

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. C/S-O-24-6 ENACTMENT NO. _____

SPONSORED BY: Fiebelkorn, Grout, Rogers

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ORDINANCE

AMENDING THE COMPLETE STREETS ORDINANCE, OF THE REVISED ORDINANCES OF ALBUQUERQUE, CHAPTER 6, ARTICLE 5, PART 6, SECTION 5 DEFINITIONS TO INCLUDE A DEFINITION OF ARID ADAPTED GREEN STORMWATER INFRASTRUCTURE; AMENDING CHAPTER 6, ARTICLE 5, PART 6, SECTION 6 GENERAL POLICY TO INCLUDE GREEN STORMWATER INFRASTRUCTURE IN CITY MEDIANS AND LANDSCAPE BUFFERS.

WHEREAS, the City of Albuquerque adopted the Complete Streets Ordinance in 2015 via O-14-27 and amended the Complete Streets Ordinance in 2019 via O-19-64; and

WHEREAS, the Complete Streets approach is a nationally recognized framework for designing context-sensitive street facilities that enable efficient travel by all users, including the estimated one third of Americans who do not drive; and

WHEREAS, hundreds of municipalities and more than half of U.S. states have adopted ordinances and policies incorporating Complete Streets Concepts; and

WHEREAS, the Mid Region Council of Governments adopted a resolution requiring that Complete Streets Principles be incorporated into the Council of Governments Planning Documents; and

WHEREAS, Complete Streets have been shown to encourage private investments and redevelopment of properties they serve and foster new land use patterns that bolster economic growth and stability, help generate jobs, attract private investment and tourism, create place-making in areas of high activity and can increase retail sales and land values; and

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1 WHEREAS, Complete Streets integrate general purpose roadways,
2 sidewalks, bike lanes, transit amenities, traffic calming and convenient
3 crossings, to create a balanced transportation system that meets the needs of
4 motorized and non-motorized travelers, and persons with disabilities; and

5 WHEREAS, Complete Streets promote alternative transportation modes,
6 helping to reduce street network congestion and vehicle emissions and
7 increase the capacity of the transportation network; and

8 WHEREAS, the City of Albuquerque adopted the Integrated Development
9 Ordinance that established updated regulations for development adjacent to
10 public right-of-way, that encourages new land-use patterns that are best
11 served by balanced transportation systems that facilitate travel by all users,
12 and that requires new roadway construction to follow the Complete Streets
13 Ordinance and the Development Process Manual (DPM); and

14 WHEREAS, the DPM was updated in 2020 to incorporate the Complete
15 Streets Ordinance, and other best practices in engineering and street design;
16 and

17 WHEREAS, the City’s transportation corridors are designed to collect
18 stormwater flows without impacting traffic operations and therefore are suited
19 to become platforms for Green Stormwater Infrastructure; and

20 WHEREAS, Albuquerque is located on three sloping geologic formations
21 including, 1) the foothills of the Sandia and Manzano Ranges, 2) the alluvial
22 fans that form the north and Southeast Heights, and 3) the Atrisco
23 Escarpment; and

24 WHEREAS, these geologic features are subject to the intense summer
25 monsoon rains of the Southwestern United States and Northwest Mexico and
26 the combination of sloping terrain, and the monsoon rains create intense
27 stormwater flows that occur suddenly; and

28 WHEREAS, § 14-5-2-7 “Surface Use Of Streets For Drainage And Flood
29 Control Purposes” of the Albuquerque City Code of Ordinance requires that
30 Albuquerque’s roadways be designed to capture these flows, roadways
31 subsequently are built to convey stormwater to underground storm drainpipes
32 via inlets in the road’s and gutter pans. Roads could also be constructed to
33 direct stormflows to green stormwater infrastructure features; and

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1 WHEREAS, Section 12.1.4 of the Albuquerque Bernalillo County
2 Comprehensive Plan establishes a policy to reduce or eliminate flooding by
3 improving ponding and drainage capacities in an environmentally sensitive
4 manner through the development process and in coordination with flood
5 control agencies; and

6 WHEREAS, Section 12.1.4.a of the Albuquerque Bernalillo County
7 Comprehensive Plan establishes a policy to minimize and mitigate stormwater
8 run-off from development by limiting the amount and extent of impervious
9 surfaces and encouraging landscaped medians and parking swales; and

10 WHEREAS, Section 13.2.2 of the Albuquerque Bernalillo County
11 Comprehensive Plan establishes a policy to foster the efficient management
12 and use of water development and infrastructure; and the watering of street
13 landscaping is a heavy water use; and

14 WHEREAS, many opportunities remain to improve street rights-of-way,
15 especially in established areas of the City, including pre-scheduled projects
16 that provide opportunities to consider new configurations; and

17 WHEREAS, public demand for sustainable, or ‘green,’ stormwater street
18 infrastructure is increasing across a mutigenerational spectrum of people; and

19 WHEREAS, best practices for storm water management in arid and semi-
20 arid climates utilize green stormwater infrastructure adopted to arid and semi-
21 arid climates. These practices mimic natural processes to manage stormwater
22 as close to its source and possible, and use stormwater to promote
23 infiltration, evapotranspiration, and healthy soils throughout the landscape;
24 and

25 WHEREAS, detaining and filtering stormwater on-site, reduces the flow of
26 unfiltered stormwater flows into the Rio Grande and bolsters the City’s efforts
27 to comply with the requirements of the Regional Municipal Separate
28 Stormwater Sewer System Permit issued by the Environmental Protection
29 Agency under the Federal Clean Water Act; and

30 WHEREAS, this update to the Complete Streets Ordinance shall encourage
31 sustainable stormwater management in roadway construction.

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

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1 SECTION 1. Chapter 6, Article 5, Part 6, Section 5 of the Revised
2 Ordinances of Albuquerque is hereby amended to insert a new definition in §
3 6-5-6-5 DEFINITIONS:

4 [ARID ADAPTED GREEN STORMWATER INFRASTRUCTURE. A set of
5 practices adapted to arid and semi-arid climates that mimic natural processes
6 to retain and use stormwater. By promoting infiltration, evapotranspiration,
7 and healthy soils throughout the landscape, green stormwater infrastructure
8 preserves and restores the natural hydrologic cycle.]

9 SECTION 2. Chapter 6, Article 5, Part 6, Section 6 of the Revised
10 Ordinances of Albuquerque is hereby amended to add a new subsection (K) as
11 follows:

12 “§ 6-5-6-6 GENERAL POLICY.

13 The following complete streets principles shall apply to all projects [~~that alter~~
14 ~~or otherwise affect~~] [on] streets that are within the jurisdiction of this
15 ordinance. All applicable provisions that further the concept of Complete
16 Streets within the Development Process Manual and the Capital
17 Implementation Program must also be considered.

18 [(K) Arid adapted ‘Green stormwater infrastructure’ best practices shall be
19 designed and incorporated into road improvement, median, landscape buffer,
20 and bulb-out projects to the extent practicable to allow for stormwater
21 infiltration and landscape irrigation. Green stormwater infrastructure features
22 incorporated into Complete Streets Projects should include:

23 (1). Green stormwater features should be depressed to collect and filter
24 stormwater by biological processes and supply supplemental irrigation to
25 landscape plants.

26 (2). For new roadways and roadways undergoing rehabilitation and
27 rebuilding, the grade of the roadway cross-section shall, to the degree feasible,
28 direct stormwater to the green stormwater features.

29 (3). Excess stormwater not infiltrated should be directed into the existing
30 storm drain system overflow catchment.

31 (4). To allow for maximum stormwater infiltration into the soil, to
32 generate healthy soils that enable and improve the biological filtering process,
33 organic mulch should be used in areas that do not have high flow rates and

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1 non-permeable fabric and other barriers that block infiltration should not be
2 included in green stormwater Infrastructure.

3 (5). Green stormwater infrastructure shall be designed for ease of
4 maintenance by including a sediment trap or other best practice for the
5 collection and removal of debris, trash, and sediment.

6 (6). Other features, as needed, which meet the intent of Arid Adapted
7 Green Stormwater Infrastructure as defined in § 6-5-6-5.]”

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

15 SECTION 4. COMPILATION. Sections 1 and 2 of this Ordinance shall
16 amend, be incorporated in, and made part of the Revised Ordinances of
17 Albuquerque, New Mexico, 1994.

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

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