

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

MITIGATED NEGATIVE DECLARATION NO. 24-002

CONDITIONAL USE PERMIT NO. 24-011

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 24-002:

1. The Mitigated Negative Declaration No. 24-002 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address compliance with bird nesting procedures, the recommendations of geotechnical investigations related to potential discovery of archaeological or paleontological resources during ground-disturbing activities, and potential impacts regarding hazardous materials encountered during demolition or construction.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated through the attached mitigation measures for Mitigated Negative Declaration No. 24-002, will have a significant effect on the environment.

MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS

1. Prior to the issuance of any grading permits, the Community Development Director or designee shall verify that the following requirements for nesting birds and preconstruction survey are completed by the Project Applicant:
 - 1.1. The start of site-preparation activities shall be scheduled outside of the bird nesting and breeding season (typically March 1 through August 15), if feasible. If site-preparation activities start during the nesting season, a qualified Biologist shall conduct a nesting bird survey in potential bird nesting areas within 200 feet of any proposed disturbance. The survey shall be conducted no more than three days prior to the start of any ground disturbance activities.
 - 1.2. If active nests of bird species protected by the Migratory Bird Treaty Act (MBTA) and/or the California Fish and Game Code (which, together, apply to all native nesting bird species) are present in the impact area or within 200 feet of the impact area, a temporary buffer fence shall be erected a minimum of 200 feet around the nest site. This temporary buffer may be greater or lesser depending on the bird species and type of disturbance, as determined by the Biologist.

- 1.3. Clearing and/or construction within temporarily fenced areas shall be postponed or halted until juveniles have fledged from the nest and there is no evidence of a second nesting attempt. The Biologist shall serve as a construction monitor during those periods when disturbance activities occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. **(Mitigation Measures)**
2. A qualified archaeologist (the “Project Archaeologist”) that meets the Secretary of Interior Standards (SOI) shall be retained prior to the start of grading for Project-related construction. The Project Archaeologist shall monitor all ground-disturbing activities within the areas of native soil (i.e., below existing areas of artificial fill from previous construction). If archaeological or historical resources are encountered during implementation of any phase of the Project, the Project Archaeologist will be allowed to temporarily divert or redirect grading or excavation activities in the vicinity of the find in order to make an evaluation of the find. **(Mitigation Measure)**
3. Prior to issuance of a grading permit, site preparation shall follow the recommendations in the Geotechnical Report for Proposed Warehouses, 7600 Redondo Circle, Huntington Beach, California 92648 (dated August 16, 2023) and additional future site-specific, design-level geotechnical investigations of the Project. Based on the Geotechnical Report, recommendations to be included in the Project specifications pertain to seismic building safety requirements, subgrade preparation, earthwork – structural fill/excavations, underground pipeline installation – structural backfill, cast-in-place concrete, foundations, laterally loaded structures, excavations and dewatering, waterproofing and drainage, chemical treatment of soils, paving, and site grading and drainage. **(Mitigation Measure)**
4. In the event paleontological resources are encountered during construction, ground-disturbing activity shall cease. It is recommended that a Qualified Paleontologist that meets the Society for Vertebrate Paleontology (SVP) be retained by the Applicant to examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens shall be made explicit. If a Qualified Paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by Project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction; monitoring work and halting construction if an important fossil needs to be recovered; and/or cleaning, identifying, and cataloging specimens for curation and research purposes. The cost associated with recovery, salvage, and treatment shall be borne by the Applicant. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the Qualified Paleontologist. Resources shall be identified and curated into an established accredited professional repository. The Qualified Paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource. **(Mitigation Measure)**
5. Prior to the issuance of grading permit, the Applicant shall retain a qualified environmental remediation firm or environmental engineering consultant to remediate the subsurface VOC impacts at the site to mitigate the risk of vapor intrusion and reduce groundwater impacts. **(Mitigation Measure)**

