

Solano County

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Agenda Submittal

Agenda #:	2	Status:	ALUC-Regular-CS
Type:	ALUC-Document	Department:	Airport Land Use Commission
File #:	AC 24-020	Contact:	Nedzlene Ferrario
Agenda date:	06/13/2024	Final Action:	
Title:	ALUC-24-09 (Digital Freeway Billboard Ordinance)		

Determine that Application No. ALUC-24-09, (Digital Freeway Billboard Ordinance) located within the Travis Air Force Base (AFB) Compatibility Zone D and E and Nut Tree Airport Compatibility Zones, is consistent with the applicable Airport Land Use Compatibility Plans (City of Vacaville)

Governing body: Airport Land Use Commission

District:

Attachments: [A - Airport Compatibility Zones Criteria](#)
[B - Draft Digital Freeway Billboard Ordinance](#)
[C - Potential billboard locations and Compatibility Zones](#)
[D - Link to Draft Vacaville Gateways Master Plan](#)
[E - Draft Resolution](#)

Date:	Ver.	Action By:	Action:	Result:
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RECOMMENDATION:

Determine that Application No. ALUC-24-09, (Digital Freeway Billboard Ordinance) located within the Travis Air Force Base (AFB) Compatibility Zone D and E and Nut Tree Airport Compatibility Zones, is consistent with the applicable Airport Land Use Compatibility Plans.

DISCUSSION:

Section 21676 (d) of the State Aeronautics Act requires the Airport Land Use Commission (ALUC) review of zoning regulation amendments within an Airport Influence Area.

On May 9, 2024, the ALUC reviewed the Digital Freeway Billboard Initial Study/Mitigated Negative Declaration that was prepared for the project and identified that illuminated billboards, specifically, the south facing facades, within the approach/departure zones have the potential to cause pilot confusion especially in foggy conditions. ALUC recommended that FAA No Hazard Determination review shall be required for billboards within the Nut Tree Airport Influence Area. City staff amended the proposed zoning text amendments to require No Hazards Determination to be submitted by an applicant prior to submitting an application to City staff.

The specific language can be found under Section 14.09.260.100.5 (c): Compliance with State and Federal Law:

5.(C): FAA Determination of No Hazard. All development applications for a digital freeway billboard located along Interstate 505 within the Nut Tree Area Airport Influence Area shall include a

Determination of No Hazard from the Federal Aviation Administration prior to submittal to the City of Vacaville.

PROJECT DESCRIPTION

The Community Development Department is proposing to amend the City's Sign Ordinance under Vacaville Municipal Code (VMC) Chapter 14.09.260, to create policies, procedures, and standards for regulating digital freeway billboard development in Vacaville. Staff is also proposing amendments to the City Gateways Design Master Plan to address digital freeway billboards and ensure consistency with the VMC. The proposed amendments include location restrictions, static (standard) billboard removal requirements, development standards such as height and minimum separation between billboards, design requirements, performance standards such as display brightness and maintenance, and procedures for allowing new digital freeway billboards along sections of the Interstate 80 and 505 corridors.

If adopted, the regulations would allow up to 18 digital billboards along Interstate-80 and 505, approximately 65 feet in height and 1200 square feet of sign area.

AIRPORT PLANNING CONTEXT & ANALYSIS

Zoning regulations amendments must undergo review by the ALUC for consistency with the applicable LUCPs (State Aeronautics Act section 21676). The proposed amendments would apply city-wide, which is located in Compatibility Zones D and E of the Travis AFB LUCP and all compatibility zones of the Nut Tree Airport Plan (Attachment B).

Staff evaluated the City's project applicable Compatibility Zone Criteria and analysis of the project is summarized in Attachment A.

ANALYSIS FINDING

Based on the review, staff finds that the proposed changes comply with the requirements of the zones to protect flight and are consistent with the Travis AFB Land Use Compatibility Plan (LUCP) and Nut Tree Airport Land Use Compatibility Plan subject to the following condition:

Attachments

- Attachment A: Airport Compatibility Zones Criteria
- Attachment B: Potential Billboard Locations and Compatibility Zone Maps
- Attachment C: Draft Digital Freeway Billboard Ordinance
- Attachment D: Link to Draft Vacaville Gateways Master Plan
- Attachment E: Draft Resolution

TRAVIS AFB LAND USE COMPATIBILITY ZONE CRITERIA

ALUC-24-09 Vacaville Digital Freeway Billboard Ordinance

Compatibility Zone Criteria	Consistent	Not Consistent	Comment
Zone D			
Max Densities – No limits	X		The proposed ordinance does not change densities
Prohibited uses: hazards to flight	X		Illuminated billboards within the Nut Tree AIA may cause pilot confusion specifically in foggy conditions Applicants are required to obtain a No Hazard Determination by FAA prior to submitting an application to the City of Vacaville.
ALUC review required for objects > 200 feet AGL	X		No objects above 200 feet are proposed
All proposed wind turbines must meet line-of-sight criteria in Policy 5.6.1(b)	X		No wind turbines proposed
All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review	X		No commercial solar proposed
All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review	X		No towers above 200 feet proposed
For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.	X		The proposed ordinance will not introduce wildlife
For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.	X		The proposed ordinance will not introduce wildlife
Zone E			
Max Densities – No limits	X		The proposed ordinance does not increase densities
ALUC review required for objects > 200 feet AGL	X		No objects above 200 feet are proposed
All proposed wind turbines must meet line-of-sight criteria in Policy 5.6.1(b)	X		No wind turbines proposed
All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review	X		No commercial solar proposed
All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review	X		No towers above 200 feet proposed
Outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.	X		The proposed ordinance will not introduce wildlife

NUT TREE AIRPORT LAND USE COMPATIBILITY ZONE CRITERIA

ALUC-24-09 Vacaville Digital Freeway Billboard Ordinance

Compatibility Zone Criteria	Consistent	Not Consistent	Comment
Zone A			
Max Densities: residential – 0 du/acre, other uses/in structures – 10; in/out of structure – 15 people/acre, required open land – 65%	X		The proposed ordinance will not increase densities
Prohibited uses: the assemblage of people; new structures >FAR 77 height limits; noise-sensitive uses	X		The proposed ordinance does not propose prohibited uses
No uses hazardous to flight	X		No billboards are proposed at this location
Avigation easement	X		No avigation easement required
50ft. setback from extended runway centerline for all structures	X		The proposed ordinance does not propose structures
Zone B			
Max Densities: residential – 0.3 du/acre, other uses/in structures – 20; in/out of structure – 40 people/acre, required open land – 50%	X		The proposed ordinance will not increase densities
Prohibited uses: noise-sensitive uses; schools, libraries, hospitals, nursing homes; involving substantial amounts of highly flammable or explosive materials	X		The proposed ordinance does not propose prohibited uses
Structures to be as far as possible from the extended runway centerline	X		The proposed ordinance does propose structures
Minimum NLR ⁸ of 25 dBA in residential and office buildings	X		The proposed ordinance does not change noise attenuation measures
No uses hazardous to flight	X		No billboards are proposed at this location
Avigation easement	X		No avigation easement required
Zone C			
Max Densities: residential – 1 du/acre, other uses/in structures – 50; in/out of structure – 75 people/acre, required open land – 15%	X		The proposed ordinance will not increase densities
Prohibited uses: schools, libraries, hospitals, nursing homes; noise-sensitive outdoor activities	X		No prohibited uses proposed
Residential structures, especially mobile homes, to have a minimum NLR of 20 dBA	X		The proposed ordinance does not change noise attenuation measures
Clustering of development is encouraged	X		No development proposed
No uses hazardous to flight	X		No billboards are proposed at this location
Avigation easement	X		No avigation easement required

Compatibility Zone Criteria	Consistent	Not Consistent	Comment
Zone D			
Max Densities: residential – 4 du/acre, other uses/in structures – 100; in/out of structure – 150 people/acre, required open land – 10%	X		The proposed ordinance will not increase densities
Prohibited uses: noise-sensitive outdoor activities	X		The proposed ordinance does not propose noise-sensitive uses
Residential structures, especially mobile homes, to have a minimum NLR of 20 dBA	X		The proposed ordinance does not change noise attenuation measures
Clustering of development is encouraged	X		No development proposed
No uses hazardous to flight	X		Illuminated billboards within the Nut Tree AIA may cause pilot confusion specifically in foggy conditions Applicants are required to obtain a No Hazard Determination by FAA prior to submitting an application to the City of Vacaville.
Overflight easement	X		No aviation easement required
Zone E			
Max Densities: residential – 6 du/acre	X		The proposed ordinance will not increase densities
Prohibited uses: Highly noise-sensitive outdoor activities; e.g. amphitheaters	X		The proposed ordinance does not propose noise-sensitive uses
Residential uses should have limited outdoor living areas and should be oriented away from noise sources, clustering is encouraged	X		The proposed ordinance does not change noise attenuation measures
No uses hazardous to flight	X		Illuminated billboards within the Nut Tree AIA may cause pilot confusion specifically in foggy conditions Applicants are required to obtain a No Hazard Determination by FAA prior to submitting an application to the City of Vacaville.
Overflight easement	X		No aviation easement required
Zone F			
Max densities: residential – none	X		The proposed ordinance does not propose residential development
Maximum people/acre – total in or out of structures - none	X		The proposed ordinance does not proposed urban development
Required Open Land - None	X		The proposed ordinance does not proposed urban development

EXHIBIT B TO ATTACHMENT 2

Chapter 14.09.260 Signs

Sections:

- 14.09.260.010 Purpose
- 14.09.260.020 Applicability
- 14.09.260.030 Exempt Signs
- 14.09.260.040 Prohibited Signs
- 14.09.260.050 Sign Procedures
- 14.09.260.060 Sign Measurement
- 14.09.260.070 General Provisions
- 14.09.260.080 Permanent Signs
- 14.09.260.090 Temporary Signs
- 14.09.260.100 Sign Standards for Specific Land Uses and Development Types
- 14.09.260.110 Nonconforming Signs
- 14.09.260.120 Illegal Signs
- 14.09.260.130 Enforcement
- 14.09.260.140 Severability

14.09.260.010 Purpose

The purpose of this Chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. More specifically, this Chapter is intended to:

- A. Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
- B. Allow signs to serve as an effective channel of communication while preventing visual clutter that will detract from the aesthetic character of the City;
- C. Protect and improve the local economy and quality of life by preserving and enhancing the City's visual appearance and character;
- D. Direct persons to various places, activities, and uses, and to provide for the public convenience;
- E. Maintain and enhance the City's appearance by regulating the location, number, type, quality of materials, size, illumination, and maintenance of signs;

- F. Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards and distractions for pedestrians or drivers;
- G. Provide clear and unambiguous sign standards that enable fair and consistent enforcement; and
- H. Ensure that the constitutionally guaranteed right of free speech is protected.

