

CITY of ALBUQUERQUE

TWENTY-FIRST COUNCIL

COUNCIL BILL NO. F/S O-14-27 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 **ORDINANCE**

2 **ADOPTING A NEW SECTION IN ARTICLE 5 ROA 1994, STREETS AND**
3 **SIDEWALKS, TO BE KNOWN AS THE “COMPLETE STREETS ORDINANCE,”**
4 **AMENDING §2-12 ROA 1994, CAPITAL IMPROVEMENTS PROGRAM, TO**
5 **SPECIFY COMPLIANCE WITH THE COMPLETE STREETS ORDINANCE, AND**
6 **AMENDING §4-3-7-5 ROA 1994, TRANSPORTATION INFRASTRUCTURE TAX,**
7 **TO UPDATE DEFINITIONS.**

8 **Section 1. Findings and Intent. The City Council hereby finds:**

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

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

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

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

22 **(E) That the Mid Region Council of Governments has passed a**
23 **resolution requiring that Complete Streets Principles are to be incorporated**
24 **into the Council of Governments Planning Documents.**

25 **(F) That Complete Streets have been shown to encourage private**
26 **investments and redevelopment of properties they serve and foster new land**

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

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

1 use patterns that bolster economic growth and stability, help generate jobs,
2 attract private investment and tourism, create place-making in areas of high
3 activity and can increase retail sales and land values; and

4 (G) That Complete Streets integrate general purpose roadways,
5 sidewalks, bike lanes, transit amenities, traffic calming and convenient
6 crossings, to create a balanced transportation system that meets the needs of
7 motorized and non-motorized travelers and persons with disabilities; and

8 (H) That Complete Streets improve community health by reducing the
9 risk of injuries and encouraging walking and bicycling to help combat obesity
10 and heart disease.

11 (I) That Complete Streets promote alternative transportation modes,
12 helping to reduce street network congestion and vehicle emissions and
13 increase the capacity of the transportation network.

14 (J) That the City of Albuquerque is pursuing the development of a
15 Unified Development Ordinance that will establish updated regulations for
16 development in the public right-of-way and encourage new land-use patterns
17 that are best served by balanced transportation systems that facilitate travel
18 by all users; and the Complete Streets Ordinance establishes key City policies
19 for roadway design to be incorporated into that effort; and

20 (K) That Section 2.D.4 of the Albuquerque Bernalillo County
21 Comprehensive Plan establishes as a goal the development of corridors,
22 streets and complementary adjacent land uses that provide a balanced
23 circulation system through efficient placement of employment and services,
24 encouraging bicycling, walking and use of transit as alternatives to
25 automobile travel while providing sufficient roadway capacity to meet mobility
26 and access needs.

27 (L) That Section 2.D.4.a.2 identifies a means of balancing of the street
28 system by encouraging bicycling, walking and use of mass transit between
29 designated neighborhood, community and regional centers as an
30 implementation technique to achieve a balanced transportation system.

31 (M) That Section 2.B.5 of the Albuquerque Bernalillo County
32 Comprehensive Plan states that the established urban areas of the City shall

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

1 offer a variety and a maximum of choices in the housing, transportation, work
2 areas and life styles, while creating a visually pleasing built environment.

3 (N) That various adopted local area plans, including Sector Development
4 and Corridor Plans , establish policies calling for the development of streets
5 that serve all users.

6 (O) That multiple street projects aimed at improving accessibility for all
7 users have been successfully completed around the City in recent years,
8 including the Lead and Coal Corridors, Martin Luther King Jr. Boulevard and
9 8th Street. These projects have demonstrated the viability of providing for
10 pedestrians, cyclists, transit users and other while minimizing impacts to
11 vehicle travel.

12 (P) That many opportunities remain, especially in established areas of
13 the City, to improve street rights-of-way for all users, especially where pre-
14 scheduled projects, such as resurfacing, provide opportunities to consider
15 new striping configurations.

