



Central Avenue Neon Sign Design Overlay Zone

June 24, 2013

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Resolution R-13-165, Enactment No. R-2013-065

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 106th 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 of a sign or flashing by its elements that are not sequential or radial changes in luminance do not qualify as animation of a sign. Any animation should reflect historic neon animation design (lighting and/or physical movement) and not incorporate electronic sign animation, which is restricted by the General Sign Regulations.

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 (106th 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 98th 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 Design Review Team (DRT) Meeting. This is an opportunity for applicants to discuss the requirements and the incentives that this overlay zone provides. During the DRT, 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 DRT, the applicant may submit a 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 application to property owners within 100 feet of the subject site by mail, and shall provide the applicant with two yellow posters describing the proposed neon sign to display on the property for 15 days. After at least 15 days have passed, the Planning Director shall issue a decision and provide notification thereof to those same property owners. 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 these criteria:

1. **Amount of Neon.** Luminous neon 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 98th 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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Page: 2



- 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






Page: 3



-  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

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:

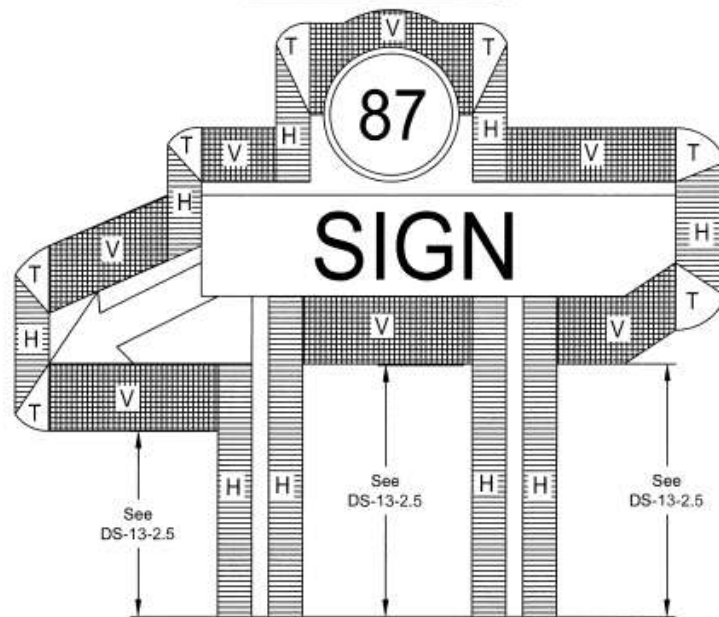
- Refer to the PNM Electric Service Guide found at www.PNM.com for all neon sign project clearance requirements.
- Safety clearances are required by the National Electric Safety Code (NESC) to ensure utility worker and public safety which is adopted by the CoA.
- In addition to PNM electric service on 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.”



Clearance Diagram for Building



Clearance Diagram for Other Structures

Regions where conductors are prohibited		Controlling Clearance	Transition between horizontal and vertical clearances
H		Horizontal	The horizontal clearances governs above the level of the roof or top of an installation to the point where the diagonal equals the vertical clearance requirement. Similarly, the horizontal clearance governs above or below projections from buildings, signs, or other installations to the point where the diagonal equals the vertical clearance requirement. From this point the transitional clearance shall equal the vertical clearance as shown above.
V		Vertical	
T		Transition= Vertical (ARC)	

Clearances from Buildings and Other Structures

**Table I
Clearance of Wires, Conductors, Cables, and Unguarded
Rigid Live Parts Adjacent to Buildings and Other
Installations Except Bridges¹²**