14.09.260.020 Applicability

- A. **Applicable to All Zoning Districts.** The provisions of this Chapter apply to all signs in all zoning districts, constructed or altered on or after the Effective Date of this Title, unless otherwise specified. If any zoning district or Specific Plan imposes requirements which conflict with those set forth by this Chapter, the more restrictive provisions shall prevail.
 - 1. The provisions of this Chapter shall not be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings, create a safety hazard by impeding travel on sidewalks, in bike or vehicle lanes, or on trails, or violate any other reasonable time, place, and manner restrictions adopted by the City.
 - 2. The provisions of this Chapter shall not require alteration of the display of any registered mark, trademark, service mark, trade name, or corporate name that may be associated with or incorporated into a registered mark, where such alteration would require the registered mark to be displayed in a manner differing from the mark as exhibited in the certificate of registration issued by the United States Patent and Trademark Office. It is the responsibility of the applicant to establish that a proposed sign includes a registered mark.
- B. **Regulatory Interpretations.** The provisions of this Chapter shall be applied in a content-neutral manner. Non-communicative aspects of all signs, not related to the content of the sign, shall comply with the provisions of this Chapter. "Non-communicative aspects" include the time, place, manner, location, size, height, illumination, spacing, and orientation of signs.
- C. **Message Substitution.** A non-commercial message of any type may be substituted, in whole or in part, for any permitted commercial message. Any non-commercial message may be substituted for any non-commercial message. Any on-site commercial message may be substituted for any on-site commercial message.
 - 1. **No Additional Approval Required.** Such substitution of message may be made without any additional approval, permitting, registration, or notice to the City. This provision prevents any inadvertent favoring of commercial speech over non-commercial speech or favoring any non-commercial message over any other non-commercial message.
 - 2. **Limitations.** This provision does not allow the following:
 - a. Create the right to increase the total amount of signage for a parcel, lot, or land use;
 - b. Affect the requirement that a sign structure or mounting device be properly permitted;

- c. Allow a change in the physical structure of a sign or its mounting device;
- d. Allow a sign that could be confused with or interfere with any official traffic device, traffic signal, or directional sign;
- e. Authorize the substitution of an off-site commercial message in place of an on-site commercial message or in place of a non-commercial message.
- f. Nullify or eliminate any contractual obligation through a development agreement or similar agreement that specifies the allowable content of a sign; or
- g. Permit the conversion of an existing sign to a billboard.

14.09.260.030 Exempt Signs

The following signs are exempt from the permit requirements of this Chapter, and do not count toward the maximum sign area limitation for a site, provided that they conform to the specified standards.

- A. **Architectural Features.** Architectural features, symbols embedded in architecture that are permanently integrated into the structure of a permanent building, including stained glass windows, carved or bas relief doors or walls, bells, and religious statuary.
- B. **Government Signs.** Any sign, posting, notice or similar signs placed, installed or required by law by a city, county, or a federal or state governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, including, but not limited to, the following:
 - 1. Emergency and warning signs necessary for public safety or civil defense;
 - 2. Traffic signs erected and maintained by an authorized public agency;
 - 3. Numerals and letters identifying an address from the street to facilitate emergency response and compliant with City requirements
 - 4. Signs required to be displayed by law;
 - 5. Signs directing the public to points of interest, except for sign programs identifying a district or area or set of destinations, such as City wide wayfinding signage, or sign programs adopted as part of a Specific Plan; and
 - 6. Signs showing the location of public facilities.
- C. **Grave Markers.** Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased.
- D. **Historic Plaques and Commemorative Signs.** Historic plaques, memorial signs or tablets, or commemorative signs indicating names of buildings and dates of building erection, either attached to or cut into the surface of a building, not to exceed four square feet in area.
- E. **Minor Signs.** Minor signs which do not exceed four square feet in sign area and 10 feet in height do not require a Sign Permit and may be placed as follows.
 - 1. One minor sign facing each parking stall in a parking lot.
 - 2. One minor sign on each side of each driveway entrance to a parking lot.

3. One minor sign at each entrance to a building.
 4. Inflatable, temporary, moveable, gymnasium devices commonly used for children's birthday parties, and similar devices, commonly referred to as "bounce houses" or "party jumps".
 5. News racks and newsstands.
- F. Signs not readable from the public right-of-way, such as:
1. Signs or displays located entirely inside of a building and not visible from the building's exterior;
 2. Signs intended to be readable from within a parking area but not readable beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way; and
 3. Signs located within City recreation facilities.
- G. Signs that are an integral part of an allowed vending machine or similar facility located outside of a business.

14.09.260.040 Prohibited Signs

The following signs are prohibited.

A. **Location Restrictions.**

1. **Signs Located in the Public Right-of-Way or on Public Property.** Other than official government signs or warning signs required by law, any sign placed in or projecting into the public right-of-way or on public property, unless expressly authorized by this Chapter or an encroachment permit.
2. **Signs Affixed to Trees or Terrain.** Signs affixed to or cut into trees or other living vegetation, or cut, burned, marked, or displayed on a street, sidewalk, cliff, hillside, or other terrain feature.
3. **Signs Creating Traffic or Pedestrian Safety Hazards.** Signs placed or located in such a manner as to constitute a traffic or pedestrian safety hazard.

B. **Display Restrictions.**

1. **Animated or Motion Signs.** Animated, flashing, blinking, reflecting, revolving, or other similar sign with visibly moving or rotating parts or visible mechanical movement of any kind, unless expressly permitted by another Section of this Chapter.
2. **Balloons, Inflatable Signs, Streamers, and Other Attention-Getting Devices.** Balloons, inflatable signs, streamers, pennants, and other attention-getting devices, made of lightweight fabric or similar material, designed to rotate or move with the wind, that direct and promote, or are otherwise designed to attract attention.
3. **Billboards.** The new construction, erection, or use of billboards is prohibited, except for as follows:
 - a. Digital freeway billboards approved under Section 14.09.260.100.B, Digital Freeway Billboards; or

- b. Those approved under a relocation agreement as provided in this Section 14.09.260.110, Nonconforming Signs.
4. **Message Center Signs.** All message center signs used for any use.
5. **Search Lights and Klieg Lights.** Search and arc lights when used as attention-attracting devices for commercial uses.
6. **Signs Producing Noise or Emissions.** Signs producing visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line.
7. **Signs for Prohibited Uses.** A sign displaying a commercial message promoting a business that is a prohibited use and that has not been established as a legal nonconforming use.
8. **Unauthorized Signs.** Signs that have been placed on private or public property without the consent of the property owner or as authorized in this Chapter.

14.09.260.050 Sign Procedures

All permanent and temporary signs may be installed only subject to a sign permit and in compliance with this Section, unless specifically stated otherwise. The owner shall also be responsible for obtaining other applicable permits and approvals, such as building permits, electrical permits, and grading permits.

- A. **Sign Permit Required.** Prior to installing any sign requiring a permit under this Chapter, the applicant shall submit a sign permit application to the Director of Community Development. Applications and fees for a sign permit shall be submitted in accordance with the provisions set forth in Section 14.09.030.030, Application Forms and Fees. The Director of Community Development may request further information regarding the location, design, dimensions, and installation details of all proposed signs.
 1. **Sign Permit Only.** If the sign permit application is not connected to another land use permit application, the Director of Community Development shall review the application in accordance with the procedures set forth in Chapter 14.030.030, Common Procedures. The Director of Community Development shall approve, approve with conditions, or deny the application based on compliance with the standards of this Chapter.
 2. **Concurrent Review.** For projects which require another land use permit and include signs, the applicant shall submit a concurrent sign permit application to the Director of Community Development. The Decision Maker shall review the sign permit application concurrently with the primary application and shall decide based on conformance with the standards of this Chapter. Discretionary review shall be limited to the time, place, and manner aspects of the proposed sign.
- B. **Sign Program Required.** Sign projects for non-residential development that includes multiple buildings, multiple tenant spaces, or multiple lots shall require a Planned Sign Program approval.
 1. **Purpose.** The purpose of a Planned Sign Program is to provide a method for an applicant to integrate the design and placement of signs with the overall development design to achieve a more unified, coordinated aesthetic appearance.

2. **Application.** Applications and fees for a Planned Sign Program shall be submitted in accordance with the provisions set forth in Section 14.09.030.030, Application Forms and Fees. The Director of Community Development may request plans, elevations, and further information regarding the location, design, dimensions, and installation details of all proposed signs.
3. **Decision-Maker.** Planned Sign Programs are subject to review by the Decision Maker for the project with which the signs are associated. A Planned Sign Program may be submitted separately or concurrently with other applications for the project.
4. **Review and Decision.** The Planned Sign Program shall be reviewed for conformance with the standards in this Chapter. While the application may be reviewed concurrently with another application that is subject to discretionary review, discretionary review shall not be used in the review of any communicative aspects of the signs comprising the Planned Sign Program.
5. **Required Findings and Bonus Sign Allowance.** The Decision Maker shall make a minimum of eight of the 11 findings for common sign elements listed below. The Decision Maker may allow one additional freestanding sign, or one additional wall sign per building frontage if they can make all of the following findings.
 - a. All wall signs, except for one per building frontage, are installed at the same height on the building elevation.
 - b. All wall signs, except for one per building frontage, are the same height (from the bottom to the top of the sign).
 - c. All wall signs, except for one per building frontage, are the same geometric shape.
 - d. The faces of all wall signs are the same material.
 - e. The cabinets of all wall signs are of the same material and color.
 - f. All wall signs have the same illumination method, such as interior illumination, exterior illumination, or use of neon.
 - g. All freestanding signs have frames and supports that are the same color as the building's primary color or primary trim color.
 - h. All freestanding signs have frames and supports that are of the same material or appear to be of the same material as the siding materials of the building.
 - i. If there is more than one freestanding sign, all freestanding signs shall have the same basic shape.
 - j. The faces of all freestanding signs are of the same materials as the wall signs.
 - k. The illumination method of the freestanding signs is the same as the wall signs.
6. **Sign Permit Conformance with Planned Sign Program.** The Director of Community Development shall review a sign permit application for installation of a sign in the area covered by an approved planned sign program. The application shall be approved if it conforms to the approved planned sign program.

7. **Nonconforming Planned Sign Program.** A Planned Sign Program approved by the City prior to the enactment of this Chapter or any revisions hereto that does not conform to the provisions of this Chapter shall continue to remain in effect. If an application is submitted to modify the nonconforming Planned Sign Program, the modified planned sign program shall conform to the provisions of this Chapter.
8. **Modifications to Planned Sign Program.** The Director of Community Development shall review any proposed modification to an approved planned sign program, based on conformance with the standards of this Chapter. The Director of Community Development shall approve a proposal to modify an approved, nonconforming Planned Sign Program if the proposed modification results in the program coming closer to complying with the standards of this Chapter.

14.09.260.060 Sign Measurement

A. **Measuring Sign Area.** Building elements, painting, striping, and supporting structures are not included in the sign area measurement. The sign area is the total area contained within the smallest rectangular perimeter encompassing the sign, structures, and any background embellishments.

1. **Single-Faced Signs.** The sign area is the area of the sign face.

