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DEPARTMENT OF  
ADMINISTRATIVE SERVICES  
BUDGET AND POLICY REVIEW

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February 10, 2000

Law and Legislation  
Sacramento, California

Honorable Members in Session:

**SUBJECT: MARCH BALLOT PROPOSITIONS REPORT BACK**

**LOCATION: Citywide**

**RECOMMENDATION:**

This report is to approve staff recommendation and forward recommendation onto the City Council.

**CONTACT PERSON:** Aaron B. Chong, Budget and Policy Review Office

**FOR COUNCIL MEETING OF:** February 15, 2000

**SUMMARY**

On February 1, 2000, the Law and Legislation Committee of the City Council took action on fourteen of the twenty ballot measure on the March state election.

The City Council approved the fourteen recommended positions from Law and Legislation Committee at its February 8, 2000 City Council meeting. The committee requested additional information on six remaining state propositions on the March ballot measures.

This report provides additional information on those six state ballot measures that the Law and Legislation Committee has not yet taken a position on at their last committee meeting. The six ballot measures are:

Proposition 16 **Veterans Homes Bond Act of 2000.**

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Proposition 19 **Murder. BART and CSU Peace Officers. Legislative Initiative Amendment.**  
Proposition 20 **California State Lottery. Allocation for Instructional Materials. Legislative Initiative Amendment.**

Proposition 21 **Juvenile Crime. Initiative Statute.**

Proposition 25 **Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures. Initiative Statute.**

Proposition 28 **Repeal of Proposition 10 Tobacco Surtax. Initiative Statute.**

Staff recommends that the Law and Legislation support Proposition 16, oppose Propositions 20, 21, 25 and 28; and take no position on Proposition 19.

#### **BACKGROUND INFORMATION:**

On January 18, 2000, the Law and Legislation Committee requested a staff report on the summary and analysis of the twenty March ballot measures. On February 1, 2000, the Law and Legislation Committee considered staff's recommendations and made some additional modifications to those recommendations.

In making its recommendations to the Law and Legislation Committee on whether to support, oppose or take no position on the various ballot measures, staff previously considered whether the measures would affect the operations of the City. If the measure would have no direct effect on the City's operations, staff recommended a neutral position. Members of the Law and Legislation Committee appeared consistent in their opinions that this standard was too narrow, and instead, indicated that consideration should also be given to the impact of a ballot measure on matters of interest to the Sacramento community as a whole.

Members of the Committee observed that while a ballot measure might not directly affect City operations, it could have a significant impact on issues or matters that were of great interest to the Council and the City, including matters on which the Council and the City had adopted formal policies or positions, such as support for education and improvement of schools, support for children and programs for children, and support and recognition of domestic partnerships.

The committee members also requested that staff provide additional information on the six remaining propositions for further consideration by the committee.

Staff has prepared a short table that lists the titles of the six remaining propositions, a brief description of the ballot measure, the recommendation by the League of California Cities, and finally the proposed City of Sacramento's recommendation. This table is attached as "Attachment I".

The City Attorney's office prepared summaries of the twenty ballot measures on the March 7,

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2000 ballot. The memorandum provided by the City Attorney's office is attached to this report as "Attachment II".

Staff is providing a report back on the following six propositions:

Proposition 16 **Veterans Homes Bond Act of 2000.**

Proposition 19 **Murder. BART and CSU Peace Officers. Legislative Initiative Amendment.**

Proposition 20 **California State Lottery. Allocation for Instructional Materials. Legislative Initiative Amendment.**

Proposition 21 **Juvenile Crime. Initiative Statute.**

Proposition 25 **Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures. Initiative Statute.**

Proposition 28 **Repeal of Proposition 10 Tobacco Surtax. Initiative Statute.**

**Proposition 16, Veterans Homes Bond Act of 2000.**

**Proposition 16** would provide fifty million dollars to design and construct veteran's homes in California and complete a comprehensive renovation of the Veteran's Home in Yountville.

Proposition 16 will pay the state's share to build two new veterans' retirement homes that have been approved for construction by the state of California, rehabilitate the 100-year old Veterans Home at Yountville, and build a special treatment center to treat veterans with dementia problems like Alzheimer's disease. None of the new veterans' retirement homes will be located in Sacramento.

Proposition 16 is supported by the American Legion, the Veterans of Foreign Wars and other state veterans' organizations, as well as AARP and service and civic groups. It passed overwhelmingly in the state Assembly and Senate. Governor Gray Davis, U.S. Senator John McCain from Arizona, and State Senator Joe Dunn from the 34<sup>th</sup> District supported Proposition 16 on the ballot. The following three people opposed Proposition 16 on the ballot: Gail K. Lightfoot-*Past Chair, Libertarian Party of California*; Ted Brown-*Insurance Adjuster/Investigator*; and Larry Hines-*U. S. Marine Corps Veteran*.

Proposition 16 would have no direct effect on the City of Sacramento operations, but could affect many of the homeless people located in Sacramento who may be eligible under this proposition as veterans. Staff recommends supporting the bill.

**Proposition 19 Murder. BART and CSU Peace Officers. Legislative Initiative Amendment.**

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Existing law provides that the punishment for the murder in the second degree of specified peace officers is life without the possibility of parole if the crime occurs while the officer is on duty and aggravating factors are present. **Proposition 19** specifies these enhanced sentence provisions would also apply when the victim is a peace officer employed by the Bay Area Rapid Transit District or the California State University System. Proposition 19 asks the voters of California to approve this legislative action which would provide the same protection against the murder of CSU and BART police, as municipal police, county sheriffs and the police of the University of California currently enjoy.

State Senator Richard Rainey of Walnut Creek and Thomas Blalock -Vice-President, BART Board of Directors wrote the ballot argument in favor of Proposition 19. Neither California State University, Sacramento nor the Regents of the California State University system have taken a position on Proposition 19. This proposition would have no direct effect on the City of Sacramento, staff recommends no position.

**Proposition 20 California State Lottery. Allocation for Instructional Materials. Legislative Initiative Amendment.**

**Proposition 20** would amend Government Code section 8880.4 which provides that at least 34% of the total annual state lottery revenues shall be allocated to benefit public education and provide that beginning with 1998-99 fiscal year and each fiscal year thereafter, one-half of the amount of the share allocated to public education that exceeds the amount allocated in fiscal year 1997-98 shall be allocated to school and community college districts for the purchase of instructional materials. The funds are distributed on the basis of an equal amount per unit of average daily attendance.

The Los Rios Community College District has taken no position on Proposition 20. The presidents of the California Teachers Association, Association of California School Administrators, and the California School Boards Association oppose Proposition 20. All three organizations believe Proposition 20 takes away school districts' discretion to use lottery funds for programs that best meet the needs of their students. Staff recommends the City oppose the proposition.

**Proposition 21 Juvenile Crime. Initiative Statute.**

**Proposition 21** would make various changes to laws specifically related to the treatment of juvenile offenders. In addition, it changes laws for juveniles and adults who are gang-related offenders, and those who commit violent and serious crimes. Specifically, it: Requires more juvenile offenders to be tried in adult court. Requires that certain juvenile offenders be held in

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local or state correctional facilities. Changes the types of probation available for juvenile felons. Reduces confidentiality protections for juvenile offenders. Increases penalties for gang-related crimes and requires convicted gang members to register with local law enforcement agencies. Increases criminal penalties for certain serious and violent offenses.

Supporters of the ballot measure contend that it is a needed reform to get serious with the most violent juvenile offenders. Besides Governor Davis and former Governor Pete Wilson, supporters include a variety of crime victims groups and state associations representing prosecutors, police chiefs and sheriffs.

According to a recent article by Dan Smith of the Sacramento Bee, opponents of the measure said that the initiative is too costly and unnecessary at a time when juvenile crime rate is dropping. Opponents of the measure include Los Angeles Police Chief Bernard Parks and Judge James Milliken, presiding judge of the San Diego County Juvenile Court. Chief Parks supports some of the provisions in Proposition 21, but believes others would divert officers from the field and "inappropriately" house some juveniles in adult prisons. Chief Park's aide indicated that the proposition is an "all or nothing" measure – if it passes and one part is subsequently found to be ineffective or bad policy, it would require another ballot vote or a two-thirds vote in the legislature to amend the the law. Given the City Council's position for promoting programs that support children and programs that help rather than punishing at risk youths, staff recommends the City oppose Proposition 21.

**Proposition 25 Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures. Initiative Statute.**

**Proposition 25** is a voters initiative and provides a comprehensive set of campaign reform regulations. While the focus of the provisions is on elections of state officials and statewide ballot measures, there are provisions that are applicable to local jurisdictions.

With regard to local elections, Proposition 25 establishes contribution limits for local elective office of \$3,000 per election for individuals and political action committees; limits political parties to giving not more than 25% of voluntary spending limits established by Proposition 25; limits the amount that a candidate may loan to his/her campaign to \$50,000; prohibits contributions by for-profit corporations and transfers of contributions from one campaign committee to another campaign committee. Proposition 25 also requires the establishment of a Campaign Web Site by the Secretary of State for state election matters for the reporting of contributions and other matters; and requiring the establishment of a similar web site by local jurisdiction for certain local elections beginning in 2002.

According to the State Legislative Analyst's office, city and county governments could incur significant costs, potentially exceeding several millions of dollars annually on a statewide basis,

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to implement Proposition 25 primarily for maintaining local campaign web sites.

In addition, the state Fair Political Practices Commission (FPPC) has estimated that it may need as much as \$600,000 annually in additional funding beyond the \$1 million appropriation provided to the State in this measure to establish necessary regulations, to provide technical assistance to the public, and to prosecute violators of the proposed new law.

Staff is currently in the process of reviewing recommendations from the City's Campaign Reform Committee and campaign finance reform language provided by Common Cause. The Campaign Reform Committee recommended the establishment of campaign finance and regulations as related to local campaigns and elections, including campaign contribution limits that are lower than Proposition 25, public financing, registration and regulation of city lobbyist, disclosure requirements for independent expenditures and implementation of electronic reporting. The Common Cause document recommends several components, including the establishment of an Elections Administrator, contribution limitations that are lower than those proposed in Proposition 25, and electronic reporting. Staff will be providing a report back on the Campaign Finance Reform Issue within 60 days.

The League of Women Voters opposes Proposition 25. While the League of Women Voters supports contribution limits, and public financing for candidates, they oppose Prop. 25's taxpayer financing of initiative campaigns, the very high contribution limits and the allowance of unlimited contributions to the state parties.

The League of California Cities also oppose this proposition. Other opponents of this proposition include the presidents of the California Taxpayers' Association, the California Teachers Association and the California Chamber of Commerce.

The supporters of this proposition include: James Knox, Executive Director, California Common Cause, Ron Unz, Chairman, Voters Rights 2000--Yes on 25, and former Acting Secretary of State Tony Miller.

Although the City is not opposed to the principle of campaign reform, staff believes that Proposition 25 does infringe on local government control for determining campaign finance reform for the City of Sacramento. Staff recommends opposing Proposition 25.

**Proposition 28 Repeal of Proposition 10 Tobacco Surtax. Initiative Statute.**

Repeals additional \$.50 per pack tax on cigarettes and equivalent increase in state tax on tobacco products previously enacted by Proposition 10 at November 3, 1998, election. Provides for elimination of funding for Proposition 10 early childhood development and smoking prevention programs. Prohibits imposition of additional surtaxes on distribution of cigarettes or tobacco

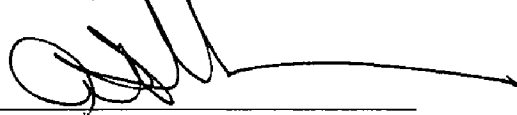
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products unless enacted by state legislature. Provides for termination of California Children and Families First Trust Fund once all previously collected taxes under Proposition 10 are appropriated and expended.

By repealing the provisions of Proposition 10, this proposition will eliminate the cigarette and other tobacco product excise taxes used to fund the California Children and Families First Program. The measure may also lead to changes in revenues for Proposition 99 programs, the state's General Fund, and local governments. The State Legislative Analyst estimates that Proposition 10 will raise revenues of approximately \$680 million in 1999-00, and declining amounts thereafter, to fund early childhood development programs and activities. Thus, assuming this measure repealing Proposition 10 becomes effective the day following its passage, it would result in an estimated revenue reduction of approximately \$215 million for 1999-00 (a partial-year effect). The estimated revenue reduction for 2000-01 is approximately \$670 million, with declining annual amounts thereafter. There is some uncertainty surrounding these estimates, due to the difficulty of predicting the effects of recent increases in excise taxes, price increases for cigarettes, and the excise tax reduction being proposed.

The League of California Cities and the Sacramento County Board of Supervisors oppose Proposition 28. County staff indicated that Sacramento County stands to lose approximately \$18 million each year if Proposition 28 is passed. Staff recommends opposing Proposition 28.

Respectfully submitted,



Aaron B. Chong,  
Budget and Policy Review Office

APPROVED FOR INFORMATION:



ROBERT P. THOMAS  
City Manager

<b>Proposition Number and Title</b>	<b>Brief Description of Ballot Measures</b>	<b>League of California Cities Recommendation</b>	<b>Proposed City of Sacramento Recommendation</b>
<b>Proposition 16 - Veterans' Homes Bond Act of 2000.</b>	This fifty million dollar (\$50,000,000) bond issue will provide funding to the Department of Veterans Affairs for the purpose of designing and constructing veterans' homes in California and completing a comprehensive renovation of the Veterans' Home at Yountville. Funds from this bond shall be allocated to fund the state's matching requirement to construct or renovate those veterans' homes in Military and Veterans Code section 1011 first, and then fund any additional homes established under this Act. Appropriates money from General Fund to pay off bonds.	Support	Support  Proposition 25 would have no direct effect on the City's operation but could affect many of the homeless people located in Sacramento who may be eligible under this proposition as veterans..
<b>Proposition 19 - Murder, BART and CSU Peace Officers.</b>	Existing law provides that the punishment for the murder in the second degree of specified peace officers is life without the possibility of parole if the crime occurs while the officer is on duty and aggravating factors are present. This measure specifies these enhanced sentence provisions would also apply when the victim is a peace officer employed by the Bay Area Rapid Transit District or the California State University System.	Support	No Position  Proposition 19 would have no direct effect on the City of Sacramento.
<b>Proposition 20 - California State Lottery. Allocation for Instructional Materials.</b>	Amends Government Code section 8880.4 which provides that at least 34% of the total annual state lottery revenues shall be allocated to benefit public education. Provides that beginning with 1998-99 fiscal year and each fiscal year thereafter, one-half of the amount of the share allocated to public education that exceeds the amount allocated in fiscal year 1997-98 shall be allocated to school and community college districts for the purchase of instructional materials. The funds are distributed on the basis of an equal amount per unit of average daily attendance.	Oppose	Oppose  Proposition 20 takes away the school district's discretion to use lottery funds for programs that best meets the needs of their students.



<b>Proposition Number and Title</b>	<b>Brief Description of Ballot Measures</b>	<b>League of California Cities Recommendation</b>	<b>Proposed City of Sacramento Recommendation</b>
<b>Proposition 21 - Juvenile Crime.</b>	<p>Increases punishment for gang-related felonies; death penalty for gang-related murder; indeterminate life sentences for home-invasion robbery, carjacking, witness intimidation and drive-by shootings; and creates crime of recruiting for gang activities; and authorizes wiretapping for gang activities.</p> <p>Requires adult trial for juveniles 14 or older charged with murder or specified sex offenses.</p> <p>Eliminates informal probation for juveniles committing felonies.</p> <p>Requires registration for gang related offenses.</p> <p>Designates additional crimes as violent and serious felonies, thereby making offenders subject to longer sentences.</p>	Support	<p>Oppose</p> <p>Given the City Council's position for promoting programs that support children and programs that help rather than punishing at risk youths, staff recommends the City oppose Proposition 21.</p>
<b>Proposition 25 - Election Campaigns. Contributions and Spending Limits. Public Financing. Disclosures.</b>	<p>Expands campaign contribution disclosure requirements, establishes contribution limits from single sources of \$5,000 for statewide candidates, \$3,000 for other candidates, \$25,000 for political parties, and \$50,000 total per election. Bans corporate contributions. Limits fund-raising to period 12 months before primary election and ninety days after election.</p> <p>Provides public financing of campaign media advertisements and voter information packets for qualifying candidates and ballot measure committees adopting spending limits ranging from \$300,000 for Assembly primary race to \$10,000,000 for Governor's race.</p> <p>Requires ballot pamphlet to list top contributors on ballot measures.</p>	Oppose	<p>Oppose</p> <p>Staff believes that Proposition infringes on local government control for determining campaign reform for the City of Sacramento.</p>
<b>Proposition 28 - Repeal of Proposition 10 Tobacco Surtax.</b>	<p>Repeals additional \$.50 per pack tax on cigarettes and equivalent increase in state tax on tobacco products previously enacted by Proposition 10 at November 3, 1998, election.</p> <p>Provides for elimination of funding for Proposition 10 early childhood development and smoking prevention programs.</p> <p>Prohibits imposition of additional surtaxes on distribution of cigarettes or tobacco products unless enacted by state legislature. Provides for termination of California Children and Families First Trust Fund once all previously collected taxes under Proposition 10 are appropriated and expended.</p>	Oppose	<p>Oppose</p> <p>Council and the City had adopted formal policies or positions, such as support for education and improvement of schools, support for children and programs for children, and support and recognition of domestic partnerships. Sacramento County stands to lose \$18 million if Proposition 28 passes.</p>



ATTACHMENT II

OFFICE OF THE  
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ROBERT D. TOKUNAGA  
GLORIA ZARCO

January 24, 2000

**MEMORANDUM**

TO: Betty Masuoka, Deputy City Manager

FROM: Samuel L. Jackson, City Attorney  
William P. Carnazzo, Assistant City Attorney  
RVA Richard E. Archibald, Senior Deputy City Attorney

RE: March 2000 Ballot Propositions

This office has had an opportunity to prepare summaries of the 20 ballot measures on the March 7, 2000 ballot. The ballot materials themselves are several hundred pages; our summaries are a combined nine pages. Copies of the ballot materials are available and will be furnished upon request.

1. **PROPOSITION 1A: Gambling of Tribal Lands (Legislative Constitutional Amendment).**

**Background:** The federal law that regulates gambling on Indian lands defines gambling under three classes, including so-called Class III gambling, that can be operated only if the tribe and the State have agreed to a compact approved by the federal government. Class III games include banked card games (such as twenty-one and baccarat), video or electronic games, slot machines, horse wagering, lottery games and craps. In August of 1998, State legislation approved 11 compacts that were based on a compact negotiated with the Pala Band of Mission Indians to permit a specific type of Class III gambling on tribal land, the so-called "Pala compacts" (see the Proposition 29 summary, below). In November of 1998, State voters approved Proposition 5, which amended State law (but not the State Constitution) to require the State to enter into a specific compact with Indian tribes to allow certain Class III gambling activities. Proposition 5 was later ruled unconstitutional by the State Supreme Court on the

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basis that it would permit the operation of Nevada- and New Jersey-type casinos; the State Constitution limits the types of legal gambling that can occur in California, including a specific prohibition on "Nevada- and New Jersey-type casinos." In September of 1999, the Legislature approved compacts with 57 tribes, including the tribes that signed the Pala compacts, authorizing certain Class III games - these are intended to take the place of all previously approved compacts if (1) they are approved by the federal government and (2) Proposition 1A is approved.

**Proposition 1A:** Proposition 1A would amend the State Constitution to allow Indian tribes to conduct and operate slot machines, lottery games, and banked and percentage card games on Indian land if the Governor and Indian tribe agree on a compact, and it is approved by the Legislature and the federal government. Approval of Proposition 1A would allow the compacts with 57 tribes approved in September of 1999 to go into effect, if approved by the federal government.

2. **PROPOSITION 12:**      **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (The Villaraigosa-Keeley Act)**

Proposition 12 asks voters to approve a bond issue of \$2.1 billion, the proceeds to be used to rehabilitate state parks, improve local neighborhood parks, enhance recreational and cultural facilities, protect land around lakes, rivers, and streams to improve water quality, protect forests and plant trees to improve air quality, and preserve open space and wildlife habitat.

Approximately \$388 million will be distributed to local entities based on population. Total funds to local agencies, including competitive grants and specific distributions mentioned in the measure, would total \$940 million. State projects would be funded in the amount of \$1.16 billion.

3. **PROPOSITION 13:**      **Safe Drinking Water, Clean Water, Watershed Protection, and Flood Control Protection Bond Act**

This Act provides for a general obligation bond issue in the amount of almost \$2 billion (\$1,970,000,000). The bond proceeds will be used to fund local and state sponsored projects relating to the following areas: Safe drinking water facilities (\$70 million); flood protection, including within the Sacramento metropolitan area (\$292 million); watershed protection (\$468 million); clean water and water recycling (\$355 million); water conservation (\$155 million); and water supply reliability, including Bay-Delta projects (\$630 million).

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4. **PROPOSITION 14:**            **California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.**

This Act provides for a general obligation bond issue in the amount of \$350 million. The bond proceeds will be used to provide grants to local governments to (1) construct new libraries; (2) expand or renovate existing libraries; and (3) provide related furnishings and equipment. The grant program will be similar to the state's 1988 program by requiring local cost matching of 35% of project cost.

5. **PROPOSITION 15:**            **The Hertzberg-Polanco Crime Laboratories Construction Bond Act of 1999**

This Act provides for a bond issue of two hundred twenty million dollars (\$220,000,000) to provide funds for construction of new local forensic laboratories and the remodeling of existing ones.

6. **PROPOSITION 16:**            **Veterans' Homes Bond Act of 2000 (Legislative Constitutional Amendment)**

This Act provides for a general obligation bond issue in the amount of \$50 million. The bond proceeds will be used to refund prior lease-payment bonds and to pay the state's share of the cost for construction and renovation of new and existing veterans' homes. Currently, the state Department of Veterans Affairs operates two residential homes for veterans and is constructing three new homes, none of which are in Sacramento.

7. **PROPOSITION 17:**            **Lotteries, Charitable Raffles (Legislative Constitutional Amendment)**

The California Constitution prohibits private lotteries, a game where a person pays for the chance to win a prize. Although they are quite common, charitable organizations' raffles that require a payment or donation for a chance to win are unlawful lotteries.

Proposition 17 would amend the Constitution to legalize charitable raffles under regulations to be adopted by the Legislature, so long as at least 90% of the raffle proceeds are spent on charitable purposes and all persons who receive compensation in connection with a raffle are employees of the charitable organization holding the raffle.

Companion legislation (SB 639), to take effect if Proposition 17 wins voter approval, would require that the charitable organizations and individuals operating raffles register with the California Gambling Control Commission, maintain physical offices in California, and spend all raffle proceeds in California.

Proposition 17 will have no direct effect upon the City. A number of City support organizations will qualify to conduct raffles (e.g., Sacramento Zoological Society, Friends of the Metropolitan Arts Commission, Sacramento Library Foundation, etc.) and the legalization of this type of fund-raiser may somewhat increase these organizations' revenues and expenditures. Some charitable organizations that receive grants from the City may be able to increase their revenues through raffles, thereby decreasing their dependence on the City.

8. **PROPOSITION 18:**      **Murder: Special Circumstances** (Legislative Initiative Amendment)

Proposition 18 amends state law relating to the special circumstances required to increase the penalty for first degree murder to death or life imprisonment without the possibility of parole. First, it replaces the current language establishing the special circumstance for murders committed "while lying in wait", with "by means of lying in wait". This change would permit the finding of a special circumstance not only in a case in which a murder occurred immediately upon a confrontation between the murderer and the victim, but also in a case in which the murderer waited for the victim, transported the victim to another location, and then committed the murder.

Second, the measure adds a provision to permit the finding of the special circumstance of committing the murder during the commission of an arson or kidnaping in, not only a case when the murderer's primary goal was to commit an arson or kidnaping, but also in cases in which the murderer's primary goal was to kill.

9. **PROPOSITION 19:**      **Peace Officers** (Legislative Initiative Amendment)

Proposition 19 adds law enforcement personnel who work for the California State University system and the San Francisco Bay Area Rapid Transit (BART) District to the list of peace officers whose murder would result in the increased punishment of 25 years to life or, under certain circumstances, life imprisonment without the possibility of parole for the individual convicted of second degree murder.

10. **PROPOSITION 20:**      **California State Lottery. Allocation for Instructional Materials** (Legislative Constitutional Amendment)

Currently, the Government Code requires at least 34% of the revenues from the California State Lottery to be allocated to public education. These revenues can be used for any school expense, with a few limited exceptions. Proposition 20 would amend provisions of the Government Code to require 50% of any future increases in lottery revenues to be used solely

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for the purchase of instructional materials by K-12 schools and California community colleges. Proposition 20 does not limit the use of the other 50% of future increases in lottery revenue.

