

Date: May 23, 2022

To: Carlsbad Tomorrow Citizens Committee (and members of the public)

From: Steve Linke, Traffic & Mobility Commission Vice-Chair

Subject: May 26, 2022 Carlsbad Tomorrow meeting - written comments

Introduction

Much of last month's Carlsbad Tomorrow meeting focused on the minimum **performance standards** required for each public facility to comply with the Growth Management Plan (GMP). In last month's letter¹, I described—as examples—how the city has knowingly implemented pedestrian, bicycle, transit, and vehicle level of service (LOS) monitoring methods that have not been consistent with real-world observations or the past recommendations of citizens and expert consultants, thereby masking street facility failures by exaggerating performance.

Our meeting this Thursday focuses on the **financing mechanisms** used for growth management. One of the key documents that guides the planning and funding of mobility projects is the General Plan Mobility Element, adopted in 2015.² This letter will describe how the failure to effectively implement several Mobility Element policies and related promises in a timely fashion has combined with the defective monitoring methods to significantly compromise the city's ability to plan and fund mobility projects.

Carlsbad has numerous smart and dedicated staff members, but I think it is important for this committee to learn from these past and ongoing experiences to better work with staff to help change the culture and ensure a successful update to the GMP. My goal is to make this topic understandable, but I realize it can get very technical and complex.

2015 General Plan Mobility Element (ME) background

The ME calls for completion of Carlsbad's street network, including construction of the Poinsettia Lane and College Boulevard **extensions** and installation of some final **vehicle through-lanes** to achieve final street build-out. The ME—and staff promises made during its review—also called for **intersection improvements** (e.g., turn-lane additions/lengthening) and **Transportation Systems Management** (TSM) (e.g., traffic signal coordination) to help address ongoing congestion problems.

Significantly, the ME also acknowledges that it is not practical to continue adding vehicle through-lanes or make other vehicle-oriented improvements to built-out streets to combat congestion. Accordingly, it calls for a transition to so-called "**Transportation Demand Management**" (TDM) projects. Such projects emphasize pedestrian, bicycle, transit, ridesharing, and telecommuting infrastructure and service improvements, with the goal of improving conditions for these alternative modes of travel and addressing congestion by reducing single-occupant vehicle trips.

¹ [April 26, 2022 letter](#) from Traffic & Mobility Commissioner Linke to the Growth Management Citizens Committee

² [2015 Carlsbad General Plan Mobility Element](#)

Mobility Element policies and promises broken

The public, Planning Commission, and City Council reviewed the ME in a series of July and September 2015 meetings.³ The Planning Commission made recommendations to the City Council that directly impact how growth management works for the planning and funding of mobility projects—much like what our committee is doing now for all facilities.

Most of the Planning Commissioners and I were very concerned about how the ME would be implemented, particularly related to its introduction of the **power to exempt streets from the GMP standard** when they become over-congested and fail—and the associated transition from conventional street projects to TDM projects. Notably, two of those past Planning Commissioners, Hap L’Hereux and Jeff Segall, are now serving on our committee.

GMP street exemptions were not supposed to occur until build-out

To help alleviate the exemption concerns, staff emphasized multiple times that they would not occur until after street network build-out. For example, they stated at the 7/18/2015 joint meeting:

Exemptions will not be considered until after completion of the complete street network. And that means completing Poinsettia Lane...and College Boulevard.

That language was included directly in the ME in Policy 3-P.10, but it was quietly removed (without explanation) shortly after Planning Commission review, thus allowing immediate exemptions. We now have dozens of exempted street segments—long before build-out.

Failure to implement a TDM Program that addresses traffic added to exempt streets by developments

Staff and consultants emphasized that only a handful of street segments should require exemptions, and that the city would be actively managing congestion on those streets through a robust TDM program being created, consistent with new ME policies, for developers to fund their shares. A TDM program *was* eventually adopted by the city in 2019⁴ (as a requirement of a 2017 lawsuit settlement⁵). However, it is a minimalistic approach intended only to satisfy a narrow Climate Action Plan measure for a subset of developments. It does not address projects that add traffic to exempt streets based on the ME policies. A TDM Program update is now allegedly in the works, but its scope and timeline are unknown.

Traffic Impact Fee (TIF) Program background

One mechanism for developers to fund mobility projects to mitigate their impacts is to add the projects to the TIF Program project list. The way the process is supposed to work, as required by the municipal

³ [7/18/2015 Joint City Council/Planning Commission meeting video \(Part 1 of 5\)](#); [7/22/2015](#) and [7/24/2015](#) Planning Commission meetings; and [9/22/2015 City Council meeting](#)

⁴ [Carlsbad Transportation Demand Management Handbook \(9/21/2019\)](#)

⁵ [City Council Resolution 2017-044](#), a lawsuit settlement that includes a requirement to develop a TDM Program to address Climate Action Plan Measures K-1 and K-2

code and Citywide Facilities and Improvements Plan, is that annual GMP performance monitoring will identify future failures, and the TIF project list and funding needs are to be updated annually.⁶

However, the defective performance monitoring methods, which were known to exaggerate performance, have masked some of the problem areas in the last 10+ years, and no priority was placed on keeping the TIF Program updated. In fact, the TIF project list and funding have not been updated since 2008. And, at that time, it had been 17 years since the previous update, and several councilmembers were disappointed that it had taken that long.⁷

Then-Mayor Bud Lewis lamented the fact that, without regularly updating the program, later developers and average taxpayers would have to disproportionately cover the costs of the projects in order to stay compliant with the GMP. And there was discussion about looking at the TIF Program in more detail at least every two years to keep it properly updated.

