

**ORDINANCE NO. 2020-05**

**AN ORDINANCE OF THE CITY OF AMERICAN CANYON CITY COUNCIL APPROVING AN ADDENDUM TO THE BROADWAY DISTRICT SPECIFIC PLAN (BDSP) FINAL ENVIRONMENTAL IMPCT REPORT (SCH#2017042025); AND AMENDING THE BDSP AND AMERICAN CANYON MUNICIPAL CODE CHAPTER 10.52 "TRIP REDUCTION REQUIREMENTS" TO COMPLY WITH THE JUDICIALLY SUPERVISED AGREEMENT AND RELEASE MADE AND ENTERED INTO UNDER CODE OF CIVIL PROCEDURES SECTION 664.6 WITH RESPECT TO LITIGATION ENTITLED "CALIFORNIA CLEAN ENERGY COMMITTEE V CITY OF AMERICAN CANYON, NAPA COUNTY SUPERIOR COURT," NAPA COUNTY SUPERIOR COURT CASE NO. 19CV001013**

**WHEREAS**, the Broadway District Specific Plan ("BDSP") is a strategy to elevate the Broadway District of the City of American Canyon ("City") into a dynamic place where residents and visitors live, work, play, and actively participate in their community; and

**WHEREAS**, on June 18, 2019 the City Council approved the BDSP and certified the Final Environmental Impact Report (EIR) as adequate to address environmental impact aspects with the area within the BDSP (SCH#2017042025), adopted a Statement of Overriding Considerations for the BDSP, and adopted the Mitigation Monitoring and Reporting Program, based on all of the evidence presented, as set out in City Council Resolution 2019-51; and

**WHEREAS**, on July 2, 2019 the City Council approved the second reading for the BDSP (Ordinance 2019-07); and

**WHEREAS**, on July 8, 2019 the California Clean Energy Committee ("CCEC") filed a lawsuit entitled *California Clean Energy Committee v. City of American Canyon*, Napa County Superior Court Case No. 19CV001013 (the "Action") contesting the BDSP's approval; and,

**WHEREAS**, on approximately January 21, 2020, City and CCED entered into a Judicially Supervised Settlement Agreement and Release (hereinafter "Agreement") under Code of Civil Procedure section 664.6 with respect to the Action; and,

**WHEREAS**, City and CCEC agreed that regional circulation improvement efforts led by NVTA, including the Comprehensive Multimodal Corridor Plan ("CMCP") and the NVTA Countywide Plan 2045 ("Vision 2045") may assist in providing congestion relief with its associated environmental benefits to the region, as well as the BDSP; and

**WHEREAS**, City agreed to amend the BDSP to incorporate TDM methodology and to work closely with NVTA to accomplish the same regionally; and

**WHEREAS**, the Agreement requires the City to amend the BDSP to improve traffic congestion, air quality, greenhouse gas emissions, and energy conservation ("Required Actions"); and

**WHEREAS**, on October 8, 2019, City and CCEC met along with representatives of Napa Valley Transit Authority ("NVTA") to discuss how NVTA actions could be coordinated to assist in resolving the ACTION and improving vehicular congestion and air pollution, and greenhouse gas emissions in the BDSP and the region; and

**WHEREAS**, City and CCEC agreed the Napa County Superior Court shall retain jurisdiction over the parties to enforce the Agreement until performance in full of the terms of the Agreement under Code of Civil Procedure section 664.6.; and

**WHEREAS**, Section 15168(C) of the California Environmental Quality Act (CEQA) provides that for projects within an area with a certified programmatic EIR, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR; and

**WHEREAS**, City staff prepared an environmental checklist that confirms the proposed Required Actions are within the planning area for the BDSP Final EIR and will have no new significant environmental effects nor substantially increase the severity of previously identified significant effects, and no new mitigation measures are required beyond those identified in the BDSP FEIR and, as such, the City can approve the Required Actions as being within the scope of the BDSP covered by its EIR and no new environmental document is required; and

**WHEREAS**, City provided CCEC at least ten (10) days' notice, as set forth in Section 14 of the Agreement; and

**WHEREAS**, the City Planning Commission considered all of the written and oral testimony presented at the public hearing in making its decision on June 25, 2020 and July 23, 2020, and recommended that the City Council approve an addendum to the BDSP and amend the City Municipal Code consistent with the Agreement; and

**WHEREAS**, the City Council considered all of the written and oral testimony presented at the public hearing in making its decision on August 18, 2020 to approve an addendum to the BDSP and amend the City Municipal Code consistent with the Agreement.

**NOW THEREFORE BE IT ORDAINED** as follows by the City Council of the City of American Canyon:

**SECTION 1.** The Judicially Supervised Settlement Agreement and Release (hereinafter "Agreement"), as shown in Exhibit A, is attached hereto and incorporated by reference herein.

**SECTION 2. CEQA Findings**

This Ordinance is adopted under the authority of the Specific Plan Statutes (Gov. Code §§ 65450-65457) of the Planning and Zoning Law (Gov. Code § 65000 et seq.) and the City Specific Plan District Standards (American Canyon Municipal Code Title 19, Chapter 19.17).

**SECTION 3: Findings Regarding Environmental Review pursuant to the California Environmental Quality Act (CEQA)**

1. This Amendment does not change the specified acres, or the total number of units established by the BDSP. Therefore, the environmental impacts of the BDSP Project which included the Specific Plan were adequately considered in the certified Final EIR for the Broadway District Specific Plan Project (SCH#2017042025) which includes findings, a Statement of Overriding Considerations for the Project, and a Mitigation Monitoring and Reporting Program.

2. There are no substantial changes in the project that would increase the severity of environmental impacts or result in new ones because the "Required Actions" will improve traffic congestion, air quality, greenhouse gas emissions, and energy conservation use. There are no characteristics of the Required Actions that would increase any of the evaluated impacts or result in new ones. For reasons described above, approval of the Specific Plan Amendment based on the Final EIR, the Statement of Overriding Considerations for the Project, and the Mitigation Monitoring and Reporting Program complies with

CEQA. The CEQA Addendum is incorporated is attached hereto and incorporated by reference herein as Exhibit B.

**SECTION 4:** Findings to Approve the Specific Plan in accordance with American Canyon Municipal Code Section 19.17.080.

- A. The distribution, location and extent of land uses, including open space, as depicted in the specific plan is consistent with the general plan.

The Broadway District Specific plan sets forth the land uses, residential densities, non-residential intensities, permitted and conditional uses, development standards and design guidelines for the BDSP Area and further implements the Policies set forth in the General Plan (see BDSP FEIR Table 3.8-2 General Plan Consistency Analysis). As described in the BDSP FEIR Table 3.8-2, the Broadway District Specific Plan is consistent with the General Plan.

- B. The specific plan provides for public infrastructure and services needed to support the land uses described in the plan, including adequate distribution, location, extent and intensity of transportation, sewage, water, drainage, solid waste disposal, energy, parks, community facilities and other essential facilities.

The Broadway District Specific Plan, in conjunction with the City's General Plan and Engineering standards provides standards the design for roadways, water, wastewater, recycled water, storm drainage systems, parks and other community facilities necessary to support the land uses described in the plan. Specifically, Chapters 2, 3, 4, 5, 6, and 7 of the BDSP address these facilities.

- C. The standards and development criteria, including requirements for resource utilization, will ensure that development proceeds in an orderly fashion and maintains a high level of quality.

Chapter 2 of the BDSP sets forth development standards, which are supplemented by Design Guidelines in Chapter 3. The development standards and design guidelines together promote efficient resource utilization, best practices and sustainability to ensure a high level of quality. Further Chapter 7, Implementation sets forth an Implementation Action Plan Matrix to ensure development proceeds in an orderly fashion.

- D. The specific plan contains implementation measures, including financing programs, to ensure that development is supported by adequate infrastructure as it occurs.

The implementation of the BDSP is primarily developer funded. BDSP Chapter 7, Implementation sets forth the financing principles and policies, identifies different financing mechanisms and an Implementation Action Plan Matrix to ensure infrastructure proceeds in an orderly fashion.

- E. The site is suitable for the type and intensity of development proposed.

As determined through the initial existing conditions analysis and the preparation of the environmental impact report, the BDSP area is suitable for the type and intensity of the proposed development.

The BDSP Amendments that constitute the "Required Actions" are attached hereto and incorporated by reference herein as Exhibit C.

**SECTION 5.** The amended Municipal Code Chapter 10.52 "Trip Reduction Requirements" as follows:

## **Chapter 10.52 TRIP REDUCTION REQUIREMENTS**

### **10.52.010 Purpose.**

The purpose of this chapter is to:

- A. Reduce peak period traffic and congestion by decreasing the number of single occupant vehicle trips associated with commuting;
- B. Reduce or delay the need for major transportation facility improvements by making more efficient use of existing facilities;
- C. Reduce present and future motor vehicle emissions as a contribution towards complying with federal and state ambient air quality standards; and
- D. Increase the number of their employees that arrive at the worksite by means other than single occupant vehicles. (Ord. 93-14 § 1, 1993)

### **10.52.020 Authority.**

- (a) Section 65081 of the Government Code encourages metropolitan planning organizations and local air quality management districts or air pollution control districts to work with local employers to adopt policies that encourage commuting by means other than driving alone.
- (b) Notwithstanding Section 40717.9 of the Health and Safety Code, the Bay Area Air Quality Management District ("BAAQMD") and the Metropolitan Transportation Commission ("MTC") with respect to their respective jurisdictions jointly adopted a "[Commute Benefit Ordinance](#)" that applies to employers with 50 or more employees operating within BAAQMD.
- (c) The City of American Canyon is located within the BAAQMD jurisdiction and therefore subject to the BAAQMD "[Commute Benefit Ordinance](#)."

