

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

Permit Application No. **5-03-048**

Date: October 16, 2003

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**W 3a****ADMINISTRATIVE PERMIT****APPLICANT:** Dover Shores Community Association, Attn: Dan Converse**PROJECT****DESCRIPTION:**

Remove an existing 120 square foot, 9 foot high storage building and replace with a new 312 square foot, 12 foot high restroom, shower and storage building on a private beach. Also, an existing 1,152 square foot concrete slab will be enlarged by 720 square feet. In addition, the existing picnic tables, barbeques, table, water fountain and trash enclosure will be replaced in like kind.

PROJECT**LOCATION:**

1108 Polaris Drive, City of Newport Beach (Orange County)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Wednesday, November 5, 2003
10:00 am
Sheraton Los Angeles Harbor
601 South Palos Verdes Street
San Pedro, CA 90731

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Fernie J. Sy
Title: Coastal Program Analyst

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS: None.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. PROJECT DESCRIPTION

The subject site is located at 1108 Polaris Drive within the City of Newport Beach, Orange County (Exhibits #1-2). The project is located within an existing urban residential area (Dover Shores Community) and is a gated beach recreation bayfront common area approximately 75 feet wide for the Dover Shore residents and their guests. The site is located in Upper Newport Bay at the northern end of the Dover Shores channel waterway. The beach facility presently is gated and is not open to the general public. The proposed development is to take place in the south and southwestern corner of the beach area adjacent to the sidewalk along Polaris Drive. The following is currently located at the southern portion of the project site: a concrete patio, picnic tables, barbeques, service table, water fountain, trash enclosure and a drinking fountain. An existing storage shed is found at the southwest corner of the project site. Access to the site is through double iron gates from Polaris Drive. The project site is located between the first public road and the sea. East of the project site is the private beach and Upper Newport Bay; West of the project site is Polaris Drive and to the North and South are existing residential structures. Vertical public access to the Bay exists at North Star Beach and lateral public access exits along the Upper Newport Bay trail and bikeway near the project site.

The applicant is proposing the demolition of an existing 9' high, 10-foot x 12-foot tin storage building and construction of a new 12'-4" high, 13 foot x 24 foot restroom, shower and storage structure in the same location of the existing building (Exhibit s#3-6). In addition, the existing 1,152 square foot concrete slab for the patio and storage structure will be enlarged by 720 square feet and a section of the existing stucco/metal fence will be replaced with one of the walls of the proposed restroom, shower and storage building. The construction of the restroom, shower and storage building will be slab on grade, cement masonry walls and tile roof. No grading is proposed. In addition, the existing picnic tables, barbeques, service table, water fountain and trash enclosure will be replaced in like kind. There will also be a new sink installed with the new barbeque and serving counter structure (Exhibit #3).

The roof rainwater will be collected via rain gutters and will be diverted to the existing landscaped areas.

The new restroom storage structure will be located in the southwestern corner of the beach area 4 feet from the side yard property line, 6 feet from the front yard property line and approximately 70 feet from the maximum high tide. The finish floor of the structure will be at +12.75 above Mean Lower Low Water (6 inches above finished grade and the existing city sidewalk). This is well above any potential flood elevation due to tides (higher high water line of +5.41, high water level of +7.67 MLLM and mean high tide of +4.67 MLLW) or small waves and wave runup.

B. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. BIOLOGICAL RESOURCES

The proposed development will have no significant adverse impact on adjacent habitat, recreation areas, or parks. Therefore, the Commission finds that the project conforms with Section 30240(b) of the Coastal Act.

D. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. Therefore, the Commission finds that the proposed development conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed, the development conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on January 9, 1990. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Executive Director finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Executive Director finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

