Uses

Newport Beach offers a diversity of water uses opportunities to support recreation on Newport Bay and the wider Pacific Ocean. The recreational and boating activities include but are not limited to sailing, motorized, and human-powered vessels. Those vessels can be used for cruising, racing, and other competitive activities or for angling. Angling can also be enjoyed from many public docks and other locations throughout the harbor. Vessels can be secured to docks, slips, or mooring buoys in the harbor. There are also vessel storage facilities in off-water locations. As of 2024, Newport Harbor featured approximately 1,200 moorings spread across 10 offshore fields¹, the Balboa Peninsula, around Balboa Island and Lido Isle, and in West Newport. There are 15

¹ Nguyen, Lilly. "Pilot Program for Mooring Changes to Go to State Coastal Commission." *Los Angeles Times*, May 24 2023

public docks and 1 commercial public wharf within the harbor.^{2,3} There are approximately 1,100 docks and several commercial marinas.⁴ Additionally, dry storage facilities are available for boats on trailers, stands, and racks at various locations. Recreational and commercial use of the bay and harbor depend on prioritizing water quality and safety as well as coastal-dependent uses and coastal-related uses, such as chandleries⁵; service yards; boating launches, storage, and rentals; tourism-serving uses and recreation; habitat; and scenic areas. These uses contribute to the local economy, resident and visitor activities, and the character of the community.

Attracting tourism while preserving the unique character of coastal neighborhoods is key to maintaining the City's charm and appeal. This includes maintaining architectural components that match the City's character as well as protecting coastal-dependent uses, local businesses, and coastal resources. By supporting a tourism industry that celebrates Newport Beach's cultural and historical resources and community feeling, the City can create an attractive environment for residents and visitors alike.

Goal HBB-1: Local businesses and water-dependent commercial uses in the Newport Harbor area that are preserved to maintain and enhance the economic activity charm of the waterfront community.

- Policy HBB-1.1: Preserve and enhance the following uses that contribute to the diversity and charm of Newport Bay, including the Upper Bay, and the balance among them:
 - Water-dependent and water-related recreational activities such as boating, sailing, wind surfing, angling, kayaking, rowing, paddle boarding, and swimming
 - Water-dependent and water-related commercial activities such as passenger/sightseeing boats, passenger fishing boats ("day boats"), boat rentals and sales, entertainment boats, boat/ship repair and maintenance (shipyards), and harbor maintenance facilities
 - Water-enhanced commercial uses such as restaurants and retail stores
 - Water-related public recreation and education areas and facilities such as beaches, piers, view parks, and related public areas providing access to, and views of, Newport Harbor
 - Coastal residential communities (Imp. 2.1, 14.3, 14.6, 21.1, 24.1)

² City of Newport Beach. "City Celebrates Opening of New Public Dock, Welcomes First Electric Patrol Vessel Among U.S. Public Agencies." News release, August 27 2024.

³ City of Newport Beach. "Commercial Rhine Wharf Use Permit."

⁴ California State Lands Commission. AB 691 Summary – Newport Beach.

<https://slcprdwordpressstorage.blob.core.windows.net/wordpressdata/2022/09/ab691-summary-newportbeach.pdf>

⁵ A chandlery is a store or business selling maritime supplies. City's

- Policy HBB-1.2: Site and design new development to avoid significant impacts to existing and potential water-dependent and water-related uses. (Imp. 2.1, 7.1, 8.1)
- Policy HBB-1.3: Consider the impact on water-dependent and water-related land uses when reviewing proposals for land use changes, considering both the subject property and adjacent properties. (Imp. 2.1, 14.6, 24.1)
- Policy HBB-1.4: Encourage the preservation and enhancement, including new innovations of to existing marine support ~~uses~~ uses where appropriate, such as ferry service, fuel docks and shipyards serving the needs of existing waterfront uses and the boating community and ~~evaluate~~ evaluation of impediments to access, such as bridges across Ceity controlled roads that may prevent on-land transportation of tall loads.
(Imp. 2.1, 14.3, 14.6, 21.1)
- Policy HBB-1.5: Accommodate private sector uses, such as vessel assistance, that provide emergency, environmental enhancement, and other services that are not provided by the public sector and that are essential to the operation of a working harbor. (Imp. 21.3, 21.4)
- Policy HBB-1.~~76~~: Discourage reuse of properties that result in the significant reduction of water-dependent commercial uses. Allow the reuse of properties that assure water-dependent uses remain, especially in those areas with adequate infrastructure and parcels suitable for redevelopment as an integrated project. (Imp. 2.1, 14.3, 24.1)
- Policy HBB-1.~~87~~: When establishing land use regulations, consider the operational characteristics of land uses that support Newport Harbor and whether such uses can be or should be relocated to inland locations and/or if technological advances will eliminate the need for such support uses in the foreseeable future. (Imp. 2.1, 14.3, 21.1)
- Policy HBB-1.~~98~~: Support continued operation of passenger/sightseeing boats, passenger fishing boats ("day boats"), and long-term boat rentals and sales. (Imp. 2.1, 21.1)
- Policy HBB-1.~~109~~: Support continued short-term rental of small boats while encouraging vendors to teach customers how to safely operate the watercraft. (Imp. 2.1, 21.1, 21.3)
- Policy HBB-1.~~1110~~: Support continued operation of entertainment and tour boats, subject to reasonable regulations designed to ensure the operations do not have an unreasonable adverse impact on the environment and land uses surrounding the harbor, such as unsafe navigation, impaired water