6. Prior to commencement of Project construction, erect a temporary noise barrier along the east Project site boundary. To be effective in reducing Project construction noise levels to less than significant impacts, the temporary noise barrier would have to block the line of sight from the residences to the Project construction equipment, must be continuous without gaps, and made of massive enough materials to minimize transmission of sound waves through the material itself. **(Mitigation Measure)**
7. Prior to Commencement of Ground-Disturbing Activities:
 - 7.1. The Project Applicant shall retain two Native American Monitors, one from Gabrieleno Band of Mission Indians – Kizh Nation and one from Juaneño Band of Mission Indians, Acjachemen Nation – Belardes, prior to the commencement of any ground-disturbing activity for the subject Project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - 7.2. A copy of the executed monitoring agreement shall be submitted to the (City) prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence ground disturbing activity.
 - 7.3. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the tribe. Monitor logs will identify and describe any discovered tribal cultural resources (TCRs), including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project Applicant upon written request to the tribe.
 - 7.4. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the tribe or tribal monitoring agency from a designated point of contact for the Project Applicant that all ground-disturbing activities and phases that may involve the Project are complete; or (2) a determination and written notification by the tribe or tribal monitoring agency to the Director of Community Development, or designee that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact TCRs. **(Mitigation Measures)**
8. Upon discovery of any tribal cultural resources (TCRs), all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American Monitor. The tribe or tribal monitoring agency will recover and retain all discovered TCRs in the form and/or manner of the tribe deems appropriate, in the tribe’s sole discretion, and for any purpose the tribe deems appropriate, including for educational, cultural, and/or historic purposes. **(Mitigation Measure)**
9. Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects:

- 9.1. Native American human remains are defined in Public Resources Code (PRC) Section 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute.
- 9.2. If Native American human remains and/or grave goods are discovered or recognized on the Project site, then PRC Section 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
- 9.3. Human remains and grave/burial goods shall be treated alike per PRC Section 5097.98(d)(1) and (2).
- 9.4. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
- 9.5. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance. **(Mitigation Measures)**

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 24-011:

1. Conditional Use Permit No. 24-011 to remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the project currently operates as a lumber yard. The request to replace the lumber yard with two new warehouse buildings will benefit the residential uses in the vicinity by removing outdoor operations and conditioning future uses to operate within an industrial structure. In addition to removing outdoor operations, the proposed project will cease train operations as future tenants will no longer need the train for deliveries. Primary access to the site will only occur from Redondo Circle away from sensitive uses with emergency vehicle access only along Taylor Drive, as conditioned. Similar industrial uses surround the proposed project, and the proposed contemporary architecture provides high-quality modern design within the surrounding industrial district. Additionally, new perimeter and interior site landscaping are proposed. The overall height of the buildings is approximately 40 ft., which is similar in height with the surrounding industrial buildings. The conditioned additional landscaping and taller walls along the south and east property lines in conjunction with the orientation of the buildings provide an adequate buffer of approximately 70 feet from the nearest building to the nearest residential property to the south. The arrangement of structures, parking and circulation areas exceed the quality that has been set by the existing development by incorporating more than the minimum required parking spaces and building setbacks; therefore, no significant impacts will be generated by the proposed improvements, as conditioned and mitigated.
2. The granting of Conditional Use Permit No. 24-011 to remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site will not adversely affect the General Plan as it is consistent with the Land Use Element

designation of I (Industrial) on the subject property and the following General Plan goals and policies:

A. Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1-D: Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy – LU-13C: Support development of new commercial and industrial projects and retrofits of existing buildings.

The new warehouse buildings will be compatible and architecturally complimentary to the surrounding industrial land uses in that the buildings are of similar height and character as comparable new industrial development. The proposed project is located within an established industrial area and incorporates contemporary architectural treatments that result in quality new buildings. The project location, size of the new buildings, and adequate quantity of on-site parking will allow industrial businesses to occupy the tenant spaces, providing opportunities for both new businesses to be established and existing businesses to remain in the City. The layout of the proposed warehouses, along with the conditions for additional landscaping and taller block walls, will allow for the development of an industrial site that is more compatible and therefore less impacting on the residential uses to the south and east.