SEE 859 MAP

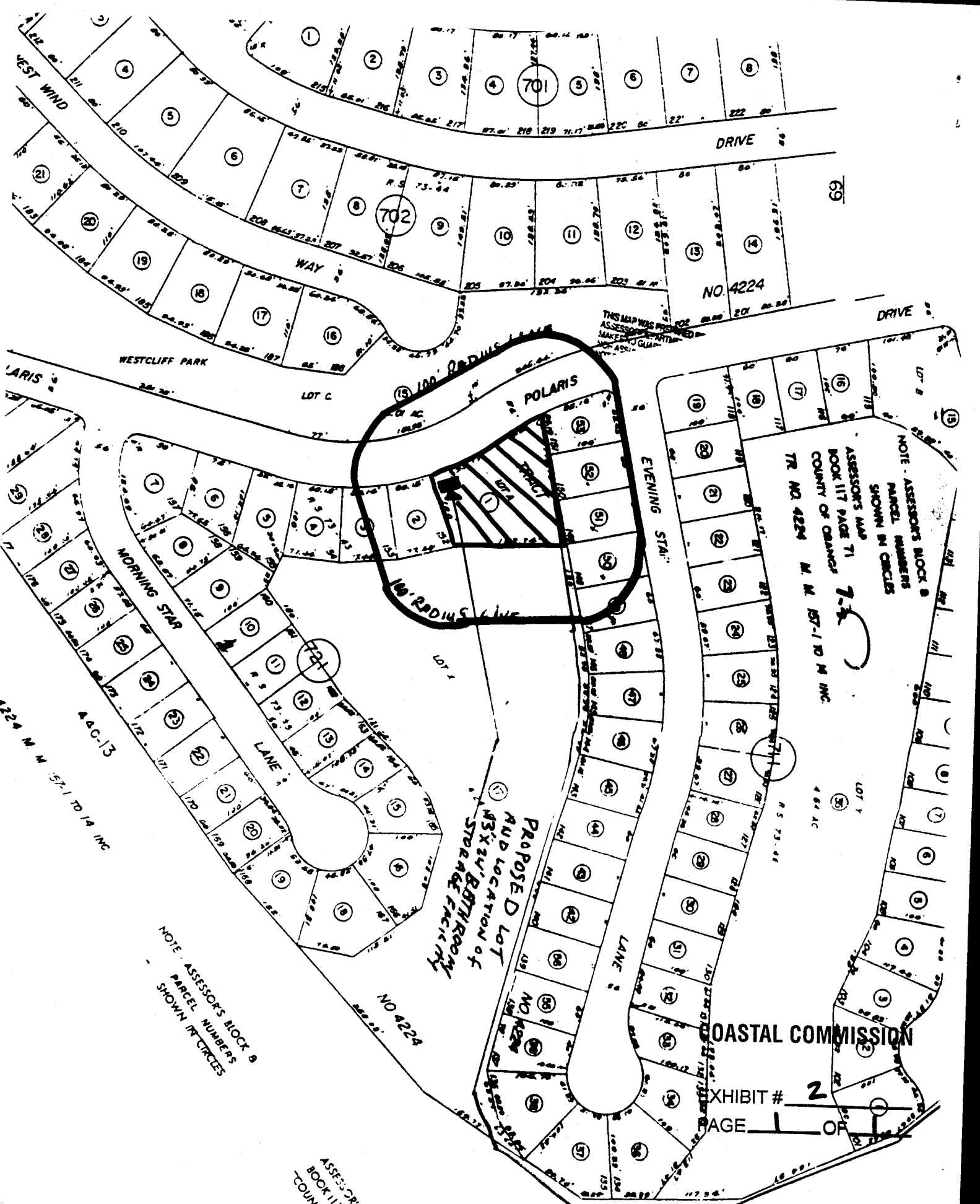
889



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EXHIBIT # 1

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NOTE - ASSESSOR'S BLOCK B
 PARCEL NUMBERS
 SHOWN IN CIRCLES
 ASSASSOR'S MAP
 BOOK 117 PAGE 71
 COUNTY OF ORANGE
 TR. NO. 4224 M. M. 157-1 TO M. INC.

