

May 25, 2021

New Mexico Department of Transportation Gateway Monument Guidelines

I. General

Integration of community values into the transportation system can be achieved through visual enhancements that include Gateway Monuments. This guideline provides a method for the New Mexico Department of Transportation (NMDOT) to allow visual enhancement of transportation facilities by tribal and/or local public agencies (T/LPAs).

A Gateway Monument is a freestanding, non-integral or non-required highway structure that communicates the name of a city, county, tribal or local public agency within NMDOT right of way (ROW). A Gateway Monument may include the name of the T/LPA and/or the officially adopted seal. The approval of a Gateway Monument proposal is made with consideration to safety (location, potential for motorist distraction, accessibility for maintenance, etc.), aesthetics, community support, and maintainability. Permit applications for the placement of Gateway Monuments must comply with these guidelines.

Gateway Monuments differ from structural aesthetic treatments (textures, colors, or patterns) incorporated into engineered highway features (sound walls, retaining walls, or other highway features).

A Gateway Monument that is an element of a bridge replacement in the NM Transportation Improvement Program (STIP) may serve as a mitigation for a visual impact the structure has on its surrounding if it qualifies through a Visual Impact Assessment (VIA) as conducted by the NMDOT. The cost of mitigation will be part of the project and will qualify for federal participation as per the FHWA Division Office 'Policy on Art and Aesthetic Treatments' (see Appendix B). Aesthetic treatment lighting maintenance costs specific to a Gateway Monument that qualifies as a mitigation measure and is part of a STIP project will also be the responsibility of the T/LPA through a lighting agreement. Maintenance of a Gateway Monument constructed with Federal participation will be part of NMDOT maintenance responsibilities unless otherwise negotiated with the T/LPA. Aesthetic lighting maintenance costs shall be the responsibility of the T/LPA in all cases.

If there is no visual impact from the project and a T/LPA desires a Gateway Monument, the T/LPA may fund the construction of a freestanding Gateway Monument and its maintenance by following the process defined in these guidelines.

Aesthetic treatment lighting maintenance costs specific to T/LPA-requested Gateway Monuments are the responsibility of the T/LPA.

Gateway Monuments may not be added to existing bridge structures.

II. Purpose

This document serves to define the roles and responsibilities of the NMDOT and the T/LPA for the administration, design, installation, maintenance and removal of Gateway Monuments. These guidelines define the procedures for submittal, review and processing of Gateway Monument Proposals.

These Guidelines support a Context Sensitive Solution by providing a way for the NMDOT to collaborate with T/LPAs to express the values of both the immediate community and the public at large. It requires the T/LPA to document support of the community by issuing a resolution recommending approval of the proposed Gateway Monument and requesting installation within NMDOT ROW. Per the FHWA Division Office 'Policy on Art and Aesthetic Treatments', services to develop the Gateway Monument must be acquired in a manner consistent with the appropriate procurement laws. In addition the selection of the Gateway Monument that is proposed must be vetted through public involvement. Public input must be sought, considered and documented when contemplating a gateway treatment, regardless of the funding source. This may be accomplished through public meetings, hearings, or other communications. Any resulting resolutions, local ordinances, or local voting results indicating support will be provided to NMDOT with the request for the permit.

III. Guidance

T/LPAs often desire transportation facilities to provide identification and a favorable image of the communities in which they are located. NMDOT encourages and promotes enrichment of the cultural and visual environment for transportation system users and local communities by facilitating and coordinating the integration of Gateway Monuments within the operational highway ROW.

A Gateway Monument request must be a stand-alone project not associated with any other current T/LPA project at the same location. Any costs associated with third party claims or litigation regarding Gateway Monument will be the sole responsibility of the T/LPA. Any damage caused to the NMDOT facility by the Gateway Monument or damage caused by maintenance activity of the monument will be the sole responsibility of the T/LPA. The T/LPA will be solely responsible for its replacement.

Gateway Monuments are discretionary features within the transportation corridor. Only one Gateway Monument will be allowed per NM, US, or Interstate route in each direction in and out of a T/LPA, for a total of two per public entity. The incorporation of a Gateway Monument will be evaluated for its potential for creating a distraction to motorists. Existing Gateway Monument features located on private or public property and within 660 feet of the NMDOT ROW will be considered the allowed feature and no additional Gateway Monument will be approved. NMDOT retains sole discretion for determining the location, appropriate size, content, colors, and other elements of the Gateway Monument. NMDOT has responsibility for approval of all Gateway Monuments on the NMDOT highway system and in addition, the Federal Highway Administration (FHWA) will advise on Gateway Monuments on the Interstate and US highway system.

