

City Planning Commission
Sacramento, California

SUBJECT: Interim Capitol View Protection Ordinance (M90-024)

SUMMARY

Recent high rise building development in downtown Sacramento has prompted concern from City and State officials about preserving the visual prominence of the State Capitol. The City Planning and Development Department will be conducting a study to consider appropriate heights for future development around the Capitol. Staff recommends that the City Council adopt an emergency ordinance to establish interim building height limits within a two block radius of Capitol Park until a complete study can be conducted.

BACKGROUND

In the last three years, 10 major project office buildings have been constructed or approved in the downtown area (the C-3 zone). Approximately 14 additional buildings are proposed for the downtown area. This recent growth has prompted increased community concern about a multitude of growth related issues including preservation of the visual prominence of the State Capitol. City and State officials have expressed the need to work together to establish Capitol area building height limitations for City, State, and privately owned buildings.

In May, 1990 the City Council took preliminary steps toward Capitol view preservation by adopting a resolution to submit a grant application to the National Endowment for the Arts (NEA). The grant application requested partial funding for an update and evaluation of the Central City Urban Design Plan. A major focus of the study was Capitol View Preservation. In November, 1990 the Planning and Development Department was notified that the City of Sacramento was not awarded a 1990 NEA grant. The City will reapply in 1991. Availability of NEA grant funds may affect the scope of work of the overall Central City study. However, the City is committed to completion of a long term plan for Capitol View Protection.

The time needed to complete a long-term plan for Capitol view protection combined with recent increases in applications for major downtown office projects calls for a interim, emergency Capitol View Protection Plan. Once adopted, the interim plan would remain in effect until a long term plan can be adopted.

City planning staff has coordinated preliminary efforts to establish interim measures for Capitol view protection with Assemblyman Lloyd Connelly's office. City staff has also met with officials from the Denver and Austin planning departments (where Capitol view protection plans are already in place). Communication will be maintained with these and other interested groups during the formulation of a long term plan.

PLANNING CONSIDERATIONS FOR INTERIM CAPITOL VIEW PRESERVATION

The interim Capitol View Preservation plan recommended by staff reflects analysis of the following factors:

- 1) Features, configuration and dimensions of the State Capitol Complex;
- 2) Zoning in the vicinity of the Capitol;

M90-024

January 17, 1991

- 3) Height of existing buildings in the vicinity of the Capitol;
- 4) Distance between the Capitol and adjacent buildings; and
- 5) Capitol View Preservation efforts in other cities.

Features Configuration and Dimensions of the State Capitol Complex

The State Capitol is often characterized as the central feature of the City of Sacramento and in part defines the character of the City as a governmental center. The State Legislature has occupied the present state Capitol grounds since 1869.

The State Capitol complex is situated on 40 acres. The key features of the complex are the Capitol building, the State Library and Courts building, the State Treasurer's Office building and Capitol Park. These features are shown in Exhibit 1. The buildings and the grounds are listed on the National Register of Historic Places.

The height of the Capitol can primarily be measured two ways. From street level to the top of the roof of the main building, the Capitol measures approximately 106 feet. From street level to the highest point of the Capitol Dome (the gold ball), the Capitol measures approximately 240 feet. These features and dimensions are shown in Exhibit 2. (Street level around Capitol Park is approximately 20 feet above sea level.)

Zoning in the Vicinity of the Capitol

Land uses in the Capitol area are determined by the following zoning designations and associated building height limits:

<u>Zone</u>	<u>Building Height Limit</u>
C-3, Central Business District	No Limit
C-2, General Commercial	35 - 45 feet
R-0, Residential - Office	35 feet
R, Residential	35 feet

The boundaries of these zones within the Capitol area are shown in Exhibit 3.

Height of Existing Buildings in the Vicinity of the Capitol

The height of existing buildings around the Capitol grounds must be considered in formulating the building height restrictions component of a Capitol View Protection Plan.

Within a two block radius surrounding Capitol Park, there are approximately 10 buildings that now exceed 106 feet; of these, 3 buildings exceed 240 feet. Within this same area, there is 1 approved building and 9 proposed buildings (including buildings under discussion) that exceed 106 feet; of these, 4 buildings exceed 240 feet. Exhibit 4 shows the locations of existing, approved and proposed buildings that exceed the height of the Capitol. Exhibit 5 provides a comparison of building height relationships.

Distance between the Capitol Building and Adjacent, Existing Buildings

Land parcels located closest to the Capitol building pose the greatest potential threat to maintaining the prominence of the Capitol. The shortest distance between the Capitol and the buildable point of an adjacent parcel is 330 feet. This distance relationship occurs between the Capitol building and two adjacent locations: 1) the parcels located on L Street, near 11th and 12th Streets and 2) the parcels located on N Street, near 11th and 12th Streets. These distances are shown in Exhibit 6.

Capitol View Preservation Efforts in Other Cities

Preliminary research conducted by planning staff has identified three other comparable Capital Cities that have adopted Capitol area view preservation plans to restrict building height around Capitol Buildings and adjacent grounds. The key components of known plans are summarized below:

<u>CAPITAL CITY</u>	<u>BUILDING HEIGHT RESTRICTIONS</u>	<u>O T H E R V I E W PRESERVATION FEATURES</u>
Austin, Texas	Buildings within 1320 feet (¼ mile) of the center point of the Capitol dome may not exceed the height of the Capitol to the base of the dome (Approximately 80 feet). Using the ¼ mile distance, the restriction affects approximately two blocks of development in every direction.	Height restrictions are also established along eight identified view corridors
Denver, Colorado	Establishes two types of restrictions. One forms a wedge shaped view corridor with the Capitol Building as the tip in which buildings may be increasingly taller as they are located further from the Capitol. Building height limits range from approximately 80 feet to approximately 140 feet within roughly a 5 block distance. The 2nd restriction limits the remaining area surrounding the Capitol building for approximately 1 block in all directions adjacent to the Capitol. Building heights increase from approximately 70 feet to approximately 275 feet as the distance from Capitol increases.	

Lincoln, Nebraska

Buildings surrounding the Capitol are subject to height restrictions that range from 57 feet to 150 feet depending on the distance from the Capitol.

OPTIONS FOR INTERIM CAPITOL VIEW PROTECTION

Staff analysis has resulted in three planning options for interim Capitol view protection. The following overall considerations are incorporated in all three options:

- 1) Temporary emergency building height limits should be established now to preclude the potential for new highrise buildings that have the potential to overshadow the Capitol.
- 2) The interim Capitol View Preservation Plan building height restrictions will be imposed on all proposed and future projects that have not received approvals from the City Planning Commission or City Council for discretionary entitlements.
- 3) Capitol view preservation should include the entire State Capitol Park. Building height limits should be imposed uniformly around Capitol Park. The eastern edge of Capitol Park plays an important role as both a backdrop to the front view of the Capitol building and as a secondary view of the Capitol from the eastern segment of Capitol Avenue.
- 4) Interim building height limits should extend two blocks in all directions to maximize the number of future planning options for a long-term Capitol View Protection Plan. This boundary is shown in Exhibit 7.
- 5) Allowable building heights can increase in half block increments as the distance from the Capitol grounds increases to form a tiered stadium effect around Capitol Park. (See Exhibit 8).
- 6) The major portion of the mass of the State Capitol building is made up by the main portion of the building (106 feet above street level).
- 7) The height of existing, surrounding buildings partially sets a framework for future development.
- 8) Building height limits are intended to be applicable to the highest point of a proposed building (including parapet walls, screening walls, penthouse, or any portion of roof), unless the Planning Director determines that these features do not impede the visual site line formed by an adopted Capitol View Protection Plan.