11. **PROPOSITION 21:**            **Juvenile Crime** (Legislative Initiative Amendment)

Proposition 21 is also known as the Gang Violence and Juvenile Crime Prevention Act of 1998. It would make numerous changes to state law relating to juvenile and gang-related crimes. The following is a list of some of the more significant changes:

- Juvenile offenders 14 years of age or older who are charged with certain types of murder and serious sex offenses would be tried as an adult;
- Certain offenders declared delinquent by the court would no longer be eligible for probation outside a secure facility;
- Juvenile offense records for any minor 14 years of age or older who has committed a serious or violent offense could not be sealed or destroyed.  
Law enforcement agencies would have wider discretion to disclose the name of a juvenile suspects and arrestees.
- Prison terms for gang-related crimes would be increased. Gang-related murder would be added to the list of special circumstances which makes offenders eligible for the death penalty.
- The crime of gang-recruitment would not require that physical violence be used or threatened, and would not be limited to the recruitment of minors.
- Wiretaps against known or suspected gang members would be more widely allowed.
- Anyone convicted of gang-related offense would have to register with local law enforcement agencies.

12. **PROPOSITION 22:**            **Limit on Marriages** (Initiative Statute)

The California Family Code currently provides that "[m]arriage is a personal relation arising out of a civil contract between a man and a woman to which the consent of the parties capable of making that contract is necessary." The Family Code also recognizes the validity of marriages contracted outside of California if that marriage was valid in the other jurisdiction. Proposition 22 would add another provision to the California Family Code that provides, "Only marriage between a man and a woman is valid or recognized in California." While the Family Code already contains similar language, it appears that the proposed language may limit California's recognition of marriages that were valid in another jurisdiction to only marriages between a man and a woman.

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13. **PROPOSITION 23:**            **"None of the Above" Ballot Option (Initiative Statute).**

Proposition 23 provides that voters may cast a vote for "none of the above" in general, special, primary and recall elections for President, Vice President, United States House of Representatives and Senate, Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Insurance Commissioner, Board of Equalization, State Assembly and State Senate. Elections for judges and local offices would not include the option of voting for "none of the above." Currently, California voters who cast ballots in elections for the specified offices do not have the option of casting a ballot for "none of the above" instead of choosing a candidate. The measure would allow counting and reporting of the number of voters selecting "none of the above" at the end of the election. However, only votes cast for candidates whose names appear on the ballot or for write-in candidates would be counted when determining the nomination or election of candidates for those state and federal offices included in the measure.

14. **PROPOSITION 25:**            **California Voters Bill of Rights Act (Initiative Statute)**

Proposition 25 provides a comprehensive set of campaign reform regulations. While the primary focus of the provisions is on elections of state officials and statewide ballot measures, there are provisions applicable to local jurisdictions. These include contribution limits and disclosure requirements. Following is a summary of the key provisions of Proposition 25.

With regard to local elections, Proposition 25 establishes contribution limits for local elective office of \$3,000 per election for individuals and political action committees; limits political parties to giving not more than 25 percent of voluntary spending limits established by Proposition 25; limits the amount that a candidate may loan to his/her campaign to \$50,000 ("No candidate shall personally make outstanding loans to his or her campaign or campaign committee that total at any one point in time more than fifty thousand dollars..."); prohibits contributions by for-profit corporations and transfer of contributions from one campaign committee to another campaign committee. Proposition 25 also requires the establishment of a Campaign Web Site by the Secretary of State for state election matters for the reporting of contributions and other matters; and requires the establishment of a similar site by local jurisdictions for certain local elections beginning in 2002, with the Secretary of State instructed to provide the Web site if the local jurisdiction lacks the technical capability to do so.

At the state level, Proposition 25 provides for certain levels of public finance of campaigns, both for candidates for state office and campaigns for ballot measures. It also establishes limits on the time period during which funds may be raised by candidates for state office (generally not more than 12 months (statewide office) or 6 months (other state offices) prior to the election, and not more than ninety days after the election).

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From a fiscal standpoint, Proposition 25 may have a significant fiscal effect at the state level, and a lesser impact at the local level. The ballot analysis indicates a potential impact of several million dollars at the local level, associated primarily with the cost of establishing and operating the Web site.

15. **PROPOSITION 26:** **School Facilities. Local Majority Vote. Bonds. Taxes**  
**(Initiative Constitutional Amendment and Statute)**

Currently, the California Constitution requires school bond measures to receive at least two-thirds of the votes in the election in order to be issued. Proposition 26 proposes to amend the California Constitution to permit school districts, community college districts and county offices of education to issue bonds for the construction of school facilities if the bonds are approved by a majority of the voters in the district or county voting on the proposition in the election.

The majority vote requirement would only apply to school bond issues that include specific limitations. First, the proceeds from the bond sale could not be used for any other purpose other than construction, reconstruction, rehabilitation or replacement of school facilities. Second, the bond issue must include a list of the specific projects that will be funded. Third, the school board, community college district board, or county board of education must perform an annual audit on the expenditure of the bond funds to ensure that the funds are only spent on the projects listed in the measure.

16. **PROPOSITION 27:** **"Congressional Term Limits Declaration Act of 1998"**  
**(Initiative Statute)**

This measure allows, but does not require, all candidates for U.S. Senate and House of Representatives from California to sign a declaration saying that, if elected, they either will or will not voluntarily limit their years of service. Candidates who agree to term limits would indicate that they will voluntarily serve no more than two terms in the Senate (12 years) or three terms in the House of Representatives (6 years). The candidate may ask the Secretary of State to place on election ballots a statement that the candidate either did or did not sign such a declaration to voluntarily limit his or her terms of service. The measure would result in unknown additional costs to the state and counties. The additional costs are probably not significant.

17. PROPOSITION 28: Repeal of Proposition 10 Tobacco Surtax (Initiative Statute)

Proposition 28 would repeal the \$.50 per pack of cigarettes increase in state excise tax approved by the voters as Proposition 10 in 1998, and the \$1.00 per pack increase on other tobacco products also enacted through Proposition 10. The repeal would eliminate



Page -8-

approximately \$670 million for early childhood programs. The Legislative Analyst has concluded that Proposition 28 would increase the sales of cigarettes and other tobacco products due to the price reduction, have a small negative impact on state general fund and local revenues, and eliminate the long-term savings that reduction of tobacco consumption could have had on state and local health care costs.

18. **PROPOSITION 29:**      **1998 Indian Gaming Compacts (Referendum Statute)**

This is a referendum on the Legislature's approval of the 11 Pala compacts in 1998 - a "yes" vote approves the law that approved the compacts, while a "no" vote rejects the law. The 11 Pala compacts authorize the operation of Indian "video lottery terminals" if they operate as lotteries, but contain a provision rendering the compacts void if the terminals are found by the courts to be slot machines. The Pala compacts do not allow any other Class III games, such as would be authorized under the provisions of Proposition 1A and the newer compacts. Notwithstanding an approval of Proposition 29, the Pala compacts will not go into effect if the voters *also* approve Proposition 1A, because, in that event, the newer (more permissive) compacts approved in September of 1999 would, if approved by the federal government, replace all previously approved compacts - including the Pala compacts.

19. PROPOSITION 30: Insurance Claims Practices. Civil Remedies  
(Referendum)

**Background:** In 1979, the State Supreme Court ruled that a party injured by another party (for example, in a vehicle accident) could sue the other party's insurance company (a so-called "third party lawsuit") for engaging in unfair claims practices. In 1988, the State Supreme Court reversed this decision, and ruled that State law did not authorize such third party claims. In October of 1999, the Governor signed 2 laws (SB 1237 and AB 1309) allowing third-party lawsuits in certain situations, which were to have gone into effect January 1, 2000.

**Proposition 30:** This proposition, along with Proposition 31 (see below), are referenda on SB 1237 and AB 1309. SB 1237 authorizes third-party lawsuits if the third party was not driving under the influence of drugs or alcohol at the time of the accident that caused injury, the other party's insurance company rejects a written request to settle the claim for an amount within the policy limits and the third party is awarded an amount larger than the final written request. SB 1237 also creates a binding arbitration system for certain claims, if both sides agree. A "yes" vote approves SB 1237 and allows it to go into effect.

etty Masuoka, Deputy City Manager  
Re: March 2000 Ballot Propositions  
January 24, 2000  
Page -9-

20. **PROPOSITION 31:**            **Insurance Claims Practices. Civil Remedy Amendments  
(Referendum)**

A "yes" vote approves AB 1309 and allows it to go into effect, but only if Proposition 30 also is approved by the voters. Passage of both propositions would establish additional limitations on the third-party lawsuits allowed under Proposition 30, including the following:

- Only individuals could sue (instead of individuals and businesses)
- Property damage claims must result from a car accident
- No claims allowed for emotional distress resulting from economic loss
- In certain cases, the insurance company can compel binding arbitration without the third-party claimant's consent.

REA/jlb

cc: Samuel L. Jackson, City Attorney  
William P. Carnazzo, Chief Assistant City Attorney

g:\rea\election\ballot2.mem



2.4

DEPARTMENT OF  
NEIGHBORHOODS, PLANNING  
AND DEVELOPMENT SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
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PH 916-264-5381  
FAX 916-264-7185

February 9, 2000

Law and Legislation Committee  
Sacramento, California  
Honorable Members in Session:

**SUBJECT:**      **Preservation Element of the City of Sacramento General Plan (M99-040)**

**LOCATION AND COUNCIL DISTRICT :** Citywide

**RECOMMENDATION:** Staff, Planning Commission, and Design Review and Preservation Board recommend that the Law & Legislation Committee recommend adoption of the Preservation Element.

**CONTACT PERSONS:**    Vincent Marsh, Preservation Director, 264-8259  
                                 Lucinda Willcox, Associate Planner, Citywide Team, 264-5052

**FOR COMMITTEE MEETING OF:** February 15, 2000

**PLANNING COMMISSION ACTION:** On January 27, 2000, the Planning Commission voted 7-0-1 to recommend approval of the proposed Preservation Element, changing one policy for clarification.

**BACKGROUND INFORMATION:** A Preservation Element is proposed to be added to the General Plan based on the recommendations of the Select Committee on Historic Preservation. The purpose of the Preservation Element is to establish a policy framework for preservation throughout the city, and to set the stage for various implementation measures.

The item is scheduled for City Council workshop the evening of March 9, 2000, and City Council hearing the evening of April 18, 2000.

The City Design Review and Preservation Board conducted workshops and hearings on the Draft Element on November 3, and December 1, 1999, and incorporated the comments and recommendations received at these workshops/hearings into the public review draft Preservation Element.

Notices of the DRPB and Planning Commission workshops and hearings were sent to all neighborhood associations within the city, preservation, professional, and civic groups, business and industry associations,

**ATTACHMENT A**  
**DRAFT PRESERVATION ELEMENT**

and other local and state departments and agencies. The Preservation Element was also presented to the Housing and Redevelopment Commission on January 19, 2000, for their information and comment.

FINANCIAL CONSIDERATIONS: The Preservation Element includes a variety of programs to implement its goals and policies. These programs would be funded through Planning Division Department funding. In addition, the City would pursue available grants to assist in the implementation of these programs; most of these grants require some level of local match.

ENVIRONMENTAL CONSIDERATIONS: A Negative Declaration on the Preservation Element has been prepared pursuant to the California Environmental Quality Act.

POLICY CONSIDERATIONS: The intent of the proposed Preservation Element is to establish a policy framework for preservation and to guide future implementing actions. The attached Planning Commission staff report outlines the major new policy initiatives proposed in the Draft Element.

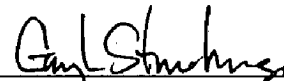
The Planning Commission recommended revising Policy B.4 for clarification from:

“The City shall seek to reduce or eliminate exemptions to preservation enforcement.” to

“The City shall work with its partners on the local, state, and federal levels to ensure that historic preservation rules and regulations are implemented.”

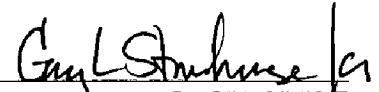
ESBD CONSIDERATIONS: Not applicable.

Respectfully submitted,



GARY L. STONEHOUSE  
Planning Director

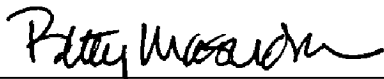
RECOMMENDATION APPROVED:



JACK CRIST

Deputy City Manager

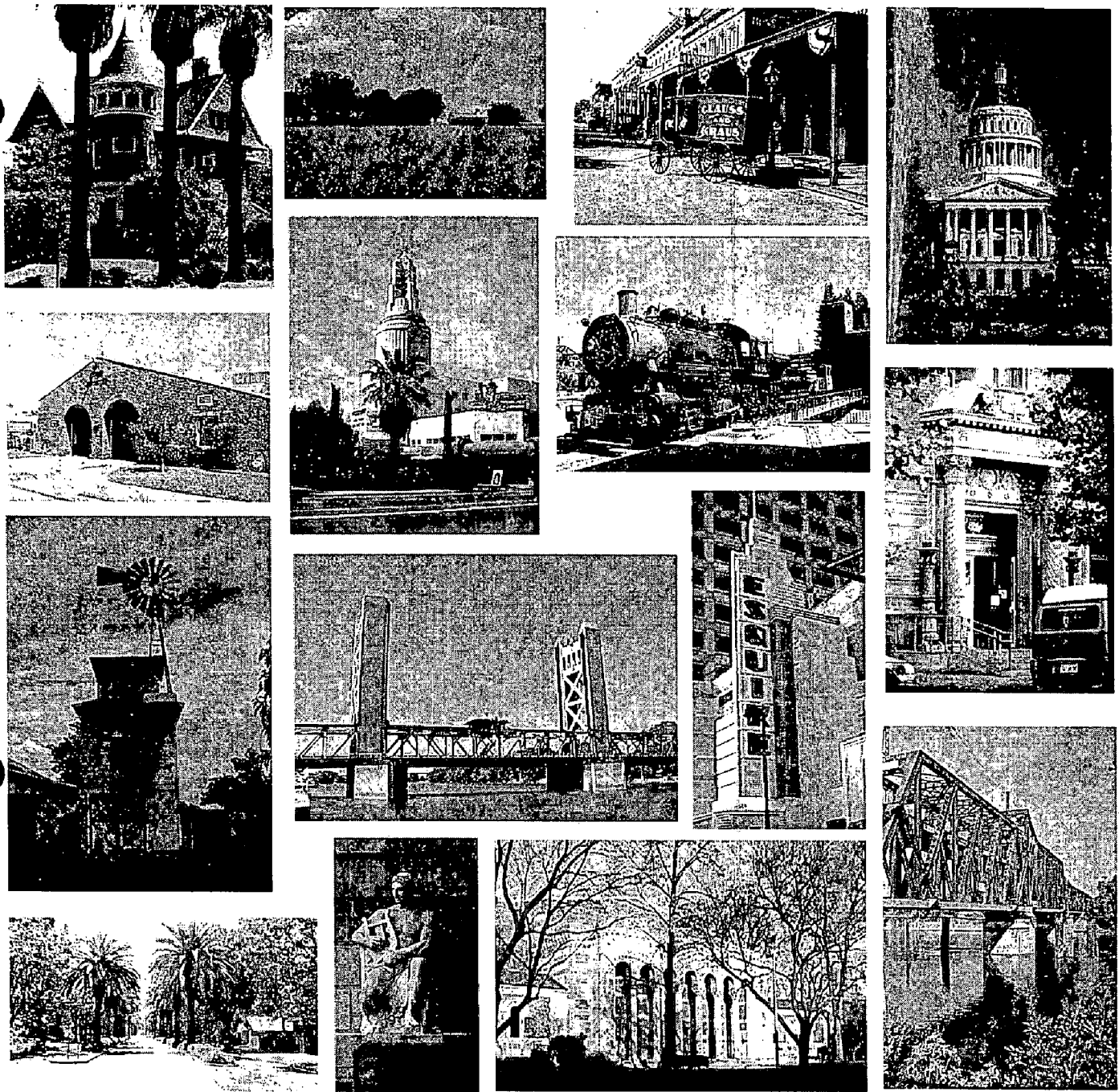
Neighborhoods, Planning, and Development Services



BETTY MASUOKA  
Deputy City Manager

Attachments:

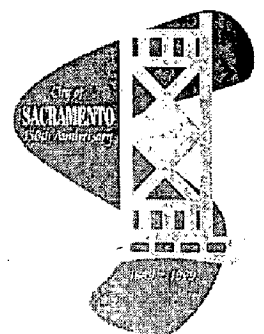
- A. Draft Preservation Element
- B. Planning Commission Staff Report
- C. Voting record from the Planning Commission



# DRAFT PRESERVATION ELEMENT

*of the City of Sacramento General Plan*

January 2000



### **City Council**

Mayor Jimmie Yee  
Heather Fargo, District 1  
Rob Kerth, District 2  
Steve Cohn, District 3  
Vacant, District 4  
Lauren Hammond, District 5  
Dave Jones, District 6  
Robbie Waters, District 7  
Bonnie Pannell, District 8

### **City Planning Commission**

Joe Yee, Chair  
Shelton J. Duruisseau  
Charlot Bolton  
Philip Harvey  
Matthew Jacobs  
Patrick Kennedy  
Jack Molodanof  
Sandra Sheedy  
John Valencia

### **Sacramento Housing and Redevelopment Commission**

Brian Holloway, Chair  
Carl Amundson  
Sam Burns  
John Castello  
Luis Cespedes  
Loda Mae Dobbins  
Bobbie Harland  
Jim Hoag  
Christi Newsome  
Harry Rotz  
Karolyn Simon

### **City Design Review and Preservation Board**

Fred Turner, Chair  
D.E. "Red" Banes  
Steade Craigo  
Chris Elms (through Dec. 1999)  
Chris Elliot  
Steven Goldstein  
Andrea Kincaid  
Robert McCabe

### **Neighborhoods, Planning and Development Services Department**

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Gary Stonehouse, Planning Director  
Art Gee, Assistant Planning Director

### **Project Staff**

Vincent Marsh, Preservation Director  
Lucinda Willcox, Project Manager  
Randy Lum, Associate Planner

### **Consultants**

Susan Lassell, Jones & Stokes Associates

## Select Committee on Historic Preservation

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Neighborhood Association Advisory Group

Margaret Buss  
Boulevard Park Neighborhood Association

Linda Cook (Ione Bocceri, Alt.)  
East Sacramento Improvement Association

Ed Cox  
Sacramento Old City Association

Michael Crowe  
California Preservation Foundation

Courtney Damkroger  
National Trust for Historic Preservation, Western Region

Roberta Deering  
City Preservation Director (*through 3/99*)

Virginia Diebel  
Alkali Neighborhood Association/The Neighborhood

Lynn Dunbar  
Archaeological Conservancy, Western Region

Bonnie Fitzpatrick  
Sacramento Association of Realtors

Kathleen Green  
Sacramento Heritage, Inc.

Karen Jacques  
Fainted Ladies Task Force

Bob Kent  
Rancho Del Paso Historical Society

Keith Kjelstrom  
Oak Park Project Area Committee

Lee LaChappell  
City of Sacramento Planning Commission

Michael Mannion  
Arts & Cultural Alliance

Vincent Marsh  
City of San Francisco

Christine McFerson  
Fremont Park Neighborhood Association

Roxanne Miller  
Land Park Community Association

Melinda Peak  
Sacramento Consortium of Local Historical Societies

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Neighborhood Development

Carol Roland  
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Kenton Russell  
American Institute of Architects, Central Valley Chapter

Paul Schmidt  
Capitol Area Development Authority

Gloria Scott  
Marshall School Neighborhood Association

Robert Sherry  
American Planning Association, Central Valley  
Chapter/Sacramento Division

John Snyder  
Society of Architectural Historians, Northern California  
Chapter

Vito Sqromo  
State of California, Department of Parks and  
Recreation, Gold Rush District

Ward Tabor  
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Fred Turner ("Red" Banes, Alt.)  
City Design Review and Preservation Board

Jim Walker  
Midtown Business Association

Ken Wemmer  
Downtown Sacramento Partnership and Environment  
Council of Sacramento

Tom Winter  
Capital City Preservation Trust

Lucinda Woodward  
State of California, Office of Historic Preservation

Mary Wray (Celia Yniguez, Alt.)  
Sacramento Housing & Redevelopment Agency,  
Downtown Development



*Public Review Draft*

**SECTION 10**

**DRAFT PRESERVATION ELEMENT  
of the City of Sacramento General Plan**

January 2000

City of Sacramento  
Neighborhoods, Planning and Development Services Department  
1231 I Street  
Sacramento, CA 95814

# PRESERVATION ELEMENT

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## INTRODUCTION

Sacramento, California's oldest city, State Capital, and birth place of the Gold Rush, has a rich and exciting history. Historic events shaped the city's development and are reflected in the City's physical character, economic viability, and quality of life.

The City's overall preservation objectives are to identify, protect, and encourage preservation of Sacramento's historic and cultural resources throughout the city. The Preservation Element of the City of Sacramento General Plan establishes the policy framework to guide the City's achievement of its preservation objectives.

The General Plan is a long-range policy guide for the physical, economic, and environmental growth and renewal of the city. Adoption of this optional component of the General Plan demonstrates the City's long-term commitment to identifying, retaining, and appreciating Sacramento's historic and cultural resources.

Historic resources play a vital role in the city's neighborhoods, commercial centers, recreational activities, educational programs, and other functions. The eclectic mix of historic and cultural resources in Sacramento is a vibrant reflection of the events and places that shaped the community. Protecting and encouraging the preservation and incorporation of these resources into future developments ensures that the cultural heritage of Sacramento will remain a vital asset to the city.

## SUMMARY OF THE PLAN PREPARATION PROCESS

In 1996, a coalition of neighborhood organizations drafted a letter to the City voicing the need for an improved historic preservation program and then worked with City staff members to prepare a "Concept Paper to Strengthen the City's Preservation Program." Encouraged by the City Council's endorsement of the concept paper and by the approval of Sacramento's application for Certified Local Government (CLG) status for its preservation program, the City Manager convened a Select Committee on Historic Preservation (Select Committee) to provide specific recommendations for strengthening the City's preservation program. The recommendations of the Select Committee are contained in the "Report of the City of Sacramento Select Committee on Historic Preservation," published in July 1997. This report is available for review at the City Preservation Office.

The Select Committee identified several areas of the current program that needed attention, including: revising the Preservation Ordinance, surveying historic resources citywide, developing incentives package, improving consistency with state and federal preservation procedures and standards, and preparing a Preservation Element of the General Plan.

The Preservation Element incorporates the vision resulting from the Select Committee's work, integrates a broad range of existing planning goals and policies, and presents updated preservation goals, objectives, and programs for a comprehensive, citywide preservation program. Following public workshops and hearings before the Design Review and Preservation Board and Planning Commission, the Preservation Element will be adopted by the City Council.

The Design Review and Preservation Board will be adopting an Implementation Plan (a draft is also available for public review) to implement the goals and policies of the Preservation Element. Preservation objectives are also carried out through ongoing processes, programs, and regulations. The City's Preservation Ordinance (Chapter 32 of the City Code) in particular establishes the procedures and standards for implementing many aspects of the City's preservation program.

## **ORGANIZATION OF THE PRESERVATION ELEMENT**

The Preservation Element is divided into two main parts. Part One, The Context for Historic Preservation, provides the legal, historic, and planning background for historic preservation in Sacramento and discusses the current program and preservation network.

Part Two, Preservation Goals, Policies, and Implementation Programs, presents the specific goals, policies, and implementation programs for the City's preservation program. A separate Implementation Plan has been prepared which identifies time frames and responsibilities to implement these programs. These actions will be implemented over time as part of the City's preservation program.

Appendix A of the Preservation Element is a glossary of preservation terms.

## **PART ONE: THE CONTEXT FOR HISTORIC PRESERVATION**

### **A BRIEF HISTORY OF SACRAMENTO**

Sacramento's location, within a great valley and at the confluence of two rivers, shaped its early and modern settlements. The rivers historically served for transportation, irrigation, and food supply. The periodic floods shape the development of Sacramento to this day. Following is a brief history of Sacramento, intended only to give a general context for readers of this document. Additional information on the City's history and the cultural and architectural context of its development will be developed as the City carries out the goals, policies, and programs to implement this Preservation Element.

#### **Early Inhabitants**

Thousands of years ago, the valley was inhabited by nomadic hunters who wandered in and out of the area. As centuries rolled by, Indians settled down in villages. Estimates of California's early Native American population range from 150,000 to 750,000. The Sacramento Valley was home to a significant portion of this population. Two distinct language groups inhabited the lower Sacramento Valley: the Nisenan and the Plains Miwok. Native American subsistence activities consisted of collecting plant foods, fishing, and hunting. Seasonal flooding of the Sacramento and American river basins provided ideal habitat for a wide range of plant and animal resources.

