

CITY of ALBUQUERQUE

TWENTY-FIRST COUNCIL

COUNCIL BILL NO O-19-64 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 **ORDINANCE**

2 **AMENDING CERTAIN PORTIONS OF CHAPTER 6, PART 5, ARTICLE 6 OF THE**
3 **CITY’S CODE OF ORDINANCES KNOWN AS THE “COMPLETE STREETS**
4 **ORDINANCE” TO INCORPORATE HIGHER STANDARDS RELATED TO THE**
5 **IMPLEMENTATION OF COMPLETE STREETS WITHIN THE CITY.**

6 **SECTION 1. Findings and Intent. The City Council hereby finds:**

7 **(A) That much of Albuquerque’s existing roadway system was built to**
8 **facilitate access to destinations by personal automobile, resulting in streets**
9 **that are uninviting and impractical for other users and modes of**
10 **transportation; and**

11 **(B) The City of Albuquerque sees the need to create a complete and**
12 **connected network for all transportation users.**

13 **(C) There is a growing acceptance nationwide of the need for multi-**
14 **modal roadways that serve motor vehicles, bicyclists, pedestrians; and transit**
15 **patrons of all ages and abilities; and**

16 **(D) That the Complete Streets approach is a nationally recognized**
17 **framework for designing context-sensitive street facilities that enable efficient**
18 **travel by all users, including the estimated one third of Americans who do not**
19 **drive; and**

20 **(E) That hundreds of municipalities and more than half of U.S. states**
21 **have adopted ordinances and policies incorporating Complete Streets**
22 **Concepts; and**

23 **(F) The Vision Zero movement seeks to eliminate all traffic fatalities and**
24 **severe injuries nationwide — while increasing safe, healthy, equitable mobility**
25 **for all; and**

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1 (G) A strong Complete Streets Policy is essential in any municipality
2 striving to be a Vision Zero city; and

3 (H) That the Mid Region Council of Governments has a policy requiring
4 that Complete Streets Principles are to be incorporated into the Council of
5 Governments Planning Documents; and

6 (I) That Complete Streets have been shown to encourage private
7 investments in the properties they serve and foster new land use patterns that
8 bolster economic growth and stability, generate jobs, attract private
9 investment and tourism, create place-making in areas of high activity and can
10 increase retail sales and land values; and

11 (J) That Complete Streets integrate general purpose roadways,
12 sidewalks, bike lanes, transit amenities, traffic calming and convenient
13 crossings to create a balanced transportation system that meets the needs of
14 motorized and non-motorized travelers and persons with disabilities; and

15 (K) That Complete Streets improve community health by reducing the
16 risk of injuries, encouraging physical activity like walking and bicycling that
17 reduce the incidence of chronic health conditions like obesity and heart
18 disease; and

19 (L) That Complete Streets promote alternative transportation modes,
20 helping to reduce street network congestion and vehicle emissions and
21 increase the capacity of the transportation network; and

22 (M) That the City of Albuquerque is pursuing the development of a new
23 land-use patterns that are best served by balanced transportation systems
24 that facilitate travel by all users; and the Complete Streets Ordinance
25 establishes key City policies for roadway design to be incorporated into that
26 effort; and

27 (N) The Albuquerque/Bernalillo County Comprehensive Plan (“the
28 Comprehensive Plan”) the City adopted in 2017 contains narrative, goals,
29 policies, and action items related to the importance of Complete Streets; and

30 (O) Goal 6.2 in the Comprehensive Plan says the City should,
31 “Encourage walking, biking, and transit, especially at peak-hour commuting
32 times, to enhance access and mobility for people of all ages and abilities.”;
33 and

1 (P) Policy 6.2.2 in the Comprehensive Plan (2017) says the City should,
2 “Incorporate Complete Streets concepts and policies into the development,
3 retrofit, and rehabilitation of all transportation infrastructure at all phases,
4 including planning, scoping, design, implementation, and performance
5 monitoring.”; and

6 (Q) Policy 6.2.2.a in the Comprehensive Plan says the City should, “use
7 best practices for multi-modal design.”; and

