

RESOLUTION NO. 2018-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT RE-ESTABLISHING COMMERCIAL MARINA AND PRIVATE DOCK SPECIFICATIONS AND REPEALING RESOLUTION NOS. 2008-04 AND 2015-01.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT as follows:

I. DEFINITIONS

- A. **Definitions:** The following terms are defined for the purposes of this resolution unless otherwise apparent from context:
1. **Commercial Marina:** the seventeen (17) commercial marina operations permitted by the District's predecessor in interest, Bear Valley Mutual Water Company, and assigned to the District pursuant to the judgment entered in the case known as "Big Bear Municipal Water District v. North Fork Water Company, et al, Case No. SCV65493 ("1977 Judgment");
 2. **Dead Load:** no load placed on the deck;
 3. **Decking/deck surface:** the pedestrian surface and describes the type of acceptable material to be used for the deck and general conditions of repair that shall be maintained;
 4. **End tie:** the area that is outside the dock, perpendicular to the fingers where a boat may be secured;
 5. **Fingers:** floating structures, usually attached to a headway, which physically define a slip and provide pedestrian access to a moored boat;
 6. **Floating building:** means a structure moored on Big Bear Lake at a commercial marina that is greater than 36" above the deck surface, has walls and a roof and may be occupied by one (1) or more persons;
 7. **Flotation material:** the acceptable types of non-polluting material to be used to provide buoyancy for the dock;
 8. **Footprint square footage:** calculation shall include all pedestrian access areas (including modular additions), finger and headway areas, and shall exclude slip areas and gangways;
 9. **Freeboard:** the distance from the top of the deck to the water line measured under either live load or dead load conditions;
 10. **Gangway:** a variable slope structure that provides pedestrian access between a fixed pier or shore and a floating dock structure;
 11. **Headway:** portion of a dock providing direct pedestrian access between a gangway and a finger and located at the closed end of a slip;
 12. **High Water Line (HWL):** a historic contour within Bear Valley at the Dam spillway elevation of 6743.25' (NGVD 29);
 13. **Lake:** Big Bear Lake;
 14. **Lateral stability:** movement from placed position;
 15. **Live Load:** twenty (20) pounds per square foot or concentrated load of 400 pounds placed anywhere on the deck surface, not applied simultaneously;
 16. **Mooring Buoy:** a buoy anchored to the Lake bottom for the express purpose of securing a boat;

17. "Or equivalent": term intended to allow for latitude in construction and maintenance; however, the equivalency of any variation from these standards shall be approved by the District prior to actual construction;
18. Outside perimeter square footage: shall be measured as a rectangle or square, including slips and removable and/or temporary modular additions (i.e. drive-up personal watercraft ramps) at the greatest length and width, but excluding gangways);
19. Parcel: a parcel of real property with a separate and distinct number or other designation shown on a plat recorded in the Office of the County Recorder;
20. Pitch stability: motion in the vertical plane;
21. Roll stability: motion about the centerline of a dock and finger;
22. Side Tie: the area that is outside the dock, parallel to the fingers where a boat may be secured;
23. Size: the minimum or maximum dimensions for docks, fingers, gangways, chains and pipe anchors, etc.;
24. Slip (Berth): the space between two (2) fingers of a dock for securing a boat;
25. Slip dividers: used to separate two (2) or more boats moored in a single slip;
26. Stability: the ability of a dock to remain stationary during use;
27. Yaw stability: motion in the horizontal plane.

II. STABILITY

- A. **General**: All dock components shall be constructed, maintained and secured to provide a firm, stable footing for persons stepping onto the dock either from shore or from a boat moored to the dock;
- B. **Pitch Stability**: All dock components shall be constructed to minimize pitching due to wind and wave action on, or use of the dock. To provide pitch stability, the following freeboard conditions shall be maintained:
1. Freeboard with dead load on any deck surface shall be at least eight (8) inches but not more than twenty (20) inches;
 2. Freeboard under live load conditions shall be sufficient to prevent water from wetting any portion of deck surface.
- C. **Yaw Stability**: All portions of docks shall be constructed to minimize yaw due to any action or activity on the dock, without appreciable lateral movement. To provide yaw stability, the following anchoring or equivalent shall be provided on all docks:
1. **Pipe anchors**: shall have an inside diameter of at least two (2) inches through metal gussets or sleeves. The pipes shall be driven into the Lake bottom sufficiently to eliminate any appreciable lateral movement. To ensure that the pipe is affixed to the dock, a collar, pin, cap or other suitable device shall be placed on the pipe to prevent the pipe from sliding completely through the gusset during periods of extreme lake level fluctuation;
 2. **Chain or Cable**: A minimum of five-sixteenths (5/16) inch galvanized chain or equivalent, attached to an anchor(s) of sufficient weight to minimize lateral movement. The chain or cable shall be attached to the dock through a metal support or gusset. The chain or cable shall be secured to the licensed parcel or within the imaginary extension of the property boundaries over the high water line.
- D. **Roll Stability**: All dock components shall allow minimal roll or rocking motion during use. All dock components shall be so constructed that a live load placed anywhere on the deck surface shall not cause any deck surface to tilt more than six (6) degrees from the horizontal
- E. **Lateral Wind Stability**: The design of all dock components and anchoring systems shall be sufficient to withstand reasonably expected lateral loads to occur