quality, reduced visual quality, excessive noise, unsafe street traffic conditions, or parking shortages.
(Imp. 14.3, 21.3)

Goal HBB-2: Minimized risk of displacement by coastal hazards

- Policy HBB-2.1: Adopt a well vetted and comprehensive Sea Level Rise Plan consistent with relevant state and federal legislation and appropriately update the Local Coastal Program, including the Land Use Plan and Implementation Plan, as reasonably necessary. The Sea Level Rise Plan should at least consider:
 - Preservation of private property rights
 - Preservation and migration of inter-tidal habitats
 - Preservation of public access
 - Protecting and retrofitting critical infrastructure, such as water and wastewater infrastructure (Imp. 5.1) (Policy S-1.1.1).
- Policy HBB-2.2: Provide information to at-risk property owners about disaster preparedness and best practices (Community Involvement).
- Policy HBB-2.3: Collect king tide and related flood monitoring data to identify location, severity, and frequency of flooding by working with non-profits, educational institutions, and other informed sources, such as but not limited to the Newport Bay Conservancy and Back Bay Science Center. .
(Community Involvement)

Goal HBB-3: A harbor, bay, and beaches that attract tourism and maintain the character of coastal neighborhoods

- Policy HBB-3.1: Encourage the creation of reasonable waterfront public spaces and beaches, with adjacent public water access and docking facilities that serve as the identity and activity “centers” of Newport Harbor for special events of community/regional interest. (Imp. 20.1, 20.2, 20.3)
- Policy HBB-3.2: Preserve and/or enhance existing water-enhanced, water-related, and water-dependent commercial uses and marine-oriented commercial areas through building improvements and programs that preserve the design and character of Newport Harbor. (Imp. 2.1, 24.1)

Goal HBB-4: Provide and support sufficient coastal infrastructure that protects coastal-dependent and public recreational uses and view corridors while matching the character of the surrounding development and protecting coastal and visual resources

- Policy HBB-4.1: Balance private property rights, natural harbor tidal and current forces, other coastal processes (such as erosion and accretion), and harbor aesthetics with other public access policies when considering siting and design for new or renovated bulkhead permits. (Imp. 2.1, Imp. 5.1) (Policy S-1.1.5)
- Policy HBB-4.2 Permit and design bulkheads and groins, when allowed, to protect the character of the existing beach profiles and restore and/or sustain eroded beach profiles found around Newport Harbor and island perimeters. (Imp. 2.1, 5.1)
- Policy HBB-4.3: Limit structures bayward of the bulkhead line to piers, floats, groins, appurtenances related to marine activities, and public walkways. (Imp. 2.1, 5.1)
- Policy HBB-4.4: Employ City, County of Orange, State, and Federal regulations and resources to promptly remove derelict, abandoned, or unseaworthy vessels from City-controlled tidelands. (Imp. 14.3, 14.6, 21.1, 21.4)

Harbor Coordination and Administration

Administration of Newport Harbor and Bay involves coordination among various government agencies and internal City departments. Several commissions and committees handle administrative and advisory tasks, including advising the City Council, reviewing decisions, and managing permits.

One of the **Harbor Commission's** primary charges under Section 713 of the Newport Beach City Charter is to advise the City Council on all matters related to the Newport Harbor, including improvements, vessel

regulation Per section 709 of the Newport Beach City Charter **The Parks, Beaches, and Recreation**

Commission advises the City Council on parks, beaches, recreation, and street trees. It helps plan and promote recreational programs, establishes policies for park and beach development, and manages trees and shrubs, subject to City Council authority.

