

ORDINANCE NO. 87-013

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

FEB 18 1987

AN ORDINANCE ADDING SECTION 2.98 RELATING TO THE SPECIAL PLANNING DISTRICT FOR THE CENTRAL BUSINESS DISTRICT (CBD-SPD) AND AMENDING SECTIONS 3-C-10 AND 14 RELATING TO SPECIAL PERMITS IN THE OLD CITY, AND VARIANCES, RESPECTIVELY, TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO (ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED)

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

SECTION 1

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series, as Amended) is hereby amended by adding thereto Section 2.98 relating to the Special Planning District for the Central Business District, to read:

SECTION 2.98 SPECIAL PLANNING DISTRICT - CENTRAL BUSINESS DISTRICT (CBD-SPD)

A. PURPOSE AND INTENT

The Central Business District (CBD or C-3 zone) applies to a 67-block portion of the Central City. The CBD or C-3 zone is that area so designated on the map on Appendix A, attached hereto and incorporated herein by reference. The area is sometimes referred to in this section as the C-3 or CBD zone. The CBD or C-3 zone is the only classification which has no height limit and is intended for the most intense retail, commercial and office developments in the City. Residential uses are permitted by special permit. The goals of the CBD-SPD are as follows:

1. Accelerate the economic revitalization process by creating a marketplace attractive to private investment.
2. Achieve a plan for long-term economic growth through private sector incentive measures.
3. Enhance the character of Sacramento's downtown and ensure the development of well-designed new projects by adopting the Architectural Design Guidelines.
4. Provide for a pleasant, rich and diverse pedestrian experience by implementing the Streetscape Design Guidelines.
5. Provide for the humanization of the downtown through promotion of the arts, program of special events and activities, and overall excellence of design.

**B. THE URBAN DESIGN, ARCHITECTURAL DESIGN AND
STREETSCAPE DESIGN GUIDELINES; PROCEDURE**

The CBD-SPD (C-3) zone Design Guidelines consisting of the Urban Design, Architectural Design and Streetscape Design Guidelines, attached hereto and incorporated herein by reference as Exhibits A, B and C, respectively, are hereby adopted for the CBD-SPD zone. The Planning Commission, Sacramento Housing and Redevelopment Commission, Design Review and Preservation Board, and the City and Sacramento Housing and Redevelopment Agency staffs, shall use the aforementioned Guidelines in the evaluation of development projects within the CBD-SPD (C-3) zone. The Guidelines shall apply in all instances where any development applicant seeks to use the fast track procedure described in Subdivision C hereof. The Design Review and Preservation Board, City Planning Commission and City Council shall have the authority to waive individual Guideline provisions for specific projects where it is found on the basis of substantial evidence that such waiver is necessary or appropriate to accomplish the policies for downtown design more than would strict application of the Guidelines. The City Planning Commission may amend the Design Guidelines where such amendment will aid in the accomplishment of the policies for downtown design.

C. DEVELOPMENT REVIEW PROCESS - "FAST TRACK" PROCEDURE

In order to implement the development strategy proposed in the Urban Design Plan and channel well-designed development into the Incentive Zone, the following Development Review Process will govern new projects proposed in the CBD-SPD. Projects proposed in the Incentive Zone (7th-13th, I to L Streets) or on catalyst sites designated in the Urban Design Plan shall be processed in one of two ways described below. Development proposed in the balance of the C-3 zone outside the Incentive Zone shall be administered under the standard project review process.

1. Fast Track Review.

Developments determined by City staff to comply with the Design Guidelines below and the Zoning Ordinance shall be processed under the "Fast Track" procedure. This procedure requires one meeting with the Design Review Board to identify design issues. Project representatives will then resolve the identified design issues with the City Director of Planning. The Director shall have the authority to make final design review approval. Projects which receive City staff approval shall not be subject to any further review before the Design Review Board, the Planning Commission or the City Council regarding project design. Any Special Permits or Variances will be processed through the Planning Director's Special Permit or Variance procedure. Projects approved by City staff will also receive priority plan checking in the building permitting process in a manner determined by the Division of Building Inspections.