### **10.52.030 Findings.**

The city council declares that:

- A. The city is projected by both the state and the Bay Area Association of Governments to experience growth in population which will result in increases in traffic volume;
- B. The geographical and meteorological conditions in the city are conducive to the formation of air pollution attributed largely to motor vehicle emissions according to both state and regional air pollution control agencies;
- C. Transportation demand management techniques including, but not limited to, ridesharing, transit, compressed work weeks and bicycle use among employees are effective means of reducing work related trips. A reduction in the number of trips will reduce congestion and vehicle emissions. (Ord. 93-14 § 2, 1993)

### **10.52.040 Definitions.**

(1) "Air Pollution Control Officer" (APCO): The Executive Officer of the Bay Area Air Quality Management District, or a designee of the APCO.

(2) "[Commute Benefit Ordinance](#)" is a partnership of the Metropolitan Transportation Commission, managing employer outreach for the Program, and the Bay Area Air Quality Management District, developer of [Regulation 14](#) as authorized by California Government Code section 65081.

(3) "Covered employer" means any employer for which an average of 50 or more employees per week perform work for compensation within the area where the ordinance adopted pursuant to this section operates. In determining the number of employees performing work for an employer during a given week, only employees performing work on a full-time basis shall be counted.

(4) "Covered employee" means an employee who performed at least an average of 20 hours of work

per week within the previous calendar month within the area where the ordinance adopted pursuant to this section operates.

- (5) "District" means the Bay Area Air Quality Management District.
- (6) "Commission" means the Metropolitan Transportation Commission.

#### **10.52.045 Compliance.**

- A. Notification to Covered Employers: The APCO will provide notice to Covered Employers within the District regarding the adoption and implementation of this rule by means of written notice and/or email notification.

#### **10.52.050 Requirements.**

- A. Applicability. The Program requires Covered Employers to do the following:
  - a. Designate a Commuter Benefits Coordinator (as defined in Sections 14-1-204 and 14-1-403) to implement the employer's commuter benefits program and comply with the requirements of the Program.
  - b. Select one of the commuter benefit options defined in Section 14-1-300 or 14-1-301.
  - c. Submit a registration form to the BAAQMD specifying which commuter benefit option the employer will provide.
  - d. Notify employees of the commuter benefit option selected and make the benefit available to all eligible employees.
  - e. Update the registration information on an annual basis.
  - f. Maintain records to document implementation of the commuter benefit.
  - g. Provide information requested by the BAAQMD for Program evaluation purposes.
- B. Exemptions. Pursuant to SB 1339, if an employer participates in a Transportation Management Association (TMA) that provides commuter benefits that comply with the Program, the TMA may represent the employer for purposes of fulfilling the requirements defined in the rule.

**SECTION 6: EFFECTIVE DATE.** This Ordinance shall become effective thirty (30) days following adoption.

**SECTION 7: SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 8: CUSTODIAN OF RECORDS.** The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 4831 Broadway, Suite 201, American Canyon, CA 94503. The custodian of these records is the City Clerk.

**SECTION 9: RESTATEMENT OF EXISTING LAW.** Neither the adoption of this Ordinance nor the repeal of any other Ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this Ordinance, insofar as they are substantially the same as Ordinance provisions previously adopted by the

City related to the same subject matter or relating to the enumeration of permitted uses under the zoning code, shall be construed as restatements and continuations, and not as new enactments.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 18th day of August, 2020 by the following vote:

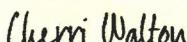
AYES: Council Members Aboudamous, Joseph, Leary, Vice Mayor Oro and Mayor Garcia  
NOES: None  
ABSTAIN: None  
ABSENT: None

The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 1st day of September 2020, by the following vote:

AYES: Councilmembers Aboudamous, Joseph, Leary, Vice Mayor Oro, and Mayor Garcia  
NOES: None  
ABSTAIN: None  
ABSENT: None

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 11/10/2020  
Leon Garcia, Mayor  
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ATTEST:

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 11/10/2020  
86326950EAF4FA...  
Cherri Walton, Interim City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
 11/10/2020  
9D133F783ECA416...  
William D. Ross, City Attorney

Exhibit A – Judicially Supervised Settlement Agreement and Release

Exhibit B – BDSP Amendment CEQA Addendum

Exhibit C - BDSP Amendments

**JUDICIALLY SUPERVISED SETTLEMENT AGREEMENT AND RELEASE  
UNDER CODE OF CIVIL PROCEDURE SECTION 664.6**

**RECITALS**

A. This Judicially Supervised Settlement Agreement and Release (hereinafter "Agreement") is made and entered into under Code of Civil Procedure section 664.6 with respect to litigation entitled *California Clean Energy Committee v. City of American Canyon*, Napa County Superior Court Case No. 19CV001013 (the "ACTION" as is further described below) by and between Petitioner California Clean Energy Committee ("PETITIONER") and City of American Canyon, a California General Law City and municipal corporation ("RESPONDENT"). PETITIONER and RESPONDENT are sometimes referred to collectively as the "PARTIES."

B. Whereas, on June 18, 2019, the City Council for the City of American Canyon ("City") conducted a public hearing and certified the Broadway District Specific Plan Final Environmental Impact Report ("FEIR"), approved a General Plan Amendment, and introduced the first reading for the Broadway District Specific Plan ("BDSP").

C. Whereas, the City Council approved the BDSP on July 2, 2019.

D. Whereas, PETITIONER on July 8, 2019 filed the ACTION, naming the City as RESPONDENT, alleging RESPONDENT'S actions violate the California Environmental Quality Act (Pub. Res. Code § 21000 et seq., "CEQA") with respect to RESPONDENT'S approval of the BDSP because of inadequacies in the environmental review of the BDSP. The ACTION consisted of a Petition seeking a Writ of Mandamus pleading three causes of action (the "Petition").

E. Whereas, the PETITIONER alleges in the Petition:

- (a) RESPONDENT violated CEQA by certifying an EIR for the BDSP that was inadequate and fails to comply with CEQA in approving the BDSP project;
- (b) RESPONDENT violated CEQA by adopting findings that are inadequate as a matter of law in that they were not supported by substantial evidence in the record;
- (c) RESPONDENT prejudicially abused its discretion by adopting findings that do not comply with CEQA and approving the BDSP project; and,
- (d) RESPONDENT did not consider new information about greenhouse gas emissions, energy conservation, and feasible mitigation for project impacts and failed to recirculate the EIR or any portion of the EIR.

F. Whereas, PETITIONER claims that pursuant to the RESPONDENT'S alleged CEQA violations, RESPONDENT should vacate and set aside its certification of the EIR and related environmental approvals and should prepare and circulate a revised EIR for public review and comment in compliance with CEQA.

G. Whereas, the RESPONDENT expressly denies each and every claim set forth in the Petition.

H. Whereas, on July 8, 2019 PETITIONER elected to prepare the Administrative Record for the Action pursuant to Public Resources Code section 21167.6.

I. Whereas, on July 22, 2019 RESPONDENT transmitted its Notice Required by Public Resources Code section 21167.6.5 with respect to identifying the responsible and trustee agencies for the BDSP under CEQA.

J. Whereas, on July 23, 2019 PETITIONER served a request under the Public Records Act (Gov. Code section 6250 *et seq.*) requesting RESPONDENT gather and transmit all documents constituting the Administrative Record to the PETITIONER.

K. Whereas, RESPONDENT has produced all applicable documents to PETITIONER necessary for a full and complete Administrative Record.

L. Whereas, on July 26, 2019, PETITIONER filed its Notice to Responsible and Trustee Agencies.

M. Whereas, on July 29, 2019, RESPONSENT filed a Notice of CEQA Settlement Conference pursuant to Public Resources Code section 21167.8 scheduled for August 8, 2019.

N. Whereas, on August 6, 2019, PETITIONER filed its Notice of Intent to File a Responsive Pleading after Receipt of the Administrative Record Pursuant to Code of Civil Procedure section 1089.5

O. Whereas, on August 8, 2019 a Settlement Conference was held pursuant to Public Resources Code section 21167.8.

P. Whereas, at the Settlement Conference, the PARTIES agreed to pursue actions furthering resolution of the ACTION.

Q. Whereas, on August 13, 2019 RESPONDENT presented PETITIONER with documents addressing concerns raised by the PETITIONER with respect to the ACTION.

R. Whereas, on September 19, 2019 PETITIONER filed a Request for a Hearing under CEQA pursuant to Public Resources Code section 21167.4.

S. Whereas, on September 19, 2019 the Napa County Superior Court set a hearing date on the Petition for November 1, 2019 at 8:30 a.m. in Department B.

T. Whereas, on October 2, 2019, the Napa County Superior Court vacated the hearing date on the Petition set for November 1, 2019 at 8:30 a.m. in Department B, and set a Status Conference for December 3, 2019.

U. Whereas, the Napa County Superior Court vacated the Status Conference scheduled for December 3, 2019.

V. Whereas, on October 8, 2019, the PARTIES met along with representatives of Napa Valley Transit Authority (“NVTA”) to discuss how NVTA actions could be coordinated to assist in resolving the ACTION and improving vehicular congestion and air pollution, and greenhouse gas emissions in the BDSP and the region.

W. Whereas, pursuant to settlement discussions, the PARTIES agree that integrating Transportation Demand Management (“TDM”) methods into the BDSP may result in lowered reliance of single-rider vehicles in the BDSP area, with resulting improvements in traffic congestion, air pollution, greenhouse gas emissions, and energy conservation.