Gateway Monuments shall be located beyond the clear recovery zone along Interstate, US and NM facilities or protected with a barrier/guardrails treatment or otherwise placed to minimize the likelihood

of being struck by an errant vehicle. Gateway monuments may not be located in the medians of any divided highway.

Other improvements such as landscaping, decorative painting, or accent lighting may be considered in conjunction with the Gateway Monument proposal. Any improvements and maintenance thereof will be the responsibility of the T/LPA. Stand-alone landscaping treatments are not considered Gateway Monuments, although they may be part of the monument installation. If a T/LPA requests a landscape treatment only they should utilize the landscape permit. If the T/LPA requests landscape treatment as part of its Gateway Monument then the terms and conditions of the NMDOT Landscape Permit (see Appendix C) will be added to the Airspace Agreement (see Appendix D) . If lighting or irrigation is proposed for the Gateway Monument, the terms and conditions of the NMDOT utility permit and lighting agreements will be added to the Airspace Agreement. The Airspace Agreement will be utilized as the master agreement between the T/LPA and will be customized for each project.

IV. Design and Placement of Gateway Monuments

Proposed Gateway Monuments shall:

1. Be freestanding (unless incorporated in STIP project bridges).
2. Feature only the letters of the community name and/or officially adopted seal that has been associated historically with the community.
3. Include, if required by NMDOT, approved protective anti-graffiti coatings.
4. Be appropriate to its proposed setting and community context.
5. Be in proper size and scale with its surroundings. The maximum size of the Gateway Monument face will not exceed 400 square feet in total. The height will not exceed 20 feet above existing grade. Gateway Monument widths exceeding 20 feet will not be allowed on an Interstate.
6. Be composed of materials that are durable for the projected lifespan of the project.
7. Be located beyond the clear zone, or as approved by the District Traffic Engineer or designee and the Gateway Monument Committee depending on highway classification and functionality.
8. Be developed in such a manner to require low maintenance and to minimize exposure of workers and others to potential risks and impacts to the traveling public.
9. Be located where maintenance can be safely performed and in conformance with NMDOT procedures.
10. Be subject to the review and approval of NMDOT in consideration of design, size, and scale for appropriate integration on urban or rural highways.
11. Conform with Night Sky regulations
12. Meet industry standards in regards to rate of change of lighting features and allowable lumens.
13. Require T/LPA to agree to terms in the Airspace Agreement addressing maintenance by the T/LPA including accidental damage, vandalism, electrical costs if the T/LPA wishes to retain the structure.

Proposed Gateway Monuments shall **not**:

1. Be installed without NMDOT approval.
2. Be allowed within the center medians of a divided highway ROW.
3. Contain religious, political, special interest, private, or commercial messages of any sort, including, but not limited to, symbols, logos, business names, trade names, jingles, or slogans.
4. Contain any advertising, decorative banners, flags, or flagpoles.
5. Display telephone numbers, street addresses, or internet addresses.
6. Interfere with airspace above the roadway (including archways) or view-shed, or protrude or span over travel lanes or roadbeds unless attached to a bridge structure.
7. Create a distraction to the motoring public. The proposed Gateway Monument must be large enough to interpret at highway speed, but not be so large that it demands attention from the motorist.
8. Include reflective or glaring surface finishes.
9. Include illumination that impairs or distracts the vision of transportation system users.
10. Display blinking or intermittent or moving lights, including changeable message signs, digital displays or lighted static displays such as LED.
11. Include moving elements (kinetic art) or simulate movement.
12. Include water features, outside of necessary irrigation.
13. Include audio features.
14. Interfere with official traffic control devices or interfere with the operational NMDOT ROW above the roadway or airspace.
15. Be placed within NMDOT ROW upon trees, or painted or drawn upon rocks or other existing natural features.
16. Make use of or simulate colors or combinations of colors usually reserved for official traffic control devices described in the Manual on Uniform Traffic Control Devices.
17. Require the removal of trees or other vegetation for visibility, or harm trees during construction. Pruning of tree branches or roots, and removal of shrubs should be avoided.
18. Negatively impact existing highway features, including existing signs, irrigation systems, necessary drainage patterns, and facilities.

V. Review/Approval Process

Gateway Monument requests will be reviewed with consideration to safety (location), appropriateness, communicativeness, and aesthetics and for minimal disruption to the traveling public when accessed for maintenance purposes.