Option 1: Limit future building heights around Capitol Park on the basis of the height of the top of the roof of main portion of the Capitol building.

Option one, the most restrictive option would prevent applications for future buildings on parcels directly adjacent to Capitol Park from exceeding the height of the top of the roof of the main portion of the Capitol building (106 feet). Building height limits in the remaining areas within the height restriction boundary would be established in half block increments based on the upward line formed by two points; eye level of an average person standing at the main floor level of the Capitol building (15 feet above street level), and 106 feet (the height of the top of the roof of the main portion of the Capitol building). (See Exhibit 9).

The building height limits for Option 1 are shown below in table 1:

TABLE 1
OPTION 1 MAXIMUM BUILDING HEIGHT LIMITS

	1st half block (within 250 feet of Capitol Park)	2nd half block (within 420 feet of Capitol Park)	3rd half block (within 670 feet of Capitol Park)	4th half block (within 840 feet of Capitol Park)
Building Height Limit	106 ft. (8 Floors *)	158 ft. (12 Floors *)	225 ft. (17 Floors *)	280 ft. (21 Floors *)

* *The number of floors are estimates based on 13.5 feet per floor.*

Option 2: Limit future building heights around Capitol Park on the basis of the height of existing adjacent compatible buildings. (STAFF RECOMMENDED OPTION)

Option two is based on the staff determination that the height of two major existing buildings (Senator Office Building - 135 ft., and the front portion of the Hyatt Hotel - 135 ft.) are appropriately scaled to maintain the visual prominence of the State Capitol. Therefore, future building height limits would be established in half block increments based on the upward line formed by two points; eye level of an average person standing at the main floor level of the Capitol building (15 feet above street level) and 135 feet, (the height of the Senator Office Building, and the front portion of the Hyatt). (See Exhibit 10).

The building height limits for Option 2 are shown below in table 2:

TABLE 2
OPTION 2 BUILDING HEIGHT LIMITS

	1st half block (within 250 feet of Capitol Park)	2nd half block (within 420 feet of Capitol Park)	3rd half block (within 670 feet of Capitol Park)	4th half block (within 840 feet of Capitol Park)
Building Height Limit	135 ft. (10 Floors *)	202 ft. (15 Floors *)	290 ft. (21 Floors *)	358 ft. (26 Floors *)

* The number of floors are estimates based on 13.5 feet per floor.

Option 3: Limit future building heights around Capitol Park on the basis of the height of the top of the dome of the Capitol building.

Option 3, the least restrictive option would prevent future buildings on parcels directly adjacent to Capitol Park from exceeding the height of the top of the Capitol building (240 feet). Building height limits in the remaining areas with the height restriction boundary would be established in half block increments based on the upward line formed by two points; eye level of an average person standing at the main floor level of the Capitol building (15 feet above street level), and 240 feet (the height of the top of the dome of the Capitol building). (See Exhibit 11).

The building height limits for Option 3 are shown below in table 3:

TABLE 3
OPTION 3 BUILDING HEIGHT LIMITS

	1st half block (within 250 feet of Capitol Park)	2nd half block (within 420 feet of Capitol Park)	3rd half block (within 670 feet of Capitol Park)	4th half block (within 840 feet of Capitol Park)
Building Height Limit	240 ft. (18 Floors *)	364 ft. (27 Floors *)	530 ft. (39 Floors *)	656 ft. (48 Floors *)

* The number of floors are estimates based on 13.5 feet per floor.

POLICY CONSIDERATIONS

The proposed Capitol area height restrictions are consistent with the general policies of the Urban Design Plan, the City of Sacramento Historic Preservation Program, and the Central City Plan. The proposed restrictions would add additional building limitations to the C-3 zone that now permits buildings of any height. A detailed review of policy considerations will occur when the City conducts a detailed study to consider a long term plan for preserving the prominence of the Capitol.

FINANCIAL DATA

There are no financial impacts associated with this item.

MBE/WBE EFFORTS

Future selection of consultants to prepare the detailed study will include a consideration of the MBE/WBE status of qualified firms.

RECOMMENDATION


Staff recommends that the City Planning Commission recommend approval of an emergency ordinance to establish temporary emergency Capitol view preservation restrictions that would limit building heights within a two block radius of Capitol Park. The restrictions of this ordinance would be in effect until a study is conducted to identify a long-term Capitol view preservation plan.

Report Prepared By:



Barbara L. Wendt, Associate Planner

Recommendation Approved:



