

July 25, 2022

To: Carlsbad Tomorrow Committee

From: Committee Member Steve Linke (Traffic & Mobility Commission)

Re: GMP circulation performance standards

SIGNIFICANCE

In Carlsbad's recent annual resident satisfaction surveys, transportation issues consistently ranked in the top two or three priorities/quality of life issues—along with police/fire and parks/open space. However, the satisfaction rate was much lower for transportation.

About 50% of greenhouse gas generation comes from surface transportation. Thus, improving both vehicle traffic flow and conditions to encourage non-single occupancy vehicle alternatives (walking, biking, transit, ride-sharing, telecommuting, etc.) is critical for the environment.

SUMMARY

The current Growth Management Plan (GMP) performance standard for circulation facilities is a level of service (LOS) grade "D" (on a scale of "A" through "F"). Prior to the 2015 General Plan update, this standard was applied only to vehicle LOS. The update re-prioritized each street to specific modes of travel—vehicle, pedestrian, bicycle, and/or transit—and LOS "D" is supposed to be maintained for each prioritized mode on the corresponding street.

Unlike all of the other GMP facilities we have discussed, our streets have been consistently failing their standard for many years. Four general approaches have been employed that camouflage the deficiencies and help avoid identification of mandatory improvements by developers and the city:

1. The analysis methods adopted by the city to determine the LOS grades have been designed to virtually never result in grades worse than "D," and exceptions and changes to the analysis rules are routinely made without public review.
2. The City Council now has the authority to simply exempt street facilities from the GMP standard when they fail the performance standard (32 facilities and counting have been exempted so far, representing a large portion of our arterial system).
3. The city has simply skipped or delayed monitoring of facilities and travel modes that would fail.
4. Legal arguments have emerged claiming the city never intended to enforce the LOS "D" standard through annual monitoring, and that the city may not be willing or able to create a "nexus" to enforce it with developers either.

Going forward, the LOS "D" performance standard itself is fine, but, given the above four loophole areas, it is rendered virtually meaningless. I have been working on these issues for the past 11 years—the last three on the Traffic & Mobility Commission. My hope is that this committee will be provided reliable professional guidance on how to navigate these problems, and then make a forceful recommendation to close the loopholes to the maximum extent possible.

DISCUSSION

During its 2015 adoption process, the General Plan Mobility Element was promoted as the new “Bible” (i.e., “authoritative text”) guiding how the GMP would be applied to circulation facilities going forward. It was to be a transformative reimagining of our transportation network by requiring citywide maintenance of the new performance standards and developer funding of projects.

It was supposed to ensure the completion of our arterial street network through widening of the last several streets to their ultimate two or three-lane directional widths, completion of the Poinsettia Lane and College Boulevard gap closures, and implementation of an advanced traffic signal control system. And it was simultaneously supposed to foster an aggressive shift to non-single occupancy vehicle travel modes through improvements to pedestrian, bicycle, and transit facilities/services and other so-called Transportation Demand Management (TDM) strategies.

The reality has been underwhelming. I detailed some of the following in my April 26th and May 23rd letters to this committee, but here are some highlights and additional examples.

VEHICLE LOS

GMP monitoring methods designed not to fail

Before the 2015 update, the city knowingly used vehicle LOS analysis methods for annual GMP monitoring (the “Carlsbad methods”) that generated unrealistically good LOS grades, rather than using the validated methods recommended by the original GMP citizen advisory committee.

After complaining about this for several years, an industry-validated vehicle LOS methodology was finally required in 2015. Applying the new method to historical annual GMP monitoring traffic count data shows that LOS “D” failures began occurring on Carlsbad streets going back to at least 2008. Demonstrating the virtually worthless nature of the original Carlsbad methods, a majority of streets/intersections degraded an average of two letter grades, and many went from “A” to “E” or “F.”

Exemptions and promises made

Knowing that many streets would fail the LOS “D” GMP performance standard when the new validated LOS method was applied, the 2015 update introduced the power to “exempt” deficient street segments from the GMP standard. Many promises were made to justify and quell concerns about exemptions.

For example, exemptions were projected to be very limited and were not going to be done until completion of the gap closures, and, even then, the exempted segments were not to be forgotten: The vehicle capacities of the streets were to be increased through widening to their final widths, intersection improvements (e.g., turn-lane additions and lengthening), and traffic signal coordination; and an aggressive Mobility Element-specific TDM program would be implemented, along with an update to the Traffic Impact Fee (TIF) program for funding.

Promises broken

The reality has been very different. The monitoring was delayed for a few years, and then done in a piecemeal fashion over the next several years to soften the blow of the numerous deficiencies and exemptions that have accumulated, now representing a significant portion of our arterial system.

While the Poinsettia Lane gap closure is complete, the College Boulevard gap closure was just put on indefinite hold, and it has been proposed to remove it entirely from the General Plan, despite the heavy congestion and GMP exemptions of the adjacent arterials, which would be alleviated by its completion.

