
**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Stephanie M. Yara, Director of Council Services *SMY 9/16/19*

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. O-19-52 Amending The Integrated Development Ordinance (IDO) Section §14-16-3-5(J)(3) Old Town HPO 5, And Other Development Standards To Allow Increased Types And Amount Of Signage In Old Town And To Incorporate Outdoor Display And Demonstration Into Old Town HPO 5; And Amending The IDO Section §14-16-4-3(D)(8)(e)3. To Make Tap Room Or Tasting Room A Conditional Use In The Old Town HPO-5; And Amending Section §13-3-2-1 Old Town Solicitations Ordinance To Replace All References To The H1 Historic Old Town Zone With Old Town HPO 5 (Benton), which was passed at the Council meeting of September 4, 2019, by a vote of 8 FOR AND 1 AGAINST.

Against: Borrego

In accordance with the provisions of the City Charter, your action is respectfully requested.

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1 c. Outdoor Display language in the IDO be clarified to allow for the
2 display of retail goods; and

3 d. Outdoor Demonstration provisions be carried over from the H-1
4 zone to the IDO Old Town HPO 5.

5 (D) In addition to the concerns of the Task Force, the members of the
6 public requested that consideration be given to making a Tap Room or Tasting
7 Room, as defined by the IDO, a Conditional Use in Old Town when not
8 associated with a restaurant. This use supports local breweries, wine growers,
9 and craft distillers which are a growing part of the Albuquerque’s tourism
10 industry and is supportive of small, local businesses.

11 (E) The following amendments seek to continue to balance the need to
12 increase visibility of retail shops in Old Town and the interest in maintaining
13 the historic nature and integrity of Old Town, while also ensuring that the
14 language is clear and enforceable.

15 (F) The request furthers the following applicable Goal and Policy in the
16 Albuquerque/ Bernalillo County Comprehensive Plan (ABC Comp Plan),
17 Chapter 4: Community Identity:

18 Goal 4.1 Character: Enhance, protect, and preserve distinct
19 communities.

20 Policy 4.1.3 Placemaking: Protect and enhance special places in the
21 built environment that contribute to distinct identity and sense of place.

22 These revisions are intended to enhance, protect, and preserve the
23 distinctive Old Town community. The proposed revisions are in keeping with
24 protecting the special qualities of Old Town.

25 (G) The request furthers the following applicable Goal and Policy in the
26 ABC Comp Plan, Chapter 5: Land Use:

27 Goal 5.1 Centers & Corridors: Grow as a community of strong
28 Centers connected by a multi-modal network of Corridors.

29 Policy 5.1.6 Activity Centers: Foster mixed-use centers of activity
30 with a range of services and amenities that support healthy lifestyles and meet
31 the needs of nearby residents and businesses.

32 a) Incorporate a compatible mix of commercial and residential uses with a
33 range of higher-density housing types.

1 b) Provide neighborhood-oriented commercial, retail, institutional, and
2 public services.

3 c) Encourage gathering spaces for festivals, markets, and street fairs.

4 d) Ensure that Activity Centers are pedestrian-friendly and provide
5 convenient pedestrian connections to nearby residential areas.

6 e) Provide good connectivity via bicycle between Activity Centers and
7 nearby residential areas and multi-use trails.

8 Old Town has long been an Activity Center of Albuquerque. It is unique
9 because it is an Area of Consistency whereas most Activity centers are Areas
10 of Change. The proposed revisions are ultimately intended to encourage the
11 stability of this special Activity Center by supporting the needs of businesses,
12 while recognizing the special character of Old Town. The changes to the sign
13 regulations allow for slightly larger signage, and for the use of portable signs,
14 while limiting placement and design of the sign. Making a Tap Room or Tasting
15 Room, as defined by the IDO, a Conditional use helps to support growing local
16 businesses and an important aspect of Albuquerque's tourism industry.

17 Policy 5.6.3 Areas of Consistency: Protect and enhance the
18 character of existing single-family neighborhoods, areas outside of Centers
19 and Corridors, parks, and Major Public Open Space. Ensure that development
20 reinforces the scale, intensity, and setbacks of the immediately surrounding
21 context.

22 Old Town is an Area of Consistency. Its nature as an Activity Center, its
23 predominantly commercial character, and the historic nature of Old Town
24 requires consideration of the balance between the necessary signage for
25 commercial establishments and the clutter of excessive signage and display.

26 Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to
27 support desired growth, high quality development, economic development,
28 housing, a variety of transportation modes, and quality of life priorities.

29 The proposed text amendment is fundamental to using regulatory
30 framework to support desired growth and economic development. The
31 expanded signage allowances and clarifications of the regulations as they
32 relate to signs will allow for more consistency in enforcement and predictability
33 for businesses, while improving visibility for the businesses.

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1 (H) The request generally furthers the following applicable Goals and
2 Policy in the ABC Comp Plan, Chapter 8: Economic Development:

3 Goal 8.1 Placemaking: Create places where business and talent will
4 stay and thrive.

5 Goal 8.2 Entrepreneurship: Foster a culture of creativity and
6 entrepreneurship and encourage private businesses to grow.

7 Increased signage will encourage businesses to continue in Old Town.
8 Making Tap Room or Tasting Room, as defined by the IDO, a Conditional Use
9 will support an important part of Albuquerque’s tourism industry. These
10 revisions will foster growth and entrepreneurship, while protecting the special
11 character of Old Town.

12 Policy 8.2.1 Local Business: Emphasize local business
13 development.

14 These revisions are specifically directed towards the unique nature of the
15 businesses in the Old Town HPO, all of which are local businesses.

