

CITY OF SACRAMENTO

14

CITY PLANNING DEPARTMENT

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PLANNING DIRECTOR

September 24, 1981

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: AN ORDINANCE AMENDING CHAPTER 32 OF THE SACRAMENTO CITY CODE AND SECTION 16 OF THE COMPREHENSIVE ZONING ORDINANCE TO CONSOLIDATE THE PRESERVATION BOARD AND THE ARCHITECTURAL REVIEW BOARD. (M-589)

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 38.

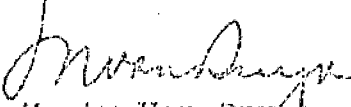
BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to October 6, 1981.

Respectfully submitted,

  
Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIFE  
CITY MANAGER

PASSED FOR  
PUBLICATION  
& CONTINUED  
TO 10-6-81

jm  
Attachments  
M-589

September 29, 1981  
All Districts

ORDINANCE NO.

FOURTH SERIES

AN ORDINANCE AMENDING CHAPTER 32 OF THE SACRAMENTO CITY CODE AND SECTION 16 OF THE COMPREHENSIVE ZONING ORDINANCE TO CONSOLIDATE THE PRESERVATION BOARD AND THE ARCHITECTURAL REVIEW BOARD

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 32.101(a); Section 32.101(b) and Section 32.101(g) of the Sacramento City Code are hereby amended to read respectively as follows:

(a) "Board" shall mean the Design Review and Preservation Board.

(b) "Director" shall mean the Design Review and Preservation Director.

(c) "Central City" shall mean all the property lying between the Sacramento River on the west, the Southern Pacific main line railroad levee on the north, Alhambra Boulevard on the east, and Broadway on the south. The properties fronting upon the eastern side of Alhambra and the southern side of Broadway are within the Central City.

SECTION 2.

Section 32.104 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.104 Finality of decision--Board.

Any decision or order of the board under this chapter shall become final if no appeal is taken from such order or decision within the time limits prescribed by the applicable appeal provisions of this chapter. No permit regulated by the provisions of this chapter shall issue, nor shall any rights therein vest, until the decision of the board is final or any appeal therefrom is disposed of in the manner prescribed by this chapter.

SECTION 3.

Section 32.201 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.201 Design Review and Preservation Board.

There is hereby created a Design Review and Preservation Board of the City of Sacramento.

SECTION 4.

Section 32.202 of Chapter 32 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.202 Same - Appointment.

The board shall have nine members, appointed by the Mayor subject to the approval of the city council, as follows:

- (a) One member who is a licensed landscape architect;
- (b) One member who is a licensed architect;
- (c) One member who is a licensed structural engineer;
- (d) One member who is active in property development within the Central City;
- (e) One member who is knowledgeable in local history, architecture and cultural development, the list of applicants to be reviewed by the City-County Museum and History Commission;
- (f) One member who is qualified by reason of training or experience in design;
- (g) One member who is knowledgeable in architectural history; and
- (h) Two at large members; if none of the above members is a resident within the Central City, then one of the at large members shall be a Central City resident.

SECTION 5.

Section 32.208 of Chapter 32 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.208 Same--Powers and duties.

Unless otherwise specified herein the powers and duties of the board shall be as follows:

(a) Adopt criteria for the identification of essential structures, priority structures and preservation areas;

(b) Prepare or cause to be prepared a comprehensive inventory of essential structures, priority structures and preservation areas within the Central City;

(c) Approve or disapprove applications for permits pursuant to articles VI, VII and VIII of this chapter;

(d) Make recommendations to the council concerning the acquisition of development rights, facade easements, and the imposition of other restrictions and the negotiation of historical property contracts for the purposes of historic preservation;

(e) Increase public awareness of the value of historic, architectural and cultural preservation by developing and participating in public information programs and by recommending the update of the preservation program;

(f) Make recommendations to the council concerning the utilization of grants from federal and state agencies, private groups and individuals and the utilization of budgetary appropriations to promote the preservation of historic or architecturally significant structures in the Central City.

(g) Promulgate standards for architectural review;

(h) Evaluate and comment upon decisions by other public agencies affecting the physical development and land use patterns in the Central City;

(i) Recommend to the council that the city purchase a listed structure where private preservation is not feasible;

(j) Those powers and duties granted or imposed pursuant to the provisions of Section 16 of the Comprehensive Zoning Ordinance; and

(k) Any other functions which may be designated by resolution or motion of the council.

Nothing herein shall be construed to limit the powers or duties of the board when acting pursuant to section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento.

SECTION 6.

Section 32.301 of Chapter 32 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.301 Design Review and Preservation Director - Office Established.