Failure to update the Traffic Impact Fee (TIF) Program to include TDM and TSM projects

Returning now to the 2015 ME update, to further alleviate the exemption concerns, and in response to a question from then-Planning Commissioner Segall, staff stated that they were going to “re-do the traffic impact fee program” to include TDM and TSM measures, and that the new ME policies would require developers to contribute funds for those improvements.⁸ In what now seems to be a prophetic remark, Commissioner Segall responded that he could not recommend adoption of the ME, in part, because he was concerned that the TIF Program update did not yet exist.

Despite the fact that the new ME completely changed the mobility project landscape in Carlsbad, and despite the promise that the TIF Program would be updated to include TDM and TSM projects to compensate for exempted streets, and despite the past calls from council to update the TIF Program more frequently, the TIF Program **still** has not been updated. After years of my pestering, there is finally a “study” to update it, but it is not planned for adoption for at least a few more years, and its potential content or effectiveness remain unknown.

On a related note, after adoption of the 2015 ME, at least one development that adds vehicle trips to an exempt street *was* conditioned to contribute fees for TDM and TSM projects through the TIF Program, and that mitigation plan went through the environmental review process.⁹ However, the fee requirement was later waived by staff due to the above-described failure to update the TIF Program.

Failure to include the College Boulevard extension (and other projects) in the TIF Program

Segments of El Camino Real and Cannon Road adjacent to the proposed path of the College Boulevard extension were formally recognized in 2020 as failing the vehicle GMP standard and exempted by the

⁶ [4/8/2008 City Council staff report](#) (last TIF Program update); [Municipal Code Chapter 18.42](#) (Traffic Impact Fee)

⁷ [4/8/2008 City Council meeting video](#) (last TIF Program update)

⁸ [7/24/2015 Planning Commission meeting video](#)

⁹ [City Council Resolution 2016-096](#), adopting a Mitigated Negative Declaration for the Cannon Road Senior Housing (Casa Aldea) project (see Condition 40); 2020 communication from the City Engineer

City Council.¹⁰ A traffic study showed that completion of the extension would largely alleviate the congestion in the area, and the GMP prioritizes such capital improvement projects that address GMP failures. However, the exempted street segments actually started failing about a decade ago, but, again, the usage of the defective GMP monitoring methods masked the street deficiencies. And, unfortunately, the failure to timely update the TIF Program means no funding has been collected. Due to funding complexities with the land owners, staff has suggested *removing* the extension from the General Plan and relying on (non-existent) TDM and TSM to “fix” the problems in that area.

The College Boulevard extension is considered one of the last high-priority street projects in the ME, and the full College corridor is now one of three proposed “Mobility Boulevards” in Carlsbad, which emphasize pedestrian, bicycle, transit, and microtransit improvements, so the extension can both reduce vehicle congestion and serve as a TDM project.¹¹ Planning for the extension has continued, but its future is tenuous. In a recent news article¹², the College Boulevard extension and the Carlsbad Boulevard realignment (a predominantly TDM based project) were cited as major unfunded capital improvements that contributed to the exploration of the city implementing a 1% sales tax. Refer back to Mayor Bud Lewis’ prophetic warning that a failure to keep the fee programs updated would put the burden on future taxpayers.

Failure to require developments to fund installation of bus stop shelters and safety lighting

The ME policy that requires developers to mitigate traffic they add to exempt streets (3-P.11) describes three approaches—TDM, TSM, and **transit service improvements**. Staff stated during the 2015 ME review process that transit improvements include bus stop amenities like shelters and lighting, and that by prioritizing alternative modes (e.g., transit), the ME creates a “nexus” to require developers to pay for such improvements.

Over the past few years, I have submitted multiple public comments suggesting installation of bus shelters and lighting during city review of development projects that add traffic to exempted, transit-oriented streets.¹³ Yet, staff now claims that a nexus cannot be made to require those amenities.

Elimination of intersection analysis

During review of the ME, it also was promised that, although additional through-lanes would no longer be considered on exempt streets, intersection improvements like new and longer turn-lanes would still be made, because intersections are the major source of congestion problems. However, when staff subsequently updated Carlsbad’s Transportation Impact Analysis (TIA) Guidelines, intersection analyses were explicitly removed. Recently, staff has become more receptive to considering intersection improvements when exempting streets, but the future is unclear.

¹⁰ [5/5/2020](#) (Item 12) and [6/9/2020](#) (Item 8) City Council meeting videos

¹¹ [5/2/2022 Traffic & Mobility Commission meeting video](#)

¹² [The Coast News Group, 4/6/2022](#)

¹³ E.g., Marja Acres and West Oaks residential developments