



Public Works
100 Civic Center Drive
Newport Beach, CA 92660

Special Conditions

August 13, 2025

Project: Reconfiguration of Residential Dock
Address: 2100-2102 E. Balboa Blvd.

The approval in concept of the subject project at the above referenced address, described as reconfiguring both dock systems by combining them into one dock system that spans the future merger lots, and maintaining two U-shaped slips and a single side-tie dock parallel to the bulkhead, 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 float adjacent to 2102 E. Balboa Blvd is 27-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.

Chris Miller, Public Works Manager

Date

Applicant Signature (2100 & 2102 E. Balboa Blvd. Print Name

Date

Joint Pier Applicant Signature (if applicable) Print Name

Date