

**CALIFORNIA COASTAL COMMISSION**

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**W5a**

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49th Day: November 25, 2008  
180th Day: April 5, 2009  
(Extended 90-Days)  
270<sup>th</sup> Day: July 4, 2009  
Staff: Fernie Sy-LB  
Staff Report: March 19, 2009  
Hearing Date: April 8-10, 2009  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-08-221**APPLICANT** Hoag Memorial Presbyterian Hospital**AGENT** Peri Murreta**PROJECT LOCATION:** One Hoag Drive (Lower Campus), City of Newport Beach (County of Orange)**PROJECT DESCRIPTION:** Landscaping along Pacific Coast Highway, within the westerly parking area, and upon an upper hillside slope; enhancing existing pedestrian and vehicular circulation (i.e. removal of existing parking and replacement with a new parking lot featuring a circular drop-off, wider sidewalks, etc.), and installing 123 additional parking spaces in the area between the Advanced Technology pavilion and the existing Cancer Center.**LOCAL APPROVALS RECEIVED:** City of Newport Beach Approval-in-Concept No. 0926-2008 dated July 15, 2008.**SUMMARY OF STAFF RECOMMENDATION:**

The applicant is proposing hardscape and landscape work. The major issue of this staff report concerns scenic resources and water quality.

Staff is recommending **APPROVAL** of the proposed project with **FIVE (5) SPECIAL CONDITIONS** regarding: **1)** submittal of Final Design Project Plans; **2)** adherence to Construction Best Management Practices; **3)** conformance with the submitted Water Quality Management Plan (WQMP); **4)** submittal of a Revised Landscaping Plan; and **5)** additional approvals for any future development.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Newport Beach only has a certified Land Use Plan and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The certified Land Use Plan may be used for guidance.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal Development Permit No. 5-93-253-A2-[Hoag]; Hoag Hospital Master Plan Environmental Impact Report (SCH No. 1991071003); *Updated Storm Water Pollution Prevention Plan (USWPPP) (Revised October 2008)* prepared by Halladay & Mack, Inc.; *Water Quality Management Plan (WQMP)* prepared by Halladay & Mack, Inc. dated December 2008; Letter from Commission staff to the applicant dated September 5, 2008; Letter from the applicant to Commission staff dated October 6, 2008; and Letter from Halladay & Mack, Inc. to Commission staff dated January 14, 2009.

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**LIST OF EXHIBITS**

1. Location Map/Site Plan
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**STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

**MOTION:**

*I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION:**

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. 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 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.

## III. SPECIAL CONDITIONS

### 1. FINAL DESIGN PROJECT PLANS

- A. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, two (2) full size sets of Final Design Project Plans (i.e. site plan, cross-sections, grading, Sound Wall, etc.) that substantially conform to the preliminary plans submitted with the application.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

### 2. CONSTRUCTION BEST MANGEMENT PRACTICES

- A. The permittee shall comply with the following construction-related requirements:
  - (1) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion;
  - (2) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;

- (3) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;
- (4) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
- (5) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

**B.** Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

- (1) The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible;
- (2) The applicant shall develop and implement spill prevention and control measures;
- (3) The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50 feet away from a stormdrain, open ditch or surface water; and
- (4) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

### **3. WATER QUALITY MANAGEMENT PLAN (WQMP)**

The applicant shall conform with the *Water Quality Management Plan (WQMP)* prepared by Halladay & Mack, Inc. dated December 2008 showing site runoff from all impervious areas directed to a bio-filtration swale or to on-site filters. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

### **4. REVISED LANDSCAPE PLANS**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, two (2) full sized sets of Revised Landscape Plans that demonstrate the following:

- (1) The plan shall demonstrate that:
  - (a) All landscaping shall consist of native or non-native primarily drought tolerant non-invasive plant species. Limited moderate drought tolerant plant species may be used only for accent purposes. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use or moderate water use (limited quantity) plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>). Any existing landscaping that doesn't meet the above requirements shall be removed;
  - (b) All planting shall provide 90 percent coverage within 90 days and shall be repeated if necessary to provide such coverage; and
  - (c) All plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan;
- (2) The plan shall include, at a minimum, the following components:
  - (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the temporary irrigation system, topography of the developed site, and all other landscape features, and
  - (b) a schedule for installation of plants.