The 1800s brought forced colonization and missionaries to the area. The Indian population was exposed to diseases such as malaria, cholera, smallpox, and tuberculosis, brought by trappers and missionaries. These previously unknown diseases decimated the Indian population.

In 1808, Spanish sea captain and explorer Gabriel Moraga introduced the name, Sacramento, naming the river and valley after the Holy Sacrament. In 1822, Mexico gained its independence from Spain and began sending explorers to the Sacramento area. During that period, explorers from Russia, existing parts of the United States, and other areas were also new visitors to the region.

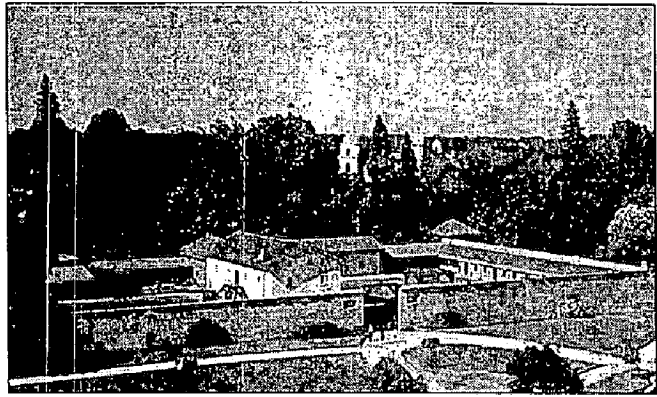
#### **John Sutter**

John Sutter is considered Sacramento's modern day founder. In 1834, Sutter left Switzerland in order to escape debtors' prison. His journey led him through Missouri, Oregon, Hawaii, and Alaska



**The Sacramento River played an integral role in settlement of the area**

before he reached California. In Monterey, the provincial capital of Mexican California, Sutter approached Governor Juan Alvarado, where he was given permission to settle a colony. Sutter and his crew of 15 landed in the Sacramento area, two miles above the mouth of the American River on August 12, 1839. To guard against hostile Indians, Sutter built an adobe fortress which was called Sutter's Fort, which became the commercial center of the new settlement. Sutter returned



**Sutter's Fort, restored, at 26<sup>th</sup> and L Streets**

to Monterey, was made a Mexican citizen, and was commissioned a captain in the Mexican army. Sutter received a land grant of approximately 115 square miles. He called his fertile empire, "New Helvetia" – New Switzerland. By 1847, New Helvetia was a thriving farming, ranching, and trade center.

### **Gold Rush**

To supply wood for New Helvetia's growth, Sutter set out to build a mill in partnership with James Marshall. On January 24, 1848, James Marshall discovered gold in the race of the new lumber mill in Coloma, 45 miles east of Sacramento. Nine days later, the Treaty of Guadalupe Hidalgo was signed, ending the United States' two-year war with Mexico. Mexico ceded California and the adjacent southwest to the United States in return for a \$15 million payment. Neither country knew of Marshall's discovery at the time.

Sutter and Marshall tried to keep their find secret, but the sawmill workers had witnessed it. As the news of the discovery spread, Sacramento was transformed from a wilderness settlement into a booming town. By the end of 1849, at least 42,000 gold-seekers had reached California by overland trails, and about 6,000 Mexicans from Sonora arrived in the mining camps. Nearly 700 ships had debarked more than 41,000 Americans and foreigners in San Francisco bound for the mines. The Gold Rush resulted in an extremely diverse set of prospectors.

Sutter's plan for New Helvetia called for a port city named Suttersville to be built on the Sacramento River at an elevated site about three miles south of the confluence with the American River. The gold seekers ignored Suttersville and landed as close as possible to the shallow American River before proceeding overland in search of gold. Most ships tied up along what is now Front Street to unload their cargoes on the natural levee there. Unauthorized squatters began to appropriate sites for stores, mostly in tents or wooden buildings.

With the development of the embarcadero on the Sacramento River, Sutter's Fort lost its position as the center of commerce. As gold seekers moved inland, they passed the Fort and soon

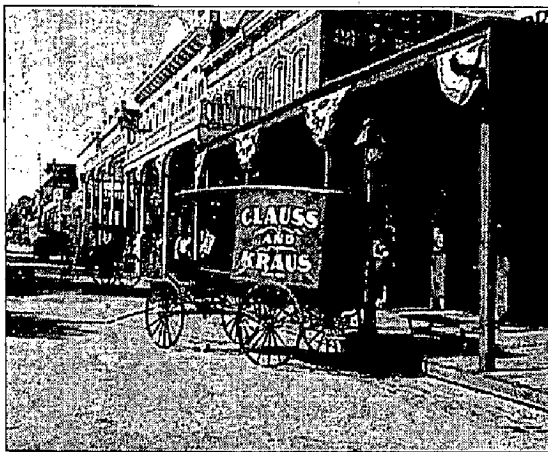
depleted the Fort's supplies. Sutter's workers abandoned him for the mines, his livestock were stolen, and squatters stole his land. Within a few months, creditors were threatening foreclosure when Sutter's son, John Sutter, Jr., arrived from Switzerland in August 1848.

### **Sacramento - Birth of the City and State Capital**

Because of Sutter Senior's debts, he transferred the titles of his properties and buildings over to his son. Although his father insisted that the area would be regularly flooded, the young John Sutter Jr. designated four square miles of his father's land to be the City of Sacramento. Sutter Jr. hired William H. Warner to draft the official plat of the city: 31 north and south streets to be numbered in order from the Embarcadero and 26 east-west streets named for the letters of the alphabet. In January 1849, Sutter Jr. held the first auction to sell the lots in order to pay off his father's debts. By the end of 1849, the City had a population estimated at 12,000. It was a boomtown, with many hotels, saloons, gambling halls, and brothels.

Local government in Sacramento began with the adoption of the City's charter in 1849, and had to withstand many catastrophes. In early 1850, a great flood destroyed much of Sacramento. In April 1850, Sacramento was ravaged by fire. An outbreak of cholera that year led to a request from the fledgling city to John Sutter to donate land for a burial site. This is now the Old City Cemetery at 10<sup>th</sup> Street and Broadway. In 1852, another major fire devastated 90 percent of the city. In 1853, a fire-protection ordinance required new commercial buildings to have walls of brick, stone, or cast-iron.

After every flood and fire, the City was quick to rebuild. In 1854, Sacramento defeated several rival contenders to become the four-year-old state's permanent capital. A 7,500 square foot courthouse at 7<sup>th</sup> and I Streets served as a temporary Capitol building. The permanent State Capitol building, surrounded by the 40-acre Capitol Park grounds, began construction in 1860 and took 14 years to complete.



**Old Sacramento, a national historic district, is reflective of the Gold Rush era**

Because the main route to the gold region followed J Street, business concerns were established very early along that street which became the commercial heart of Sacramento. This street was settled as far east as 9<sup>th</sup> street by 1859. As Sacramento grew in population, the business section extended farther eastward and overflowed onto K Street.

Despite the construction of levees, Sacramento continued to be plagued with floods which periodically destroyed much of the city. Most of the flooding came from the American River, which met the Sacramento River a few hundred feet above I Street. When rains



swelled the American to flood proportions, it overflowed its banks into Sutter Slough and over the levee along I Street. In 1862, Sacramentans dug a new mouth for the American at its present site. (The project was to have subsequent benefits to the city, for it made possible the filling of the slough and use of the landfill for the Southern Pacific yards and depot.) After much debate, Sacramentans also elevated City streets four to fourteen feet between I and L, and Front to 12<sup>th</sup> Streets beginning in the mid 1860's. They then raised most of their buildings to the level of the streets. This tremendous undertaking was completed in 1873 and proved successful.

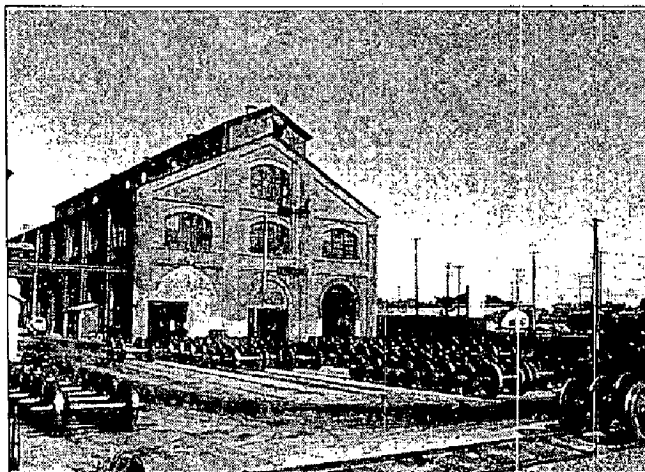
During this time, as the state capital and center of government, Sacramento also continued to flourish as the principal supply and trade center for the hundreds of mining camps in the nearby Sierra Nevada foothills. By 1860, however, the easily-mined surface gold had been harvested and Sacramento's boom years appear to be over. Sacramento instead became the birthplace of another great event, the nation's first transcontinental railroad.

## **Railroads**

In 1856, civil engineer Theodore Judah's Sacramento Valley Railroad was completed, linking Sacramento to the town of Folsom. This short line, California's first railroad, was intended to replace some of the wagon trails that connected Sacramento with nearby gold fields.

Judah had a greater vision to build a railroad line across the Sierra to link California with the rest of the nation, but needed federal support as well as private financial backing to pursue this dream. In 1860, he convinced the city's four major merchants to back the effort: Leland Stanford, Collis Huntington, Mark Hopkins, and Charles Crocker. The Big Four, as they came to be known, incorporated their Central Pacific Railroad of California in 1861.

In 1862, the Pacific Railroad Act authorized Central Pacific to begin building eastward from Sacramento to connect up with the Union Pacific Railroad Company building westward from



**The Southern Pacific shops were a major industry in Sacramento during the early 20<sup>th</sup> century**

Nebraska. The Chinese constituted much of the labor force responsible for the construction of the railroad; thus the population of Chinese in the city began to expand rapidly during this period. In 1869, the first transcontinental railroad was completed, with Sacramento as the terminus. (Regrettably, Theodore Judah did not live to see the culmination of his vision.) From 1869 to 1883 Sacramento was the main dispatching station for transcontinental trains.

The railroad was also responsible for establishing what would be Sacramento's

largest industry during the first decades of the 20<sup>th</sup> century, the Southern Pacific shops. The Sacramento facility was the largest of its kind west of the Mississippi. Many Southern Pacific locomotives, freight, and passenger cars were manufactured, repaired, and maintained in these shops. The shops also influenced the residential and commercial location of buildings in the city. Alkali Flat was the home of numerous railroad employees.

## **Agriculture**

Beginning in 1867, agriculture rather than gold mining became the primary producer of local exports. The Sacramento River was of key importance, providing easy and cheap transportation for the agricultural wealth of the valley to either a processing plant or export facility. The Sacramento Valley became one of the world's most important granaries.

The transcontinental railroad shortened the shipping time to the East Coast from four to five months to seven to 10 days, allowing shipment of perishable agricultural products. The canning and preserving industry developed in response to the problem of agricultural surpluses and to provide fruits and vegetables year round. The first cannery in Sacramento began in 1862. By 1926, there were six large canneries in Sacramento employing thousands.

Sacramento had been named the site of the state fair in 1860. Agricultural Park was originally located between B and H and 20<sup>th</sup> and 22<sup>nd</sup> Streets (in what is now Boulevard Park), but moved to 80 acres on Stockton Boulevard in 1907 as a result of growth pressures in the early 1900s. The Stockton Boulevard site operated as the state fairgrounds until 1967.



**Witter Ranch, on the National Register, is reflective of the City's agricultural heritage**

## **Rancho del Paso**

North of Sutter's land grant was the 44,000-acre Rancho del Paso land grant, granted to Eliab Grimes in 1844 by Mexican Governor Manuel Micheltorena. It was named after El Paso de los Americanos, the ford in the American River near today's H Street bridge. In 1862, Kentucky lawyer Ben Ali Haggin purchased Rancho del Paso. By 1884, he and his partner Lloyd Tevis were pasturing 20,000 sheep, cattle, and horses and growing hay and hops. Haggin established a thoroughbred ranch and successfully bred racehorses from the 1880s through about 1905. In 1886, his horse Ben Ali won the Kentucky Derby.

## Newspapers

During and following the Gold Rush, more than 80 newspapers were founded in Sacramento, although only a handful survived. The *San Francisco Chronicle* was born in Sacramento in 1864 when Charles De Young founded it as the *Dramatic Chronicle*, a small throwaway. Nine months later he relocated it to San Francisco and renamed it the *Daily San Francisco Chronicle*. The *Sacramento Union* was known as the "oldest daily west of the Rockies" until its demise in the 1990s. Mark Twain was the *Union's* most famous newspaperman. The *Sacramento Bee* was also born during this era, and survives to this day.

## Local Transportation

In 1859, entrepreneurs established the city's first omnibus public transportation line (a wagon drawn by two horses). A horse car line, inaugurated in 1861, provided service from the Railroad Depot to the State Capitol, downtown Sacramento and to Agricultural Park on the east and the City Cemetery on the south. In 1871, the Sacramento City Railway Company purchased East Park (now McKinley Park) and put in gardens, "shooting galleries, picnic grounds, swings and flying horses and posh ponds." It also had a miniature zoo and a "museum of natural curiosities." Concerts on Sundays added to its attractions.

Battery-operated electric streetcars came to Sacramento in 1891, providing short-range intracity transportation. In 1894, Sacramento had eight streetcar lines, all fanning out from the Southern Pacific depot. Sacramento followed the cue of cities all across the nation, where streetcar companies were constructing amusement parks to promote patronage on weekends. In 1889, Central Street Railway began to develop what is now McClatchy Park as an amusement park.

## The 20<sup>th</sup> Century

As the city moved into the 20<sup>th</sup> century, important improvements were seen. Construction of the State Capitol was completed in 1874. In 1885, Margaret Crocker, Judge Edwin Crocker's widow, donated to the City the art gallery she and her husband had created. The Crocker remains the oldest museum west of the Mississippi. In 1895, power generated by Folsom Powerhouse on the American River transmitted electricity 22 miles to Sacramento, the longest such transmission in the world at that time.

The early 1900s saw a diversifying and growth of Sacramento's population and business. The Japanese population was beginning to significantly expand because of newly relaxed immigration laws in Japan.

Pressure for more residential areas in 1907 caused the removal of Agricultural Park to Stockton Boulevard. Sacramento's first suburban development occurred in Oak Park immediately southeast

of the city. The farm on that site had been sold in 1885 to a real estate company which began subdividing in 1887. It was soon supported by electric street car services from downtown Sacramento. By 1910 approximately 13,000 people lived in Oak Park. Such a concentration of people stimulated a move for Sacramento's first annexation. In 1911, with an existing population of approximately 45,000, Sacramento annexed major new areas surrounding the original Sutter grant, including present-day East Sacramento, Oak Park, Curtis Park, and Land Park. This annexation tripled the size of the city and added about one-third to its population.

Sacramento now had the potential to grow both to the east and south. To the north, in 1910, Rancho del Paso was sold and began subdivision. There was already adequate transportation because Haggin had granted the Southern Pacific railroads the rights of way through his property. The Sacramento Golf Club left its course between J and H and 42<sup>nd</sup> and 51<sup>st</sup> Streets for acreage at Watt and Marconi, where it became known as the Del Paso Country Club.

Growth in Rancho del Paso gave added importance to 12<sup>th</sup> Street in Sacramento because that street, once the road to the northern mines, led to the only bridge across the American River in that area. The subsequent development of the automobile and subways under the railroad tracks provided convenient and rapid transportation to the north area. In 1924 North Sacramento incorporated as a city. America's first transcontinental highway, the Lincoln Highway, came down Del Paso Boulevard.



**Members of the Sacramento Riding Club  
on Del Paso Boulevard, in the late 1920s**

In the early 1900s, state buildings were also refurbished or plans for construction approved. The Capitol building was modernized between 1906 and 1908 with the installation of steam heat, elevators, and rewiring for telephone, telegraph and electric lights and remodeling of parts of the interior. New buildings were also needed to house the state's expanding functions. Sacramentans voted to purchase the blocks between L and N and 9<sup>th</sup> and 10<sup>th</sup> and donated them to the State in 1917 as the site for two new buildings.

During this period, the City hired various city planners out of concern over the haphazard nature of growth in the city. Dr. John Nolen compiled a comprehensive park system plan, adopted by the city in 1916. In 1916, Sacramento City College was organized and the area had its first institution of higher learning. In 1922, the City adopted its first zoning ordinance, and in 1926 a master plan.

The selection of 789 acres near Mills Station on the Sacramento Valley Railroad for a training base for the Army's Air Corps was to have a permanent effect. The site 12 miles southeast of

Sacramento would eventually become Mather Air Force Base and the nucleus for residential, industrial and commercial development in that area.

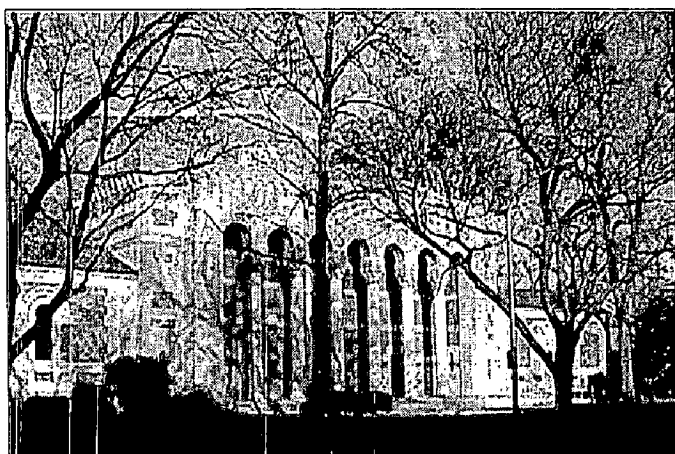
In the years following World War I, Sacramento experienced another building boom that shifted the city further eastward. With the City Beautiful movement and the overall country's optimism following the war, there was a growing sense of civic pride expressed through the building of public buildings, parks, libraries, city halls, schools, banks, hotels, department stores, public works, and fraternal lodges. Sacramento's City Hall was completed in 1911, and nearly 30 new building projects were completed between 1912 and 1928. Major new buildings during this era included the Sacramento City Library (1918), the Masonic Temple (1920), the Sacramento Public Market (1923), the Senator Hotel (1924), the Elks Club building (1926), and the Memorial Auditorium (1927).

Other projects east of the Old City included Sutter Hospital, the American Can Company (1926), Mercy Hospital, and Turn Verein. In 1923, citizens voted to level the Y Street levee, thereby encouraging development of the area to the south. William Land Park and City College opened in the area.

Throughout the 1920s despite the restrictions of prohibition, Sacramento was considered one of the wettest spots in the state. Then, the 1930s marked the onset of the Great Depression. Despite the crippling effects of this economic downturn, Sacramento was not hit as hard as some other parts of the county because of its diversified economy. By 1930, Sacramento had a population of nearly 94,000. The late 1930s population data showed an increasing population of African Americans in the region. In 1935, the Tower Bridge opened. A major portion of the Sacramento Air Depot was developed prior to World War II, between 1936 and 1941. The Sacramento Air Depot was renamed McClellan Field in 1939. McClellan was the principal supply depot and repair facility on the West Coast during World War II.

The 1940s for Sacramento consisted of war-oriented activities. Sacramento's Japanese population was placed in internment camps for much of the duration of the war; the economy was focused on wartime production. The Sacramento Army Depot opened in 1945.

After the war and during the 1950s, the trend of an exodus from the cities into suburbia, common across the nation, was also occurring in Sacramento. After World War II, consumer and capital demands, restricted four years and stimulated by an



**The Memorial Auditorium, built in 1927 as a tribute to World War I veterans. In World War II, the Memorial was used as the site for processing the Japanese Americans into internment camps**

increase in population, expanded. Mather Field was reestablished as a permanent base, and the missile and electronic industries added to employment.

The city of Sacramento gradually lost a good portion of its commercial monopoly to county development after World War II. One reason for this change was the impact of the automobile and the growth in suburban development. The number of automobiles in Sacramento County doubled between 1936 and 1950. The growth in automobiles was also a factor in the demise of steamboating on the Sacramento River and the electric trains servicing the city, both of which ceased in 1941. By 1960, only one transcontinental passenger train a day served the Southern Pacific Depot, a significant change from the 110 trains a day that arrived or departed from the depot in 1940, including 15 trains a day to and from San Francisco.

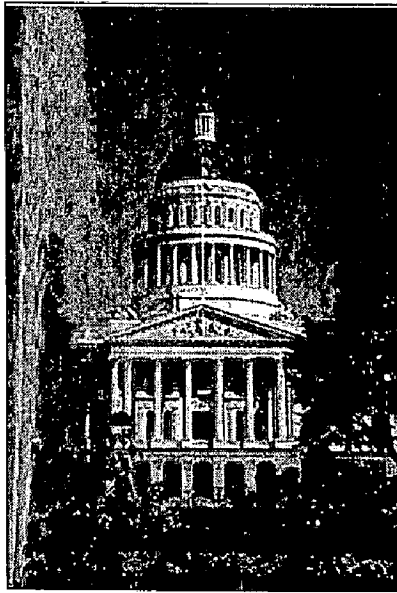
The 1950 Census counted more than 137,000 in Sacramento. In the 1950s, the Sacramento Redevelopment Agency formed in order to revitalize some of the downtown area. Part of the Agency's strategy involved transforming the stretch of Capitol Avenue west of the Capitol building into the wide Capitol Mall. Like most redevelopment agencies of the era, the new agency made dramatic changes to bring about urban renewal. In seeking to eliminate the blight of the slums that had formed in this area, redevelopment destroyed many historic buildings and the areas that accommodated Sacramento's Chinatown.

In the 1950s, the State Division of Highways announced preliminary plans to build the projected Interstate 5 freeway through Old Sacramento. After local outcry, the Division presented finished plans for routing the freeway between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. Local artist-historian Ted Baggelman successfully proposed moving the freeway another 80 feet east, to save the historic buildings on the east side of 2<sup>nd</sup> Street. In 1965 the National Park Service registered Old Sacramento as a National Historic Landmark, and in 1966 the State Legislature officially created Old Sacramento State Historic Park.

As population spread into the unincorporated areas outside the city, the commercial enterprises followed. At first they were relatively modest in size such as the Fruitridge or Town and Country shopping centers. But by 1954 Country Club Shopping Center was in operation and was soon followed by others such as Southgate, the Mills Shopping Center in Rancho Cordova, Florin Center and later, Sunrise Mall.

The 1960s saw a rebound in the Sacramento area economy. The national military and industrial booms brought jobs and money to the region. In 1964, the City of North Sacramento, encompassing 6.6 square miles and 16,350 residents, merged with Sacramento, boosting the total City population over 200,000.

The 1970s saw a heightened awareness of the City's historical resources. In the early 1970s, an unsuccessful attempt to prevent the demolition of the historic Alhambra theater, spurred the local



**A major restoration of the State Capitol was completed in 1980**

preservation movement. In 1975, the City created the Preservation Board. People began to notice the widespread destruction of many of the old Victorian homes and other historical landmarks. Worried about losing these irreplaceable assets, there was greater effort to protect the older buildings and sites within the city.

In 1980, the State completed a \$75 million restoration of the Capitol building. The 1980s were also noted as a period when the workforce of Sacramento was shifting from the public service sector to the private sector. Big business and downsizing in government were both factors in this shift. With all the new employees in the region, the public transportation services had to be greatly expanded. In 1987, Sacramento opened its modern light-rail system, nearly 100 years after the city's original electric streetcar system.

The years 1999 and 2000 mark the 150<sup>th</sup> anniversary of the City's inception. Sacramento today, with approximately 400,000 population, remains the cultural, business and governmental center of the region.

*For more information on the history of Sacramento, see the following references:*

1. *A Field Guide to America's Historic Neighborhoods and Museum Houses: The Western States*, Virginia and Lee McAlester, Alfred A Knopf, New York, 1998.
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3. *The City Of The Plain, Sacramento in the Nineteenth Century*, Neasham and Henley, 1969, Sacramento Pioneer Foundation.
4. *Draft Environmental Impact Report*, City of Sacramento General Plan Update, City of Sacramento 1988.
5. *Inside Guide to Sacramento*, Dan Flynn, Embarcadero Press, 1994.
6. *Sacramento: An Illustrated History, 1839 to 1874*, Thor Severson, 1973.
7. *Sacramento, A Pictorial History of California's Capitol*, Julie and Kevin Mims, 1981, The Donning Company.
8. *Sacramento: Excursions into its History and Natural World*, William M. Holden, 1991, Two Rivers Publishing Company.
9. *Sacramento Old City, A Preservation Program*, prepared by the Historical Structures Advisory Committee, August 1974.
10. *Sacramento Non-Residential Survey Historic Overview*, Paula Boghosian and Dr. Joseph McGowan, June 1981.

