



## **Central Avenue Neon Sign Design Overlay Zone**

**February 7, 2013**

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# I. INTRODUCTION

## A. Purpose

The purpose of the Central Avenue Neon Design Overlay Zone (CAN DOZ) is to encourage the use of neon signs along Central Avenue. The CAN DOZ provides incentives and flexibility with current sign regulations for new and refurbished signs that contain a minimum of 50% neon illumination. The intent is to increase the vibrancy of Central Avenue by developing an existing neon theme along the corridor. The DOZ also aims to attract locals back to Central and develop destination tourism related to Route 66.

This Design Overlay Zone is part of a comprehensive revitalization strategy for Central Avenue, called the Route 66 Action Plan. The Albuquerque Historic Route 66 is the longest intact urbanized stretch of Route 66 in the country, with 15 miles between 106<sup>th</sup> Street on the west to the I-40 interchange on the east. Route 66 is an important aspect of the history and culture of Albuquerque. The goal of the Action Plan is to bring technology, modern infrastructure, development, tourism, transportation, streetscape design, neon signs and business incentives to the corridor. The Route 66 Action Plan is intended to bring back the “Mother Road” and create a Route 66 identity for Albuquerque.

Other signs, including neon signs that do not qualify with the CAN DOZ, continue to be reviewed and approved according to zoning regulations and other applicable City codes.

## B. Definitions

**SIGN, ANIMATED.** A neon sign that uses changes in luminance in a sequential or radial manner to produce what appears to be movement of an element of the animated sign. Flashing and physical movement of a sign and/or its elements are not sequential or radial changes in luminance, and are animation of a sign.

**SIGN, HISTORIC.** A sign that is listed or determined to be eligible for listing in the New Mexico Register of Cultural Properties either individually or as a contributing part of a property, or a sign that contributes to the historic character of a designated City Landmark.

**SIGN, NEON.** A sign that uses neon, argon, or a similar gas to fill tubing, made of glass or similar material, which is charged with electricity and used to create an illuminated tubular sign or illuminated elements of a sign that includes, at a minimum lettering and/or images. The tubing may contain an alternative illumination technology, such as, but not limited to, light-emitting diodes (LEDs). Any non-gaseous illumination technology, such as LEDs, must produce illumination that appears to be a continuous, uninterrupted line, similar to illumination produced by gaseous illumination technology.

## C. Extents of the Design Overlay Zone

The Central Avenue Neon Design Overlay Zone (CAN DOZ) applies to properties located along Central Avenue within the City-limits (106<sup>th</sup> Street to the I-40 interchange on the east), an approximately 15-mile stretch of road. The overlay regulations apply to all non-residential, mixed-use zones and any residential zones that allow signage.

The Design Overlay Zone applies to:

1. All properties that have direct frontage or are contiguous to Central Avenue; and
2. On-premise signs wholly located within 300-feet of the edge of Central Avenue right-of-way, the traditional length of a block face, and on properties that front the following major streets: Tramway, Juan Tabo, Eubank, Wyoming, Louisiana, San Pedro, San Mateo, Yale, University, I-25, Broadway, Atrisco, Old Coors, Coors, Unser (north of Central only), and 98<sup>th</sup> Street (north of Central only). These areas are included to encourage a similar vibrancy at key intersections and to visually draw visitors towards Central Avenue.

Because of ongoing development along Central Avenue, the specific boundaries of properties with direct frontage or contiguity to Central Avenue may change over time, and the above textual description of the boundaries of the Overlay Zone shall take precedence over any map to the contrary.

The Central Avenue Neon Design Overlay Zone affects properties within the following major neighborhood and Sector Development Plan areas, from west to east:

- West Route 66 Sector Development Plan (1987, draft update 2012)
- Old Town Sector Development Plan (1977)
- Huning Castle and Raynolds Addition neighborhood Sector Development Plan (1981)
- Downtown Neighborhood Area Sector Development Plan (2012)
- Downtown 2010 Sector Development Plan (2000)
- Huning Highland Sector Development Plan (1988)
- Huning Highland/East Downtown Regulatory Plan (2009)
- University Neighborhoods Sector Development Plan (1986)
- Nob Hill/Highland Sector Development Plan (2007)
- International District Sector Development Plan (draft 2013)
- East Gateway Sector Development Plan (2010)

#### ***D. Design Overlay Zone Establishment Criteria***

This area meets the criteria for a Design Overlay Zone, §14-16-2-28 (F), which states that the overlay zone may be used for areas that deserve special design guidance and that are at least 320 acres. The total area that the CAN DOZ applies to is approximately 1,150 acres. To qualify as an overlay zone, an area shall meet at least two of the following three conditions:

1. Contain highly scenic natural features or physical setting, or have highly significant views.
2. Have development potential which is likely to require unusually complex coordination of flood control, transportation, open space, and urban land uses.
3. Have a strong role in the development of the form of the metropolitan area: arterial street corridors or critical areas near urban centers or historic zones.