**B.** The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**5. FUTURE DEVELOPMENT**

This permit is only for the development described in Coastal Development Permit No. 5-08-221. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(b) shall not apply to the development governed by Coastal Development Permit No. 5-08-221. Accordingly, any future improvements to the development authorized by this permit, including repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-08-221 from the Commission or shall require a new coastal development permit from the Commission or its successor in interest.

#### **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

##### **A. PROJECT LOCATION AND DESCRIPTION**

The project site is the Hoag Memorial Hospital Presbyterian Campus which is approximately 20 acres in size, is located at 1 Hoag Drive in the City of Newport Beach, County of Orange (Exhibit #1). The campus is divided into an Upper Campus and a Lower Campus (The proposed project will take place within the Lower Campus). The Upper Campus is not located within the Coastal Zone. However, while not located between the sea and the first public road, the Lower Campus is located within the Coastal Zone. The City of Newport Beach Land Use Plan (LUP) designates use of the site for Government, Educational, and Institutional Facilities and the proposed project adheres to this designation. The project site is located on a terrace adjacent to and inland of West Coast Highway, between Superior Avenue and Newport Boulevard (State Route 55). Located to the north and above the project site on an elevated portion of land are a bluff top linear view park and a bluff top view park (Sunset View Park).

The proposed project consists of the following (Exhibit #1):

1) Upper Hillside Slope: This area includes the hillside transition area between the top of the recently constructed retaining wall (approved by Coastal Development Permit No. 5-93-253-A2-[Hoag]) and the existing city view park north of Hoag's property line at the top of the existing slope. The slope will be treated with erosion ground netting and landscaped; a 42" cable rail fence is proposed along half-way between the top and bottom of the slope; the landscaping and cable-rail fence along the slope will not impede public views from Sunset View Park.

2) Advanced Technology Pavilion (ATP) Area: The area between the ATP and the existing Cancer Center, including the open field adjacent to the existing retaining wall, will be enhanced for pedestrian and vehicular circulation (i.e. removal of existing parking and replacement with a new parking lot featuring a circular drop-off, wider sidewalks, etc.), installing 123 additional parking spaces; site surface drainage will be enhanced; and the area will include landscaping and hardscape.

3) Pacific Coast Highway (PCH) Landscape Screen: A 3' tall retaining wall will be constructed along the base of the existing slope area along PCH frontage adjacent to the lower campus west parking lot, from the Co-Generation Plant at the far west end of the campus, extending east and ending near the PCH campus entrance; this wall will conceal a new underground utility trench; and a 20" wide planting strip between the proposed

retaining wall and the existing sidewalk is proposed. Behind the new wall, the existing berm flows up to meet the edge of the West Parking Lot. Landscaping will be installed in front of the new retaining wall and also at the top of this berm as well as behind it.

4) West Parking Lot Landscaping: Landscaping and hardscape are proposed in this area.

5) Co-Generation Sound Wall: An approximately 12.5' tall, 45' long sound wall running from the southwest corner of the Co-Generation building to the property line. The sound wall will be the same height as the Co-Generation building and step down as it follows the existing terrain. No public views will be impacted by the proposed sound wall. Initially, the submitted project plans did not include specific plans for the sound wall. Since the original submittal, the applicant has submitted separate additional preliminary plans regarding the sound wall. Thus, in order to verify the final design of the sound wall, the Commission imposes **SPECIAL CONDITION NO. 1**, which requires submittal of Final Design Project Plans showing all aspects of the proposed project including the sound wall.

6) Parking: The project site has 59 existing parking spaces and 123 parking spaces are proposed. Post project, the project site will have 182 parking spaces.

