



CITY OF

NEWPORT BEACH

City Council Staff Report

February 11, 2020
Agenda Item No. 11

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Resolution No. 2020-18: Proposed City Council Policy – Offshore Mooring Extensions

ABSTRACT:

At the Harbor Commission meeting of November 13, 2019, the Harbor Commission reviewed proposed amendments regarding offshore mooring extensions in conjunction with their review of Title 17 and implementation of Goals and Objectives to “Establish policies for modifications to mooring sizes”. The Commission reviewed and approved the attached policy for City Council consideration.

RECOMMENDATION:

- a) 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
- b) Adopt Resolution No. 2020-18, *A Resolution of the City Council of the City of Newport Beach California, Adopting a City Council Policy H-3 “Application to Request Modification of Mooring Permit to Accommodate a Larger Vessel.”*

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

On July 1, 2017, the City took over the management of the City’s offshore and onshore mooring fields. The City manages over 1,200 moorings located within the Harbor and approximately 800 of those are offshore moorings in eight mooring fields. Over the past several years, the Harbor Department has received a number of requests to lengthen moorings and determined that neither the City’s Municipal Code nor the Harbor Department had a process or method to grant a mooring extension request.

On October 10, 2018, a subcommittee of the Harbor Commission (Ira Beer and John Drayton) was appointed to review the offshore mooring extension process. The subcommittee worked with the City's Harbor Department and Information Technology staff to determine the existing mooring configurations within each row and field. As the subcommittee soon discovered, there is no best practice for establishing maximum lengths and vessel mixes within mooring fields. In addition, mooring fields are often odd shaped and conditions in each mooring field differ.

The subcommittee's goals in establishing the maximum lengths is threefold: 1) to ensure the fields are safe and have adequate maneuverability; 2) to maximize the space within the mooring fields in the most effective manner possible and 3) provide staff and the community with guidance for mooring field extension requests.

The subcommittee developed a general methodology for use in evaluating and providing guidance with future requests by mooring permittees to modify/extend established mooring lengths. Attachment A to H-3 features a table with the following informational fields: 1) *Mooring/Field Row* – intended to designate individual rows within each field. Each row contains one or more moorings (used for the offshore storage of vessels). 2) *The Mooring Length in Row. As of 2/12/20* this column represents the longest mooring/boat currently assigned in the row as of 2/12/20. For example, Row A-1, the longest mooring/vessel is 45 feet long. 3) *Maximum Length Based Upon Site Conditions* – this is the recommended maximum length for future vessel assignments for that row. Please note that in some cases, existing vessel assignments (approved prior to the development of this tool and space analysis) may exceed the maximum length for future assignments.

The Harbor Commission approved the proposed City Council Policy to implement the mooring extensions, which is presented here as Attachment A. The draft policy will require the Harbormaster to review each request to make a determination if the vessel length extension is appropriate for each specific mooring. There are several locations in the mooring fields in which the fairway within the field is very narrow, is irregular or the row is adjacent to a public beach or restricted navigational area and the Harbormaster must use judgement to ensure the boat will not infringe on the other mooring permittees.

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).

ATTACHMENT:

Attachment A – Resolution No. 2020-18