Marty Van Duyn, Planning Director

MVD:BW:ei

EXHIBIT 1

FEATURES OF THE STATE CAPITOL

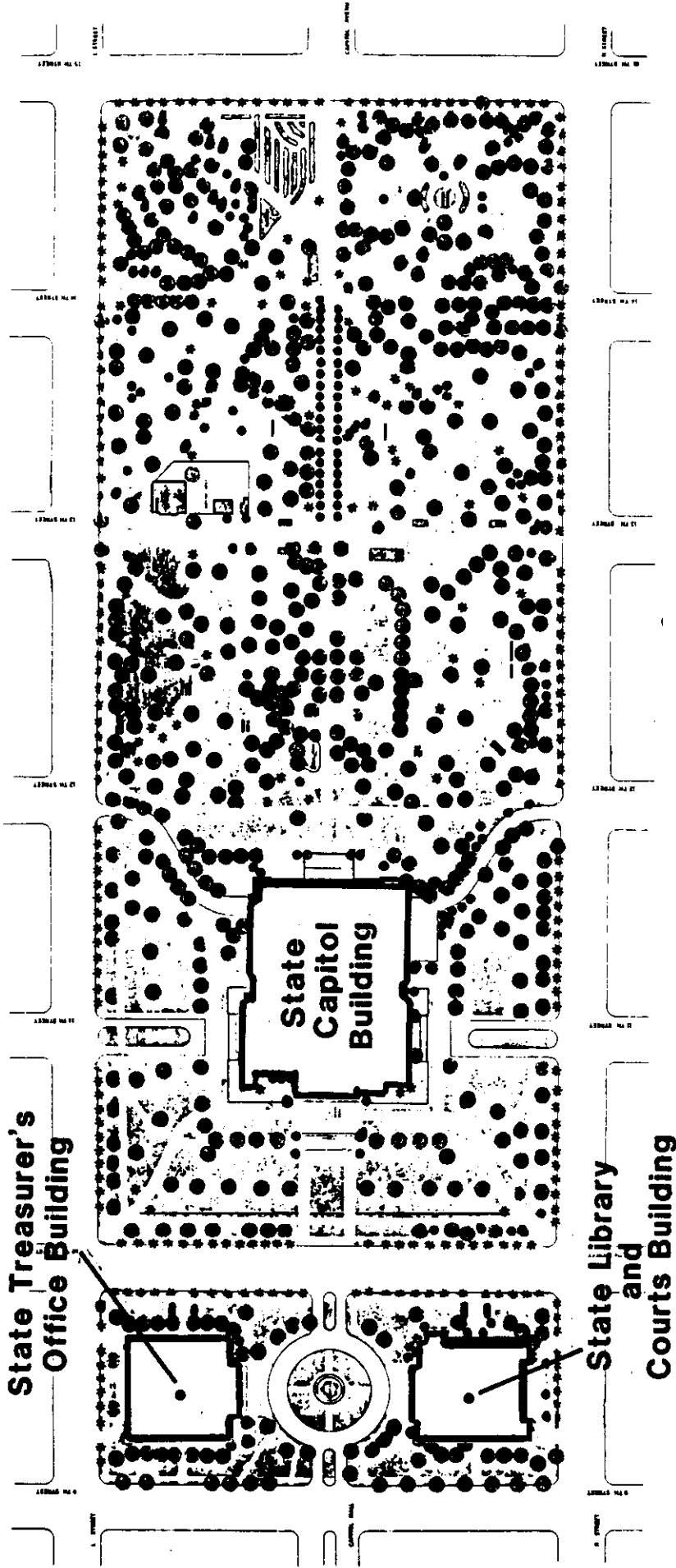
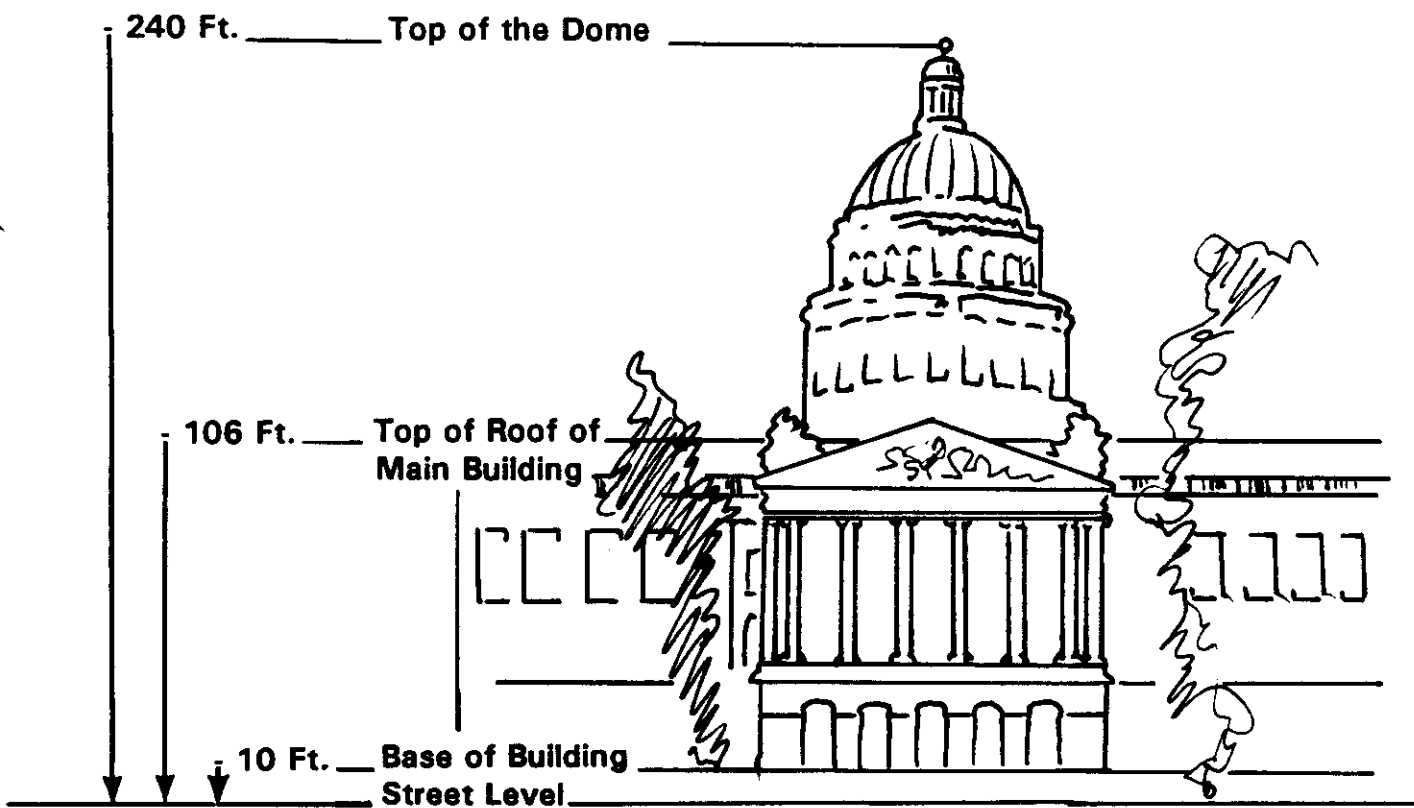
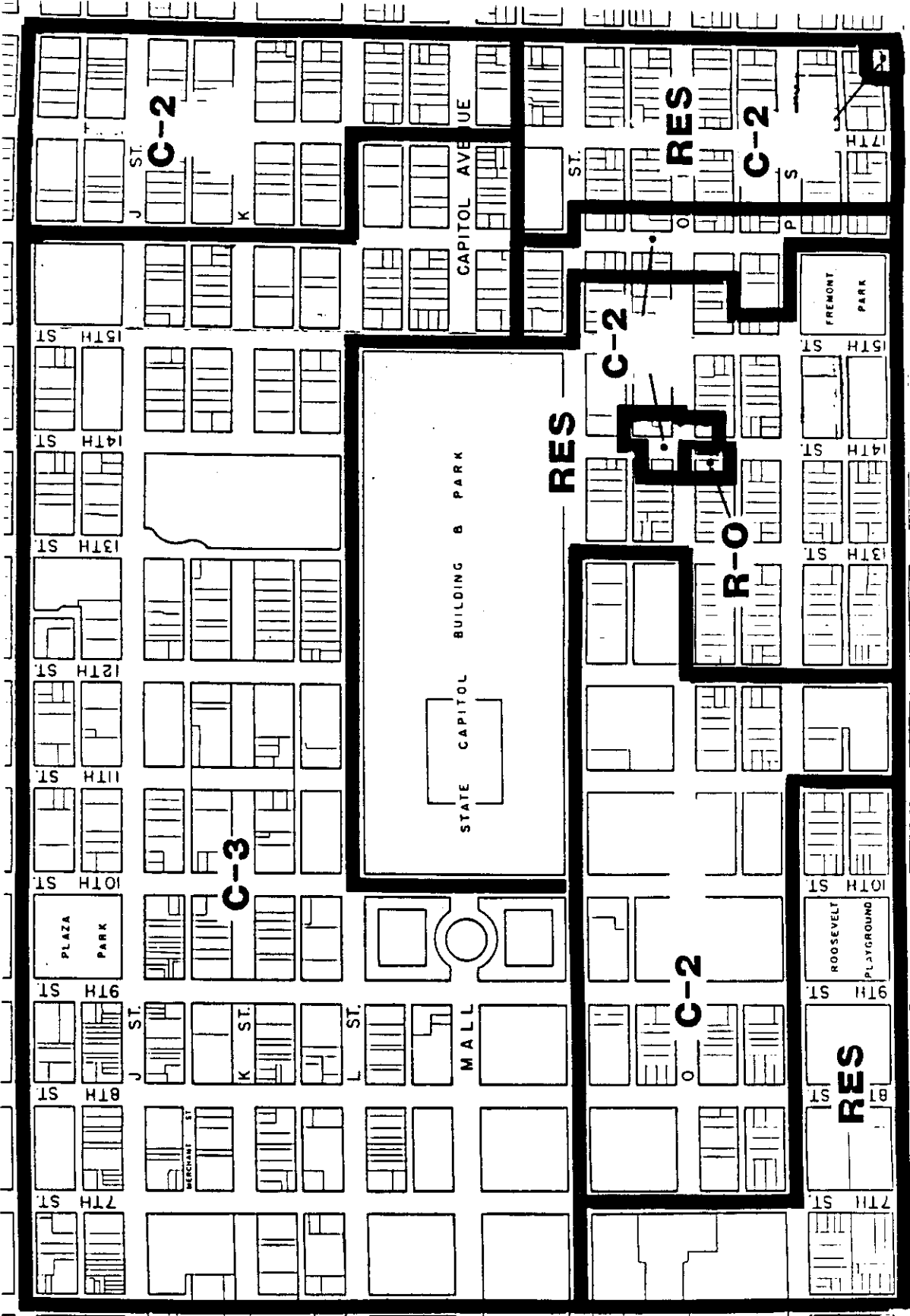


