

Proposed Amendments to RBMC Ordinance re Harbor Commission

Article 7

ORDINANCE NO. XXXX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 2, CHAPTER 9, ARTICLE 7, SECTION 2-9.702 AND AMENDING SECTIONS 2-9.704 and 2-9.709 AND RENUMBERING TO 2-9.703 AND 2-9.704 RESPECTIVELY, AND DELETING SECTIONS 2-9.705, 2-9.706, 2-9.707, 2-9.708, 2-9.709 AND 2-9.712 AND RENUMBERING SECTIONS 2-9.710 TO 2-9.705; 2-9.711 TO 2-9.706; AND 2-9.714 TO 2-9.707 PERTAINING TO THE HARBOR COMMISSION

[RECITALS]

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE. Title 2, Chapter 9.

§ 2-9.701. Created.

There is hereby created a Harbor Commission (referred to in this article as "Commission") for the City consisting of eight members until September 30, 1991, or until a vacancy is declared by the Council, whichever first occurs, and thereafter the Commission shall consist of seven members. (§ 1, Ord. 2327 c.s., eff. April 14, 1982, as amended by § 1, Ord. 2351 c.s., eff. November 1, 1982, § 1, Ord. 2427 c.s. eff. October 16, 1985, § 1, Ord. 2509 c.s., eff. September 1, 1988, and §

1, Ord. 2564 c.s., eff. December 21, 1989, as renumbered by § 1, Ord. 2705 c.s., eff. October 21, 1993)

§ 2-9.702. Jurisdiction.

The jurisdiction of the Commission shall be limited to the harbor area as delineated on the map set forth in Section 10-2.2512 of the Redondo Beach Municipal Code. 2-9.714 of this article.

§ 2-9.703. Appointment and terms of members.

~~Members of the Commission shall serve for a term of four years and shall hold office until their successors are appointed and qualified. The term of office shall commence October 1 and end September 30 four years hence. Appointments to the Commission shall be made in such a manner that an equal number of appointments shall expire every two years. The initial term of office for a member appointed pursuant to Section 704(a) of this article shall expire on September 30, 1991. Thereafter, all appointments and reappointments shall be for a period of four years.~~

~~“§(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as amended by § 2, Ord. 2351 c.s., eff. November 1,~~

~~1982, § 1, Ord. 2427 c.s., eff. October 16, 1985, and § 1, Ord. 2509 c.s., eff. September 1, 1988,~~

~~as renumbered by § 1, Ord. 2705 c.s., eff. October 21, 1993, and amended by § 1(14), Ord. 2844~~

~~c.s., eff. November 4, 1999)~~

§ 2-9.703.704. Qualifications for appointment.

Appointments to the Commission shall be in accordance with the following criteria:

(a) (a) One member shall be a sailboat or power-boat owner who regularly uses the boating facilities in King Harbor. ~~The designee shall maintain boat ownership during his or her term of office. The sale of the boat, without the repurchase of another within one month after the sale, shall result in a vacancy in office.~~ The boating representative is intended to represent and further the interests of the boaters and vessel operators in King Harbor.

(b) (b) One member may be selected from a list of names submitted by any commercial harbor/pier association. Any list of names submitted by a harbor association shall be submitted to the City Clerk's Department no later than 30 days prior to the close of the deadline for Commissioner applications. The Mayormayor may select a member from these groups, or select a member at-large.

(c) To the extent practical, each of the remaining members of the Commission shall be residents and have training and experience in one or more of the following disciplines or designations:

(+)

(1) A State registered civil or structural engineer with a degree in engineering and at least, or threefive years' of engineeringpractical experience in a related engineering field. The intent of the engineering representative is to add engineering insight into the Commission's deliberations;

(2) (2) A member of the Bar of the State with at least three years of legal experience as an attorney. The intent of the legal experience is add practical legal insight, experience, and considerations, as well as additional critical and analytical thought, into the Commission's deliberations, which may include contracts, complex issues, and other relevant mattersA member of the Bar of the State;

(3) A State licensed architect;

(4) A certified public accountant, or an officer of a financial institution;

(5) An oceanographer or marine engineer with five years' practical experience;

(6) A State licensed real estate broker;

(7) A property manager with five years' practical experience;

(8) A State licensed general contractor;

(9) A practicing economic or financial consultant with five years' experience;

(10) A commercial developer with five years' experience;

(11) An executive or owner/operator of the propertya business;

(12) A management level employee with five years' practical experience with a public or governmental entity; and

(13) A management level employee with at least five years' experience in harbor recreational development.

