



CITY OF SACRAMENTO

CITY PRESERVATION BOARD  
725 "J" Street  
SACRAMENTO, CALIF. 95814  
TELEPHONE (916) 449-5604

CITY MANAGER'S OFFICE  
**RECEIVED**  
JUN 20 1980

June 19, 1980

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Interim Ordinance Extending Review on Demolition of  
Pre World War II or Pre-1920 Non-Residential Structures  
in the Central City

SUMMARY

The existing ordinance requires Preservation Board review prior to issuance of a demolition permit on a pre-1920 non-residential structure in the Central City. The attached ordinance will extend this review period for an additional 180 days. The ordinance may also, at the Council's discretion, allow for review of buildings constructed prior to the start of the Second World War or the Council may keep 1920 as the construction cut off date. The extension of this ordinance of 180 days will allow staff to revise demolition review procedures to correspond with the reorganization of the Preservation Board and to meet the criteria established in the non-residential building survey.

DISCUSSION

The existing Ordinance, No. 4292, Fourth Series, was first developed at the request of Council in December 1978, and extended on June 8, 1979, and December 11, 1979. Ordinance No. 4292, which provides for Preservation Board review of all demolition permits on pre-1920 non-residential structures, was established as a measure to protect historically, culturally and architecturally significant non-residential structures, which would be identified as such upon completion of a non-residential building survey. In the past 180 days, the Preservation Board has not received any requests for demolition permits for pre-1920 non-residential structures.

**APPROVED**  
BY THE CITY COUNCIL

JUN 24 1980


OFFICE OF THE  
CITY CLERK

The criteria of the non-residential building survey initiated in June 1980 will identify significant non-residential buildings built before the start of the second World War. This ordinance may include the review of all non-residential buildings built before the beginning of the Second World War, or if Council wishes, the cut off date may be kept at pre-1920, as in the previous Ordinance. Staff will return to Council with a revised demolition review procedure as required by the reorganization of the Preservation Board as approved during FY 80-81 budget hearings.

RECOMMENDATION

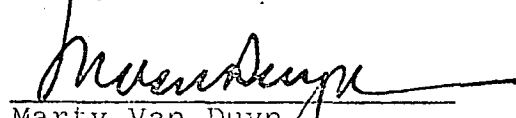
Staff recommends that the attached emergency interim ordinance be adopted so that the demolition review of non-residential structures in the Central City may be continued and include all non-residential buildings built before the start of World War II. If the Council agrees, then the appropriate action would be to adopt the attached Ordinance with the start of the Second World War, as the cut off date for non-residential building demolition review.

Respectfully submitted,

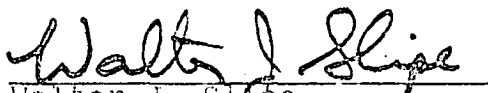


Richard B. Hastings  
Preservation Director

APPROVED:

  
Marty Van Duyn  
Planning Director

RECOMMENDATION APPROVED:

  
Walter J. Slape  
City Manager

RBH:jb

Attachments: 1) ordinance

2) list of persons and organizations notified of hearing.

June 24, 1980

District No's. 1, 3, & 4

PERSONS AND ORGANIZATIONS WHO HAVE RECEIVED COPIES  
OF ORDINANCE AND STAFF REPORT

1. Bill Aguirre  
Community Development Coordinator  
Sacramento Housing & Redevelopment  
Agency  
630 "I" Street  
Sacramento, California 95814
2. Harry B. Arnold, Manager  
Sacramento Builders Exchange, Inc.  
P. O. Box 95807  
Sacramento, California 95814
3. Roy Brewer, Manager  
Metropolitan Development  
Sacramento Metropolitan  
Chamber of Commerce  
P. O. Box 1017  
Sacramento, California 95805
4. Neva Cimaroli, President  
Sacramento Board of Realtors  
1808 "J" Street  
Sacramento, California 95814
5. Timothy J. Conway, Manager  
Associated General Contractors of  
California  
301 Capitol Mall  
Sacramento, California 95814
6. Ernest Farrington, Jr., President  
Sacramento Downtown Association  
455 Capitol Mall, Suite 376  
Sacramento, California 95814
7. David Janssen, Director  
Department of General Services  
915 Capitol Mall, Suite #590  
Sacramento, California 95814
8. Karolyn Simon, President  
Sacramento Old City Association  
1400 45th Street  
Sacramento, California 95819