The request for a Gateway monument from the T/LPA will require sequential NMDOT approvals by the local NMDOT District, the Property Management Bureau, and the Secretary of Transportation or designee. See Section IX for the submittal requirements for each stage of approval. See the Appendix E for a Gateway Monument Review/Approval Process Flowchart.

The local NMDOT District will review the Gateway Monument request and, if approved, will send an Interdepartmental Correspondence memo (IDC) with the request to the Property Management Bureau with answers to the following questions (see Appendix F):

1. Is the proposed action safe for the traveling public, including bike and pedestrians?
2. Will the proposed action interfere with maintenance operations?
3. Will the proposed action interfere, add to, or subtract from maintenance operations?
4. Is there any possibility of a transportation use in the future?
5. Are we creating a potential a FHWA Section 4-f situation for future use by the NMDOT for transportation purposes
6. Does the action cause drainage concerns or issues?
7. Does the action cause access concerns or issues?
8. Are there positive or political implications with the action?

Approval by the District of the initial request does not constitute approval of the project.

Once the request is approved by the District and forwarded to the Property Management Bureau for Preliminary Review, Property Management will request a resolution by the T/LPA as enumerated in Section IX. Monument details as enumerated in Section VIII must be observed.

Following a successful Preliminary Review, Property Management will initiate an Internal Review by requesting comments from General Counsel, the Regional Design Manager, Maintenance, Traffic, Lands Engineering, Legal, Environmental, Drainage, Roadside Environment, and Environmental Geology. Additionally, Property Management will research the rights-of-way upon which the T/LPA Requestor has proposed the Gateway Monument to determine if there are any restrictions, which would preclude its use. Property Management will be in communication with the T/LPA Requestor during this process regarding further documentation and information, which may be required. Once any issues are addressed and the review process is complete, the Environmental Bureau may issue an environmental certification for natural and cultural resources. However, if cultural and/or natural resource surveys are required, it is incumbent upon the T/LPA to conduct those surveys to state and federal standards. The documentation must be submitted by the T/LPA Requestor to Property Management, who will then forward it on to the NMDOT Environmental Bureau.

As part of the review process, if the proposed Gateway Monument is on an Interstate facility or US route, the Roadside Design Section of the Environmental Bureau will coordinate a Gateway Monument Aesthetics Committee for review and approval. The Committee will consist of four members from NMDOT: one representative each from Roadside Design, Environmental Bureau, Traffic Technical

Support Bureau, and the respective District supporting the proposal. A representative from the T/LPA and a representative from the T/LPA Gateway Monument development team (artist, architect, landscape architect, or engineer) are requested to attend the committee review. FHWA will serve in an advisory capacity on the committee for proposals affecting the Interstate and US highways. The Committee will review for appropriateness, communicativeness, and aesthetics. Gateway Monuments proposed for NM routes may be approved for aesthetics by the District Engineer (DE) or, at the DE's discretion, may be forwarded to the Roadside Environment Section of the Environmental Bureau for review as stated above.

Following an internal Review, Property Management will draft an Airspace Agreement, which may include provisions for landscaping, utilities, and lighting. Following this Property Management will seek legal approval, coordinate signatures with the T/LPA and then will obtain the signature of the Secretary or Designee for final approval. Following final approval, a work permit must be acquired for the construction of the monument by the T/LPA from the local District Traffic Engineer (see Appendix G).

NMDOT reserves the right to review and inspect during construction, for compliance with the approved Gateway Monument submittal. If, at any time during the process, NMDOT recommends any changes for a proposal that has not yet received final approval, the proposal may be returned to the T/LPA for revision. Once NMDOT approves a Gateway Monument proposal, no changes will be made to the Gateway Monument without prior written approval of the District Engineer. NMDOT reserves the right to change or rescind approvals during or after installation at NMDOT's discretion.

VI. Submittal Requirements for Gateway Monument Proposals

A Gateway Monument proposal must be supported by the T/LPA that has jurisdiction in the area where the Gateway Monument will be incorporated. The T/LPA will issue an adopted resolution or other official document recommending approval of the proposed design of the Gateway Monument and requesting installation within the operational NMDOT ROW.

For NMDOT District review a T/LPA may submit a Gateway Monument Request to the Traffic Engineer in the local NMDOT District. Accompanying the request should be a to-scale stamped architectural or engineering drawing and site plan with sufficient detail to communicate the concept. Conditions spelled out in Section VIII must be met. If the request is approved it will be forwarded internally to the Property Management Bureau with an IDC for Preliminary Review.

