ORDINANCE NO. 156

AN INTERIM ORDINANCE PROHIBITING THE CONSTRUCTION OF
GENERAL ADVERTISING SIGNS AND BILLBOARDS,
ADOPTED AS AN URGENCY MEASURE

WHEREAS, pursuant to California Government Code section 65850, subdivision (b), the Board of Supervisors adopted ordinances regulating signs and billboards in the unincorporated areas of Solano County; and

WHEREAS, Chapter 28 of the Solano County Code (Zoning Regulations) contains various provisions relating to “off-site” or general advertising signs, commonly known as billboards; and

WHEREAS, recent litigation, and threats of litigation, have raised serious concerns regarding the adequacy and constitutionality of the County of Solano’s existing regulations applicable to billboards; and

WHEREAS, without appropriate design standards in place, billboards could be constructed that either block traffic sight lines or unnecessarily distract drivers, which poses a risk to the traveling public; and

WHEREAS, without appropriate construction standards in place, billboards could be constructed that are structurally inadequate given local soil and weather conditions, which poses a risk to nearby persons and property; and

WHEREAS, without appropriate zoning standards in place, billboards could be constructed that detract from character of a neighborhood or area, which depresses property values; and

WHEREAS, the County of Solano needs time to review its General Plan, including the Land Use and Circulation Element and the Scenic Highways Element, and its Zoning Regulations to determine whether those policy and regulatory documents warrant revision; and

WHEREAS, adopting a moratorium suspending processing of all new permit applications for billboards pending this policy and regulatory review is necessary; and
WHEREAS, due to the very small number of completed billboard permit applications now pending, exempting such applications from this interim ordinance is appropriate; and

WHEREAS, the enactment of this interim ordinance as an urgency measure, pursuant to Section 65858 of the California Government Code, is necessary for the immediate protection of the public safety, health and welfare.

THEREFORE, the Board of Supervisors of the County of Solano ordains as follows:

Section 1.

To protect the public safety, health and welfare:

1. During all times that this interim ordinance is in effect, no billboard shall be constructed, altered or enlarged in the unincorporated areas of Solano County.

2. During all times that this interim ordinance is in effect, the Solano County Planning Commission, the Zoning Administrator, the Building Official, and the Department of Environmental Management shall not take action on any permit for the construction of a billboard, and shall not accept or process any application for such a permit.

3. For purposes of this interim ordinance, a “billboard” is any sign other than an on-site sign.

4. For purposes of this interim ordinance, an “on-site” sign is any sign that (1) directs attention to a business, profession, organization, commodity, services or entertainment conducted, sold or offered upon the same lot or parcel on which the sign is placed, or (2) expresses the views of the landowner or occupant, and for which the landowner or occupant has not been compensated to display.

5. During all times that this interim ordinance is in effect, on-site signs shall continue to be subject to regulation under existing provisions of the Solano County Code.

Section 2.

This interim ordinance shall not apply to permit applications for billboards that were complete, or deemed complete, before December 1, 1998. Such completed applications shall be processed and acted upon according to existing provisions of the Solano County Code. If any such pending application is approved, the authorized billboard may be constructed according to existing provisions of the Solano County Code and without regard to the provisions of this interim ordinance.
Section 3.

Any application for a billboard filed, but that has not been found or deemed complete before December 1, 1998, shall be returned to the applicant and all application fees shall be refunded in full.

Section 4.

The Department of Environmental Management shall review the Solano County General Plan, including the Land Use and Circulation Element and the Scenic Highways Element, and the Solano County Zoning Regulations, and shall propose any revisions necessary to address the design, location and construction of billboards in the unincorporated areas of Solano County.

This section shall function as a “Resolution of Intention” for purposes of commencing public hearings on any such general plan and/or zoning amendments by the Solano County Planning Commission.

Section 5.

This interim ordinance shall be of no further force and effect forty-five (45) days from the date of its adoption, unless extended by four-fifths (4/5ths) vote of the Board of Supervisors at a duly noticed public hearing conducted before the expiration date of this ordinance.

At least ten (10) days before the expiration date of this interim ordinance, or any extension of it, the Board of Supervisors shall issue a written report describing the progress made in reviewing the County of Solano’s General Plan and Zoning Regulations to develop revised policies and regulations concerning billboards.

Section 6.

This interim ordinance is an urgency ordinance and shall take effect on December 8, 1998. Before the expiration of fifteen (15) days, a summary of this ordinance shall be published once with the recorded vote of the Supervisors in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.
Passed and adopted as an interim ordinance by the Solano County Board of Supervisors at its regular meeting on December 8, 1998, by the following vote:

AYES: Supervisors Gojkovich, Silva, Thomson, and Chairman Carroll

NOES: Supervisors None

ABSENT: Supervisors Kondylis

ATTEST:
Michael Johnson, Clerk
Board of Supervisors

By: Deputy