7) Grading: Grading will consist of 9,364 cubic yards of cut, 8,271 cubic yards of fill and 1,093 cubic yards of import

8) Landscaping: The applicant states that landscaping is proposed and plans have been submitted. The placement of any vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society ([www.CNPS.org](http://www.CNPS.org)) in their publications. Furthermore, any plants in the landscape plan should be primarily drought tolerant to minimize the use of water (and preferably native to coastal Orange County). The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

Commission staff has reviewed the submitted Landscaping Plan and determined that while none of the plants are invasive, a number of the plants are not drought tolerant. Therefore, the Commission imposes **SPECIAL CONDITION NO. 4**, which requires the applicant to submit a Revised Landscaping Plan, which consists of native or non-native primarily drought tolerant plants, which are non-invasive. Limited moderate drought tolerant plant species may be used only for accent purposes.

9) Bio-Filtration Swale: The applicant is proposing additional water quality improvements as part of the proposed project. Currently, three (3) Kristar Flogard dual vortex hydrodynamic separators are located on site to address water quality. The proposed project will include a bio-filtration swale located westerly of the existing ATP building as a site design BMP designed to capture the filter storm runoff from the westerly portion of the proposed parking lot north of the ATP Building.

The subject site is located at the intersection of West Coast Highway and Newport Boulevard. Coast Highway is a major beach access road and runs parallel to the coast throughout Orange County. In the subject area, Coast Highway feeds into both Newport Boulevard and Balboa Boulevard, which both provide access to the Balboa Peninsula. Many visitor destinations are located on the peninsula including miles of public ocean beaches, access to Newport Harbor, the Newport and Balboa Piers, the boardwalk, and the Balboa Fun Zone. Also, ferry access from the Balboa Peninsula to Balboa Island is available. The proposed project will not have an adverse impact on public access. Public access to the coast will continue to be provided with the proposed project.

**B. DEVELOPMENT**

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

**C. 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, as conditioned, conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 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 and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, 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. LOCAL COASTAL PROGRAM**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with the Chapter 3 policies of the Coastal Act.



The Land Use Plan for the City of Newport Beach was effectively certified on May 19, 1982. At the October 2005 Coastal Commission Hearing, the certified LUP was updated. Since the City only has an LUP, the policies of the LUP are used only as guidance.

The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission 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.

**F. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission 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.

# CITY OF NEWPORT BEACH HOAG HOSPITAL LOWER CAMPUS SLOPE, ATP SITE, AND PCH SCREEN LANDSCAPE

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1000 WEST BAYVIEW AVENUE  
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**Rabbergherman design office**  
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WWW.RABBERGHERMANDESIGN.COM

PROJECT NO. 1000  
DATE: 08.13.2008  
SCALE: 1" = 100'  
SHEET NO. 1 OF 1

**PROJECT TEAM:**

**OWNER:**  
HOAG HOSPITAL  
1000 WEST BAYVIEW AVENUE  
NEWPORT BEACH, CA 92660  
CONTACT: JIM BURKE

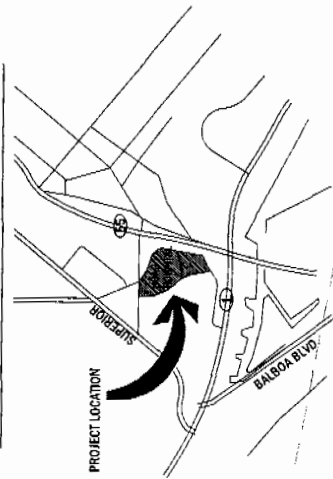
**CONSULTANTS:**  
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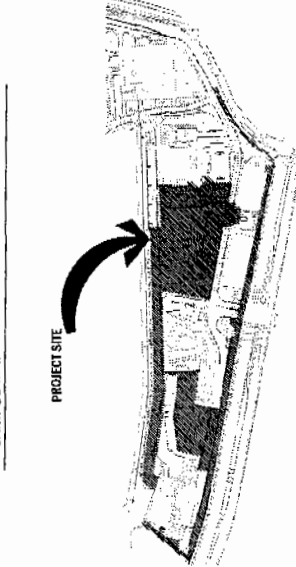
**SHEET INDEX:**