Clearance of	Messengers, Grounded Guys, and Neutral Conductors (ft)	Multiplexed Cable (ft)	Unguarded Rigid Live Parts (0 to 750 V) (ft)	Open Wire Secondary (ft)	Unguarded Rigid Live Parts (750 to 22 kV) (ft)	Open Supply Conductors, (750 - 22KV) (ft)
I. Buildings						
a) Horizontal						
(1) To walls, projections and guarded windows	4.5 ^{1,2,7}	5.0 ^{1,2}	5.0 ^{1,2}	5.5 ^{1,2,9}	7.0 ^{1,2}	7.5 ^{1,2,10,11}
(2) To unguarded windows ⁸	4.5	5.0	5.0	5.5 ⁹	7.0	7.5 ^{10,11}
(3) To balconies and areas readily accessible to pedestrians ³	4.5	5.0	5.0	5.5 ⁹	7.0	7.5 ^{10,11}
b) Vertical¹⁴						
1) (1) Over or under roofs or projections not accessible to pedestrians ³	3.0	3.5	10.0	10.5	12.0	12.5
2) (2) Over or under balconies and roofs accessible to pedestrians ³	10.5	11.0	11.0	11.5	13.0	13.5
(3) Over roofs accessible to vehicles but not subject to truck traffic ⁶	10.5	11.0	11.0	11.5	13.0	13.5
(4) Over roofs accessible to truck traffic ⁶	15.5	16.0	16.0	16.5	18.0	18.5
2. Signs, chimneys, billboards, radio and television antennas, tanks, and other installations not classified as buildings or bridges.						
a) Horizontal⁴						
(1) To portions that are readily accessible to pedestrians ³	4.5	5.0	5.0 ^{1,2}	5.5 ⁹	7.0 ^{1,2}	7.5 ^{10,11}
(2) To portions that are not readily accessible to pedestrians ³	3.0	3.5	5.0 ^{1,2}	5.5 ^{1,2,9}	7.0 ^{1,2}	7.5 ^{1,2,10,11}
b) Vertical						
(1) Over or under catwalks and other surfaces upon which personnel walk	10.5	11.0	11.0	11.5	13.0	13.5
(2) Over or under other portions or such installations ⁴	3.0	3.5	5.5	6.0 ¹	7.5	8.0

NOTE: See DM-13-2.6 for application of clearance requirements.

Table I
Clearance of Wires, Conductors, Cables, and
Unguarded Rigid Live Parts Adjacent to Buildings and
Other Installations Except Bridges (continued)

1. Where building, sign, chimney, antenna, tank, or other installation does not require maintenance such as painting, washing, changing of sign letters, or other operations which would require persons to work or pass between wires, conductors, cables or unguarded rigid live parts and structure, the clearance may be reduced by 2'.
2. Where available space will not permit this value, the clearance may be reduced by 2't. provided the wires, conductors, or cables, including splices and taps, and unguarded rigid live parts have a covering that provides sufficient dielectric strength to limit the likelihood of a short circuit in case of momentary contact with a structure or building.
3. A roof, balcony, or area is considered readily accessible to pedestrians if it can be casually accessed through a doorway, ramp, window, stairway, or permanently mounted ladder by a person on foot who neither exerts extraordinary physical effort nor employs special tools or devices to gain entry. A permanently mounted ladder is not considered a means of access if its bottom rung is 8 ft. or more from the ground or other permanently installed accessible surface.
4. The required clearances shall be to the closest approach of motorized signs or moving portions of installations covered by NESC Rule 234C.
5. Ungrounded guys and ungrounded portion of guys between guy insulators, shall have clearances based on the highest voltage to which they may be exposed to a slack conductor or guy.
6. For the purpose of this rule, trucks are defined as any vehicle exceeding 8' in height.
7. This clearance may be reduced to 3" for the grounded portions of guys.
8. Windows not designed to open may have the clearances permitted for walls and projections.
9. The clearance at rest shall be not less than the value shown in this table. Also, when the conductor or cable is displaced by wind, the clearance shall be not less than 3.5'; see NESC Rule 234C1b.
10. The clearance at rest shall be not less than the value shown in this table. Also, when the conductor or cable is displaced by wind, the clearance shall be not less than 4.5'; see NESC Rule 234 C1b .
11. Where available space will not permit this value, the clearance may be reduced to 7.0' for conductors limited to 8.7 kV to ground.
12. The clearance values shown in this table are computed by adding the applicable Mechanical and Electrical (M&E) value of Table A-1 to the applicable Reference Component of Table A-2b of Appendix A in the NESC.
13. The anchor end of guys insulated in accordance with Rule 279 may have the same clearance as grounded guys.
14. For clearances above railings, walls, or parapets around balconies or roofs, use the clearances required for row 1b(1). For such clearances where an outside stairway exists, use the clearances required for row 2b(2).