For Property Management Preliminary Review the T/LPA must provide an adopted resolution or other official documentation that describes the T/LPA's:

1. Jurisdiction over the area of the project site.
2. Approval of the Proposed Gateway Monument content and gateway message to be communicated.
3. Funding responsibility.

4. Commitment to ensure maintenance of the Gateway Monument (and any associated landscaping and/or lighting) including timely graffiti removal/repair, and removal (or restoration) of the Gateway Monument as needed.
5. Proposed schedule for commencing and completing project installation.

If Property Management determines the request meets these Preliminary Review criteria it will request further submittals for Internal Review as defined below.

A licensed landscape architect, or architect, or professional engineer as appropriate will professionally prepare, sign and seal submittals for a Gateway Monument Proposal. Exhibits, plans, and details will include, but are not limited to the following:

1. A full description of the proposed Gateway Monument, including location, construction, and installation techniques, details necessary to convey construction methods, proposed color scheme, proposed materials including, but not limited to, paint and protective coatings.
2. Specifications for proposed materials, including material data sheets.
3. A scaled drawing indicating the placement of the proposed Gateway Monument, including dimensions and offset (ROW lines, Edge of Pavement, Center Line, and Clear Zone).
4. Stamped drawings will additionally include details of footings and structure, including calculation of wind load.
5. Elevations and details clearly illustrating and dimensioning the proposal (the Gateway Monument must be aesthetically pleasing on all visible sides).
6. Landscape, irrigation and lighting plans if required.
7. Proposed message to be communicated.
8. Construction schedule.
9. Cost Estimate, including cost estimate for maintenance with ample funding source identified.
10. Traffic control plans and provisions if required.
11. Proposed maintenance plan and schedule (including proposed access for maintenance purposes).
12. Environmental Certification (see Appendix H, for both Natural and Cultural Resources and public involvement)

The T/LPA will adhere to and maintain compliance with departmental rules, regulations, NM and Federal laws, and any additional requirements NMDOT may apply to the project.

Once the Internal Review is complete, the Property Management Bureau will develop the Airspace Agreement as per Sections IV and V.

VII. Financial Responsibilities

All costs for proposed Gateway Monument design, construction, access for maintenance, maintenance, and if required, removal of the Gateway Monument will be the responsibility of the T/LPA and stipulated

in detail within the Preliminary and Final Gateway Monument submittals. All public involvement activities will also be the sole responsibility of the T/LPA.

The Airspace Agreement, for which there is no cost either initially or recurring, will stipulate that the T/LPA will hold harmless, indemnify, and defend NMDOT against any action associated with a Gateway Monument. NMDOT will assume the administrative costs associated with the Airspace Agreement, the Gateway Monument proposal reviews, and developing, issuing, and monitoring Work Permits for approved Gateway Monument projects. All other costs, including labor, materials, supplies, and traffic control (if required) for design, engineering, environmental certification, testing, construction, installation, maintenance, and removal of the Gateway Monument will be the responsibility of the T/LPA, including cost associated with damage to NMDOT ROW features caused by the Gateway Monument or its components. Coordination and resolution of any utility issues will be the responsibility of the T/LPA.

VIII. Maintenance

The T/LPA will be required to provide for regularly scheduled maintenance with minimal impacts to the traveling public for its projected lifespan. Maintenance will include, but not be limited to, restoration work to maintain the integrity of the approved Gateway Monument, maintenance of any associated landscaping or lighting, litter pickup, and graffiti removal. Gateway Monuments will be kept clean, free of graffiti, and in good repair. Graffiti removal will be performed by the T/LPA within 72 hours of its occurrence. All efforts to remediate vandalism of the Gateway treatment will be the sole responsibility of the T/LPA.

Maintenance access will be as stipulated by NMDOT in the Airspace Agreement and should be provided from outside the highway ROW, wherever possible. For projects located on Interstate highways, access will not be from the mainline. Maintenance practices will protect air and water quality as required by Federal and NM law. A NMDOT work permit must be obtained for each maintenance activity from the local District.