11. The Sacramento Room, The Sacramento City Library, Central Library, 828 I Street, Sacramento, CA 95814.
12. *Thompson and West's History of Sacramento County*, Howell – North, Berkley, 1960 (A reproduction of the original) [1880]).
13. *Vanishing Victorians: A Guide to Historic Homes of Sacramento*, by the Sacramento Branch, American Association of University Women, 1973.

## MAJOR ARCHITECTURAL STYLES AND TYPES

The following discussion of building styles and types found in Sacramento is arranged with a brief history and general description of the stylistic elements. This is not intended to be a comprehensive discussion of the architectural history of the city, but rather to assist those without an in-depth knowledge of architecture to become better acquainted with the rich variety of styles and building types to be found in the city. As in other cities located a long way from East Coast architectural sources, styles in Sacramento are more likely to blend together in composites.

The following discussion is based on information prepared in connection with the original residential survey of Sacramento, and updated to represent styles and forms after the 1920s and nonresidential styles and forms. This discussion also describes general types that are used with various architectural styles. For individual examples of specific buildings styles and types, readers can review the City's architectural survey books, available at the City Preservation Office.

The discussion is roughly chronological, although some styles and forms were popular, or at least in fashion, at the same time. The dates are also meant to provide the range during which buildings in the style or form were constructed in Sacramento. Dates on the East Coast for corresponding styles are generally earlier; dates for similar styles in other California cities may also differ from the ones in Sacramento.

1. **Greek Revival (1850s-1860s):** A very popular style in the Eastern United States in the second quarter of the 19<sup>th</sup> century, it persisted longer in California, sometimes blending with Italianate details. Usually rectangular in shape without projections or wings except in a composition of blocks, with a low pitched gabled roof treated as a pediment. Symmetrical facades have corner pilaster and large windows with shutters. Doors are sometimes flanked with oblong sidelights (long, narrow windows which do not open) with an oblong transom over



The J. Neely Johnson House at 1029 F St, a Greek Revival residence (1854) and oldest remaining house in the city



the door and sidelights. The J. Neely Johnson home at 1029 F Street is a Greek Revival residence built in 1854, and the oldest house remaining in Sacramento.

2. **Gothic Revival (1850s-1860s):** An important style for churches, institutions, and large houses in the Eastern United States during much of the first half of the 19<sup>th</sup> century. Popularized throughout the country after 1840 as appropriate for small houses by A.J. Downing in *Cottage Residences*. In form, typically, it has steeply pitched central cross gables or gable ends. Characteristic detail includes vertical siding, shallow pointed arches on porches and doors, lancet windows, window tracery, finials, pendants, crenelation, and lacy bargeboards.
3. **Delta Type (1850-1910s):** The Delta Type house is a general form typical of the Sacramento River delta area that arose in the 1850s in response to conditions of frequent flooding and long, hot summers. By the end of the century, levees controlled the floods but the Delta Type form persisted into the 1910s as a convention. In general terms, the Delta Type is a frame house with a raised basement or ground floor, exterior stairways, and a front porch. Delta Type houses were usually dressed in a thin overlay of some traditional, stylistic trim under which they assumed characteristic subforms. Delta Type Eastlakes and Delta Type Queen Annes are similar and distinguished most readily by their roof forms as well as by the character of their detail. Delta Type Eastlakes typically have a hip roof or a hip roof with a single gable over an angled bay. Delta Type Queen Annes typically have a gable over an angled bay and at least one other gable. Another subform is the simple Delta Type cottage with a gable roof, flat front, and full porch.
4. **Italianate (1860s-early 1880s):** The overwhelmingly predominant style for houses in Sacramento in the early 1870s. In common form they are either flat fronted or have angled bays and hip roofs with a cornice at the eaves or a parapet that obscures the roof. Characteristic details are a bracketed cornice, turned ballustrades, tall narrow windows with flat or rounded tops and prominent lintels, a raised front porch and elaborately detailed entrance portico, quoins, and sometimes a rusticated facade. For many years the most common form for both simple and elaborate Italianates in Sacramento was a two-story hip roofed house with a two-story, angled bay at one side of the facade. An example of an Italianate styling is the Llewellyn Williams Mansion (1885) at 900 H Street behind City Hall, now used as a Youth Hostel.
5. **Warehouse/Industrial Buildings (1860s-1940s):** Less a style, it is more a building type; however, there are common characteristics which can be found on these buildings, regardless of construction date. Large expanses of red brick walls, large first floor openings to accommodate wagons and trains, and small windows which have flat or segmental arches are common. If there is any decorative detailing, it is usually confined to simple wall arches,

and corbelled cornices and paneled parapets. The warehouse at 1108 R Street (now known as the CADA warehouse) is an example of this form.

6. **Second Empire (1880s):** Also called Mansard style for the characteristic treatment of the upper story as a part of the roof which originally derives from an effort by Parisian architects to skirt taxes determined by the number of stories in a building. More picturesque in form than the Italianate with a high tower and mansard roof, it otherwise employs rich Italianate details. The Heilbron House (1881), at 704 O Street, is a Second Empire structure (currently the home of La Raza Galeria Posada art gallery).
7. **Stick Style (1880s):** Usually found in combination with Eastlake but occasionally by itself. It is an ornamental style marked by the use of stickwork, or simple unadorned slats of wood which suggest the balloon frame construction of the house. Also marked by diagonal branches in porches and elaborate railings of unadorned sticks. In form it is much like Eastlake with square bays.
8. **Eastlake Style (1880s):** Probably the most common 19<sup>th</sup> century style in Sacramento's Central City. Found either by itself or in combination with other styles, and most often on a Delta Type house form. It is found in both very simple cottages and large elaborate houses. Principally a style of ornament derived from the English furniture designer, Charles Eastlake. The ornament was easily worked on machinery that was developed and made widely available in the 1880s. Characteristic ornament includes spindles, curved brackets, incised carving, grooved moldings, sunbursts, and flash glass. In combination with the Delta Type, is usually has a hip roof, angled bay with or without a gable, step back plan, and L-shaped porch. The Delta Type Eastlake is often similar to the Delta Type Queen Anne but as used here is distinguished by the number of gables and type of ornament used. Alkali Flat neighborhood features many Eastlake style homes.
9. **Stick-Eastlake (1880s):** The Stick Style is rarely found by itself in Sacramento, but is frequently used in combination with Eastlake. In addition to the Eastlake ornament there is an overlay of plain or molded stick work that resembles half timbering and suggests the balloon frame construction of the time, often by extending window frames beyond the windows. Curved brackets are usually replaced by diagonal brackets. The Sullivan House (1894) at 1100 E Street is an example of Stick-Eastlake style.
10. **Queen Anne (1885-1990):** Originally an English style formulated by Richard Norman Shaw in the 1860s which bore little relation to the architecture of the time of Queen Anne. It went through many transformations before it arrived in California about 1885. Less formal than earlier Victorian styles, it sought to be picturesque with an asymmetrical plan, complex roof line, corner tower, and gables. Frequently displaying a variety of textures and colors in bands of different siding materials including brick, clapboard, and shingles. Having bay

windows of various shapes, porches, balconies, and a variety of predominantly classical ornamental details. The Ochsner Building (1904) at 717 K Street is an example of Queen Anne styling.

In Sacramento the Queen Anne, Eastlake, Colonial Revival, Shingles, and Craftsman Styles all blend together easily. (See the example of the residence at 1931 21<sup>st</sup> Street). As described here the style is usually found in larger and elaborate houses, but it is most commonly found in Sacramento in abbreviated fashion on a



The Fred Mason House at 1931 21<sup>st</sup> Street, built in 1900, is a Shingle/Queen Anne style.

Delta Type house form. The most typical Delta Type Queen Anne house has a hip roof, usually with more than one gable, an angled bay at one side, and a porch at the other side under the hip roof.

11. **Cube Type (1890-1910s):** The Cube Type house is a vernacular form which is repeated many times with a variety of stylistic dressings. Its name derives from a square front elevation and cubic quality which is projected, although it is actually longer than it is wide. The Cube Type developed in the 1890s as an economical and easily repeatable form for a large house or apartment building. It was most commonly overlaid with Colonial Revival details but also appeared as Craftsman, Mission Revival, and in other styles.
12. **Renaissance Revival (1890-1910):** An aspect of the general revival of classically detailed styles around the turn of the century which followed an earlier revival of Renaissance models in the mid-19th century. Buildings in this style are symmetrical in design with flat fronts, massive cornices, and low roofs. Details include rustication, quoins, string courses that link windows, and taller windows in the second story than elsewhere. Windows are usually decorated with ornamental lintels or pediments in the second story. The style is usually found in institutional or commercial structures, and rarely in residential structures after the earlier period of the Renaissance Revival. The Central Library building (1918) at 828 I Street is an example of the Renaissance Revival style.
13. **Shingle Style (1885-1900):** Similar to Queen Anne, particularly as it appeared in the Eastern United States. Displaying a greater simplicity of detail together with a greater interest in massing of forms. Walls and roof are shingled and include frequently curving wall surfaces. The most easily seen aspect of this style in Sacramento is the steeply pitched shingled gable which derives from the distinctive Bay Area Shingle Style work of architects like Maybeck, Coxhead, and Polk.

14. **Late 19<sup>th</sup> and Early 20<sup>th</sup> Century Period Revivals (1890-1940):** Commencing at the turn of the century and picking up steam in the 1920s, the Period Revival occurred amidst several great building booms. Different historical periods were evoked by manipulating forms and materials. One of the most prevalent styles, Spanish Colonial, which also appears in the slightly altered Mediterranean Revival, is identified by red tile roofs and stark white and pastel stucco walls over a structural system often made of wood or concrete block. Other revivals of historic periods were also popular in Sacramento, and architectural features included Tudor half-timbering, Norman arches, and red brick Colonial facades. Renaissance and Gothic Revival motifs were also popular. Some examples of Period Revival styles include the California Western Life Insurance building (1925) at 926 J Street in a French Renaissance Revival style, and the Southern Pacific Railroad Depot (1926), a Mediterranean/Renaissance Revival,

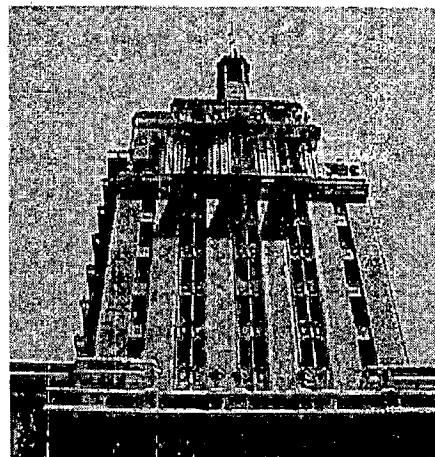
15. **Colonial Revival (1895-1910):** A revival of the Georgian style of architecture of the American Colonial period. Having symmetrical facades with hip or gambrel roofs, eaves treated like classical cornices with pedimented gables, pedimented entrance porticos with Palladian entrances, windows with shutters, and swag details. In Sacramento it is often found on a Cube Type house form. Often blends with Queen Anne in its details. Viscaya Bed & Breakfast (1899) at 2019 21<sup>st</sup> Street in the Poverty Ridge neighborhood is a Colonial Revival with Shingle and Craftsman stylings.



The Viscaya at 2019 21<sup>st</sup> Street, built in 1899, is a Colonial Revival with Shingle and Craftsman stylings.

16. **Classical Revival (1890-1920):** The style became extremely popular after the Chicago World's Columbian Exposition of 1893, where the style reigned supreme. The stylistic elements are derived from the classical architecture of Greece and Rome with many interpretations and variations. The Old Folsom Powerhouse, Sacramento Station A (1895) located at 6<sup>th</sup> and I Streets, is an example of the Classical Revival Style.
17. **High Rise Commercial (1890s on):** Beginning with technological developments such as high strength steel framing and elevators in the 19th century combined with curtain wall construction (i.e., non-load bearing walls), buildings began to grow taller, framing lighter, and window expanses larger by the turn of the century. These new buildings appeared in all major cities as symbols of progress and prosperity. Brick, stone, and terra cotta were popular as cladding materials. Stylistically, buildings could be clad in almost any desired

style; however the Gothic and Romanesque were often early favored because of the vertical emphasis found in the original ecclesiastical sources. By the turn of the century, Classic Revival forms were popular. By the early 1950s the use of any ornament was shunned and the use of glass as a cladding material had gained popularity with the International Style. Two early examples are 926 J Street, California Life Insurance Building (1925), and the Elks Buildings at 921 11<sup>th</sup> Street (1926).



18. **Craftsman (1905-1925):** Easily confused with Shingle Style and most often found in bungalows and in combination with the Colonial Revival. Its concern is less with form and texture than the Shingle Style and more with the handmade character of the construction and the materials themselves as they represent a natural as opposed to an aesthetic image. Characterized by battered river cobble or clinker brick chimneys and foundations, shingled siding, and exposed rafters and knee brace brackets under the eaves. The most common purely Craftsman house from in Sacramento is essentially a Cube Type house with a hip roof, overhanging eaves, and a gabled tunnel entrance that runs down one side of the first floor to the main entrance at the rear. The William Geary House (1905-10) at 2101 G Street in the Boulevard Park neighborhood is one of city's finest Craftsman homes.
19. **Bungalow Style (1905-1925):** A small, informal house that developed in California and spread across the country, contributing to major changes in patterns of house building and in the planning of the houses themselves after the turn of the century. One or sometimes two-story houses with low pitched roofs, typically designed with a broad gabled porch in front of a similarly gabled house. Essentially a style of form whose details are derived from other styles such as Craftsman or Prairie. This was the first house type in Sacramento to respond to the end of the river floods and give up the raised basement.
20. **Prairie Style (1905-1920):** Derived from Midwestern architecture, notably that of Frank Lloyd Wright. In Sacramento it is usually found in combination with other types or styles, particularly the Colonial Revival, and its influence is more in feeling than in literal detail. Characteristics of the Prairie Style that appear in Sacramento are flat or very low pitched, hip roofs and overhanging eaves, horizontal compositions with horizontal banding of casement windows, and extension of horizontal lines such as window sills around buildings as courses. Characteristic window mullions form geometric designs with smaller panes at the top. The former PG&E headquarters building (1912) at 1100 K Street has elements of Prairie School styling.

The Elks building, at 921 11<sup>th</sup> Street, was an early high rise commercial building, built in 1926

21. **Mission Revival (1905-1925):** An aspect of the widespread American interest in historical roots around the turn of the century. In California the Mission Revival Style was inspired by a romantic rediscovery of the state's Hispanic era. Normally characterized by arches, hipped red tile roofs, shaped curvilinear parapets or gable ends, and stucco walls. In Sacramento's Central City, usually found in wood rather than stucco and in an abbreviated style on wooden apartment houses without tile roofs. Ogee arches, machicolated brackets under second story square bays, and quatrefoil windows are typical details. The former Western Pacific Railroad Depot (1909) (now the Old Spaghetti Factory restaurant) at 1910 J Street is among the finest examples of Mission Revival style architecture.

22. **Beaux Arts (1910-1920):** A classically-derived style brought to this country by American students from the Ecole des Beaux Arts in Paris, found in commercial, civic, or institutional buildings. Correctly used classical details inspired by Renaissance buildings, readily distinguished from other classical revivals by the use of paired columns and freestanding ornaments and sculpture that enlivens the skyline. Symmetrical planning and design with clearly articulated parts. City Hall (1911) at 915 I Street is an example of a Beaux Arts Style building.



Sacramento's City Hall, built in 1911, is in the Beaux Arts style

23. **Spanish Colonial Revival (1915-1930):** The popularity of this style begins with the Panama-California exposition held in San Diego in 1915. Like the Mission Revival Style, it is also characterized by smooth stucco walls and red tile roofs but is differentiated from the Mission Style by the use of elaborate molded ornament around doors and windows, polychrome tile at entries, and wrought iron grilles and balconies. The ornament is derived from Mexican sources which had interpreted the original Spanish sources. It was popular for commercial buildings, institutions, apartments and houses. The City also has variants of the style based mainly on the sources for ornament. The Sutter Club (1930) at 1220 9<sup>th</sup> Street is an example of Spanish Colonial Revival style.
24. **Art Deco (1925-1950):** Named for an international exposition held in Paris in 1925, the style achieved widespread popularity throughout the country due to its influence on movie set designs. It was used for all kinds of buildings including commercial, industrial, governmental, institutional, schools, theaters, apartment and residences. The early phase is most noted for the use of rich materials and profuse ornaments of zig zags, rays, and chevrons.

Ornamental designs were derived from a variety of sources including Egyptian, Mayan, and Oriental art and architectures. All elements were stylized with a heavy influence from Cubism and German Expressionism, art movements of the early twentieth century. The next phase, often called Streamlined Moderne, begins in the mid-1930s, when the ornament becomes more subdued, often limited to a series of parallel horizontal lines (speed lines), and simple roundels or octagon shapes with black glass or glass block inserts. Rounded and curved elements are used, often with a nautical flavor such as porthole windows. Most buildings were monochromatic schemes of white, cream, beige or grey with color accents appearing in the marble or terra cotta entry tiles. The Tower Theater (1940) on Broadway is an example of Art Deco - Streamline Moderne style.

25. **International Style (1945-1970):** named by the architectural historian, Henry Russell Hitchcock, and architect, Philip Johnson, and highlighted in an exhibition in the thirties at the Museum of Modern Art in New York, it was a style with definite European philosophical roots wedded to American technology. Based on the philosophies of European designers such as Le Corbusier, Marcel Breuer, and Ludwig Mies Van Der Rohe, the style is characterized by an absence of any ornament and the use of rich materials, refined details and proportions. It was intended to provide cities with efficient buildings of timeless beauty as examples of modern technology. Many of these buildings are now reaching the age of historic significance but are underappreciated because of their simplicity and recent unpopularity. An example of International Style is the building located at 1616 I Street.

## LEGAL CONTEXT FOR HISTORIC PRESERVATION

Various local, state, and federal laws govern and guide preservation authority that affects the City of Sacramento. These are summarized below.

### A. Local Preservation Laws and Authority

The authority for most municipal functions comes from the state. The state has established enabling legislation for planning in the *Government Code*, the *Public Resources Code*, and the *Health and Safety Code*, among others. State enabling legislation provides for local jurisdictions to enact appropriate historic preservation legislation. *California Government Code* Sections 65850, 25373, and 37361 enable city and county legislative bodies to provide for the protection, enhancement, perpetuation, or use of places, sites, buildings, structures, works of art, and other objects having a special character or aesthetic interest or value.

Sacramento, as a charter city, with a charter mandated and amended by the local electorate, has more local discretion in establishing its own land use processes than many other "general law" cities established without a charter. The police powers granted in the

Sacramento city charter provide further legal basis for the City's historic preservation policies and planning programs. Specifics of this authority are further codified in the City municipal code. The City Code, which includes the Preservation Ordinance, establishes specific legal procedures for implementing the City's preservation program.

## **B. State Laws and Programs**

California General Plan law (*Government Code* Section 65300 *et seq.*) requires that all local governments prepare a general plan for the future development of the city. This law also sets out the requirements and options for what a general plan should include. The required elements of a general plan are land use, circulation, housing, conservation, open space, noise, and safety elements. Optional elements may be developed at the discretion of the local government. The most common optional elements include economic development, historic preservation, recreation, and community design. An optional element carries the same force of law as the seven required elements.

The California Environmental Quality Act (CEQA) requires state and local agencies to evaluate the environmental implications of proposed discretionary actions and aims to prevent negative environmental effects by requiring agencies, when feasible, to avoid or reduce the significant environmental impacts of their decisions. CEQA asserts that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (*Public Resources Code* Section 21084.1). Thus, CEQA requires the City to evaluate and to avoid or reduce the significant impacts of its actions on significant historical and archaeological resources whenever feasible.

In compliance with CEQA, the City performs an environmental review of all nonexempt projects that require a discretionary action by the City. The City coordinates its CEQA responsibilities with the project review process. Any project that may affect the character-defining features of a historic or cultural resource should be reviewed to determine the effects on the significance of the resource. If the property has not been previously evaluated but is 50 years old or older, it should be evaluated to determine its potential eligibility and related review requirements. The environmental review and certification process is distinct from, although directly related to, the actual discretionary action decisions. This procedure is consistent with the CEQA process.

Restoration of historic buildings to meet modern building codes (i.e., California Building Code, Uniform Fire Code, and Uniform Plumbing Code), is often difficult. Meeting these requirements would often be very costly or would require alterations that would deter from the historic integrity of the building. The State Historical Building Code is Part 8 of Title 24 (*State Building Standards Code*) and applies to all qualified historic structures, districts and



sites, designated under federal, state and local authority. It provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as qualified historic buildings.

The California Mills Act (*California Government Code* Section 50280 *et seq.*) is a state program that permits local governments to provide for a reduction in property taxes on a historic property when certain conditions are met. Owners of designated historic properties must enter into a preservation contract directly with the local government. Under this legal contract, the owners agree to restore the property if necessary, maintain its historic character, and use it in a manner compatible with its historic character. A reduction in property tax is given for 10 years, and the contract renews automatically every year unless either party notifies the other to the contrary.

### **C. Federal Laws**

Federal laws that play a role in Sacramento's preservation program include the National Historic Preservation Act (NHPA), the National Environmental Protection Act (NEPA), the Americans with Disabilities Act (ADA), and the Transportation Equity Act (TEA). Programs also playing a role include the federal historic rehabilitation tax credits, the TEA enhancements program, and various federal mechanisms for establishing conservation easements.

## **DEFINING HISTORIC AND CULTURAL RESOURCES**

There are several ways that a property can be identified as a historic resource. There are national, state, and local registers of historic resources, each of which may have different criteria for determining eligibility.

### **A. Official Register**

A property can be listed in or determined to be eligible for listing in the National Register of Historic Places (National Register). The National Register is a list of properties throughout the United States that are associated with significant national, state, or local events, people, design movements, or topics in historic and prehistoric research. It is maintained by the National Park Service, and a property is nominated through the State Office of Historic Preservation (OHP) to the National Register after careful research and documentation verify the property's significance and integrity. A property can be nominated through private submission or as a result of a federal or state agency's actions. A property also can be determined eligible for listing in the National Register by the State Historic Preservation Officer. As of 1999, Sacramento had 42 individual structures, two bridges, one site, and five historic districts listed on the National Register. Among those listed are the State Capitol building, Memorial

Auditorium, Sutter's Fort, Tower Bridge, Witter Ranch, the Old Sacramento district, and three districts within Alkali Flat.

California also maintains a register of properties that embody significant aspects of California's history. The California Register of Historical Resources (California Register) lists properties that are significant for their association with events, people, design trends, or research topics that are important in the history of the United States, California, or California's communities.

This list is maintained by the State Office of Historic Preservation (OHP), a division of the State Department of Parks and Recreation.



**The Tower Bridge is listed on the National Register of Historic Places**

Properties can be nominated to the California Register through direct submission, in association with state agency projects. Properties are also added when properties are listed on the National Register. As of 1999, Sacramento had 97 structures (outside of historic districts), seven bridges, parks, and sites, five historic landmarks, and four historic districts on the California Register. In addition to those also on the National Register, this list includes the Oak Park Fire Station, the Cathedral of the Blessed Sacrament, Capitol Park, and some archaeological sites.

The City of Sacramento's Official Register (Sacramento's Register) is the official list of physical resources that have been deemed by the City to embody significant aspects of Sacramento's heritage. The Official Register is available from the City Preservation Office.

Recent efforts to make the City's preservation program consistent with state and federal preservation efforts identified the need to update the City's criteria and definitions for designating significant cultural and historic resources. In April 1997, the Design Review and Preservation Board adopted the National Register criteria for eligibility.

Resources that can be listed in Sacramento's Register include buildings, structures, sites, areas, places, features, characteristics, appurtenances, landscapes, landscape plans, or improvements that meet at least one of the following criteria for eligibility:

- (1) It is associated with events that have made a significant contribution to the broad patterns of Sacramento's, the region's, the state's, or the nation's history.
- (2) It is associated with the lives of persons significant in Sacramento's, the region's, the state's, or the nation's history

- (3) It embodies the distinctive characteristics of a type, period, or method of construction.
- (4) It represents the work of a master.
- (5) It possesses high artistic values.
- (6) It represents a significant and distinguishable entity whose components may lack individual distinction.
- (7) It has yielded, or may be likely to yield, information important in Sacramento's, the region's, the state's, or the nation's prehistory or history.