The Water Quality/Coastal Tidelands Committee advises the City Council on water quality and habitat protection in Newport Bay and the ocean. It strengthens regulations, implements the Tidelands Infrastructure Capital Plan, ~~Harbor and Beaches Master Plan,~~ and recommends educational initiatives about Newport Bay and the ocean.

The California Department of Parks and Recreation owns and has delegated to the City the development, operation, control, and maintenance of Corona del Mar State Beach, a popular spot for surfing and diving. The park features a 0.5-mile sandy beach enclosed by rocky cliffs.

Goal HBB-5: Coordination ~~between~~ among the City, ~~and~~ County, State, and Federal agencies having regulatory authority in Newport Harbor and Bay

- Policy HBB-5.1: Periodically review and update as appropriate all Newport Harbor planning, design, engineering, and environmental criteria, standards, requirements, and processes. (Imp. 9.1, 21.1, 21.4)
- Policy HBB-5.2: Provide harbor access for harbor maintenance equipment and facilities, including dredging; dock demolition, repair, and construction; mooring services; debris and spill management equipment; and general harbor construction, maintenance, and repair. (Imp. 14.3, 14.6, 21.1, 21.4)
- Policy HBB-5.3: Work with other controlling agencies within Newport Harbor and/or Bay to define an area that can support harbor maintenance facilities and equipment. (Imp. 14.3, 14.6, 21.1, 21.4)

Goal HBB-6: Maintenance and enhancement of deep-water channels to ensure they remain navigable by boats

- Policy HBB-6.1: Develop a comprehensive sediment management program that provides for safe navigation and improved water quality. (Imp. 14.3, 14.11, 21.1)
 - Policy HBB-6.2: Cooperate with the U.S. Army Corps of Engineers in their maintenance and delineation of Federal navigational channels within Newport Harbor in the interest in providing safe navigation. (Imp. 14.11)
 - Policy HBB-6.3: Secure blanket permits or agreements through the regulatory agencies to expedite permit processing for residential and commercial dock owners in the Bay. (Imp. 14.6, 14.11)
- Goal HBB-7: Protect and restore beaches and dunes
- Policy HBB-7.1: Encourage the use of nature-based solutions, such as dune restoration and sand replenishment and nourishment, as alternatives to traditional infrastructure. (Imp. 8.1, 21.2) (Policy S-1.1.4)

Goal HBB-7: Protect and restore beaches and dunes

- Policy HBB-7.1: Encourage the use of nature-based solutions within reason, such as dune restoration and sand replenishment and nourishment, as alternatives to traditional infrastructure. (Imp. 8.1, 21.2) (Policy S-1.1.4)

- Policy HBB-7.2: Develop and implement a comprehensive sand replenishment program to assist in maintaining beach width and elevations. Analyze monitoring data to determine sand replenishment

and nourishment priorities, and try to use sand replenishment and nourishment as shore protection, in lieu of more permanent hard shoreline armoring options. (Imp. 8.1, 21.2)

- Policy HBB-7.3: Monitor/analyze beach width and elevation data to establish beach erosion thresholds at which backshore development becomes unreasonably exposed to wave runup flooding risks (Policy S-1.3.2) (Imp. 28.1)
- Policy HBB-7.4 During Emergency Operations Plan updates, reevaluate protocol for the coordinated emergency use of public and private coastal facilities and equipment (i.e., partnerships for allowed use of docks) in advance of flood, storm, pollution, dredging, vessel sinking, and other potentially hazardous events to supplement existing safety and rescue operations. (Imp. 28.2) (Policy S-1.1.5)

Economic Value of Newport Harbor

Newport Harbor is one of among the largest recreational boat harbor on the West Coast, with a thriving coastal and visitor-serving industry that includes maritime-related businesses (i.e., shipyards, fueling facilities, boat rentals, charters, ferry services) as well as food and beverage, retail, and hotel industries that service the community and visitors.

Based on the most recent study of Newport Harbor's economic value in As of 2018, commercial activity at the harbor directly generated \$391.9 million in economic output, supported 4,807 jobs, and generated \$167.5 million in labor income. The City and Orange County revenues that the harbor generates through business licenses, mooring fees, and other fees total an estimated \$7 million each year. The annual Christmas Boat Parade generates roughly \$6.5 million each year from its 1 million attendees. Homes that surround the harbor benefit from higher assessed value, with an average value of just over \$3 million.⁶

Administration and management of the harbor, bay, and beaches includes coordination between departments, public investment balanced with revenue, and well-maintained public facilities. Efficient and effective management policies will maintain the City's ability to provide high-quality services that are accessible to a broad range of people and business.