(3) A residentperson with at least three years of experience in leasing or managing rental property. The intent of the property management representative is to add property management insight into the Commission's deliberations.

(4) A ~~resident~~person with at least three years of experience managing a retail, restaurant, or marine-related business. The intent of the business management representative is to add business management and operations insight into the Commission's deliberations.

(4) A ~~resident~~person with at least three years of experience in a marine and/or watercraft education related profession or practice. The intent of this representative is to add marine and/or watercraft educational representation into the Commission's deliberations.

(5) A ~~resident~~person with at least three years of experience in construction management or development. The intent of the construction representative is to add construction insight into the Commission's deliberations.

(6) A frequent and regular user of hand-paddled watercraft in the harbor and surrounding waters. The hand-paddled watercraft representative is intended to represent and further the interests of the human powered watercraft operators in the harbor.

(7) A ~~resident of the City~~person who lives adjacent to the harbor area. The intent of this representative is to further the interests of residents who live in close proximity to, and may be most regularly and directly impacted by, and benefited from, operations and development in the harbor.

(8) Any of the following:

(a) A certified public accountant, or an officer of a financial institution with at least three years of experience;

(b) An oceanographer or marine engineer with at least three years of experience;

(c) A State-licensed real estate broker with at least three years of experience;

(d) A State-licensed general contractor with at least three years of experience;

(e) A practicing economic or financial consultant with at least three years of experience;

(f) A commercial developer with at least three years of experience;

(g) An executive or owner/operator of a business with at least three years of experience;

(h) A management level employee with at least three years of experience with a public or governmental entity;
(i) A management level employee with with at least three years of experience in harbor recreational development.

(f) A member of the Commission who qualifies for appointment under more than one criteria, discipline, or designation, may, over the duration of that member's term, have that criteria, discipline, or designation changed when a vacancy of the Commission is filled. No more than three Commissioners may be members of the same public or private club, association, or organization, that exists within the Harbor Commission's geographic jurisdiction. Where practical, each City Council District should be represented by at least one Harbor Commissioner, with qualifications prioritized over District residency."

SECTION 3. AMENDMENT OF CODE. Title 2, Chapter 9, Article 7, Section 2-9.709 is hereby

No discipline shall be represented by more than one member.

(§ 3, Ord. 2351 c.s., eff. November 1, 1982, as amended and by § 1, Ord. 2427 c.s., eff. October 16,

1985, and § 1, Ord. 2509 c.s., eff. September 1, 1988, as renumbered to Section by § 1, Ord. 2705 c.s., eff.

October 21, 1993; Ord. 3268-24 c.s., eff. 5/9/2024)

§ 2-9.705. Filling vacancies.

If any vacancy shall occur in the membership of the Commission, other than by expiration of the term of office, the vacancy shall be filled by the Mayor with the approval of the Council for the unexpired term of the vacated office.

(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by § 3, Ord. 2351 c.s., eff. November 1,

1982, as amended by § 1, Ord. 2427 c.s., eff. October 16, 1985, as renumbered by § 1, Ord. 2705

c.s., eff. October 21, 1993)

§ 2-9.704 to read as follows: 706. Existing members: Expiration of terms.

“§ 2-9.704 The respective terms of office of all existing members of the Commission shall terminate on or after November 1, 1982, and upon the appointment and qualification of their successors.”

(§ 4, Ord. 2351 c.s., eff. November 1, 1982, as amended by § 1, Ord. 2427 c.s., eff. October 16,

~~1985, as renumbered by § 1, Ord. 2705 c.s., eff. October 21, 1993)~~

~~§ 2-9.707. Appointment of a chairperson.~~

~~At the first meeting of the Commission in every fiscal year, the members of the Commission shall appoint one of their number as a chairperson and one of their number as a vice-chairperson, both of whom shall hold office for one year and until his or her successor is appointed.~~

~~(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by §§ 3 and 4, Ord. 2351 c.s., eff.~~

~~November 1, 1982, as amended by § 1, Ord. 2427 c.s., eff. October 18, 1985, as renumbered by §~~

~~1, Ord. 2705 c.s., eff. October 21, 1993, as renumbered by § 2, Ord. 3221 c.c., eff. October 21,~~

