

CITY of ALBUQUERQUE

TWENTY-THIRD COUNCIL

COUNCIL BILL NO. O-19-64

ENACTMENT NO. O-2019-022

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 **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**
24 **and severe injuries nationwide — while increasing safe, healthy, equitable**
25 **mobility 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 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 demonstrating the viability of providing for pedestrians, cyclists, transit users
26 and others while minimizing impacts to vehicle travel; and

27 (V) According to “Dangerous by Design 2019” nationwide, pedestrians
28 residing in low income communities are disproportionately represented in
29 fatal crashes. Low income neighborhoods are significantly less likely to have
30 sidewalks, marked crosswalks, and street design to support safer slower
31 speeds.

32 (W) That many opportunities remain, especially in established areas of
33 the City, to improve street rights-of-way for all users, especially where pre-

1 scheduled projects, such as resurfacing, provide opportunities to consider
2 new striping configurations; and

3 (X) That public demand for multi-modal street infrastructure is
4 increasing across a mutigenerational spectrum of people, especially young
5 entrepreneurs and empty-nesters.

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

8 SECTION 1. Section §6-6-5 of ROA 1994 is hereby amended to read as
9 follows:

10 “§6-5-6-1 SHORT TITLE.

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

13 § 6-5-6-2 INTENT AND PURPOSES.

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

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

18 (2) To express the City’s commitment to creating and maintaining
19 Complete Streets within Areas of Change and Consistency and Centers and
20 Corridors as specified by the Albuquerque/Bernalillo County Comprehensive
21 Plan.

22 (3) For residents and visitors, regardless of their age, ability,
23 gender, ethnicity, or financial resources, to comfortably, safely, and efficiently
24 use the public right-of-way within these corridors and meet their
25 transportation needs regardless of their preferred mode of travel.

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

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

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

6 §6-5-6-4 APPLICABILITY.

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

9 (A) Are located within the Albuquerque City limits and are listed on the
10 Mid Region Council of Governments Current Roadway Functional
11 Classification Map; or

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

14 § 6-5-6-5 DEFINITIONS.

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

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

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

1 **MULTIMODAL LEVEL OF SERVICE:** A set of indicators published by the
2 National Academy of Sciences, National Highway Cooperative Research Board
3 through “Report 616 and any successor document” used to evaluate the
4 convenience and comfort of facilities for transit users, pedestrians, bicyclists
5 and other non-motorized users of the public right of way. These may include,
6 but are not limited to: the connectivity of sidewalks and paths throughout an
7 area, the availability and convenience of road crossings for pedestrians, the
8 separation of non-motorized traffic from motorized traffic, (e.g. sidewalk
9 widths and distance from traffic lanes, presences of separators like bollards or
10 trees), motorized traffic speed control (e.g. traffic calming features), way
11 finding, sense of security (e.g. visibility and lighting of sidewalks), transit
12 stations, and weather protection.

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

16 a. The poverty rate for the census tract is at least 20 percent, or

17 b. In the case of a low-income community located within a metropolitan
18 area, the MFI for such tract does not exceed 80 percent of statewide MFI or
19 metropolitan area MFI.

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

23 §6-5-6-6 GENERAL POLICY

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

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

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

3 (2) The City shall consider how the project will impact the surrounding
4 community and must work to avoid or mitigate any negative consequences.
5 Any mitigation efforts must be consistent with the Complete Streets
6 Ordinance.

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

13 (4) On roadways that serve industrial and/or freight uses, complete
14 streets improvements that are consistent with freight mobility and support
15 other modes of travel shall be considered.

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

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

1 pedestrian crossings shall be controlled by pedestrian-activated conventional
2 traffic signals or pedestrian hybrid beacons (PHB).

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

6 (8) Roadway projects, excluding routine maintenance projects, which
7 are only intended to maintain the current condition of the roadway, not
8 including the City's annual roadway rehabilitation program, shall be designed
9 to mitigate existing, insufficient multi-modal facilities including bicycle lanes
10 which do not meet minimum engineering criteria for width.