#### **B. Resource Survey, Evaluation, and Designation**

Historic and cultural resources surveys are a planning tool that provides the basis for evaluating and identifying the significant physical resources that embody the heritage of the city. Resources are designated or listed in Sacramento's Register after careful study of their cultural and historic significance and an assessment of their integrity. Resources then listed in Sacramento's Register by the City Council are the primary focus of the City's preservation program and benefit from the City's efforts to ensure that historic and cultural resources are protected. Listed resources are also subject to other regulations that ensure that the overall planning goals of the City are achieved.

As part of implementation of this Preservation Element, the City plans to complete surveys of the entire city. This process will include developing historic context statements against which resources can be evaluated. The City will prioritize the areas to be surveyed based on several factors, including the age of the community, the association with significant themes in Sacramento history, and the availability of resources for conducting the surveys. The data and findings of the survey will be incorporated into the planning department's information management systems to ensure that all divisions have access to the listing status of each property. The baseline age of surveyed resources will be 50 years old or older. The benchmark for the comprehensive survey will be resources constructed or created in or before 1959 so the survey will have lasting value. Over time, new areas will be surveyed and areas that have been surveyed in the past will be revisited to ensure that the register accurately reflects the state of the City's historic and cultural resources.

## SACRAMENTO'S PRESERVATION PLANNING PROGRAM

Major preservation efforts began in Sacramento in the 1950s and 60s, with the preservation of the Old Sacramento area and the establishment of the City-County Museum and History Commission.

In the early 1970s, local groups began to note the loss of important local structures. The demolition of the historic Alhambra Theater focused greater attention on the loss and threats to historic structures. In September 1972, Charlene Rasmussen wrote a report, "Factors Affecting Historic Structures in the City of Sacramento." Later the American Association of University Women published a book, "Vanishing Victorians," and sponsored a home tour which emphasized the value of the significant structures in the Central City. The Sacramento Old City Association (SOCA) increased public awareness of preservation activities through a variety of programs.

In 1972, the City Council appointed a Historically Significant Buildings Committee to investigate problems and conditions relative to the preservation of historic buildings. In 1973, the City Council adopted an ordinance for a review procedure for demolition permit applications involving residential structures constructed prior to 1920 in the "Old City." In 1974, the City Planning Commission recommended appointment of a citizen's advisory committee to address a comprehensive preservation program. The City Council concurred and appointed the Historical Structures Advisory Committee (HSAC). The HSAC was charged with developing a comprehensive preservation program for the "Old City." Sacramento's preservation program was formally established in January 1975 with the creation of a Preservation Board and adoption of a Preservation Ordinance. The Board prepared an Official Register which identified significant pre-1920 residential buildings and Preservation Areas. In the late 1970s, the City merged the Preservation Board and Architectural Review Board into the Design Review and Preservation Board in an effort to promote greater efficiency in government.

Within the City, almost all departments, agencies, commissions, and boards participate in projects that involve preservation issues. Many of these entities are not charged primarily with carrying out historic preservation activities, but their activities (e.g., code enforcement, capital improvement projects, management of city properties) affect the successful implementation of an integrated preservation program.



**Demolition of the Alhambra Theatre in the 1970s spawned Sacramento's modern preservation movement**

## **A. Preservation Office of the Planning Division**

Through the year 2000, the City's historic preservation program focused primarily on architectural survey, listing, and regulatory protection of buildings in the Central City area. The organizational and staffing structure of the program saw little change for most of its first 20 years. Guided by the concept paper developed by the Neighborhood Associations Advisory Group and City staff members in 1996 and the recommendations put forth by the Select Committee on Historic Preservation in 1997, the City has been updating, strengthening, and expanding the preservation program.

In 1996, the City reestablished a Preservation Office distinct from the Design Review function in the Planning Division. This process included establishing a full-time Preservation Director position and a full-time preservation planning staff. The Preservation Director's responsibilities are to:

- Oversee the operation of the City's historic preservation office;
- Advise the City Council, Planning Commission, Design Review and Preservation Board, and City Manager on historic preservation issues;
- Conduct citywide surveys and updates of surveys;
- Maintain an inventory of eligible resources;
- Consult with City departments regarding preservation activities in conjunction with development projects;
- Make recommendations regarding landmark projects; and
- Implement the City's historic preservation program.

Since 1996, City officials and the Sacramento preservation community have worked to bring together the tools and policies needed to strengthen the City's preservation program. These achievements include:

- Obtaining certification as a Certified Local Government (CLG);
- Adopting eligibility criteria consistent with the National Register criteria;
- Convening a Select Committee on Historic Preservation;

- Completing the first survey update for proposed changes to Sacramento's Register since 1985;
- Drafting a complete revision of the Preservation Ordinance;
- Securing grant funds to assist in the preparation of the Preservation Element of the City's General Plan;
- Securing funds to hire a consultant to assess and make recommendations on a set of preservation incentives programs;
- Securing grant funds to develop a plan to complete surveys of the entire city; and
- Maintaining all functions of the Preservation Office, including project and environmental review and designation of historic resources.

Other strengths of the preservation program include improved working relations with Sacramento Heritage, Inc., the State Office of Historic Preservation (OHP), Sacramento Housing and Redevelopment Agency (SHRA), and other departments of the City, and increased awareness of the importance of historic preservation by City personnel.

The City's preservation program is the responsibility of the planning staff members who work with the public, with other City departments and staffs, and with the City's review and decision-making bodies, including the Design Review and Preservation Board, the Planning Commission, and the City Council. The activities and decisions of each of these groups shape and enforce the City's preservation goals and policies.

## **B. Design Review and Preservation Board**

The Design Review and Preservation Board is a nine-member board appointed by the Mayor subject to approval of the City Council, with requirements for representation from a variety of specific professional expertises. In terms of their preservation responsibilities, the Board's duties include adopting criteria for identifying structures and preservation areas, directing inventories of historic resources, reviewing and recommending to the City Council the adoption of buildings, structures, and preservation areas outside the Central City, and reviewing and approving proposed changes to historic resources. The Board's responsibilities also include increasing public awareness of the value of historic, architectural and cultural preservation by participating in public information programs and by recommending updating of the preservation program, and making recommendations to the City Council regarding preservation issues. The Board also operates as the City's Certified Local Government Board.

### **C. Sacramento Heritage, Inc.**

Sacramento Heritage is a California nonprofit corporation established to promote the preservation and rehabilitation of significant historic buildings in Sacramento. Sacramento Heritage's charge is also to promote the appreciation of Sacramento's historic architecture and aesthetic character. Sacramento Heritage, founded in 1975, consists of a nine-member board appointed by the City Council. Appointments are made to achieve representation from the following categories: finance, housing, history, preservation, construction/development, and architecture. Representatives are also appointed from the following boards and commissions: Sacramento Housing and Redevelopment Commission, City Design Review and Preservation Board, City Planning Commission, and City Housing Code Appeals and Advisory Appeals Board.

### **D. Certified Local Government**

The City's preservation program also participates in the state and federal preservation process through its status as a Certified Local Government (CLG). The CLG program, established by the National Historic Preservation Act (NHPA), is designed to encourage the direct participation of a local government in the identification, registration, and preservation of historic properties. Sacramento qualified as a CLG in 1996, demonstrating that the City's preservation program meets or is working to meet federal and state standards for certification. Participation in the CLG program provides the following benefits:

- The City has a partnership with the California Office of Historic Preservation (OHP) and the National Park Service, which administer state and federal preservation programs;
- The City gains access to technical training and assistance through the program;
- The City has a consultation role in the nomination of historic properties to the National Register of Historic Places;
- The City has a consultation role in the review process for development projects in compliance with federal and state environmental regulations, including consultation on the effects of federal undertakings that occur in the City pursuant to NEPA, CEQA, and Section 106 of NHPA; and
- The City qualifies to apply for federal grants from the Historic Preservation Fund administered by the OHP.

Although the City does not have authority as a federal agency, it does have a role as an interested party during the compliance review process on federal projects. For example,

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their actions on historic resources and to consult with the Advisory Council on Historic Preservation, the OHP, CLGs, and interested parties. Thus, the City has a voice during federally-funded projects or undertakings that occur in Sacramento even though the project may not involve discretionary actions by the City.

#### **E. Preservation Policies and Guidelines in Other Planning Documents**

While the Preservation Element will be the primary statement of the City's preservation goals, policies, and implementation programs, preservation goals and objectives are included in other plans and documents, and are implemented through additional ordinances.

##### ***City of Sacramento General Plan***

The City of Sacramento General Plan (adopted 1988) includes some policies addressing historic and cultural resources, as described below:

- Residential Land Use Element, Policy 7 (Sec. 2-12), "Protect and preserve architectural, cultural and historic structures through the existing preservation program."
- Open Space and Conservation Element  
Goal A, Policy 2 (Sec. 6-13), "Continue to implement the Heritage Tree program."  
Goal D, Policy 2 (Sec. 6-15), "Work with all interested parties to protect ancient burial grounds threatened by development activity and preserve their artifacts, either on-site or a suitable relocation, to the extent feasible."

The City is also in the process of updating its Housing Element. Goals and policies of the draft Housing Element call for the preservation of historic residential structures, and call for the adoption of Preservation Element to the General Plan and the updating of the Preservation Ordinance.

##### ***Central City Community Plan***

The Central City Community Plan includes overall goals to "support programs for the preservation of historically and architecturally significant structures which are important to the unique character of the Central City" and to "preserve and enhance existing neighborhoods and encourage additional residential development in the Central City and rehabilitation of historic structures."

It also includes specific language in two of its special areas with the Central City Community Plan. The Southern Pacific Railyards section, lists the following goal and objectives:



- Goal d, Preserve the historic and cultural resources of the area

The preservation of key historic resources within the Railyards area is particularly important to Sacramento because of their contribution to the evolution and character of the city and region. There are three principal areas to be preserved/rehabilitated or reconstructed: the Southern Pacific Depot along I Street; the core of the nineteenth century Central Shops complex immediately to the north; and the Victorian and early twentieth century residential structures with the West Alkali Historic District. The specific plan to be developed for the Railyards area will include appropriate provisions to preserve and protect the historic areas.

The R Street Corridor section of the Central City Community Plan also includes specific language regarding preservation:

- Goal 6, Promote the preservation of historic structures within the Corridor
  - 6.1 Encourage the economic viability of preserving historic structures by providing flexibility for the uses allowed in existing structures listed as essential or priority in the City's Official Register.
  - 6.2 Provide flexibility in allowed uses for new structures located on small parcels which are partially developed with structures listed as essential or priority in the City's Official Register which abut Major Streets.

### ***Preservation Ordinance***

The Preservation Ordinance, contained in Chapter 32 of the City Code, is the primary implementing mechanism for preservation. It establishes a Preservation Board and Director, establishes criteria for eligibility to the Official Register, and establishes scope of regulation, review, and procedures. As part of the recommendations of the Select Committee on Preservation, the City has drafted a complete revision of the Preservation Ordinance. This will undergo public review following review and adoption of this Preservation Element.

### ***Listed Structures Plan***

The Listed Structures Plan, adopted in December 1976, identifies measures to protect and preserve structures on the Official Register. The Listed Structures Plan includes guidelines for rehabilitation, alteration, and relocation of listed structures.

## ***Preservation Area Plan***

The Preservation Area Plan, adopted in 1978, established design guidelines for residential and non-residential structures within preservation areas. The plan includes guidelines for rehabilitation of supportive and retrievable structures and non-supportive structures, new construction in a Preservation Areas, and relocation of structures into, out of, or within Preservation Areas. The plan includes goals for buildings and landscaping, as follows:

### **1. Buildings**

- a. To encourage new construction, new design and rehabilitation that is integrated and compatible with the character of Preservation Areas.
- b. To encourage on-site retention and protection of existing Supportive and Listed Structures.
- c. To insure that non-residential developments are designed so as to be compatible with the surrounding Preservation Area.
- d. To coordinate exterior building design on all elevations with regard to color, materials, architectural form, style and detailing to achieve design harmony and enhance the existing Preservation Area.
- e. To encourage preservation of existing historic structures while enhancing their value and economic life.

### **2. Landscaping**

- a. To encourage historic landscaping practices and /or landscaping that harmonizes with the building design and that of the surrounding area.
- b. To encourage the retention and protection of existing trees in Preservation Areas in particular and in the Central City in general, and to encourage the planting of trees in parking areas, adjacent to structures, and on Central City streets.
- c. To encourage landscape screening of parking lots, trash areas, and mechanical equipment.
- d. To encourage innovative and compatible graphic design which properly identifies the project and complements the architecture of the project and the Preservation Area.

The City has established numerous preservation areas within the Central City where new development is reviewed by Preservation staff pursuant to the Preservation Area Plan. A map of the preservation areas as of January 2000 is included as Figure 1 on page 34.

### ***Central City Neighborhood Design Guidelines***

The Central City Neighborhood Design Guidelines, adopted in June 1999, address development within the Central City. Part II, the Neighborhood Design Guidelines, describe 15 distinct subdistricts within the Central City, and list architectural styles predominant in the subdistrict, and precedent structures for each area.

### ***Other Design Guidelines***

The City has also adopted design guidelines for design review areas outside the Central City, many of which are areas of historic resources. These include Oak Park, Del Paso Heights, and North Sacramento.

### ***Zoning Ordinance***

The Zoning Ordinance establishes the various land use districts and regulatory requirements throughout the City. The Zoning Ordinance contains provisions for non-conforming uses and structures to allow for the continued use and reuse of historic buildings that do not meet current zoning standards. The Zoning Ordinance also includes some Special Planning Districts (SPDs) that address preservation issues.

The Central Business District (CBD) SPD promotes preservation of historic structures within the CBD. It also contains Capitol Review Protection Requirements (Sec. 5-1-17) that set height limits for buildings around the State Capitol building to preserve views of this important landmark building.

### ***Visions and Values***

The *Sacramento Visions and Values: a user's guide to neighborhood and community development in the city of Sacramento*, is an advisory document prepared by the City Planning Commission and Design Review and Preservation Board and adopted in June 1997.

The document discusses the importance of retaining the City's heritage, and specifically identifies "contextual architecture" as an element to achieving its vision of "A Human Scale to the Built Environment," as follows:

*Too often we lack a sense of continuity and history. To increase our awareness of that past and create a sense of true community however, we must recognize, preserve, protect, and integrate cultural and positive historical elements in our neighborhoods. . . .*

In addressing the vision statement of "Preservation and Enhancement of Our Resources," the document states:

*Retain Historic Buildings - Our major historic resources should continue to be an important focus of the city. Identifying and preserving architectural icons and important outdoor spaces is an important goal.*

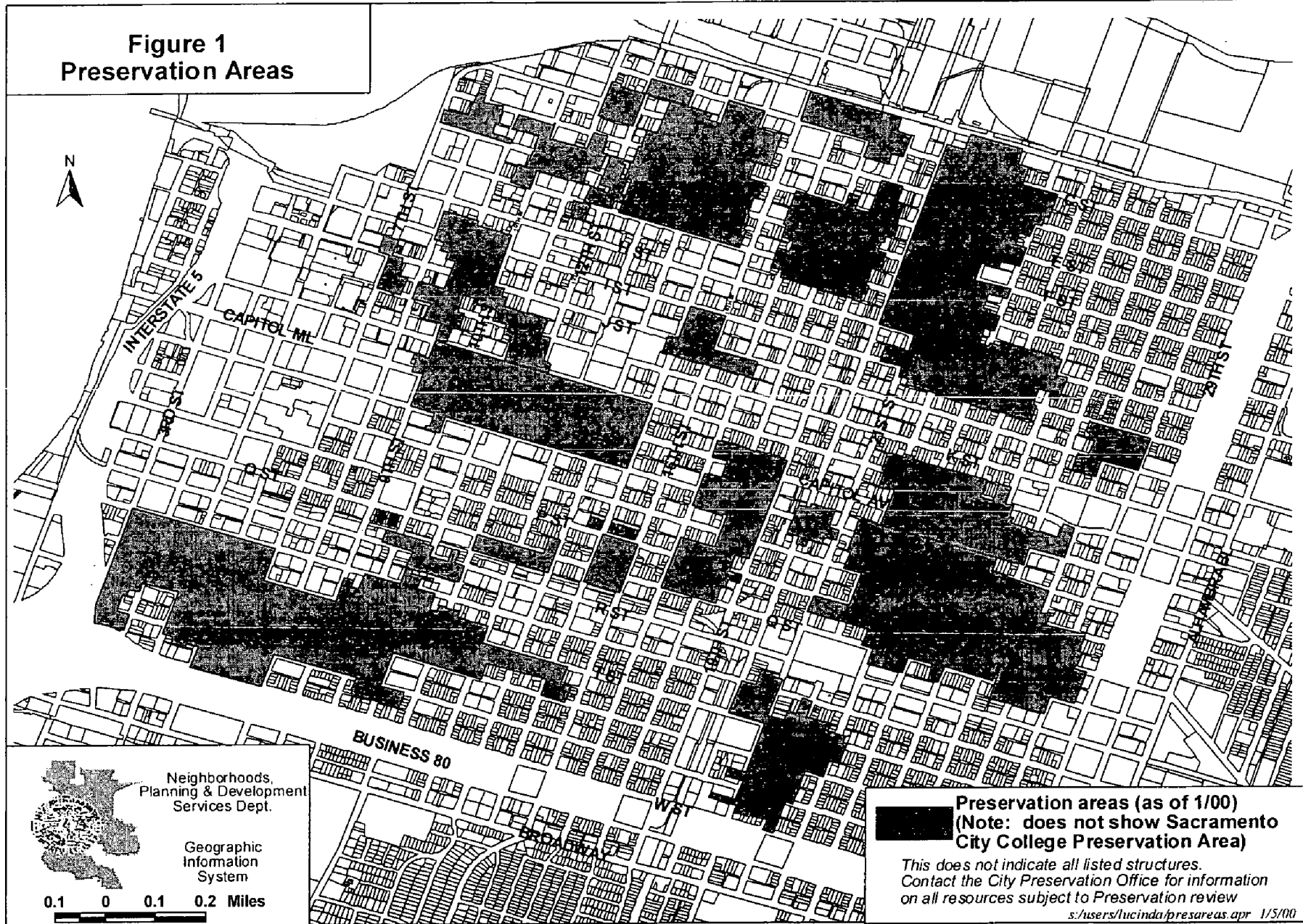
### **Redevelopment Plans**

The Sacramento Housing and Redevelopment Agency's adopted Merged Downtown Redevelopment Area includes the following objectives and policies directly concerning historic resources.

Objective 8: Retain historical and aesthetic features of downtown Sacramento's environment to maintain its unique character and appearance.

- Policy 8.1    Preserve the most historically and architecturally significant structures and places within the downtown
- Policy 8.2    Shape the design of new development to complement historically or architecturally significant structures or open space
- Policy 8.3    Maintain and enhance the historical role and design of Plaza Park as a formal civic center
- Policy 8.4    Respect the character of Capitol Mall as the formal entrance to state government and to downtown and guide development along the mall and Capitol Park to enhance the aesthetic contribution of these open spaces to downtown's appearance.

**Figure 1  
Preservation Areas**



## **Capitol Area Plan**

The Capitol Area Plan (CAP) is the official master plan for state-owned land in the Capitol Area, a 42-block area around the State Capitol. *California Government Code* Section 8160 establishes the Capitol Area Plan as the "official master plan for development in the central city," and places the State Department of General Services as the agency responsible for its maintenance and implementation. The Capitol Area Development Authority (CADA), formed in 1978, is a joint powers authority between the State of California and the City of Sacramento. The CADA Joint Powers Agreement grants CADA power to "accomplish the purposes and objectives set forth in the Capitol Area Plan." CADA is primarily responsible for administration of the CAP's components related to housing and community development and the CAP also serves as the redevelopment plan for CADA.

The State's first coordinated planning activities for the area around the State Capitol began in 1960 with the preparation of a California State Capitol Plan. In order to consolidate state administrative operations close to the State Capitol Building, the plan advised that the state purchase lands south of L Street adjacent to the State Capitol Building, demolish the buildings already standing, and construct a high-rise office complex within a park-like setting. Subsequently, the state purchased approximately 90 percent of the designated property within the 42-block area. Many older residential buildings were removed and some state office buildings were constructed (i.e., Central Heating and Cooling Plant, Resources Building). Successive administrations moved toward a leasing office space from the private sector, and state office buildings were located throughout the Sacramento area. A revised plan adopted in 1977 promoted a strategy of developing and sustaining an urban mixed-use pattern in the Capitol Area. Integration of office space, housing, and parking within individual blocks was proposed, and CADA was formed was created to implement the housing and retail components of the plan.

The State adopted a revised CAP in 1997, in response to directives to accommodate consolidated state office space within the Capitol Area, based on the findings of a 1995 Urban Land Institute study. The stated intentions of the 1997 CAP are as follows:

- Maintaining and enhancing the prominence of the Capitol Area as the historical center of state government
- Expanding and promoting a mixture of uses in the Capitol Area;
- Establishing viable opportunity sites for office, housing, and commercial development;
- Providing for flexibility in future office, housing, and commercial development.

The CAP contains the following nine elements: land use, state offices, housing, transportation and parking, open space and public amenities, development of the community, energy conservation, state's relation to local government, and administration and implementation. In addition, Chapter 11, Urban Design Guidelines, addresses specific urban design issues. These guidelines are advisory in nature. The following guidelines relate to preservation issues:

Guideline 1: Maintain the State Capitol Building as the focus of the Capitol Area.

Guideline 2: Ensure that all development complies with the stipulations of the Capitol View Protection Act.

Guideline 5: Promote harmony between the old and the new.

The CAP further elaborates on Guideline 5 as follows:

The Capitol Area includes several prominent historical buildings and other existing older structures. Where feasible and practical, these buildings should be preserved. New development should also be respectful of and harmonize with the old. The Capitol Area includes a wide diversity of architectural styles, ranging from the Beaux Arts State Capitol Building to buildings in Victorian and Spanish Revival, as well as contemporary styles. Harmony is less a matter of specific architectural style or prescriptive design treatment, but more of a responsiveness to broad and shared design intent, and respectful massing, scale and surface treatment where the old and the new come together. Where new development may impact historical buildings, appropriate consultation processes should also be followed. Streetscape elements, such as trees and lighting fixtures, can also help knit the area together while permitting a richness of architectural styles and design treatments.

## **SACRAMENTO'S PRESERVATION NETWORK**

Sacramento's historic preservation community found its roots in the fight to save the Alhambra Theater in the early 1970s. This historic structure was lost in part because of a lack of policies or programs to support the incorporation of heritage into the vision for the future of Sacramento. Over the ensuing decades, numerous citizens groups and individuals have participated in the formation of the City's preservation movement. These groups have worked to assist, critique, and motivate the City officials making decisions about the future of Sacramento's historic resources. For the most part, the preservation advocacy groups have worked independently of each other.

Sacramento's current preservation network essentially comprises the types of organizations identified in Table 1 on page 38. Not all of these organizations are preservation advocates, and

some may not even consider themselves a preservation group, yet each plays a role in maintaining the heritage and the historic resources of Sacramento.

As the City's preservation program expands to actively include the areas of the city outside the central city, a similar network of public, quasi-public, private, and nonprofit groups should be actively welcomed as part of the Sacramento preservation network.



**TABLE 1. SACRAMENTO'S PRESERVATION NETWORK**

Type	Local	State	National
Public sector	Capital Area Development Authority City Council City Planning Commission City Design Review & Preservation Board Sacramento Archives and Museum Collection Center Sacramento Commission on History and Science (city and county) Sacramento Housing and Redevelopment Commission, Agency, and PACs (city and county)	California Department of Parks and Recreation, Gold Rush District State Archaeological Information Center State Historical Resources - Commission State Historical Building Safety Board State Office of Historic Preservation	Advisory Council on Historic Preservation National Park Service
Quasi-public	Neighborhood Service Area Leadership Groups Sacramento Heritage, Inc. Fainted Ladies Task Force		National Conference of State Historic Preservation Officers
Private Nonprofit	Art Deco Society Arts and Cultural Alliance Capital City Preservation Trust Environmental Council of Sacramento Midtown Business Association Neighborhood and Civic Associations* Sacramento Bungalow Heritage Association Sacramento County Association of Neighborhoods Sacramento Consortium of Local Historical Societies Sacramento Downtown Partnership Sacramento Old City Association Select Committee on Historic Preservation	Art Deco Society California Committee for the Promotion of History California Preservation Foundation California Main Street Program California Historical Society California Heritage Council California League of Cities	National Alliance of Preservation Commissions National Trust for Historic Preservation Preservation Action
Professional	American Institute of Architects, Central Valley Chapter American Planning Assn, Sacramento Valley Chapter ASCE - History & Heritage Committee American Society of Landscape Architects, Local Chapter Archaeological Conservancy, Western Region Sacramento Association of Realtors Society of Architectural Historians, Northern California Chapter	American Institute of Architects American Planning Association Archaeological Conservancy Assn. for Preservation Technology ASCE - History & Heritage Committee Society of Architectural Historians Society for Commercial Archaeology Society for Industrial Archaeology	American Institute of Architects American Planning Association American Society of Landscape Architects Archaeological Conservancy Assn. for Preservation Technology ASCE - History & Heritage Committee Society of Architectural Historians Society for Commercial Archaeology Society for Industrial Archaeology

\* City maintains current lists of neighborhood/civic/business associations within its jurisdiction

## PART TWO: GOALS, POLICIES, AND IMPLEMENTATION PROGRAMS

Part Two of this Preservation Element contains explicit statements of goals, policies, and implementation programs that constitute the formal policy of the City of Sacramento for preservation. Preservation can be a tool for achieving other City goals, such as creating and preserving viable, livable neighborhoods, promoting balanced growth, preserving Sacramento's unique identity, and promoting tourism.

