

CITY OF WESTMINSTER
RESOLUTION NO. XXXX

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, DENYING THE APPEAL AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM ASSOCIATED WITH CASE NO. 2024-0160 INVOLVING A VARIANCE AND DEVELOPMENT REVIEW FOR THE PROPOSED DEVELOPMENT OF A TWO-STORY INDUSTRIAL WAREHOUSE BUILDING ON PROPERTY LOCATED AT 15172 GOLDENWEST CIRCLE (ASSESSOR'S PARCEL NUMBERS 142-315-03 AND -421-13)

WHEREAS, on September 24, 2024, an application was filed by Francisco Contreras requesting to develop and operate a new 2-story industrial warehouse located at 15172 Goldenwest Circle; and

WHEREAS, approval of the project required approval of development review and a height variance; and

WHEREAS, the City, as Lead Agency, contracted with Hodge & Associates, an environmental consulting firm, to prepare an Initial Study and Mitigated Negative Declaration (hereafter "MND"); and

WHEREAS, a notice of intent to adopt a mitigated negative declaration and a notice of public hearing describing the project, date, time, and location of the hearing was published in the Westminster Herald and mailed on June 12, 2025, to all property owners of record and occupants within a 500-foot radius of the project boundaries at least 20 days prior to the hearing date. A notice was also posted at the project site, City Council Chambers, City Hall, Community Services and Recreation Building, on the city's website and with the County Recorder's office; and

WHEREAS, on July 2, 2025, the Planning Commission of the City of Westminster, California, held a duly noticed public hearing on the subject applications, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties and adopted Planning Commission Resolution 25-012, approving the Development Review and Variance, and Resolution 25-013, approving the associated Initial Study/Mitigated Negative Declaration; and

WHEREAS, on July 16, 2025, the appellant, the Supporters Alliance for Environmental Responsibility (SAFER) filed an appeal in accordance with Westminster Municipal Code (WMC) Chapter 17.640, challenging the Planning Commission's approval of Case No. 2024-0160 and the associated Mitigated Negative Declaration; and

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WHEREAS, a public hearing on the appeal was noticed and scheduled for the November 12, 2025 City Council meeting, but was pulled from the meeting due to last minute comments submitted by the appellant, which required further review and the hearing was continued to a date uncertain; and

WHEREAS, a notice of public hearing describing the project, date, time, and location of the hearing was mailed on May 30, 2026, to all property owners of record and occupants within a 500 feet radius of the project boundaries at least 10 days prior to the hearing date. A notice was also posted at the City Council Chambers, City Hall, Westminster Branch Library, Community Services and Recreation Building, and on the city's website; and

WHEREAS, on June 10, 2026, the Mayor and City Council of the City of Westminster, California held a duly noticed public hearing on the subject application (Case No. 2024-0160), considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: WHEREAS Clauses. The City Council hereby the foregoing recitals are true and correct and incorporated herein as substantive findings of the City Council.

SECTION 2: CEQA Procedure. The City Council further finds as follows:

A. Hodge & Associates prepared an Initial Study/Mitigated Negative Declaration (MND) which was circulated for public review for a 20-day period between June 12, 2025 and July 2, 2025.

B. The MND determined that there would be no significant impacts with mitigation measures imposed for the areas of aesthetics, air quality, biological resources, hazards and hazardous materials, hydrology and water quality, noise, public services and tribal cultural resources. A Mitigation Monitoring and Reporting Program has been prepared incorporating all of the mitigation measures-

C. An appeal was filed by the Supporter Alliance for Environmental Responsibility (SAFER) on the basis that the MND did not have an adequate air quality analysis. In support of the appeal, SAFER included reports from SWAPE and Baseline Environmental Consulting.

D. City staff reviewed the administrative record and a response to the appeal was provided by Ramboll Environment and Health. The information disclosed that the MND did properly analyze the air impacts, including those related to diesel particulate matter. The material submitted by SAFER did not rise to the level of substantial evidence

as it was based on incorrect assertions as to the requirement to conduct a health risk assessment, used incorrect thresholds that has not been adopted by the SCAQMD, and failed to include the mitigation measures in its analysis. The reasoning set forth in the staff report and the report by Ramboll are incorporated in full in making this finding.

SECTION 3: Adoption of Final MND and Mitigation Monitoring and Reporting Program. The City Council hereby adopts the Final MND, including the Mitigation Monitoring and Reporting Program, each of which is attached hereto as Exhibit A. In adopting these documents, the City Council makes the following findings and determinations:

A. The City has complied with all procedural requirements relating to CEQA and all other requirements of law. The Final MND is adequate and complete.

B. In adopting the Final MND and the Mitigation Monitoring and Reporting Program, the City Council has exercised its independent judgement and analysis. The City Council has reviewed and considered the Final MND, agenda reports, written reports, appeal information, the response from Ramboll to the appeal, public testimony, and other information in the record.

C. There is no substantial evidence in the record that the project may have a significant effect on the environment.

SECTION 4: Custodian of Record. The custodian of record for the proceedings relating to this project is the City Clerk of the City of Westminster, California.

SECTION 5: Effective Date. This Resolution shall take effect immediately.

SECTION 6: Mayor Signature. The Mayor shall sign as to the passage, approval, and adoption of this Resolution.

SECTION 7: Certification. The City Clerk shall certify to the passage and adoption of this resolution and shall affix their signature and City Seal and that same shall be entered into the Book of Resolutions.

PASSED, APPROVED, AND ADOPTED this 10th day of June, 2026.

CITY OF WESTMINSTER

CHI CHARLIE NGUYEN
MAYOR

ATTEST:

SANDRA ESCUDERO, MMC
INTERIM CITY CLERK

APPROVED AS TO FORM:

SCOTT E. PORTER
CITY ATTORNEY

DRAFT

**CITY OF WESTMINSTER
CITY CLERK'S OFFICE**

**CERTIFICATION
OF
RESOLUTION**

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF WESTMINSTER)

I, Sandra Escudero, MMC, Interim City Clerk of the City of Westminster, California, do hereby certify that the foregoing Resolution No. XXXX was duly passed, approved, and adopted by the City Council of the City of Westminster at a Regular Meeting held on the 10th day of June, 2026, with the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Sandra Escudero, MMC
Interim City Clerk

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