NOTES

- (1) See DM-13-2.6 for Application of Vertical and Horizontal Clearance Requirements and Horizontal Clearance Requirements with Wind Displacement.
- (2) These drawings are intended as aids for interpretation of the National Electrical Safety Code (NESC). For final authority, refer to NESC Rule 234.

**CITY of ALBUQUERQUE
TWENTIETH COUNCIL**

COUNCIL BILL NO. R-13-165 ENACTMENT NO. R-2013-065

SPONSORED BY: Isaac Benton, by request

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RESOLUTION

ADOPTING A ZONE MAP AMENDMENT, 12EPC-40077, TO ESTABLISH THE CENTRAL AVENUE NEON DESIGN OVERLAY ZONE (CAN DOZ). THE REQUEST APPLIES TO ALL PROPERTIES THAT HAVE DIRECT FRONTAGE ON CENTRAL AVENUE; AND SIGN LOCATIONS WITHIN 300-FEET OF THE EDGE OF CENTRAL AVENUE RIGHT-OF-WAY ON PROPERTIES THAT FRONT TRAMWAY, JUAN TABO, EUBANK, WYOMING, LOUISIANA, SAN PEDRO, SAN MATEO, YALE, UNIVERSITY, I-25, BROADWAY, ATRISCO, OLD COORS, COORS, UNSER, AND 98TH STREET. THE CAN DOZ WILL BE A STAND-ALONE DOCUMENT THAT IS AN EXTENSION OF THE ZONING CODE.

WHEREAS, the Council, the Governing Body of the City of Albuquerque, has the authority to adopt and amend plans for the physical development of areas within the planning and platting jurisdiction of the City authorized by statute, Section 3-19-3, NMSA 1978, and by its home rule powers; and

WHEREAS, on February 14, 2013 the Environmental Planning Commission, in its advisory role on land use and planning matters, recommended approval to the City Council of a map amendment to establish the Central Avenue Neon Design Overlay Zone, for all properties that have direct frontage on Central Avenue; and sign locations within 300-feet of the edge of Central Avenue Right-of-Way on properties that front Tramway, Juan Tabo, Eubank, Wyoming, Louisiana, San Pedro, San Mateo, Yale, University, I-25, Broadway, Atrisco, Old Coors, Coors, Unser, and 98th Street; and

WHEREAS, the Environmental Planning Commission found that the above mentioned map amendment is consistent with applicable Comprehensive Plan goals and policies.

[+ Bracketed/Underscored Material +] - New
[- Bracketed/Strikethrough-Material -] - Deletion

[+ Bracketed/Underscored Material +] - New
[- Bracketed/Strikethrough Material -] - Deletion

1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 Section 1. ESTABLISHMENT OF A CENTRAL AVENUE NEON DESIGN
4 OVERLAY ZONE (CAN DOZ). The Central Avenue Design Overlay Zone is
5 established through a zone map amendment and applies to all properties that
6 have direct frontage on Central Avenue; and sign locations within 300-feet of
7 the edge of Central Avenue Right-of-Way on properties that front Tramway,
8 Juan Tabo, Eubank, Wyoming, Louisiana, San Pedro, San Mateo, Yale,
9 University, I-25, Broadway, Atrisco, Old Coors, Coors, Unser, and 98th Street.
10 Exhibit A contains the design criteria, processes, and map of eligible
11 properties.

12 Section 2. FINDINGS ACCEPTED. The following findings are adopted by
13 the City Council:

14 A. This is a request for a Map Amendment to the Zoning Code to adopt the
15 Central Avenue Neon Sign Design Overlay Zone (CAN DOZ). The CAN DOZ will
16 be a stand-alone document that is an extension of the Zoning Code.

17 B. The City of Albuquerque Planning Department has prepared the design
18 overlay zone as a component of the Mayor's "ABQ the Plan" initiative to
19 revitalize Route 66. The intent of the CAN DOZ is to encourage the
20 development of neon signs and lighting within the Central Avenue corridor to
21 promote Route 66 history and identity for locals and visitors.

22 C. The CAN DOZ applies to all properties that have direct frontage on
23 Central Avenue; and sign locations within 300-feet of the edge of Central right-
24 of-way on properties that front Tramway, Juan Tabo, Eubank, Wyoming,
25 Louisiana, San Pedro, San Mateo, Yale, University, I-25, Broadway, Atrisco,
26 Old Coors, Coors, Unser, and 98th Street.