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

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

19 SECTION 2. PROJECT COMPLIANCE

20 (A) Any departments pursuing projects that alter or otherwise affect streets
21 shall work collaboratively on an annual basis to determine, identify and
22 include prioritization of projects in communities with low-to-moderate income,
23 high proportions of elderly citizens, high proportions of citizens with
24 disabilities. The low-to-moderate income community criteria is one of the
25 many factors that shall be taken into consideration when identifying and
26 selecting project prioritization under this ordinance and shall not be the sole
27 determinant. Other factors or criteria that shall be taken into consideration
28 include traffic fatalities, aging infrastructure, creating safe and efficient access
29 for older adults and people with disabilities, and any other factors that
30 enhance and improve public safety and health. The City shall develop a
31 process of data collection and analysis for such prioritization and
32 documentation. After such analysis, the City shall post the plan online for
33 public feedback, including information regarding projects that alter or

1 otherwise affect streets. This information shall include project scope,
2 schedule, funding, and an identifier for how those projects in low-to-moderate
3 income areas are prioritized. The report shall include how the process to
4 create the list was evaluated.

5 (B) All major projects involving streets under the authority of this
6 ordinance, including road construction, resurfacing, reconstruction of
7 sidewalks or restriping, shall be considered an opportunity to either retrofit
8 existing streets or construct new streets consistent with the principles of this
9 ordinance.

10 (C) The Department of Municipal Development shall annually submit a
11 memorandum to the City Council listing upcoming projects, to include
12 scheduled Street Maintenance Program projects such as resurfacing and
13 other projects including reconstruction, curb, gutter and sidewalk repair or
14 capital improvement projects. This memorandum shall detail how those
15 projects will be consistent with the principles of this ordinance and shall
16 indicate:

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

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

20 (3) How the project incorporates any existing policies for street
21 improvements established by corridor, neighborhood, or area land use plans,
22 or the reasons for which implementing such recommendations is not
23 reasonable.

24 (4) How the project complies with the context-sensitive standards
25 in the Development Process Manual.

26 (5) All Complete Streets improvements recommended by the
27 Department of Municipal Development for inclusion as part of the project.

28 (6) Whether and when the improvements can be implemented
29 through the existing revenues available for maintenance projects or Capital
30 Improvement Program.

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

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

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

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

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

10 d. The project is located on state or federal right-of-way, the City
11 has made an effort to obtain permission for certain features compliant with the
12 provisions of §6-5-6, and the agency with control of the right of way has
13 indicated they will not permit requested features.

14 (E) All proposed exceptions must be justified in writing by the requestor
15 of the exception based on the criteria above, based upon engineering
16 judgement, and be made available to the public. The City Council may, by
17 resolution, designate certain corridors or street segments for Complete
18 Streets improvements. The resolution shall:

19 a. Establish the transportation modes to be prioritized or
20 accommodated on the affected corridor.

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

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

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

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

31 (3) Guide for the Planning Design and Operation of Pedestrian
32 Facilities by the American Association of State Highway and Transportation
33 Officials (AASHTO).

1 (4) Guide for the Development of Bicycle Facilities by the
2 American Association of State Highway and Transportation Officials
3 (AASHTO).

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

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

9 (7) Proposed Rights-of-Way Guidelines (PROWAG) United
10 States Access Board.

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

17 **SECTION 3. IMPLEMENTATION**

18 1. The Administration shall work with City Council to develop a process for
19 implementation of Complete Streets policy to include performance measures,
20 project evaluation, and staff training. This implementation plan shall also
21 consider an active transportation coordinator position and an active
22 transportation advisory committee. The committee may be an existing
23 committee or re-configuration of an existing committee, enabled to coordinate
24 across multiple departments.

25 2. Within nine months of the adoption of this Complete Streets Ordinance,
26 the Administration shall present the process to the City Council."

27 Section 2. COMPILATION. SECTIONS 1 through 3 of this Ordinance shall
28 be incorporated in and made part of the Revised Ordinances of Albuquerque,
29 New Mexico, 1994.

30 Section 3. EFFECTIVE DATE. This Ordinance shall take effect five (5) days
31 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 5th DAY OF August, 2019
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Klarissa J. Peña, President
City Council

APPROVED THIS 19 DAY OF August, 2019

Bill No. O-19-64


Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:


Katy Duhigg, City Clerk