



Misclassification of Rapid Buses as Bus Rapid Transit

Executive Summary

Neighbors For A Better San Diego questions the inclusion of certain stops in the Major Transit Stops map based on whether the bus service has been correctly classified as Bus Rapid Transit, either now or in a future Transportation Plan. Much of the analysis of the scope of SDAs has been based on comparison with the TPA map, but that analysis may be inaccurate or incomplete if there are deficiencies in the underlying Major Transit Stops map.

Definition of Bus Rapid Transit (BRT)

A number of stops are included in the Major Transit Stops map based on the assumption of Bus Rapid Transit (BRT). This consists of much more than painting "Rapid" on the side of the bus. To understand the requirements of BRT, it is helpful to step through the state codes that defines Transit Priority Areas:

CCR Public Resources Code 21099 (7)

"Transit priority area" means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan."

(Amended by Stats. 2019, Ch. 466, Sec. 5. (AB 1824) Effective January 1, 2020.)

(Note that this code is normally interpreted to mean that the half mile distance should be measured "as the crow flies", yet the code clearly does not specify that. In this context alone, the means of measurement could at best be considered ambiguous; however, government code 65088.4 states that "It is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments **within walking distance** of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs." To our knowledge this question has not been litigated.)

CCR Public Resources Code 21064.3

“Major transit stop” means a site containing any of the following:

- (a) An existing rail or bus rapid transit station.
- (b) A ferry terminal served by either a bus or rail transit service.
- (c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”

(Amended by Stats. 2019, Ch. 631, Sec. 2. (AB 1560) Effective January 1, 2020.)

CCR Public Resources Code 21060.2.

(a) “Bus rapid transit” means a public mass transit service provided by a public agency or by a public-private partnership that includes all of the following features:

- (1) Full-time dedicated bus lanes or operation in a separate right-of-way dedicated for public transportation with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
- (2) Transit signal priority.
- (3) All-door boarding.
- (4) Fare collection system that promotes efficiency.
- (5) Defined stations.”

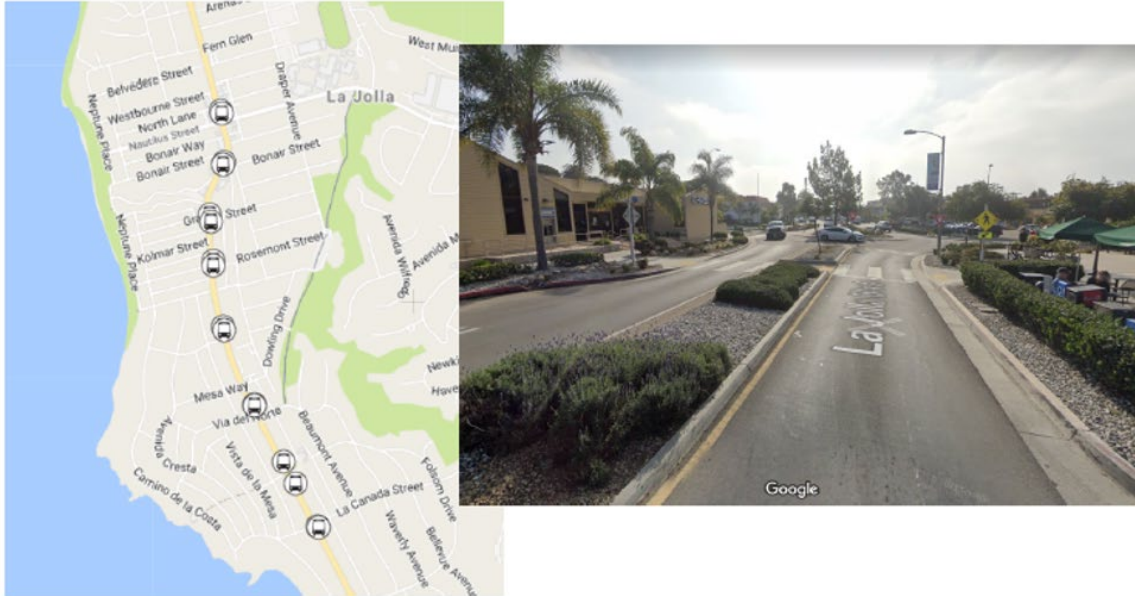
(Added by Stats. 2019, Ch. 631, Sec. 1. (AB 1560) Effective January 1, 2020.)