~~2021)~~

~~§ 2-9.708. Meetings and failure to attend.~~

- ~~(a) The Commission shall hold regular meetings at least once every month.~~
- ~~(b) In the event any member of the Commission shall absent him or herself from the regular meetings of the Commission for a period of 60 days consecutively following the last regular meeting attended by such member, unless by permission of the Council expressed in its official minutes, or in the event such member shall be convicted of a crime involving moral turpitude or ceases to be a qualified elector of the City, his or her office shall become vacant and shall be so declared by the Council.~~

~~(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by §§ 3 and 4, Ord. 2351 c.s., eff.~~

~~November 1, 1982, as amended by § 1, Ord. 2427 c.s., eff. October 16, 1985, as renumbered by §~~

~~1, Ord. 2705 c.s., eff. October 21, 1993, as renumbered by § 2, Ord. 3221 c.c., eff. October 21,~~

~~2021)~~

§ 2-9.7049. Powers and duties.

(a) The Commission shall hold hearings on all applications for Administrative Design Review, Planning Commission Design Review, Conditional Use Permits, Variances, Planned Development Review, and Development Agreements, and Temporary Use Permits conditional use permits and variances for the use and development of lands within the purview and jurisdiction of the Commission as provided for in Section 10-2.2512 of Article 12 of Chapter 2 of Title 10 of this Code.

(b) The Commission shall hold hearings on any matter concerning the commercial or recreational development within its purview and jurisdiction. This shall include those matters listed in subdivision (a) above and applications provided for in Section 10-2.2512, hearings related to Coastal Development Permits, and environmental studies, within the purview and jurisdiction of the Commission of the harbor.

(c) The Commission shall advise the City Council on recommendations and concerns related to the current and future commercial and recreational development of the harbor when so requested by the City Council. The Commission shall be informed of applications for General Plan Amendments, Rezoning, and Local Coastal Program being proposed in the area of its jurisdiction. At the request of the City Council Unless otherwise directed by the City Council, City Manager, or staff liaison with the approval and/or at the direction of the City Manager, the Commission shall review and advise the City Council on proposed General Plan, zoning and Local Coastal Program changes to the area under its jurisdiction.

(Ref 10.2.2512)

(d) The Commission shall further the commercial and recreational development of the harbor.

(e) The Commission shall be advised on and may recommend to the Council on all new and assigned lease and sublease arrangements with the City relating to harbor lands, facilities, or improvements in its jurisdiction. Periodically, At the request of the City Council, City Manager, or staff liaison with the approval and/or at the direction of the City Manager, the Commission shall review, and may advise the City Council, concerning vacancies and leasing or subleasing trends in the harbor and pier area under its jurisdiction.

(e) At the request of the City Council, tThe Commission shall advise the City Council of concerns and/or recommendations related to land-side and/or water-side operations within its jurisdiction. The Commission shall receive periodic reports from Harbor Master/Patrol and Police on incidents, responses, and crime in the area of the Commission ~~purview~~jurisdiction. At the request of the City Council, tThe Commission may make recommendations to the City Council related to public safety in the harbor.

~~(d) (f) The Commission shall be advised and may report to the Council on all subleases with firms doing business within the jurisdiction of the Commission.~~

~~(e) The Commission shall be advised and may report to the Council on the assignment of all leases and subleases with the City relating to harbor lands, facilities, or improvements.~~

~~(f) The Commission shall advise the City Council on any other matter concerning the harbor when so requested by the City Council, City Manager, or staff liaison with the approval and/or at the direction of the City ManagerCouncil.~~

SECTION 4. AMENDMENT OF CODE. Title 2, Chapter 9, Article 7, Sections 2-9.705, 2-9.706, 2-9.707, 2-9.708, 2-9.709, and 2-9.712 are hereby deleted in their entirety.

SECTION 5. AMENDMENT OF CODE. Title 2, Chapter 9, Article 7, Section 2-9.710 is~~(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered to Section 2-9.705; Section 2-9.711 is by §§ 3 and 4, Ord. 2351 c.s., eff.~~

~~November 1, 1982, as amended by § 1, Ord. 2427 c.s., eff. October 16, 1985, as renumbered to 2-9.706; and Section 2-9.714 is by §~~

~~1, Ord. 2705 c.s., eff. October 21, 1993, as amended by § 1, Ord. 2790 c.s., eff. March 6, 1997,~~

~~and § 1(15), Ord. 2844 c.s., eff. November 4, 1999, as renumbered to 2-9.707 by § 2, Ord. 3221 c.c., eff.~~

SECTION 6. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 7. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 8. This ordinance~~October 21, 2021~~

§ 2-9.710. Procedures for processing applications.