Preservation can help to keep Sacramento's neighborhoods and commercial centers healthy, vibrant, and successful. Preservation programs can encourage rehabilitation of housing, and thus help maintain healthy neighborhoods. Preservation efforts can revitalize small businesses and downtown, by creating unique commercial areas. Preservation programs can also bolster tourism and the cultural arts, and promote a feeling of pride in the unique character of the community. These are the types of effects that the City is striving for through the preservation goals and policies set forth in this Element. The overarching goal of this Preservation Element is as follows:

**To preserve and celebrate Sacramento's heritage and recognize its importance to the City's unique character, identity, economy, and quality of life.**

The goals and policies in this section establish the framework for the preservation of Sacramento's historic and cultural resources, and are divided topically into six major categories:

- Comprehensive, Citywide Preservation Program
- Resource Preservation
- Inventory and Information
- Archaeological Resources
- Outreach and Awareness
- Incentives

Each section contains a goal statement, and for each goal there are several policies that amplify the goal statement. The following definitions describe the nature of statements of goals and policies:

**Goal:** The ultimate purpose of an effort stated in a way that is general in nature and immeasurable.

**Policy:** A specific statement that guides decision making. It indicates a commitment of the legislative body to a particular course of action. In General Plan policies, there is a distinction between the words "shall" and "should." "Shall" indicates an unequivocal

directive. "Should" signifies a less rigid directive, to be honored in the absence of compelling or contravening considerations.

**Implementation Program:** An action, procedure, program, or technique that carries out general Plan policy.

## **COMPREHENSIVE, CITYWIDE PRESERVATION PROGRAM**

### **Goal A:**

#### **To Maintain a Comprehensive, Citywide Preservation Program**

Prior to the year 2000, preservation efforts in Sacramento largely focused on the Central City area. Generally the "Old City" (original Sutter land grant) was the focus of City preservation staff, the Design Review and Preservation Board, and individuals and preservation groups. The policies in this section call for the continuation of actions taken by the City in support of preservation, including maintenance of a Preservation Office and continuing its status as a Certified Local Government. These policies also seek to develop a more systematic and comprehensive preservation program that covers all areas of the city. These policies also promote implementation among the many City departments and other public and private agencies and organizations that address issues related to preservation.

### **Policies**

- A.1 The City shall promote the recognition, preservation, and enhancement of historic and cultural resources throughout the city.
- A.2 The City shall promote the preservation, restoration, enhancement, and recognition of historic and cultural resources. Historic and cultural resources include not only sites and structures, but also features such as infrastructure (e.g., bridges, canals, roads, and trails), signs, landscaping and trees, open space areas, lighting, and hardscape (e.g., sidewalks, paving) that are important to the overall context.
- A.3 The City shall maintain a Preservation Office, Preservation Board, and program with adequate staff to administer the City's governmental preservation functions and programs. The Preservation Office shall be responsible for carrying out an Implementation Plan and reporting annually on its status to the City Council.
- A.4 The City shall maintain its status as a Certified Local Government (CLG) and make full use of its authority to designate local districts, structures, and sites, and apply for State historic preservation fund grants.

- A.5 The City shall demonstrate leadership through preserving and rehabilitating publicly-owned historic and cultural resources.
- A.6 The City shall encourage preservation of historic and cultural resources to promote sustainability of its neighborhoods.
- A.7 The City shall incorporate historic and cultural resources consideration in its long-term comprehensive planning efforts. To this end, the City shall incorporate specific preservation goals, policies, and programs into Community Plan updates and neighborhood planning efforts, as appropriate.
- A.8 The City shall implement its preservation goals, policies, and standards throughout its various departments and functions. To this end, the City shall review and monitor code enforcement procedures and activities and to be certain they reinforce preservation goals.
- A.9 The City shall coordinate with the Sacramento Housing and Redevelopment Agency (SHRA) in preservation and historic programs.
- A.10 The City should support public, quasi-public, and private entities in their preservation efforts.
- A.11 The City shall explore public/private partnerships in its preservation program efforts, including partnerships with business and education interests, and expansion of shared missions with Sacramento Heritage, Inc.

#### **Implementation Programs**

- 1.A The City shall revise its Preservation Ordinance (Chapter 32 of the City Code).
- 2.A The City shall review proposed preservation projects and projects within Preservation Areas. Staff will review and evaluate proposals. Based on adopted criteria, either staff or the Design Review and Preservation Board will be review and make decisions on such projects.
- 3.A The City shall review its progress annually in carrying out this Implementation Plan, revise the Plan as appropriate, and report to the City Planning Commission and City Council.
- 4.A The City shall prepare an annual report on preservation activities pursuant to Certified Local Government requirements and shall transmit the annual report to the City Council for their review.

- 5.A The City shall coordinate with SHRA, other City departments, and the State Office of Historic Preservation to ensure that Section 106 of the National Historic Preservation Act review and compliance activities are carried out appropriately.
- 6.A The City shall explore ways to include staff from other divisions and departments within the preservation team to coordinate efforts of various agencies and focus resources and priorities.
- 7.A The City shall establish ad hoc task forces to address problematic issues or to find solutions to preserve or save important deteriorating historic properties.
- 8.A The City shall implement training/cross-training of City staff in historic preservation standards and procedures.
- 9.A The City shall provide for continued training of its staff and Board members in aspects of cultural and historical resource protection.
- 10.A The City shall review its code enforcement and housing and dangerous building programs and procedures for consistency with the Preservation Element and Ordinance.
- 11.A The City shall provide training to the Building Division to encourage allowable uses of the State Historical Building Code.

## **RESOURCE PRESERVATION**

### **Goal B**

#### **To Protect and Preserve Important Historic and Cultural Resources That Serve as Significant, Visible Reminders of the City's Social and Architectural History**

Historic and cultural resources, once lost, can never be recovered. The City seeks to preserve both the resources themselves and the overall context in which they are located. The City has established preservation areas where concentrations of historic buildings are located. Also important are the streetscape, landscaping, sidewalks, streetlights, statues and monuments, public spaces, and other aspects of the historic setting. The City also seeks to prevent the deterioration of resources before they reach the point where restoration becomes too difficult or the resources are a safety hazard and demolition is imminent. In the event of natural disaster, the City also seeks to avoid loss of important historic and cultural resources.

## **Policies**

- B.1 The City shall update and enforce the Preservation Ordinance to conform to state and federal guidelines and to meet the objectives of the Preservation Element.
- B.2 The City shall review new development, alterations, and rehabilitation/remodels in design review areas, preservation areas, and other areas of historic resources for compatibility with the surrounding historic context.
- B.3 The City shall establish and maintain preservation areas to provide for the preservation and restoration of those areas that are of historic, cultural, or architectural significance.
- B.4 The City shall seek to reduce or eliminate exemptions to preservation enforcement.
- B.5 The City shall develop and enforce sanctions for non-compliance with City regulations regarding historic and cultural resources.
- B.6 The City shall promote the conservation of historic neighborhoods to encourage preservation of structures and other features. In these areas, the City shall encourage the maintenance or reconversion of parkway strips to landscaping, maintenance and replication of historic sidewalk patterns, use of historic street lamps and street signs, and maintenance or restoration of historic park features.
- B.7 The City shall provide early intervention, through code enforcement and other efforts, for maintenance and safety of historic properties and resources. The City shall promote maintenance and upkeep of historic properties and resources to avoid the need for major and costly rehabilitation and to reduce risks of demolition or loss through fire.
- B.8 The City shall regard demolition of historic properties and resources as a last resort after the City determines that all other efforts are infeasible.
- B.9 The City shall protect heritage trees as important historic resources.
- B.10 The City shall seek to minimize or avoid adverse impacts to historic and cultural resources from natural disasters. To this end, the City shall promote seismic safety, flood protection, and other building programs that preserve, enhance and protect these resources.

- B.11 The City shall ensure the protection of historic and cultural resources with the implementation of an effective emergency response plan.

### **Implementation Programs**

- 1.B The City shall establish minimum maintenance standards for historic properties and identify other options and programs to provide for maintenance and upkeep of historic properties and resources.
- 2.B The City shall establish additional preservation areas and appropriate guidelines based upon the findings of the citywide survey.
- 3.B The City shall amend its ordinances to allow for the review of demolition permit applications for buildings designated as or potentially eligible for designation as historic structures in order to evaluate and identify alternatives to loss of important historic structures.
- 4.B The City shall establish neighborhood conservation districts to protect and conserve historic residential neighborhoods.
- 5.B The City shall pursue focused rehabilitation efforts (i.e. "Rehaborama") to provide for comprehensive improvements in fragile historic residential areas.
- 6.B The City shall establish procedures for mitigation monitoring of projects involving historic or cultural resources.
- 7.B The City shall adopt an ordinance with appropriate sanctions for non-compliance with City preservation requirements.
- 8.B The City shall update its Preservation Area and Listed Structures Plans.

## **INVENTORY AND INFORMATION**

### **Goal C**

**To Maintain and Expand an Inventory of Important Historic and Cultural Resources and their Settings and Retain Information Important to their Understanding.**

In the past, the City's inventories have generally focused on historic and cultural resources within the Central City, as the greatest concentrations of resources are located here. As discussed under Goal A, the City seeks to expand its program to address cultural and historic resources citywide. To accomplish this, the City needs to establish a comprehensive survey, evaluation, and

information management program for use in decision-making and planning processes. This will mean establishing methodology for surveys and integrating the information into the City's information systems for easy access by staff, decision makers, and the general public.

### **Policies**

- C.1 The City shall update and expand the City's Historic Resources Inventory on a regular basis.
- C.2 The City shall prepare a comprehensive historic context statement.
- C.3 The City shall establish criteria and standards for researching, surveying, assessing, inventorying, and designating resources consistent with federal and state guidelines and criteria. The City shall also maintain the ability to designate additional sites that may not meet these criteria but should be afforded public recognition and protection.
- C.4 The City shall make non-confidential information in the historic inventory, context, and criteria readily available to the public and other agencies.
- C.5 The City shall identify and evaluate significant monuments, sculptures, fountains, murals, and infrastructure which contribute to the overall quality of the City.

### **Implementation Programs**

- 1.C The City shall complete an initial survey of all areas of the city, incorporating existing surveys, environmental reviews, and other plans, and include context statements.
- 2.C The City shall incorporate information on historic resources and information into its Geographic Information System (GIS), Automated Permit System (APS), and web site, support televised efforts, as well as making written copies available to interested parties.



## **AWARENESS AND OUTREACH**

### **Goal D**

#### **To Foster Public Awareness and Appreciation of the City's Heritage and its Historic and Cultural Resources**

A large part of a successful preservation program is the local support of its citizens. Historic and cultural resources are more likely to be preserved if citizens are aware of and believe in the importance of the city's history and prehistory to the health, identity, and character of the city and the importance of Sacramento's history in the development of the region, state, and nation. Through outreach and education, the City and its officials shall inform the development community, property owners, and all segments of the population about the City's history and how to preserve it. The City seeks also to encourage greater public participation and partnerships with other departments, agencies, and groups and organizations in preservation activities.

#### **Policies**

- D.1 The City shall support and recognize private and public preservation work and awareness ceremonies.
- D.2 The City shall encourage identification of historic resources through plaques and markers.
- D.3 The City shall network with other agencies and organizations to promote historic preservation.
- D.4 The City shall encourage and provide assistance to public and private schools to integrate local and architectural history into their curriculums and resources.
- D.5 The City shall foster an awareness of the importance of the preservation of the city's heritage and cultural and historic resources. The City's efforts shall include all ethnic communities, ages, and income levels.
- D.6 The City shall increase awareness of the economic benefits of preservation.
- D.7 The City shall act as a conduit for information on historic preservation information and programs.

#### **Implementation Programs**

- 1.D The City shall prepare and make information brochures/booklets on the following topics:

- a. How to Nominate a Property to the Official Register
  - b. City's application review process
  - c. State Historical Building Code
  - d. Fainted Ladies Loan Program
  - e. Secretary of Interior's Rehabilitation Standards
  - f. City's Official Register
  - g. Preservation Design Guidelines
  - h. Displays of historic/ archaeological artifacts
  - i. California Environmental Quality Act (CEQA) requirements for historic properties
  - j. Preservation Incentives
- 2.D The City shall create programs for preservation areas such as: signs for Preservation Areas, plaques for listed properties, and other recognition through such events as walking tours, lectures, and historic events.
- 3.D The City shall explore methods to provide for a voluntary, non-regulatory list of historic structures for property owners to voluntarily register and identify their homes.
- 4.D The City shall continue to provide information and programs on the City's history and historic features.
- 5.D The City shall explore expanded outreach efforts, including expanded focus on cultural and social history of various ethnic groups in Sacramento, and greater educational and outreach efforts to schools and in lower-income areas.
- 6.D The City shall annually present awards in recognition of outstanding preservation projects.
- 7.D The City shall host a statewide Staff and Landmarks Commission conference in Spring 2001.

## ARCHAEOLOGICAL RESOURCES

### Goal E

#### To Identify and Protect Archaeological Resources That Enrich Our Understanding of the Early Sacramento Area

Indications of the City's pre-history are more rare and frequently not visible until unearthed during excavation for development or infrastructure improvements. The artifacts found, however, can contribute to our knowledge about early inhabitants. Known archaeological sites are protected by law to prevent possible disturbance or looting. Policies in this section promote the establishment of procedures to identify potentially sensitive areas and provide for appropriate protection and preservation after discovery. Display of cultural artifacts can also add to the public awareness and appreciation of the significance of early history.

#### Policies

- E.1 The City shall maintain generalized information on potentially sensitive archaeological areas. The City shall refer development proposals that may adversely affect archaeological sites to the North Central Information Center of the California Historical Resources Information System.
- E.2 The City shall restrict the circulation of cultural resource locational information to prevent potential site vandalism.
- E.3 The City shall not knowingly approve any public or private project that may adversely affect an archaeological site without first consulting the North Central Information Center of the California Historical Resources Information System, requiring a site evaluation as may be indicated, and attempting to mitigate any adverse impacts according to the recommendations of a qualified archaeologist. City implementation of this policy shall be guided by Section 15064.5 of the *CEQA Guidelines* (March 1999) or relevant sections as amended. To this end, the City shall require that upon discovery of archaeological resources during excavation or construction, all construction affecting the site shall cease and the contractor shall contact the City Preservation Office or City Environmental Coordinator.
- E.4 The City shall participate in discussions to establish a regional repository for archeological artifacts retrieved from local sites and properly curate, interpret, and display objects which are important to Sacramento's history and pre-history.

- E.5 The City shall encourage the preservation and display of archaeological artifacts in public buildings.

### **Implementation Programs**

- 1.E The City shall investigate the use of archaeological displays and artifacts as parts of its Arts in Public Places.
- 2.E The City shall provide educational programs regarding prehistorical use and importance of archaeological sites.
- 3.E The City shall establish procedures for archaeological mitigation conditions.

## **INCENTIVES**

### **Goal F**

#### **To Provide Incentives to Encourage Owners of Historic Properties to Preserve and Rehabilitate Their Properties**

In addition to providing protections for historic resources, the City seeks to provide incentives to encourage the maintenance and restoration of historic resources. They may include financial incentives, such as loans and tax credits, regulatory streamlining, and technical assistance to owners of historic properties. The City also seeks to build upon the existence of its historic properties to encourage housing, economic development, and tourism.

### **Policies**

- F.1 The City shall pursue and support the use of appropriate federal, state, local, and private grants, loans, and tax credits and relief to promote historic preservation.
- F.2 The City shall seek to develop or assist financial, technical, and legal assistance programs to assist with the development process, loan packaging, rehabilitation, management, and maintenance.
- F.3 The City shall continue to promote rehabilitation assistance from the Sacramento Housing and Redevelopment Agency.
- F.4 The City shall encourage the adaptive reuse of historic resources where appropriate.

- F.5 The City shall ensure that its regulations and policies support, encourage, and ease the process for historic rehabilitation and renovations.
- F.6 The City shall promote heritage tourism as a form of economic development.
- F.7 The City shall seek to expand the range of economic incentives for preservation and maintenance of historic resources.
- F.8 The City shall use the State Historical Building Code as a regulatory incentive where appropriate.

#### **Implementation Programs**

- 1.F The City shall review and revise the Zoning Ordinance for greater compatibility with historic development patterns and uses.
- 2.F The City shall review its procedures to streamline the process for rehabilitation and adaptive reuse of historic projects.
- 3.F The City shall seek to expand opportunities and use of the Mills Act.
- 4.F The City shall identify additional incentives for historic preservation.
- 5.F The City shall explore options for expanding heritage tourism, including marketing efforts and tours.

## APPENDIX A

### GLOSSARY OF TERMS

**Alteration.** Any act or process that changes any portion of the exterior architectural appearance or exceptionally significant interiors of a structure or object, including, but not limited to, the erection, construction, reconstruction or removal of any exterior architectural features or interior architectural design of a structure.

**Archaeological Site.** Property containing archeological deposits of features, usually with site boundaries defined by the character and location of said deposits or features.

**Archaic Materials and Methods of Construction.** Any method or material that is (similar to) the historic fabric of a structure that may have been dropped from the present codes, was known as a type of construction in the past, has served a useful purpose in the structure, and was part of the historical structure and may be reused in a preservation, restoration or rehabilitation project.

**Architecturally and/or Historically Significant Building.** Shall mean, in part, a Cultural resource. (See the definition of a Cultural Resource).

**Boundaries.** Lines delineating the geographical extent or area of a historic property.

**Boundary description.** A statement or description of the precise boundaries of a historic property, such as lot number, metes and bounds, or township and range.

**Boundary justification.** An explanation of the reasons for selecting the boundaries of a historic property.

**Building.** A resource created principally to shelter any form of human activity, such as a house.

**Charter City.** An incorporated local government governed by a city charter. The powers of a charter city are not restricted to only those outlined in the general state municipal law, a city can adopt a charter and custom-tailor its organization and elective offices to provide for unique local conditions and needs. A charter can only be adopted or changed by a majority vote of city residents—not by a vote of the city council. Sacramento is a charter city

**City.** The City of Sacramento.

**California Register of Historical Resources.** Authoritative listing and guide to be listed by state and local agencies, private groups and citizens in identifying the existing and potential historic resources of the state and to indicate which properties deserve to be protected, to the extent

prudent and feasible, from substantial adverse change. The California Register consist of historic resources that are: (1) listed automatically; (2) those historic resources that are nominated as identified in Public Resources Code Section 5024.1(D)(2)(3) which established the program; and (3) nominated through application and public hearing process. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. (CEQA).

**The California Environmental Quality Act of 1970 (CEQA).** (13 Public Resources Code, Section 21000 et seq). Requires private and public activities not specifically exempted to be evaluated against the potential for environmental damage, including effects to historical resources.

**Certified Local Government (CLG).** A local government that has been certified by the National Park Service to carry out the purposes of the National Historic Preservation Act of 1966 (16 U.S.C Sec 470 et seq.) as amended, pursuant to Section 101 (c) of that act and the regulations adopted under the act, which are set forth in Part 61 (commencing with Section 61.1) of Title 36 of the Code of Federal Regulations. Sacramento is a Certified Local Government.

**Comprehensive Survey.** A list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

**Conservation Area.** Conservation areas contain substantial concentrations of buildings that together create subareas of special architectural and aesthetic importance.

**Conservation Easement.** A less than fee interest in real property acquired through donation or purchase and carried as a deed restriction to protect the historic, cultural or archeological characteristics of a property. Also known as a Preservation Easement.

**Contributing Resource.** A resource designated by the City Council in accordance with Title 32.

**Cultural Heritage Tourism.** Domestic and foreign visits to Sacramento's national parks, historic neighborhoods and districts, landmark sites, scenic and natural wonders and cultural resources (as defined below) as well as arts institutions such as the ballet, theaters and museums.

**Cultural Resource.** Includes, but is not limited to, any building, area, place, record or manuscript site, structure, street furniture, monuments, object, district, or landscape evaluated as which is historically or archaeologically significant, or is significant in architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Sacramento, the state of California or the nation.

**Cultural Resources Inventory.** A set of data, such as a list of historical resources, generated through a Historical Resources Survey.

**Cultural Resources Survey.** The process of systematically identifying, researching, photographing and documenting historical resources with a defined geographic setting.

**Cultural Value of Significance.** Possessing or providing an example of any important social, economic or political history of the community, City, County, state or nation.

**Dangerous Building.** See Title 32 of City Code.

**Design Guidelines.** Any design standard specified by the Design Review and Preservation Board at the time of designation of a design review or preservation area which is unique to a particular landmark or preservation area and will be used for alteration, construction, relocation or demolition decisions. The Planning Division also uses the Central City Neighborhood Design Guidelines adopted in 1999 to review alteration and new construction projects which affect both non-historic as well as historic buildings and sites. Design guidelines detail the character defining features of the cultural resource(s) within a physical environment or context.

**Design Review and Preservation Board.** The Sacramento Design Review and Preservation Board is a nine member Advisory Board appointed by the Mayor pursuant to Chapter 32 of the City Code.

**DPR 523.** Department of Parks and Recreation Historic Resources Inventory Form.

**Essential Structure.** One or more buildings or structures on a single lot or parcel having the most significant historic or architectural worth and designated as such by the council pursuant to Title 32 of the City Code.

**Evaluation.** Process by which the significance and integrity of a historic property are judged and eligibility for listing is determined.

**Exterior Architectural Appearance.** The architectural character and general composition of the exterior of a structure visible from a public street or way, including but not limited to the kind, color and texture of the building material and the type, including, but not limited to, windows, doors, light fixtures, trim and signs.

**Formally Determined Eligible for Listing.** An action through which the eligibility of a property for listing is decided but the property is not actually listed; nominating authorities and federal agency officials commonly request determinations of eligibility for federal planning purposes and in cases where a majority of private owners have objected to a National Register listing.



**Generally Accessible to the Public.** Any area which may be for private use, but depends upon public patronage, and allows members of the public to enter and view an area, including without limitation areas such as a hotel, office building lobby, theater or department store.

**General Law City.** An incorporated local government that operates within the parameters and guidelines of California municipal law.

**Historic Building.** All buildings identified on the City's official register or located within historic districts or preservation areas, all buildings identified on the National Register of Historic Places (which now includes the California Register of Historical Resources).

**Historic Context.** An organizing structure for interpreting history that groups information about historic properties that share a common theme, common geographical area, and a common time period. The development of historic contexts is a foundation for decisions about the planning, identification, evaluation, registration, and treatment of historic properties, based upon comparative historic significance.

**Historic Context Statement.** An organizing structure for interpreting history that groups information about historic properties that share a common theme, common geographical area, and a common time period. The development of historic contexts is a foundation for decisions about the planning, identification, evaluation, registration, and treatment of historic properties, based upon comparative historic significance.

**Historic Fabric.** (1) For a historic building: the particular materials, ornamentation and architectural features which together define the historic character of the building. (2) For a preservation area all sites, building, structures, historic landscape features, objects, infrastructure improvements and related design components of the district which together define the historic character of the district. For example, an archeological district may include sites, standing structures or buildings, historic landscape (land disturbance such as grading or construction), features (remnants of walls), and objects (artifacts).

**Historic Resource.** See cultural resource.

**Infrastructure.** The basic or underlying framework or features of objects, sites or structures, especially of a technological kind, such as military installations, communication and transport facilities and public work projects.

**Information Center.** An Information Center of the California Historical Resources Information System, under contract to the Office of Historic Preservation, which receives, manages and provides information on historical and archeological resources, and may also provide training or technical assistance on a fee-for-service basis.