27 D. The Charter of the City of Albuquerque, the Albuquerque
28 Comprehensive Plan and the City of Albuquerque Zoning Code are
29 incorporated herein by reference and made part of the record for all purposes.

30 E. The request meets the intent of the City Charter. Amending the Zoning
31 Ordinance through a Zone Map Amendment is an act of self-governance and
32 falls within the City's powers (Article I). Providing incentives for the
33 preservation of existing neon signs and creating new neon signs and lighting

[+ Bracketed/Underscored Material +] - New
[-Bracketed/Strikethrough Material -] - Deletion

1 through the CAN DOZ promotes and maintains an aesthetic and humane
2 urban environment (Article IX).

3 F. The proposed text amendment generally furthers the intent of the Zoning
4 Code to promote the health, safety and general welfare of the public because it
5 would support improvements to the roadway corridor along Central Avenue to
6 develop an historic neon theme that already exists along the former Route 66.

7 G. The proposed text amendment does not significantly conflict with any of
8 goals or policies and generally furthers the intent of the Comprehensive Plan.

9 i. Goal II.B.6 - Promote the Central Urban Area as the historic center of the
10 City. The CAN DOZ is a new overlay district that creates an incentive for the
11 use of neon signs in the historic Route 66 corridor and aims to enhance the
12 streetscape along Central Avenue.

13 ii. Policy II.B.6.a – Preserve existing and attract new public, cultural, and
14 arts facilities. The CAN DOZ proposes incentives to both encourage the
15 preservation and rehabilitation of existing historic signs as well as new signs
16 that use a historic sign material.

17 iii. Goal II.B.5 - Create a quality urban environment while creating a
18 visually pleasing built environment. The CAN DOZ is a step toward creating a
19 high-quality and visually-pleasing urban environment while encouraging the
20 integration of various communities within the metropolitan area.

21 iv. Policy II.B.5.d – Location, intensity, and design of new development
22 shall respect neighborhood values. By providing incentives for providing new
23 and rehabilitated neon signs, the City will strengthen a neon theme that
24 already exists along Central Avenue. This will further develop the historic
25 character of the former Route 66. In this way, the request respects existing
26 neighborhood values and cultural resources.

27 v. Policy II.B.5.l and 5.m – Quality and innovation in design shall be
28 encouraged; design shall be encouraged which is appropriate to the Plan
29 area; design that improves the quality of the visual environment shall be
30 encouraged. The primary intent of the CAN DOZ is to enhance the quality of
31 the visual environment of Central Avenue. The proposed incentives are tied to
32 design criteria that will result in creative and innovative signs. The sign

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1 material, neon, and the larger sign size are appropriate for this corridor,
2 because they will develop the historic sign theme existing along Central Ave.

3 vi. Policy II.B.5.o – Redevelopment and rehabilitation shall be encouraged.
4 Central Avenue traverses older, established neighborhoods across the city.
5 Redevelopment and rehabilitation of these older areas will be strengthened
6 and incentivized by the City by allowing a neon design overlay zone along this
7 corridor.

8 vii. Policy II.B.5.p – Cost-effective redevelopment techniques. The CAN
9 DOZ provides incentives for property owners to utilize neon signs, which may
10 encourage redevelopment of older signs and repair or improvement of
11 existing neon signs.

12 viii. Goal II.C.5 – Protect, reuse, or enhance significant historic districts and
13 buildings. The CAN DOZ aims to protect historic neon signs through providing
14 incentives for their preservation and reuse. The design overlay zone also aims
15 to enhance the character and vitality of the historic Route 66 corridor.

16 ix. Goal II.C.8 – Maintain and improve the natural and the developed
17 landscapes’ quality. The CAN DOZ will enhance the quality of the developed
18 landscape around Central Avenue by creating incentives for new and
19 rehabilitated neon signs. The design regulations and guidelines aim to
20 encourage creative and artistic signs, which will improve the visual quality of
21 the corridor.

22 x. Goal II.C.9 – preserve and enhance the distinct community identities.
23 The CAN DOZ will help to preserve and enhance historical signs along Central
24 Avenue. Cultivating new neon signs through the CAN DOZ is a strategy for
25 creating an identifiable and distinct character for the Route 66 corridor.