IX. Removal

The T/LPA will remove Gateway Monuments that, in the opinion of NMDOT, create safety or operational concern due to deterioration or inadequate maintenance. NMDOT will notify the T/LPA when it has determined that the Gateway Monument requires special attention. In the event the T/LPA fails to maintain, repair, rehabilitate, or remove the Gateway Monument in a timely manner, the NMDOT may remove the Gateway Monument after 60 days following notification to the T/LPA, and invoice the T/LPA for all costs of removal and restoration of the area. The responsible agent and invoice address shall be included in the Airspace Agreement.

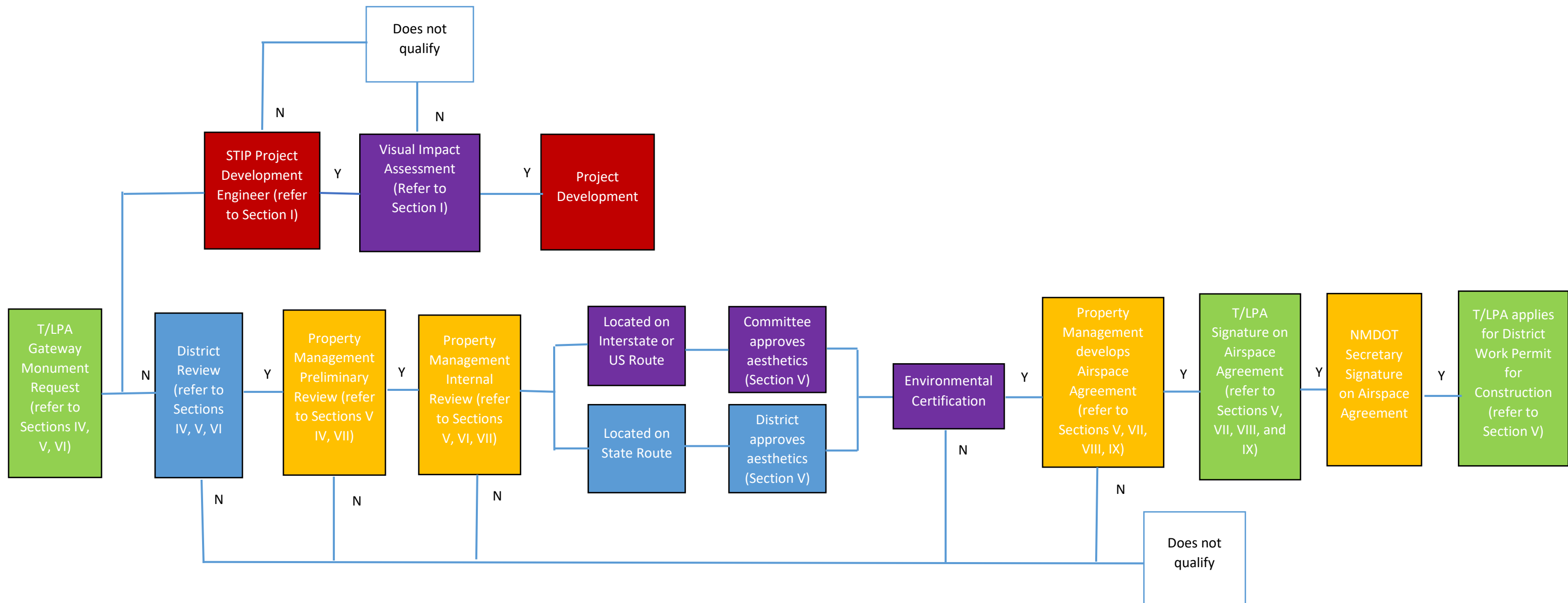
NMDOT reserves the right to remove the Gateway Monument due to construction, rehabilitation, or other necessary activities affecting the transportation facilities without any obligation, compensation to, or approval from the T/LPA. NMDOT will strive to notify the T/LPA to allow for timely removal and salvage by the T/LPA (if possible). All costs associated with the removal and relocation/replacement (if possible), will be the responsibility of the T/LPA in coordination with NMDOT.

NMDOT reserves the right to remove or alter immediately or with advanced notification to the T/LPA any Gateway Monument that presents an immediate safety hazard to the public.

X. Pre-existing Monuments

For public safety purposes any monument in existence before the adoption of these guidelines and not in compliance with its provisions will be considered an encroachment and will need to be brought into compliance within two years of the issuance of this guidance via the Airspace Agreement process.

NMDOT Property Management will work with the T/LPA to coordinate the process.



NMDOT Gateway Monument Review/Approval Process Flowchart
(references are to specific sections in the Gateway Monument Guidance)

T/LPA

District

Property Management

Environmental

Region Design