**Investment Tax Credit.** A provision under tax law which allows the amount of money invested in capital rehabilitation to be deducted from personal income taxes owed, specifically the provisions for certified National Register structures included in the Economic Recovery Act of 1981 (Internal Revenue Code 48, 168, 170, 280B).

**Integrity.** Authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period. An unimpaired or intact condition of the features of a building, site, structure, landscape or object which possess cultural, historic, architectural, archaeological or scenic significance.

**Interior Architectural Design.** The architectural character and general composition of the interior of a structure, including but not limited to room design and configuration, material and the type, pattern and character of all architectural details and elements, including but not limited to staircases, floors, hardware, moldings, trim, plaster work, light fixtures and wall coverings.

**Listed.** A historical resources shall be considered listed when the State Historical Resources Commission, upon reviewing the nomination, designated the property as eligible for listing and accepts it for listing in the California Register (which also includes the National Register of Historic Places) or when it has been automatically listed under Public Resources Code Section 5024.1 (b) (1) & (2).

**Local government.** A public agency holding legal authority over property within a specified jurisdiction, including special districts, Indian tribal governments, city or county government.

**Mills Act.** Tax incentives as defined in California Government Code Section 50280 et seq.

**The National Environmental Policy Act of 1969 (NEPA).** (42 United States Code 4321-4347). NEPA established a review and assessment process for federally funded or licensed projects with the potential to render adverse environmental impacts, including to historic properties.

**National Historic Preservation Act (NHPA).** The National Historic Preservation Act of 1966 (16 U.S.C. 470-470t), as amended. Expanded a National Register of Historic Places; extended the national historic preservation programs to properties of State and local significance; created a partnership between federal, state and local agencies for the preservation of the nation's historical resources.

**National Register Eligible.** The ability of a property to meet the National Register of Historic Places criteria.

**National Register of Historic Places.** The official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology and culture, maintained by the Secretary of Interior under the authority of the Historic Sites Act of 1935 and

the National Historic Preservation Act of 1966 (amended) (16 U.S.C. 470-470+, 36 C.F.R. Sections 60, 63).

**National Register Criteria.** The federally established standards for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

**Nomination.** Formal application for listing a cultural resource to the City's local register, to the California Register of Historical Resources or to the National Register of Historic Places .

**Object.** Constructions that are primarily artistic in nature or relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment, such as a fountain or boundary marker.

**Official Register.** The inventory of structures and areas designated by the council as essential structures, priority structures and preservation areas listed by common address.

**Ordinary Maintenance.** Acts of maintenance or repair which do not include a change in the design, material or outer appearance of a structure, including without limitation, repainting, replacement of materials of the same scale, texture and color, and maintenance of landscape which has not been noted as possessing scenic significance in the designating process.

**Owner.** The person or persons holding record title to the structure, object or site; provided however the latest citywide assessment roll in the office of the tax collector may be relied upon as showing record ownership in the absence of substantial evidence to the contrary.

**Penal Code, Section 622.5 (Stats. 1939, C. 90:1605, 5.1).** Provides misdemeanor penalties for injuring or destroying objects of historical or archeological interest located on public or private lands. Specifically excludes the landowner.

**Preservation (treatment).** The act or processes of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

**Preservation Area.** According to Chapter 32 of the City Code, a preservation area is a district within the city having special historic and architectural worth and designated as such by the City Council.

**Preservation Planning.** A series of activities through which goals, priorities and strategies for identification, evaluation, registration and protection of historic properties are developed, set forth and carried out.

**Point of Historical Interest.** Historical resources that are significant to a county or regional level, and do not qualify for designation as California Registered Historical Landmarks.

**Priority structure.** One or more buildings or structures on a single lot or parcel having significant historic and architectural worth and designated as such by the council pursuant to the provisions of Chapter 32 of the City Code.

**Protection.** The act or process of applying measures to affect the physical condition of a property by defining or guarding it from deterioration, loss or attack, or to cover or shield the property from danger or injury. In the case of buildings or structures these measures are usually temporary, while in the case of archeological resources protective measures may be temporary or permanent.

**Public Resources Code, Section 5097.5 (Stats. 1965, C. 11362792)**-Defines as a misdemeanor the unauthorized disturbance or removal of archeological, historical or paleontological resources located on public lands.

**Qualified Historical Building.** Any building, structure, object, district or collection of structures and their associated sites deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. This shall include designated buildings or properties on, or determined eligible for, official national, state or local historical registers or official inventories, such as the National Register of Historic Places, the California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and officially adopted city or county registers, inventories, or surveys of historical or architecturally significant sites, places or landmarks pursuant to Section 8-218-Q of the SHBC.

**Recordation.** Chapter 672, Section 2788.2 Government Code and Section 5029 Public Resources Code requires the County Recorder to record a certified resolution of historical resources designation, containing resources registration program, the designating entity, the specific historical resources designation, and legal description of the property.

**Rehabilitation (treatment).** The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

**Relocation.** Any change of the location of a structure or object in its present setting or to another setting.

**Research Design-** A statement of processed identification, documentation, investigation, or other treatment of a historic property that identifies the project's goals, methods and techniques,

expected results and the relationships of the expected results to other proposed activities or treatments.

**Scenic Significance.** Importance as a result of appearance of character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage or culture of the community, City and County, state or nation.

**Secretary of Interior's Standards.** The Secretary of the Interior's Standards for the Treatment of Historic Properties (36 C.F.R. 67), The Secretary of the Interior's Standards, with accompanying interpretive guidelines, are utilized by federal agencies in the preservation of historic properties that are listed or are eligible for listing on the National Register; by State Historic Preservation Offices in evaluation projects proposed for historic properties in accordance with federal regulations; by local governments, organizations and individuals in making decisions about the identification, evaluation, registration and treatment of historic properties. The list of 10 Rehabilitation Standards, published in the Secretary of the Interior's Standards (for the Treatment of Historic Properties) is aimed at retaining and preserving those features and materials which are important in defining the historic character of a historical resource. Technical advice about archaeological and historic preservation activities and methods, is included in the Secretary of the Interior's Standards and guidelines for Archaeology and Historic Preservation.

**Significance.** The importance of a cultural resource as defined by local, state or National Register criteria which may include one or more areas of significance.

**Site.** The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possesses historic, cultural or archaeological value regardless of the value of the existing structure. A site may also be defined as a separate lot for the purpose of subdivisions and zoning regulations.

**Stabilization.** The act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

**State Historical Building Code (SHBC).** Part 8 of Title 24 (State Building Standards Code) and applies to all qualified historic structures, districts and sites, designated under federal, state and local authority. It provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as qualified historic buildings.

**State Historic Preservation Officer (SHPO).** Appointed by the Governor, under Public Resources Code (Section 5020.6), the SHPO serves as the Chief Administrative Officer of the Office of Historic Preservation and Executive Secretary of the State Historical Resources Commission and administers state and federally mandated historic preservation programs under the National Historic Preservation Act of 1966, Section 101 (b) (3) as amended.

**State Historic Resources Inventory.** The compilation of all identified, evaluated and determined historical resources maintained by the State Office of Historic Preservation (SOHP). Specifically, those resources evaluated in historical resource surveys conducted in accordance with criteria established by the SOHP, formally determined eligible for, or listed in the National Register of Historic Places, or designated as California Historical Landmarks or California Points of Historical Interest.

**State Historical Resources Commission (SHRC)**-Appointed by the Governor under Public Resources Code (Section 5020.4-5020.5), The SHRC is provided broad responsibilities for the statewide historic preservation program including, conducting a statewide inventory of historic resources, establishing criteria for evaluating historic resources and conducting public hearings to develop and review a statewide historic resources plan.

**Statement of Significance.** A section of a local, state or federal nomination form where the reasons why a property is significant and meets listing criteria are stated and explained. (See also Historic Context Statements).

**Structure.** Anything constructed or erected, the use of which requires, directly or indirectly, a permanent location on or in the ground, including without limitation to bridges, buildings garages, fences, gazebos, signs, street paving, utility meters, antennas, satellite sending or receiving dishes, swimming pools, walks, walls steps and sidewalks.

**ATTACHMENT B**  
**PLANNING COMMISSION STAFF REPORT**  
**January 27, 2000**

**M99-040** Preservation Element of the City of Sacramento General Plan

**PROJECT:** A. Negative Declaration;

**B. General Plan Amendment**

Amend the General Plan to add Section 10, Preservation Element, to the General Plan, establishing goals, policies, and implementation programs for the preservation of historic and cultural resources within the City of Sacramento.

**LOCATION:** Citywide  
All Council Districts

**CONTACT:** Vincent Marsh, Preservation Director, 264-8259  
Lucinda Willcox, Associate Planner, 264-5052

**RECOMMENDATION:**

Staff and the City Design Review and Preservation Board recommend that the Planning Commission ratify the Negative Declaration and forward a recommendation to the City Council for adoption of the General Plan amendment adding the Preservation Element (see Attachment A).

**SUMMARY:**

A Preservation Element is proposed to be added to the General Plan based on the recommendations of the Select Committee on Historic Preservation. The purpose of the Preservation Element is to establish a policy framework for preservation throughout the city, and to set the stage for various implementation measures.

**BACKGROUND INFORMATION:**

California state law requires every city and county to adopt a "comprehensive, long-term general plan" for its physical development. The general plan expresses the community's development goals and embodies public policy relative to the distribution of future land uses. State law requires seven mandatory elements (land use, circulation, housing, conservation, open space, noise, and safety).

Section 65303 of the *California Government Code* enables a local government to adopt "any other elements or address any other subjects, which in the judgment of the legislative body, relate to the physical development of the city or county." Once adopted, an optional element carries the same legal weight as any of the seven mandated elements. All



elements must be internally consistent, which means that no policy conflicts, either in text or diagrams, may exist among or within the components of the General Plan.

In 1997, based on the City Council's direction, the City Manager appointed a Select Committee on Historic Preservation comprised of over 40 preservation, civic, neighborhood, professional, and business organizations and agencies to examine and recommend changes to the City's preservation program. The Select Committee made several key recommendations including a recommendation that the City add a Preservation Element to its General Plan. The City applied for and received a state grant to assist in its preparation. The attached Draft Preservation Element is based on policy and program recommendations of the Select Committee on Historic Preservation, reviews of other Preservation Elements and Plans, staff and Consultant input, and City Design Review and Preservation Board direction.

### **Process**

All General Plan elements and amendments must be adopted by the City Council. The City Planning Commission is the advisory body for the General Plan and any amendments to it. The City Design Review and Preservation Board (DRPB) conducted public workshops and hearings to formulate the public review draft of Preservation Element to be considered by the Planning Commission. The DRPB conducted workshops and hearings on November 3, and December 1, 1999, and incorporated the comments and recommendations received at these workshops/hearings into the public review draft Preservation Element.

Notices of the DRPB and Planning Commission workshops and hearings were sent to all neighborhood associations within the city, preservation, professional, and civic groups, business and industry associations, and other local and state departments and agencies. The Preservation Element was also presented to the Housing and Redevelopment Commission on January 19, 2000, for their information and comment.

After public hearing and action by the Planning Commission, the Preservation Element is tentatively scheduled for a City Council workshop on the evening of February 22, 2000, and for public hearing and adoption by the City Council on the evening of March 14, 2000.

### **POLICY CONSIDERATIONS:**

The intent of the proposed Preservation Element is to establish a policy framework for preservation and to guide future implementing actions. The section on Goals, Policies, and Implementation Measures (beginning on page 10-39) of the *Draft Preservation Element* is divided into six subject headings as follows:

- Comprehensive, Citywide Preservation Program
- Resource Preservation
- Inventory and Information

- Archaeological Resources
- Outreach and Awareness
- Incentives

These goals, policies, and implementation programs incorporate the vision resulting from the Select Committee's work, integrate a broad range of existing planning goals and policies, and present updated preservation goals, objectives, and programs for a comprehensive, citywide preservation program. The major policy initiatives in each section are summarized below.

**Comprehensive, Citywide Preservation Program** (page 10-40 of the *Draft Preservation Element*)

This section reflects the objective to have a more comprehensive program in three ways:

- Expand the focus citywide, outside the primary focus on the Central City to other historic areas and individual resources
- Expand the focus to include resources other than structures, including monuments, trees and landscaping, and lighting.
- Take a comprehensive approach to preservation to include other city departments, and other public and private groups and organizations

In addition, this section confirms the continuation of existing activities, such as maintaining a City Preservation Office and acting as a Certified Local Government (CLG).

**Resource Preservation** (page 10-42 of the *Draft Preservation Element*)

This section focuses on efforts to preserve historic resources. It includes existing activities, such as reviewing projects and maintaining preservation areas, but also establishes new policy objectives, including revising the Preservation Ordinance, eliminating preservation review exemptions, developing sanctions for non-compliance, and considering demolition of historic resources a last resort.

**Inventory and Information** (page 10-44 of the *Draft Preservation Element*)

This section focuses on surveying and collecting information in order to make informed decisions regarding historic resources. This section proposes to update the City's existing inventory, conducting surveys of areas outside the Central City, and developing historic context statements to understand the importance and significance of various resources and areas. This section also strives to make this information more accessible through various electronic methods and media.

**Awareness and Outreach** (page 10-46 of the *Draft Preservation Element*)

This section is aimed at making the public aware of the City's history and the importance of its historic resources, and how to become involved in the City's preservation programs. The policies include various outreach efforts, to include all ethnic and income groups. This section also seeks to promote the importance of the city's historic resources in economic development, such as tourism. This section promotes programs such as preparation of information brochures, annual awards, and preservation conferences.

**Archaeological Resources** (page 10-48 of the *Draft Preservation Element*)

This section addresses the City's pre-history and resources that are generally not readily visible. Policies in this section seek to establish procedures to ensure awareness and protection of archaeological resources.

**Incentives** (page 10-49 of the *Draft Preservation Element*)

This section promotes the use of incentives for rehabilitation and preservation of historic resources, including economic and regulatory incentives.

**Existing General Plan Policies**

The objectives of the Draft Preservation Element are consistent with existing General Plan and community plan goals and policies, as follows:

- *"Protect and preserve architectural, cultural and historic structures through the existing preservation program."* (General Plan, Residential Land Use Element, Policy 7, Sec. 2-12)
- *"Continue to implement the Heritage Tree program."* (General Plan Open Space and Conservation Element, Goal A, Policy 2, Sec. 6-13)
- *"Work with all interested parties to protect ancient burial grounds threatened by development. activity and preserve their artifacts, either on-site or a suitable relocation, to the extent feasible."* (Open Space and Conservation Element, Goal D, Policy 2 Sec. 6-15)

The City is also in the process of updating its Housing Element. Goals and policies of the draft Housing Element call for the preservation of historic residential structures, and call for the adoption of Preservation Element to the General Plan and the updating of the Preservation Ordinance.

The *Central City Community Plan* includes overall goals to "support programs for the preservation of historically and architecturally significant structures which are important to the unique character of the Central City" and to "preserve and enhance existing

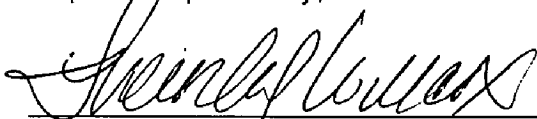
neighborhoods and encourage additional residential development in the Central City and rehabilitation of historic structures" and includes specific goals specific to historic preservation in the Richards/Railyards area and R Street Corridor.

**PROJECT REVIEW PROCESS:**

- A. Environmental Determination: The Environmental Services Manager has determined the project, as proposed, will not have a significant effect to the environment. A Negative Declaration on these Amendments has been prepared pursuant to the California Environmental Quality Act.
- B. Public/Neighborhood/Business Association Comments: Notices of the Preservation Element were sent to all neighborhood associations in the city and preservation groups. Any written comments received prior to the Commission hearing will be forwarded to the Commission.
- C. Summary of Agency Comments: The Preservation Element was sent to other City departments, the Sacramento Housing and Redevelopment Agency, and to other Boards and Commissions (e.g., Sacramento Heritage, Inc. and the Sacramento Commission on Science and History) and to the State Office of Historic Preservation. Other agencies and groups were also participants in the Select Committee on Historic Preservation. At the time of this staff report, no formal comments have been received. Any comments received prior to the hearing will be forwarded to the Planning Commission.

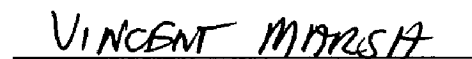
**PROJECT APPROVAL PROCESS**: The Planning Commission has the authority to review and comment on the proposed amendments and recommend changes if necessary, and forward its recommendations to the City Council for final adoption.

Report Prepared By,



Lucinda Willcox  
Associate Planner

Report Reviewed By,



Vincent Marsh  
Preservation Director

M99-040.CPC

**Attachments**

Attachment Resolution Amending General Plan

**Attachment A****RESOLUTION NO.**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION AMENDING THE CITY OF SACRAMENTO  
GENERAL PLAN, ADDING SECTION 10, PRESERVATION  
ELEMENT (M99-040)**

WHEREAS, the Planning Commission conducted a public hearing on January 27, 2000, and the City Council conducted a public hearing on \_\_\_\_\_ concerning the above General Plan amendment, and based on documentary and oral evidence submitted at the public hearings, the Council hereby finds:

1. In 1997, based on the City Council's direction, the City Manager appointed a Select Committee on Historic Preservation comprised of over forty preservation, civic, neighborhood, professional, and business organizations and agencies to examine and recommend changes to the City's preservation program;
2. The Select Committee on Historic Preservation recommended the preparation and adoption of a Preservation Element to the General Plan to meet the following objectives:
  - a. Integrate preservation planning and decision-making into other City policies and programs
  - b. Establish a citywide preservation program that involves the citizens and addresses the preservation needs of all neighborhoods and areas of Sacramento, in addition to the Central City area;
  - c. Make maximum use of the historic preservation and the City's significant cultural resources to improve the quality and life and economy of the city
3. The proposed Preservation Element is being integrated into the General Plan to provide clear direction on the City's preservation goals and policies and to guide future implementation efforts;
4. The proposed Preservation Element is consistent with other General Plan and community plan goals and policies.
5. The City Design Review and Preservation Board conducted noticed public workshops and hearings on the Preservation Element on November 3, 1999, and December 1, 1999.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

6. The City Planning Commission and City Council received the recommendation of the City Design Review and Preservation Board on the proposed Preservation Element.
7. The City Planning Commission, at a regularly noticed public hearing on January 27, 2000, considered public testimony on the proposed Preservation Element and Negative Declaration.
8. The City Council received the recommendation of the City Planning Commission on the proposed Preservation Element, and held a public hearing thereon at which time public testimony was taken.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the attached amendments be made to the City General Plan.

\_\_\_\_\_  
MAYOR

ATTEST:

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

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**ATTACHMENT C**

**PLANNING COMMISSION VOTING RECORD**  
**January 27, 2000**

# CITY PLANNING COMMISSION

## HEARING ITEM

SPECIAL CPC AGENDA DATE: January 27, 2000

Item No.	Project No.	Title/Location	Action: Approved/Denied
2	M99-040	Preservation Element of the City of Sacramento General Plan -- Lucinda Willcox, 264-5052	App'd

### ACTION

A+B. Amend Policy B.4 to read

"The City shall work w/ state & fed.  
partners to ensure pres rules & reg  
are implemented"

### MEMBERS OF THE PLANNING COMMISSION:

COMMISSIONER	MOTION 1			MOTION 2			ABSTAIN
	Yes	No	M/S	Yes	No	M/S	
Bolton	✓						
Harvey	✓		X M				
Jacobs	✓		X S				
Kennedy							Absent
Molodanof	✓						
Sheedy	✓						
Valencia							X
Duruisseau (Vice-Chair)	✓						
Yee (Chair)	✓						

left early

\*\* List "Proponents" and Opponents" on reverse side of this page\*\*\*\*



## PROPOSERS

NAME	ADDRESS	ZIP CODE
ROXANNE MILLER		
FRED TURNER		
PAUL SCHMIDT		

## OPPOSERS

NAME	ADDRESS	ZIP CODE
LARRY DICKEY, BLUE DIAMOND GROWERS		
ED QUINN, MHE	555 CAPITAL MALL	



2.2

**OFFICE OF THE  
CITY CLERK**

VALERIE A. BURROWES, CMC/AAE  
CITY CLERK

VIRGINIA K. HENRY, CMC/AAE  
ASSISTANT CITY CLERK

**CITY OF SACRAMENTO  
CALIFORNIA**

March 1, 2000

CITY HALL  
915 I STREET  
ROOM 304  
SACRAMENTO, CA  
95814-2671

FAX 916-264-7672  
HTTP://WWW.SACTO.ORG

ADMINISTRATION  
PH 916-264-5799

OPERATIONAL SERVICES  
PH 916-264-5427

SPECIALIZED SERVICES  
PH 916-264-7200

**Law and Legislation Committee  
Sacramento, California**

Honorable Members in Session:

**SUBJECT: ORDINANCE UPDATING AND REORGANIZING THE SACRAMENTO  
CITY CODE**

**LOCATION AND COUNCIL DISTRICT: D-All**

**RECOMMENDATION: ADOPT STAFF RECOMMENDATION AND FORWARD TO  
COUNCIL FOR APPROVAL**

**CONTACT PERSON:** Valerie Burrowes, City Clerk 264-5442  
Richard Archibald, Senior Deputy City Attorney 264-5346

**FOR COMMITTEE MEETING OF: March 9, 2000**

**SUMMARY**

The updated City Code will provide another step toward the completion of a project that was undertaken some two years ago to include reorganization, reformatting, renumbering and general cleanup to provide a more professional and user friendly document. Additionally, the City Code will now include the Zoning Code and the Charter. The Code will be available in hard copy [binder], electronic format [CD ROM] and on the Internet.

The updated City Code prepared by the City Clerk with the assistance of Book Publishing included all ordinances up through June 30, 1999. The update consists primarily of a reorganization, reformatting and renumbering of the current City Code, with few substantive changes. The adopting ordinance incorporates amendments occurring after June, 1999 into the code, with appropriate numbering and formatting. In addition to adding the more recent amendments, the adopting ordinance also includes several amendments to correct certain errors or omissions found in the current code (e.g., Section 7 of the adopting ordinance sets forth the standard of review for sign variances, which was errantly omitted by a prior amendment) or to revise certain references or cross-references for sake of accuracy and consistency.

*Law and Legislation*

*March 1, 2000*

*Ordinance updating and reorganizing the Sacramento City Code*

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**BACKGROUND:**

- The maintenance, update and distribution of the Sacramento City Code has been a costly in-house function of the City Clerk's Office for many years.
- The Sacramento Charter has been a separate document maintained and updated by the City Clerk's office on an as-needed basis.
- The Zoning Ordinance has been a separate document maintained and updated by the Planning Department. This ordinance has never been included in the City Code.
- In an effort to provide an interim and inexpensive solution to the formatting problems found throughout the city code, the Clerk's office purchased "CodeMaster", an in-house codification software package from Book Publishing Company in late 1992. "Codemaster" was designed to enable users to structure their codes in a similar format used by professional codifiers, such as Book PC. At the time, we realized that this would be the first step in a continuing project that would provide a more professionally structured and user-friendly code.
- Last update, reformat and renumbering was completed in mid 1994.
- The current project is a continuation of our relationship with Book Publishing Company, which has been providing codification services to municipalities since 1951, publishing codes for more than 2000 cities, counties and other jurisdictions in over 48 states.

**FINANCIAL CONSIDERATIONS:**

The initial project included the following: reformatting of the code [including charter and zoning ordinance]; creation of a new index and prior code table; printing 50 sets in one volume with binders and tabbed divider pages; formatting the new code for use on the Internet; Internet maintenance and storage on Book Publishing's Web site. One time cost: \$46,037.58.

**ENVIRONMENTAL CONSIDERATIONS**

There are no environmental considerations to be applied to this project and therefore it is exempt from CEQA guidelines.

**POLICY CONSIDERATIONS:**

This action is consistent with Title 1. General Provisions of the City Code.

*Law and Legislation*

*March 1, 2000*

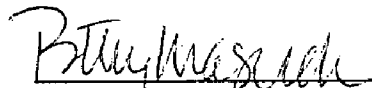
*Ordinance updating and reorganizing the Sacramento City Code*

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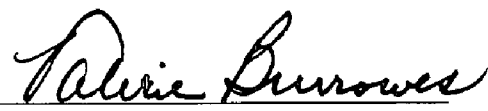
**ESBD CONSIDERATIONS:**

There are no emerging or small businesses that provide this type of service.

