



CITY OF

NEWPORT BEACH

Harbor Commission Staff Report

May 8, 2019
Agenda Item No. 6.3

TO: HARBOR COMMISSION

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TITLE: Proposed Maximum Time Limit Zones – 15th Street Public Dock

ABSTRACT:

Public docks have been provided by the City at various locations throughout the Harbor, for the purpose of loading and unloading passengers, supplies, boating gear, short-term mooring and similar purposes. It is the policy of the City to maintain such facilities in a manner that will permit the greatest public use and avoid continuous occupancy, congestion or blocking thereof. Where necessary to achieve this objective, the Harbormaster is authorized and directed to post dock markings or signs limiting the time during which a vessel may be tied up or secured.

To advance this objective, the Harbor Department is recommending reassignment of approximately twenty-seven feet of linear dock space at the 15th Street Public Dock, currently designated for vessels secured up to a seventy-two (72) hour maximum to a proposed twenty-four (24) hour maximum.

RECOMMENDATION:

- 1) Find this action exempt from 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.
- 2) Approve staff recommendation to reassign the proposed maximum allowable time period for a vessel to occupy this section of the 15th Street Public Dock from seventy-two (72) hours maximum to twenty-four (24) hours maximum as shown on Attachment A.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The 15th Street Public Dock is one of the most heavily trafficked short-term docking locations in the Harbor. It is located near the J and H mooring fields (with 212 moorings collectively). The dock is also located adjacent the actively used American Legion property, a large residential

neighborhood, and various nearby commercial services and retail stores, all of which contribute to the high use demand at this location.

Currently the maximum time designations for use of the dock are marked as follows:

- Seventy-five (75) linear feet for tie-ups not to exceed seventy-two (72) hours.
- Thirty-six (36) linear feet for tie ups not to exceed three (3) hours.
- Forty-six (46) linear feet for tie-ups not to exceed 20 minutes

Three of the primary stakeholder groups that utilize this dock are live-aboard permittees, mooring permittees and short term sub-permittees, who are staying overnight aboard their vessels under the allowable conditions provided for in Title 17 of the City's Municipal Code. From informal discussions with members of these groups, as well as feedback received at recent Harbor Visioning meetings, Harbor Department staff have learned that the current dock time designations do not adequately address their needs at this location. Examples include: docking a dinghy in order to go ashore for work-shifts, extended appointments, day-trips or recreational activities. Harbor users have reported that when they make use of the dock for these types of activities, they often find the seventy-two hour area fully occupied.

This results in the hypothetical boater who has an eight (8) to twelve (12) hour docking need to make use of the three (3) hour time zone, intentionally overstaying in that designated area. This behavior results in a cascading effect, limiting space available for those intending to use the dock for three hours or less.

To address this concern, Harbor Department staff is recommending reassignment of twenty seven (27) linear feet of dock for twenty-four (24) hour maximum use, reducing the space now assigned to seventy-two (72) hour maximum use by this same amount.

Should the Harbor Commission support this recommendation, staff will actively monitor the modified zones assessing over time if the change results in improved utilization.

ENVIRONMENTAL REVIEW:

Staff recommends the Harbor Commission find this action exempt from 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 Harbor Commission considers the item).

ATTACHMENTS:

Attachment A – 15th Street Public Dock Diagram with Proposed Changes in Markings