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NEWPORT BEACH

Harbor Commission Staff Report

March 11, 2020
Agenda Item No. 6.3

TO: HARBOR COMMISSION

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TITLE: Proposed Maximum Time Limit Zones – 19th 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 various sections of dock, with the objective of improving overall utilization of the available dock space, consistent with the City's policy.

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 vessels to occupy sections of the 19th Street Public Dock as shown on Attachment A.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The 19th 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 a public beach and public restroom, 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:

- Eighty-three (83) linear feet for tie-ups not to exceed 20 minutes
- Forty-five (45) linear feet for tie-ups not to exceed three (3) hours.
- Eighty-eight (88) linear feet for tie-ups not to exceed seventy-two (72) hours.

Three of the primary stakeholder groups that utilize this dock are live-aboard permittees, mooring permittees (both commercial and recreational) 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 approximately thirty-one (31) linear feet on the west side of dock from three (3) hour to twenty-four (24) hour maximum use; reassigning approximately eighty-three (83) linear feet on the north side of the dock from twenty (20) minute to three (3) hour maximum use; and reassigning approximately twenty-one (21) linear feet on the east side of the dock from three (3) hour to twenty 20 minute maximum use.

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 – 19th Street Public Dock Diagram with Proposed Changes in Markings.