RECOMMEND APPROVAL

  
BETTY MASUOKA,  
Deputy City Manager

Respectfully submitted,

  
VALERIE BURROWES,  
City Clerk

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**ORDINANCE ADOPTING AN UPDATE OF THE  
SACRAMENTO CITY CODE WHICH REORGANIZES AND  
RENUMBERS THE PROVISIONS OF THE CURRENT CITY  
CODE AND ADDS AND INCORPORATES INTO THE CITY  
CODE THE PROVISIONS OF THE COMPREHENSIVE  
ZONING ORDINANCE (ORDINANCE NO. 99-015, AS  
AMENDED), PREVIOUSLY SET FORTH AND MAINTAINED  
AS A SEPARATE ORDINANCE**

**WHEREAS**, the City Code of the City of Sacramento, California was last updated, in terms of organization and numbering, in 1993; and

**WHEREAS**, the Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 99-015, as amended) ("Zoning Ordinance" or "Comprehensive Zoning Ordinance") is currently set forth and maintained as a separate document; and

**WHEREAS**, there is a desire to update the current City Code, by reorganizing and renumbering the current provisions of the Code and to add to and incorporate into the City Code the Zoning Ordinance; and

**WHEREAS**, the City Clerk, with the assistance of the Book Publishing Company, Seattle, Washington, has compiled, edited and published an update of the City Code, which reorganizes and renumbers the provisions of the current City Code and which includes and incorporates into the Code the provisions of the Zoning Ordinance; and

**WHEREAS**, there are now on file in the Office of the City Clerk of the City of Sacramento, for public inspection, three copies of the update of the City Code, a document entitled "Sacramento City Code;"

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

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## **Section 1. Adoption of the Update of the Sacramento City Code.**

The "Sacramento City Code" as compiled, edited and published by the City Clerk, with the assistance of the Book Publishing Company, Seattle, Washington, pursuant to a written agreement, subject to the amendments, additions and modifications set forth in following sections of this Ordinance, is hereby adopted as an update of the current City Code.

## **Section 2. Ordinances Adopted After Preparation of the Update: Incorporation into City Code**

The last ordinance included in the update prepared by the City Clerk, with the assistance of the Book Publishing Company and adopted pursuant to Section 1 above, was Ordinance No. 99-034, adopted on June 15, 1999. The following ordinances, passed subsequent to Ordinance No. 99-034, amended, altered or modified provisions of the City Code and the Comprehensive Zoning Ordinance as those documents existed prior to adoption of this Ordinance: Ordinances Nos. 99-039, 99-043, 99-044, 99-046, 99-049, 99-056, 99-062, 2000-001, 2000-002.

It is the intent of the Council that the amendments, alterations or modifications resulting from the adoption of the ordinances listed in the previous paragraph shall be given effect and shall be incorporated into and made part of the City Code and shall be set forth in the next publication of the Code. Accordingly, the update of the City Code adopted pursuant to Section 1 above shall be amended as follows:

- a. Chapter 61.19 of the prior City Code, which was added by Ordinance No. 99-039 and which pertains to seizure of certain nuisance vehicles, shall be added to and set forth in the update of the City Code as Chapter 8.14, and the sections shall be renumbered as follows:

<u>Old Section</u>	<u>New Section</u>
61.19.1901	8.14.010
61.19.1902	8.14.020
61.19.1903	8.14.030
61.19.1904	8.14.040
61.19.1905	8.14.050
61.19.1906	8.14.060
61.19.1907	8.14.070

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

2 DATE ADOPTED: \_\_\_\_\_

- b. The amendments effectuated by Ordinance No. 99-043, which amended Sections 84.02.208, 84.03.301, 84.03.303, 84.03.304, 84.03.305, 84.03.310 and 84.03.315 of the prior City Code, relating to North Natomas planning area development fees, shall be incorporated into the corresponding sections in the update of the City Code, which are: Sections 18.24.110, 18.24.260, 18.24.280, 18.24.290, 18.24.300, 18.24.350, and 18.24.400. Accordingly, the foregoing sections are amended as follows:

- i) Section 18.24.110 is amended to read as follows:

Except as otherwise provided in any measures adopted by the City Council as provided under Section 18.24.120 pertaining to deferral of payment of fees, the fees established by this chapter shall be paid for the property on which a development project is proposed at the time of the issuance of any required building permit relating to such development or, in the case of a Drainage Fee, at the time of their recordation of a final master parcel map, parcel map, or subdivision map, or at the time of approval of a special permit, whichever is sooner, relating to development. With respect to development projects completed or commenced as of the effective date of this chapter, the Director may enter into agreements with landowners regarding the amount, time, and manner of payment of fees payable with respect to such development projects.

- ii) Section 18.24.260 is amended as follows:

- a) The definition of "Average Amount of Public Land" to read as follows:

Average Amount of Public Land means that amount of land to be held for public purposes, as described in the North Natomas Land Acquisition Program, calculated per Net Acre, for the purpose of assigning landowners a fair share of the costs of providing Public Land under said program, which amount may change from time to time.

- b) The definition of "Gross Acres" is deleted.

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

3 DATE ADOPTED: \_\_\_\_\_

- c) A definition for "Net Acres" is added to read as follows:

Net Acres means that property within the North Natomas Finance Plan Area that is available after the dedication of all public uses and rights-of-way.

- d) The definition of "Gross Public Land Acquisition Fee" is deleted.

- e) A definition of "Public Facilities Land Acquisition Fee" is added to read as follows:

Public Facilities Land Acquisition Fee means that fee, as described in the North Natomas Land Acquisition Program, calculated per residential unit or per Net Acre, designed to equalize the cost of Public Land among the various landowners of the total amount of Net Acres within the North Natomas Finance Plan Area, the amount of which may change from time to time.

- f) The definition of "Public Land Acquisition Value" is revised to read as follows:

Public Land Acquisition Value means the three-year weighted average of estimated land value, as described in the North Natomas Land Acquisition Program, calculated per acre within the North Natomas Finance Plan Area, for purposes of determining fees, credits, and reimbursements under said Program, the amount of which may change from time to time.

- g) The definition of "Regional Park Land Acquisition Fee" to read as follows:

Regional Park Land Acquisition Fee means that fee, as described in the North Natomas Land Acquisition Program, calculated per residential unit or per Net Acre, designed to equalize the cost of the Regional Park Land among the various landowners of the Total amount of Net Acres within the North Natomas Finance Plan Area, the amount of which may change from time to time.

Except as so specifically amended, the provisions of Section 18.24.260 shall remain unchanged.

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

4 DATE ADOPTED: \_\_\_\_\_



iii. Section 18.24.280 is amended as follows:

Paragraphs A and C of Section 18.24.280 are amended by replacing "Gross Public Land Acquisition Fee" with "Public Facilities Land Acquisition Fee," to read as follows:

- A. A Public Facilities Land Acquisition Fee is established and imposed pursuant to the provisions of this Chapter to provide for the acquisition of Public Land within the North Natomas Finance Plan Area pursuant to the North Natomas Land Acquisition Program.
- B. \*\*\*\*\*
- C. The City Council, by resolution, shall establish the specific initial amounts of the Public Facilities Land Acquisition Fee and the Regional Park Acquisition Fee and subsequent amounts of said fees pursuant to Section 18.24.400 relating to the annual review of such fees. The amount of the fees shall be consistent with the North Natomas Land Acquisition Program. The Public Facilities Land Acquisition Fee shall take into consideration actual costs of the acquisition of Public Land as set forth in the North Natomas Land Acquisition Program. The amount of the Regional Park Land Acquisition Fee shall be based upon the actual or estimated Regional Park Land Acquisition Costs. If the Regional Park Land Acquisition Cost is not known at the time the amount of the Regional Park Land Acquisition Fee is established, the City Council shall use a reasonable estimate of such cost, plus a reasonable contingency component, to set the fee and adopt procedures for the refund of any excess fees paid to the extent that the actual acquisition cost is less than said estimate and for the payment of additional fees to the extent that the actual acquisition cost exceeds said estimate.

Except as so specifically amended, the provisions of Section 18.24.280 shall remain unchanged.

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

5 DATE ADOPTED: \_\_\_\_\_

- iv. Paragraphs A and B of Section 18.24.290 are amended by replacing "Gross Public Land Acquisition Fee" with "Public Facilities Land Acquisition Fee," to read as follows:

A. The Public Facilities Land Acquisition Fee and Regional Park Land Acquisition Fee established under Section 18.24.290 shall be imposed upon the owners of real property located within the North Natomas Finance Plan Area in connection with the following types of Development:

(1) For residential property:

(A) The construction on the property of a new building containing one or more dwelling units.

(2) For nonresidential property:

(A) The construction on the property of a new building or structure.

B. Except as may be expressly provided in this Chapter, including, without limitation, those provisions for a deferral in the payment of fees, no building permits or extension of permits for the activities described in subsections (A)(1) and (A)(2) of this Section shall be granted unless and until the Public Facilities Land Acquisition Fee and Regional park Land Acquisition Fee have been paid to the City in accordance with the provisions of this Chapter.

Except as so specifically amended, the provisions of Section 18.24.290 shall remain unchanged.

- v. Paragraph B of Section 18.24.300 is amended by replacing "Gross Acres" with "Net Acres" and by replacing "Gross Public Land Acquisition Fee" with "Public Facilities Land Acquisition Fee," to read as follows:

B. The amount of Net Acres, Average Amount of Public Land, and Acquired Public Land, and the amount of the Public Land Acquisition Value, Public Facilities Land Acquisition Fee and Regional Park Land Acquisition Fee shall be determined at the

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

time of approval of final master parcel maps and final subdivision maps.

Except as so specifically amended, the provisions of Section 18.24.300 shall remain unchanged.

- vi. Section 18.24.350 is amended by replacing "Gross Public Land Acquisition Fee" with "Public Facilities Land Acquisition Fee," to read as follows:

The Public Facilities Land Acquisition Fee and the Regional Park Land Acquisition Fee established and collected pursuant to this Chapter shall be deposited in the following separate special funds created specifically to hold the revenue generated by such fees. Moneys within such fund may be used solely for the purposes set forth in Section 18.24.360. In this regard, the following special funds are created and established:

- a. Public Land Acquisition Fund for the deposit and collection of the Public Facilities Land Acquisition Fee.
- b. Regional Park Land Acquisition Fund for the deposit and collection of the Regional Park Land Acquisition Fee.

- vii. Section 18.24.400 is amended by replacing "Gross Public Land Acquisition Fee" with "Public Facilities Acquisition Fee," and by replacing "Gross Acres" with "Net Acres," to read as follows:

The City Council, by resolution, may revise the Public Facilities Land Acquisition Fee and the Regional Park Land Acquisition Fee, time to time, to take into account any changes in the Public Land Acquisition Value, the Average Amount of Public Land, the Net Acres, the amount of Public Land and Regional Park land required under the North Natomas Land Acquisition Program, and the actual costs of acquiring Public Land and Regional Park land. The Director of Public Works, or his or her designee, is authorized to retain the services of an appraiser to perform a valuation study of the North Natomas Finance Plan Area in order to update the Public Land Acquisition Value. Any revision in said fees or other matter set forth in this Section 18.24.400 shall be consistent with the formula and

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FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

7 DATE ADOPTED: \_\_\_\_\_

methodologies set forth in the North Natomas Land Acquisition Program.

- c. Chapter 84.12 of the prior City Code, which was added by Ordinance No. 99-044 and which pertains to park impact fees, shall be added to and set forth in the update of the City Code as Chapter 18.44 and the sections shall be renumbered as follows:

<u>Old Section</u>	<u>New Section</u>
84.12.1201	18.44.010
84.12.1202	18.44.020
84.12.1203	18.44.030
84.12.1204	18.44.040
84.12.1205	18.44.050
84.12.1206	18.44.060
84.12.1207	18.44.070
84.12.1208	18.44.080
84.12.1209	18.44.090
84.12.1210	18.44.100
84.12.1211	18.44.110
84.12.1212	18.44.120
84.12.1213	18.44.130
84.12.1214	18.44.140
84.12.1215	18.44.150
84.12.1216	18.44.160
84.12.1217	18.44.170
84.12.1218	18.44.180
84.12.1219	18.44.190
84.12.1220	18.44.200
84.12.1221	18.44.210

- d. The amendments effectuated by Ordinance No. 99-046, which amended Chapter 5 Section 1.8-D-3-a-(1) of the former Comprehensive Zoning Ordinance relating to historic preservation in the Railyards Special Planning District, shall be incorporated and set forth in the corresponding section of the update of the City Code, which is Section 17.124.050(C)(1)(a). Accordingly, Section 17.124.050(C)(1)(a) is amended to read as follows:

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DATE ADOPTED: \_\_\_\_\_

a. **Buildings, Structures and Boundaries Subject to Review Under Title 32:**

The proposed demolition or relocation of the following buildings and structures and buildings and structures within the boundaries identified in "iv" below shall be subject to review under Title 32:

- i. The Depot
- ii. Railway Express Building
- iii. The following buildings and structures located in the Central Shops and Crescent Park area of the Railyards Site and illustrated in Figure 4-16 of the Specific Plan and Exhibit 10 at the end of this chapter:
  - (A) Erecting Shops
  - (B) Masonry Water Closet
  - (C) Machine Shop, including Repair Gang Shop
  - (D) Car Shop 3, including the Air Room, Rotating Equipment Shop, Injection Shop and Material's Lift
  - (E) Locomotive Wheel Shop
  - (F) Electric Shop/Traction Motor Shop (located in Crescent Park)
  - (G) Locomotive Truck Shop/Fabrication Shop
  - (H) Turntable
  - (I) Locomotive Wheel Shop Annex
- iv. Boundaries: Generally within the area bounded by Locomotive Drive on the west, Communication Lane on the south, Quality Way on the east and the rail tracks on the north (Exhibit 1A)

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- e. The amendments effectuated by Ordinance No. 99-049, which amended paragraphs (a), (b) and (c) of Section 60.11.094 of the prior City Code, pertaining to appointment of housing and redevelopment commission members, shall be incorporated and set forth in the corresponding section of the update of the City Code, which is Section 2.80.050. Accordingly, Paragraphs A, B and C of Section 2.80.050 are amended to read as follows:

- A. Five (5) members shall be appointed by the Mayor with the approval of the City Council;
- B. Six (6) members shall be appointed by the Board of Supervisors of the County of Sacramento;
- C. One of the five members appointed by the Mayor shall be selected from the resident population of the Housing Authority of the City of Sacramento. One of the six members appointed by the Board of Supervisors shall be selected from the tenant population of the Housing Authority of the County of Sacramento.

Except as so specifically amended, the provisions of Section 2.80.050 shall remain the same.

- f. Chapter 19.07 of the prior City Code, which was added by Ordinance No. 99-056 and which pertains to the Old Sacramento Collection District, shall be added to and set forth in the recodified Code as Chapter 8.52 and the sections shall be renumbered as follows:

<u>Old Section</u>	<u>New Section</u>
19.07.701	8.52.010
19.07.702	8.52.020
19.07.703	8.52.030
19.07.704	8.52.040
19.07.705	8.52.050
19.07.706	8.52.060
19.07.707	8.52.070
19.07.708	8.52.080
19.07.709	8.52.090
19.07.710	8.52.100
19.07.711	8.52.110

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- g. Chapter 61.20 of the prior City Code, which was added by Ordinance No. 99-062 and which pertains to boating on Sacramento waterways, shall be added to and set forth in the update of the City Code as Chapter 8.112 and the sections shall be renumbered as follows:

<u>Old Section</u>	<u>New Section</u>
61.20.2001	8.112.010
61.20.2002	8.112.020
61.20.2003	8.112.030
61.20.2004	8.112.040
61.20.2005	8.112.050
61.20.2006	8.112.060
61.20.2007	8.112.070

- h. The amendments effectuated by Ordinance No. 2000-001, which added Chapter 3, Section 1-C-6c to the former Comprehensive Zoning Ordinance relating to lot coverage in the R-5/C-2 zones, and which amended Chapter 5 Section B-6c-2b of the former Comprehensive Zoning Ordinance, pertaining to height in the residential preservation transition extended buffer area within the Alhambra Corridor Special Planning District, shall be incorporated into the corresponding sections of the update of the City Code, which are Sections 17.60.030(6)(C) and 17.104.020(F)(3)(b)(ii). Accordingly, those sections are amended as follows:

- i) Subparagraph "c" is added to Section 17.60.030(6) is to read as follows:

- c. The Planning Commission may approve a special permit to exceed the lot coverage for high density developments which are developed with subterranean or podium parking and provided that the Commission finds that adequate on-site common open space at a ratio of 100 square feet per unit not to exceed 5,000 square feet is provided.

- ii) Section 17.104.020(F)(3)(b)(ii) is amended to read as follows:

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- ii. No special permit may be granted for heights exceeding forty-five (45) feet, except for community/public buildings such as churches, hospitals and libraries which may be permitted up to 70 feet in height.

Except as so specifically amended, the provisions of Section 17.06.030 and Section 17.104.020 shall remain unchanged.

- i. The amendments effectuated by Ordinance No. 2000-002, which substantially rewrote Chapter 5, Section 3-3.2 of the former Comprehensive Zoning Ordinance pertaining to development within the Executive Airport overlay Zones, shall be incorporated into the corresponding sections of the update of the City Code, which are set forth in Chapter 17.144. Accordingly, Chapter 17.144 shall be amended to read as set forth in **Exhibit "A"** to this Ordinance.

### **Section 3. Renumbering of Specified Chapters**

Chapters 5.72 and 8.52 of the update of the City Code adopted pursuant to Section 1 above, which pertain to franchises and garbage collection services, are renumbered as follows:

- a. Chapter 5.72 of the update of the City Code is renumbered as Chapter 3.74, and the sections therein are renumbered as follows:

<u>Old Section</u>	<u>New Section</u>
5.72.010	3.74.010
5.72.020	3.74.020
5.72.030	3.74.030
5.72.040	3.74.040
5.72.050	3.74.050
5.72.060	3.74.060
5.72.070	3.74.070
5.72.080	3.74.080
5.72.090	3.74.090
5.72.100	3.74.100
5.72.110	3.74.110
5.72.120	3.74.120
5.72.130	3.74.130

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5.72.140	3.74.140
5.72.150	3.74.150
5.72.160	3.74.160
5.72.170	3.74.170
5.72.180	3.74.180
5.72.190	3.74.190
5.72.200	3.74.200
5.72.210	3.74.210

- b. Chapter 8.52 of the update of the City Code is renumbered as Chapter 13.10, and the sections therein are renumbered as follows:

<u>Old Section</u>	<u>New Section</u>
8.52.010	13.10.010
8.52.020	13.10.020
8.52.030	13.10.030
8.52.040	13.10.040
8.52.050	13.10.050
8.52.060	13.10.060
8.52.070	13.10.070
8.52.080	13.10.080
8.52.090	13.10.090
8.52.100	13.10.100
8.52.110	13.10.110
8.52.120	13.10.120
8.52.130	13.10.130
8.52.140	13.10.140
8.52.150	13.10.150
8.52.160	13.10.160
8.52.170	13.10.170
8.52.180	13.10.180
8.52.190	13.10.190
8.52.200	13.10.200
8.52.210	13.10.210
8.52.220	13.10.220
8.52.230	13.10.230
8.52.240	13.10.240
8.52.250	13.10.250

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13      DATE ADOPTED: \_\_\_\_\_

8.52.260	13.10.260
8.52.270	13.10.270
8.52.280	13.10.280
8.52.290	13.10.290
8.52.300	13.10.300
8.52.310	13.10.310
8.52.320	13.10.320
8.52.330	13.10.330
8.52.340	13.10.340
8.52.350	13.10.350
8.52.360	13.10.360
8.52.370	13.10.370
8.52.380	13.10.380
8.52.390	13.10.390
8.52.400	13.10.400
8.52.410	13.10.410
8.52.420	13.10.420
8.52.430	13.10.430
8.52.440	13.10.440
8.52.450	13.10.450
8.52.460	13.10.460
8.52.470	13.10.470
8.52.480	13.10.480
8.52.490	13.10.490

To the extent there are cross-references within the foregoing sections that require amendment due to the renumbering, the Clerk shall amend those cross-references prior to the next publication of the City Code, and in so doing, the Clerk's actions shall be considered ministerial in nature.

Except as rechaptered and renumbered pursuant to "a" and "b" above, and except as amended pursuant to the foregoing paragraph, the provisions of Chapters 5.72 and 8.52 shall remain unchanged.

#### **Section 4. Replacement of the Term "Title" with the Term "Chapter."**

- a. The term "title" shall be deleted and replaced by the term "chapter" in the following Sections as specified:

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DATE ADOPTED: \_\_\_\_\_

1. Second sentence in the first paragraph of Section 1.16.010.
2. First sentence of Section 2.60.070.
3. Section 2.116.060(A)(5)(e).
4. Second sentence of Section 2.124.010.
5. Section 2.124.840.
6. Section 2.124.1550(A).
7. Third paragraph of Section 2.124.1810.
8. Section 2.124.1850.
9. Section 3.56.080.
10. First sentence of Section 3.60.170.
11. Second sentence of Section 3.116.020
12. Third sentence of Section 3.124.170.
13. First sentence of Section 3.128.490.
14. First sentence of Section 5.28.440(A)(1).
15. First sentence of fourth paragraph of Section 5.28.2360.
16. Last sentence of Section 5.64.110.
17. Section 8.04.010.
18. First sentence of Section 8.04.290.
19. Section 8.04.440.
20. Paragraph (A) of Section 8.64.070.

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21. Paragraph (B) of Section 8.96.070.
22. The definition of "untenantable residential unit" of Section 8.100.1080.
23. Fifth paragraph in Paragraph (A) of Section 9.44.500.
24. Fifth paragraph in Paragraph (A) of Section 9.44.570.
25. Fourth sentence of Section 9.44.680.
26. First sentence of Section 13.08.070.
27. First paragraph of Paragraph (A) and first sentence of second Paragraph of Paragraph (A) of Section 15.04.090.
28. Third sentence of first paragraph under Paragraph (A) of Section 15.08.090.
29. Section 15.04.090

b. Except as amended by "a" above to replace the term "title" with the term "chapter," the provisions of the foregoing sections, or portions of sections, shall remain unchanged.

## Section 5

Section 8.04.100 is amended as follows:

- a. Paragraph F is amended to read:

Any condition in violation of the City Building Code, set forth in Title 15 of this Code.

- b. Paragraph I is amended to read:

Any condition in violation of the City Fire Code, set forth in Title 15 of this Code.

Except as amended by "a" and "b" above, the provisions of Section 8.04.100 shall remain unchanged.

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16 DATE ADOPTED: \_\_\_\_\_

## Section 6

Section 15.04.010 is amended to read as follows:

The following chapters of this Title shall be known and referred to as the Sacramento City Building Code, and may be cited as such, and will be referred to herein as "this code" or "this Building Code:" Chapter 15.04 through and including Chapter 15.112, save and except for Chapter 15.36.

## Section 7

Section 15.148.1040 is amended to read as follows:

Applications for a variance shall be written on forms prescribed by the planning commission or the construction codes advisory and appeals board and shall be accompanied by statements, plans and other relevant evidence. The zoning administrator when authorized, the planning commission or, in the case of variances from the provisions of Article V of this chapter, the construction codes advisory and appeals board, may grant a variance when the following is shown:

- a. That exceptional or extraordinary circumstances or conditions apply to the case referred to in the application that do not apply generally in the same district and the enforcement of the regulations of this Article would have an unduly harsh result upon the utilization of the subject property.
- b. That the variance will not result in a special privilege to one individual property owner and that the variance would be appropriate for any property owner facing similar circumstances.
- c. That the requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood.

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17 DATE ADOPTED: \_\_\_\_\_

## **Section 8. Purpose and Intent of Update**

Except as the provisions of the current City Code may have been specifically amended hereinabove, the purpose and intent of this ordinance is to improve the effectiveness of the current City Code through reorganization and renumbering, and not to alter or affect the substantive provisions of the Code or their meaning and effect.

## **Section 9. Title-Citation-Reference.**

This code shall be known as the "Sacramento City Code" and it shall be sufficient to refer to said code as the "Sacramento City Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. .

## **Section 10. Reference applies to all amendments.**

Whenever a reference is made to this code as the "Sacramento City Code" or to any portion thereof, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

## **Section 11. Title, chapter and section headings.**

Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section thereof.

## **Section 12. Reference to specific ordinances.**

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such references shall be construed to apply to the corresponding provisions contained within this code.

## **Section 13. Effect of code on past actions and obligations.**

The adoption of this code does not affect prosecutions for ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

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**Section 14. Constitutionality.**

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**Section 15. References to prior code.**

References in city forms, documents, citations and regulations to the chapters and sections of the former city code shall be construed to apply to the corresponding provisions contained within this code.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE;

\_\_\_\_\_  
MAYOR

ATTEST:

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

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_