NOTE - ASSESSOR'S BLOCK B
 PARCEL NUMBERS
 SHOWN IN CIRCLES

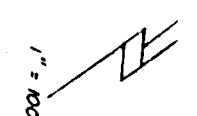
PROPOSED LOT
 AND LOCATION OF
 43' X 24' BATH ROOM
 STORAGE FACILITY

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EXHIBIT # 2
 PAGE 1 OF 1

ASSESSOR'S MAP
 BOOK 117 PAGE 72
 COUNTY OF ORANGE

440-13

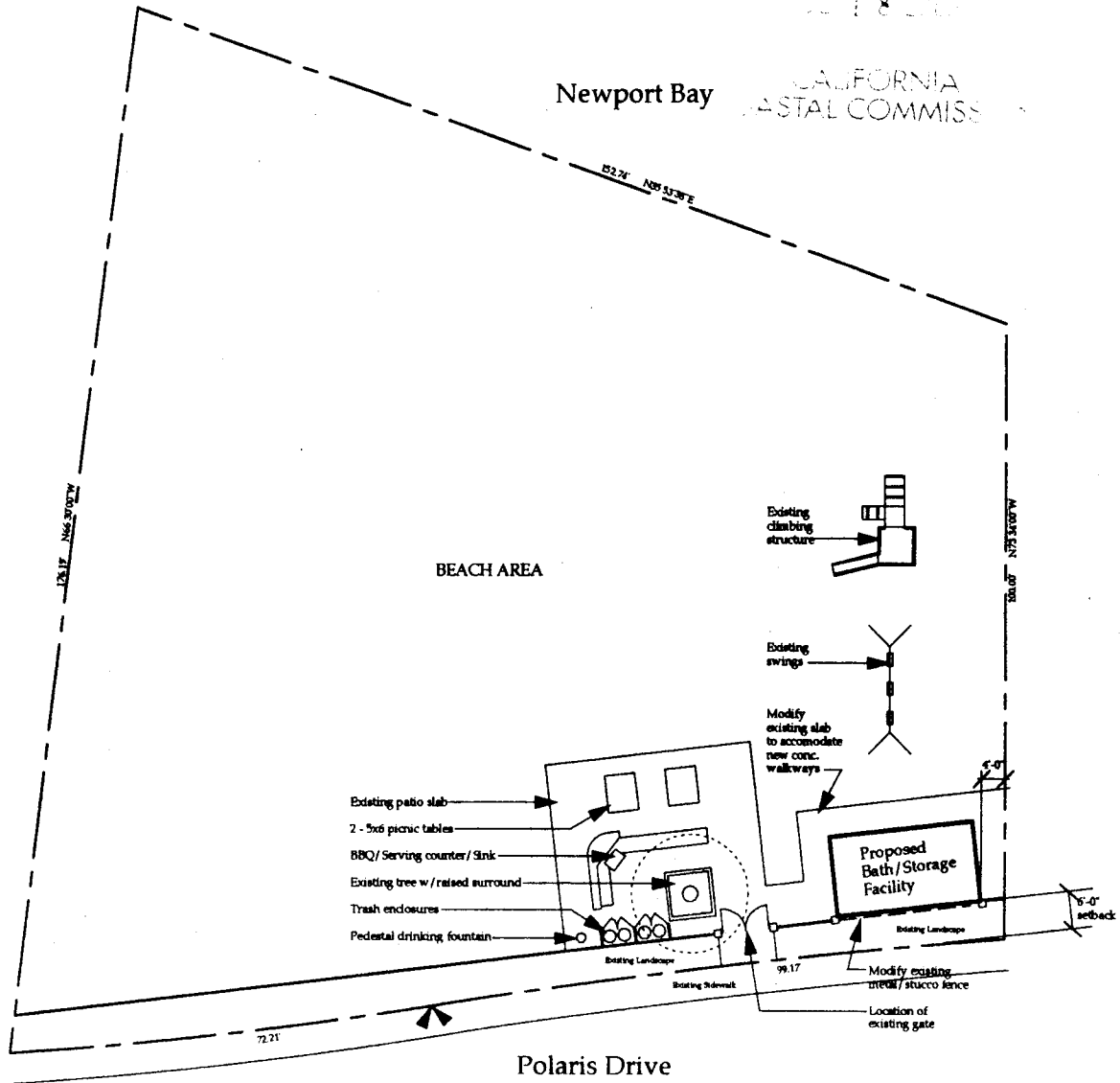


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Coastal Region

