



CITY OF

NEWPORT BEACH

Harbor Commission Staff Report

May 11, 2022
Agenda Item No. 6.2

TO: HARBOR COMMISSION

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TITLE: Create and Appoint Members to a Proposed Ad Hoc Committee to Review City Council Policy H-1 – Pier and Float Extensions Beyond the Pierhead Line

ABSTRACT:

At the Harbor Commission meeting on April 13, 2022, the Harbor Commission requested consideration of establishing a subcommittee to review the City Council Policy H-1. Council Policy H-1 was last revised on September 14, 2021. The Commissioners feel now is an appropriate time to review and potentially revise the policy based on feedback and experience with the current version. Once convened, the subcommittee will review the current H-1 Policy and make recommendations on potential changes.

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) Establish a subcommittee and appoint Harbor Commissioners to review and recommend revisions to the current City Council Policy H-1. Identify up to three Harbor Commissioners to serve on the subcommittee.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The Harbor Commission typically sets up Ad-Hoc Committees or Sub-committees to review various policies within the harbor. Based on recent discussions at a Harbor Commission meeting, the Commissioners requested a new subcommittee be convened to review the current version of City Council Policy H-1.

Newport Beach Municipal Code (NBMC) Section 17.35.030(A) provides that piers and

floats may not extend bayward beyond the pierhead line unless approved in compliance with Council policy H-1. Based on recent experience applying the H-1 policy to various dock reconfiguration applications that have come before the Commission for review, the Commissioners feel it appropriate to review the policy and potentially make recommendations for revisions.

The purpose of the subcommittee is to research and evaluate field conditions, operational characteristics, and application of the current H-1 policy. Based on the subcommittee's research, findings and conclusions, recommendations may result on how to improve the H-1 policy going forward.

The subcommittee will return to the full Harbor Commission and report on their efforts and any recommendations.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council 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, Chapter 3, because it has no potential for resulting in 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 City Council considers the item).