

# **PC Attachment 2**

**RESOLUTION NO. PC 2020-\_\_**

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LAKE FOREST, CALIFORNIA,  
DENYING PLANNED SIGN PROGRAM PSP 05-20-  
5354 FOR DRIVE-THROUGH SIGNAGE FOR A NEW  
CAR WASH LOCATED AT 21781 LAKE FOREST  
DRIVE

WHEREAS, on April 22, 2020, Jeff Bergsma of Team Design filed an application for Planned Sign Program (PSP) 05-20-5354 for drive-through car wash signage in conjunction with Use Permit 11-19-5315 for a new drive-through carwash located at 21781 Lake Forest Drive ("Project"); and

WHEREAS, the Municipal Code requires Planning Commission approval of a Planned Sign Program for drive-through signage; and

WHEREAS, on June 4, 2020, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, Planned Sign Program 05-20-5354 and at which, per the request of the applicant, the Planning Commission continued the public hearing to the July 9, 2020 Planning Commission meeting; and

WHEREAS, on July 9, 2020, the Planning Commission held the continued public hearing at which interested persons had an opportunity to testify in support of, or opposition to, Planned Sign Program 05-20-5354 and at which, per the request of the applicant, the Planning Commission continued the public hearing to the August 6, 2020 Planning Commission meeting; and

WHEREAS, on August 6, 2020, the Planning Commission denied Use Permit 11-19-5315 for the new drive-through car wash located at 21781 Lake Forest Drive; and

WHEREAS, on August 6, 2020, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, Planned Sign Program 05-20-5354 and at which the Planning Commission considered the application.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS. The Lake Forest Planning Commission hereby finds, based on consideration of the whole record before it, as follows:

1. CEQA: Approval of the permit application is in compliance with the requirements of the California Environmental Quality Act (CEQA).

*The California Environmental Quality Act ("CEQA") does not apply to "projects which a public agency rejects or disapproves." (Pub. Resources Code, § 21080, subd. (b)(5); see also State CEQA Guidelines, §§ 15061, subd. (b)(4), 15270.) Here, because the Planning Commission is denying the Project, CEQA does not apply to the Commission's action.*

2. The proposed signs are consistent with the purpose and intent of the sign ordinance.

*This planned sign program for the drive-through car wash signage was submitted in conjunction with Use Permit 11-19-5315 for a new drive-through carwash located at 21781 Lake Forest Drive. Use Permit 11-19-5315 was denied by the Planning Commission. As such, drive-through signage is not necessary, since there is no car wash. Pursuant to the City's Code, one of the purposes of the Sign Code is to encourage effective use of signs and graphics as a means of identification and communication in the community. The car wash drive through signage, without a car wash, would not be an effective use of signs and graphics as a means of identification and communication, since the car wash does not exist. Therefore, the project is not consistent with the purpose and intent of the Sign Code.*

Because only one negative finding is required to be made in order to support a denial of the application, the Planning Commission declines to make additional findings on this application.

SECTION 2. PLANNING COMMISSION ACTIONS. The Planning Commission hereby denies Planned Sign Program 05-20-5354 for drive-through signage for a new drive-through carwash located at 21781 Lake Forest Drive

APPROVED AND ADOPTED this 6<sup>th</sup> day of August, 2020 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
FRANCISCO BARAJAS  
CHAIR  
LAKE FOREST PLANNING COMMISSION

ATTEST:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
GAYLE ACKERMAN, AICP  
DIRECTOR OF COMMUNITY DEVELOPMENT

\_\_\_\_\_  
DATE