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Projects which comply with the parking and transportation management plan (TMP) requirements of this ordinance, mitigation measures specified in the Master EIR, and the following design criteria specified in the Architectural Design Guidelines shall be eligible for "Fast Track" processing:

- (a) Building massing and setbacks;
- (b) Building materials;
- (c) Building detailing;
- (d) Pedestrian amenities;
- (e) Landscaping;
- (f) Parking requirements and Transportation Management Plan (TMP) requirements.

2. Material Changes.

If the proposed development materially changes between the time of project approval by City staff and time of construction, the development shall be referred back to the Design Review/Preservation Board for further review. Examples of "material change" include but are not limited to substitution of quality materials with lower quality materials; significant alterations to the massing, building form, setbacks, fenestration or building detailing, landscaping or pedestrian amenities; increase in square footage or height by more than 10 percent.

Projects determined by City staff to be in non-compliance with the overall intent of the Design Guidelines as a result of design changes may also lose their "Fast Track" priority status related to the building plan check process.

3. Standard Project Review.

That method of review otherwise specified by this ordinance and administratively.

D. BUILDING SETBACKS AND LANDSCAPING

In order to implement the Streetscape Design Guidelines, the following special building setback and landscaping requirements for new developments along designated public rights-of-way shall apply:

1. Building Setbacks.

- (a) I Street between 7th Street and 16th Street
 - North side - minimum 15 feet
 - South side - minimum 10 feet

- (b) 16th Street between I and N Streets
Both sides - 10 feet

2. Landscape Treatment.

Applies only to I and 16th Streets on portions of streets designated in D-1-(a) and (c).

- (a) Incorporate decorative interlocking pavers six feet to eight feet in width between curb and sidewalk and low-growing ground cover between sidewalk and building.
- (b) Preserve existing street-trees and infill with new tree plantings of large species planted 35 feet to 40 feet on center within public right-of-way and landscaped building setback area. Refer to Section 4.4.6 of Streetscape Design Guidelines for recommended street-tree species.

E. OUTDOOR SIDEWALK CAFES

1. Purpose.

In order to animate the downtown environment and complement retail and cultural activities recommended in the Urban Design Plan, it is the policy of the Plan and the City of Sacramento to encourage the establishment of outdoor cafes within public rights-of-way. Minimum dimensional and performance standards are established to ensure cafe design is functionally compatible with other needs and provides for the protection of public health, safety and welfare.

- 2. Outdoor sidewalk cafes are permitted on any public right-of-way within the CPD-SPD subject to compliance with the following performance standards and application procedures.

3. Standards.

- (a) Sidewalk cafes must not obstruct sidewalk pedestrian traffic or create public health and safety hazards.

- (1) Clear Zone Requirements.

- All sidewalks, including K Street Mall within the CBD-SPD - an eight foot minimum clear dimension is required between the outside edge of any sidewalk cafe fixture and any fixed element within sidewalk right-of-way or light rail tracks.

- (b) Outdoor sidewalk cafes may be open; partially covered or enclosed by means of umbrellas, awnings, canopies, or similar protective structure; or fully enclosed.

- (1) Enclosed cafes must be constructed of material that is predominantly transparent. Glass must be

clear, not heavily tinted or mirrored. Base walls cannot be greater than 12 inches in height. The outside window height cannot be less than eight feet. All permanent structures must meet building code requirements.