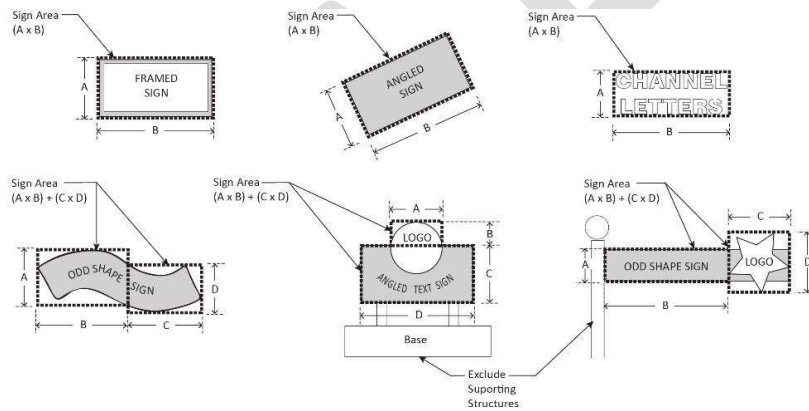


FIGURE 14.09.260.A: MEASURING SIGN AREA FOR SINGLE-FACED SIGNS

2. **Double-Faced Signs.** For a sign whose two faces are back-to-back, parallel, and located two feet or less apart, the sign area shall be taken as the area of the larger face, or one face if the two faces are of equal area.

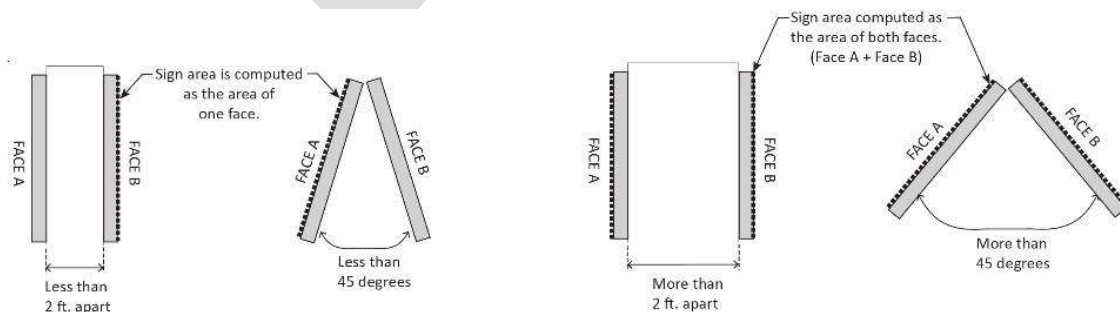


FIGURE 14.09.260.B: MEASURING SIGN AREA FOR DOUBLE-FACED SIGNS

3. **Multi-Faced Signs.** The sign area is the sum total area of all sign faces.

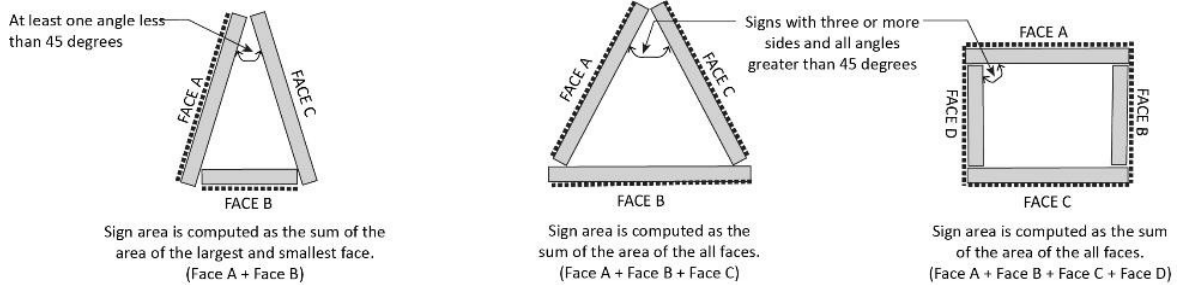


FIGURE 14.09.260.C: MEASURING SIGN AREA FOR MULTI-FACED SIGNS

4. **Three-Dimensional Signs.** Three-dimensional signs include those that consist of, or have attached to them, one or more three-dimensional objects such as balls, cubes, clusters, or sculpture-like trademarks. The sign area is the sum of the area of the four vertical sides of the smallest rectangular prism that will encompass the sign.

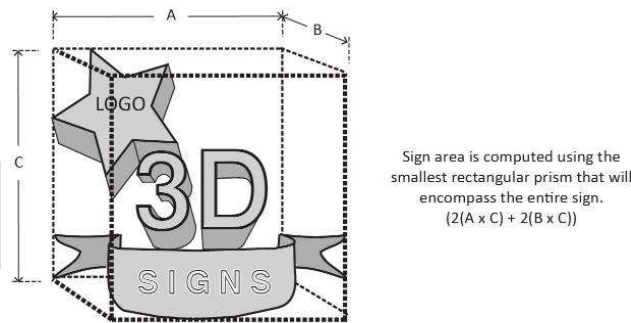


FIGURE 14.09.260.D: MEASURING SIGN AREA FOR THREE-DIMENSIONAL SIGNS

B. **Measuring Sign Height.** The height of a sign is the vertical distance from the uppermost point used to measure sign area, to the existing grade immediately below the sign.

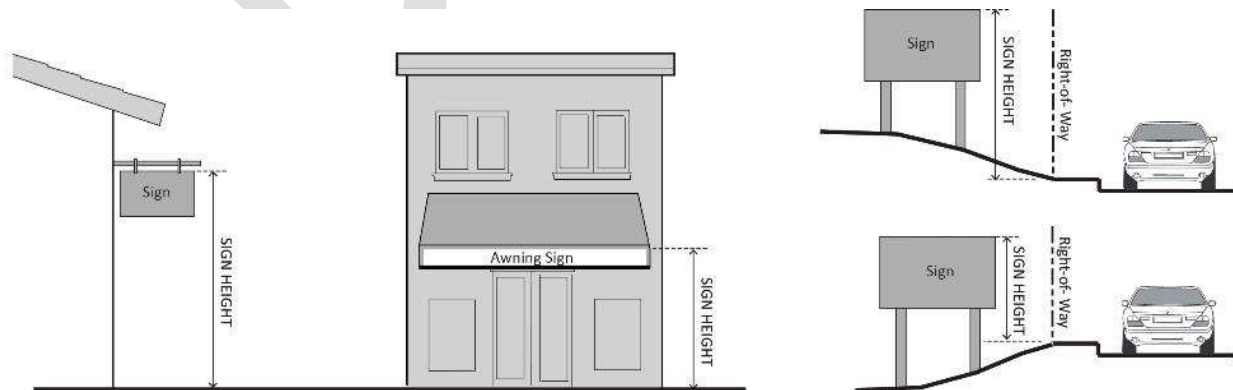


FIGURE 14.09.260.E: MEASURING SIGN HEIGHT

- C. **Measuring Sign Clearance.** Sign clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or background embellishments.

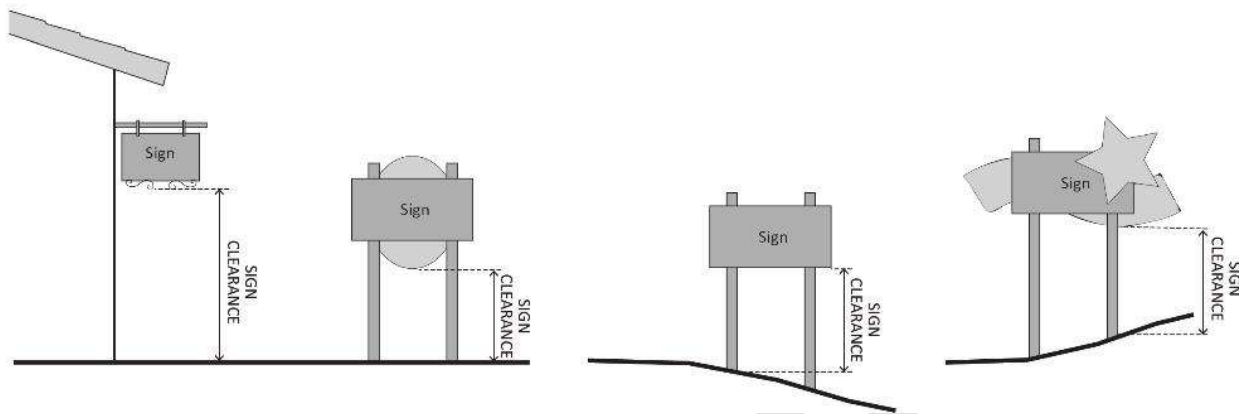


FIGURE 14.09.260.F: MEASURING SIGN CLEARANCE

- D. **Measuring Building Frontage.** Building frontage shall be measured as the widest lineal dimension, parallel to the ground, of a continuous frontage. A building's frontage is considered continuous if projections or recesses in a building wall do not exceed 10 feet in any direction. For buildings with two or more frontages, the length of the frontage and allowable sign area shall be calculated separately for each building frontage.

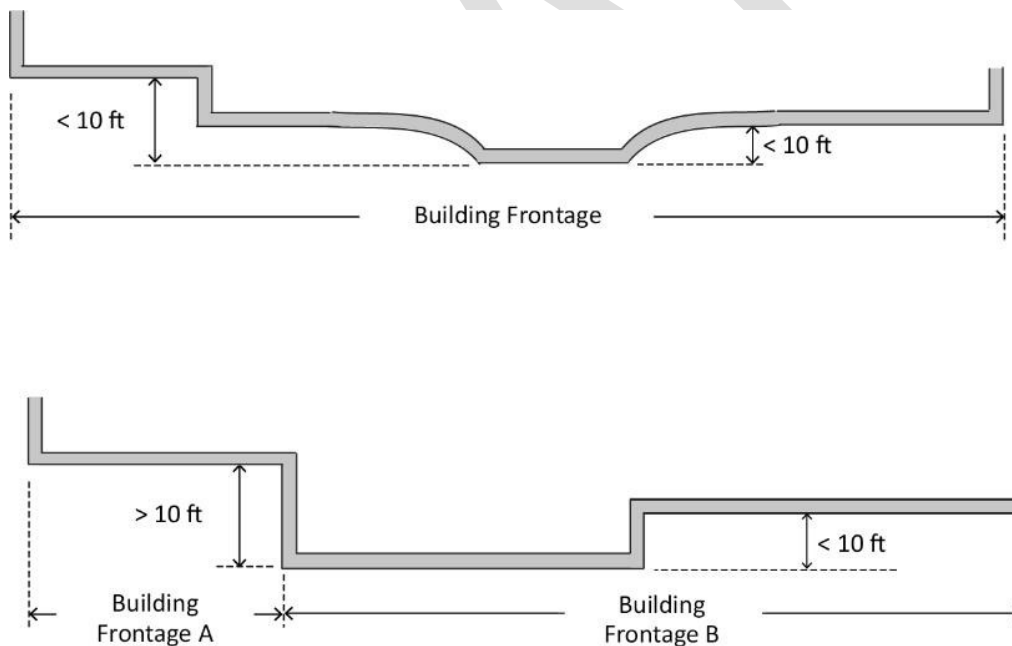


FIGURE 14.09.260.G: MEASURING BUILDING FRONTAGE

14.09.260.070 General Provisions

- A. **Applicable Codes.** In addition to complying with the provisions of this Chapter, all signs shall be constructed in accordance with the Uniform Building Code, the Electrical Code, and all other applicable laws, rules, regulations, and policies.
- B. **Encroachment.** Signs mounted on private property may project into or above public property or the public right-of-way only with approval of an encroachment permit.
- C. **Illumination.**
1. **Amount of Illumination.** The amount of illumination allowed shall be sufficient to allow visibility of the sign but shall not produce excessive glare on adjacent properties or create a traffic hazard. Illuminated signs facing a Residential Zoning District shall not cast light that exceeds one-half foot-candle at the residential property line, nor cast any intermittent light.
 2. **Message Center Signs.**
 - a. Message center signs shall not include the use of a flashing, intermittent, or moving light, or any illumination that is in motion or appears to be in motion or changes in light intensity, in accordance with Section 14.09.260.040, Prohibited Signs.
 - b. Messages shall be displayed for a minimum of four seconds and the interval between messages shall be a maximum of one second.
- D. **Sign Maintenance.** All signs shall be maintained by any property owner, lessor, lessee, manager, agent, or other person having lawful possession or control over a sign, building, structure, or parcel of land, in a condition or state of equivalent quality to which was approved or required by the City.
1. All signs together with their supports and appurtenances shall be maintained in good structural condition, in compliance with applicable Building and Electrical Codes, and in conformance with this Chapter. Maintenance of a sign includes periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation and provisions of this Chapter.
 2. **Landscape Maintenance.** Required landscaped areas contained by a fixed border, curbed area, wall, or other perimeter structure shall receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within three months of the plant's demise.
 3. **Removal of Unused Signs.** Any vacant and/or unused sign support structures, angle irons, or other remnants of old signs which are not currently in use or proposed for immediate reuse evidenced by a permit application for a permitted sign, shall be removed. When a building mounted sign is removed, the wall shall be repaired and restored to its original condition. When a freestanding sign is removed, all supports including the footings shall be removed and the area shall be finished to match the contiguous landscape or surfaced area.