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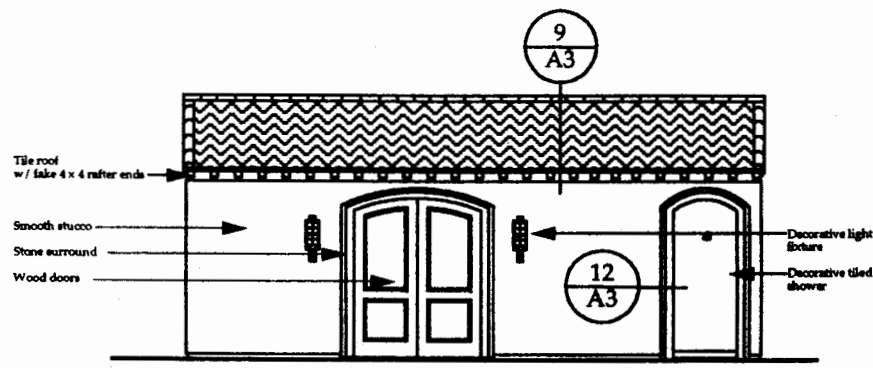
Newport Bay

CALIFORNIA
COASTAL COMMISSION

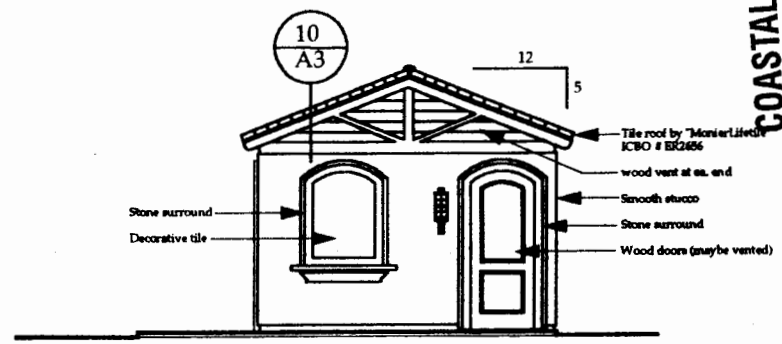


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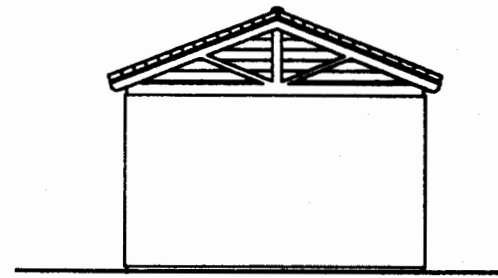
EXHIBIT # 3
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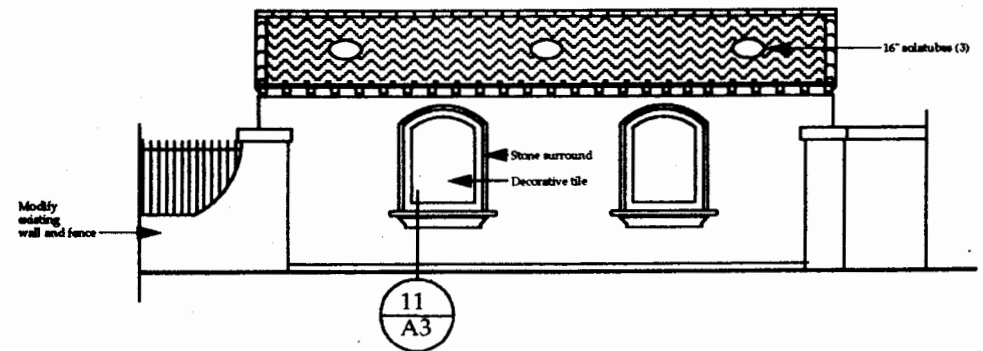
WEST ELEVATION