9. Tim Quintero, Executive Director  
Alkali Flat Project Area Committee  
530 12th Street  
Sacramento, California 95814
10. Ronald G. Rule, Director  
Capitol Area Development Authority  
1230 "N" Street, Suite #200  
Sacramento, California 95814
11. Tina Thomas  
ECOS  
Law Offices  
717 "K" Street  
Sacramento, California 95814
12. Paul A. Stewart  
Building Industry Association of  
Superior California  
2211 Royale Road  
Sacramento, California 95815
13. Tim Sullivan, Director  
Building Inspections  
927 10th Street, Room 100  
Sacramento, California 95814

ORDINANCE NO. 4385 FOURTH SERIES

AN ORDINANCE EXTENDING THE 180 DAY REVIEW ON THE ISSUANCE OF DEMOLITION PERMITS BY AN ADDITIONAL 180 DAYS PROVIDING PENALTIES FOR VIOLATION, AND DECLARING IT TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1.

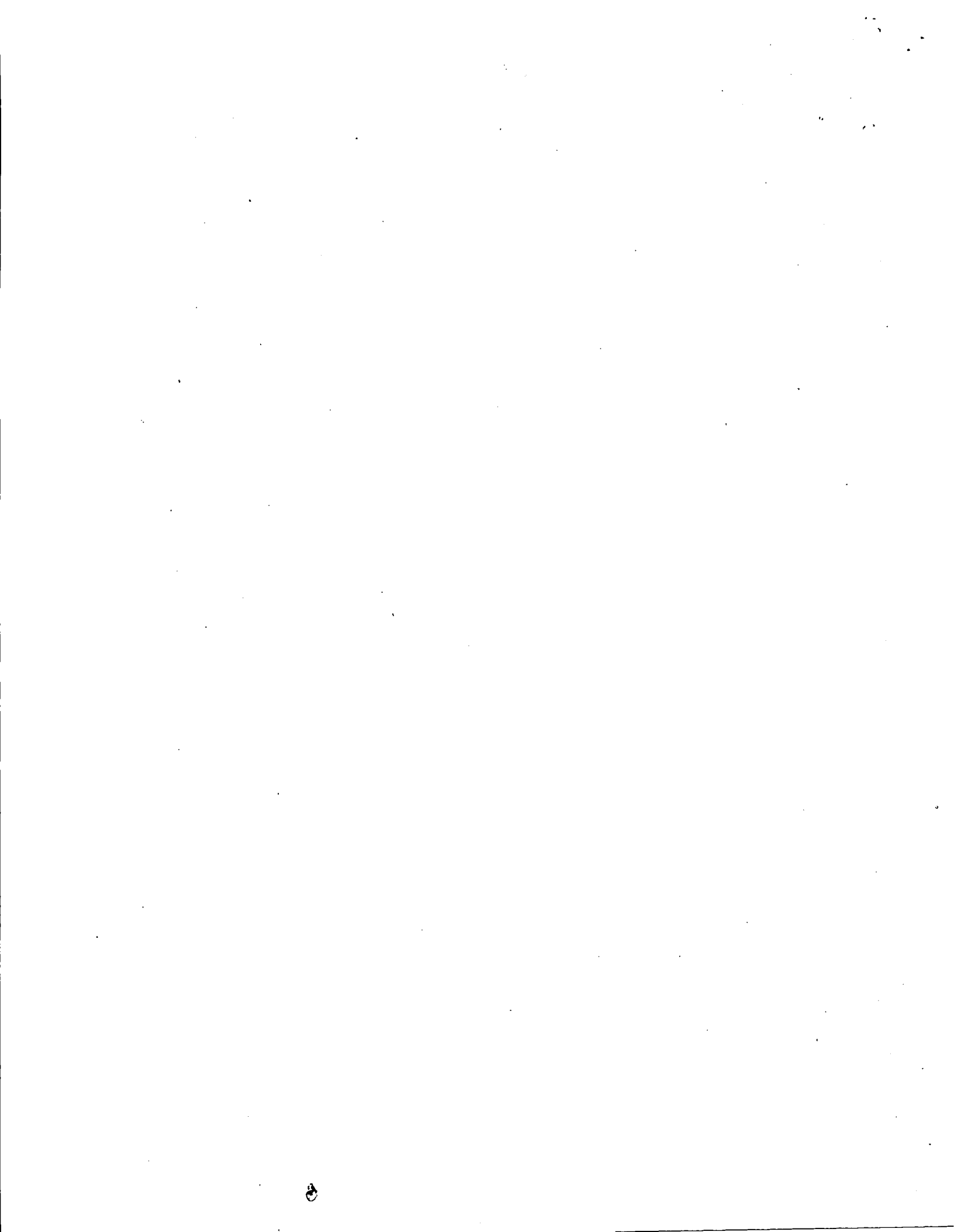
The Council of the City of Sacramento does hereby find and declare as follows:

1. That there exists within the Central City area of the City of Sacramento certain structures which, because of their architectural style, the materials used in their construction, or because of their association with eras, events and persons of historical significance are an irreplaceable asset to the City of Sacramento and the quality of life within the City.
2. That demolition of these structures should be undertaken only after a study can be made to ascertain the methods whereby said structures may be preserved for the benefit of this and future generations.
3. That there exists a critical need to preserve the dwindling supply of such structures until a comprehensive program for their preservation may be studied, enacted and implemented.
4. That there is need for a method whereby the demolition of these structures may, if necessary, be delayed for a reasonable time pending the study, enactment and implementation of such a program, so that the public health, safety, and welfare and the best interests of the citizens of the City of Sacramento may more properly be served.
5. That on or about January 25, 1979, in order to carry out the purpose described in paragraphs 1 through 4 herein, the City Council adopted Ordinance No. 4170, Fourth Series, which established a 180 day review on demolition permits for certain structures in the Central City.
6. That on or about June 12, 1979, an extension of the 180 day review on certain structures within the Central City was provided for by the adoption of Ordinance No. 4232, Fourth Series.
7. That on or about December 11, 1979, an extension of the 180 day review on certain structures within the Central City was provided for by the adoption of Ordinance No. 4292, Fourth Series.
8. That an extension of the 180 day review on certain structures within the Central City as provided for in Ordinance No. 4292, Fourth Series, by an additional 180 days is necessary to prevent the demolition of structures of architectural or historical significance for the purposes described in paragraphs 1 through 4.

APPROVED  
BY THE CITY COUNCIL

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OFFICE OF THE  
CITY CLERK



## SECTION 2.

For the purposes of this ordinance, "Central City" of Sacramento shall be defined as that area of the City of Sacramento lying between the Southern Pacific main line railroad levee on the north, Broadway on the south, Sacramento River on the west and Alhambra Boulevard on the east.

## SECTION 3.

Notwithstanding any provisions of the Sacramento City Code to the contrary, no permit for the demolition of any structure within the Central City portion of the City of Sacramento constructed or used prior to **1920** for primarily non-residential purposes shall be issued except as provided hereafter.

## SECTION 4.

1. When an application is submitted for a permit for the demolition of any structure regulated by the provisions of this ordinance, the Director of the Division of Building Inspections shall, upon receipt of such application, forward the same to the Preservation Director (hereinafter Director).