X. Whereas, the PARTIES agree that much of the vehicular congestion and the resulting air pollution and greenhouse gas emissions and energy consumption in the BDSP area are generated Countywide, and that a regional solution is necessary.

Y. Whereas, the NVTA serves as the Congestion Management Agency for Napa County.

Z. Whereas, the PARTIES agree that regional circulation improvement efforts led by NVTA, including the Comprehensive Multimodal Corridor Plan (“CMCP”) and the NVTA Countywide Plan 2045 (“Vision 2045”) may assist in providing congestion relief with its associated environmental benefits to the region, as well as the BDSP.

AA. Whereas, RESPONDENT has not yet filed its Answer to the Petition, but intends to amend the BDSP to incorporate TDM methodology and to work closely with NVTA to accomplish the same regionally.

BB. Whereas, the PARTIES desire to resolve all outstanding disputes regarding the ACTION, secure all approvals and resolve any and all claims, financial or otherwise, by the PARTIES, and to terminate the ACTION, including claims for costs and attorney's fees set forth in the ACTION.

CC. Whereas, the PARTIES agree the Napa County Superior Court shall retain jurisdiction over the parties to enforce the Agreement until performance in full of the terms of the Agreement under Code of Civil Procedure section 664.6.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS:

**AGREEMENT**

1. Recitals. The foregoing Recitals are incorporated into this Agreement by this reference.

2. RESPONDENT'S Obligations.

(a) RESPONDENT will amend the BDSP to implement TDM policies as set forth in Exhibit A to this Agreement, incorporated by this reference. RESPONDENT shall provide PETITIONER at least ten (10) days' notice, as set forth in Section 14 of this Agreement, prior to adopting each City action set forth in Exhibit A to this Agreement.

(b) RESPONDENT will use its best efforts to encourage NFTA to incorporate TDM into its regional congestion oversight as further set forth in Exhibit A to this Agreement.

(c) RESPONDENT will pay the amount of \$111,160.00 (the "SETTLEMENT PAYMENT") which will constitute the full and complete attorney's fees and costs due to PETITIONER within 30 days after the Napa County Superior Court approves this Judicially Supervised Agreement. No additional Attorney's Fees will be available to PETITIONER.

3. PETITIONER'S Obligations. Upon the Napa County Superior Court approval of this Judicially Supervised Agreement and with the Court expressly retaining jurisdiction to enforce this Agreement, PETITIONER will file in the Superior Court for the County of Napa, a stipulated dismissal with prejudice for causes of action 1-3 of the Petition, and encompassing attorney's fees and costs, executed by the PARTIES.

4. Attorney's Fees and Costs Related to Finalizing the Action. The PARTIES agree to respectively bear their own attorney's fees and costs incurred to finalize the ACTION pursuant Agreement outside of the attorney's fees and costs accounted for in the SETTLEMENT PAYMENT.

5. Release of Claims by PETITIONER. Subject to the execution of this Agreement by all PARTIES and the PETITIONER'S receipt of the SETTLEMENT PAYMENT, PETITIONER unconditionally releases and forever discharges RESPONDENT, and all of its present or former elected or appointed officials, employees, officers, agents, attorneys, successors, and assigns of and from any and all claims and demands with respect to the BDSP FEIR and related environmental approvals as alleged in the ACTION.

6. Release of Claims By RESPONDENT. Subject to the execution of this Agreement by all PARTIES and proof of the PETITIONER'S dismissal of the ACTION with prejudice, RESPONDENT unconditionally releases and forever discharges PETITIONER, and its present or former directors, partners, principals, employees, officers, trustees, members, agents, attorneys, successors, and assigns of and from any and all claims and demands with respect to the claims and damages advanced associated with the ACTION, including any claims for attorney's fees and costs beyond those set forth in the SETTLEMENT PAYMENT.

7. PETITIONER agrees that the RESPONDENT Actions required under this Agreement are consistent with the requirements of Government Code Section 65103b.

8. Unknown or Different Facts or Law. The PARTIES acknowledge that they may discover facts or law different from, or in addition to, the facts or law they know or believe to exist with respect to the released claims of the ACTION. They agree, nonetheless, that this Agreement and the releases contained herein shall be and remain effective in all respects notwithstanding such different or additional facts or law. It is specifically understood and agreed that this is a full and final release applying to all claims unknown and unanticipated by PETITIONER against RESPONDENT, and RESPONDENT against PETITIONER arising out of or in any way relating to or connected with those facts and damages described in the ACTION, as well as those known or disclosed, whether included or not in the prayers of said pleadings.

9. California Civil Code Section 1542 Waiver. As a further consideration and inducement for this settlement, PETITIONER and RESPONDENT hereby expressly waive all rights or benefits which the PARTIES may have in the future under the provisions of section 1542 of the Civil Code of the State of California, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

PETITIONER and RESPONDENT acknowledge that they have read all of this Agreement, including the above California Civil Code section, and fully understand both the Agreement and California Civil Code section 1542. PETITIONER and RESPONDENT waive any benefits and rights granted to them pursuant to California Civil Code section 1542 as set forth in the ACTION, including seeking any additional attorney's fees and costs beyond those set forth in the SETTLEMENT PAYMENT.

10. Agreement to Cooperate. PETITIONER and RESPONDENT agree to cooperate and to take all supplementary steps to give full force and effect to the terms and intent of this Agreement.

11. No Prior Assignments of Released Claim. Each of the PARTIES represents and warrants that it has not assigned to any other person or entity any released claim.

12. No Admissions. By entering into this Agreement, PETITIONER and RESPONDENT do not admit that they have engaged in, or are now engaging in, any unlawful conduct. It is understood that this Agreement is not an admission of liability, and that PETITIONER and RESPONDENT specifically deny liability in the ACTION and intend merely to avoid further litigation and expense by entering into this Agreement. The PARTIES agree that it is their mutual intention that neither this Agreement, nor any terms hereof, shall be offered to establish liability in any other or future proceedings against any of the PARTIES, except in a proceeding to enforce this Agreement.

13. Modifications. This Agreement may be amended only by written instrument executed by all PARTIES.

14. Notices.

(a) How Delivered. All notices and other communications required or permitted by this Agreement shall be made in writing and delivered by personal, overnight express or courier service, with a written receipt, or sent by registered or certified mail in a sealed envelope, postage prepaid; return receipt requested. In addition to the foregoing, notice shall be given by electronic mail or other form of electronic transmission.

(b) Where Delivered. All such notices shall be sent in accordance with the following provision:

If to PETITIONER:

CALIFORNIA CLEAN ENERGY  
COMMITTEE

With a copy to:

Eugene Wilson, Esq.  
Law Office of Eugene Wilson  
503 Del Oro Avenue  
Davis, CA 95616  
[wilson1224@gmail.com](mailto:wilson1224@gmail.com)

If to CITY OF AMERICAN CANYON:

City Manager  
City of American Canyon  
4381 Broadway Street, Suite 201  
American Canyon, CA 94503

With a copy to:

William D. Ross, Esq.  
Law Offices of William D. Ross  
400 Lambert Ave.  
Palo Alto, CA 94306

[wross@lawross.com](mailto:wross@lawross.com)

15. Change of Address. Any PARTY may change any notice address by notice to the other PARTIES.

16. Interpretation and Construction Agreement. The headings set forth in this Agreement are for convenience only and shall not be used in interpreting this Agreement. The PARTIES acknowledge they have had an opportunity to review and discuss each term of this Agreement with legal counsel in the negotiations, preparations and review of this Agreement and, therefore, that any ambiguities shall not be resolved against the drafting PARTY.

17. Entire Agreement. This Agreement constitutes the entire agreement between the PARTIES on the subjects covered by it and supersedes any prior written or oral communications on the same subjects made by anyone.

18. Severability of Provisions. If any of the provisions of this Agreement shall be held or adjudged invalid, this Agreement shall be construed as if it did not contain such provision(s), and the rights and obligations of the PARTIES shall be construed and enforced accordingly.

19. Counterparts. This Agreement may be executed in counterparts, which, taken together, shall constitute one and the same Agreement.

20. No Additional Inducement. The PARTIES represent and warrant that no promise, inducement or representation has been made to them except as expressly set forth herein, and that this Agreement is executed without reliance on any promise, inducement or representation except as expressly set forth herein. This Agreement is fully and voluntarily entered into by the PARTIES.

21. Governing Law. California Law shall govern this Agreement and its interpretation, except with respect to such Federal law as is necessary to enforce the Agreement.

22. Consent to Jurisdiction and Venue. The PARTIES mutually agree that Venue shall be in the Napa County Superior Court for state claims. Federal claims will be adjudicated in the United States District Court for the Northern District of California.

23. Time of the Essence. Time is expressly declared to be of the essence in this Agreement.

24. Authority to Bind Entities. Each person executing this Agreement on behalf of an entity represents and warrants that he or she has the full authority to enter into this Agreement on behalf of that entity, and that this Agreement when fully executed shall constitute a binding obligation on behalf of that entity.

IN WITNESS WHEREOF, the parties execute this Agreement on the date indicated opposite his/her signature below.

