



Legislation Text

File #: O-19-52, Version: 1

**CITY of ALBUQUERQUE  
TWENTY THIRD COUNCIL**

**COUNCIL BILL NO. O-19-52 ENACTMENT NO. \_\_\_\_\_**

**SPONSORED BY: Isaac Benton**

**ORDINANCE**

**Amending The Integrated Development Ordinance (IDO) Section §14-16-3-5(J)(3) Old Town HPO 5, 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 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)**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:**

**SECTION 1. FINDINGS**

- (A) In 2010, the City Council amended (F/S O-10-34) the H-1 Historic Old Town to allow limited outdoor demonstrations and displays in Old Town, and sought to strike a balance between the need to increase visibility of retail shops in Old Town and the interest in maintaining the historic nature and integrity of Old Town.**
- (B) In 2018, an online Task Force was convened of Old Town property owners, residents, and business owners to review the sign regulations that apply to Old Town.**
- (C) The Task Force recommended that:**
  - a. More types of signage be allowed in Old Town HPO 5, particularly Portable signs, commonly known as sandwich boards;**

- b. More signage be allowed in terms of size and number;
- c. Outdoor Display language in the IDO be clarified to allow for the display of retail goods; and
- d. Outdoor Demonstration provisions be carried over from the H-1 zone to the IDO Old Town HPO 5.

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

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

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

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

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

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

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

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

**SECTION 9. SEVERABILITY CLAUSE.** If any section, paragraph, sentence, clause, work or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance and each section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

**SECTION 10. COMPILATION.** Section 2 of this ordinance shall be incorporated in and

made part of the Revised Ordinance of Albuquerque, New Mexico, 1994. Sections 3 through 8 of this ordinance shall be incorporated in and made part of the Revised Ordinance of Albuquerque, New Mexico, 1994 and shall occur in conjunction with the Effective Date for Sections 3 through 8.

**SECTION 11. EFFECTIVE DATE AND PUBLICATION OF SECTION 2.** Section 2 of this ordinance shall take effect five days after publication by title and general summary.

**SECTION 12. EFFECTIVE DATE AND PUBLICATION OF SECTIONS 3 THROUGH 8.** Sections 3 through 8 of this ordinance shall take effect after publication by title and general summary upon the sooner of the effective date of the 2019 IDO Annual Update or January 31st, 2020.