2. (a) Upon receipt of the aforesaid application, the Director shall schedule a public hearing on the matter before the City of Sacramento Preservation Board (hereinafter Board). The Director may require the submission of additional plans, specifications and data from the applicant if in the opinion of the Director such additional plans, specifications and data are reasonably necessary for proper review of the application by the Preservation Board.

(b) Such application shall be scheduled by the Director for public hearing before the Board not later than sixty (60) days after receipt of the application by the Director or his receipt of additional information as provided in subdivision 2(a) of this section, whichever is later.

(c) The Director shall give notice of the hearing on the application to the applicant not less than ten (10) days prior to the date of hearing. Notice of the hearing shall be published once in the official newspaper not less than ten (10) days prior to said hearing date. Notice of the hearing shall also be posted in a conspicuous place on the property on which the structure is located not later than ten (10) days prior to the hearing.

(d) The Director shall prepare a written report on the application based upon a field investigation of the site and consultation with any interested agencies or persons. This report shall be made available to the public prior to or at the beginning of the hearing.

3. The Board shall hold a public hearing on the application, at the conclusion of which it may deny the application for demolition permit if it finds that one or more of the following conditions exist:

(a) The structure to be demolished represents a style of architecture of significance in the historical development of the city, state or nation.

(b) The structure contains materials or features which are unique and irreplaceable.

(c) The structure was the site of a historical event of local, state or national importance or was occupied or used by a historically significant person or persons.

(d) The demolition of the structure would cause a deterioration of the character or architectural integrity of the surrounding neighborhood so as to adversely affect the health, safety and welfare of the community.

4. If the application for the demolition permit is denied, the Board shall state the period during which the denial is effective; provided, however, that such stated period shall not exceed the period during which this ordinance is effective or any extension of this ordinance and provided further that in no event shall the denial of the permit continue for longer than 180 days from the date of Board or Council action as the case may be. Following any decision under this section, the Director shall transmit forthwith notice thereof to the applicant by registered mail and shall post or cause to be posted public notice of such decision in two conspicuous public places and on the property on which the structure is located.

5. If any application for a demolition permit is approved pursuant to this section, then said application shall be returned to the Director of the Division of Building Inspections for further proceedings as may otherwise be required by the Sacramento City Code; provided, however, that no demolition permit approved by the Director shall be issued until any appeal taken pursuant to Section 5 of this ordinance has been denied by the Council or the time for such appeal has lapsed.

#### SECTION 5.

Any person, firm, corporation or public entity aggrieved by the decision of the Board under the provisions of this ordinance may appeal the same to the Council by filing a notice of appeal with the City Clerk within ten (10) days of notification or public posting of such decision. The Council shall hear any such appeal at a date to be set by the City Clerk no more than thirty (30) days after the date of receipt thereof by the City Clerk. Notice of such hearing shall be given by the Clerk in the manner set forth in Section 4 subd. 2(c).