EXHIBIT 2

HEIGHTS OF STATE CAPITOL BUILDING FEATURES



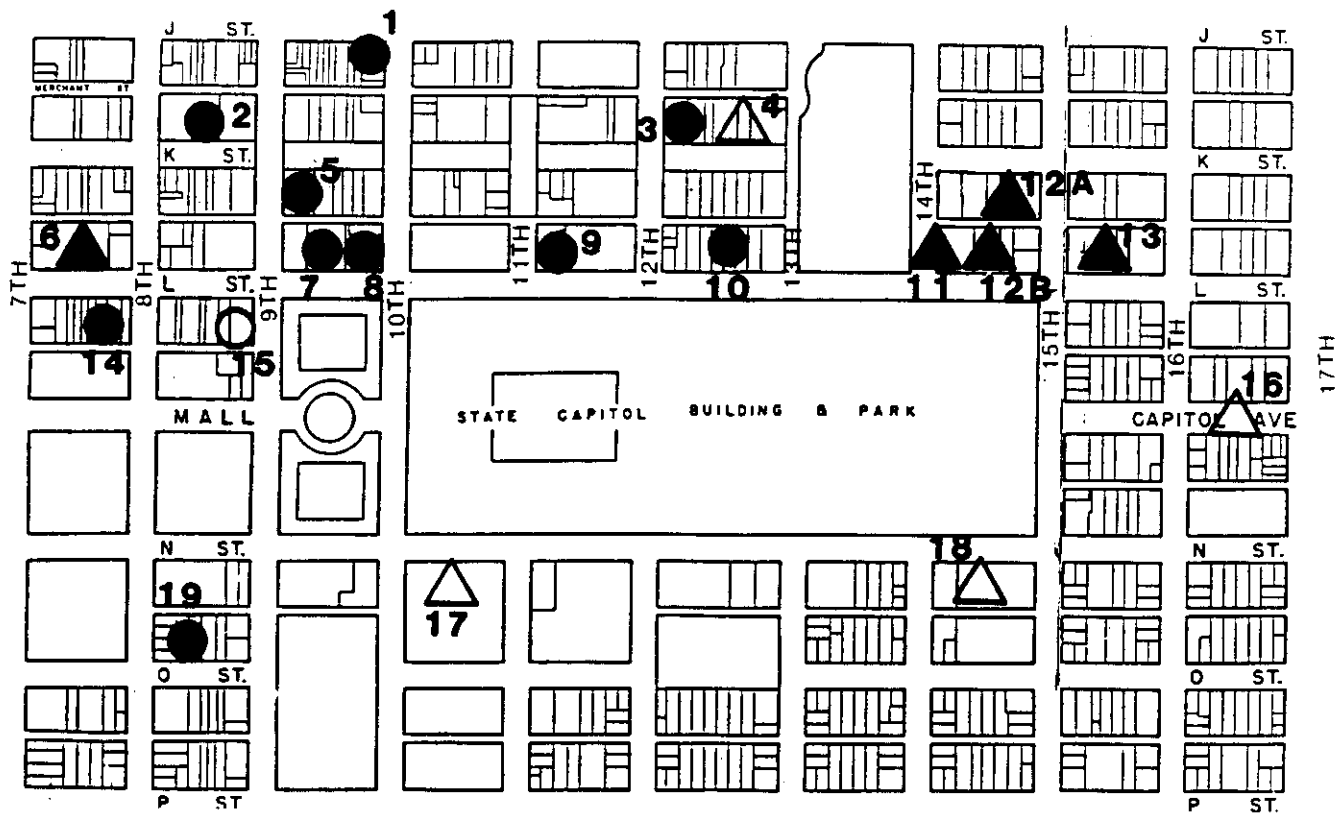
EXISTING ZONING DESIGNATIONS IN THE VICINITY OF THE STATE CAPITOL



- C-3 Central Business District - No Height Limit
- C-2 General Commercial - 35' - 45' Limit
- R-O Residential/Office - No Height Limit
- RES Residential - R E C

EXHIBIT 4

EXISTING AND PROPOSED BUILDINGS THAT EXCEED THE HEIGHT OF THE CAPITOL

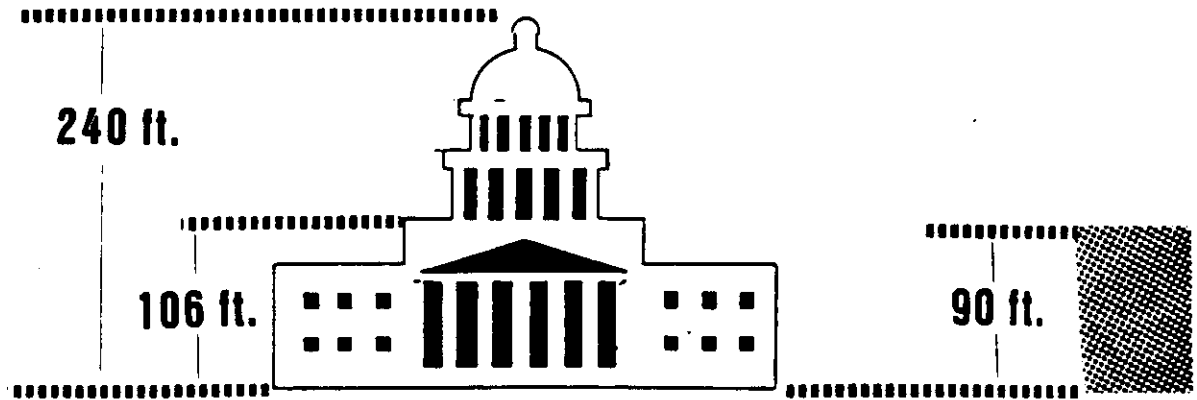


	<u>Building No.</u>	<u>Building Name</u>	<u>Height in Feet</u>	<u>Number of Floors</u>
● Existing Building	1	926 J Street	195'	15
	2	Renaissance Tower	372'	28
○ Approved Building	3	12th & K - Phase I	293'	18
	4	12th & K - Phase II	286'	22
▲ Proposed Building (application filed)	5	Hallmark Store	130'	10
	6	Greyhound Site	368'	29
	7	Capitol Place	169'	13
	8	Park Executive Building	169'	13
	9	11th & L Building	130'	10
	10	Hyatt	208'	16
△ Building Under Discussion (no application filed)	11	Capitol Park Tower	236½'	19
	12a	Hallmark Tower - K St	502'	32
	12b	Hallmark Tower - L St	200'	17
	13	Capitol Plaza Hotel	157'	13
	14	One City Center	156'	12
	15	Capitol Park West	259'	18
	16	CADA Building	195'	15
	17	State Building	286'(+)	22(+)
	18	CADA Building	195'	15
	19	Resources Building	258'	17

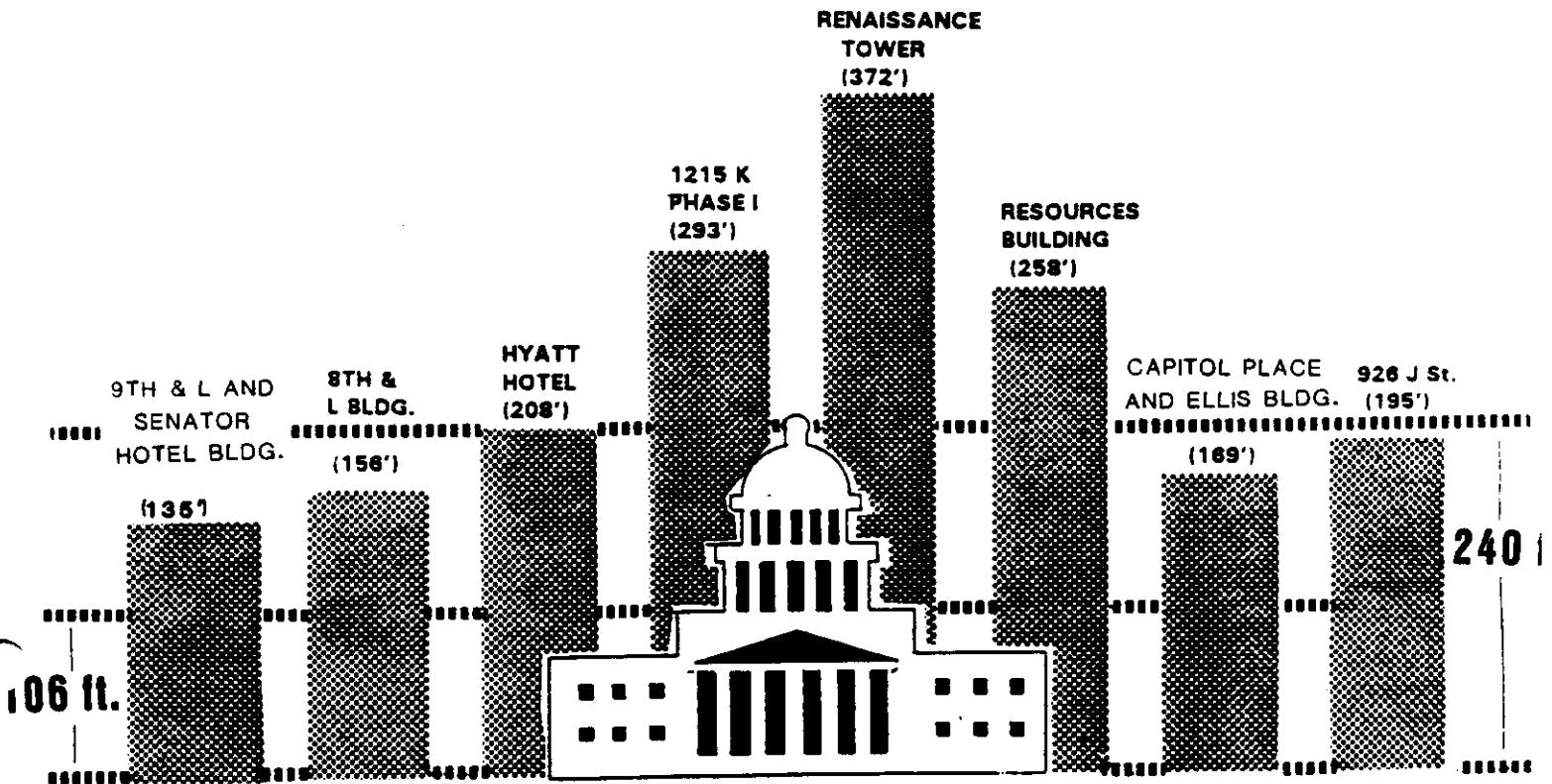
EXHIBIT 5

COMPARISON OF BUILDING HEIGHT RELATIONSHIPS

STATE CAPITOL BUILDING AND PROPOSED HEIGHT RESTRICTION COMPARED WITH EXISTING ADJACENT BUILDINGS



Relationship of Proposed Building Height Restriction to the State Capitol Building



Relationship of Existing Adjacent Buildings that Exceed 106 feet

EXHIBIT 6

DISTANCE BETWEEN THE STATE CAPITOL BUILDING AND THE CLOSEST ADJACENT PARCELS

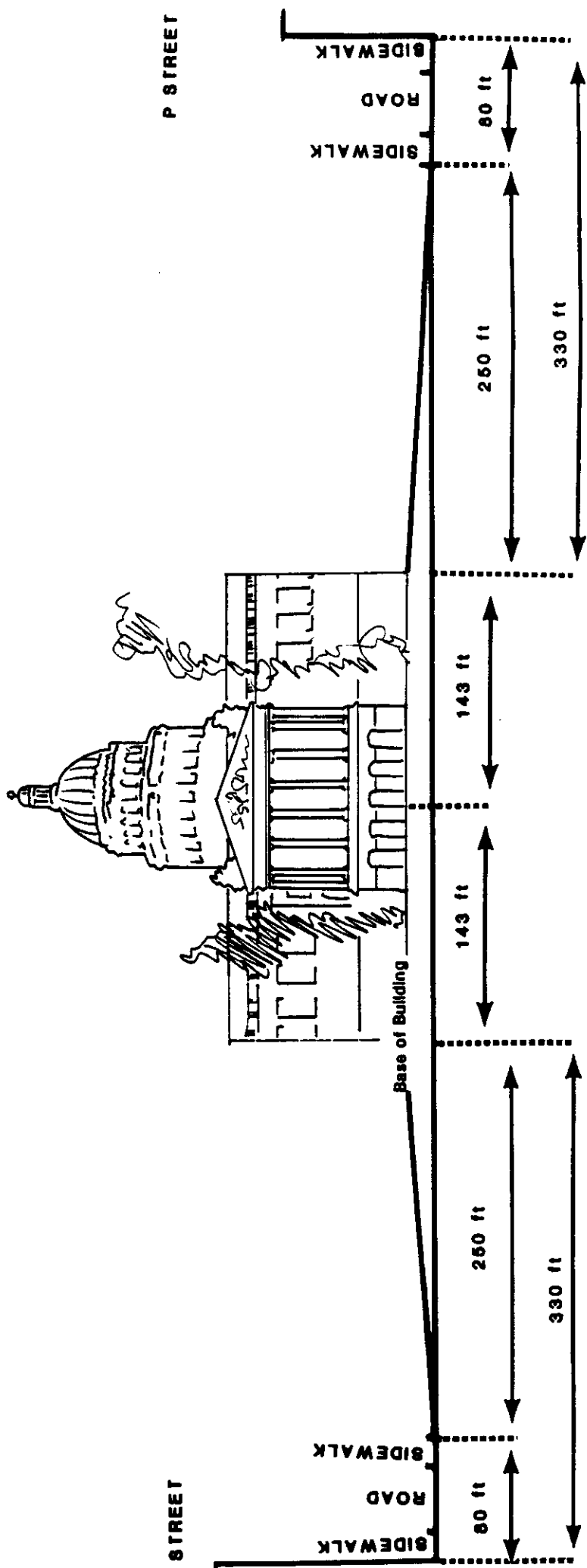


EXHIBIT 7

BOUNDARY OF PROPOSED CAPITOL AREA BUILDING HEIGHT LIMIT

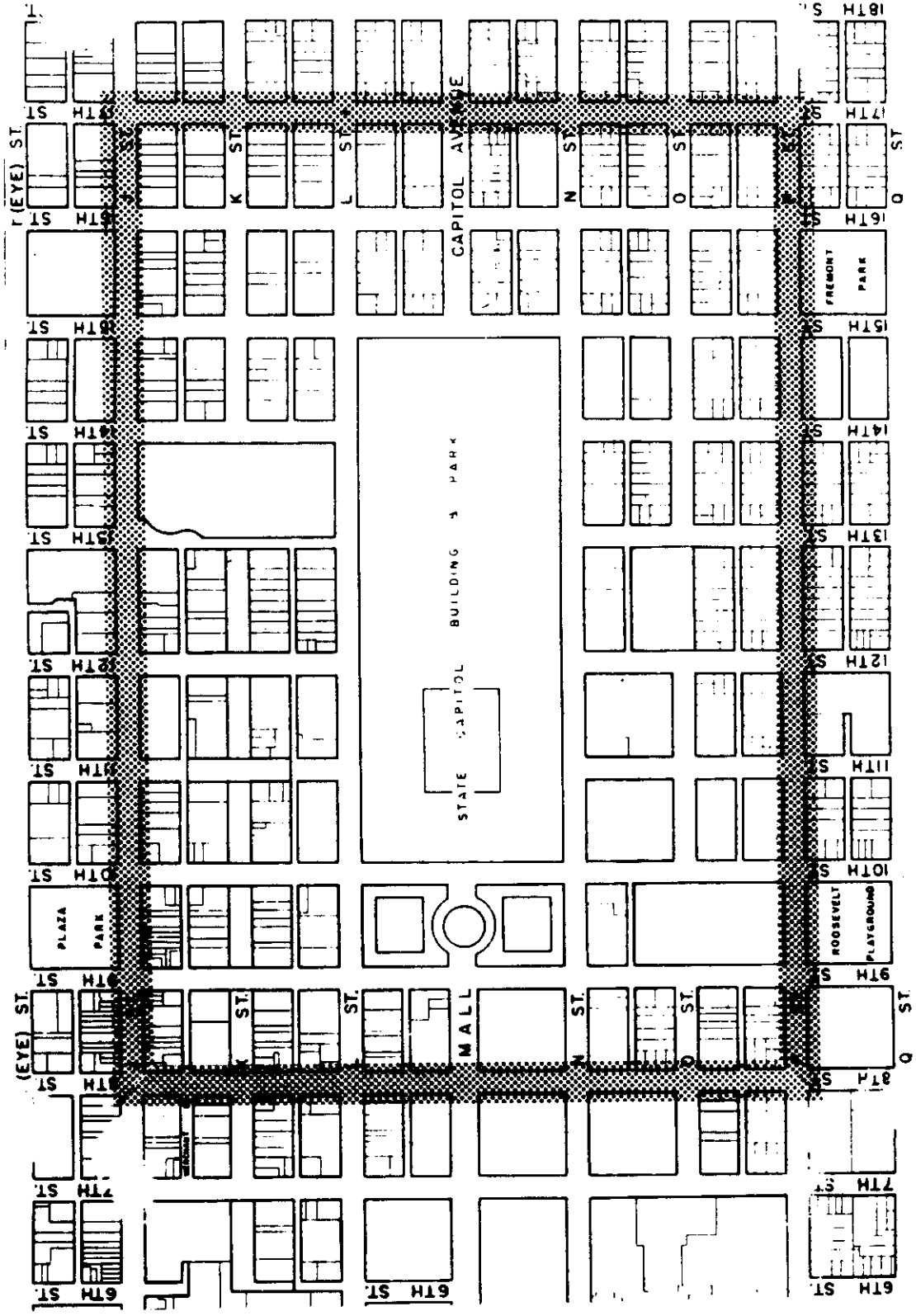


EXHIBIT 8

**BOUNDARIES OF HALF BLOCK INCREMENTS USED FOR
INTERIM BUILDING HEIGHT LIMITS AROUND THE CAPITOL**

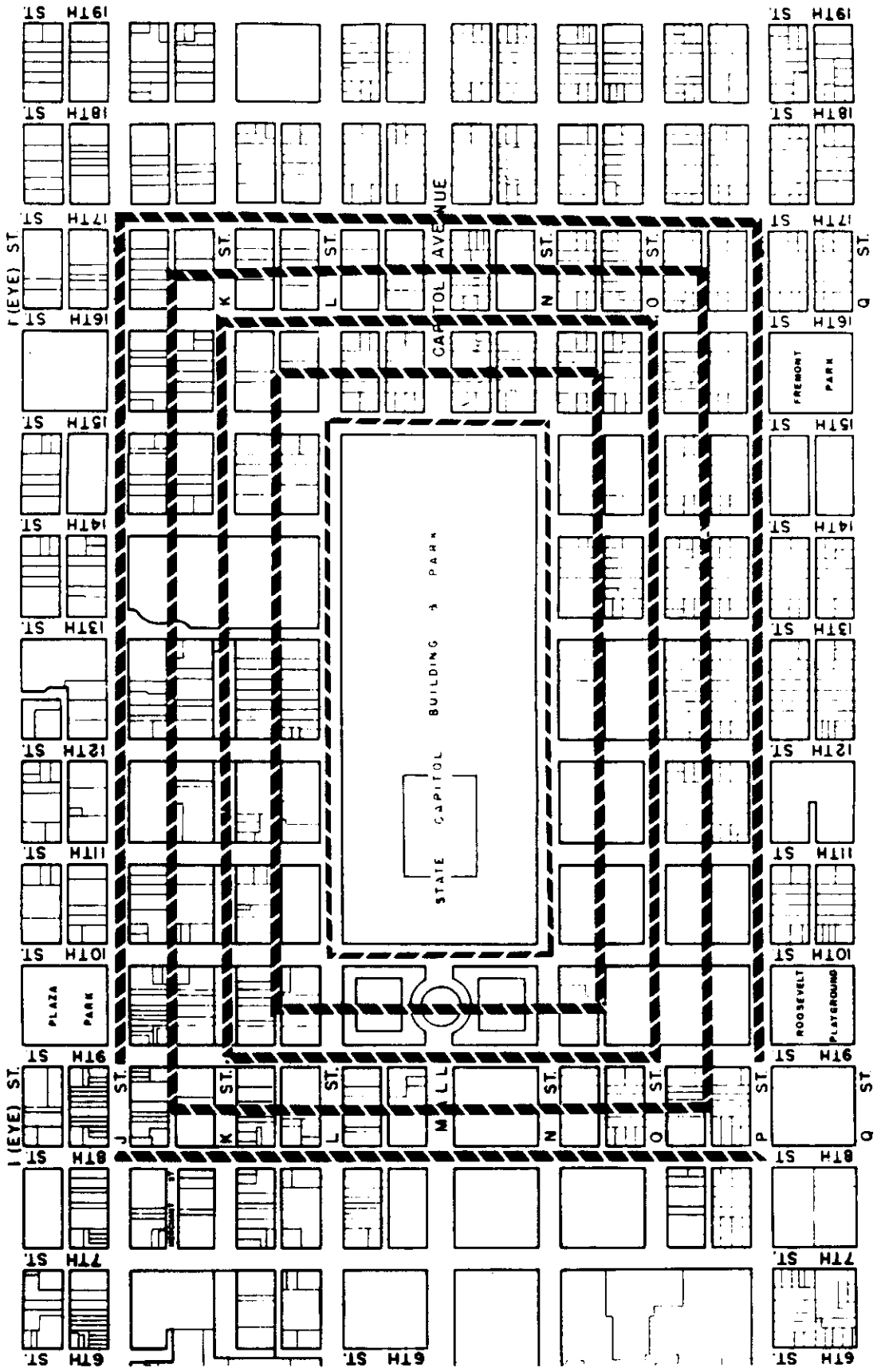


EXHIBIT 9

GRAPHIC REPRESENTATION OF THE BUILDING HEIGHT LIMITS ESTABLISHED BY OPTION 1

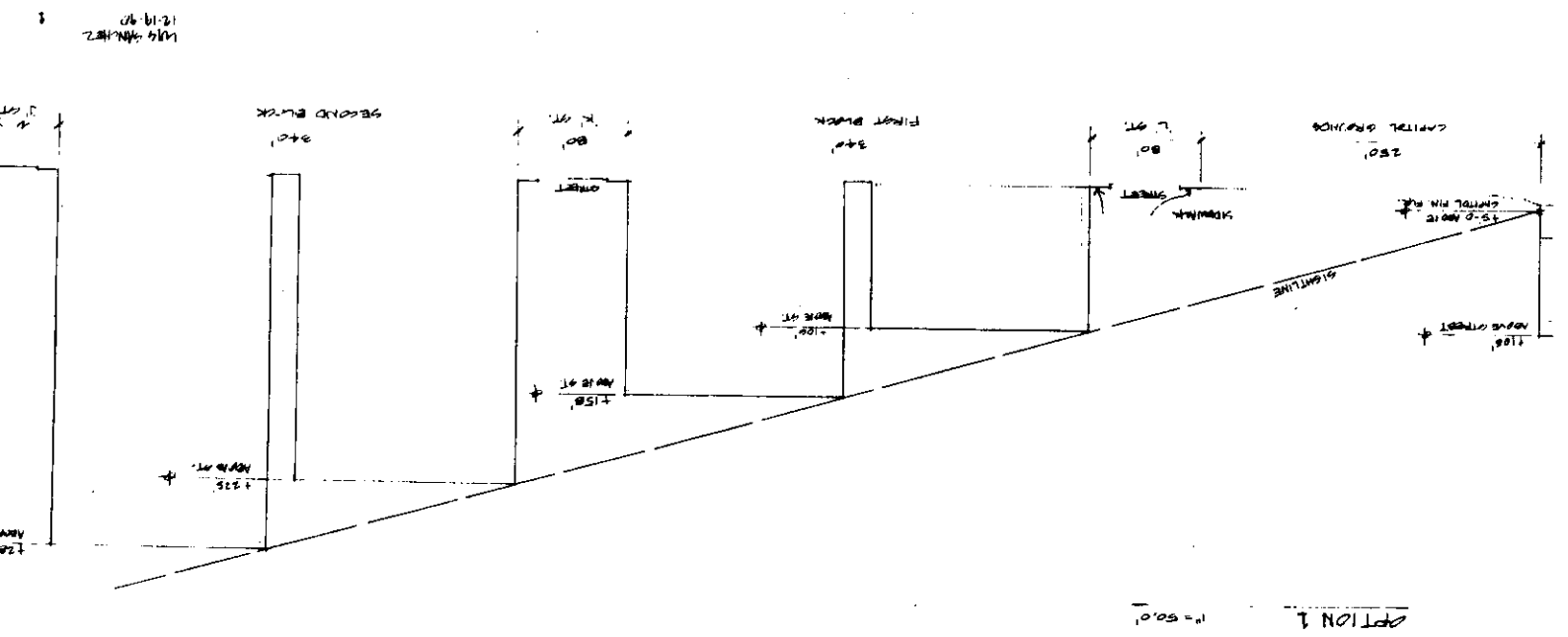
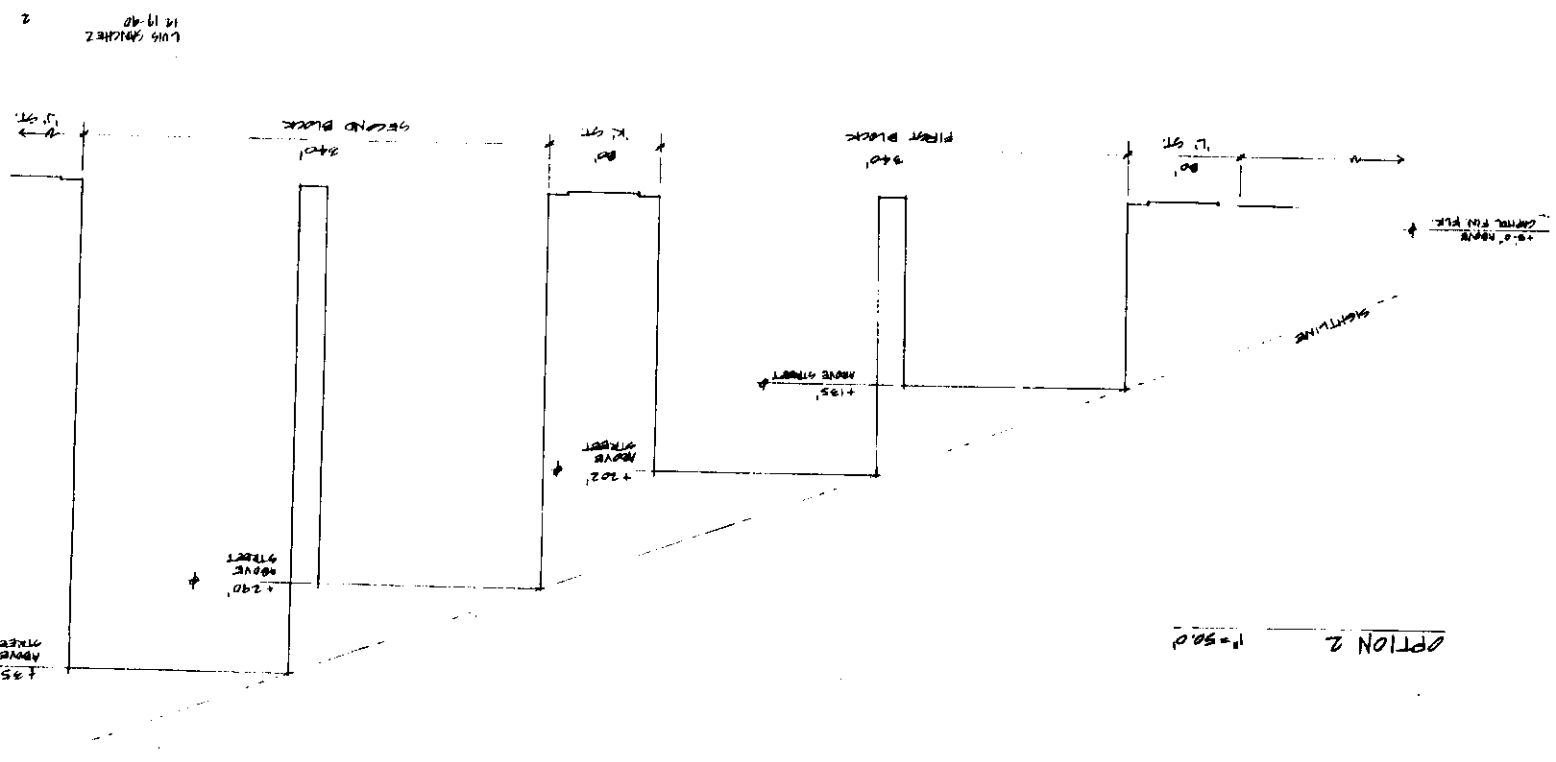