16 (Q) That public demand for multi-modal street infrastructure is
17 increasing across a mutigenerational spectrum of people, especially young
18 entrepreneurs and empty-nesters.

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

21 SECTION 2. A new §6-6-5 of ROA 1994 is hereby adopted to read as follows:

22 “[+§6-5-6-1 SHORT TITLE.

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

25 § 6-5-6-2 INTENT AND PURPOSES.

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

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

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

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

1 (3) For residents and visitors, regardless of their age, ability, or
2 financial resources, to comfortably and efficiently use the public right-of-way
3 within these corridors and meet their transportation needs regardless of their
4 preferred mode of travel.

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

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

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

18 §6-5-6-4 APPLICABILITY

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

21 (A) Are located within the Central and Established Urban Areas specified
22 by the Albuquerque/Bernalillo Comprehensive Plan and are listed on the Mid
23 Region Council of Governments Current Roadway Functional Classification
24 Map; or

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

27 § 6-5-6-5 DEFINITIONS.

28 COMPLETE STREETS: A roadway with Cross-Sections (including public
29 right of way and public or private easements abutting a public right of way that
30 are designated for a roadway) built at a human scale, designed and operated
31 for equal access by all users, including pedestrians, bicyclists, motorists and
32 transit riders of all ages and abilities, to allow comfortable and convenient
33 street crossings, and pedestrian access to adjacent land uses. Complete

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

1 Streets components include, but are not limited to, sidewalks, bike lanes,
2 dedicated bus lanes, comfortable and accessible public transportation stops,
3 frequent and comfortable pedestrian crossing opportunities, median
4 pedestrian islands, accessible pedestrian signals, curb extensions and
5 pedestrian bulb-outs, reduced travel lane widths determined by the design
6 speed of the roadway, context-appropriate curb return radii, roundabouts, or
7 other features that accommodate efficient multimodal travel.

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

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

14 MULTIMODAL LEVEL OF SERVICE: A set of indicators published by the
15 National Academy of Sciences, National Highway Cooperative Research Board
16 through “Report 616 and any successor document” used to evaluate the
17 convenience and comfort of facilities for transit users, pedestrians, bicyclists
18 and other non-motorized users of the public right of way. These may include,
19 but are not limited to: the connectivity of sidewalks and paths throughout an
20 area, the availability and convenience of road crossings for pedestrians, the
21 separation of non-motorized traffic from motorized traffic, (e.g. sidewalk
22 widths and distance from traffic lanes, presences of separators like bollards or
23 trees), motorized traffic speed control (e.g. traffic calming features), way
24 finding, sense of security (e.g. visibility and lighting of sidewalks), transit
25 stations, and weather protection.

26 §6-5-6-6 GENERAL POLICY

27 (A) The following complete streets principles shall apply to all projects
28 on streets that are within the jurisdiction of this ordinance:

29 (1) The overarching goal of any project that affects street
30 configurations, signalizations, and all other design features shall be based on
31 improving Multimodal Level of Service (MLOS) as described in the National
32 Cooperative Highway Research Program’s Report 616, Multimodal Level of

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

1 Service Analysis for Urban Streets and generally defined as comfortable and
2 efficient accommodations for all users.

3 (2) On-street bicycle facilities shall be designed and implemented
4 as identified by the Mid-Region Council of Governments' Long Range Bikeway
5 System Map, the Albuquerque Bikeways and Trails Facility Plan, and the
6 Albuquerque Area Comprehensive On-Street Bicycle Plan. All projects on any
7 roadway shall include appropriate measures to facilitate the crossing of
8 bicycle traffic wherever a designated bicycle facility crosses the street.

9 (3) On roadways that serve industrial and/or freight uses,
10 complete streets improvements that are consistent with freight mobility and
11 support other modes of travel shall be considered;

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

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

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

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

4 (7) Roadway projects shall be designed to mitigate existing,
5 insufficient multi-modal facilities such as bicycle lanes which do not meet
6 minimum engineering criteria for width.

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

13 (B) All major projects involving streets under the authority of this
14 ordinance, including road construction, resurfacing, reconstruction of
15 sidewalks or restriping, shall be considered an opportunity to either retrofit
16 existing streets or construct new streets consistent with the principles of this
17 ordinance.

18 (C) The Department of Municipal Development shall annually submit a
19 memorandum to the City Council listing upcoming projects, to include
20 scheduled Street Maintenance Program projects such as resurfacing and
21 other projects including reconstruction, curb, gutter and sidewalk repair or
22 capital improvement projects. This memorandum shall detail how those
23 projects will be consistent with the principals of this ordinance and shall
24 indicate:

25 (1) The location, scope and estimated cost of the project;

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

28 (3) How the project incorporates any existing existing policies for
29 street improvements established by corridor, neighborhood, area, or sector
30 plans, or the reasons for which implementing such recommendations is not
31 reasonable.

32 (4) Any Complete Streets improvements recommended by the
33 Department of Municipal Development for inclusion as part of the project;

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

1 (5) The estimated cost of those Complete Streets improvements
2 (e.g. added engineering costs for new striping diagrams);

3 (6) Whether and when the improvements can be implemented
4 through the existing revenues available for maintenance projects or Capital
5 Improvement Program;

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

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

10 (1) Existing adopted ordinances and policies affecting the street
11 preclude a certain use (e.g. non-motorized vehicles);

12 (2) The project is a maintenance activity that does not involve
13 resurfacing, restriping or reconfiguring the street. Examples of exempt
14 projects include patching, sidewalk repair or cleaning

15 (3) The project is limited by available publicly owned right-of-way.

16 (4) The project is located on state or federal right-of-way, the City
17 has made an effort to obtain permission for certain features compliant with the
18 provisions of §6-5-6, and the agency with control of the right of way has
19 indicated they will not permit requested features.

20 (E) The City Council may, by resolution, designate certain corridors or
21 street segments for Complete Streets improvements. The resolution shall:

22 (1) Establish the transportation modes to be prioritized or
23 accommodated on the affected corridor;

24 (2) Provide an estimate of costs to plan, design, engineer and
25 construct the improvements; and funding sources for the project.

26 (F) Design and engineering of streets, sidewalks, bikeways and other
27 facilities shall follow the relevant standards set forth in the following
28 documents or any successor documents or standards that may result from
29 their amendment or replacement:

30 (1) Urban Street Design Guide of the National Association of City
31 Traffic Officials Traffic Officials, (NACTO);

32 (2) Urban Bikeway Design Guide of the National Association of
33 City Traffic Officials Traffic Officials, (NACTO);

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

1 (3) Guide for the Planning Design and Operation of Pedestrian
2 Facilities by the American Association of State Highway and Transportation
3 Officials (AASHTO);

4 (4) Guide for the Development of Bicycle Facilities by the
5 American Association of State Highway and Transportation Officials
6 (AASHTO);

7 (5) Manual for Context Sensitive Solutions in Designing Major
8 Urban Thoroughfares for Walkable Communities published by the Institute of
9 Transportation Engineers (ITE);

10 (6) Report 616, Multi-Modal Level of Service Analysis for Urban
11 Streets, National Cooperative Highway Research Program, (NCHRP);

12 (7) Proposed Rights-of-Way Guidelines (PROWAG) United States
13 Access Board.

