

## **RESOLUTION NO. 11264**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING AND ADOPTING MITIGATED NEGATIVE DECLARATION NO. 1862-18, ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM, AND RESPONSE TO PUBLIC COMMENTS FOR THE FIRE STATION NO. 1 AND HEADQUARTERS PROJECT LOCATED AT 105 S. WATER STREET AND THE ASSOCIATED PARKING LOT LOCATED AT 180 S. WATER STREET**

#### **APPLICANT: CITY OF ORANGE**

**WHEREAS**, the City of Orange (the City) is a municipal corporation organized and existing under the laws of the State of California for the purpose of exercising governmental functions and powers; and

**WHEREAS**, Mitigated Negative Declaration No. 1862-18 was initiated and reviewed by the City of Orange and processed in the time and manner prescribed by state and local law; and

**WHEREAS**, Mitigated Negative Declaration No. 1862-18 was prepared to evaluate the physical environmental impacts of the project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration finds that the project will have less than significant impacts to the environment, with the implementation of conditions and mitigation measures; and

**WHEREAS**, Community Development and Public Works Department Staff determined that the plans, technical studies, and content of the Mitigated Negative Declaration were satisfactory, and recommended Planning Commission approval on August 24, 2020, subject to the mitigation measures included in the Mitigated Negative Declaration; and

**WHEREAS**, the Planning Commission reviewed Mitigated Negative Declaration No. 1862-18 at its August 24, 2020 meeting, and recommended its approval and adoption subject to the mitigation measures included in the Mitigated Negative Declaration; and

**WHEREAS**, the City Council conducted a public hearing for purposes of considering Mitigated Negative Declaration No. 1862-18, and related Mitigation Monitoring and Reporting Program, and Response to Comments on September 8, 2020, in conjunction with Zone Change No. 1301-20, Design Review 5008-20, and Tentative Parcel Map No. 0016-20 for the purpose of constructing of Fire Station No. 1 and Headquarters at 105 S. Water Street including the associated parking lot at 180 S. Water Street on property described as follows:

**105 SOUTH WATER STREET- LOTS 1 THROUGH 8, IN BLOCK B, OF THE JAMESON TRACT IN THE CITY OF ORANGE, COUNTY OF ORANGE AS RECORDED IN BOOK 13, PAGE 44 IN THE OFFICE OF THE RECORDER OF LOS ANGELES COUNTY, CALIFORNIA)**

**180 SOUTH WATER STREET- CHAPMAN TR LOT 2 BLK D PORS OF LOT TR 175 – APN No. 390-452-05**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Orange, on the basis of the facts set forth in the agenda report presented to it and testimony received at the meeting at which this matter was considered, as follows:

1. The City Council finds and determines that the foregoing recitals are true and correct.
2. Based upon its review of the comments received during the public review process and considering the testimony, documents, or other materials which constitute the record of proceedings upon which its decision was based, the City Council finds and determines that:
  - a. The Mitigated Negative Declaration was presented to this City Council and the members of the City Council have reviewed and considered the information contained therein prior to taking any action to approve the Project and any other actions, proceedings and matters related thereto;
  - b. There is no substantial evidence that the Project will have a significant effect on the environment, except as identified and considered in the Mitigated Negative Declaration, and the Mitigated Negative Declaration reflects the City's independent judgment and analysis;
  - c. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects thereof, as identified in the MND;
  - d. It is neither necessary nor required that an environmental impact report be prepared for the Project described in the Mitigated Negative Declaration; and
  - e. The documents and other material which constitute the record of proceedings upon which its decision is based are on file with the City Clerk at 300 E. Chapman Avenue in the City of Orange.
3. The City Council hereby approves and adopts Mitigated Negative Declaration No. 1862-18, associated Mitigation Monitoring and Reporting Program, and Response to Comments, for the construction of Fire Station No. 1 and Headquarters at 105 S. Water Street including the associated parking lot at 180 S. Water Street (Exhibit A).
4. The officers and employees of the City are authorized and directed, jointly and severally, on behalf of the City to (a) file the original and duplicate copy of a Notice of Determination with the Clerk of the County of Orange in accordance with Section 21152 of the California Public Resources Code, and (2) pay to the Clerk of the County of Orange the fish and wildlife fee, the County's documentary handling fee (unless exempt), and any other fees

required under California Fish and Game Code Section 711.4(d)(2) and Section 753.5 of Title 14 of the California Code of Regulations concurrently with filing the Notice of Determination.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Mark A. Murphy, Mayor, City of Orange

**ATTEST:**

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange

\_\_\_\_\_  
Date

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE     )  
CITY OF ORANGE         )

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:  
ABSTAIN:       COUNCILMEMBERS:

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange