

Harbor Commission Ad-Hoc Committee

Review of Title 17

Public Meetings

April 8 and May 6, 2019

Marina Park at 6 p.m.

Sections to be Reviewed

17.10 Definitions

17.05 General Provisions

17.20 Vessel Launching and Operation

17.25 Berthing, Mooring and Storage

17.30 Harbor Use Regulations

17.35 Harbor Development Regulations

Draft Changes for Discussion Purposes Only Attached

7. In single-unit and two-unit residential districts, only a single pier and slip shall be permitted bayward of each parcel or lot. For multi-unit or mixed-use districts, only a single pier and slip shall be permitted bayward of each parcel or lot unless permitted by the Harbor Commission or Planning Commission as appropriate.

8. No new, noncommercial piers on Balboa Island shall be permitted, unless approved pursuant to Section 17.35.060.

9. The City shall provide harbor lines, parcel lines, parcel information, utility easements, and other pertinent information associated with the permitting process, via the City of Newport Beach website at: <http://www.newportbeachca.gov>.

10. Permits may be granted for joint ownership piers at the prolongation of common lot lines. The permit for joint ownership piers shall provide that all parties shall have equal rights under the permit and shall be held jointly responsible for compliance with all rules, regulations, and conditions set forth in the permit.

B. Setbacks.

1. All piers and slips for residential properties shall be set back a minimum of five feet from the prolongation of the property line.

2. With the prior approval of the City, piers and slips for commercial properties may extend past the prolongation of the property line.

3. The prolongation of the property line bayward of the same bearing from the bulkhead shall generally be used in determining the allowable setbacks for piers and slips. Because there are certain physical conditions which preclude the strict application of this policy without prejudice to adjoining properties, special consideration will be given to areas where precise prolongation of the property line has not been determined and the following conditions exist:

a. Where property lines are not approximately perpendicular to the bulkhead line;

b. Where curves or angles exist in the bulkhead line;

c. Where bridges, topography, street ends or publicly owned facilities adjoin the property.

4. Setbacks apply to joint ownership piers with the exception that the slips, floats and piers may extend over the common property line.

C. Patio Decks. Patios are not permitted to extend over the waters of Newport Harbor unless the waters are adjacent to the upland property and outside the areas described in the tidelands trust, and provided the patio complies with the following conditions:

1. The maximum projection of patio decks encroachments beyond the bulkhead line shall be limited to five feet.

2. The minimum setbacks from the prolongations of the side property lines shall be five feet.

3. No float shall be permitted within one foot of the decks.

4. No permanent structure shall be permitted on the projecting portion of the patios except:

a. Planters and benches not over sixteen (16) inches in height;

b. Railings not over forty-two (42) inches in height with approximately ninety-five (95) percent open area.

5. A harbor and building permit has been obtained.

D. Storage Lockers. Storage lockers and boat boxes may be installed on shore-connected piers and floats subject to the following limitations:

1. The overall height shall not exceed thirty (30) inches when located bayward of residential property zones.

2. The overall height shall not exceed thirty (30) inches when located bayward of commercial and industrial property zones where the piers and floats are used primarily for the mooring of pleasure boats.

3. The overall height shall not exceed sixty (60) inches when located on facilities bayward of commercial and industrial zoned property where the use is not primarily for the mooring of pleasure boats.

4. The overall height shall be measured from the deck of the pier or float to the top of the storage locker and overall height to include the enclosed portion of the locker or box.

E. Safety Requirements.

1. All commercially operated boat docking facilities shall be equipped with firefighting facilities as specified by the Fire Code.