Dated: January 22, 2020

CALIFORNIA CLEAN ENERGY  
COMMITTEE

By: Eugene L. Wilson

, President

Dated: January 22, 2020

Approved as to form:

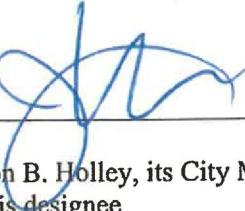
By: Eugene L. Wilson

Eugene Wilson, Counsel for PETITIONER

Dated: January 23, 2020

City of American Canyon

By:

  
Jason B. Holley, its City Manager  
or his designee

Dated: January 22 2020

Approved as to form:

By:

  
William D. Ross, City Attorney,  
City of American Canyon

## EXHIBIT A

### **CITY ACTIONS TO IMPLEMENT CONGESTION, AIR QUALITY, GREENHOUSE EMISSIONS, AND ENERGY CONSERVATION IMPROVEMENTS IN THE BDSP**

- 1) The Napa Valley Transportation Agency ("NVTa") is currently preparing a "SR29 Comprehensive Multimodal Corridor Plan" ("SR 29 CMCP"). One goal of the SR 29 CMCP is to reduce greenhouse gas emissions in part, by increasing ridership on the NVTa transit system and reducing the number of single occupancy vehicles on SR 29 in Napa County. To support NVTa efforts, the City is contributing \$250,000.00 and a substantial amount of staff time towards this study. The City will continue to use its best efforts to support NVTa actions necessary to adopt the SR 29 CMCP.
- 2) Within 60 days after NVTa Board adoption of the SR 29 CMCP, the American Canyon City Council shall conduct a public hearing and adopt an Ordinance amending the Broadway District Specific Plan ("BDSP"), with appropriate environmental review under the California Environmental Quality Act (Pub. Res. Code Section 21000 *et. seq.*), to incorporate the following:
  - a) a "Bus on Shoulder Pilot Program" on SR 29 from the Airport Boulevard intersection to the Napa Junction Road intersection.
  - b) a "Transit Priority Pilot Program" on SR 29 from the Napa Junction Road intersection to the American Canyon Road intersection including transit-priority traffic signals and lanes.
  - c) installation of new transit stops located at the following signalized intersections on SR 29 in American Canyon:
    - i) Napa Junction Road
    - ii) Eucalyptus Drive
    - iii) Rio Del Mar
    - iv) Donaldson Way
    - v) American Canyon Road
  - d) ensure the design of Class I separated bicycle pathways on SR 29 will include connection between these paths and to the referenced new transit stops.
  - e) adopt Residential Transportation Demand Management ("TDM") Standards that will be required of all new developments and redevelopments of ten or more residential units within the BDSP, including residential components of mixed-use developments. The TDM Standards will contain approaches for TDM Coordination/Communication and Transit Pass Programs and will contain specific requirements necessary for compliance. These TDM Standards shall be updated from time to time to reflect best practices in the field of transportation demand management.
  - f) implement various other "transit enhancement, "mode-shift", "congestion-reducing" TDM features identified in the SR 29 CMCP as appropriate.
- 3) The City Council will consider, within 60 days of the recommendation of approval by the City Planning Commission, a General Plan Amendment to authorize the City Bicycle Trail

Plan Update. The design of the capital improvements referenced in Item 2(d) above will be consistent with the approved Bicycle Trail Plan, and will be reconfirmed and incorporated into the BDSP consistent with the amendments to the BDSP referenced in this Agreement.

- 4) The Ordinance amending BDSP will also amend the American Canyon Municipal Code Chapter 10.52, "Trip Reduction Requirements" to apply to employers with 50 or more employees (formerly 100 or more employees) and to be amended to reflect the BAAMQ amendments to its CEQA Guidelines and thresholds of significance when the BAAMQ adopts the same.
- 5) The City will use its best efforts to support NFTA and Caltrans in the implementation of the following capital projects on SR 29: Items 2(a) through 2(d) above.

# Attachment 1 Exhibit B

City of American Canyon  
Community Development Department  
4381 Broadway, Suite 201  
American Canyon, CA 94503



## Environmental Evaluation for SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR (This is not an Initial Study)

### SECTION I. Project Information

<b>Project Title and File No:</b>	Amend the Broadway District Specific Plan (BDSP) to comply with the Judicially Supervised Agreement and Release made and entered into under Code of Civil Procedures section 664.6 with respect to litigation entitled California Clean Energy Committee v City of American Canyon, Napa County Superior Court Case No. 19CV001013.
<b>Program EIR Name:</b>	Broadway District Specific Plan Program Environmental Impact Report.
<b>EIR State Clearinghouse Number:</b>	#2017042025
<b>Project Location &amp; APN(s):</b>	More than 300 acres along both sides of the Broadway corridor (State Route 29 [SR-29]) from the American Canyon/Vallejo city limit (Napa/Solano County line) to the northern city limit.
<b>Project Applicant:</b>	City of American Canyon
<b>Description of Project:</b>	Incorporate into the BDSP to improve traffic congestion, air quality, greenhouse gas emissions, and energy conservation in the BDSP. These ("Required Actions") are listed in Exhibit A to the Agreement which is included as Attachment 1.
<b>Surrounding Land Uses and Setting:</b>	West: Residential uses with Oat Hill west of the Specific Plan area near Napa Junction Road. North: Undeveloped and agricultural land located within unincorporated Napa County. East: The California Northern Railroad Lombard Yard and Vallejo Branch Line, the Watson Ranch development site, undeveloped land, and single-family residential uses. South: A shopping center and single-family residential uses located within the Vallejo city limits.

Prepared by:



Date: 6/18/20

Name, Title

Approved by:



Date: 6/18/20

Name, Title

## SECTION II. Program EIR Checklist

In accordance with Section 15168c of the California Environmental Quality Act (CEQA) Guidelines, the following checklist ensures that all project-related impacts have been addressed in the Program EIR. Mitigation measures identified in the Program EIR are listed for each project-related impact.

Checklist Issues:	Project Related Impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned Mitigation measures
<b>1. Aesthetics</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	Yes/ <u>No</u>	X		
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	Yes/ <u>No</u>	X		
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	Yes/ <u>No</u>	X		
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Yes/ <u>No</u>	X		
<b>2. Agricultural Resources</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Yes/ <u>No</u>	X		
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Yes/ <u>No</u>	X		
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	Yes/ <u>No</u>	X		
<b>3. Air Quality</b> <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	Yes/No		X	<u>AIR-2, AIR-3, AIR-4a, AIR-4b</u>

<b>Checklist Issues:</b>	<b>Project Related Impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis**</b>	<b>Assigned Mitigation measures</b>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<u>Yes/No</u>		X	<b>AIR-2</b>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<u>Yes/No</u>		X	<b>AIR-3</b>
d) Expose sensitive receptors to substantial pollutant concentrations?	<u>Yes/No</u>		X	<b>AIR-4a, AIR-4b</b>
e) Create objectionable odors affecting a substantial number of people?	<u>Yes/No</u>	X		
f) Generate direct and indirect GHG emissions?	<u>Yes/No</u>	X		
g) Conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of GHGs?	<u>Yes/No</u>	X		
<b>4. Biological Resources</b>				
<i>Would the project:</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<u>Yes/No</u>		X	<b>BIO-1a, BIO-1b</b>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<u>Yes/No</u>		X	<b>BIO-2</b>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<u>Yes/No</u>		X	<b>BIO-2</b>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<u>Yes/No</u>	X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<u>Yes/No</u>	X		

<b>Checklist Issues:</b>	<b>Project Related Impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis**</b>	<b>Assigned Mitigation measures</b>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<u>Yes/No</u>	X		
<b>5. Cultural Resources</b>				
<i>Would the project:</i>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<u>Yes/No</u>		X	<u>CUL-1</u>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<u>Yes/No</u>		X	<u>CUL-1</u>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<u>Yes/No</u>		X	<u>CUL-3</u>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<u>Yes/No</u>		X	<u>CUL-4</u>
e) Will subsurface construction activities damage or destroy previously undiscovered tribal cultural resources?	<u>Yes/No</u>		X	<u>CUL-1</u>
<b>6. Geology and Soils</b>				
<i>Would the project:</i>				
a) Expose people or structures to potential substantial adverse effects associated with seismic hazards.	<u>Yes/No</u>		X	<u>GEO-1a, GEO-1b</u>
b) Result in substantial soil erosion or the loss of topsoil?	<u>Yes/No</u>		X	<u>HYD-1A</u>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<u>Yes/No</u>	X		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<u>Yes/No</u>		X	<u>GEO-1b</u>
<b>7. Hazards and Hazardous Materials</b>				
<i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<u>Yes/No</u>	X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<u>Yes/No</u>	X		

<b>Checklist Issues:</b>	<b>Project Related Impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis**</b>	<b>Assigned Mitigation measures</b>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Yes/ <u>No</u>	X		
d) Be located within one-quarter mile of a facility that might reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste?	Yes/ <u>No</u>	X		
e) Be located on a site of a current or former hazardous waste disposal site or solid waste disposal site unless wastes have been removed from the former disposal site; or 2) that could release a hazardous substance as identified by the State Department of Health Services in a current list adopted pursuant to Section 25356 for removal or remedial action pursuant to Chapter 6.8 of Division 20 of the Health and Safety Code?	Yes/ <u>No</u>	X		
f) Be located on land that is, or can be made, sufficiently free of hazardous materials so as to be suitable for development and use as a school?	Yes/ <u>No</u>	X		
g) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Yes/ <u>No</u>	X		
h) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Yes/ <u>No</u>	X		
i) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Yes/ <u>No</u>	X		
j) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Yes/No	X		
k) Be located within 1500 feet of: (i) an above-ground water or fuel storage tank, or (ii) an easement of an above ground or underground pipeline that can pose a safety hazard to the proposed school?	Yes/No	X		
<b>8. Hydrology and Water Quality</b> <i>Would the project:</i>				
a) Violate any water quality standards or waste discharge requirements?	Yes/No		X	<u>HYD-1a, HYD-1b</u>

