



Legislation Text

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CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Mayor Tim Keller, All City Councilors

FROM: Stephanie Yara, Director, Council Services

SUBJECT: ..title
2020 Update of Neighborhood Sign Manual

DATE: November 16, 2020

Attached, for receipt, is the 2020 Update of the City of Albuquerque Neighborhood Sign Manual, the program document for the City's Neighborhood Sign Program. The manual includes numerous changes to the program which will improve and expand the catalogue of signs and resolve programming issues concerning sign safety, sign ownership, liability, off premises sign zoning, sign maintenance and program management.

The manual makes significant changes to the new sign options that will be available including:

- *Expansion of the Catalogue of Monument Signs.* The palette of monument signs that are most favored by Neighborhoods will continue as available options, signs that were least ordered over the years will be removed, and the Catalogue will also include a number of more contemporary monument designs that are more expressive in façade design and the use of colors and materials.
- *Expansion of the Options for the Post and Board Signs.* The manual makes use of new technologies to expand the design options for post and board signs by providing the signs through a "Kit of Parts". The kit provides the ability to mix and match backboard and posts styles and for a neighborhood to design their own sign-face and lettering that can be printed on a laser printer and glued to a backboard.

The engineering of the signs, for both the signs new to the manual and those carried forward from the exiting manual, was improved to enhance motorist's visibility of the signs, crash safety for motorists who strike the signs, and sign survivability in the event of a motor vehicle crash. These engineering features include:

- *Break Away Designs.* The vertical supports for the signs will break away when struck by a vehicle causing the signs to topple forward from the vehicle. This will reduce the risk of damage to the vehicle and its passengers and improve the survivability of the sign to increase the probability of being repaired on site, instead of requiring replacement with a new sign.
- *Reflectivity:* The sign designs will include reflective buttons for monument signs and reflective

sheeting for post and board signs to improve night visibility for motorists. The diamond grade reflective sheeting backboard of the post and board signs will have the added benefit of rendering these signs readable by motorists at night with the same clarity as standard traffic signs.

New procedures, set forth in the document, will resolve long running issues impacting the sign program pertaining to sign ownership (that created uncertainties pertaining to the potential violations of the zoning code), responsibility for sign liability and maintenance, and internal City program management assignments. These issues and the manner in which they were resolved are as follows.

- *Sign Ownership.* The neighborhood signs will be owned by the City. Under the previous sign program, the City installed the sign, then assigned ownership and maintenance responsibilities to the neighborhood associations which requested the sign. Though signs are almost always in the public right of way and not on land owned by the neighborhood association. This created a concern the signs were then commercial off-premises signs which could violate the zoning code being the public right of way is not zoned for such signage. This ownership structure also created liability issues in that if the sign is owned by the neighborhood and in some manner the sign damages or injures a person, the neighborhood association could be liable as the sign owner and the City would be liable as the owner of the right of way where the sign is located. The City is insured for these events but for the neighborhood this is problematic. Most neighborhood associations are not incorporated as a domestic non-profit, and few that are rarely can afford an Officers and Directors Insurance Policy to protect the board members from liability. And even though the neighborhood associations were responsible for maintenance, few had the resources to cover maintenance costs and the City almost always completes the repairs at its expense.

Placing sign ownership with the City classifies the signs as a class of public sign in the public right of way similar to a “historical information traffic sign” and therefore no longer potentially violating the zoning code’s off premises sign regulations. The neighborhood association is also absolved of ownership and will not be liable for damage the sign might cause. As owner of the signs the City is able to better manage its liability in that the City can directly control maintenance and make repairs when needed instead of informing a neighborhood they need to make repairs, then waiting for a neighborhood to find the funds to pay for the repair, which eventually almost always paid for with City Council Set Aside funds. This liability mitigation will be in addition to, as described earlier, making the signs with break-away vertical supports and reflective facades.

- *Management of the Sign Program.* The management process has been reorganized to improve the use of City staff resources. The program will move from management under the City Council Policy Division to a shared management under the City Council Services Department Office of Neighborhood Coordination (ONC), and the Department of Municipal Development’s Capital Implementation Program (CIP). The ONC will manage requests for signs and outreach to the neighborhoods during the application process and assisting with finding a location for the signs. The CIP Division will assist with locating the signs and will manage construction and sign maintenance.

It is hoped that the work of Council and City Staff and Council Contractor will continue to mature and advance the neighborhood sign program so as to better bring forward the rich and diverse identities

of the City's neighborhoods.

SY/tm