III. SINGLE FAMILY RESIDENTIAL DOCK SIZE RESTRICTIONS

- A. No dock shall be licensed or placed on Big Bear Lake until construction plans have been submitted to the District for plan check and approval has been given.
- B. Only docks that are configured so that all slip openings are parallel to each other will be approved. Existing docks with perpendicular slip configurations are grandfathered in until the dock needs to be replaced, at which time the new dock will have to comply with current regulations.
- C. Dock components shall be constructed within the size restrictions described below:
- D. **Minimums and maximums for all residential docks**
 - 1. Rectangular docks shall be at least six (6) feet wide;
 - 2. Fingers shall be at least three (3) feet wide, but no more than six (6) feet wide;
 - a. For T or L shaped docks: fingers shall be at least four (4) feet wide, but no more than six (6) feet wide;
 - 3. Gangways shall be at least thirty (30) inches wide, but no more than forty-eight (48) inches wide, with a maximum slope of 3:1 (horizontal to vertical)
 - 4. Slip shall be no more than twenty-six (26) feet long;
 - 5. Headway shall be no less than four (4) feet and no more than ten (10) feet wide.

Example to illustrate Section D

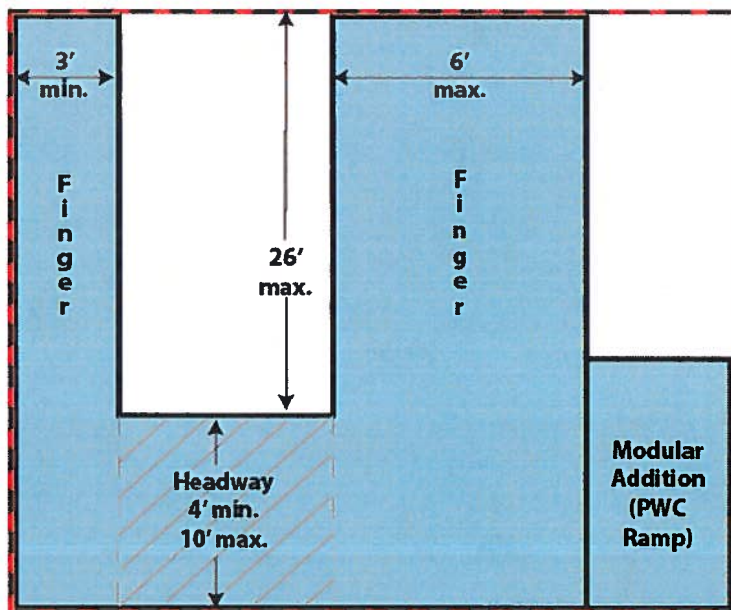
Dock Component Identification

Outside Perimeter

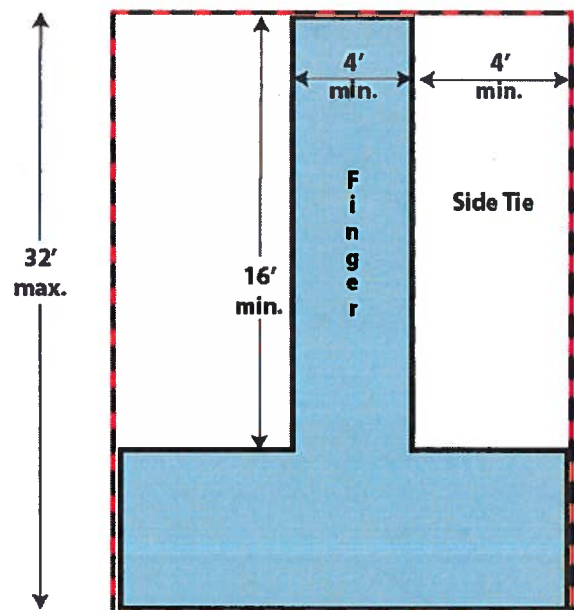
Note: All configurations are examples only.