Further, with some exceptions, there has been significant resistance to studying or making the capacity-increasing improvements. Exemptions are often proposed without capacity studies and/or recommendations against making such improvements. Intersection analysis has even been removed from Carlsbad's Transportation Impact Analysis Guidelines, despite the 2015 testimony that most congestion arises there and the promises to make improvements.

Perhaps most disturbingly, it has been **seven years**, but no Mobility Element-specific TDM program or TIF program update has yet been implemented to shift travelers to different modes—let alone programs that could have meaningful impacts on congestion.

MULTIMODAL (PEDESTRIAN, BICYCLE, AND TRANSIT) LEVEL OF SERVICE (MMLOS)

Skipped monitoring

There have been six annual GMP monitoring reports since the requirement to assess MMLOS was adopted in the 2015 update. However, not one of the reports has included MMLOS monitoring—just repetitive excuses and broken promises about including them before the next report comes out. I relayed the Traffic & Mobility Commission's concerns on this subject to the City Council a couple of weeks ago.

Exceptions and methodological changes without public review

Unlike vehicle LOS, which is based on traffic volumes and street capacities, MMLOS analyses are based on amenities/quality (e.g., widths of sidewalks, types of bike lanes, presence of benches/shelters at bus stops, etc.). Carlsbad is trying to use point systems that assign MMLOS letter grades based on a 100-point scale, with a score of "60" being required to achieve LOS "D."

There have been multiple iterations of the point systems since 2015, and I would argue that we are falling into the same trap as the pre-2015 vehicle LOS methods—concocting "Carlsbad methods" that are designed not to fail, making them meaningless in the quest to drive infrastructure improvements.

One example of the implications of the changing MMLOS methods on the final LOS grades is the Poinsettia gap closure. In one traffic study, the pedestrian LOS was calculated as "F," and the bicycle LOS was "D." However, in a subsequent traffic study—done by the same consultant using exactly the same input data—both the pedestrian and bicycle LOS results were "A" or "B." The only difference between the two studies was that staff had changed the point values for the amenities.

Another example is that, in 2019, staff began assigning 60 transit LOS points (just enough to achieve LOS "D") based on the City Council's adoption of a Climate Action Plan TDM Program. That effectively provided a blanket, citywide passing grade for transit, even though that program provides zero improvements to the transit system. This ridiculous move appears to have been at least partially rescinded but is indicative of the mindset that has been driving MMLOS method development.

Yet another example is a car dealership project being developed near a transit-prioritized street. The applicant made the inexplicable argument that it was exempt from having to conduct a transit LOS analysis, because there are no current transit stops within the prescribed distance from their project (one-half mile). However, the very lack of stops means the developer needs to make improvements to

transit or implement alternatives to bring the LOS to “D”—not be exempt because service is currently abysmal. Yet, staff and the Planning Commission allowed the project to go forward without the required MMLOS analysis or improvements.

Adopted standards vs. methods

The approach for Vehicle Miles Traveled (VMT) analysis under CEQA has been similar. Similar to the LOS “D” standard officially adopted by council for the GMP, certain “thresholds” have been officially adopted for VMT. For both GMP/MMLOS and CEQA/VMT, staff has given themselves broad discretion to change the methods and allow case-by-case exceptions to the methods without public review or council adoption. Then, it can be argued at the final decision-making meetings before the Planning Commission or City Council that the adopted MMLOS standard or VMT threshold is being met, and that any changes or exceptions to the methods used for the calculations and conclusions were at staff’s discretion.

Again, I cannot overemphasize how the performance standard itself (LOS grade of “D”) becomes meaningless when broad discretion is provided to manipulate the methods (e.g., the number of MMLOS points assigned for each amenity) used to calculate the grades.

Legal arguments minimizing potential impact of MMLOS

City GMP monitoring

The 2015 updates to the General Plan and the GMP implementing document state the following:

Implement the city’s MMLOS methodology and maintain LOS D or better for each mode of travel for which the MMLOS standard is applicable...

The proposed General Plan requires a LOS D or better...for the prioritized travel mode.

However, in the last couple of years as I have been raising this issue, staff has adopted the legal stance that the city never really intended to maintain the MMLOS D standard for any parts of the city that were already developed in 2015. But that is not how the language reads or how the MMLOS system was presented. Because the city is largely built-out, this stance would make MMLOS largely irrelevant, even if reasonable point systems could be adopted.

Developer nexus

The MMLOS system was presented by staff in 2015 as a means to create the required nexus to condition developments to fund projects for the prioritized modes. Recently, though, staff also has started suggesting that it may not be plausible to use MMLOS to assess the impacts of individual developments, because any identified deficiencies could be considered “pre-existing,” and a nexus cannot be established.

Despite promises in 2015 that the system would bring crosswalks, curb extensions, improved bike lanes, transit benches and shelters, pedestrian-scale lighting, etc., my analysis of dozens of development applications over the past three years indicates the following. Through the GMP, the city is only willing to require sidewalk completion on the same block as the development, and, in some cases, a bench being added next to an otherwise standalone, pre-existing bus stop sign within one-half mile—even if buses rarely stop there.

WE CAN DO BETTER THAN THIS!