- (2) Roof material covering an outdoor cafe may be temporary, fixed, or retractable and can extend into the public right-of-way from the face of the building a distance up to the minimum clear zone dimension specified in Section E-3-(a)-(1), or a maximum distance of 10 feet from face of building, whichever is less. Awnings, canopies, or similar protective shelter must be fire-treated or non-flammable.
- (3) Permanent enclosed sidewalk cafe structure must be constructed of non-combustible material. Enclosed roof over seating area must be fire-sprinklered.
- (4) No permanent sidewalk cafe structure within public right-of-way of K Street Mall is permitted.
- (c) A decorative barrier element separating outdoor cafe seating area from adjacent pedestrian traffic must be provided. The design and materials of such barrier element must complement and be compatible to the architectural design of the restaurant building facade.
- (d) Enclosed cafes must be used only as seating areas. Storage, kitchen, or restroom uses are not allowed. The seating must be movable.
- (e) All outdoor and enclosed sidewalks must be level with sidewalk, and handicap accessible.
- (f) Decorative/accent lighting may be incorporated into the outdoor cafe structure, awning, canopy, etc., and must meet all City Code requirements.

4. Application Procedure.

A Request for Revocable Permit to establish an outdoor dining area must be submitted to the City Division of Planning and Development. The Planning Director may review and grant said Revocable Permit related to outdoor sidewalk cafes subject to compliance with the standards above.

- (a) A completed Request for Revocable Permit application must be accompanied by two sets of plans drawn to scale, consisting of site (lot) plan and elevation drawings of proposed outdoor dining facilities.

(b) Site plan must show the following:

- (1) Location of tables, chairs, accessory service facilities, perimeter barrier element and any fixed elements on sidewalk/mall within a 25-foot radius around said outdoor cafe area. Fixed elements include light-sign poles, trees/landscape strips, traffic lights, parking meters, raised planter curbs, tree-wells, pots, waste containers, etc.
 - (2) Include clear zone dimension from outer perimeter of outdoor cafe fixture to nearest sidewalk fixtures pursuant to requirements specified in Section E-3-(a)-(1).
- (c) Elevation plans must show front and side views of outdoor dining facilities including all proposed above-grade improvements such as planter boxes, awnings, tables, chairs, etc.
- (d) Upon approval of Revocable Permit by the Planning Director, the applicant must obtain all required building/electrical permits, if applicable, prior to construction.

F. SIGN REGULATIONS.

The following sign regulations shall apply in the CBD-SPD:

1. General Requirements.

- (a) A sign program shall be submitted with individual project application to the Planning Director. The sign program shall address:
- (1) proposed location of signage;
 - (2) dimensions of signage area;
 - (3) materials and design guidelines including colors, letter types and sizes, use of logos/graphics, illumination method.
- (b) The content of exterior signage shall be limited to tenant's trade name and/or logo. In no case shall the wording of signs describe the products sold, prices, advertising slogans, except as part of the occupant's trade name or logo.
- (c) No signs shall be permitted above the building base or street-wall as defined in Section 4.0 of the Architectural Design Guidelines. Corporate logos/graphics for main building tenant is permitted to be located above building base/street-wall subject to provisions of Sections (f) and (g).

- (d) No off-site signage shall be allowed, unless specifically approved by the Planning Director.

2. Design Requirements.

- (a) The location of signs shall be only as shown on the approved plans by the Planning Director.
- (b) All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.
- (c) No exposed conduit or raceways will be permitted.
- (d) All conductors, transformers, and other related equipment shall be concealed.
- (e) All sign fastenings, bolts, and clips shall be galvanized iron, stainless steel, aluminum, brass, or bronze, or black iron of any type will be permitted.
- (f) All exterior letters on signs exposed to the weather shall be mounted at least three-fourths inch from the building surface to permit dirt and water drainage.
- (g) Location of all openings for conduit and sleeves in sign panels of building shall be indicated on drawings.
- (h) No signmaker's labels or other identification will be permitted on the exposed surface of signs, except those required by ordinance, which shall be located in an inconspicuous location.
- (i) Installation of all signage shall be in accordance with the approved drawings by the Planning Director.