Checklist Issues:	Project Related Impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned Mitigation measures
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?)	Yes/ <u>No</u>	X		
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Yes/ <u>No</u>	X		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	Yes/ <u>No</u>	X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Yes/ <u>No</u>	X		
f) Otherwise substantially degrade water quality?	Yes/ <u>No</u>	X		
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Yes/ <u>No</u>	X		
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	Yes/ <u>No</u>	X		
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Yes/ <u>No</u>	X		
j) Inundation by seiche, tsunami, or mudflow?	Yes/ <u>No</u>	X		
<b>9. Land Use and Planning</b>				
<i>Would the project:</i>				
a) Physically divide an established community?	Yes/ <u>No</u>	X		
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Yes/ <u>No</u>	X		
c) Conflict with the Napa County Airport Land Use Compatibility Plan?	Yes/ <u>No</u>	X		

<b>Checklist Issues:</b>	<b>Project Related Impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis**</b>	<b>Assigned Mitigation measures</b>
d) Conflict with any applicable habitat conservation plan or natural communities conservation plan?	Yes/ <u>No</u>	X		
<b>10. Mineral Resources</b> <i>Would the project:</i>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Yes/ <u>No</u>	X		
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Yes/ <u>No</u>	X		
<b>11. Noise</b> <i>Would the project result in:</i>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Yes/No		X	<b>NOI-1</b>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Yes/No		X	<b>NOI-2a, NOI-2b</b>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes/ <u>No</u>	X		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes/ <u>No</u>	X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Yes/ <u>No</u>	X		
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Yes/ <u>No</u>	X		
<b>12. Population and Housing</b> <i>Would the project:</i>				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	Yes/ <u>No</u>	X		
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Yes/ <u>No</u>	X		

<b>Checklist Issues:</b>	<b>Project Related Impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis**</b>	<b>Assigned Mitigation measures</b>
c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?	Yes/ <u>No</u>	X		
<b>13. Public Services</b>				
<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a) Fire Protection?	Yes/ <u>No</u>	X		
b) Police Protection?	Yes/ <u>No</u>	X		
c) Schools?	Yes/ <u>No</u>	X		
d) Parks?	Yes/ <u>No</u>	X		
e) Other public facilities?	Yes/ <u>No</u>	X		
<b>14. Recreation</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Yes/ <u>No</u>	X		
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Yes/ <u>No</u>	X		
<b>15. Transportation/Traffic</b>				
<i>Would the project:</i>				
a) Would the Project from an "Existing Plus Background Plus Proposed Specific Plan Traffic" perspective conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets ,highways and freeways, pedestrian and bicycle paths, and mass transit?	Yes/ <u>No</u>	X		

Checklist Issues:	Project Related Impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned Mitigation measures
b) Would the Project from a “Cumulative” Traffic perspective conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	Yes/ <u>No</u>	X		
c) Conflict with applicable congestion management program?	Yes/ <u>No</u>	X		
d) Alter air traffic patterns?	Yes/ <u>No</u>	X		
e) Create hazards associated with design features or incompatible uses, or result in inadequate emergency access?	Yes/ <u>No</u>	X		
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Yes/ <u>No</u>	X		
<b>16. Utilities and Service Systems</b>				
<i>Would the project:</i>				
a) Require additional water supply entitlements?	Yes/ <u>No</u>	X		
b) Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Yes/ <u>No</u>	X		
c) Create the need for new or expanded downstream storm drainage facilities?	Yes/ <u>No</u>	X		
d) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Yes/ <u>No</u>	X		
e) Result in the inefficient, wasteful or unnecessary consumption of energy?	Yes/ <u>No</u>	X		

\*\*The list of “Assigned Mitigation Measures” include *Project Design Features (PDF)*, *Existing Plans, Programs, and Policies (PPP)*, and *Mitigation Measures*. Similar to Mitigation Measures, PDFs and PPPs are project requirements that reduce potential significant impacts of the project

**SECTION III. Applicability of CEQA Guidelines**  
**Sections 15162 and 15163**

	<u>YES</u>	<u>NO</u>
1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.	_____	<b>X</b>
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects; or	_____	<b>X</b>
3. New information of substantial importance to the project becomes available; and		
A. The information was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete, shows any of the following:		
(1) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;	_____	<b>X</b>
(2) Significant effects previously examined will be substantially more severe than shown in the previous EIR;	_____	<b>X</b>
(3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative;	_____	<b>X</b>
(4) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.	_____	<b>X</b>

**SECTION IV. Findings**

	<u>YES</u>	<u>NO</u>
1. The project has effects that were not examined in the EIR; therefore, an Initial Study needs to be prepared leading to either an EIR or a negative Declaration.	_____	<b>X</b>
2. The agency finds that pursuant to Section 15162, no new effects will occur or no new mitigation measures will be required. The agency can approve the project as being within the scope of the project covered by the EIR, and no new environmental document is required.	<b>X</b>	_____



# Chapter 1. Introduction

*The Broadway District Specific Plan creates a strategic approach to fulfilling the community's vision through a series of realistic, implementable actions that create positive change through the center of American Canyon.*

## 1.1 Preface

The Broadway District is the geographic center of American Canyon and represents the image of the City for residents and the 40,000 people that travel on Highway 29 each day. Through a consensus building community planning process, the Broadway District Specific Plan (Specific Plan) establishes the framework to transform an auto-oriented highway commercial district into a livable, mixed use, small town neighborhood and improve the City's image by supporting development that exhibits qualities desirable to the community.

### Broadway

Historically known as Broadway where it passes through American Canyon, the primary road through Napa Valley became known as Highway 29 (also referred to as State Route 29) after joining the state highway system in 1931.

### About the Plan

The City of American Canyon embarked on a community-based process planning process to develop and implement a vision that will transform the land adjoining Highway 29 (refer to Figures 1 and 2). The City used community input to develop the Broadway District Specific Plan, a Plan that will guide City, stakeholder, and community decisions and investment for the next 10 – 20 years. The Plan outlines a strategic approach to achieve appropriate new development, public infrastructure and transportation improvements, community amenities, and aesthetic enhancements.

The Specific Plan builds upon previous planning efforts that include the General Plan Circulation Element and the Napa Valley Transportation Authority (NVTA) Highway 29 Comprehensive Multimodal Corridor Plan ("CMCP"). These two efforts call for reconfiguration of Broadway as a modified boulevard by adding one lane in each direction, landscaped medians, parkways, sidewalks, and a Class 1 bicycle lane in both directions. These changes will improve mobility and pedestrian access, beautify the corridor and help unify the character of development along the highway.

The Specific Plan provides a land use and urban design framework for development on properties surrounding Broadway, which supports commerce, civic functions, and housing diversity while promoting a unique sense of community and making places that

support vibrant social and commercial activity for a dynamic and diverse community. Key to addressing community objectives, improving community character and increasing connectivity, the Specific Plan:

- Reduces posted traffic speeds on Broadway from 55 to 30 miles per hours (MPH);
- Reinforces Main Street as the pedestrian oriented town center;
- Creates focus areas to promote land use compatibility and synergy;
- Employs a “Modern Rural” aesthetic to create a unified character and architectural interest.
- Provides a Master Environmental Assessment that will streamline environmental review for project consistent with the Specific Plan.

**FIGURE 1: AREA MAP**



The Specific Plan study area contains approximately 345 acres located on both sides of Broadway extending 2.38 miles north from the County line to Green Island Road (refer to Figure 2). This area includes distinct gateway areas as well as the “core” of the Broadway District containing diverse commercial uses and neighborhoods.

**FIGURE 2: BROADWAY DISTRICT PLANNING AREA**

### Relationship to the American Canyon General Plan

The Broadway District Specific Plan is one of several policy and regulatory tools used by the City of American Canyon to implement the City's General Plan. Specific plans implement the General Plan by establishing more detailed policies, regulations, and actions specifically focused on the Broadway District Plan Area. Section 1.3 of this chapter provides more detailed discussion of the relationship between various plans and studies.

### Environmental Analysis

As required by the California Environmental Quality Act, the City has evaluated potential environmental impacts associated with implementation of the Specific Plan. The City prepared and certified a program level Environmental Impact Report (EIR) on June 18, 2019 (Resolution 2019-51). The EIR was used as an analytical tool to help decision makers, City staff, and community understand the potential environmental impacts or benefits associated with Broadway District Specific Plan implementation.

## 1.2 Vision, Guiding Principles, and Outcomes

The vision statement for the Broadway District reflects extensive input received from local residents, business and property owners, area stakeholders, elected and appointed officials, employees, and members of the community. The vision expresses the shared desires for what the Broadway District should become in the near future. Every goal, strategy, and action included in this Plan implements this shared vision.