To assist the board in the performance of its duties there is hereby created the office of design review and preservation director. The design review and preservation director shall be designated by the city manager.

SECTION 7.

Section 32.302 of Chapter 32 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.302 Same - duties.

The director shall be the secretary to the board and shall perform those functions required under the provisions of this chapter or any other applicable provision of law.

SECTION 8.

Section 32.401 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.401 Standards for designation.

The board shall promulgate specific standards and criteria for the identification of buildings, structures, or areas within the Central City for designation as essential structures, priority structures or preservation areas.

SECTION 9.

Section 32.402 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.402 Proposed designation.

(a) Consistent with the standards established pursuant to section 32.401, the board shall conduct or cause to be conducted a comprehensive survey within the Central City. Thereafter the board shall prepare and adopt a listing of those buildings and structures which it proposes to recommend to the council for designation as essential structures and priority structures. In addition, the board shall prepare descriptions of all districts proposed for designation as preservation areas, together with a listing of all

parcels of property contained within said districts.

(b) Any building or structure which is proposed by the board for designation as an essential structure or priority structure pursuant to subsection (a) of this section and any parcel of property which is contained within an area proposed by the board for designation as a preservation area pursuant to subsection (a) of this section shall, during the pendency of proceedings commenced under this Article, be subject to the provisions of Articles VI, VII and VIII of this chapter to the extent that such provisions would be applicable to such structure or parcel within a preservation area.

(c) Notwithstanding subsection (b) of this section, the board shall not review entitlements enumerated in sections 32.601(a)(i) and 32.601(b) until a listed structures plan authorized by section 32.503 or preservation area plan as authorized by section 32.502 applicable to the property for which said entitlements are sought has been adopted.

#### SECTION 10.

Section 32.402.1 of Chapter 32 of the Sacramento City Code is hereby repealed.

#### SECTION 11.

Section 32.409 of Chapter 32 of the Sacramento City Code is hereby amended to read as follows:

##### Sec. 32.409 Official Register -- Filing, Posting.

The ordinance adopting designations of essential structures, priority structures and preservation areas shall be known as the official register. The official register and any subsequent amendments or deletions thereto shall be on file with the city clerk, the planning director, the design review and preservation director, the director of building inspections, the director of the Sacramento City-County Museum and History Commission, and the main branch of the Sacramento City-County Library.

#### SECTION 12.

Section 32.501 of Chapter 32 of the Sacramento City Code is hereby amended to read as follows:

##### Sec. 32.501 Architectural review.

The board shall exercise review authority over those entitlements specified in section 32.601 exclusively under the provisions of this chapter and subject to the requirements of this article.

SECTION 13.

Section 32.504 of the Sacramento City Code is hereby repealed.

SECTION 14:

Section 32.604 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.604 Review procedure--director.

Upon receipt of an application for a regulated permit pursuant to section 32.603 the design review and preservation director shall inform the applicant of the nature of the proceedings and the authority of the Board. The director may require the submission of additional plans, specifications and data by any applicant if in the opinion of the director such additional plans, specifications, and data are reasonably necessary for proper review of the regulated permit by the Board.

SECTION 15.

Section 32.904 of the Sacramento City Code is hereby amended to read as follows:

Sec. 32.904 Report to Board.

If the housing code advisory and appeals board issues a repair or demolish order for a structure designated on the official register, the housing code advisory and appeals board shall so inform the design review and preservation board in writing of the reason that it found necessitating the repair or demolish order.

SECTION 16.

Article X of Chapter 32 of the Sacramento City Code is hereby repealed.

SECTION 17.

Paragraph 5.02 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 5.02. Central City District Established:

There is hereby established the "Central City" design review district which includes within its boundaries all properties within the "Central City" of Sacramento as defined in Section 32.101(g) of the Sacramento City Code.

SECTION 18.

Paragraph 5.12 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 5.12. Review by Design Review and Preservation Board.

Except as to those exemptions provided in paragraph 11.08 of article 11 no building permit for any new structure or building, or for the remodeling or alteration of the exterior of any structure or building within any district shall be issued unless and until reviewed and approved or conditionally approved by the design review and preservation board in accordance with the procedures enumerated in article 11.

SECTION 19.

Paragraph 5.13 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 5.13 Prohibition.

No person shall build or construct any structure or building, requiring any permit, or remodel the exterior of any existing structure or building requiring a permit within any district unless and until approval or conditional approval thereof has been given by the design review and preservation board pursuant to the procedure enumerated in article 11.

SECTION 20.

Paragraph 11.02 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 11.02 Design Review and Preservation Board.

The design review and preservation board, created and composed pursuant to Chapter 32 of the Sacramento City Code, shall exercise the review authority set forth in this article.