3. Types of Signage.

- (a) Flat mounted wall signs
- (b) Individual letters
- (c) Wall plaques
- (d) Logos
- (e) Objects
- (f) Window/awning graphics
- (g) Projecting signs

4. Quality of Materials.

High-quality materials and finishes are required, and signage material must be weather-proof.

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5. Location and Size.

(a) Attached signs

- (1) Maximum number of flat/projecting signs - two per occupant.
- (2) Maximum area of flat sign - 3 square feet per front foot of building occupancy, not to exceed 45 square feet.
- (3) Maximum height of flat sign - three feet.

(b) Projecting sign (no more than one per occupant)

- (1) Maximum area one side - 20 square feet.
- (2) Maximum height of sign - 10 feet.
- (3) Maximum distance from building face to outer edge of sign - 4 feet.
- (4) Minimum height from sidewalk to bottom of sign - eight feet.

(c) Suspended signs

- (1) Maximum number of suspended signs - one per occupant.
- (2) Maximum area each face - nine square feet.
- (3) Maximum height - one foot and six inches.
- (4) Minimum height from sidewalk to bottom of sign - eight feet.

(d) Awning/canopy signage.

- (1) Maximum height of letters - 12 inches.
- (2) Logos/graphics - an identification emblem, insignia, logo, graphic or other similar feature not exceeding 25 percent of surface area may be painted, placed, or installed on any awning or canopy provided that such feature comply with all other appropriate provisions of this Article.

(e) Banners.

- (1) Total maximum area per banner - 40 square feet.
- (2) Maximum number of banners - subject to Planning Director approval.

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- (3) Banners in alleys - a banner which projects above a public alley shall be located not less than 10 feet above the alley grade, projecting pole mount must be no less than 14 feet above alley grade, and banner shall not project more than two feet from the building face.

(f) Special signage.

- (1) Retail businesses and facilities that are entertainment or culturally oriented and contribute to the active night-life of the CBD-SPD are allowed creative signage that may exceed the requirements of the SPD sign ordinance. Special signs that do not strictly adhere to the sign criteria are allowed subject to the review and approval of the Planning Director.
- (2) Examples of special signs include but are not limited to the following: exposed neon tubing, flashing, or traveling lights on theater marques or nightclubs, etc.

(g) Office towers - attached signs.

Signage on office buildings above the street-wall or building base as defined in Section 4.0 of the Architectural Design Guidelines is allowed subject to the following provisions:

- (1) Logo or graphic symbol.

The only signage permitted above the street-wall of a building (i.e., building tops) are corporate logos or graphic symbols. No word signs are permitted. The graphic symbol must be integral in design to the architectural style of the building.

The specific sign program shall be developed by a professional graphic artist or designer with demonstrated ability in sign design.

- (2) Number.

Two (2) signs per building of the same logo/symbol. No more than one sign per building face.

- (3) Materials, construction and design.

Signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable materials which convey a rich quality, complimentary to the material of the building exterior. Examples

of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.

(4) Illumination.

Symbols/logos may be non-illuminated or internally illuminated to create a halo backlighted effect. Internally illuminated symbols/logos shall be lighted with white neon tubing and thirty (30) milliamperes transformers.

Lighting shall not produce a glare on other properties in the vicinity, and the source of light shall not be visible from adjacent property or a public street.

Internally lit plastic signs are prohibited.

(5) Location.

Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located.

A sign may be located in the "upper signage area". "Upper signage area" shall be defined as the area bounded by the 1) top of the windows of the tallest floor of the building; 2) the building parapet line; and 3) the two vertical edges of the building face on which the sign is attached.

A sign may be located outside the "upper signage area" if in a sign zone approved as part of the building design approval, or in a location approved by the Planning Director.

(6) Maximum sign area.

A sign located in the "upper signage area" shall not exceed 10 percent of that area.

The length of sign shall not exceed 25 percent of the length of linear building face on which the sign is affixed.

In a scale consistent with the two preceding paragraphs, the Planning Director shall determine the maximum size of the following types of signs:

- 1) Signs located other than as specified above.