14.09.260.080 Permanent Signs

Sign allowances and standards for permanent signs are established by zoning district. The following signs require a Sign Permit.

A. Agricultural and Residential Zoning Districts.

1. **Residential Uses.** Signs are allowed for residential uses on sites at least five acres in size consistent with the following standards.
 - a. Number of Signs. Two signs per residential site entrance.
 - b. Maximum Sign Area. 32 square feet per sign.
 - c. Maximum Sign Height. 6 feet.
2. **Non-Residential Uses and Multi-Unit Residential Uses.** Signs are allowed for non-residential uses and multi-family residential uses with more than four dwelling units consistent with the following standards.
 - a. *Number of Signs.* One sign per building frontage.
 - b. *Maximum Sign Area.* 32 square feet per sign.
 - c. *Maximum Sign Height.* 6 feet.

B. Commercial and Mixed-Use Zoning Districts.

1. **Wall Signs.**
 - a. *Number of Signs.* One per building frontage, plus one per tenant.
 - b. *Sign Area.*
 - i. Minimum. 20 square feet per lot regardless of building frontage length.
 - ii. Maximum. One square foot per one linear foot of building frontage on a public street. Each building elevation shall be given sign square footage for only that frontage and may not combine other street frontage signage to increase signage. The maximum letter height may be 24 inches, except logos or individual letters may be 30 inches. All signs shall be internally or halo-lit illuminated with an individual letter design. No cabinet signs or exposed raceways are permitted.
 - (1) If a building has frontage on more than one public street or right-of-way, the sign area for the lesser length frontages shall not exceed one-half square foot of sign area per lineal foot of building frontage.
 - (2) A portion of the allowed sign area on one building frontage may be transferred to another building frontage provided the maximum sign area on any one frontage is not increased by more than twice the maximum allowed sign area on that frontage.

2. **Freestanding Signs.** For purposes of this Subsection, contiguous lots that function as an integrated development with reciprocal parking and/or access easements or rights shall be considered one site.
 - a. **Number of Signs.** One per site on a public street, provided the site has off-street parking.
 - i. If a site has frontage on more than one public street or right-of-way, each frontage of at least 100 feet in length shall be allowed one sign.
 - ii. If a site has over 300 feet in length of frontage on a public street, one additional sign may be placed for each additional 300 feet of frontage. The additional sign shall also be consistent with the maximum sign area and height standards for sites with less than 100 feet of frontage (see below).
 - b. **Maximum Sign Area.**
 - i. Less than 100 feet of frontage. 25 square feet.
 - ii. 100 feet or more of frontage.
 - (1) *Local or collector street.* 40 square feet.
 - (2) *Four-lane undivided arterial street.* 50 square feet.
 - (3) *Four-lane divided arterial street.* 90 square feet.
 - c. **Maximum Sign Height.**
 - i. Less than 100 feet of frontage. 10 feet.
 - ii. 100 feet or more of frontage.
 - (1) *Local or collector street.* 15 feet.
 - (2) *Four-lane undivided arterial street.* 20 feet.
 - (3) *Four-lane divided arterial street.* 25 feet.
 - d. **Minimum Distance Between Freestanding Signs.** 250 feet.
 - e. **Additional Regulations.**
 - i. If a proposed sign is located within 100 feet of another existing freestanding sign on an abutting property on the same street frontage, the proposed sign shall not obstruct the view of the existing sign by a motorist approaching the sign in the closest lane in that direction on the adjacent public or private street at a distance of not less than 300 feet from the existing sign.
 - ii. If a lot has no frontage on a public street, the owner of that lot may enter into an agreement with the owner of an adjacent lot that fronts on a public street. With such an agreement, the owner of the lot with street frontage may increase the size of one freestanding sign on that lot by up to 20 square feet more than the maximum size otherwise allowed. This provision does not apply to any multi-tenant

development on multiple lots where there is a coordinated and integrated plan for signage, access, and parking.

3. **Freeway Signs.** A site is eligible for a freeway sign if it is at least five acres in size and located within 300 feet of the nearest edge of freeway right-of-way. Contiguous lots may be considered as one site if the total area is at least five acres in size and all lots are encumbered with a recorded easement, restriction, or instrument restricting the freeway sign.
 - a. *Number of Signs.* One sign per site.
 - b. *Maximum Sign Area.*
 - i. Single Tenant. 175 square feet.
 - ii. Multiple Tenants. 325 square feet.
 - c. *Maximum Sign Height.*
 - i. Single Tenant. 25 feet above the elevation of the freeway or 35 feet above the grade at the location of the sign, whichever is greater.
 - ii. Multiple Tenants. Five additional feet per tenant, up to 60 feet.
 - iii. Alternatives. The Director of Community Development shall approve a sign that exceeds the height limitations prescribed in this Subsection up to a maximum sign height of 60 feet if the applicant demonstrates that an approaching freeway motorist's view of the proposed sign would be obscured by a freeway overcrossing or other obstruction from a viewing distance of one-quarter mile.
 - d. *Design Standards.*
 - i. Materials and Colors. All sign panels shall consist of the same materials, colors, and opacity. All raised individual letters, symbols, pictures, or logotypes shall consist of the same materials. This shall not preclude coloring an area of up to 75 percent of the panel underneath the letters, symbols, pictures, or logotypes an alternative color.
 - ii. Shape. Sign panels shall be in the shape of a rectangle, triangle, trapezoid, circle, oval, parallelogram, or regular polygon.
- C. The following uses shall be eligible for a freeway sign:
1. Restaurants and eating establishments;
 2. Service stations;
 3. Automobiles and other vehicles, sales and service, new;
 4. Hotels and motels;
 5. Bars and lounges;
 6. Recreation centers and outdoor commercial recreation; and

7. Retail shopping centers that contain a minimum of 80,000 square feet of floor area and at least one tenant within that shopping center that has a minimum floor area of 20,000 square feet.

D. Employment Zoning Districts.

1. **Total Sign Area.** The total sign area shall be one square foot of sign area per lineal foot of building frontage, up to a maximum of 300 square feet for all signs.
2. **Wall Signs.**
 - a. *Number of Signs.* One wall sign per tenant space per building frontage.
 - b. *Maximum Sign Area.* 200 square feet.
3. **Freestanding Signs.**
 - a. *Building and Tenant Signs.*
 - i. *Number of Signs.* One freestanding sign per building frontage, plus one additional freestanding sign for each 300 feet of linear street frontage.
 - ii. *Maximum Sign Area.* 40 square feet.
 - iii. *Maximum Sign Height.* 15 feet.
 - iv. *Minimum Distance Between Freestanding Signs.* 250 feet.
 - b. *Industrial Park Entrance Sign.* The first entrance to an industrial park is allowed one sign, with maximum sign area of 64 square feet. Any additional entrance is allowed one sign, with maximum sign area of 32 square feet. The maximum sign height shall be 10 feet.

E. Public and Semi-Public Zoning Districts.

1. **Wall Signs.**
 - a. *Total Sign Area.* The total sign area shall be one square foot of sign area per lineal foot of building frontage, up to a maximum of 150 square feet for all signs. If a building has more than one frontage on a public street, the sign area for the lesser length frontage shall be one-half square foot of sign area per lineal foot of frontage.
 - b. *Number of Signs.* One wall sign per tenant space per building frontage.
2. **Freestanding Signs.**
 - a. *Number of Signs.* One freestanding sign per building frontage.
 - b. *Maximum Sign Area.* 50 square feet.
 - c. *Maximum Sign Height.* 10 feet.

14.09.260.090 Temporary Signs

- A. **Sign Permit Not Required.** This Section provides for temporary signs not located within a public right-of-way or on City property commonly known or referred to as “real estate signs,”

“garage sale signs,” “campaign signs,” “construction signs,” “banners,” “feather banners”, and “event posters.” The foregoing examples notwithstanding, nothing in this Section shall regulate or restrict the content of such signs. A sign permit is not required for temporary signs that comply with the provisions of this Chapter except as otherwise may be required under the Uniform Code. Any lot may contain temporary posters, banners, portable signs, yard signs, or ground signs not exceeding the maximum limits set forth in the table below without requiring a sign permit. Any temporary poster, banner, portable sign or yard sign may remain in place for a period not exceeding 60 calendar days. Any temporary ground sign may remain in place for a period not exceeding two years provided it is constructed and anchored as required by the Uniform Sign Code. These time limits do not prevent the sign being replaced with another temporary sign from time to time.

TABLE 14.09.260.A: TEMPORARY SIGNS NOT REQUIRING A SIGN PERMIT			
Zoning District	Number of Signs (per lot)	Maximum Sign Area (per sign)	Maximum Sign Height
Residential Zoning District	2	16 square feet	8 feet
All Other Zoning Districts	2 signs, or 1 sign per 100 feet of street frontage, whichever is greater	32 square feet	10 feet

1. **Temporary Signs during Specific Periods.** In addition to the temporary signs allowed under Subsection A of this Section, additional temporary signs are allowed during the specific time periods listed below.
 - a. **Special Event Period.** A special event period is a time period designated by a property owner during which the number of temporary signs on the site is not limited. Temporary signs may be up to 100 square feet. In a commercial or industrial zone, the owner may designate a special event period of up to a total of 60 calendar days during any calendar year, which may or may not be continuous. In any other zone, the owner may designate a special event period of up to a total of 30 calendar days during any calendar year, which may or may not be continuous. The owner shall notify the Director of Community Development of the beginning and ending dates of the special event period.
 - b. **Election Period.** An election period is that time beginning 90 calendar days prior to any official election within Solano County and ending 30 calendar days after the election. During an election period, the number of temporary signs on a site is not limited. Temporary signs may be up to 100 square feet.
 - c. **Construction Period.** A construction period is that time beginning when a building permit or similar permit authorizing construction on a site is issued and ending 30 calendar days after the final inspection or approval of the construction or expiration of the permit. During a construction period, one additional temporary sign not to exceed 64 square feet in area may be placed on the site.

- B. **Sign Permit Required.** The following temporary signs are allowed but require a sign permit prior to their installation.
 1. **Temporary Signs at an Industrial Park.** One temporary sign shall be allowed at the boundary of an industrial park with undeveloped lots on each street or freeway

frontage. Each sign may not exceed 128 square feet in area or 15 feet in height. All such signs shall be removed within seven calendar days of the sale or lease of the last lot within the industrial park.

2. **Temporary Signs at a Residential Subdivision During the Initial Sales Phase.** Each residential subdivision shall be allowed temporary signs within the subdivision subject to the following standards. Signs permitted under this Section shall not be installed until and unless a final map has been recorded for the subdivision with the Solano County Recorder. This provision does not require any particular content of the signs.
 - a. Two temporary signs not exceeding 32 square feet in total area for each sign nor more than six feet in height nor 10 feet in horizontal length shall be allowed.
 - b. The temporary signs shall be removed within seven calendar days of the sale of the final residential lot within the subdivision.
 - c. No sign shall be located within 100 feet of an occupied residence or building.

14.09.260.100 Sign Standards for Specific Land Uses and Development Types

- A. **Drive-Through Facility.** Drive-through facilities may have additional signs located in the drive-through area, subject to the following requirements:
 1. **Location.** Drive-through area signs shall be located a minimum of 15 feet from the public right-of-way.
 2. **Height.** Drive-through area signs shall be a maximum of 10 feet tall.
 3. **Letter Size.** All letters, logotypes, pictures, or symbols shall be a maximum of six inches in height.
- B. **Digital Freeway Billboards.** Digital freeway billboards may be allowed in Commercial and Employment zoning districts, subject to the following requirements:
 1. **Applicability.** The provisions of this subsection apply to all digital freeway billboards located within the City of Vacaville, including, but not limited to, the construction of new digital freeway billboards and the conversion of existing static (standard) billboards into digital billboards.
 2. **Development Standards.** All digital freeway billboard proposals shall comply with the development regulations identified in Table 14.09.260.B, Digital Freeway Billboard Development Regulations.

TABLE 14.09.260.B: DIGITAL FREEWAY BILLBOARD DEVELOPMENT REGULATIONS		
	<u>Standard</u>	<u>Notes</u>
<u>Development Standards</u>		
<u>Permitted Zoning Districts</u>	<u>Commercial and Employment zoning districts</u>	<u>See Table 14.90.040.A of this code.</u>
<u>Permitted Locations</u>	<u>See subclassifications below</u>	

TABLE 14.09.260.B: DIGITAL FREEWAY BILLBOARD DEVELOPMENT REGULATIONS		
	<u>Standard</u>	<u>Notes</u>
<u>Interstate 80</u>	<u>Parcels east of Leisure Town Road and west of Midway Road</u>	<u>Only on parcels abutting Interstate 80.</u>
<u>Interstate 505</u>	<u>Parcels north of Vaca Valley Parkway, south of Midway Road, and west of Interstate 505</u>	<u>Only on parcels abutting Interstate 505.</u>
<u>Maximum Sign Width</u>	<u>60 feet</u>	<u>See California Business and Professions Code Section 5408(a)</u>
<u>Maximum Sign Height</u>	<u>25 feet</u>	
<u>Maximum Sign Area</u>	<u>1,200 square feet</u>	
<u>Maximum Number of Sign Faces</u>	<u>See subclassifications below</u>	
<u>Interstate 80</u>	<u>2 sign faces (one in each direction)</u>	
<u>Interstate 505</u>	<u>2 sign faces (one in each direction)</u>	<u>Billboards located in the Nut Tree Airport Area of Influence are limited to 1 sign face facing north</u>
<u>Maximum Height</u>	<u>65 feet</u>	
<u>Minimum Separation between Billboard Structures</u>	<u>3,000 feet</u>	<u>Measured as a radius between digital billboards</u>
<u>Minimum Distance from Sensitive Receptors</u>	<u>300 feet</u>	<u>See Note (a)</u>
<u>Angle to the Freeway</u>	<u>To the extent possible, the billboard shall be located and oriented in a manner that avoids or minimizes the direct exposure of the display to view from adjacent or nearby residential or hotel uses. Lighting shall be designed to direct light and glare away from adjoining lots, residential areas, and public streets.</u>	
<u>Landscaping</u>	<u>All areas not being used for the billboard structure or for maintenance access shall be landscaped.</u>	
Design Standards		
<u>City Identification</u>	<u>At least one of the following shall be included on the structure in a location visible from the freeway:</u> <ul style="list-style-type: none"> • <u>“Vacaville”</u> • <u>“City of Vacaville”</u> • <u>The City logo</u> 	<u>Subject to Major Design Review approval, as established by Chapter 14.09.290 of this Code.</u> <u>See Note (b)</u>
<u>Theming</u>	<u>The billboard structure shall incorporate Vacaville-specific designs and themes, such as, but not limited to, golden hills, biotechnology, and agriculture, subject to approval by the City Council.</u>	<u>Subject to Major Design Review approval, as established by Chapter 14.09.290 of this Code.</u>

- a. Sensitive Receptors. For the purposes of this subsection, a sensitive receptor includes the following uses:

- impair the vision of travelers on any adjacent freeway. Illumination shall be considered vision impairing when its brilliance exceeds the values set forth in section 21466 of the California Vehicle Code, or any successor statute or California Department of Transportation regulations.
- iii. Recessed Illumination. The actual lamps/light sources shall be recessed back into the cabinet or enclosure so that no part of the lamp/light source protrudes out past the face of the display so that the angle of the light towards the display might be altered.
 - iv. Automatic Dimming Device. Dimming circuitry shall be incorporated in the electronic portion of the off-site advertising display automatically dimming the off-site advertising display to reduce halo effects and glare as ambient light conditions change.
 - v. Illumination Orientation. The off-site advertising display shall aim, focus, and shield any illumination sufficiently to prevent glare or overcast of illumination into adjacent residential development or hotel vantage points.
 - vi. Digital freeway billboards shall not operate at a brightness level of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance consistent with acceptable practices.
- d. Malfunction. Digital freeway billboards shall be operated with systems and monitoring in place to either turn the display off or show a “full black” image on the display in the event of a malfunction. Examples of a malfunction include, but are not limited to:
- i. Defective pixels that cover more than 5% of the screen area;
 - ii. Error messages; and/or
 - iii. Images or messaging other than the one intended by the billboard operator.
5. **Compliance with State and Federal Law.**
- a. Compliance with the Outdoor Advertising Act. In addition to complying with the other requirements of this section, a digital freeway billboard must also comply with the requirements of the Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code, including, but not limited to restrictions on size, height, intermittent flashing lights, and proximity to freeways.
 - b. Caltrans Preliminary Determination. All development applications for a digital freeway billboard shall include a preliminary determination from the California Department of Transportation prior to submittal to the City of Vacaville.
 - c. **FAA Determination of No Hazard. All development applications for a digital freeway billboard located along Interstate 505 within the Nut Tree Airport Area**

of Influence shall include a Determination of No Hazard from the Federal Aviation Administration prior to submittal to the City of Vacaville.

6. **Review.**
 - a. Development Agreement. The operator of an off-site advertising display or billboard proposed under this section shall enter into a Development Agreement with the City, whereby the operator provides performance, one-time fee, and ongoing revenue provisions that allow the City to undertake projects, programs, or other activities for the benefit of the City that offset or mitigate the impacts of the proposed advertising displays.
 - i. Billboard Relocations. All Development Agreements approved under this Section shall include provisions for the relocation of existing static billboards, as required under Section 14.09.260.100.B.2.a of this code.
 - b. Conditional Use Permit. A digital freeway billboard shall not be allowed to operate without approval of a conditional use permit, pursuant to Chapter 14.09.300 of this code, Use Permits.
 - c. Major Design Review. The design of a proposed digital freeway billboard structure shall be subject to major design review, pursuant to Chapter 14.09.290 of this code, Design Review.
7. **Decision Maker.** The Planning Commission shall make recommendations to the City Council, which shall have final authority to approve, approve with modifications, or deny a proposed Development Agreement for digital freeway billboard.
8. **Required Findings.** In addition to findings for Conditional Use Permit and Design Review, any digital freeway billboard shall meet the following findings:
 - a. The proposed off-site advertising display will not create a hazard to vehicular or pedestrian traffic, and measures have been taken to reduce potential impacts upon the existing visual character of the site and its surroundings.
 - b. All advertising on the off-site advertising display will conform with the Outdoor Advertising Act, the California Business and Professions Code, and all other applicable state and federal rules and regulations.
 - c. The development of the off-site advertising display will result in a public benefit to the City that outweighs any adverse impacts that might be caused by the advertising display.
 - d. The design of the proposed off-site advertising display is reflective of Vacaville's identity and character.

14.09.260.110 Nonconforming Signs

Any sign that was lawfully installed in compliance with the laws in effect at the time of installation, and which does not conform to the provisions of this Chapter, shall be deemed to be nonconforming.

- A. **Continuance.** A nonconforming sign may continue in use indefinitely, subject to the provisions set forth in this Section.

- B. **Maintenance.** Reasonable and routine maintenance and repairs may be performed on signs that are nonconforming, provided there is no expansion of any nonconformity. Maintenance and repair may include structural alterations but shall not include any change that would increase nonconformity with respect to the provisions of this Chapter.
- C. **Abandonment of Nonconforming Sign.** Whenever a nonconforming sign has been abandoned, or the use of the property has been discontinued for a continuous period of 60 calendar days, the nonconforming sign shall be removed.
- D. **Restoration of a Damaged Sign.** A nonconforming sign may be restored if it meets either of the following criteria:
1. A sign with damage that does not exceed 50 percent of the total sign area, including hardware and attachments, provided that the repairs start within 60 calendar days of the date of damage and are diligently pursued to completion.
 2. A sign that is a danger to the public or is unsafe as determined by the Building Official.
- E. **Relocation and Replacement of Nonconforming Static (Standard) Billboards.** City Council may approve an agreement to permit the relocation or replacement of a nonconforming static (standard) billboard sign within the City limits along a freeway, subject to the provisions below:
1. ***Application.*** The applicant shall submit an application in accordance with the provisions of Chapter 14.09.030, Common Procedures. The application may include a proposal to construct a digital freeway billboard, as provided under Section 14.09.260.100.B, Digital Freeway Billboards.
 2. ***Planning Commission Recommendation.*** The Planning Commission shall hold a public hearing to consider the application for a relocation/replacement application. Following the public hearing, the Planning Commission shall recommend with approval, approval with modifications, or denial of the application.
 3. ***City Council Decision.*** City Council shall hold a public hearing to consider the application and Planning Commission recommendation. Following the public hearing, City Council shall approve, approve with modifications, or deny the application.
 4. ***Required Findings.*** The City Council shall make the following findings to approve a relocation/replacement application.
 - a. ~~The application will result in a decrease in the number of freeway billboard signs and sign faces within the City;~~
 - b. ~~The application will result in a decrease in the total sign area dedicated to freeway billboards within the City. For purposes of this Subsection, billboard sign area shall include both faces of a billboard with two faces oriented toward the freeway; and~~
 - c. ~~The relocated freeway billboard signs will be located within the Industrial Park Zoning District adjoining Interstate 80 between a line that is the prolongation of the Willow Road alignment and the Midway Road overcrossing.~~
 - d. The application is consistent with the goals, objectives, purposes and provisions of the Vacaville General Plan and the Vacaville Municipal Code;

- e. The proposed relocation site is compatible with the uses and structures on the site and in the surrounding area;
 - f. The proposed relocation contributes to the reduction of visual clutter in the City by proposing a net decrease in existing billboards and promotes activities of City-wide benefit and interest;
 - g. The proposed billboard would not create a traffic or safety problem with regard to onsite access circulation or visibility;
 - h. The proposed billboard would not interfere with onsite parking or landscaping required by City ordinance or permit; and
 - i. The proposed billboard would not otherwise result in a threat to the general health, safety, and welfare of City residents, based on factors including but not limited to such factors as distracted driving, driver safety, light and glare, or aesthetics.
- F. **Nonconforming Digital Freeway Billboards.** A nonconforming digital freeway billboard may continue to operate as originally approved, except as outlined below.
- 1. **Location Restrictions.** A nonconforming digital freeway billboard outside of the permitted locations identified in Table 14.09.260.B of this code, Digital Freeway Billboard Development Regulations, may continue to operate at that location as originally approved.
 - 2. **Modification.** Any proposed modification to a nonconforming digital freeway billboard shall require a new Development Agreement and is subject to the same standards, requirements, and review procedures outlined in Section 14.09.260.100.B of this code, Digital Freeway Billboards.
 - 3. **Extension of Approval.** The operator of a nonconforming digital freeway billboard may request an extension of their original approval subject to a new Development Agreement and the same standards, requirements, and review procedures outlined in Section 14.09.260.100.B of this code, Digital Freeway Billboards.

14.09.260.120 **Illegal Signs**

Any sign installed in violation of any ordinance or law in effect at the time of its installation or that is currently in violation of the maintenance provisions set forth in Subsection 14.09.260.110.B, Maintenance, is an illegal sign and is declared to be a public nuisance that shall be abated pursuant to Chapter 8.10, Abatement to Public Nuisance.

14.09.260.130 **Enforcement**

Signs that do not conform to the provisions of this Chapter and are erected after their Effective Date without obtaining required permits are declared to be unlawful and a public nuisance.

- A. **Authority.** The Director of Community Development is authorized to enforce and administer this Chapter. All violations of this Chapter shall be subject to enforcement remedies, penalties, and abatement as provided by Chapter 8.10, Abatement to Public Nuisance, and Division

14.25, Enforcement Procedures, of the Vacaville Municipal Code. All costs associated with removal and/or abatement shall be paid for by the sign owner.

- B. **Abandoned Signs.** Abandoned signs shall be removed within 60 calendar days after being abandoned.

14.09.260.140 Severability

If any Section, sentence, clause, phrase, word, portion, or provision of this Chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other Section, sentence, clause, phrase, word, portion, or provision of this Chapter which can be given effect without the invalid provision. The invalidation of the application of any Section, sentence, clause, phrase, word, portion, or provision of this Chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such Section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

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Chapter 14.09.270 Design Review

Sections:

- 14.09.290.010 Purpose
- 14.09.290.020 Applicability
- 14.09.290.030 Decision Maker
- 14.09.290.040 Procedures
- 14.09.290.050 Design Review Findings

14.09.270.010 Purpose

This Chapter establishes procedures for Design Review, ensuring that new development supports the goals and objectives of the General Plan and other adopted plans and guidelines. More specifically, Design Review is intended to:

- A. Promote excellence in site planning and design, and the harmonious appearance of buildings and sites; and
- B. Ensure that new and modified uses and development maintain or improve the physical character of the surrounding area; and
- C. Supplement other City regulations and standards to ensure implementation of design excellence that are not otherwise addressed.

14.09.270.020 Applicability

Design Review is required for plans submitted for land use approval or a building permit, including new and revisions to uses, structures, site improvements, or expansions to existing uses, structures or site improvements. The level of Design Review is classified as either Minor or Major Design Review, depending on the scope of the project, as follows:

- A. **Minor Design Review.**
 - 1. Change of use or exterior building or site alterations.
 - 2. Nonresidential uses up to 5,000 square feet for new or expanded floor area in commercial, industrial and business park districts adjacent to residential zones, and up to 25,000 square feet in commercial districts not abutting a residential zone, and up to 100,000 square feet in industrial or business park districts not abutting a residential zone.
 - 3. Residential uses for multi-family projects, or single-family attached units up to 10 units, and custom single-family homes.
 - 4. New house plans within a previously approved specific plan or tentative subdivision map that complies with all residential design requirements.

B. Major Design Review.

1. Nonresidential uses over 5,000 square feet for new or expanded floor area in commercial, industrial and business park districts adjacent to residential zones, and over 25,000 square feet in commercial districts not abutting a residential zone, and over 100,000 square feet in industrial or business park districts not abutting a residential zone.
2. Nonresidential uses over 5,000 square feet in all other zoning districts.
3. Residential uses for multi-family projects, or single-family attached units (either on one site, or new subdivision) over 10 units, and single-family developments that include request for design exceptions.
4. Development projects that require Planning Commission approval.
5. New house plans within a previously approved specific plan or tentative subdivision map that require exceptions to residential design requirements including plotting mixture, setbacks, building height, and lot coverage as permitted by Chapter 14.09.310 of this code (Adjustments).
6. Digital freeway billboards, as regulated by Section 14.09.260.100.B of this code, Digital Freeway Billboards.

14.09.270.030 Decision Maker

- A. **Director of Community Development.** The Director of Community Development is the Decision Maker for all projects that require Minor Design Review, and that do not require Planning Commission or City Council approval based on consideration of the requirements of this Chapter. The Director of Community Development may refer any application for a Minor Design Review Permit to the Planning Commission, where it is determined the project involves a significant policy issue.
- B. **Planning Commission.** The Planning Commission is the Decision Maker for all Major Design Review projects, and projects that would otherwise require Planning Commission approval, based on consideration of the requirements of this Chapter.

14.09.270.040 Procedures

- A. **Application.** Applications and fees for Design Review shall be submitted in accordance with the provisions set forth in Section 14.09.030.030, Application Forms and Fees. In addition, the application for a Design Review shall include information demonstrating that the request conforms to the required findings set forth in Section 14.09.290.050, Design Review Findings.

The Director of Community Development may waive the requirement for projects subject to Minor Design Review when a change in use does not involve exterior building or site modifications, and/or when it can be determined that the change of use and/or modifications would be consistent with the previously approved entitlement for the site or use.
- A. **Public Notice and Hearing.** Applications subject to Design Review shall comply with the public notice and hearing requirements of Section 14.09.030.070, Public Notice.

- B. **Decision.** The Decision Maker must make a determination that the application complies with the Section 14.09.290.050, Design Review Findings. The Decision Maker shall deny an application for Design Review if it is unable to make a determination that the project meets the design criteria.

14.09.270.050 Design Review Findings

- A. The design, size, and other physical characteristics of the proposed use are compatible with adjacent uses, activities, structures, and adjacent natural resources.
- B. The subject site is suitable for the type and intensity of uses, activities, and structures proposed.
- C. The project will not be detrimental to the public health, safety, or welfare of the community.
- D. The project is consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Land Use and Development Code.

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TABLE 14.09.070.A, LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS									
"P" = Permitted Use; "M" = Minor Use Permit required; "C" = Conditional Use Permit required; "-" = Use Not Allowed									
Land Use Classification	CN	CG	CO	CH	MX ¹	DCSP	DRSP	Additional Regulations	
Residential Uses ²									
Residential Housing Types									See subclassifications below
Single-Unit Dwelling, Attached	C	C	C	-	P			See Section 14.09.270.160, Residential Uses in Commercial and Employment Districts	
Multi-Unit Dwelling	C	C	C	-	P			See Section 14.09.270.160, Residential Uses in Commercial and Employment Districts	
Residential Facility, Assisted Living	C	C	C	-	C			See Section 14.09.270.160, Residential Uses in Commercial and Employment Districts	
Small Residential Care Facilities								Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district.	
Supportive Housing									
Transitional Housing									
Public/Semi-Public Uses									
Colleges and Trade Schools	-	M	P	M	P				
Commercial Parking Lots and Structures	-	M	M	P	P				
Community Assembly	P	P	P	P	P				
Cultural Institutions	P	P	P	P	P				
Day Care Centers	P	P	P	M	P				
Emergency Shelter	C	-	C						
Government Offices	P	P	P	P	P				
Hospitals and Clinics								See subclassifications below	
Clinic	P	P	P	-	P				
Instructional Services	P	P	P	-	P				
Park and Recreation Facilities	P	P	P	P	P				
Public Safety Facilities	C	C	-	C	C				
Schools	C	-	-	-	-				
Social Service Facilities	C	C	-	-	C				
Commercial Uses									
Adult-Oriented Business	-	-	P	-	-	-		See Section 14.09.270.050, Adult-Oriented Businesses	

TABLE 14.09.070.A, LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed

Land Use Classification	CN	CG	CO	CH	MX ¹	DCSP	DRSP	Additional Regulations
Animal Care and Boarding	P	P	-	P	P			See subclassifications below
Pet Day Care	P	P	-	P	P			
Veterinary Services	P	P	P	P	P			
Automobile/Vehicle Sales and Services								See subclassifications below
Automobile Brokers	P	P	P	P	P			
Automobile Rental	-	P	-	P	-			
Automobile/Vehicle Sales and Leasing, new vehicles	-	P	-	P	-			
Automobile/Vehicle Sales and Leasing, used vehicles	-				C			
Automobile/Vehicle Service and Repair, Minor	-	P	-	P	-			
Automobile/Vehicle Repair, Major	-	C	-	P	-			
Large Vehicle and Equipment Sales, Service, and Rental	-	M	-	P	-			
Service Stations	C	M	-	P	-			
Washing	-	M	-	P	-			
Banks and Financial Services	P	P	P	P	P			
Business Services	P	P	P	P	P			
Commercial Entertainment and Recreation								See subclassifications below
Cinema/Theater	C	P	-	P	-			
Indoor Sports and Recreation				P	P			
Outdoor Entertainment	-	C	-	C	-			
Outdoor Sports and Recreation	-	C	-	-	-			

