



Legislation Text

File #: O-24-6, Version: 3

CITY of ALBUQUERQUE
TWENTY SIXTH COUNCIL

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

SPONSORED BY: Fiebelkorn, Grout, Rogers

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

WHEREAS, 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

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

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

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

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

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

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

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

WHEREAS, Section 12.1.4 of the Albuquerque Bernalillo County Comprehensive Plan establishes a policy to reduce or eliminate flooding by improving ponding and drainage capacities in an environmentally sensitive manner through the

development process and in coordination with flood control agencies; and

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

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

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

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

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

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

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

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

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

§ 6-5-6-5 DEFINITIONS:

ARID ADAPTED GREEN STORMWATER INFRASTRUCTURE. A set of practices adapted to arid and semi-arid climates that mimic natural processes to retain and use stormwater. By promoting infiltration, evapotranspiration, and healthy soils throughout the landscape,

green stormwater infrastructure preserves and restores the natural hydrologic cycle.

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

“§ 6-5-6-6 GENERAL POLICY.

The following complete streets principles shall apply to all projects on 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.

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

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

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

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

(4). To allow for maximum stormwater infiltration into the soil, to generate healthy soils that enable and improve the biological filtering process, organic mulch should be used in areas that do not have high flow rates and non-permeable fabric and other barriers that block infiltration should not be included in green stormwater infrastructure.

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

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

SECTION 3. 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 4. COMPILATION. Sections 1 and 2 of this ordinance shall amend, be incorporated in, and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

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

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