- 2) Signs located on buildings with a unique or unusual architectural design.
- (7) If not specifically approved as part of the Design Approval for the building, the following types of signs shall require a Planning Director's Special Permit pursuant to Zoning Ordinance 15H:
 - 1) Signs not located in the "upper signage area", as defined in subsection (5) above.
 - 2) Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection (3) above.

Except as provided in (7), above, attached signs consistent with this Section E shall be subject to a ministerial permit issuance procedure.

(g) Sidewalk clocks.

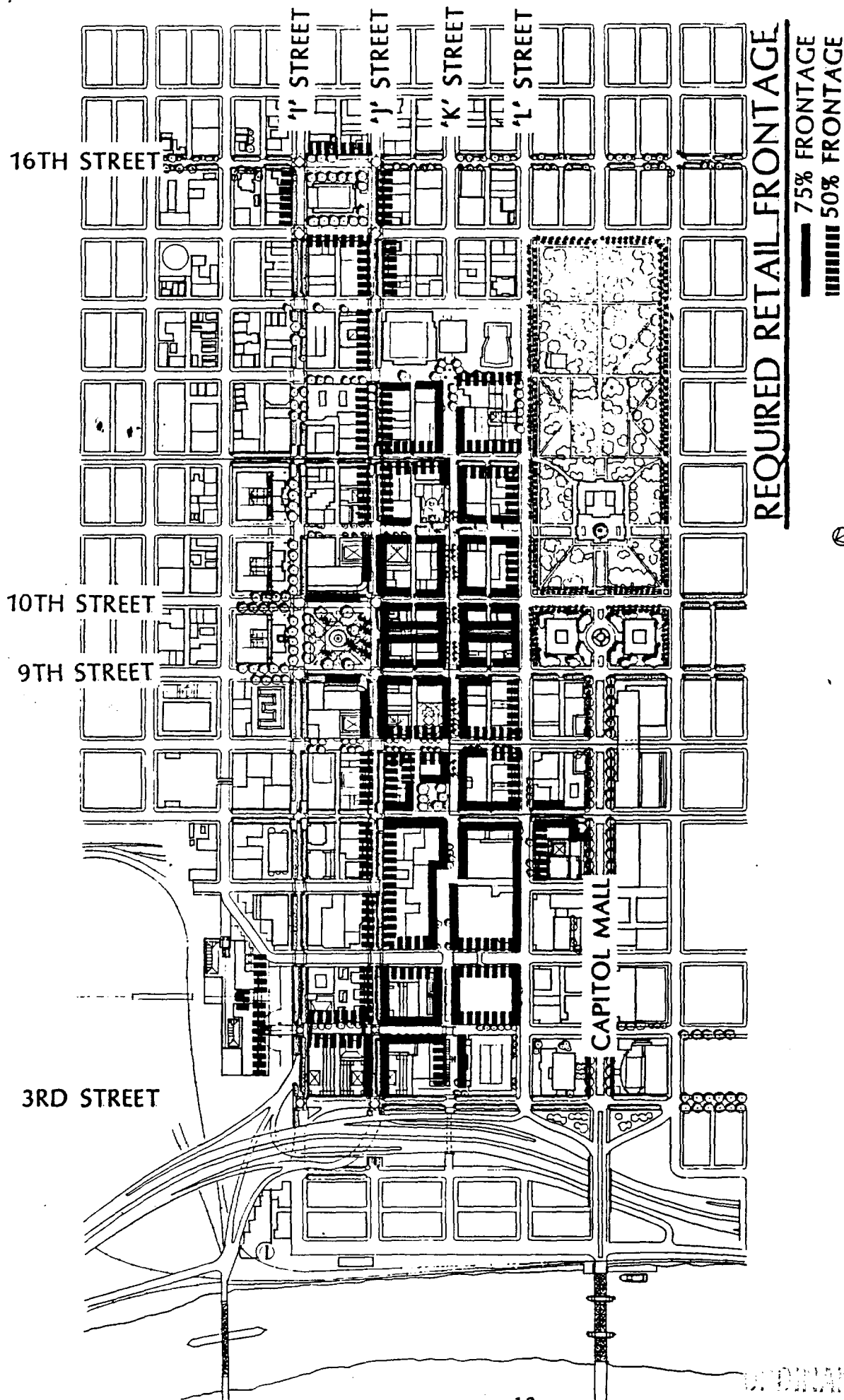
A sidewalk clock consistent with the architectural design of a building, storefront or streetscape theme is permitted subject to the review and approval of the Planning Director.