### The Vision for the Broadway District

*Enhance the Broadway District as a livable, small town, mixed use City center that is vibrant and thriving and alluring as the “Face of American Canyon”.*

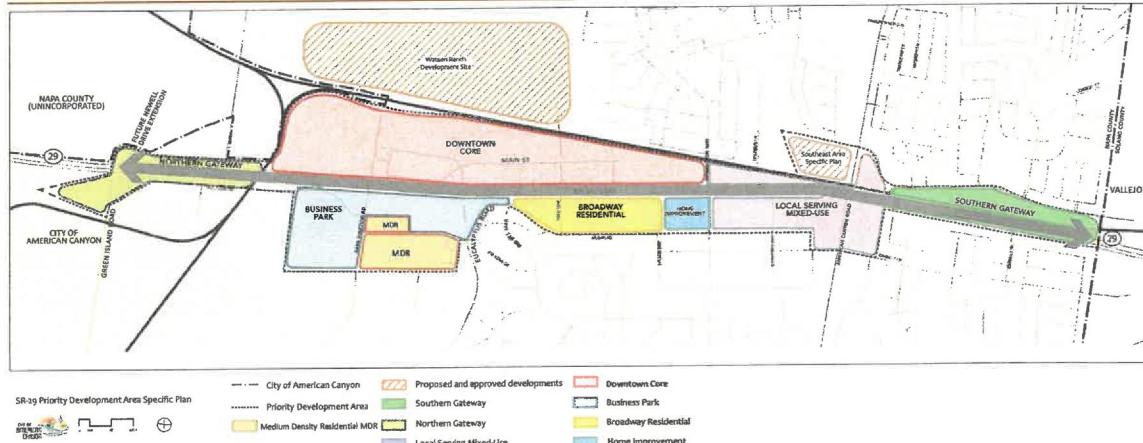
### Guiding Principles

To realize this vision, the City Council identified 8 principles that will govern land use and development in the Broadway District:

- 1) **Beautify the Corridor** with Landscaping, Trees and Architecture
- 2) **Provide New Retail Opportunities**
- 3) **Provide Gathering/Multi-purpose Places**
- 4) **Unify the Character** of New Development
- 5) **Improve Mobility**
- 6) **Encourage Events/Festivals** to Enliven the District
- 7) **Provide Connections** between Neighboring Properties and Adjacent Neighborhoods
- 8) **Improve Highway Safety** and Pedestrian Access

Based on the Vision and Guiding Principles, the Specific Plan evolved to address the linear nature of the Specific Plan by creating mixed-use sub-areas of specialization to create centers with distinct and recognizable identity.

**FIGURE 3 – BROADWAY DISTRICT SUBAREA PLAN**



### Outcomes

The community vision requires the Specific Plan to result in:

- Designs for Highway 29 reconfiguration, new or modified intersections, and parallel routes;
- Standards and improvements that improve pedestrian/bike crossing on Broadway;
- A framework that supports economic development and creates business opportunities;
- Guidelines that improve architectural and landscape designs;

- A framework that supports economically feasible land uses;
- Standards that ensure edge conditions include adequate buffers to adjacent neighborhoods; and
- Adequate park, open space, and recreation opportunities to serve the Broadway District.

## 1.3 Specific Plan Authority and Related Documents

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457) provides the authority for a city to adopt a Specific Plan. Consistent with California Government Code (Section 65450) the City of American Canyon has prepared the specific plan to systematically implement the general plan for The Broadway District. The Broadway District Specific Plan will both guide and regulate development within the Specific Plan area over the next 10 to 20 years by establishing a strong vision, accommodating a mix of land use, providing development regulations and design guidelines, identifying infrastructure improvements and providing an implementation plan for the creation of a cohesive community.

The Broadway District Specific Plan has been prepared in accordance with California Government Code, Sections 65450-65457 and includes text and diagrams, which provide the following details:

- The distribution, location, and extent of the uses of the land within the Broadway District.
- The location, distribution, extent, and intensity of transportation, sewage, water, drainage, solid waste disposal, utilities, and other essential facilities needed to support development in the Broadway District.
- Development standards and criteria, design guidelines and a development-phasing program.
- An implementation program identifying regulations, public works projects, and financing measures necessary to carry out the Specific Plan.

### Relevant Documents and Policies

The Broadway District Specific Plan is the legal mechanism by which future development within the Specific Plan area is regulated in order to implement the goals, policies and objectives of the American Canyon General Plan for the Broadway District. To implement the General Plan, the Specific Plan employs and complements the regulatory framework established by the American Canyon Municipal Code (particularly Title 19 – Zoning), and furthers the goals and objectives established by the Napa County Airport Land Use Compatibility Plan, the Highway 29 Corridor Study, and the Vision of American Canyon.

This section identifies existing documents, policies and programs that have bearing on or otherwise provide direction for the Broadway District Specific Plan. These relevant documents and policies are summarized below:

**American Canyon General Plan (2018 – 2033)**

The Broadway District Specific Plan provides the community vision, land use plan, circulation plan, development regulations, design guidelines, and implementation measures to ensure development in a manner that is consistent with the goals, objectives, principles, and policies of the City of American Canyon General Plan.

The City of American Canyon Circulation Element, updated in 2018, identifies a core value “to provide safe and easy travel within and through the City for pedestrians, bicyclists, and motor vehicles correlated with the Land Use Element”. The City has adopted a “Complete Streets” policy, which further reinforces the City’s intention to ensure safe, comfortable, and attractive access and promoting connectivity between uses and areas of the City. The Broadway District Specific Plan incorporates the City’s core value for circulation and the complete streets policy.

**American Canyon Municipal Code**

The City of American Canyon Municipal Code, Title 19 (Zoning Ordinance) provides standards for site-specific development and land use regulations that govern the size, shape, and type of use for development in the City of American Canyon. In any instance where the Broadway District Specific Plan regulations and development standards may vary from the Zoning Ordinance, the Broadway District Specific Plan will take precedence. Where the Broadway District Specific Plan is silent on a topic, the City of American Canyon Zoning Ordinance requirements will remain in force.

**One Bay Area**

As a key component to the Bay Area Sustainable Community Strategy, the Association of Bay Area Governments in association with the Metropolitan Transportation Commission and Bay Area Air Quality Management District initiated a program for local agencies to self-select to establish Priority Development Areas (PDAs) that provide higher density housing in close proximity to employment and transit. In 2010, the Association of Bay Area Governments (ABAG) approved the City of American Canyon’s application to designate approximately 225 acres adjacent to Highway 29 through the City of American Canyon as a Potential Mixed-Use Corridor PDA.

Addressing traffic congestion and encouraging economic development is a top City Council priority. Preparing a Specific Plan for the Broadway District will upgrade its designation from a “Potential” to a “Planned” PDA which will provide the City with access to competitive and block grant applications to fund infrastructure that supports the PDA and its objectives.

**Napa County Airport Land Use Compatibility Plan**

The Napa County Airport Land Use Commission (ALUC) has the responsibility of preparing an Airport Land Use Compatibility Plan ensuring that land uses in the area surrounding the airport are compatible with airport operations. The Broadway District Specific Plan area is partially subject to airport restrictions for Airport Zone D in

the northern corner of the Plan area. Under the Napa Airport Land Use Compatibility Plan, this zone restricts residential development. The proposed plan is compatible with this requirement. A majority of the Specific Plan area is within Zone E where there are no land use restrictions. Because over flights can occur the Specific Plan must be reviewed by the Airport Land Use Commission.

#### **Highway 29 Corridor Study (2014)**

The Napa Valley Transportation Authority (NVT) obtained a Caltrans Community Based Transportation Grant to conduct a corridor study for Highway 29 from Highway 37 to Trances Street in the City of Napa. Fully two-thirds of the planning effort was intended to focus on context-sensitive design solutions within the American Canyon Priority Development Area (PDA). Initial community outreach efforts favored a boulevard design for the highway between American Canyon Road and Napa Junction Road. This design includes a 6-lane configuration with a Class 1 bicycle trail/pedestrian sidewalk separated by a landscaped median.

#### **Southeast Area Specific Plan (1999)**

The property located at the northeast corner of the American Canyon Road intersection with SR-29 is governed by the Southeast Area Specific Plan and is designated Cluster Residential. The Specific Plan establishes land uses, development standards and design requirements that govern use and development of the property. The land use designation allows for attached dwelling units at a maximum density of 16 or fewer units per acre.

#### **Countywide Pedestrian Plan (2016)**

The Countywide Pedestrian Plan aims to improve safety, convenience, and accessibility for people walking in Napa County. In addition to recommending new sidewalks and accessibility features, the Pedestrian Plan carries forward recommendations for larger-scale improvements that would positively impact the experience for pedestrians.

#### **Vine Transit Express Bus Corridor Study (2017)**

The Vine Transit Express Bus Corridor Study identified and recommended operational and capital improvements for the express bus system in the Napa Valley. Many of these solutions are evaluated in this CMCP, including queue jumping, use of shoulders, and station improvements.

#### **Countywide Bicycle Plan (2019)**

The Napa Countywide Bicycle Plan outlines a strategy to make bicycling accessible and appealing to the broader county community, beyond those who have traditionally identified themselves as bicyclists. The plan focuses on developing low stress bicycle routes, improving safety, and improving access for disadvantaged communities.

#### **SR-29 Comprehensive Multimodal Corridor Plan (2020)**

The SR 29 Comprehensive Multimodal Corridor Plan (SR 29 CMCP) evaluates the most constrained portion of SR 29 – an 11.5-mile portion that stretches from Imola Avenue (designated SR 121 east of SR 29) in the City of Napa to SR 37 in the City of Vallejo. The

objective is to guide SR 29 corridor programming decisions over a 20-year timeframe based on available funding. Enhancements for multimodal travel, parallel capacity, operational, and telecommunication strategies are a key focus of the SR 29 CMCP. Requisite technical information consistent with State and Federal grant program guidelines and implementation phasing improvements are also key elements of the Plan.

### Community Visioning

The City completed a Community Visioning process that encouraged the community to imagine the future it wants and how to get there. At the conclusion of the effort, the City adopted a Vision of American Canyon that is a Home to an engaged, diverse community, a Destination for outdoor recreation and natural beauty, and a Hub of opportunity and economic vitality.

### 1.4 Community-Based Plan

The Broadway District was designated as a PDA because it contains housing, retail, employment, and mixed-use zoning in the heart of American Canyon and it can be served by transit. In 2013, American Canyon received a grant from Caltrans and the Metropolitan Transportation Commission to fund a community based Specific Plan for the Broadway District.