Footprint

Single Slip Dock with Modular Addition



T/L Shaped Dock



E. Residential parcels with lake frontage of fifty (50) feet or more may construct a dock as follows:

1. Dock width cannot exceed parcel's lake frontage and dock length cannot exceed 32 feet as measured from the end of the finger to the outside edge of the headway
2. One (1) slip dock
 - a. Outside perimeter shall not exceed 702 square feet.
 - b. Footprint square footage shall not exceed 489 square feet.
3. Two (2) slip dock
 - a. Outside perimeter shall not exceed more 1,056 square feet.
 - b. Footprint square footage shall not exceed 653 square feet.
4. Three (3) slip dock
 - a. Outside perimeter shall not exceed 1,440 square feet.
 - b. Footprint square footage shall not exceed 750 square feet.
5. Platform dock (no slips)
 - a. Outside perimeter shall not exceed 300 square feet
 - b. No dimension shall exceed thirty (30) feet.
6. T/L-shaped dock
 - a. Outside perimeter shall not exceed 832 square feet.
 - b. Footprint square footage shall not exceed 515 square feet.
 - c. Each side tie area shall be a minimum of four (4) feet wide and sixteen (16) feet long.

F. Residential parcels with lake frontage of more than twenty-five (25) feet and less than fifty (50) feet may construct a dock as follows:

1. Dock width cannot exceed parcel's lake frontage and dock length cannot exceed 32 feet as measured from the end of the finger to the outside edge of the headway
2. One (1) slip dock
 - a. Outside perimeter shall not exceed 702 square feet.
 - b. Footprint square footage shall not exceed 489 square feet.
3. Two (2) slip dock
 - a. Outside perimeter shall not exceed more 1,056 square feet.
 - b. Footprint square footage shall not exceed 653 square feet.
4. Platform dock (no slips)
 - a. Outside perimeter shall not exceed 300 square feet
 - b. No dimension shall exceed thirty (30) feet.
5. T/L-shaped dock
 - a. Outside perimeter shall not exceed 832 square feet.
 - b. Footprint square footage shall not exceed 515 square feet.
 - c. Each side tie area shall be a minimum of four (4) feet wide and sixteen (16) feet long.

G. Residential parcels with lake frontage of twenty-five (25) feet or less may construct a dock as follows:

1. T-shaped dock
 - a. No wider than sixteen (16) feet;

- b. No longer than thirty (30) feet;
 - c. Finger shall be a minimum of sixteen (16) feet long;
 - d. Side tie areas shall be no less than four (4) feet wide.
2. L-shaped dock
 - a. No wider than sixteen (16) feet;
 - b. No longer than thirty (30) feet;
 - c. Finger shall be a minimum of sixteen (16) feet long;
 - d. Side tie area shall be no less than four (4) feet wide.
 3. U-shaped dock
 - a. No wider than sixteen (16) feet;
 - b. No longer than thirty (30) feet;
 - c. Finger shall be a minimum of sixteen (16) feet long.
 4. Platform dock
 - a. No wider than six (6) feet;
 - b. No longer than thirty (30) feet.
 5. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.

H. Private property across a right-of-way, with no intervening buildable property may construct a dock as follows:

1. T-shaped dock
 - a. No wider than sixteen (16) feet;
 - b. No longer than thirty (30) feet;
 - c. Finger shall be a minimum of sixteen (16) feet long;
 - d. Side tie areas shall be no less than four (4) feet wide.
2. L-shaped dock
 - a. No wider than sixteen (16) feet;
 - b. No longer than thirty (30) feet;
 - c. Finger shall be a minimum of sixteen (16) feet long;
 - d. Side tie area shall be no less than four (4) feet wide.
3. U-shaped dock
 - a. No wider than sixteen (16) feet;
 - b. No longer than thirty (30) feet;
 - c. Finger shall be a minimum of sixteen (16) feet long.
4. Platform dock
 - a. No wider than six (6) feet;
 - b. No longer than thirty (30) feet.
5. When two (2) or more parcels with across a right-of-way privileges wish to construct a shared dock, they may construct a dock system with one (1) slip per parcel. Upon District approval,
 - a. Fingers shall be three (3) feet wide;
 - b. Headways shall be four (4) feet wide;

- c. Slips shall be no less than eight (8) feet and no more than ten (10) feet wide and no less than sixteen (16) feet and no more than twenty-six (26) feet long.
 - d. The dock system must pose no adverse impact to the dock privilege of neighboring parcels.
6. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.