G. GROUND FLOOR RETAIL REQUIREMENT

1. Purpose

- The purpose and intent of the ground floor retail requirement is to preserve, enhance and ensure establishment of retail commercial, personal service, and pedestrian-oriented uses within at least that portion of the street level of buildings which abut a public street.
2. The map below identifies CBD-SPD blocks which designate ground floor retail requirements of 75 percent or 50 percent per block-face, respectively. The 75 percent or 50 percent retail frontage designation shall mean that at least 75 percent or 50 percent of an individual block-face, respectively, must be occupied by retail or personal service business uses, as classified in Table 1.
 3. New construction or conversions affecting ground floor areas within buildings on designated retail streets must provide retail space within said buildings with a minimum interior space depth of 60 feet measured from inside wall abutting front property line; or space modules containing a minimum area of 1,000 square feet along building frontage abutting designated retail streets, whichever is less.

4. As used in this Section, "street-level frontage of the building" shall mean the interior floor area within a structure which has the same elevation as the public street providing principal access to the area, and which would be commonly referred to as the first or ground floor of the building.
5. As used in this Section, a "block-face" shall mean a contiguous row of buildings or spaces located on a City block bordered on each side by a public street or public alley.
6. The uses listed under Section G, Table 2, classified as non-retail or non-pedestrian oriented shall require a Planning Director's Special Permit approval prior to occupancy. Said approval may be for a temporary limited period if the Director makes one or more of the findings outlined in Section 15-D-3-(a), (b), or (c) of this ordinance, depending upon present economic conditions, existing physical conditions, or any special circumstance related to that particular location.
7. Major projects - new construction, rehabilitation, or conversion. A bank, savings and loan, or similar financial institution and any uses listed in Section G, Table 2, cannot occupy more than 50% of the ground floor area of a major project (+75,000 square feet).



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

ORDINANCE NO.

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Table 1 - Permitted Uses

**RETAIL AND PERSONAL SERVICE CLASSIFICATIONS
FOR USE IN ADMINISTERING ORDINANCE**

Retail Goods

Apparel Store
Appliance Store
Automotive Sales
Book and Stationary Store
Camera Store
Camping Equipment Store
Department Store
Fabric Store
Furniture Store
Gift Shop
Luggage & Leather Goods Store
Paint Stores
Pet Stores
Plant Stores
Record, Stereo Store
Secondhand Store
Shoe Store
Sporting goods
Variety/Merchandise Store

**Pedestrian/Consumer*
Oriented Establishments**

Arcades
Art Galleries
Bowling Alleys
Museums
Theaters

Convenience Goods

Bakery Shop
Bars
Candy Store
Delicatessen
Drug Store
Florist Shop
Grocery Store
Hardware Store
Hobby and Crafts Store
Liquor Store
Restaurant

Personal/Consumer* Services

Appliance Repair
Auto Repair or Rental
Banks**
Barber Shop
Beauty Shop
Bicycle Shops
Bus Terminals
Credit Unions**
Dry Cleaners
Gas Station
Laundromat
Printing
Photographic Studio
Savings and Loan**
Shoe Repair
Tailor Shop
Travel Agency

* Establishments that primarily serve walk-in customers without an appointment.

** Financial institutions such as banks, savings and loans, credit unions, and uses listed in Table 2, cannot occupy more than 50 percent of the ground floor area of a Major Project as defined by the Zoning Ordinance.