Examples

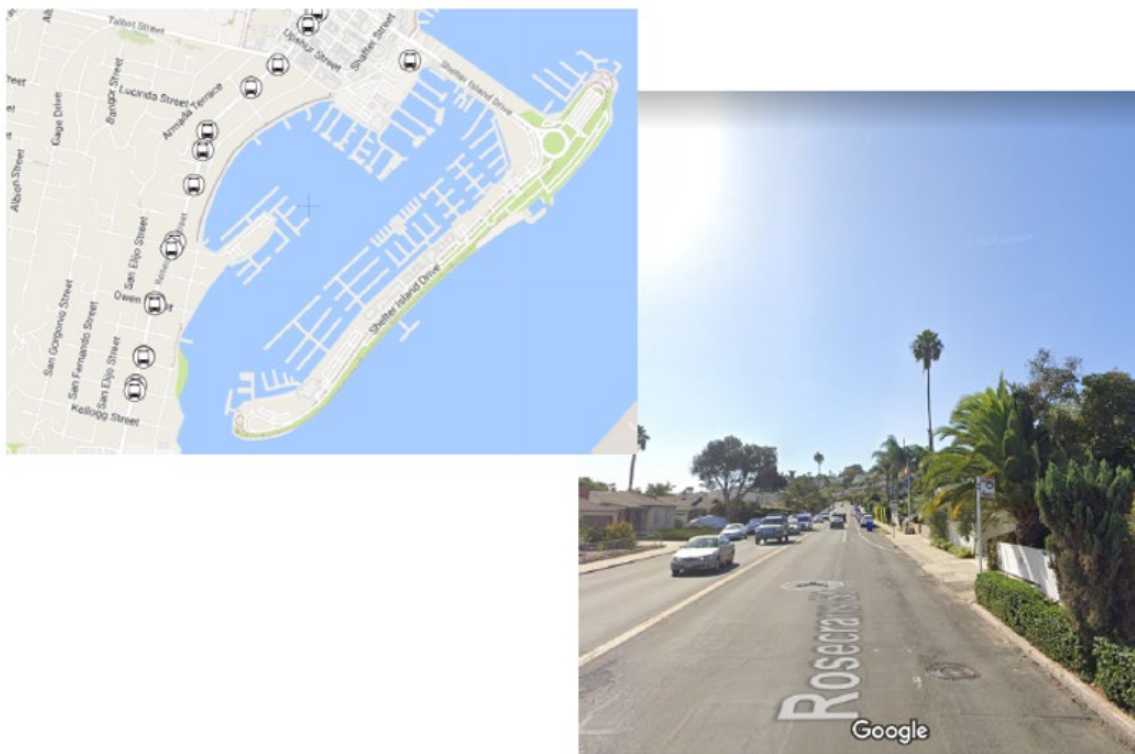
Meeting all of the criteria for Bus Rapid Transit is a high bar. For example, fare collection systems may require that riders enter only through the front entrance, violating both “All-door boarding” and “Fare collection system that promotes efficiency” requirements.

More stringently, BRT requires “Full-time dedicated bus lanes” which in already developed areas means that the dedicated lanes have to be carved out of existing automobile lanes. While some routes are wide enough to allow the loss of two lanes to BRT service, there are some routes where this would be extremely impact. In particular these routes exist in the coastal zones, such as along La Jolla Blvd. and West Point Loma Blvd. (See maps and photos below.)

Example - La Jolla Blvd/Bird Rock



Example – Rosecrans Street/Point Loma



It is unlikely that either of these routes are going to be converted into dedicated Rapid Bus Routes in the near future, yet both of these are in the 2035 RTP. Before we proceed with

adopting the SDA definition, we ask the Council to ask the Planning Department to do a complete inventory of the Major Transit Stops map to determine whether the existing map fully conforms to state and local requirements.

TPA/SDA Permitting Transparency

Permitting projects under TPAs has proven to be challenging because the Major Transit Stops map is subject to constant revision as transit services are changed and SANDAG transit plans are updated. To ensure that TPAs/SDAs are being applied correctly to San Diego's permitting process, permit documentation must be elaborated to indicate which transit stop was used as the basis for the TPA allowances, along with the qualifications of that stop under Public Resources Code 21064.3.

Further, if the transit stop does not already exist and is instead part of a future transit plan, then the documentation should indicate which SANDAG transit planning cycle (e.g., 2025, 2035, or 2050).

For SDAs, further information should include Mobility Zone, CTCAC, or Special Plan being used to allow the public to verify that the Parcel is in fact in the SDA and eligible for SDA-based incentives.

Conclusion

There are a number of single bus routes included in the Major Transit Stops map that do not appear to meet the definition of Bus Rapid Transit. We should not be proceeding with the Sustainable Development Area definition until we have a complete accounting of the Major Stops Map, including removal of any stops that don't meet state or local regulations.