TABLE 14.09.070.A, LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS								
<i>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</i>								
<i>Land Use Classification</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CH</i>	<i>MX</i> ¹	<i>DCSP</i>	<i>DRSP</i>	<i>Additional Regulations</i>
Transportation, Communication, and Utility Uses								
Communication Facilities								See subclassifications below
<i>Facilities Within Buildings</i>	P	C	-	C	C			
<i>Telecommunication</i>								See Section 14.09.270.170, Telecommunication Facilities
Light Fleet-Based Services	P	P	P	P	-			
Recycling Facility								See subclassifications below
<i>Reverse Vending Machine</i>	P	P	-	P	-			See Section 14.09.270.150, Recycling Facilities
<i>Small Collection Facility</i>	M	M	M	M	M			
Public Works and Utilities	C	C	C	C	C			
Transit Stations and Terminals	-	C	-	C	C			
Agricultural Uses								
Urban Agriculture								See subclassifications below
<i>Community Garden</i>	P	P	-	-	P			See Section 14.09.270.190, Urban Agriculture
<i>Market Garden, less than 1 acre in size</i>	P	P	-	-	P			See Section 14.09.270.190, Urban Agriculture
<i>Market Garden, 1 acre or more in size</i>	M	M	-	-	M			See Section 14.09.270.190, Urban Agriculture
Other Uses								
Accessory Uses and Structures								See Section 14.09.270.030, Accessory Uses; and Section 14.09.200.020, Accessory Buildings and Structures
<i>Animal Keeping</i>								See Section 14.09.270.070, Animal Keeping
<u><i>Digital Freeway Billboards</i></u>								<u>See Section 14.09.260.100.B, Digital Freeway Billboards</u>
<i>Drive-Through Facility</i>								See Section 14.09.270.090, Drive-Through Facility
<i>Family Day Care</i>								See Section 14.02.060.020, Residential Uses
<i>Home Occupations</i>								See Section 14.09.270.120 Home Occupations

TABLE 14.09.070.A, LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed

Land Use Classification	CN	CG	CO	CH	MX ¹	DCSP	DRSP	Additional Regulations
Outdoor Dining and Seating								See Section 14.09.270.130, Outdoor Dining and Seating
Outdoor Display and Sales								See Section 14.09.270.140, Outdoor Display and Sales
Nonconforming Uses								See Chapter 14.09.220, Nonconforming Uses, Sites, and Structures
Temporary Uses								See Section 14.09.270.180, Temporary Uses

1. Developments within the MX zoning district shall contain a minimum of two different types of uses, one of which shall be residential.
2. Residential uses are subject to intensity limits set by the Nut Tree Airport Environs Overlay District if located in the Nut Tree Airport compatibility zone
3. Bars, night clubs, and lounges are prohibited in the CG District between Lawrence Drive and Auto Center Drive.
4. Restaurants without a bar or lounge and restaurants where less than one third of the customer service floor area is devoted to the sale and consumption of alcoholic beverages and where serving alcoholic beverages is done only during hours of full food service operation are permitted. Restaurants with bar or lounge areas that comprise more than one third of the customer service floor area and/or serve alcoholic beverages outside hours of full food service operation require conditional use permit approval in the CO and MX districts and minor use permit approval in the CN, CG, and CH districts.

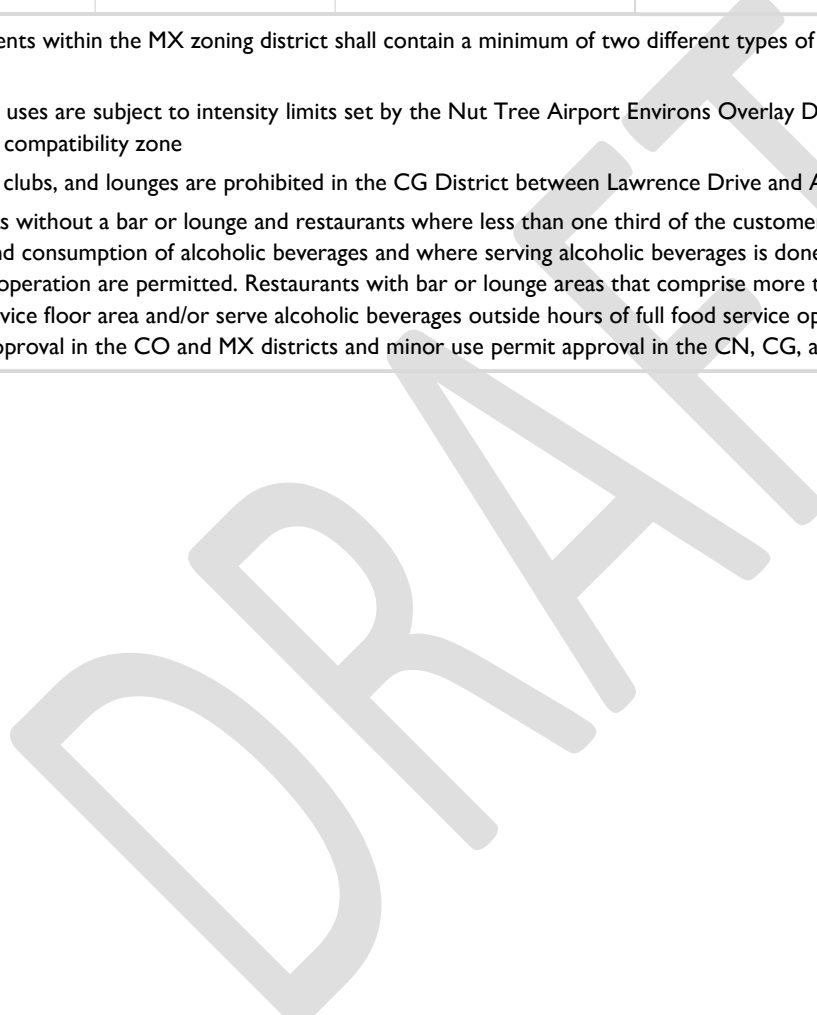


TABLE 14.09.080.A, LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS				
<i>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</i>				
<i>Land Use Classification</i>	<i>IS</i>	<i>IP</i>	<i>BP</i>	<i>Additional Regulations</i>
Residential Uses²				
Residential Housing Types	See subclassifications below			
<i>Multi-Unit Dwelling</i>	-	-	C	See Section 14.09.270.160, Residential Uses in Commercial and Employment Districts
Public and Semi-Public Uses				
Colleges and Trade Schools	P	P	P	
Commercial Parking Lots and Structures	P	P	P	
Community Assembly	C	C	C	
Day Care Centers	-	-	M	
Emergency Shelter	-	-	C	
Government Offices	P	P	P	
Hospitals and Clinics	See subclassification below			
<i>Clinic</i>	-	P	P	
Instructional Services	P	P	P	
Park and Recreation Facilities	-	C	C	
Public Safety Facilities	C	C	C	
Commercial Uses				
Adult-Oriented Business	-	P	-	See Section 14.09.270.050, Adult-Oriented Businesses
Animal Care and Boarding	See subclassifications below			
<i>Animal Shelter and Boarding</i>	P	-	C	
<i>Pet Day Care</i>	P	P	C	
<i>Veterinary Services</i>	P	P	C	
Automobile/Vehicle Sales and Services	See subclassifications below			
<i>Automobile Rental</i>	P	-	-	
<i>Automobile/Vehicle Sales and Leasing, new vehicles</i>	P	-	-	
<i>Automobile/Vehicle Sales and Leasing, used vehicles</i>	C	-	-	
<i>Automobile/Vehicle Service and Repair, Minor</i>	P	P	-	

TABLE 14.09.080.A, LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS				
<i>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</i>				
<i>Land Use Classification</i>	<i>IS</i>	<i>IP</i>	<i>BP</i>	<i>Additional Regulations</i>
<i>Automobile/Vehicle Repair, Major</i>	P	P	-	
<i>Large Vehicle and Equipment Sales, Service, and Rental</i>	P	P	-	
<i>Service Stations</i>	P	P	C	
<i>Towing and Impound</i>	C	C	-	
<i>Washing</i>	M	C	C	
<i>Banks and Financial Services</i>	-	P	P	
<i>Business Services</i>	P	P	P	
<i>Commercial Entertainment and Recreation</i>	See subclassifications below			
<i>Indoor Sports and Recreation</i>	M	M	M	
<i>Eating and Drinking Establishments</i>	See subclassifications below			
<i>Bars/Night Clubs/Lounges</i>	-	C	C	See Section 14.09.270.060, Alcoholic Beverage Sales
<i>Restaurant</i>	-	P/C(1)	P/C(1)	See Section 14.09.270.060, Alcoholic Beverage Sales
<i>Tasting Room</i>	M	M	M	See Section 14.09.270.060, Alcoholic Beverage Sales
<i>Food Preparation</i>	P	P	P	
<i>Funeral Parlors and Interment Services</i>	P	P	C	
<i>Offices</i>	See subclassifications below			
<i>Business, Professional, and Technology</i>	P	P	P	
<i>Medical and Dental</i>	-	P	P	
<i>Personal Services</i>	P	-	P	See Chapter 9.07, Massage Therapy Regulations, of the Municipal Code
<i>Repair and Maintenance Services</i>	P	P	P	
<i>Retail Sales</i>	See subclassifications below			
<i>Food and Beverage Sales</i>	P	P	P	

TABLE 14.09.080.A, LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS				
<i>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</i>				
<i>Land Use Classification</i>	<i>IS</i>	<i>IP</i>	<i>BP</i>	<i>Additional Regulations</i>
<i>General Retail and Merchandise</i>	P	P	-	
<i>Nurseries</i>	P	P	-	
Industrial Uses				
Construction and Material Yards	P	P	-	
Contractor Shops	P	P	-	
Custom and Artisan Manufacturing	P	P	P	
Food and Beverage Manufacturing	See subclassifications below			
<i>Small Scale</i>	P	P	P	
<i>Large Scale</i>	P	P	P	
General Industrial	C	P	C	
Light Industrial	P	P	P	
Research and Development	P	P	P	
Salvage and Wrecking	-	C	-	
Storage, Warehousing, and Wholesaling	See subclassifications below			
<i>Indoor</i>	P	P	-	
<i>Outdoor</i>	C	C	-	
<i>Personal Storage</i>	C-	C	-	May include a residential unit for a caretaker or security employee
Transportation, Communication, and Utility Uses				
Airports and Heliports	-	C	C	See Section 14.09.270.110, Heliports, Helistops, and Helicopters
Communication Facilities	See subclassifications below			
<i>Facilities Within Buildings</i>	P	P	P	
<i>Telecommunication</i>	See Section 14.09.270.160, Telecommunication Facilities			
Freight and Trucking Facilities	C	C	-	
Light Fleet-Based Services	P	P	P	
Public Works and Utilities	C	C	C	
Recycling Facility	See subclassifications below			

TABLE 14.09.080.A, LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed

Land Use Classification	IS	IP	BP	Additional Regulations
Reverse Vending Machines	P	-	-	See Section 14.09.270.150, Recycling Facilities
Recycling Collection Facility	C	C	-	See Section 14.09.270.150, Recycling Facilities
Recycling Processing Facility	-	C	-	See Section 14.09.270.150, Recycling Facilities

Other Uses

Accessory Uses and Structures	See Section 14.09.270.030, Accessory Uses; and Section 14.09.200.020, Accessory Structures			
Animal Keeping	See Section 14.09.270.070, Animal Keeping			
<u>Digital Freeway Billboards</u>	<u>See Section 14.09.260.100.B, Digital Freeway Billboards</u>			
Drive-Through Facility	See Section 14.09.270.090, Drive-Through Facility			
Family Day Care	See Section 14.02.060.020, Residential Uses			
Home Occupations	See Section 14.09.270.120, Home Occupations			
Outdoor Dining and Seating	See Section 14.09.270.130, Outdoor Dining and Seating			
Outdoor Display and Sales	See Section 14.09.270.140, Outdoor Display and Sales			
Nonconforming Uses	See Chapter 14.09.220, Nonconforming Uses, Sites, and Structures			
Temporary Uses	See Section 14.09.270.180, Temporary Uses			

1. Restaurants without a bar or lounge area and restaurants where less than one third of the customer service floor area is devoted to the sale and consumption of alcoholic beverages and where serving alcoholic beverages is done only during hours of full food service operation are permitted. Restaurants with bar or lounge areas that comprise more than one third of the customer service floor area and/or serve alcoholic beverages outside hours of full food service operation require conditional use permit approval.
2. Residential uses are subject to intensity limits set by the Nut Tree Airport Environs Overlay District if located in the Nut Tree Airport compatibility zone.