The Planning Commission shall have the authority to determine that a use not listed above is substantially similar to a use listed above and is therefore governed by Table 1. The procedure followed shall be that used for the granting of a Special Permit under Section 15.

**Table 2 - Uses Requiring a Planning
Director's Special Permit**

**NON-RETAIL AND NON-PEDESTRIAN/CONSUMER-ORIENTED
ESTABLISHMENTS -- CLASSIFICATIONS FOR USE
IN ADMINISTERING ORDINANCE**

Offices

Accountants
Architects
Attorneys
Bail Bondsmen
Counseling Services
Consultants - General
Dentists
Doctors
Employment Agency
Escrow Agents
Government
Health Clinics
Insurance Brokers
Laboratories
Landscape Architects
Mortgage Brokers
Optometrist
Real Estate Agents, Appraisers, Brokers,
Developers, etc.
Stock Brokers
Tax Accountants, Preparers
Title Companies
Trust Companies
Utility Companies

Other/Miscellaneous

Athletic Clubs
Industrial Operations
Manufacturing
Mortuaries
Schools, Trade, etc.
Social Halls, Clubs
Storage Lots

The Planning Commission shall have the authority to determine that a use not listed above is substantially similar to a use listed above and is therefore governed by Table 2. The procedure followed shall be that used for the granting of a Special Permit under Section 15.