8 (R) Policy 6.2.2.b in the Comprehensive Plan says the City should,
9 “Minimize conflicts between vehicular traffic and pedestrians and cyclists and
10 incorporate traffic calming and safety measures for pedestrians and
11 bicyclists.”; and

12 (S) Policy 6.2.2.c in the Comprehensive Plan says the City should,
13 “Apply best practices and national design guidance from sources such as the
14 ITE Manual for Context Sensitive Solutions in Designing Major Urban
15 Thoroughfares for Walkable Communities, NACTO Urban Street Design Guide,
16 AASHTO Guide for the Planning, Design, and Operation of Pedestrian
17 Facilities, NACTO Urban Bikeway Design Guide, and AASHTO Guide for the
18 Development of Bicycle Facilities.”

19 (T) Action Item 6.3.1.4 in the Comprehensive Plan says the City should,
20 “Perform before and after studies for projects involving complete streets
21 improvements, lane reduction, restriping, signalization changes, or safety
22 improvements.”; and

23 (U) That multiple street projects aimed at improving accessibility for all
24 users have been successfully completed around the City in recent years,
25 ~~including~~ demonstrating the viability of providing for pedestrians, cyclists,
26 transit users and other while minimizing impacts to vehicle travel; and

27 (V) That many opportunities remain, especially in established areas of
28 the City, to improve street rights-of-way for all users, especially where pre-
29 scheduled projects, such as resurfacing, provide opportunities to consider
30 new striping configurations; and

31 (W) That public demand for multi-modal street infrastructure is
32 increasing across a mutigenerational spectrum of people, especially young
33 entrepreneurs and empty-nesters.

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

3 SECTION 2. Section §6-6-5 of ROA 1994 is hereby amended to read as
4 follows:

5 “§6-5-6-1 SHORT TITLE.

6 SECTION §6-5-6 ROA 1994 shall be known and cited as the “Complete
7 Streets Ordinance”.

8 § 6-5-6-2 INTENT AND PURPOSES.

9 (A) The intent of Article §6-5-6 et seq. is as follows:

10 (1) To implement and be so interpreted to comply with the New
11 Mexico Municipal Code (§§ 3-60A-10 et seq. NMSA 1978) and the Constitution
12 of the State of New Mexico (Article 10, Section 6).

13 (2) To express the City’s commitment to creating and maintaining
14 Complete Streets within the Central and Established Urban Areas specified by
15 the Albuquerque/Bernalillo County Comprehensive Plan.

16 (3) For residents and visitors, regardless of their age, ability,
17 [gender, ethnicity,] or financial resources, to comfortably~~[, safely]~~, and
18 efficiently use the public right-of-way within these corridors and meet their
19 transportation needs regardless of their preferred mode of travel.

20 (4) To establish the image and identity of street corridors and
21 improve economic activity on those corridors by providing a framework for
22 current and future development that integrates sidewalks, bike facilities,
23 transit amenities, and pedestrian and bicycle crossings into their design.

24 (5) To accommodate and complement improved streetscapes and
25 pedestrian facilities installed according to the provisions of the City Sidewalk,
26 Drive Pad, Curb and Gutter Ordinance (§ 6-5-5-1 ROA 1994), the Street Tree
27 Ordinance (§ 6-6-2-1 ROA 1994) and the Americans with Disabilities Act (ADA).

28 This Article is adopted pursuant to the authority set forth in Article 1 of the
29 Charter of the City of Albuquerque, which was adopted at a special election on
30 June 29, 1971, pursuant to Article 10, Section 6 of the Constitution of the State
31 of New Mexico and pursuant to the authority set forth in Sections 3-19-12 and
32 Sections 3-20-1 to 3-20-16 NMSA 1978.

33 §6-5-6-4 APPLICABILITY

1 This Article shall apply to all roadways and or segments of a roadway on
2 City right-of-way which meet the following criteria:

3 (A) Are located within the ~~Central and Established Urban Areas specified~~
4 ~~by the Albuquerque/Bernalillo Comprehensive Plan~~ Albuquerque City limits
5 and are listed on the Mid Region Council of Governments Current Roadway
6 Functional Classification Map; or

7 (B) Designated a Complete Street by Resolution of the City Council or
8 action of the Mayor.