#### **Role in the Development of Albuquerque (Criterion 3)**

Central Avenue has had a primary role in the development of the form of the metropolitan area since the original town-site of Albuquerque was established in 1880. As the “New Town’s” main street, Railroad Avenue connected the new town to the older Villa de

Albuquerque and served as the east-west axis for the city's political and geographic quadrants. The University of New Mexico was established on the corridor in 1889, when little else existed on the mesa east of downtown. Railroad Avenue was renamed Central Avenue in 1912. Many of the City's earliest and finest commercial buildings were constructed along the avenue, several of which survive to this day and are designated as local historic landmarks. The extensive Huning Highland and Fourth Ward historic districts are early residential neighborhoods that developed adjacent to the corridor in the downtown area. The Silver Hill historic district developed adjacent to the corridor as development moved eastward.

### **Scenic Physical Setting (Criterion 1)**

Central Avenue also has a unique scenic character and physical setting. Central Avenue's role as Albuquerque's main commercial corridor continued well into the twentieth century as the City's suburban development pushed outward, primarily to the east of the downtown core. The advent of the automobile brought new commercial building types to line the roadway. After 1937, when the Federally-designated collection of roads connecting Chicago to Los Angeles was re-routed east and west through Albuquerque, Central Avenue began a new life as U.S. Route 66. Roadside businesses including tourist courts (motels), curio shops, service stations and cafes were built up and down Route 66, both in town and on the outskirts, responding to the new economic opportunities that came with automobile tourism.

The development of neon sign technology in the 1920's coincided with the surge in automobile ownership in the late 1920's and 1930's. Neon signs proliferated along Central Avenue, dramatically transforming the cultural landscape, particularly in the commercial districts.



Downtown Central Avenue, Circa 1950

Although many early buildings have been lost over time, Central Avenue still contains a notable collection of pre-WWII Route 66 resources and other automobile oriented commercial architecture in a range of architectural styles and periods. Several buildings from this period located on Central Avenue have been designated as City Landmarks.

## II. PROCESS & ADMINISTRATION OF THE CAN DOZ

### ***A. Application Process***

The City has developed incentives to encourage new or rehabilitated neon signs along Central Avenue, see Section III. To qualify for the incentives, an applicant must meet the minimum 50% neon sign face area and the Qualifying Sign Design Criteria, see Section II.C.

Applicants who intend to apply for the sign incentives offered through the CAN DOZ are required to attend a Pre-application Review Team (PRT) Meeting. This is an opportunity for applicants to discuss the requirements and the incentives that this overlay zone provides. During the PRT, Planning staff will determine if the sign is within the boundaries of the DOZ, and if it meets the design criteria that qualify a sign for the CAN DOZ incentives.

After the PRT, the applicant may submit an Administrative Approval and Sign Permit application to the Planning Department's Front Counter. The application shall, at a minimum, meet the sign permit requirements and provide a brief written explanation of how the sign complies with the Qualifying Sign Design Criteria.

### ***B. Review & Approval Process***

Required design review and approval shall be by the Planning Director or his/her designee. The Planning Director shall review applications for neon signs to ensure that they comply with the Qualifying Sign Design Criteria in conjunction with the Sign Permit Application process.

Where there is conflict or inconsistency between the Design Overlay Zone Regulations and other portions of the Zoning Code and Sector Development Plans, the Overlay Zone prevails (§14-16-2-28 ROA 1994). The Overlay Zone provides design controls, but it does not control allowable land uses, such as sign type. Where an approved Site Development Plan exists, the Site Development Plan must be amended in order for the property to take advantage of the DOZ Design Incentives.

The Planning Director shall provide notification of the decision to property owners within 100 feet of the subject site. Compliance with the regulatory design guidelines will be monitored and enforced by Zoning Enforcement.