~~Applications for conditional use permits and variances shall be published by one insertion filed with the Waterfront and Economic Development Department and shall be processed in the manner set forth in Sections 10-2.2506 and 10-2.2510 of Article 12 of Chapter 2 of Title 10 of this Code.~~

~~(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by §§ 3 and 4, Ord. 2351 c.s., eff.~~

~~November 1, 1982, as renumbered by § 1, Ord. 2705 c.s., eff. October 21, 1993, amended by §~~

~~1(16), Ord. 2844 c.s., eff. November 4, 1999, and § 1, Ord. 3104 c.s., eff. February 8, 2013, as~~

~~renumbered by § 2, Ord. 3221 c.c., eff. October 21, 2021)~~

§ 2-9.711. Finality of decisions: Appeal of decisions.

(a) Decisions for the approval or denial of a permit or other entitlement by Harbor Commission may be appealed to the City Council, subject to the appeal procedures provided in the municipal code for the underlying permit/entitlement.

(b) In the event that there are no specific appeal procedures provided in the official newspaper of said city, and same municipal code for the permit/entitlement, each and every person wishing to challenge the Harbor Commission's decision shall go into effect and be in full forcefile an appeal by 5:00 p.m. of the tenth calendar day following the Harbor Commission's decision (or the next working day if the tenth calendar day falls on a weekend, holiday, or a day the City's offices are closed). In computing 10 calendar days, the day of the Harbor Commission's decision shall be excluded. The appeal must be submitted in writing and operation fromspecify in detail the grounds for the appeal. All of the appellant's grounds for the appeal must have been: (1) listed in the written appeal; and after thirty (30) days after(2) presented to Harbor Commission orally or in writing prior to the decision on the permit/entitlement ("exhaustion requirement"). The failure to comply with this exhaustion requirement shall be grounds for denial of those portions of the appeal which were not exhausted.

(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by §§ 3 and 4, Ord. 2351 c.s., eff.

November 1, 1982, as amended by § 1, Ord. 2427 c.s., eff. October 16, 1985, and § 1, Ord. 2521

c.s., eff. December 1, 1988, as renumbered by § 1, Ord. 2705 c.s., eff. October 21, 1993, repealed and replaced by § 1, Ord. 3125 c.s., eff. January 16, 2015, as renumbered by § 2, Ord. 3221 c.c., eff. October 21, 2021)

§ 2-9.712. Rules and regulations.

The Commission shall establish and publish such rules and regulations as it deems necessary for its final passage and adoptiongovernment and for the faithful performance of its duties.

PASSED, APPROVED AND ADOPTED this XXth day of XXXXX, 2025.

James A. Light, Mayor

APPROVED AS TO FORM: ATTEST:

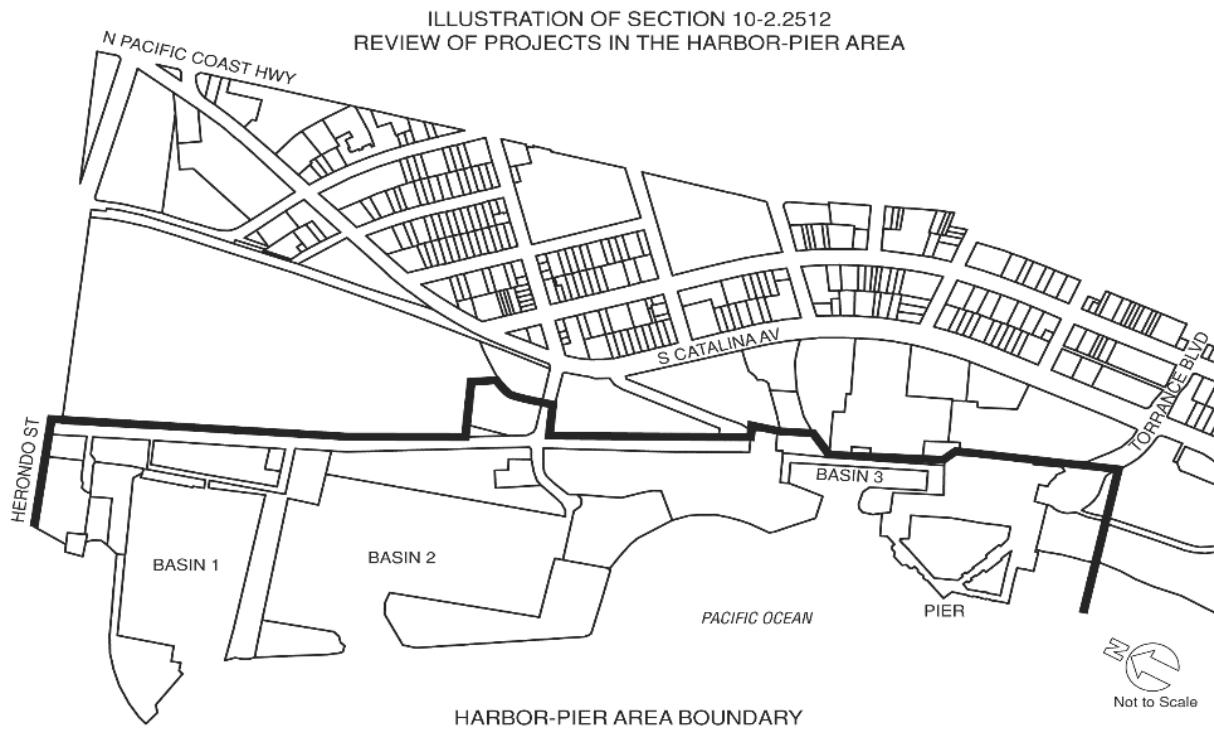
Joy A. Ford, City Attorney Eleanor Manzano, CMC, City Clerk~~(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by §§ 3 and 4, Ord. 2351 c.s., eff.~~

~~November 1, 1982, as amended by § 1, Ord. 2427 c.s., eff. October 16, 1985, as renumbered by §~~

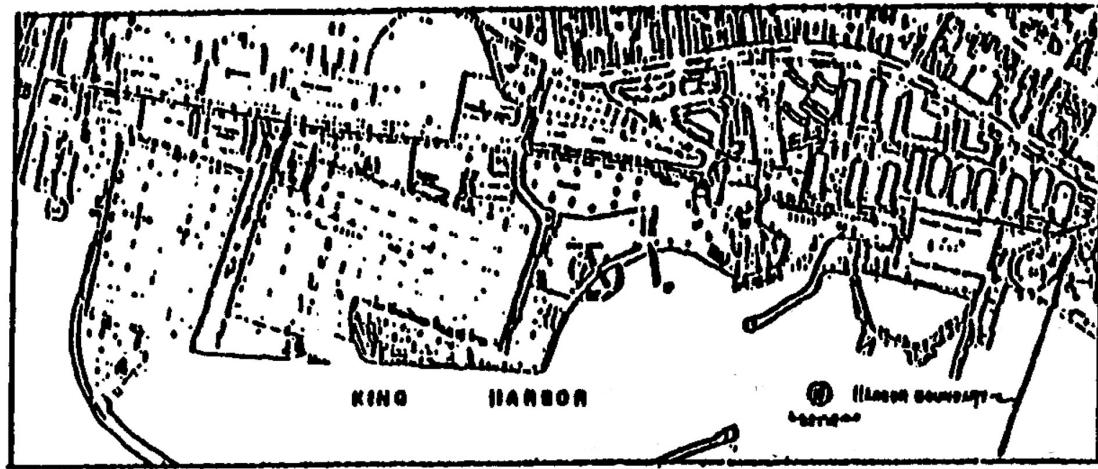
~~1, Ord. 2705 c.s., eff. October 21, 1993, as renumbered by § 2, Ord. 3221 c.c., eff. October 21,~~

~~2021)~~

§ 2-9.714. Map of the harbor area.



Replace the below map with the above map



~~(§ 1, Ord. 2327 c.s., eff. April 14, 1982, as renumbered by §§ 3 and 4, Ord. 2351 c.s., eff.~~

~~November 1, 1982, as renumbered by § 1, Ord. 2705 c.s., eff. October 21, 1993, as renumbered~~

~~by § 2, Ord. 3221 c.c., eff. October 21, 2021)~~