EXHIBIT 10

GRAPHIC REPRESENTATION OF THE BUILDING HEIGHT LIMITS ESTABLISHED BY OPTION 2

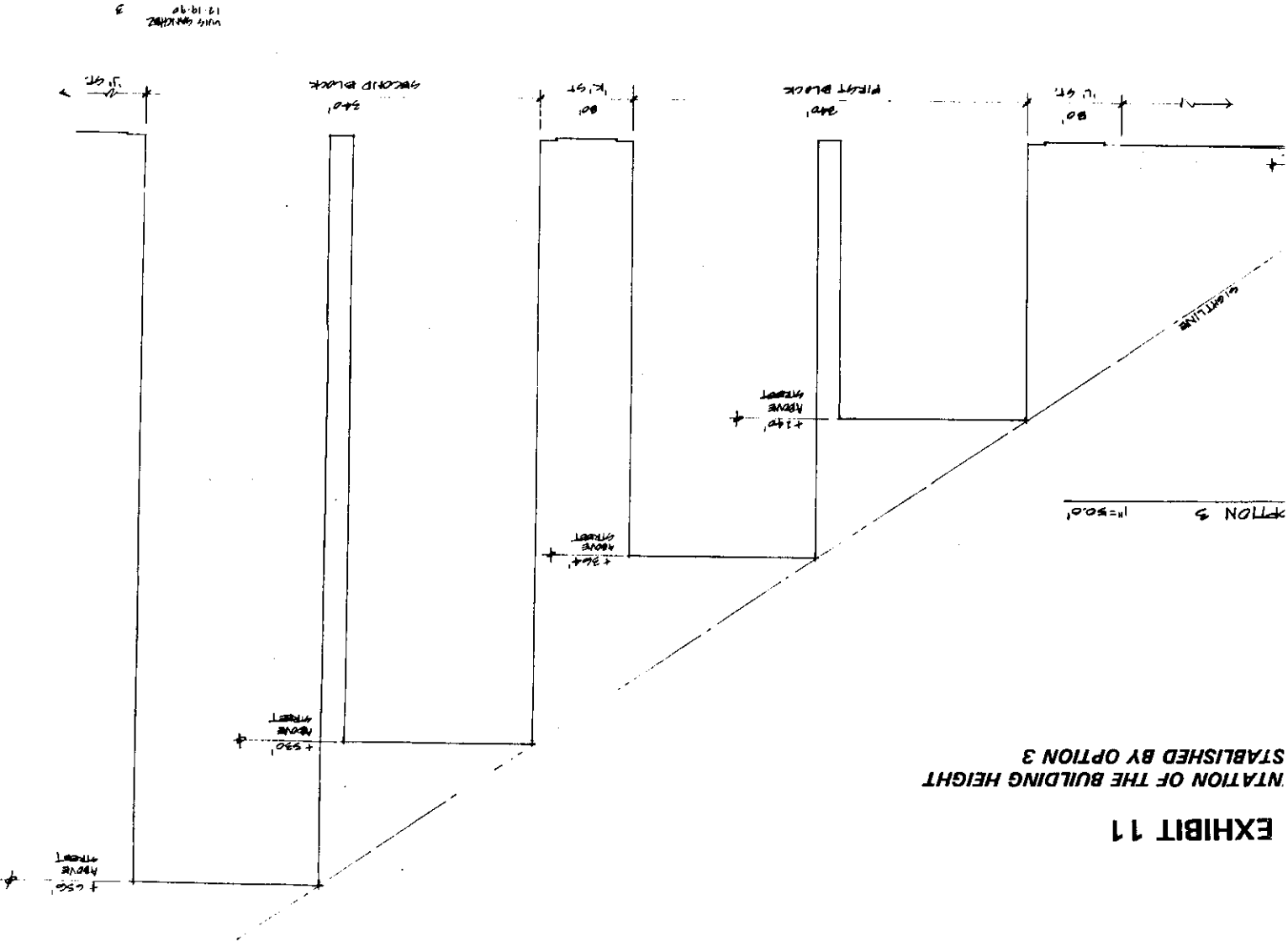


LWS SCHAFFER
14-19-40

EXHIBIT 11

STABILISHED BY OPTION 3
NTATION OF THE BUILDING HEIGHT

OPTION 3
1" = 50'



12-14-92
3

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE RESTRICTING BUILDING HEIGHTS
WITHIN A TWO-BLOCK (840 FEET) DISTANCE OF THE
STATE CAPITOL GROUNDS FOR ONE YEAR

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

SECTION 1. Height Limits for the Capitol Park Vicinity.

- (a) Height Limits: Notwithstanding any other provision of the Comprehensive Zoning Ordinance of the City of Sacramento, the following height limits shall apply to the two-block (840 feet) area surrounding the Capitol Park, and no Special Permit, Building Permit, or any other entitlement shall be issued or approved while this Ordinance is in effect for a project that would exceed such height limits.

	<u>Distance from Capitol Park</u>	<u>Maximum Height</u>
(1)	1st half block (within 250 feet of Capitol Park)	135 feet
(2)	2nd half block (within 420 feet of Capitol Park)	202 feet
(3)	3rd half block (within 670 feet of Capitol Park)	290 feet
(4)	4th half block (within 840 feet of Capitol Park)	358 feet

- (b) Duration: The height limitations contained in subparagraph (a) above shall remain in effect for a period of one year. Thereafter, the height limitations contained in the Comprehensive Zoning Ordinance shall apply.

- (c) **Capitol Park:** For purposes of this subsection, Capitol Park means that area lying between Tenth Street on the west, Fifteenth Street on the east, N Street on the south, and L Street on the north. In measuring the distances specified in subparagraph (a) above, the following points shall be used as the commencement points: the western curb of Fifteenth Street; the eastern curb of Tenth Street; the southern curb of L Street; and the northern curb of N Street.

SECTION 2. Effective Date - Emergency.

Pursuant to Section 32 of the Charter, this ordinance is adopted as and declared to be an emergency ordinance, and shall take effect immediately. The facts constituting the emergency are the following:

- (a) Recent high-rise building development in the City has diminished the visual prominence of the State Capitol. The City anticipates additional applications for high-rise buildings adjacent to the Capitol.
- (b) The City anticipates conducting a study to determine the appropriate long-term height restrictions for future development around the Capitol.
- (c) To prevent the possible construction of additional high-rise buildings prior to the completion of the study that would further impact the visual prominence of the State Capitol, it is necessary to adopt this ordinance to establish interim height limits around the Capitol Park, and to have this ordinance take effect immediately.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO.: _____

DATE ADOPTED: _____