I. Forest Service docks:

- 1. USFS Cabin # 58 may construct and maintain an individual dock as follows:
 - a. T-shaped dock
 - i. No wider than sixteen (16) feet;
 - ii. No longer than twenty-six (26) feet;
 - iii. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - iv. Finger shall be a minimum of four (4) feet wide;
 - v. Side tie areas shall be no less than four (4) feet wide.
 - b. L-shaped dock
 - i. No wider than sixteen (16) feet;
 - ii. No longer than twenty-six (26) feet;
 - iii. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - iv. Finger shall be a minimum of four (4) feet wide;
 - v. Side tie area shall be no less than four (4) feet wide.
 - c. U-shaped dock
 - i. No wider than sixteen (16) feet;
 - ii. No longer than twenty-six (26) feet;
 - iii. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - d. Platform dock
 - i. No wider than six (6) feet;
 - ii. No longer than twenty-six (26) feet.
- 2. When two (2) or more USFS cabins join to form an association, they may construct a dock system with one (1) slip per permittee in the association. Upon District approval,
 - a. Fingers shall be three (3) feet wide;
 - b. Headways shall be four (4) feet wide;
 - c. Slips shall be no less than eight (8) feet and no more than ten (10) feet wide and no less than sixteen (16) feet and no more than twenty-six (26) feet long.
 - d. The dock system must pose no adverse impact to the dock privilege of neighboring parcels.
- 3. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.

J. Residential easement docks

- 1. When up to two (2) parcels share easement dock privileges, they may construct and share a T, L, U-shaped, or platform dock
 - a. T-shaped dock,
 - i. No wider than sixteen (16) feet;

- ii. No longer than twenty-six (26) feet;
 - iii. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - iv. The side tie areas shall be no less than four (4) feet wide;
 - v. The fingers shall be no less than four (4) feet wide.
- b. L-shaped dock,
- i. No wider than sixteen (16) feet;
 - ii. No longer than twenty-six (26) feet;
 - iii. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - iv. The side tie area shall be no less than four (4) feet wide;
 - v. The fingers shall be no less than four (4) feet wide.
- c. U-Shaped Dock
- i. No wider than sixteen (16) feet;
 - ii. No longer than twenty-six (26) feet;
 - iii. Headway no less than four (4) feet wide and no more than six (6) feet wide;
- d. Platform dock
- i. No wider than six (6) feet;
 - ii. No longer than twenty-six (26) feet.
2. When three (3) or more parcels share easement dock privileges, they may construct a dock system with one (1) slip per parcel. Upon District approval,
- a. Fingers shall be three (3) feet wide;
 - b. Headways shall be four (4) feet wide;
 - c. Slips shall be no less than eight (8) feet and no more than ten (10) feet wide and no less than sixteen (16) feet and no more than twenty-six (26) feet long.
 - d. The dock system must pose no adverse impact to the dock privilege of neighboring parcels.
3. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.

IV. BUSINESS/MULTI-FAMILY RESIDENTIAL DOCK SIZE RESTRICTIONS

A. Lakefront business, Lodging, and Multi-family residential

1. Docks in this category may construct a system as follows:
 - a. Fingers: Minimum thirty-six (36) inches but not more than forty-eight (48) inches wide;
 - b. Headway: Maximum width of six (6) feet;
 - c. Slips: Minimum single slip size of no less than eight (8) feet and no more than ten (10) feet wide; no less than sixteen (16) feet and no more than twenty-six (26) feet long.

V. FLOTATION MATERIAL

- A. In order to provide long-term flotation capability and prevent pollution of the Lake due to decomposition of materials, the following shall apply:
1. All deteriorating flotation shall be replaced;
 2. All flotation shall be secured so as not to separate from the dock;
 3. Any new or replacement flotation must comply with the following:
 - a. Tanks: Cement, fiberglass or polyethylene tanks filled with a closed cell, expansion-type foam that completely fills the tank;
 - b. Foam Billets: High density extruded polystyrene closed cell foam (1.5 lb./cu. ft. density minimum, 3.5 lb./cu. ft. maximum). Expanded polystyrene billets or billets with density less than 1.5 lb./cu. ft. must be coated or encased in polyethylene, polyurethane, light weight concrete; or
 - c. Pre-fabricated modular systems designed without separate flotation may be acceptable

VI. DECKING AND DECK SURFACE

- A.** All decking and deck surfaces (including carpeting or other materials) shall provide a reasonably non-skid surface free from tripping hazards such as loose material, holes or tears;
- B.** Decking for all docks shall be a minimum of three-quarter inch, ACX exterior plywood or two (2) inch planking, and all untreated wood shall be fully primed with a protective coating applied on all surfaces and edges;
- C.** Composite materials such as vinyl, aluminum, plastic wood and fiberglass shall be acceptable.

VII. MOORING BOUY STANDARDS

A. Standards for installation and maintenance of buoys on the Lake are as follows:

1. Color and Markings
 - a. All mooring buoys shall conform to California Administrative Code, Title 14,
 - b. Section 7007 (a), as to color and markings (...white, with a blue band clearly visible above the water line...)
 - c. Section 7007 (c) as to placement (...and shall not be placed where they will obstruct navigation, cause confusion or constitute a hazard);
2. Anchoring
 - a. All buoys shall be anchored sufficiently to withstand wind loads and wave stress reasonably expected at the site without failure or appreciable lateral movement;.
 - b. A minimum of three-sixteenths (3/16) inch chain shall be used;
 - c. All mooring buoys shall be maintained with sufficient freeboard for visibility and navigational safety.

VIII. ELECTRICAL ON DOCKS, HEAD PIERS, AND OTHER STRUCTURES

- A.** For docks with electrical powered by extension cords, solar equipment and other permanent connections:
1. Electrical of any voltage on docks or head piers or any other structures placed below the high water line of Big Bear Lake shall require an electrical permit from the authority having jurisdiction (City of Big Bear Lake or County of San Bernardino).
 2. A copy of the permit and final inspection shall be provided to the District.
 3. The owners of structures with electrical installations in existence on August 17, 2000 shall have ninety (90) days to provide evidence a permit has been secured from the appropriate agency.
 4. All of these existing electrical installations shall be brought into compliance within 180 days from date of permit issuance unless granted a 180-day extension from the authority having jurisdiction.
 5. Not more than one (1) 180-day extension will be granted.
 6. Extension cords must be rolled up and stored above the high water line when not in use.
- B.** For docks with electrical powered by a portable generator:
1. Portable generators must be equipped with GFCI protected outlets in order to operate electrical below the high water line.
 2. Portable generators cannot be stored on the dock itself or anywhere below the high water line.
- C.** For docks with electrical, it is strongly recommended that Electrical Hazard signage be posted on the dock.

IX. SPECIAL SITUATIONS

- A.** Due to individual parcel situations including, but not limited to area geography and property configurations, additional restrictions may be included in the individual dock license.

X. COMMERCIAL MARINAS: subject to the following additional standards**A. Marina Docks:**

1. Headway segments shall have a minimum unobstructed width of four (4) feet;
2. Gangways shall be at least three (3) feet wide with a maximum slope of 3:1 (horizontal: vertical);
3. Handrails shall be between thirty-two (32) and forty-five (45) inches high and shall be provided on each side of gangways when the slope is steeper than 5:1 (horizontal: vertical), or when any part of the gangway exceeds two (2) feet above ground or water surface;
4. Cleats: A minimum of three (3) serviceable cleats or rings (one at bow and two (2) at the stern) shall be provided for each boat at each slip;

- B. Fire Protection:** Five (5) pound fire extinguishers rated at least 2A-10BC and placed in readily accessible cabinets or other storage devices shall be installed throughout the facility such that no slip is more than seventy-five (75) feet from any fire extinguisher. Fire extinguisher locations shall be clearly identified by red coloring and signs;

C. Informational Buoys:

1. Private aids to navigation shall conform to California Code of Regulations, Sections 7002, 7003, 7004 and 7007 that state in part:
 - a. Section 7002 (4) "A rectangular shape of international orange with white center will indicate information. The message will be presented within the rectangle in black letters."
 - b. Section 7003 (a) "No waterway marker shall be placed on, in, or near the waters of the State unless such placement is authorized by the agency or political subdivision of the State having power to give such authorization..."
 - c. Section 7004 "Waterway markers shall be maintained in proper condition, or be replaced or removed."
 - d. Section 7007 (c) "Such markers shall not be of a color, shape, configuration or marking which could result in their confusion with any federal or state aid to navigation or any state regulatory marker, and shall not be placed where they will obstruct navigation, cause confusion, or constitute a hazard."
2. Buoy placement shall be determined by the District.
3. Buoy may not be outside speed-controlled area.
4. The anchoring system shall prevent drifting and rotation of the buoy using a minimum of 3/16 (three-sixteenth) inch chain. Counter weights to maintain roll stability shall be used if needed.
5. Buoy shall be outfitted with an amber flashing light in serviceable condition, or a minimum of 24 (twenty-four) square inches of retro-reflective tape on each side.
6. Buoy construction shall be as follows:
 - a. Size shall be between 4 (four) and 6 (six) feet square.
 - b. Freeboard shall be between 10 (ten) and 20 (twenty) inches.
 - c. No boats shall be used as a platform to mount signage