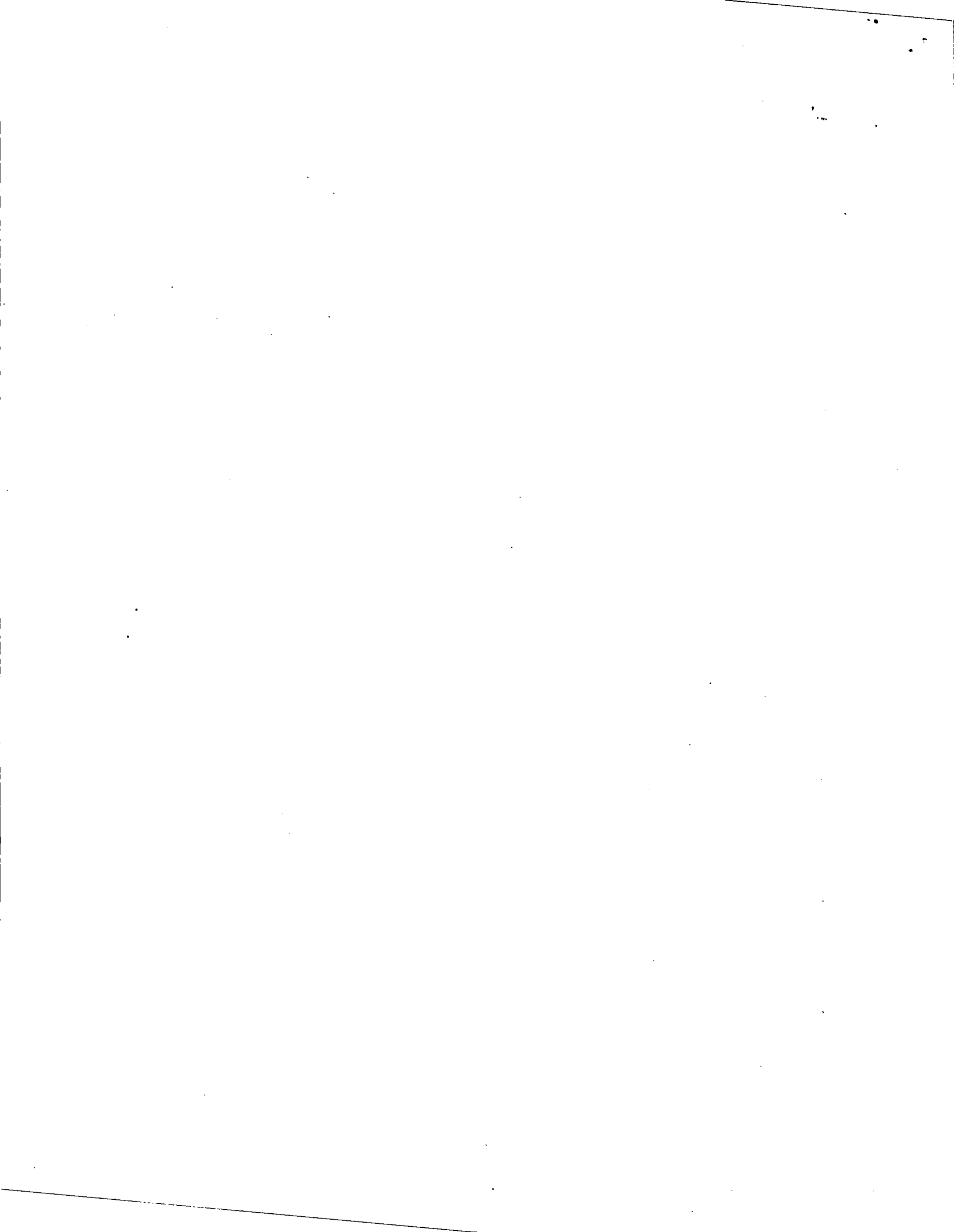
#### SECTION 6.

If a structure regulated by Section 3 of this ordinance is, in the opinion of the Director of the Division of Building Inspections, in such condition as to be imminently dangerous and likely to cause serious injury to any person or persons within such structure or to any surrounding property, and because of such condition requires immediate remedial action to protect the public health, safety and welfare, a demolition permit may be issued therefor without first complying with the provisions of this ordinance.

#### SECTION 7.

This ordinance shall be effective for 180 days following the date of its enactment.





SECTION 8.

Violation of the provisions of this ordinance shall constitute a misdemeanor. Any persons, firm, or corporation, whether as principal, agent, employee or otherwise who violates the provisions of this ordinance shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for a term of not more than six months, or both.

SECTION 9.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The reason for the emergency is the need to delay the demolition of structures of historical and architectural significance during that period of time required to study, enact and implement a comprehensive plan for their preservation.

ENACTED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

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

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