



## DESIGN REVIEW Private Arts and Murals

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Design Review is required to foster the attainment of the design policies outlined in the General Plan and ensure compliance with applicable provisions of the Land Use and Development Code. This application involves a review of the site plan and/or architectural design aspects of a project proposal. Design Review applications for art or mural projects on private property are reviewed by the Director of Community Development depending on the location and/or size of the project. Director may seek input from Arts Advisory Committee for murals funded by the City, in-part or whole. The following list is the minimum information required to process an application for an art or mural project on private property.

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### APPLICATION FEES

(Fees are valid from July 1 through June 30 and updated annually.)

#### Filing Fee

- \$1,992 Director Review – Private Property (Minor)  
 \$5,116 Director Referral - Private Property (Major)

#### Environmental Assessment

- \$50 Notice of Exemption (Payable to Solano County)

#### Intake / Records Maintenance Fee

- \$91 Minor  
 \$184 Major

### SUBMITTAL REQUIREMENTS

**Note:** The completed master planning application and application fees shall be submitted at the time the application is filed. Project submittals that do not include the application, fees or submittal checklist items will not be accepted. All plans shall be 11" x 17" in size.

**Detailed Project Description**

A complete description of the Mural design, including the site, wall preparation, materials, and processes to be used (including anti-graffiti treatment), individuals/groups involved in the mural design and/or preparation, mural installation timeline and parties responsible for subsequent maintenance. Ideally, a separate maintenance plan should be included.

**Site Plan**

Ten (10) full-size copies of an accurately drawn plan (minimum scale 1" = 10') are required. An alternate scale may be approved depending on plan legibility and the area of the site. Plans shall delineate the following:

1. Cross streets and businesses adjoining or across from the site.

2. Location of the wall for the proposed mural.
3. Points of visibility from the public right-of-way.
4. Any existing landscaping.
5. Any closures of public sidewalks or streets to install the work.

**Photos of Existing Site and Surroundings**

Photographs of the proposed site and physical surroundings.

**Conceptual Rendering and Materials Sheet**

Color scale rendering (no larger than 11" x 17") of the proposed design, including any text.

**Property Owner Acknowledgement**

Written permission to proceed with the project, including any additional requirements, from the property owner or city department with jurisdiction over the proposed site. This letter should also include acknowledgment of receipt by the property owner of the California Art Preservation Act ("CAPA") and Visual Artists Rights Act ("VARA") relating to the preservation and removal of artworks.

**CAPA and VARA Acknowledgement**

Completion of the waiver attached CAPA/VARA waiver form.

**Artist Resume w/ Examples of Previous Works**

Lead artist's qualifications and examples of previous work.

**Electronic Copies**

Digital (PDF/Word) copies of all submittal items shall be included with the application.

**Community Notification**

The applicant should identify how they informed surrounding residents and property owners of their proposed mural project and design.

**Referral to the Arts Advisory Committee or Parks and Recreation Commission (Public Art)**

Pursuant to Section 14.09.290.030 (Design Review – Decision Maker) of the Land Use and Development Code, the Director of Community Development may refer any application for a minor design review permit to the Arts Advisory Committee or Parks and Recreation Commission, where it is determined the project involves a significant policy issue. The Community Development Department will assist in preparing additional notifications for this referral.

**CALIFORNIA ART PRESERVATION ACT (CAPA)  
VISUAL ARTISTS RIGHTS ACT (VARA)  
WAIVER OF PROPRIETARY RIGHTS (CITY)**

The provisions of this paragraph shall apply to modify Artist’s rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C §§106A and 113(d) (“VARA”), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 (“CAPA”), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA, as against the City of Vacaville (“City”) and its agents. If the Artwork is incorporated into a building such that the Artwork cannot be removed from the building without physical defacement, mutilation, alternation, distortion, destruction, or other modification (collectively, “Modification”) of the Artwork, Artist waives any and all such claims under any Moral Rights Laws arising out of or against any current or future owners of the Property, and its agents, officers and employees, for Modification of the Artwork.

The City has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the [describe artwork/project: mural, sculpture, etc. and medium]:

\_\_\_\_\_

\_\_\_\_\_

Which is entitled:

\_\_\_\_\_

\_\_\_\_\_

And located at the following address:

\_\_\_\_\_

\_\_\_\_\_

in whole or in part, in City’s sole discretion.

Artist’s Address for Notice:

\_\_\_\_\_

\_\_\_\_\_

The Artist bears the sole responsibility for providing the City with any changes to the Artist’s Address for Notice. Notice of changes must be mailed to the City of Vacaville Community Development Department, 650 Merchant Street, Vacaville, CA 95688, and the Client Department with jurisdiction over property at the following address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Artist Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Signature

\_\_\_\_\_  
Date

**CALIFORNIA ART PRESERVATION ACT (CAPA)  
VISUAL ARTISTS RIGHTS ACT (VARA)  
WAIVER OF PROPRIETARY RIGHTS (PROPERTY OWNER)**

The provisions of this paragraph shall apply to modify Artist’s rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C §§106A and 113(d) (“VARA”), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 (“CAPA”), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA. If the Artwork is incorporated into a building such that the Artwork cannot be removed from the building without physical defacement, mutilation, alternation, distortion, destruction, or other modification (collectively, “Modification”) of the Artwork, Artist waives any and all such claims under any Moral Rights Laws arising out of or against any current or future owners of the Property, and its agents, officers and employees, for Modification of the Artwork.

The Property Owner, or any future owner of the Property, has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the following installation:

\_\_\_\_\_  
\_\_\_\_\_

Which is entitled:

\_\_\_\_\_  
\_\_\_\_\_

And located at the following address:

\_\_\_\_\_  
\_\_\_\_\_

in whole or in part without prior notice to the Artist. However, if the Property Owner, or any future owner of the Property, modifies the Artwork without the Artist’s consent in a manner that is prejudicial to Artist’s reputation, Artist retains the right to disclaim authorship of the Artwork in accordance with 17 U.S.C. § 106A (a) (2).

Artist’s Address for Notice:

\_\_\_\_\_  
\_\_\_\_\_

The Artist bears the sole responsibility for providing the City and Property Owner with any changes to the Artist’s Address for Notice. Notice of changes must be mailed to the City of Vacaville Community Development Department, 650 Merchant Street, Vacaville, CA 95688, and the Client Department with jurisdiction over property, at the following address:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Artist Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date