9 § 6-5-6-5 DEFINITIONS.

10 COMPLETE STREETS: A roadway with Cross-Sections (including public
11 right of way and public or private easements abutting a public right of way that
12 are designated for a roadway) built at a human scale, designed and operated
13 for equal access by all users, including pedestrians, bicyclists, motorists and
14 transit riders of all ages and abilities, to allow comfortable and convenient
15 street crossings, and pedestrian access to adjacent land uses. Complete
16 Streets components include, but are not limited to, sidewalks, bike lanes,
17 dedicated bus lanes, comfortable and accessible public transportation stops,
18 frequent and comfortable pedestrian crossing opportunities, median
19 pedestrian islands, accessible pedestrian signals, curb extensions and
20 pedestrian bulb-outs, reduced travel lane widths determined by the design
21 speed of the roadway, context-appropriate curb return radii, roundabouts, or
22 other features that accommodate efficient multimodal travel.

23 CONNECTIVITY: Frequency by which streets or roadways intersect, or
24 how closely intersections are spaced.

25 CONTEXT SENSITIVE DESIGN: Design that seeks to balance the need to
26 move vehicles efficiently with other outcomes specific to communities and
27 neighboring properties through which a street passes, such as placemaking,
28 pedestrian-friendliness, historic preservation and economic development.

29 MULTIMODAL LEVEL OF SERVICE: A set of indicators published by the
30 National Academy of Sciences, National Highway Cooperative Research Board
31 through "Report 616 and any successor document" used to evaluate the
32 convenience and comfort of facilities for transit users, pedestrians, bicyclists
33 and other non-motorized users of the public right of way. These may include,

1 but are not limited to: the connectivity of sidewalks and paths throughout an
2 area, the availability and convenience of road crossings for pedestrians, the
3 separation of non-motorized traffic from motorized traffic, (e.g. sidewalk
4 widths and distance from traffic lanes, presences of separators like bollards or
5 trees), motorized traffic speed control (e.g. traffic calming features), way
6 finding, sense of security (e.g. visibility and lighting of sidewalks), transit
7 stations, and weather protection.

8 **LOW-INCOME COMMUNITY:** “Low-Income Community” means any population
9 census tract that meets one of the following criteria, as reported in the most
10 recent decennial census published by the U.S. Bureau of the Census:

- 11 a. The poverty rate for the census tract is at least 20 percent, or
- 12 b. In the case of a low-income community located within a metropolitan
13 area, the MFI for such tract does not exceed 80 percent of statewide MFI or
14 metropolitan area MFI.

15 **MODERATE-INCOME COMMUNITY:** “Moderate-Income Community” means any
16 population whose incomes are between 81 percent and 95 percent of the
17 median income for the area.

18 **SECTION 1. §6-5-6-6 GENERAL POLICY**

19 (A) The following complete streets principles shall apply to all projects
20 that alter or otherwise affect streets that are within the jurisdiction of this
21 ordinance. All applicable provisions that further the concept of Complete
22 Streets within the Development Process Manual and the Capital
23 Implementation Program must also be considered.

24 (1) The overarching goal of any project that affects street
25 configurations, signalizations, and all other design features shall be based on
26 improving Multimodal Level of Service (MLOS) as described in the National
27 Cooperative Highway Research Program’s Report 616, Multimodal Level of
28 Service Analysis for Urban Streets and generally defined as comfortable and
29 efficient accommodations for all users.

30 (2) The City shall consider how the project will impact the surrounding
31 community and must work to avoid or mitigate any negative consequences.

32 (3) On-street bicycle facilities shall be designed and implemented as
33 identified by the Mid-Region Council of Governments’ Long Range Bikeway

1 System Map, the Albuquerque Bikeways and Trails Facility Plan, and the
2 Albuquerque Area Comprehensive On-Street Bicycle Plan. All projects on any
3 roadway shall include appropriate measures to facilitate the crossing of
4 bicycle traffic wherever a designated bicycle facility crosses the street.