H. HISTORIC PRESERVATION

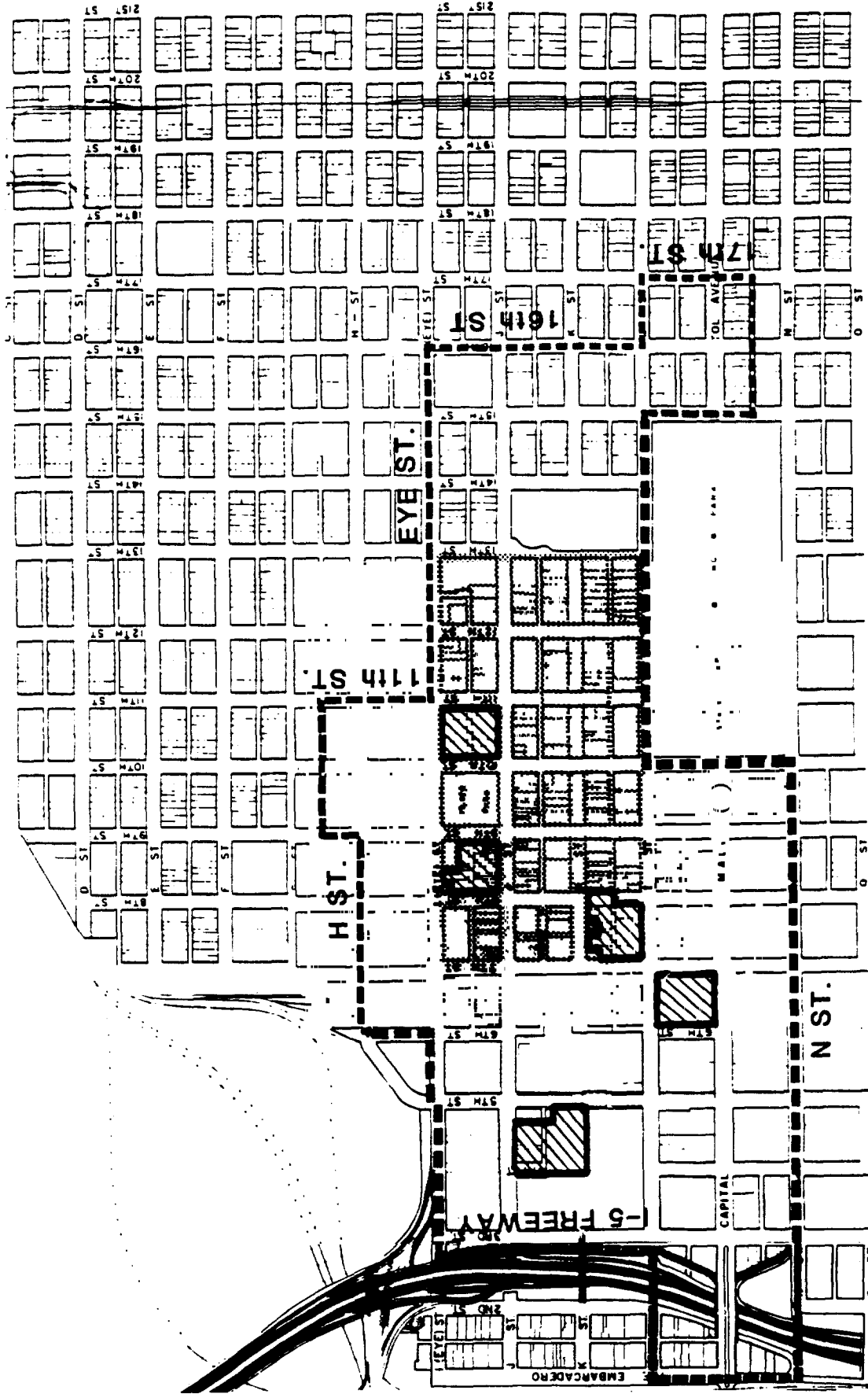
1. Findings

- (a) The buildings in the CBD-SPD are a composite of architectural styles, scales and periods. Preservation and renovation of Sacramento's architectural heritage is important to its economic well-being as well as preserving the CBD's unique physical fabric. The variety of building styles, age, locations, lease rents, and physical character offers a diversity that is essential to a healthy mix of retail and support services.
- (b) Within the CBD-SPD, there are 30 essential structures and another 30 priority structures in the City's Official Register. The combined 60 buildings represent 11 percent of the total building inventory located within the C-3 zone.
- (c) The CBD-SPD has the capacity for another four million square feet of additional development without the removal of historically listed buildings.

2. Policy

NOW, THEREFORE, the Council adopts the following policies related to historic preservation:

- (a) The highest priority is to encourage restoration and sensitive renovation of listed structures. Restoration of listed structures in the City's Official Register entitle the development to all benefits provided in the incentive zone found in Section 2.3 of the Urban Design Plan, including but not limited to one-meeting planning review and priority building permit processing, and may also be eligible for public financial assistance.
- (b) Secondly, an alternative design solution to demolition of a listed structure is to encourage harmonious incorporation of an existing listed structure into the design of a new development. A project that incorporates this design approach will also be eligible for the same incentive zone benefits found in Section 2.3 of the Urban Design Plan.
- (c) Thirdly, when demolition of a listed structure is requested, the applicant must prepare an environmental evaluation which addresses the following criteria pursuant to Chapter 32, Demolition Review Process:
 - (1) Demonstrate infeasibility of rehabilitation;
 - (2) Demonstrate financial capability of new project prior to issuance of demolition permit;



CBD with Incentive
Zone and Catalyst Sites

SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CATALYST SITES
CENTRAL BUSINESS DISTRICT
(C-3 ZONE)

INCENTIVE ZONE

- (3) Address architectural design and quality of new project and compliance with Urban Design and Architectural Guidelines.
- (4) Demonstrate community benefits which may be incorporated into a portion of a new project as compensation for loss of listed structure;
- (5) Demonstrate economic benefit of new project to the City.


I. PARKING

Off-street parking shall be provided in accordance with the provisions of Section 6 of the Zoning Ordinance; provided, however, that non-residential parking requirements may be modified or reduced by a Planning Director's Special Permit if it is demonstrated that TSM and other measures will substantially reduce the parking demand generated by a particular development.

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MAYOR

ATTEST:



DEPUTY CITY CLERK