

PC Attachment 3

RESOLUTION NO. PC 2020-__

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LAKE FOREST, CALIFORNIA,
DENYING PLANNED SIGN PROGRAM 11-19-5316,
AN AMENDMENT TO PLANNED SIGN PROGRAM 06-
17-5045, FOR THE HERITAGE HILL PLAZA

WHEREAS, on November 12, 2019, Jeff Bergsma of Team Design filed a Planned Sign Program 11-19-5316, an application to amend Planned Sign Program 06-17-5045 for the Heritage Hill Plaza located at 21723-21791 Lake Forest Drive and 25422-25432 Trabuco Road in conjunction with Use Permit 11-19-5315 for a new drive-through carwash located at 21781 Lake Forest within the plaza; and

WHEREAS, the Municipal Code allows a planned sign program to assure coordination and compatibility between all signs within a commercial center and amendments to a planned sign program shall be processed in the same manner as an original application; and

WHEREAS, Planned Sign Program 06-17-5045 for the Heritage Hill Plaza located at 21723-21791 Lake Forest Drive and 25422-25432 Trabuco Road was approved by the Lake Forest Planning Commission on January 11, 2018; 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 11-19-5316 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 11-19-5316 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 11-19-5316 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 amendment to the planned sign program for the Heritage Hill Plaza 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, the amendment to the Planned Sign Program, which addresses signage for the proposed car wash, 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 amendments to the planned program, which all relate to the denied 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 11-19-5316, an application to amend Planned Sign Program 06-17-5045 for the Heritage Hill Plaza located at 21723-21791 Lake Forest Drive and 25422-25432 Trabuco Road to address signage for a new drive-through car wash located at 21781 Lake Forest within the plaza.

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

AYES:

NOES:

ABSENT:

ABSTAINED:

FRANCISCO BARAJAS
CHAIR
LAKE FOREST PLANNING COMMISSION

DATE

ATTEST:

GAYLE ACKERMAN, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT

DATE