5 (4) On roadways that serve industrial and/or freight uses, complete
6 streets improvements that are consistent with freight mobility and support
7 other modes of travel shall be considered;

8 (5) Vehicle lane widths shall be governed by the tables for General
9 Parameters for Arterial Thoroughfares and Collector Thoroughfares as
10 established in the Manual for Context Sensitive Solutions in Designing Major
11 Urban Thoroughfares for Walkable Communities published by the Institute of
12 Transportation Engineers (ITE) and or any successor documents or standards
13 that may result from amendments or replacements. Urban streets with vehicle
14 lane widths exceeding 12 feet are strongly discouraged, except where motor
15 vehicles and bicycles share lanes on Bicycle Routes designated by the Mid-
16 Region Council of Governments' Long Range Bikeway System Map.

17 (6) Mid-block Pedestrian Crossings are encouraged and may be
18 installed as necessary for a project to meet the intent of this ordinance under
19 the criteria established in the Manual on Traffic Control Devices (MUTCD)
20 Chapter 3B-18, the Urban Street Design Guide of the National Association of
21 City Traffic Officials (NACTO), and the Guide for the Planning Design and
22 Operation of Pedestrian Facilities by the American Association of State
23 Highway and Transportation Officials (AASHTO). Unsignalized mid-block
24 crossings are permitted where warranted and should be clearly marked by
25 signs and other high-visibility features. Where necessary, mid-block
26 pedestrian crossings shall be controlled by pedestrian-activated conventional
27 traffic signals or pedestrian hybrid beacons (PHB).

28 (7) Curb cuts serving access points blocked by ~~permanent~~ walls, fences
29 or other structures that prohibit entry to a lot shall be replaced with curb,
30 gutter and sidewalk as part of any roadway project.

31 (8) Roadway projects, excluding routine maintenance projects, shall be
32 designed to mitigate existing, insufficient multi-modal facilities ~~such~~

1 asincluding bicycle lanes which do not meet minimum engineering criteria for
2 width.

3 (9) The City shall provide accommodations, to the extent possible, for
4 all modes of transportation to continue during the construction or repair work.

5 (10) Roadway projects on arterial corridors shall prioritize the
6 comfort of multimodal users by using traffic calming techniques, such as
7 narrowing traffic lanes, and by providing buffers between vehicle traffic and
8 pedestrian and bicycle facilities where possible. This may include striped
9 buffers, adding parallel parking where it does not currently exist or installing
10 parallel stripes delineating existing parking lanes.

11 SECTION 2. PROJECT COMPLIANCE

12 [(A) Any departments pursuing projects that alter or otherwise affect
13 streets shall work collaboratively on an annual basis to determine identify an
14 include prioritization of projects in communities with low-to-moderate income,
15 high populations of elderly citizens, high populations of citizens with
16 disabilities. The City shall develop a process of data collection and analysis
17 for such prioritization and documentation. or in neighborhoods with histories
18 of systematic disinvestment or underinvestment. These projects shall be
19 prioritized, as determined by available data sources indicating socio-economic
20 status and project history in a proposed project area. After such analysis,
21 tThe City shall post the plan online for public feedback, including information
22 regarding projects that alter or otherwise affect streets. This information
23 shall include project scope, schedule, funding, and an identifier for how
24 those projects in low-to-moderate income areas. The City shall report to
25 Council on the prioritization list. The report shall include how the process to
26 create the list was evaluated.]

27 (C) All major projects involving streets under the authority of this
28 ordinance, including road construction, resurfacing, reconstruction of
29 sidewalks or restriping, shall be considered an opportunity to either retrofit
30 existing streets or construct new streets consistent with the principles of this
31 ordinance.

32 (D) The Department of Municipal Development shall annually submit a
33 memorandum to the City Council listing upcoming projects, to include

1 scheduled Street Maintenance Program projects such as resurfacing and
2 other projects including reconstruction, curb, gutter and sidewalk repair or
3 capital improvement projects. This memorandum shall detail how those
4 projects will be consistent with the principles of this ordinance and shall
5 indicate:

6 (1) The location, scope and estimated cost of the project.

7 (2) Whether the project is to be implemented under the Street
8 Maintenance program or by the Engineering Division.