NORTH ELEVATION



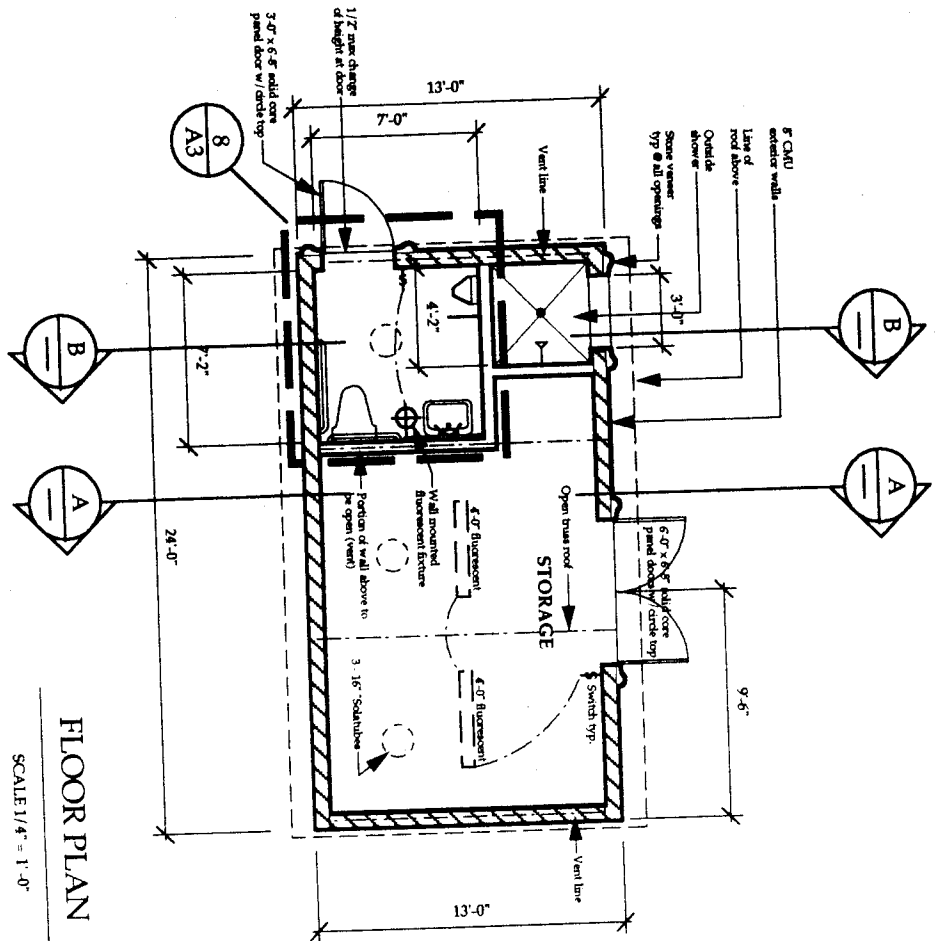
SOUTH ELEVATION



EAST ELEVATION

EXTERIOR ELEVATIONS

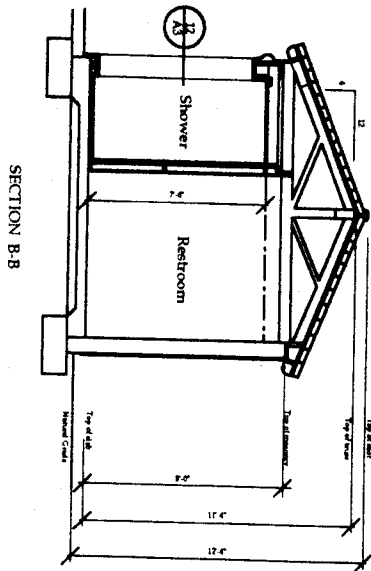
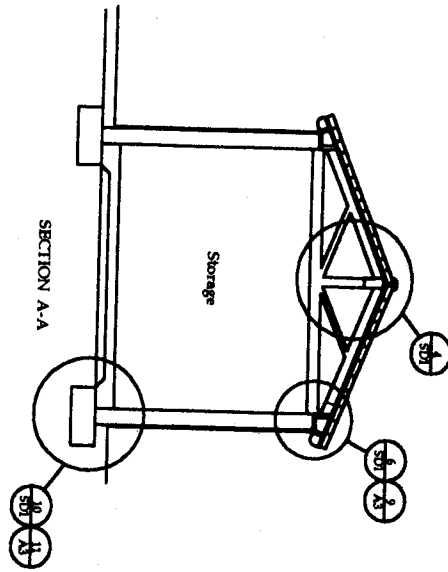
SCALE 1/4" = 1'-0"



FLOOR PLAN
SCALE 1/4" = 1'-0"

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EXHIBIT # S
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EXHIBIT # 6

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