B. Circulation Element

Goal – CIRC-1a: The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections.

The project will utilize two existing public driveways, minimizing disruptions to existing circulation patterns around the project site. The project is located at the terminus of Redondo Circle and the nearest major arterials are Talbert Avenue and Gothard Street, which support the industrial uses in this area. The project is conditioned to use Redondo Circle as the primary means of ingress and egress, which is consistent with the existing lumber yard and surrounding industrial uses.

3. Conditional Use Permit No. 24-011 to remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and any specific condition required for the proposed use in the district in which it would be located because the project complies with development standards including but not limited to height, setbacks, floor area ratio, minimum landscaping requirements, and parking.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 24-011:

1. The site plan, floor plans, and elevations received and dated December 9, 2025 shall be the conceptually approved design with the following modifications:

- a. The parking calculations on Page A0.1 and A0.5 shall be updated to reflect 192 parking spaces.
 - b. The southern and eastern perimeter walls shall be extended to a nine-foot-high masonry block wall.
 - c. Additional trees and denser landscaping with a tiered design to minimize the visibility of the blank wall and deter graffiti shall be incorporated into the new and existing planter area along the southern and eastern property lines, subject to the review and approval of the Community Development Department and Public Works Department.
 - d. All on-site trees shall comply with minimum size requirements. **(HBZSO Chapter 232)**
 - e. Perimeter landscaping along the eastern and western property lines shall be updated to comply with minimum landscape requirements. **(HBZSO Chapter 232.08.C.2.a)**
2. The use shall comply with the following:
- a. All warehouse vehicles shall be parked on-site. Truck trailers shall not occupy required on-site vehicle parking spaces.
 - b. Vehicles associated with the site's operation shall not use surrounding residential streets at any time.
 - c. There shall be no loudspeaker or amplified announcements.
 - d. Exterior building light fixtures and parking lot lighting shall be shielded and directed to cast light downward and inward toward the property so as to prevent glare and spillage onto adjacent residential properties.
 - e. Lights shall be dimmed to the lowest security level from 10:00 PM to 7:00 AM, daily.
 - f. All primary warehouse operations shall occur within the interior of a building.
 - g. Outdoor storage and display of merchandise, materials, or equipment shall not be permitted unless a Conditional Use Permit is approved for the use.
 - h. During construction and operation, the use shall have ingress and egress from Redondo Circle only. The driveway on Taylor Street shall be for emergency vehicle access only.
 - i. No more than six trucks per building, per hour, shall be permitted on site between the hours of 10:00 PM to 7:00 AM.
 - j. Truck idling shall be limited to five minutes.
 - k. All onsite truck circulation shall be limited to the center truck court area between 10:00 PM to 7:00 AM, daily. The perimeter drive aisles shall not be used for onsite truck circulation during this time.
 - l. In the event of multiple verified violations of the Huntington Beach Noise Control Ordinance (HBMC Chapter 8.40), the applicant shall immediately meet with the Community Development Department to discuss mitigation measures.

3. Prior to submittal of building permits:
 - a. Zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - b. The applicant shall submit an application to hold both lots as one parcel through a Lot Line Adjustment or similar process that is acceptable to the Community Development and Public Works Departments. The document shall be recorded at the County of Orange Recorder's Office prior to issuance of final building permit.
 - c. An application for address assignment, along with the corresponding application processing fee and applicable plans (as specified in the address assignment application form), shall be submitted to the Community Development Department. **(City Specification No. 409)**
 - d. A landscape plan submittal consistent with Condition No. 1 shall be submitted for review and approval by the Community Development and Public Works Department.
4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. During demolition, grading, site development, and/or construction, the following shall be completed:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
 - g. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 7:00 PM. Such activities are prohibited Sundays and Federal holidays.
6. Prior to issuance of a grading permit and at least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The

notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.

7. Prior to issuance of building permits, the following shall be completed: An interim parking and building materials storage plan shall be submitted to the Community Development Department to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.
8. Conditional Use Permit No. 24-011 shall become null and void unless exercised within two years of the date of approval by the City or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
9. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.