⁶ Beacon Economics. *Fiscal Impact Analysis of Newport Harbor: Final Report*. Newport Beach, CA: Newport Harbor Foundation, May 4, 2018. <https://newportharborfoundation.org/wp-content/uploads/Beacon-Economics-Newport-Harbor-Fiscal-Analysis-May-2018.pdf>.

Goal HBB-8: Well-managed and economically productive harbor, bay, and beaches

- Policy HBB-8.1: Protect and, where feasible through the use of new designs and technology, enhance and expand marinas and dry boat storage facilities. (Imp. 2.1, 21.1)
- Policy HBB-8.2: Provide a variety of berthing and mooring opportunities, including lower-cost recreational boating, throughout Newport Harbor, reflecting state and regional demand for slip size and affordability. (Imp. 2.1, 21.1)
- Policy HBB-8.3: Provide anchorages in designated Federal areas that minimize interference with safe navigation and where shore access and support facilities are available. (Imp. 2.1, 21.1)
- Policy HBB-8.4: Authorize, pursuant to permit, license, or lease, new and existing piers and docks bayward of waterfront residential properties, subject to appropriate conditions that ensure compatibility with residential uses. (Imp. 2.1, 21.1)
- Policy HBB-8.5: Facilitate access to vacant moorings for temporary rental use. (Imp. 2.1, 21.1)
- Policy HBB-8.6: Foster public access to moorings by enforcing and refining the derelict boat ordinance and regulating permitted transfers by permit holders. (Imp. 2.1, 21.1)
- Policy HBB-8.7: Allow “live-aboard” vessels, subject to a reasonable maximum number of renewable annual permits, and provide for regulation and vessel inspection. (Imp. 2.1, 21.1)

Goal HBB-9: Cost-efficient servicing and managing of Newport Harbor

- Policy HBB-9.1: Explore revenue options to receive a ~~reasonable rate~~reasonable rate of return from all tideland users to recapture related City investment, services, and management costs. (Imp. 30.2)
- Policy HBB-9.2: Provide alternative and supplemental Newport Harbor funding, including seeking Federal and State grants, loans, or partnership agreements for boater safety, education, maintenance, and capital improvements of Newport Harbor. (Imp. 30.2)
- Policy HBB-9.3: Review the administration of tidelands leases and permits and consider accepted best management practices to assist in redevelopment, maintenance, and financing of waterfront developments and reflect reasonable value in the lease rates. (Imp. 30.2)
- Policy HBB-9.4: Review costs and procedures to receive reasonable cost recovery for permit processing. (Imp. 21.1)

Public Access to Coastal Resources

Newport Beach has a well-established system of accessways to ocean beaches and the bay, including public beaches, parks, shoreline trails, walkways, and boardwalks. The City protects public access from adverse impacts due to new development, per the California Coastal Act.

Higher tides and storm surges from sea-level rise can accelerate some erosion of sandy beaches, ~~which, these~~ **impacts** can often be mitigated through sand nourishment and replenishment. This increased erosion may impact public access to the many beach areas, and thus in extreme cases, to public access within Newport Beach. Additionally, unmitigated bluff erosion, which may increase due to sea-level rise, may cause loss and damage to development, including roads, sidewalks, and beach and harbor access points in Corona del Mar and Newport Coast. The possibility of this occurring is greatest in long-term, worst case sea-level rise scenarios.

Higher sea levels may also lead to increased risk of coastal flooding during consequential storms, which can also temporarily impede access to the beach and harbor. Low-lying beach access points may be threatened by significant sea-level rise.

The Safety Element includes maps and additional detail on sea-level rise, potential coastal flooding, and beach erosion.

Access to coastal resources provides recreational, health, and economic benefits. The harbor, bay, and beaches should be valued for the recreational opportunities they provide, and reasonable access should be provided and maintained for current and future generations. Enhanced reasonable recreational opportunities and user amenities should be available at appropriate locations to enhance the user experience.

Notwithstanding the foregoing, the construction of additional hard surface, possibly environmentally compromising concrete Boardwalk strips along ~~City~~ beachfronts accompanied by pedestrian, bicycle, skateboard, scooter, rollerblade, or other transportation activity, should be balanced against the needs of those who prefer a less intrusive, uninterrupted, quieter, pristine beach experience.