Chapter 14.09.191 Northeast Growth Area Overlay District

Sections:

- 14.09.191.010 Purpose
- 14.09.191.020 Applicability
- 14.09.191.030 Permitted and Conditional Uses
- 14.09.191.40 Supplemental Regulations

14.09.191.010 Purpose

In accordance with General Plan Goal LU-18, the City of Vacaville shall provide for orderly, well-planned, and balanced growth in the Northeast Growth Area. Pursuant to Policy LU-P18.1, this area shall primarily be developed with job generating uses such as high-quality offices, industrial uses, and technology campuses. The purpose of this overlay district is to guide temporary or interim development in a manner that preserves existing land for future development in the Northeast Growth Area, as depicted on the City Zoning Map.

14.09.191.020 Applicability

The standards and regulations of this Chapter shall apply to all properties located in the Northeast Growth Area, as depicted on the City Zoning Map.

14.09.191.030 Permitted and Conditional Uses

The permitted and conditional uses allowed within the Northeast Growth Area overlay district shall be limited to the following:

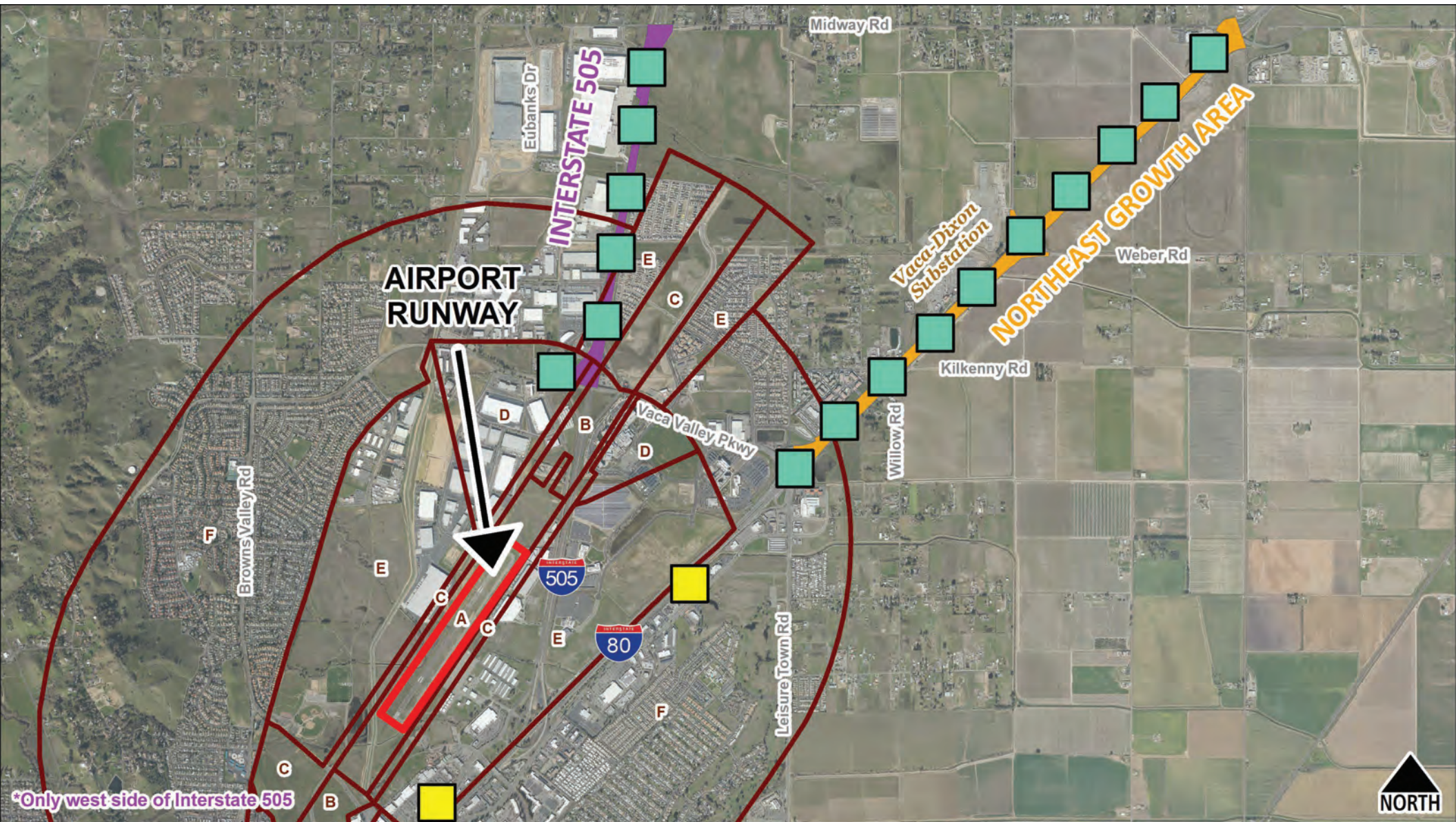
- A. Permitted Uses
 - 1. Agricultural Uses including crop and horticulture production;
 - 2. Animal production with accessory uses including veterinarian services;
 - 3. One single-family dwelling as an accessory to agricultural uses;
 - 4. Water wells, pump stations and other similar utility facilities;
 - 5. Roads, driveways, and emergency accesses; and
 - 6. Landscaped buffer areas, walls, and fences.
- B. Conditional Uses
 - 1. Employee Housing as an accessory to agricultural uses;
 - 2. Flood control channels and water supply canals;
 - 3. Reservoirs and municipal water storage tanks;
 - 4. Interim storage yards for off-site construction activities; ~~and~~

5. Digital freeway billboards; and
6. Other temporary uses.

14.09.191.040 Supplemental Regulations

All new development located within the Northeast Growth Area shall require a conditional use permit in accordance with Chapter 14.09.300 of this code (Use Permits) and Development Agreement in accordance with Division 14.17 of this title (Development Agreements) to ensure that the proposed uses provide public benefits and are designed and developed to be temporary in nature such that they are not inconsistent with the City's long-term goals for the area.

DRAFT



Hyperlink / Web Address below to access large size Attachment file(s)

Due to file size, the following document can be accessed/downloaded via the link/web address below.

- D. **[Draft Vacaville Gateways Master Planv](https://solano.legistar.com/View.ashx?M=F&ID=12997787&GUID=8FF6DC6B-C932-46B1-9959-CB29B48FDA6D)**
(<https://solano.legistar.com/View.ashx?M=F&ID=12997787&GUID=8FF6DC6B-C932-46B1-9959-CB29B48FDA6D>)

**SOLANO COUNTY AIRPORT LAND USE COMMISSION
RESOLUTION NO. 24-__**

**RESOLUTION REGARDING CONSISTENCY WITH
AIRPORT LAND USE COMPATIBILITY PLANS
(Digital Freeway Billboard Ordinance– City of Vacaville)**

WHEREAS, pursuant to California Public Utilities Code section 21675 the Solano County Airport Land Use Commission (“**Commission**”) has the responsibility to prepare and adopt airport land use plans for any public and military airports within Solano County and to amend any such adopted plan as necessary; and

WHEREAS, pursuant to such authority, the Commission has adopted airport land use compatibility plans for Travis Air Force Base, Rio Vista Municipal Airport, and the Nut Tree Airport, and the Solano County Airport Land Use Compatibility Review Procedures (the “**Compatibility Plans**”); and

WHEREAS, in enacting the sections within the State Aeronautics Act (the “**Act**”) that provide for airport land use commissions, the California Legislature has declared that the purposes of the legislation include: (1) to provide for the orderly development of each public use airport in this state; (2) to provide for the orderly development of the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards; (3) to provide for the orderly development of the area surrounding these airports so as to prevent the creation of new noise and safety problems; (4) to protect the public health, safety, and welfare by ensuring the orderly expansion of airports; and (5) to protect the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses (Pub. Util. Code, § 21670, subd. (a)); and

WHEREAS, the Act provides that an airport land use commission's powers and duties include: (a) to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses; (b) to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare; (c) to prepare and adopt an airport land use compatibility plan pursuant to Public Utilities Code section 21675; and (d) to review the plans, regulations, and other actions of local agencies and airport operators pursuant to Public Utilities Code section 21676 (Pub. Util. Code, § 21674); and

WHEREAS, the Act provides that the purpose of compatibility plans is to provide for the orderly growth of the airports and the area surrounding the airports, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general (Pub. Util. Code, § 21675, subd. (a)); and

WHEREAS, Public Utilities Code section 21675, subdivision (a), authorizes the Commission, in formulating a compatibility plan, to develop height restrictions on buildings, specify the use of land, and determine building standards, including sound-proofing adjacent to airports; and

WHEREAS, Public Utilities Code section 21675, subdivision (b), directs the Commission to prepare a compatibility plan for areas surrounding military airports, and the Legislature's intent in enacting subdivision (b) was to protect the continued viability of military installations in California,

to protect the operations of military airports from encroachment by development, and to encourage land use policies that reflect the contributions military bases make to their communities, as well as their vital importance in the state's economy and in the defense of our nation; and

WHEREAS, pursuant to such authorities, the Compatibility Plans set forth criteria to be applied by the Commission when evaluating local land use plans and specific development proposals; and

WHEREAS, Public Utilities Code section 21676, subdivision (b), requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Commission, local agencies within Solano County are required to first refer the proposed action to the Commission for a consistency determination; and

WHEREAS, the City of Vacaville ("**Local Agency**") is considering approving the following project (the "**Project**"), as set forth in greater detail in the Staff Report and its Attachments concerning "Item AC 24-020" of the Commission's June 13, 2024 Regular Meeting ("**Staff Report**"): "Determine that Application No. ALUC-24-09 (Digital Freeway Billboard Ordinance) located within the Travis Air Force Base (AFB) Compatibility Zone D and E and Nut Tree Airport Compatibility Zones, is consistent with the applicable Airport Land Use Compatibility Plans (City of Vacaville.)"

WHEREAS, the Commission has duly considered the Project, at a noticed public meeting, in order to ensure consistency of the Project with the Compatibility Plans.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does adopt and incorporate by this reference as its findings and determinations the analysis, conclusions, and recommended findings of the Staff Report.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does find and determine that the Project is consistent with the provisions of the Travis Air Force Base and the Nut Tree Airport Land Use Compatibility Plans.

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RESOLVED, that after adoption of this Resolution Staff is authorized to correct any clerical errors in this Resolution or the Staff Report.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on June 13, 2024 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

By _____
Ross Sagun, Chair
Solano County Airport Land Use Commission

Attest:

By: _____
James Bezek, Secretary to the Commission