



PUBLIC WORKS  
100 Civic Center Drive  
Newport Beach, CA 92660

### HARBOR PERMIT/APPROVAL IN CONCEPT

HARBOR PERMIT/APPROVAL IN CONCEPT BY THE CITY OF NEWPORT BEACH as required for permit application to the South Coast Area Office of the California Coastal Commission pursuant to the California Coastal Act of 1976 (Pub. Res. Code § 30000 et seq.) and applicable implementing regulations (14 CCR § 13001 et seq.)

<b>General Description of Proposed Development:</b>
Reconfigure a portion of the shared residential float and relocate three piles.

<b>Property Address:</b> 2227 Bayside Drive
<b>Legal Description:</b> N/A

<b>Harbor Permit Number:</b> N/A
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<b>Plan Check Number:</b> HAIC2025-0011
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<b>Owner:</b> Gary Smith
<b>Owner's Mailing Address:</b> 2227 Bayside Drive, Corona Del Mar, CA 92625
<b>Phone Number:</b> Swift Slip Dock and Pier Builders, Inc. (949-631-3121)

I have reviewed the plans for the foregoing development including:

1. The general site plan including any roads and public access to the shoreline.
2. The grading plan, if any.
3. The general uses and intensity of use proposed for each part of the area covered in the application.

And find:

- They comply with the current adopted Newport Beach General Plan, Municipal Code Title 17, and any applicable specific or precise plans or,
- That a variance or exception has been approved and final.

A copy of any variance, exception, conditional use permit or other issued permit is attached hereto, together with all conditions of approval and all approved plans including approved tentative tract maps. On the basis of this finding, these plans are approved in concept and said approval has been written upon said plans, signed and dated.

Should Newport Beach adopt an ordinance deleting, amending or adding to the Municipal Code or other regulations in any manner that would affect the use of the property or the design of a project located thereon, this Approval In Concept shall become null and void as of the effective date of this said ordinance.

In accordance with the California Environmental Quality Act of 1970, and state and local guidelines adopted thereunder, this development:

- Has been determined not to be a "project" or not to cause the requisite impact on environment to trigger CEQA.
- Has been determined to be subject to ministerial decision of City or to be statutorily or categorically exempt.
- Is subject to an adopted Negative Declaration or Mitigated Negative Declaration (copy attached).
- Is subject to a certified Environmental Impact Report (copy attached).

All discretionary approvals legally required of the City of Newport Beach prior to issuance of a harbor permit and a building permit have been given and are final. The development is not subject to rejection in principle by Newport Beach unless a substantial change is proposed.

This concept approval in no way excuses the applicant from complying with all applicable federal and state laws and any policies, ordinances, codes and regulations of the City of Newport Beach. **See attached Special Conditions, which are incorporated herein this Approval in Concept.**

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Chris Miller, Public Works Manager

Date

**Attachment:** Special Conditions



Public Works  
100 Civic Center Drive  
Newport Beach, CA 92660

## **Special Conditions**

May 13, 2026

Project: Reconfiguration of Residential Dock  
Address: 2227 Bayside Drive

The approval in concept of the subject project at the above referenced address, described as reconfiguring a portion of the shared, residential pier and relocating three piles, is subject to the following conditions:

1. The above referenced project and structure(s) is subject to all applicable federal, state, county and City of Newport Beach statutes, rules, ordinances, laws, and regulations including but not limited to Title 17 of the Newport Beach Municipal Code.
2. Any future work on the above-mentioned structure(s) beyond that which is expressly permitted herein may require permits from the City of Newport Beach and any other applicable agencies. Painting and work considered to be cosmetic in nature does not require a permit. This approval does not extend to any changes to the operational characteristics, structures, and project beyond those expressly included as part of this approval.
3. The conditions set forth in this document pertain to the project as approved in concept. Any future modifications or alterations may require additional and/or updated conditions which may override or change these conditions. These conditions supersede all past conditions associated with this property.
4. Only marine oriented uses are allowed on the pier, pier platform, gangway, and float. Patio furniture, plants etc. are not permitted.
5. In accordance with subsections A and B.3 of the Newport Beach Municipal Code section 10.08.030 (Use of Streets and Sidewalks for Commercial Purposes), as amended from time to time or any other successor statutes thereto, the project applicant shall obtain the proper permits for equipment and materials storage.

6. The project shall be implemented in conformance with the current version of the City of Newport Beach Local Coastal Program – Coastal Land Use Plan.
7. The noise regulations in Newport Beach Municipal Code Section 10.28.040 (Construction Activity – Noise Regulations), as amended from time to time or any other successor statute thereto, apply.
8. **Vessels may not extend bayward beyond the end of the fingers by a distance of more than the maximum width of the vessel’s beam.**
9. **The side property lines extend in the water along their same bearing. Vessels shall not encroach upon the neighbor’s property on either side.**
10. **The maximum beam of a vessel that is permitted to permanently side-tie to the western finger float is 6-feet.**
11. All required insurance shall be maintained in full force and effect during the pendency of this approval in concept.
12. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney’s fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City’s Approval in Concept, the applicant’s exercise of this Approval in Concept, the activities of the applicant carried on under authority of this Approval in Concept, and/or any related California Environmental Quality Act determinations. This indemnification shall include, but not be limited to, damages awarded against the City if any, costs of suit, attorney’s fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify City for all of City’s costs, attorney’s fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

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Chris Miller, Public Works Manager	Date
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Pier Permittee Signature (2227 Bayside Drive)	Print Name	Date
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Joint Pier Permittee Signature (2231 Bayside Drive)	Print Name	Date
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