16 (I) The request generally furthers the following applicable Goal and Policies
17 in the ABC Comp Plan, Chapter 11: Heritage Conservation

18 Goal 11.1 Traditional, Rural & Agricultural Heritage: Preserve and
19 enhance farmland, the acequia system, and traditional communities.

20 Policy 11.2.3 Distinct Built Environments: Preserve and enhance the
21 social, cultural, and historical features that contribute to the identities of
22 distinct communities, neighborhoods, and districts.

23 a) Consider local history and the visual environment, particularly features
24 unique to Albuquerque, as significant determinants in development and
25 redevelopment decisions in light of their relationship to and effect upon the
26 following:

- 27 i. Architectural styles and traditions;
- 28 ii. Current and historic significance to Albuquerque;
- 29 iii. Historic plazas and Centers;
- 30 iv. Culture, traditions, celebrations, and events

31 b) Encourage development that strengthens the identity and cohesiveness
32 of the surrounding community and enhances distinct historic and cultural
33 features.

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1 c) Design streets and streetscapes that match the distinctive character of
2 historic areas.

3 The clarifications in terminology included in these revisions will enhance
4 the distinct built environment of Old Town. The increased size of signage and
5 the addition of portable signs are significant for business owners but will not
6 have an adverse effect on the historic nature of the built environment.

7 Goal 11.5 Cultural Traditions & the Arts: Emphasize and support
8 cultural traditions and arts as vital components of the community’s identities
9 and well-being.

10 Reinstating the references for outdoor demonstrations encourages cultural
11 traditions and arts.

12 Policy 11.5.1 Arts Promotion: Coordinate and promote the arts and
13 the cultural sector as key assets in a vital economy; major contributors to
14 quality of life and healthy communities; and the heart of high-quality, special
15 places that contribute to the identity of distinct communities.

16 The revisions to the signage regulations, and the addition of Tap Room or
17 Tasting Room as a conditional use seek to ensure the economic viability of Old
18 Town. Old Town has an important role in reflecting the history, culture, and arts
19 in Albuquerque.

20 (J) The request was heard by the Landmarks Commission on April 8th and
21 May 8th 2019, and by the Environmental Planning Commission on May 9th, 2019.
22 Both commissions voted to recommend approval of the proposed changes to
23 Old Town sign regulations, and included recommended conditions for the City
24 Council to consider.

25 SECTION 2. Section §13-3-2-1 Old Town Solicitations Ordinance, find and
26 replace all references to the “H1 Historic Old Town Zone” with “Old Town HPO
27 5”.

28 SECTION 3. IDO Section §14-16-7-1. Definitions. Add a definition for
29 “Streamers” in the Sign category as follows: “A strand of pennants, triangular
30 flags, or fringe made of any material other than paper.”

31 SECTION 4. IDO Section §14-16-4-3(D)(34)(a)(2) Outdoor retail sales and
32 display in Old Town, delete this section.

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1 SECTION 5. IDO Section §14-16-5-12(F)(4)(b)(2) Portable Signs. Delete Old
2 Town – HPO 5 from the list of areas where Portable Signs are prohibited.

3 SECTION 6. IDO Section §14-16-3-5(J)(3)(c) Old Town – HPO 5, Other
4 Development Standards, Signs, replace with the text in the attached Exhibit 1.

5 SECTION 7. IDO Section §14-16-3-5(J)(3), add a new sub section (d)
6 Outdoor Display, per Exhibit 1.

7 SECTION 8. IDO Section §14-16-3-5(J)(3), add a new sub section (e)
8 Outdoor Demonstration, per Exhibit 1.

9 SECTION 9. IDO Section §14-16-4-3(D)(8)(e)3. Strike the existing text and
10 replace with the following: Where allowed, Tap room or tasting room is a
11 conditional use, unless accessory to a restaurant.

12 SECTION 10. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
13 clause, work or phrase of this ordinance is for any reason held to be invalid or
14 unenforceable by any court of competent jurisdiction, such decision shall not
15 affect the validity of the remaining provisions of this ordinance and each
16 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
17 any provision being declared unconstitutional or otherwise invalid.

18 SECTION 11. COMPILATION. Section 2 of this ordinance shall be
19 incorporated in and made part of the Revised Ordinance of Albuquerque, New
20 Mexico, 1994. Sections 3 through 8 of this ordinance shall be incorporated in
21 and made part of the Revised Ordinance of Albuquerque, New Mexico, 1994
22 and shall occur in conjunction with the Effective Date for Sections 3 through 8.


23 SECTION 12. EFFECTIVE DATE AND PUBLICATION OF SECTION 2.
24 Section 2 of this ordinance shall take effect five days after publication by title
25 and general summary.

26 SECTION 13. EFFECTIVE DATE AND PUBLICATION OF SECTIONS 3
27 THROUGH 8. Sections 3 through 8 of this ordinance shall take effect after
28 publication by title and general summary upon the sooner of the effective date
29 of the 2019 IDO Annual Update or January 31st, 2020.

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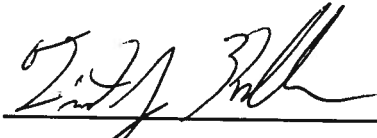
1 PASSED AND ADOPTED THIS 4th DAY OF September, 2019
2 BY A VOTE OF: 8 FOR 1 AGAINST.

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4 Against: Borrego

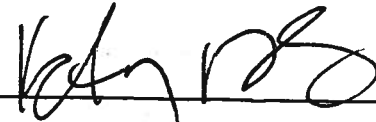
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9 Klarissa J. Peña, President
10 City Council

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13 APPROVED THIS 24 DAY OF April, 2019
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17 Bill No. O-19-52

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21 Timothy M. Keller, Mayor
22 City of Albuquerque
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27 ATTEST:

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30 Katy Duhigg, City Clerk
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