9 (3) How the project incorporates any existing policies for street
10 improvements established by corridor, neighborhood, or area land use plans,
11 ~~or sector plans~~, or the reasons for which implementing such
12 recommendations is not reasonable.

13 (4) How the project complies with the context-sensitive standards
14 outlined in Chapter 23, Section 3.5 of the updated Development Process
15 Manual

16 (5) ~~Any~~ All Complete Streets improvements recommended by the
17 Department of Municipal Development for inclusion as part of the project.

18 (6) Whether and when the improvements can be implemented
19 through the existing revenues available for maintenance projects or Capital
20 Improvement Program.

21 (7) Other potential funding sources that may be required.

22 (E) Projects may be exempted in part from the requirements of this
23 ordinance upon review by the Director of Municipal Development or his/her
24 designee, provided they meet one or more of the following criteria;

25 a. Existing adopted ordinances and policies affecting the street
26 preclude a certain use (e.g. non-motorized vehicles).

27 b. The project is a routine maintenance activity that does not
28 involve resurfacing, restriping or reconfiguring the street. Examples of exempt
29 projects include patching, sidewalk repair or cleaning.

30 c. The project is limited by available publicly owned right-of-way.

31 d. The project is located on state or federal right-of-way, the City
32 has made an effort to obtain permission for certain features compliant with the

1 provisions of §6-5-6, and the agency with control of the right of way has
2 indicated they will not permit requested features.

3 **(F)** e. **All proposed exceptions must be justified in writing by the**
4 **requestor of the exception based on the criteria above, based upon**
5 **engineering judgement, and be made available to the public.** The City Council
6 may, by resolution, designate certain corridors or street segments for
7 Complete Streets improvements. The resolution shall:

8 a. Establish the transportation modes to be prioritized or
9 accommodated on the affected corridor.

10 b. Provide an estimate of costs to plan, design, engineer and
11 construct the improvements; and funding sources for the project.

12 **(G)** Design and engineering of streets, sidewalks, bikeways and other
13 facilities shall follow the relevant standards set forth in the following
14 documents or any successor documents or standards that may result from
15 their amendment or replacement:

16 (1) Urban Street Design Guide of the National Association of
17 City Traffic Officials (NACTO).

18 (2) Urban Bikeway Design Guide of the National Association of
19 City Traffic Officials (NACTO).

20 (3) Guide for the Planning Design and Operation of Pedestrian
21 Facilities by the American Association of State Highway and Transportation
22 Officials (AASHTO).

23 (4) Guide for the Development of Bicycle Facilities by the
24 American Association of State Highway and Transportation Officials
25 (AASHTO).

26 (5) Manual for Context Sensitive Solutions in Designing Major
27 Urban Thoroughfares for Walkable Communities published by the Institute of
28 Transportation Engineers (ITE).

29 (6) Report 616, Multi-Modal Level of Service Analysis for Urban
30 Streets, National Cooperative Highway Research Program, (NCHRP).

31 (7) Proposed Rights-of-Way Guidelines (PROWAG) United
32 States Access Board.

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1 **(H)** Engineering Criteria. Deviations or alternatives from the
2 Development Process Manual for intersection spacing, geometry, alignment
3 and other characteristics shall be considered on a case-by-case basis, and as
4 approved may be implemented provided they meet the standards set forth in
5 the documents specified in §6-5-6-6 (F) or any successor documents or
6 standards that may result from their amendment or replacement.

7 **SECTION 3. Implementation**

8 **1. The Administration shall work with City Council to develop a process for**
9 **implementation, performances measures, evealution, and staff training for**
10 **implementation of Complete Streets policy.**

11 **2. Within nine monthsof the adoption of this Complete Streets Ordinance,**
12 **the Administration shall present the process to the City Council.**

13 **SECTION 6. COMPILATION.** Sections 2 through 3 of this Ordinance shall
14 be incorporated in and made part of the Revised Ordinances of Albuquerque,
15 New Mexico, 1994.

16 **SECTION 7. EFFECTIVE DATE.** This Ordinance shall take effect five (5)
17 days after publication by title and general summary.

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