Goal HBB-10: Safe and accessible beach and harbor access points

- Policy HBB-10.1: Provide adequate public access to the shoreline, beach, coastal parks, trails, and bay; acquire additional public access points and consider new vertical access points to these areas and provide parking, where possible. (Policy R 7.4) (Imp. 2.1, 5.1, 20.2)

- Policy HBB-10.2: Ensure that new or improved public access facilities are compatible with existing permitted land uses and with the availability of supporting infrastructure, such as parking and restrooms. (Imp. 2.1, 21.1)
- Policy HBB-10.3: Assess beach and harbor access points that are at risk of impacts from coastal hazards, and create long-term management plans to maintain or replace with similar access. (Local Coastal Plan)
- Policy HBB-10.4: Maintain and enhance existing infrastructure to support accessibility for a range of users with varied abilities, including enhanced restrooms, parking, bike racks, and other supportive infrastructure. (Local Coastal Plan)
- Policy HBB-10.5: Provide for marine safety such as lifeguards, harbor patrol, police, traffic, and parking enforcement. (Imp. 23.1, 21.4)

Goal HBB-11: Multifaceted and integrated coastal access

- Policy HBB-11.1: Encourage the provision of guest slips, moorings, vessel waste pump-out stations, and anchorages in Newport Harbor. Coordinate with the Orange County Parks Department to provide such facilities where appropriate and feasible within ~~county~~ County tidelands. (Policy R8.3) (Imp. 14.3, 23.1)
- Policy HBB-11.2: Enhance and maintain public water transportation services and expanded public water transportation uses and land support facilities. (Imp. 16.12)
- Policy HBB-11.3: Coordinate the location of marine terminals with other components of the transportation system to ensure convenient multimodal access and adequate parking. (Policy CE 5.2.1) (Imp. 16.12)
- Policy HBB-11.4: Promote opportunities to expand water transportation modes, such as water-based shuttle services and water taxis, and land-based transportation modes aimed at increasing coastal access, such as Balboa Peninsula Trolley. (Policy CE 5.2.2). (Imp. 16.12)
- Policy HBB-11.5: Update wayfinding signage designs to improve accessibility to coastal areas and represent neighborhood character.
- Policy HBB-11.6: Assess potential improvements to wayfinding in coastal areas highlighting visitor resources. (Local Coastal Program)

Upper Newport Bay Upper Newport Bay, nestled in the heart of ~~the city~~City Newport Beach, is one of the largest remaining wetlands in the region, spanning ~~about 1,000 acres~~approximately 700 acres.⁷ This area provides sanctuary to a diverse array of fish, birds, reptiles, plants, and other species. Also known as the Back Bay, this estuarine ecosystem is a popular destination for migratory birds, offering numerous birdwatching opportunities. The Upper Newport Bay State Marine Conservation Area, covering just over 1 square mile, includes lagoons, tidal flats, and coastal marsh habitats. It protects a variety of small mammals, fish, birds, crustaceans, and other creatures, including some endangered species, and provides residents and visitors opportunities for recreation. This area is vitally important as a rest stop for migratory birds, with up to 30,000 birds visible in a single day during winter migration periods.

Management of this ecological reserve balances conservation with public access, governed by policies that protect sensitive habitats while promoting educational and recreational opportunities. Public access considerations include trails, walkways, and educational facilities that allow visitors to experience this ecological treasure while minimizing environmental impacts. Upper Newport Bay exemplifies the delicate balance between preserving critical habitat and providing meaningful public access to natural coastal resources.

Goal HBB-12: Protect the visual and ecological resources Upper Newport Bay

- Policy HBB-12.1: Maintain public use ~~of the~~in Upper Newport Bay Nature Preserve and Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Imp. 2.1, 23.1)
- Policy HBB-12.2: (NR-11.1): Continue interagency coordination ~~through the~~with entities such as, but not limited to, Newport Bay Watershed Executive Committee. (Interagency coordination or Community Involvement)
- Policy HBB-12.3 (NR-12.1): Preserve, where possible, natural watercourses or provide naturalized drainage channels within the ~~city~~City. Where feasible, implement restoration and rehabilitation opportunities. (Water)
- Policy HBB-12.4 (NR-12.2): Continue to coordinate the needs of stormwater pollution management with the overlapping (and sometimes competing) needs for habitat management, flood management, capital improvement projects, development, aesthetic, and other open space needs. (Water)

⁷ Newport Bay Conservancy. 2024. Bay Management <https://newportbay.org/the-bay/bay-management/>

- Policy HBB-12.5: Provide alternative and supplemental Upper Newport Bay funding, including seeking Federal and State grants, loans, or partnership agreements for boater safety, education, maintenance, and capital improvements of the estuary and conservation areas.
- Policy HBB 12.6: Protect and manage visual and scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.
- Policy HBB 12/7 Encourage new public and private development to create new public viewpoints providing views of Upper Newport Bay.