14 (G) Engineering Criteria. Deviations or alternatives from the
15 Development Process Manual for intersection spacing, geometry, alignment
16 and other characteristics shall be considered on a case-by-case basis, and as
17 approved may be implemented provided they meet the standards set forth in
18 the documents specified in §6-5-6-6 (F) or any successor documents or
19 standards that may result from their amendment or replacement.+]”

20 SECTION 3. A new Section (N) of §2-12-1 of the Capital Improvement
21 Ordinance is adopted as follows:

22 “[+ (N) Applications for funding for street projects proposed on those
23 streets to which §6-5-6 ROA 1994 applies shall comply with §6-5-6 ROA 1994.
24 Additional costs incurred due to required compliance with §6-5-6 ROA 1994
25 shall be detailed. +]”

26 SECTION 4. A new Item 19 is added to paragraph §2-12-8 (E) of the Capital
27 Improvement Ordinance:

28 “[+(19) All capacity and rehabilitation project located within the Central and
29 Established Urban Areas as designated by Albuquerque Bernalillo County
30 Comprehensive Plan (excluding those located on the Interstate system) shall
31 comply with §6-5-6 ROA 1994.+]”

32 SECTION 5. §4-3-7-5, (B) is amended as follows:

33 (B) For purposes of this dedication the following definitions shall apply:

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

1 **DEFICIENCY.** Deficiency projects are those required to correct inadequate
2 service and bring system capacity to adopted levels of service
3 standards. Deficiency expenditures shall enhance the capacity, safety and
4 efficiency of all modes of travel within the roadway network. New roads and
5 improvements to existing roadway facilities shall include improvements for all
6 transportation and mobility modes, including motor vehicles, transit
7 operations, pedestrians and bicyclists. Deficiency projects shall improve
8 connections between the various transportation and mobility modes and
9 complete missing links within the arterial roadway network. [+Deficiency
10 projects shall follow complete streets principles as prescribed in §6-5-6.+]
11 Deficiency projects shall also include the continued development of Intelligent
12 Transportation System (ITS) management tools, managed lanes (using
13 existing lanes for different travel directions depending on demand and time of
14 day), queue jump lanes (providing transit priority) and other traffic
15 management strategies that increase the efficiency of existing and newly-
16 constructed roadways for all transportation and mobility modes. No funds
17 shall be expended to enhance aesthetics on interstate highways.

18 **REHABILITATION.** Rehabilitation projects are those required to extend the
19 service life of an existing facility, improve its operation, improve safety, or
20 restore original performance or capacity. [+ Rehabilitation projects shall follow
21 complete streets principles as prescribed in §6-5-6.+] Rehabilitation projects
22 shall examine the entire right-of-way to enhance usefulness for all
23 transportation and mobility modes, including improvements for automobiles
24 as well as for transit, pedestrians, and bicyclists. Rehabilitation projects shall
25 prioritize the improvement of connections between the various transportation
26 and mobility modes and shall improve conditions for pedestrians. No funds
27 shall be expended to enhance aesthetics on interstate highways.

28 **TRAILS AND BIKEWAYS.** Trails and Bikeways projects shall prioritize the
29 construction of trails and bikeways that are currently [~~-key-~~] [+identified as
30 critical+] [~~-missing-~~] links [~~-in the network and that improve access to transit~~
31 ~~routes and major destinations-~~] [+in the Bikeways and Trails Facility Plan and
32 that improve access to transit routes and major destinations+]”

1 SECTION 6. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
2 clause, word, or phrase of this Ordinance is for any reason held to be invalid or
3 unenforceable by any court of competent jurisdiction, such decision shall not
4 affect the validity of the remaining provisions of this Ordinance. The Council
5 hereby declares that it would have passed this Ordinance and each section,
6 paragraph, sentence, clause, word, or phrase thereof irrespective of any
7 provision being declared unconstitutional or otherwise invalid.

8 SECTION 7. COMPILATION. Sections 2 through 6 of this Ordinance shall
9 be incorporated in and made part of the Revised Ordinances of Albuquerque,
10 New Mexico, 1994.

11 SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect five (5)
12 days after publication by title and general summary.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

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

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

- 1
- 2
- 3
- 4
- 5
- 6
- 7