26 xi. Policy II.C.9.e – Roadway corridors shall be designed and developed to
27 reinforce the community’s unique identity. By providing financial, size, and
28 location incentives, this design overlay zone aims to foster a unique identity
29 for Central Avenue as Route 66.

30 H. The applicant has adequately justified the zone change request pursuant
31 to Resolution 270-1980:

32 i. Section 1.A. The establishment of the CAN DOZ along historic Route 66
33 will be consistent with the health, safety, morals, and general welfare of the

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1 City by furthering applicable Master Plan Goals and Policies and
2 strengthening the identity of Albuquerque's 15-mile, urbanized stretch of
3 Route 66.

4 ii. Section 1.B. The proposed DOZ will not destabilize land use or zoning
5 as it will not affect allowed land uses, and may provide more stability to
6 existing and future businesses along the Route 66 corridor.

7 iii. Section 1.C. The proposed change will not be in conflict with the
8 adopted elements of the Comprehensive Plan or other Sector Development
9 Plans along the Route 66 Corridor.

10 iv. Section 1.D. The existing zoning is not affected. The additional
11 allowances of the CAN DOZ will: Respond to changed neighborhood and
12 community conditions that have taken place over the past 50 years since retail
13 and residential uses have declined in number and viability along Route 66. The
14 CAN DOZ and its design standards will be more advantageous to the
15 community as articulated in the Comprehensive Plan, and will play a strong
16 role in the development of the form of the metropolitan area along this arterial
17 street corridor that links urban centers and historic zones.

18 v. Section 1.E. This new DOZ and its design standards will not be harmful
19 to adjacent property, the neighborhood or the community.

20 vi. Section 1.F. The CAN DOZ will not require major and unprogrammed
21 capital expenditures.

22 vii. Section 1.G. Economic considerations are not the determining factor
23 for the CAN DOZ.

24 viii. Section 1.H. The CAN DOZ does not establish new uses.

25 ix. Section 1.I. The CAN DOZ is not a spot zone.

26 x. Section 1.J. The CAN DOZ is a legitimate type of strip zoning because
27 the change will clearly facilitate the realization of the Comprehensive Plan and
28 the Central Avenue corridor is different than surrounding land because it is
29 part of historic Route 66.

30 Section 3. EFFECTIVE DATE AND PUBLICATION. This legislation shall
31 take effect thirty days after publication by title and general summary.

32 Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
33 clause, word or phrase of this resolution is for any reason held to be invalid or

1 unenforceable by any court of competent jurisdiction, such decision shall not
2 affect the validity of the remaining provisions of this resolution. The Council
3 hereby declares that it would have passed this resolution and each section,
4 paragraph, sentence, clause, word or phrase thereof irrespective of any
5 provisions being declared unconstitutional or otherwise invalid.

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1 PASSED AND ADOPTED THIS 24th DAY OF June 2013
2 BY A VOTE OF: 7 FOR 1 AGAINST.

3
4 Against: Benton

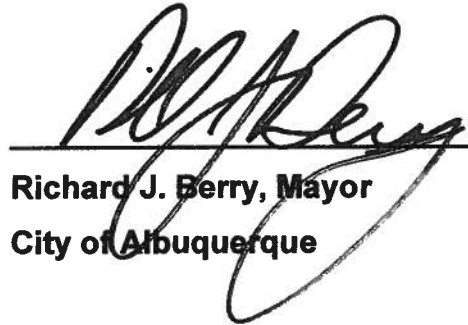
5 Excused: Winter

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8 Daniel P. Lewis, President
9 City Council

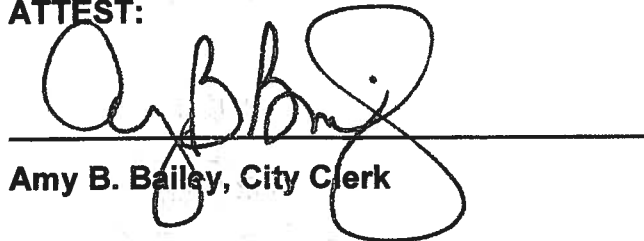
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12 APPROVED THIS 12th DAY OF July, 2013

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17 Bill No. R-13-165

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21 Richard J. Berry, Mayor
22 City of Albuquerque

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26 ATTEST:

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29 Amy B. Bailey, City Clerk

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