### ***C. Qualifying Sign Design Criteria***

In order to qualify for the new incentives, the applicant must comply with the following criteria:

1. **Amount of Neon.** Luminous neon tubing shall comprise at least 50% of the sign face area and include at a minimum text and/or images. The neon portion of the sign is to be measured the same way that the sign area is measured (see §14-16-1-5).
2. **Location.** The sign shall not obscure portions of a building that contribute to architectural character including, but not limited to, doors and windows.

3. **Lighting Technology.** Traditional neon requires a significant amount of electricity. Signage that uses LED tubing or similar and has the appearance of neon is allowed if it produces a continuous lit appearance similar to neon lighting technology, and does not create darker and/or shadowy spaces between individual LEDs that make the linear, illuminated image appear non-continuous. Incandescent bulbs, or compact fluorescent lamps that appear to be incandescent bulbs, another historic sign illumination type, may also be counted towards up to 50% of the required sign face area.
4. **Design Elements.** The following five design elements are all encouraged to inform the sign design. Consistency with **at least one** of the design elements listed below is required for qualification for the neon sign incentives.
  - a. **Sign Restoration.** The restoration of a historic sign that includes neon and/or incandescent light bulbs would categorically qualify the applicant for the neon sign incentives herein.

*Intent:* The City wants to encourage and promote the restoration of neon signs, especially those that have already been identified as possessing historic value.
  - b. **Neon Design.** The neon portion of the sign should be intricate, creative, and expressive. There shall be added text and/or imagery highlighted with neon, preferably both.

*Intent:* The City wants to encourage innovative neon sign design. Although design is understood to be subjective, the intent is to promote neon signs that emphasize a sign's text and imagery rather than its border.
  - c. **Sign Design.** If the sign is rectangle or a square, the mounting structure should have a unique design that integrates with the sign.

*Intent:* The City wants to encourage innovative neon sign design. For example, historic signs frequently have a uniquely identifiable shape driven by the name or logo of the business. This is a mechanism for encouraging more elaborate design than the typical modern sign types, which are almost exclusively rectangles and squares.
  - d. **Illumination.** 100% of the sign illumination should consist of neon or other historic forms of illumination, such as incandescent bulbs. Illumination calculations exclude any portion of the sign that is backlit plastic panels where sign content is painted or printed on the panel, instead of originating from luminous tubing.

*Intent:* The intent is to promote neon signs, meaning signs characterized primarily by the usage of neon or neon-like illumination resulting from luminous tubing. Backlit plastic panels do not evoke the historic "neon feel" that characterized Route 66, unless they are individual channel letters backlit with neon tubing.
5. All signs must be in compliance with the latest enforced clearance section of the National Electric Safety Code, which governs minimum required clearance distances for electric utility facilities. Electric overhead transmission lines are located perpendicular and parallel to Central Ave. Electric overhead distribution lines are frequently located in or overhanging the public ROW, generally crossing or paralleling Central Ave. All proposed neon installations at these locations must be approved by PNM through the City's Sign Permit Application process to ensure vertical and horizontal safety clearances.

### **III. INCENTIVES / FLEXIBILITY WITH EXISTING REGULATIONS**

The CAN DOZ provides size and height bonuses for qualifying neon signs, allows animation and waives some permit application fees.

Sign location, number, size and height are regulated by individual zoning districts (e.g. R-3, C-2, SU-1, etc.). **Qualifying Signs** within the CAN DOZ shall comply with the General Sign Regulations of the Zoning Code (§14-16-3-5 ROA 1994), and the regulations of the underlying zoning with the following provisions and exceptions:

#### **A. Size.**

1. Free-Standing or Projecting Signs. Sign area for a free-standing or projecting sign may be up to 50% over the sign area allowed in the underlying zone, up to a maximum of 250 SF after the bonus is applied. Sign letter size is allowed a proportionate size bonus.
2. Building-Mounted Signs, Except Projecting Signs. Sign area for a building-mounted sign may be up to 25% over the sign area allowed in the underlying zone. Sign letter size is allowed a proportionate size bonus.
3. Off-premise signs are regulated by the General Regulations, §14-16-3-5 ROA 1994, and do not qualify for a size bonus.