The board shall have nine members, appointed by the Mayor subject to the approval of the city council, as follows:

- (a) One member who is a licensed landscape architect;
- (b) One member who is a licensed architect;
- (c) One member who is a licensed structural engineer;
- (d) One member who is active in property development within the Central City;
- (e) One member who is knowledgeable in local history, architecture and cultural development, the list of applicants to be reviewed by the City-County Museum and History Commission;
- (f) One member who is qualified by reason of training or experience in design;
- (g) One member who is knowledgeable in architectural history; and
- (h) Two at large members; if none of the above members is a resident within the Central City, then one of the at large members shall be a Central City resident.

The terms of office, procedure for the removal of members and for the filling of vacancies, and the compensation of members of the board shall be as set forth in Chapter 32 of the Sacramento City Code.

SECTION 21.

Paragraphs 11.03, 11.04 and 11.05 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, are hereby repealed.

SECTION 22.

Paragraph 11.06 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 11.06 Same -- Rules and Procedure.

The rules of procedure adopted pursuant to Section 32.207 of the Sacramento City Code shall govern the Board in the exercise of its powers under this article, provided that the board may adopt additional rules of procedure as it deems necessary to facilitate the discharge of its duties under this article. The board shall act by a majority of its members present.

SECTION 23:

Paragraph 11.10 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 11.10 Procedures - Application for review - plans.

Any person proposing to construct or locate any building, structure, improvement or use subject to architectural review under the provisions of this article or any other article shall, prior to filing for a building permit or entitlement of use, file an application for architectural review with the design review and preservation director. Such application shall be in the form as required by the design review and preservation director, and shall include the following where applicable:

(a) Site plan.

- (1) Location of existing and proposed structures, including signs;
- (2) Location of existing trees or natural attributes;
- (3) Location of off-street parking and loading facilities;
- (4) Location of adjacent public rights of way and private easements for ingress and egress if any;
- (5) Location of points of entry and exits for vehicles and internal circulation patterns;
- (6) Location of walls and fences and the indication of their height and material of construction;
- (7) Exterior lighting standards and devices; and
- (8) Grading and slopes where they affect the relationship of the buildings;

- (b) Three (3) copies of architectural drawings, including:
- (1) Plans to scale;
  - (2) Four (4) elevations to include all sides of development;
  - (3) Roof details indicating the location and size of mechanical equipment;
- (c) Drawings indicating the location, size, color, shape and type of illumination of each proposed sign;
- (d) Preliminary landscaping plan;
- (e) Site photographs;
- (f) Color, materials, and texture palette;
- (g) Other information which is pertinent and which the board may, by general policy, require all applicants to furnish.

SECTION 24.

Paragraph 11.14 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 11.14 Final Plan and Certification.

- (a) When the board approves the architectural plan and the applicant has been informed and has accepted the conditions of approval which may be imposed by the board, the applicant shall file final working drawings, and a landscaping plan.
- (b) The design review and preservation director, upon receipt of said final drawings and plans, shall certify that the final plans submitted under this paragraph are in accord with the architectural plans as approved by the board. After such certification any permits or entitlements may thereafter be issued in accordance with the provisions of the Sacramento City code.

SECTION 25.

Paragraph 11.17 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 11.17 Appeal.

Any party aggrieved by any action of the board under this article may appeal to the commission within five days after notice of the decision is given. Such appeal is taken by filing a notice of appeal with the design review and preservation director. Upon the filing of a notice of appeal, the design review and preservation director shall within ten days transmit to the secretary of the commission all papers and documents on file with the design review and preservation director relating to the appeal. The notice of appeal shall include and be accompanied by a fee, set by resolution of the City Council, to cover the costs of processing the appeal.

SECTION 26:

Paragraph 11.18 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, is hereby amended to read as follows:

Paragraph 11.18 Prohibition.

No building permit, or other approval or entitlement shall be issued or given by the City or any department or employee thereof with respect to any improvement or use subject to architectural review until the design of the improvement or use has been approved as provided in this article. No certificate of use and occupancy or similar approval shall be issued or given for any improvement subject to architectural review hereunder unless, and until, the design review and preservation director has certified that the improvement has been completed in accordance with the design approved pursuant to this article.

SECTION 27.

The provisions of this ordinance shall take effect ninety (90) days after its adoption. Upon the effective date of this ordinance the Preservation Board, created and existing pursuant to Sacramento City Code Section 32.201 as formerly written, and the Architectural Review Board, created and existing pursuant to Paragraph 11.02 of Section 16 of the Comprehensive Zoning Ordinance as formerly written, shall each dissolve and no longer exist or exercise authority. All matters then pending before said boards shall be transferred to the Design Review and Preservation Board created pursuant to this ordinance.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK