



Legislation Text

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**CITY of ALBUQUERQUE**  
**TWENTY-THIRD COUNCIL**

COUNCIL BILL NO. O-19-64 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton

ORDINANCE

Amending Certain Portions Of Chapter 6, Part 5, Article 6 Of The City's Code Of Ordinances  
Known As The "Complete Streets Ordinance" To Incorporate Higher Standards Related To The  
Implementation Of Complete Streets Within The City (Benton)

AMENDING CERTAIN PORTIONS OF CHAPTER 6, PART 5, ARTICLE 6 OF THE CITY'S CODE  
OF ORDINANCES KNOWN AS THE "COMPLETE STREETS ORDINANCE" TO INCORPORATE  
HIGHER STANDARDS RELATED TO THE IMPLEMENTATION OF COMPLETE STREETS  
WITHIN THE CITY.

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 modes of transportation; and

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

(C) 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

(D) 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

(E) That hundreds of municipalities and more than half of U.S. states have adopted

ordinances and policies incorporating Complete Streets Concepts; and

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

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

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

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

(J) 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

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

(L) 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

(M) That the City of Albuquerque is pursuing the development of 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

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

(O) Goal 6.2 in the Comprehensive Plan says the City should, "Encourage walking, biking, and transit, especially at peak-hour commuting times, to enhance access and mobility for people

of all ages and abilities.”; and

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

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

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

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

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

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

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

(W) 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

(X) 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 1. Section §6-6-5 of ROA 1994 is hereby amended 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 Areas of Change and Consistency and Centers and Corridors as specified by the Albuquerque/Bernalillo County Comprehensive Plan.

(3) For residents and visitors, regardless of their age, ability, gender, ethnicity, or financial resources, to comfortably, safely, 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 Albuquerque City limits 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.

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

the U.S. Bureau of the Census:

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

MODERATE-INCOME COMMUNITY: "Moderate-Income Community" means any population whose incomes are between 81 percent and 95 percent of the median income for the area.

#### §6-5-6-6 GENERAL POLICY

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

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

(3) On-street bicycle facilities shall be designed and implemented as identified by the Mid-Region Council of Governments' Long Range Bikeway System Map, and the Albuquerque Bikeways and Trails Facility 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.

(4) 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.

(5) 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.

(6) 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).

(7) Curb cuts serving access points blocked by 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.

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

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

(10) 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.

## SECTION 2. PROJECT COMPLIANCE

(A) Any departments pursuing projects that alter or otherwise affect streets shall work collaboratively on an annual basis to determine, identify and include prioritization of projects in communities with low-to-moderate income, high proportions of elderly citizens, high proportions of citizens with disabilities. The low-to-moderate income community criteria is one of the many factors that shall be taken into consideration when identifying and selecting project prioritization under this ordinance and shall not be the sole determinant. Other factors or criteria that shall be taken into consideration include traffic fatalities, aging infrastructure, creating safe and efficient

access for older adults and people with disabilities, and any other factors that enhance and improve public safety and health. The City shall develop a process of data collection and analysis for such prioritization and documentation. After such analysis, the City shall post the plan online for public feedback, including information regarding projects that alter or otherwise affect streets. This information shall include project scope, schedule, funding, and an identifier for how those projects in low-to-moderate income areas are prioritized. The report shall include how the process to create the list was evaluated.

(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 principles 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, or area land use plans, or the reasons for which implementing such recommendations is not reasonable.
- (4) How the project complies with the context-sensitive standards in the Development Process Manual.
- (5) All Complete Streets improvements recommended by the Department of Municipal Development for inclusion as part of the project.
- (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;



- a. Existing adopted ordinances and policies affecting the street preclude a certain use (e.g. non-motorized vehicles).
- b. The project is a routine maintenance activity that does not involve resurfacing, restriping or reconfiguring the street. Examples of exempt projects include patching, sidewalk repair or cleaning.
- c. The project is limited by available publicly owned right-of-way.
- d. 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) All proposed exceptions must be justified in writing by the requestor of the exception based on the criteria above, based upon engineering judgement, and be made available to the public. The City Council may, by resolution, designate certain corridors or street segments for Complete Streets improvements. The resolution shall:

- a. Establish the transportation modes to be prioritized or accommodated on the affected corridor.
- b. 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. IMPLEMENTATION

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

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

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

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

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