



Legislation Details (With Text)

File #: O-14-27
Type: Ordinance **Status:** Enacted
File created: 10/6/2014 **In control:** City Council
Final action: 1/21/2015
Enactment date: 2/6/2015 **Enactment #:** O-2015-003

Title: F/S Adopting A New Section In Article 5 ROA 1994, Streets And Sidewalks, To Be Known As The "Complete Streets Ordinance," Amending §2-12 ROA 1994, Capital Improvements Program, To Specify Compliance With The Complete Streets Ordinance, And Amending §4-3-7-5 ROA 1994, Transportation Infrastructure Tax, To Update Definitions (Benton)

Sponsors: Isaac Benton

Indexes:

Code sections:

Attachments: 1. O-27, 2. O-27 Approved Committee Substitute, 3. O-27 Approved Floor Substitute, 4. FS O-27Enacted

Date	Ver.	Action By	Action	Result
2/9/2015	4	City Clerk	Published	
2/6/2015	4	Mayor	Signed by the Mayor	
1/29/2015	3	City Council	Sent to Mayor for Signature	
1/21/2015	2	City Council	Amended	Pass
1/21/2015	2	City Council	Passed as Substituted, as Amended	Pass
1/21/2015	2	City Council	Substituted	Pass
1/5/2015	2	City Council	Postponed	Pass
12/15/2014	2	City Council	Accepted with a recommendation Do Pass, As Substituted	
12/10/2014	1	Land Use, Planning, and Zoning Committee	Substituted	Pass
12/10/2014	1	Land Use, Planning, and Zoning Committee	Sent to Council with a recommendation of Do Pass, as Substituted	Pass
11/12/2014	1	Land Use, Planning, and Zoning Committee	Postponed	Pass
10/6/2014	1	President	Referred	
10/6/2014	1	City Council	Received and Referred	

CITY of ALBUQUERQUE
TWENTY-FIRST COUNCIL

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

SPONSORED BY: Isaac Benton

ORDINANCE

F/S Adopting A New Section In Article 5 ROA 1994, Streets And Sidewalks, To Be Known As The “Complete Streets Ordinance,” Amending §2-12 ROA 1994, Capital Improvements Program, To Specify Compliance With The Complete Streets Ordinance, And Amending §4-3-7-5 ROA 1994, Transportation Infrastructure Tax, To Update Definitions (Benton)

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

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

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

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

(C) That 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

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

(E) That the Mid Region Council of Governments has passed a resolution requiring that Complete Streets Principles are to be incorporated into the Council of Governments Planning Documents; and

(F) That 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

(G) That Complete Streets integrate general purpose roadways, sidewalks, bike lanes, transit amenities, traffic calming and convenient crossings, to create a balanced transportation

system that meets the needs of motorized and non-motorized travelers and persons with disabilities; and

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

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

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

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

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

(M) That Section 2.B.5 of the Albuquerque Bernalillo County Comprehensive Plan states that the established urban areas of the City shall offer a variety and a maximum of choices in the housing, transportation, work areas and life styles, while creating a visually pleasing built environment; and

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

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

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

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

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

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

“§6-5-6-1 SHORT TITLE.

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

§ 6-5-6-2 INTENT AND PURPOSES.

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

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

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

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

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

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

This Article is adopted pursuant to the authority set forth in Article 1 of the Charter of the City of Albuquerque, which was adopted at a special election on June 29, 1971, pursuant to Article 10, Section 6 of the Constitution of the State of New Mexico and pursuant to the authority set forth in

Sections 3-19-12 and Sections 3-20-1 to 3-20-16 NMSA 1978.

§6-5-6-4 APPLICABILITY

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

- (A) Are located within the Central and Established Urban Areas specified by the Albuquerque/Bernalillo Comprehensive Plan and are listed on the Mid Region Council of Governments Current Roadway Functional Classification Map; or
- (B) Designated a Complete Street by Resolution of the City Council or action of the Mayor.

§ 6-5-6-5 DEFINITIONS.

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

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

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

MULTIMODAL LEVEL OF SERVICE: A set of indicators published by the National Academy of Sciences, National Highway Cooperative Research Board through “Report 616 and any successor document” used to evaluate the convenience and comfort of facilities for transit users, pedestrians, bicyclists and other non-motorized users of the public right of way. These may include, but are not limited to: the connectivity of sidewalks and paths throughout an area, the availability and convenience of road crossings for pedestrians, the separation of non-motorized

traffic from motorized traffic, (e.g. sidewalk widths and distance from traffic lanes, presences of separators like bollards or trees), motorized traffic speed control (e.g. traffic calming features), way finding, sense of security (e.g. visibility and lighting of sidewalks), transit stations, and weather protection.

§6-5-6-6 GENERAL POLICY

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

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

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

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

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

(5) Mid-block Pedestrian Crossings are encouraged and may be installed as necessary for a project to meet the intent of this ordinance under the criteria established in the Manual on Traffic Control Devices (MUTCD) Chapter 3B-18, the Urban Street Design Guide of the National Association of City Traffic Officials (NACTO), and the Guide for the Planning Design

and Operation of Pedestrian Facilities by the American Association of State Highway and Transportation Officials (AASHTO). Unsignalized mid-block crossings are permitted where warranted and should be clearly marked by signs and other high-visibility features. Where necessary, mid-block pedestrian crossings shall be controlled by pedestrian-activated conventional traffic signals or pedestrian hybrid beacons (PHB).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Establish the transportation modes to be prioritized or accommodated on the affected corridor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEFICIENCY. Deficiency projects are those required to correct inadequate service and bring system capacity to adopted levels of service standards. Deficiency expenditures shall enhance the capacity, safety and efficiency of all modes of travel within the roadway network. New roads and improvements to existing roadway facilities shall include improvements for all transportation and mobility modes, including motor vehicles, transit operations, pedestrians and bicyclists. Deficiency projects shall improve connections between the various transportation and mobility modes and complete missing links within the arterial roadway network. Deficiency projects shall

follow complete streets principles as prescribed in §6-5-6. Deficiency projects shall also include the continued development of Intelligent Transportation System (ITS) management tools, managed lanes (using existing lanes for different travel directions depending on demand and time of day), queue jump lanes (providing transit priority) and other traffic management strategies that increase the efficiency of existing and newly-constructed roadways for all transportation and mobility modes. No funds shall be expended to enhance aesthetics on interstate highways.

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

TRAILS AND BIKEWAYS. Trails and Bikeways projects shall prioritize the construction of trails and bikeways that are currently identified as critical links in the Bikeways and Trails Facility Plan and that improve access to transit routes and major destinations”

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

SECTION 7. COMPILATION. Sections 2 through 5 of this Ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

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

X:\CITY COUNCIL\SHARE\CL-Staff_Legislative Staff\Legislation\21 Council\O-27FSfinal.docx