- L1.01 SITE PLAN, ACCESS, PARKING & UTILITY LAYOUT
- L1.02 PLANT PALETTE, LANDSCAPE PLAN
- L1.03 SCREENING LANDSCAPE PLAN
- L1.04 SCREENING LANDSCAPE PLAN
- L1.05 SCREENING LANDSCAPE PLAN
- L1.06 SCREENING LANDSCAPE PLAN
- L1.07 POSITIONING OF POULTRY AND ELECTRIC
- L1.08 POSITIONING OF POULTRY AND ELECTRIC
- L1.09 CONCEPTUAL SCREENING PLAN
- L1.10 CONCEPTUAL SCREENING PLAN
- C1.0 CONCEPTUAL SCREENING PLAN
- C1.1 CONCEPTUAL SCREENING PLAN
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- C1.8 CONCEPTUAL SCREENING PLAN
- C1.9 CONCEPTUAL SCREENING PLAN
- C1.10 CONCEPTUAL SCREENING PLAN

VICINITY MAP

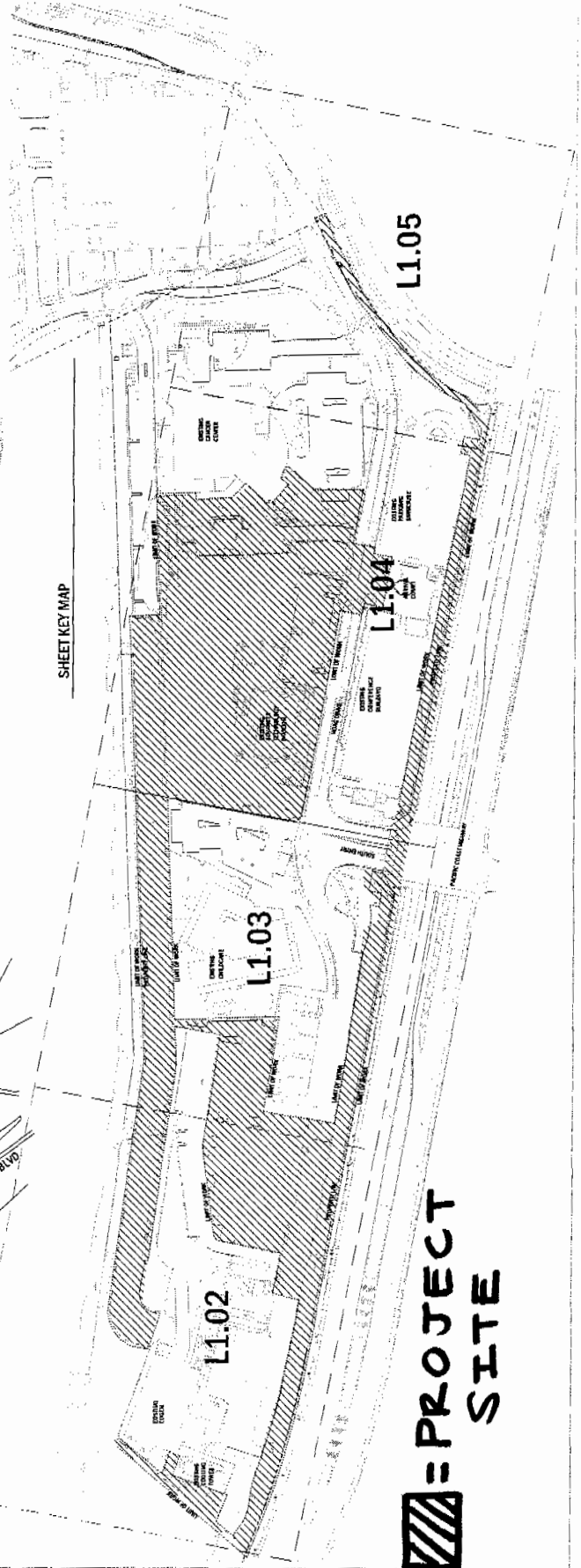


CAMPUS MAP



PROJECT SITE

SHEET KEY MAP



**PROJECT SITE**

L1.00

LOWER CAMPUS SLOPE, ATP SITE,  
AND PCH SCREEN LANDSCAPE  
NOT FOR CONSTRUCTION

COVER SHEET  
MAPS, INDEX &  
SHEET LAYOUT

DATE: 08.13.2008  
SCALE: 1" = 100'  
SHEET NO. 1 OF 1