D. Floating Buildings:

1. Intent & Purpose:
 - a. These floating building regulations are intended to give commercial marina operators the opportunity to provide the services normal and customary to their operations, but to ensure land-based operations are not conducted on the Lake.

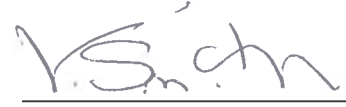
- b. Any request for a variance from any of the criteria set forth below shall require submittal of a master plan to the District and the agency having jurisdiction (City of Big Bear Lake or County of San Bernardino) for review and approval.
 - c. The master plan shall show full build-out of the marina facility, both below and above the high water line of Big Bear Lake.
 - d. Nothing in these regulations changes or otherwise affects the rights conferred in the commercial marina permits.
2. Floating Buildings shall be allowed at commercial marina under the following terms and conditions:
 - a. Floating buildings shall be constructed within the provisions of the applicable model codes;
 - b. Floating buildings may be approved for the following uses by the Big Bear Municipal Water District and the agency having jurisdiction, provided that any uses in such buildings are accessory and incidental to the primary marina operations:
 - i. Incidental retail sales of marina-related items, including but not limited to, bait and fishing tackle, pre-packaged food, canned and bottled beverages, sundries and other marina items;
 - ii. Storage of items related to the boat and dock rental activities of the marina (i.e. personal flotation devices, oars, etc.). Only inert materials shall be stored in a floating building;
 - iii. Marina rental activities;
 - iv. Outside seating for the convenience of the marina customers, so long as the seating area is limited to 500 square feet or 50% of the square footage of the footprint of the floating building, whichever is greater.
 3. Prohibited uses of floating buildings:
 - a. There shall be no restrooms, dining facilities, sleeping quarters or overnight accommodations;
 - b. The general public shall not have access to the roof of the building.
 4. Maximum of three (3) floating buildings allowed:
 - a. Footprint of the total combined square footage may not exceed 2,000 square feet as follows:
 - i. The total combined square footage of any retail sales and/or marina rental building(s) shall not exceed 1,500 square feet, excluding any deck area;
 - ii. The total combined square footage of the footprint of any storage building(s) shall not exceed 500 square feet, excluding any deck area.
 5. Height shall be limited to 25 feet above the deck surface as measured to the highest point of the roof, a sloped appearance is encouraged and any roof-mounted mechanical equipment should be screened.
 6. Lighting shall comply with the following requirements:
 - a. Lighting levels should be of sufficient intensity to provide security and safety, but should not over-power the nightscape.
 - b. Illumination should be low-level to the extent feasible.
 - c. Exterior lighting fixtures shall be of a color or shielded and directed downward to minimize glare.
 7. An application accompanied by three (3) copies of a plot plan showing a proposed zone for the location of each building shall be provided to the District for review and approval by the Board of Directors. The District acknowledges that the building may need to be relocated to accommodate fluctuating Lake levels.

8. All floating buildings shall be subject to the applicable planning process, building permit requirements, and inspections of the agency having jurisdiction.
9. Floating buildings in existence in commercial marinas on February 20, 2003 shall be authorized to remain so long as the use is consistent with Section 2 of this resolution and the building continues to be maintained in a condition that is not substandard.
10. Any replacement or substantial alteration of the building shall require compliance with current regulations. Substantial alteration shall mean any change in area, dimension, bulk or other structural modification of greater than ten (10) percent.
11. The conditions set forth in this resolution do not waive compliance with the rules and regulations of other agencies having jurisdiction.

XI. REPEALS

A. Resolutions Nos. 2008-04 and 2015-01 are hereby repealed

APPROVED AND ADOPTED this 19th day of April, 2018.



Vince Smith, President

(SEAL)

ATTEST:



Brittany Lamson, Secretary to the Board