#### **B. Height.**

1. Free-Standing Signs. Height of a free-standing sign shall not exceed 30 feet, except a sign within 200 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, the sign height shall not exceed 26 feet above the highway at its closest point.
2. Building-Mounted Signs. Height of a building-mounted sign shall not exceed 110% of the building height, or it shall not exceed 35 feet, whichever is lower. The building-mounted sign shall be located below the non-residential portion of the building to which it is attached, or otherwise located so that the illumination from the sign is shielded from the residential portions of the building to the lumen standard established by the City.

#### **C. Animated Signs.**

Animated Signs are permitted. Change of illumination may produce apparent motion of the visual image on signs. Such motion shall be the result of changes in luminance in a sequential or radial manner to produce what appears to be movement of an element of the animated sign. Flashing and physical movement of a sign and/or its elements are not sequential or radial changes in luminance, and therefore do not qualify as animated signs.

#### **D. Financial.**

Neon signs qualify for a waiver of fees for administrative approval and sign permit applications. The electric and/or building permit fees are still required.

## **IV. APPENDICES**

***Appendix A: Central Avenue Neon Design Overlay Zone Location Map***

***Appendix B: Photo Examples***

***Appendix C: Central Avenue Neon Sign Inventory Map, 2012***

***Appendix D: PNM Utility Facility Clearance Guidelines***

## Appendix A: Central Avenue Neon Design Overlay Zone Location Map

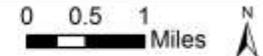


2/5/2013

Shading represents area outside of Albuquerque City Limits

The Design Overlay Zone includes:

- All properties that have direct frontage on Central Avenue; and
- Sign locations within 300-feet of the edge of Central Avenue right-of-way located on properties that front the following major streets: Tramway, Juan Tabo, Eubank, Wyoming, Louisiana, San Pedro, San Mateo, Yale, University, I-25, Broadway, Atrisco, Old Coors, Coors, Unser (north of Central only), and 98<sup>th</sup> Street (north of Central only).



*Appendix B: Photo Examples*



# Appendix C: Central Avenue Neon Sign Inventory Map, 2012



Page: 1

-  STATE OWNED PROPERTIES
-  CITY OWNED PROPERTIES
-  RESIDENTIAL LAND USE
-  VACANT LAND USE

### SIGNS ALONG CENTRAL

-  HISTORIC NEON
-  ICONIC SIGN
-  NEW NEON

Source: Central Ave Neon Sign Inventory 2012



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-  STATE OWNED PROPERTIES
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Source: Central Ave Neon Sign Inventory 2012



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-  STATE OWNED PROPERTIES
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SIGNS ALONG CENTRAL

-  HISTORIC NEON
-  ICONIC SIGN
-  NEW NEON

Source: Central Ave Neon Sign Inventory 2012

## **Appendix D: PNM Utility Facility Clearance Guidelines**

### **PUBLIC SERVICE COMPANY OF NEW MEXICO**

PNM supports the City's efforts to revitalize Central Avenue with the proposed Central Avenue Neon Design Overlay Zone. PNM has identified specific public and employee safety concerns and adequate safety clearances regarding potential locational conflicts with existing overhead electric facilities that parallel or cross Central Avenue.

In many areas along Central Avenue, PNM overhead distribution lines are located along the back lot line; however in some instances they are also located along Central. There is one electric transmission line that parallels Central Ave on west Central. Many transmission and distribution electric lines also cross Central in various locations between Tramway and 106th Streets.

Some streetlight circuits along Central are overhead. Some streetlights are not owned by PNM but are owned by the City of Albuquerque.

Identify limitations/restrictions for neon around electric facilities:

- Refer to the PNM Electric Service Guide found at [www.PNM.com](http://www.PNM.com) for all neon sign project clearance requirements.
- Safety clearances are required by the National Electric Safety Code (NESC) to ensure utility worker and public safety which is adopted by the CoA.
- In addition to PNM electric service on the distribution poles, there are other third party co-locations attached to PNM poles, like telephone, cable, and internet providers.
- Neon cannot be added to PNM-owned light poles.
- Electric distribution facilities are exempt in the zone code and are not defined.

Proposed Language for Design Overlay Zone:

*“Electric overhead transmission lines are located perpendicular and parallel to Central Ave within the DOZ. Electric overhead distribution lines are frequently located in the public right-of-way, overhanging or in public road right-of-way, generally crossing or paralleling Central Avenue. All proposed neon installations at these locations must be approved by PNM through the CoA sign permitting process to ensure vertical and horizontal safety clearances.”*