Consistent with the grant, American Canyon embarked on systematic program of community engagement to ensure that the Specific Plan addressed the needs and aspirations of the community. Between September 2014 to December 2016, city staff and consultants worked with the community, elected officials, and other stakeholders to develop a plan that is both visionary and ready to be implemented. Key events in the planning process include active work with a Stakeholder and Citizen Advisory Committee, three well-attended community workshops, and numerous presentations to City Council. Opportunities for community involvement are summarized in **Table 1**, and described in greater detail in the sections below.

**TABLE 1: COMMUNITY PARTICIPATION**

Meetings	Date	Purpose
City Council	7/30/2013	MTC Grant Application
City Council	10/1/2013	Broadway District Workshop
City Council	11/5/2013	Broadway District Update
Planning Commission	12/19/2013	Broadway District Workshop
City Council	7/29/2014	MIG Contract approved
City Council	11/4/2014	Stakeholder Citizens Advisory Committee
The Core Business Group	1/22/2015	Broadway District Workshop
City Council/Planning Commission joint meeting	1/26/2015	Broadway District Workshop #1
SCAC	4/1/2015	Meeting #1
The Core Business Group	4/2/2015	Stakeholder Meeting
SCAC	6/3/2015	Meeting #2

City Council	9/15/2015	Broadway District Discussion Session
Leadership Academy	10/7/2015	Stakeholder Meeting
Planning Commission	10/22/2015	Discussion Session
SCAC	1/21/16	Meeting #3
City Council	2/23/2016	Broadway District Workshop #2
City Council	5/24/2016	Broadway District Workshop #3
City Council	7/26/2016	Broadway District Update and Discussion
City Council	10/18/16	First Carbon EIR Contract
City Council	3/7/17	Status Update
Joint PCS and OSAC	3/14/17	Parks, Open Space & Trails
City Council	7/18/17	Parks, Open Space & Trails
City Council	9/26/17	Traffic and Parks
Planning Commission	12/13/17	Draft EIR Workshop
Chamber of Commerce	04/25/19	Project Overview
Planning Commission	04/25/19	Project Recommendation
Planning Commission	05/23/19	General Plan Consistency
Napa County ALUC	06/05/19	Consistency Determination

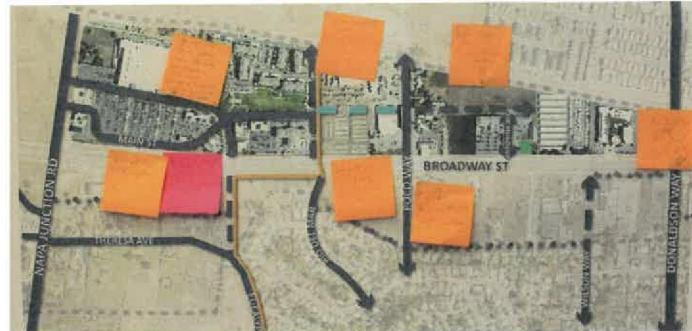
## Workshops

The City hosted three community workshops at key phases of the planning process. The workshops were focused on the three following issues:

- 1) Identify assets, issues and opportunities;
- 2) Establish a planning framework and priorities; and
- 3) Evaluate options.

In addition to formal workshops, the City Council and Planning Commission hosted discussion sessions to help focus planning efforts for the Broadway District.





### **Stakeholders Citizens Advisory Committee**

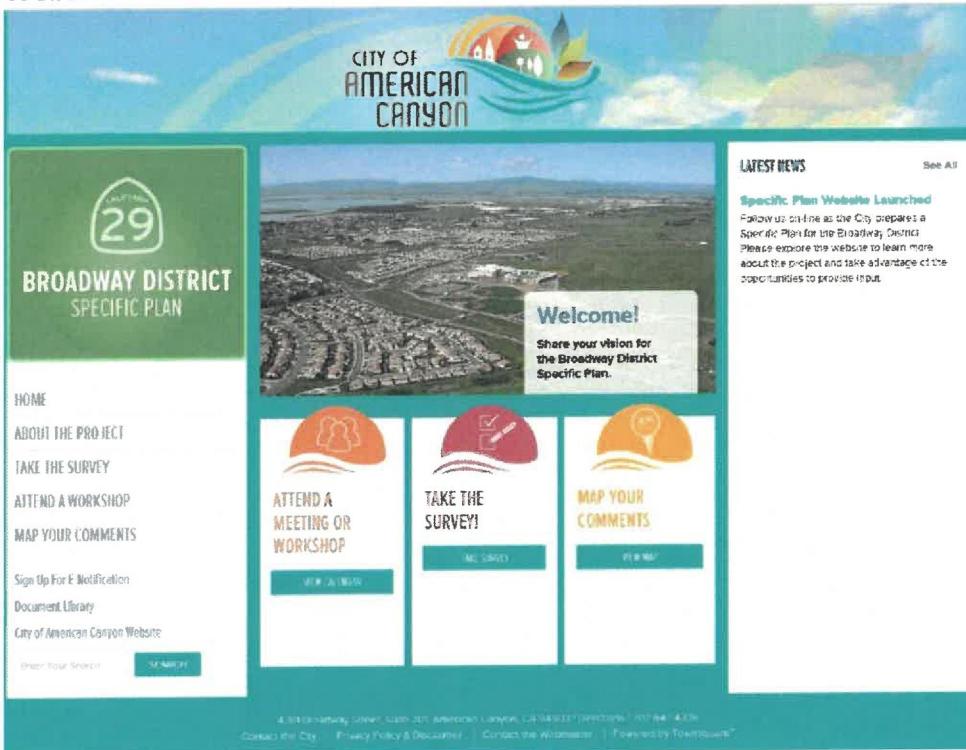
In 2014, the City Council appointed a 10-person Stakeholder Citizens Advisory Committee (SCAC) made up of business, community and neighborhood representatives, a bicycle activist, and a chamber of commerce representative. The SCAC also included representatives from Caltrans and the Napa Valley Transportation Authority. City department heads participated in the meetings to contribute technical expertise and experience. Over several meetings early in the specific plan preparation process, the SCAC participated in three meetings and identified the Planning Principles identified in Section 1.2 above.



### **Other Community Input**

In addition to the involvement of the SCAC throughout the Specific Plan process, community members were afforded an opportunity to monitor progress on the project website, provide input through a community survey, and address specific needs through stakeholder organizations.

## Website



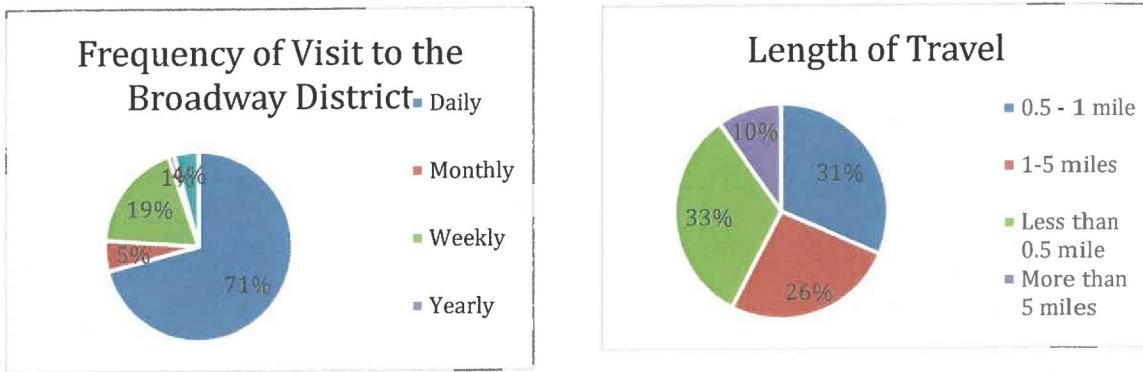
## Community Survey

Using an on-line survey, the City gathered information about how people interact with land use and circulation improvements within the Broadway District. This information is useful in understanding the strategies identified in the Specific Plan. Key findings include:

- Very few people walk or bike to the Broadway District
- Most trips to the District are to Safeway or Walmart
- Traffic safety and street beautification lead the list of needed improvements

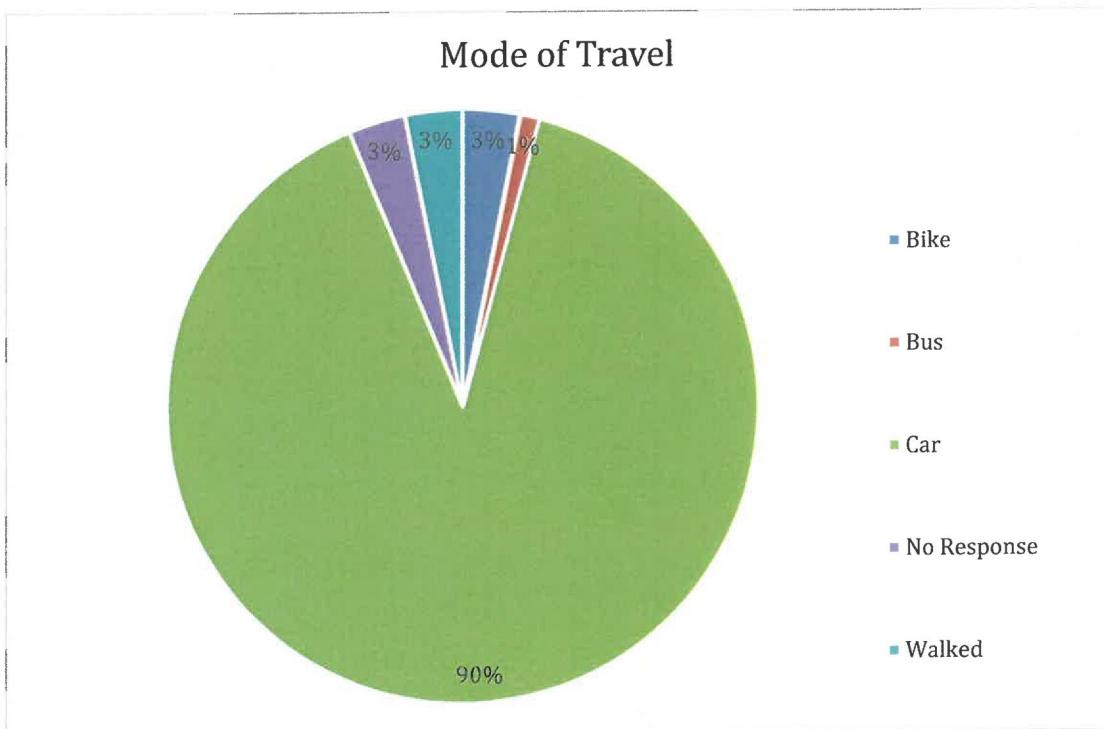
## Feedback

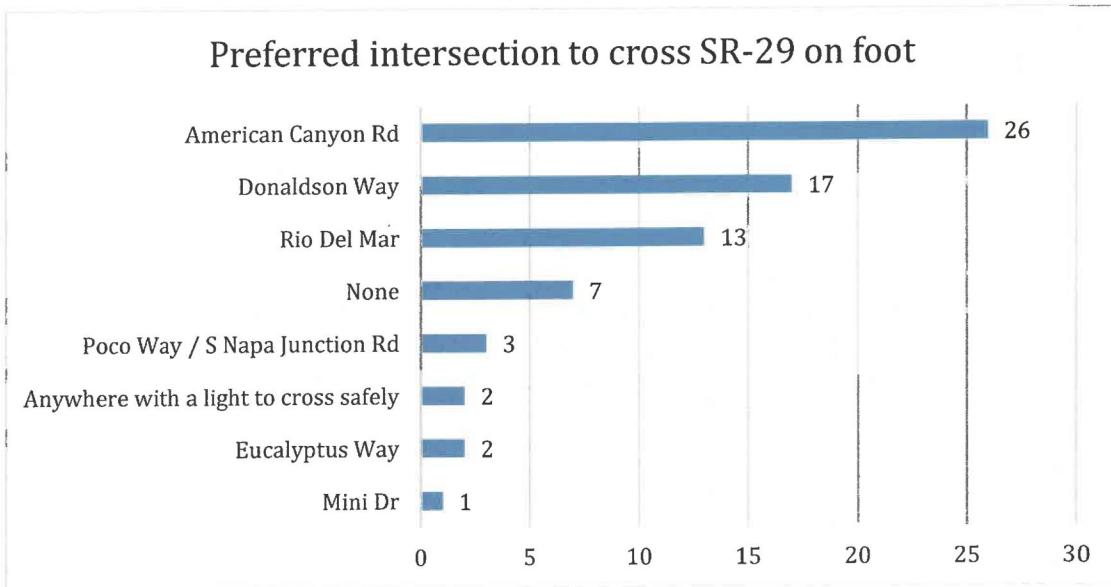
Of the people who participated in the survey, most participants (over 75%) regularly visit the Broadway District (on a daily or weekly basis). Though nearly all (arrived by car, the majority came from less than one mile away (33% from less than 0.5 mi away and 31% from 0.5-1 mi away).



### Getting Around

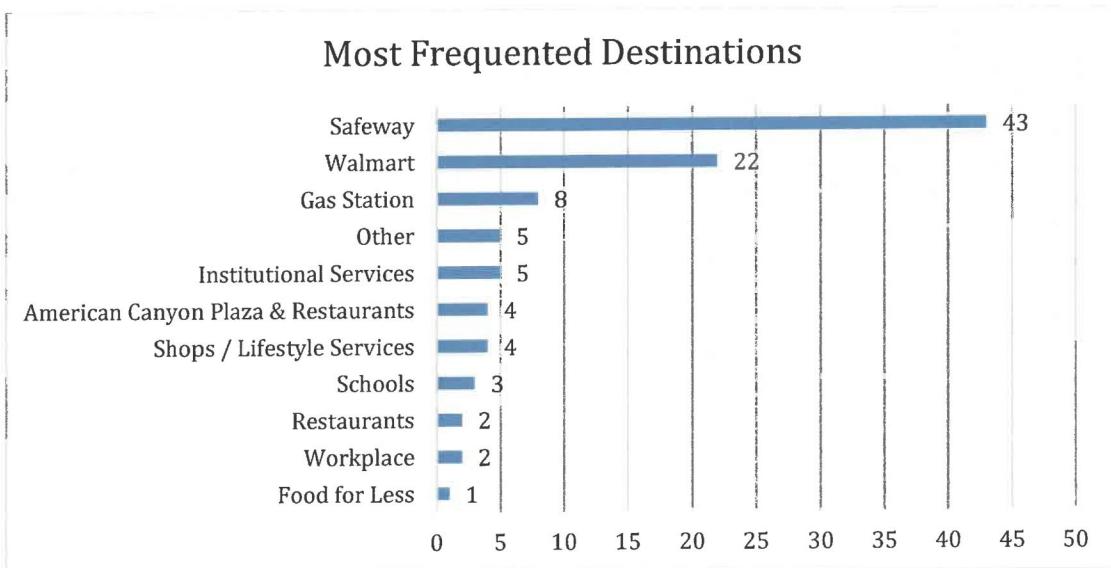
When visiting the Broadway District, 90% travel by car. For those who cross Broadway on foot, the three most common locations for crossing are at the intersections of (1) American Canyon Rd, (2) Donaldson Way, and (3) Rio Del Mar. Ten percent of people who responded indicated that they would not cross SR-29 on foot because it is too dangerous.





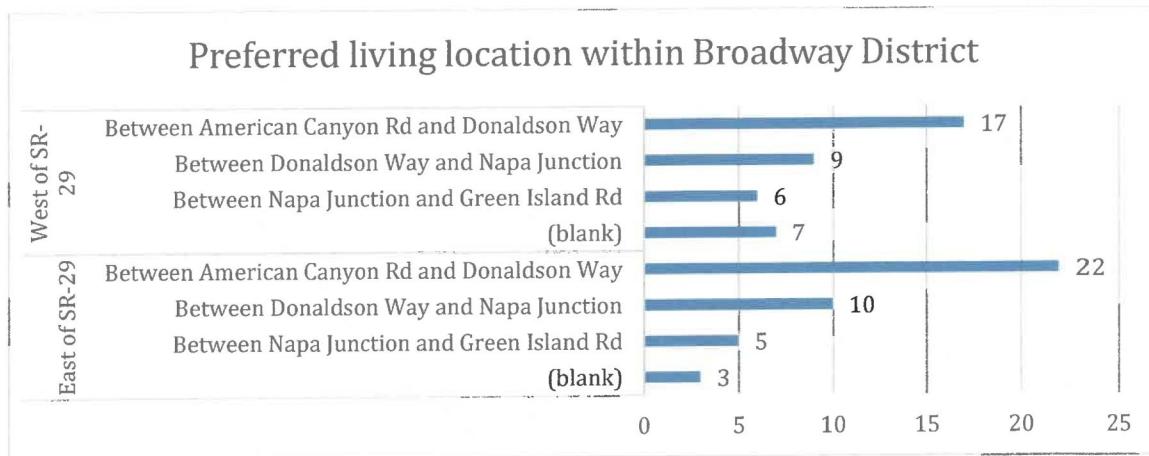
#### *Destination*

Most community members visit the Broadway District to eat, shop, or use services at least once a week. The majority of visitors to the Broadway District identify Safeway and Walmart as their destination.

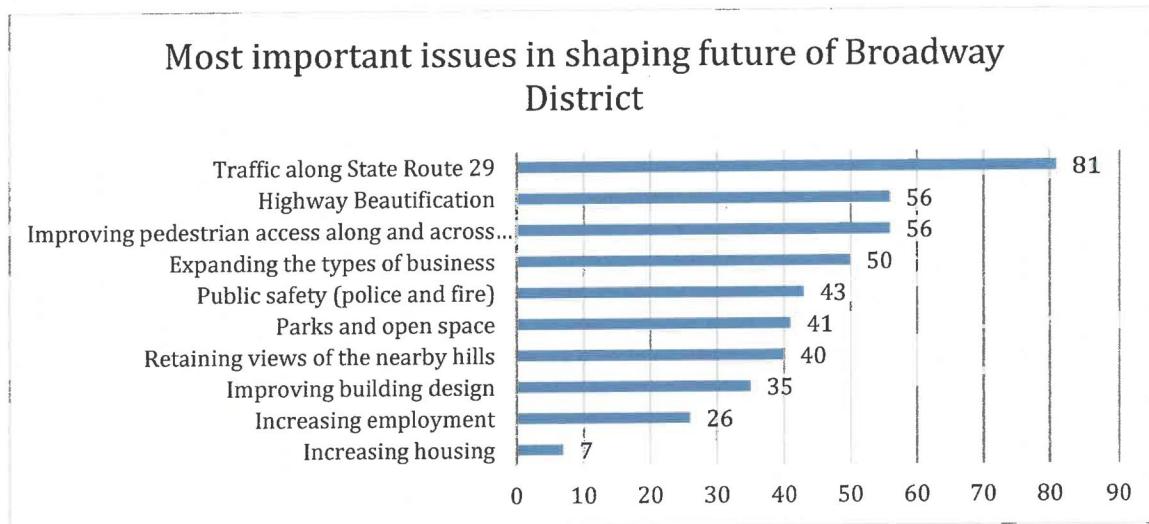


#### *The Future*

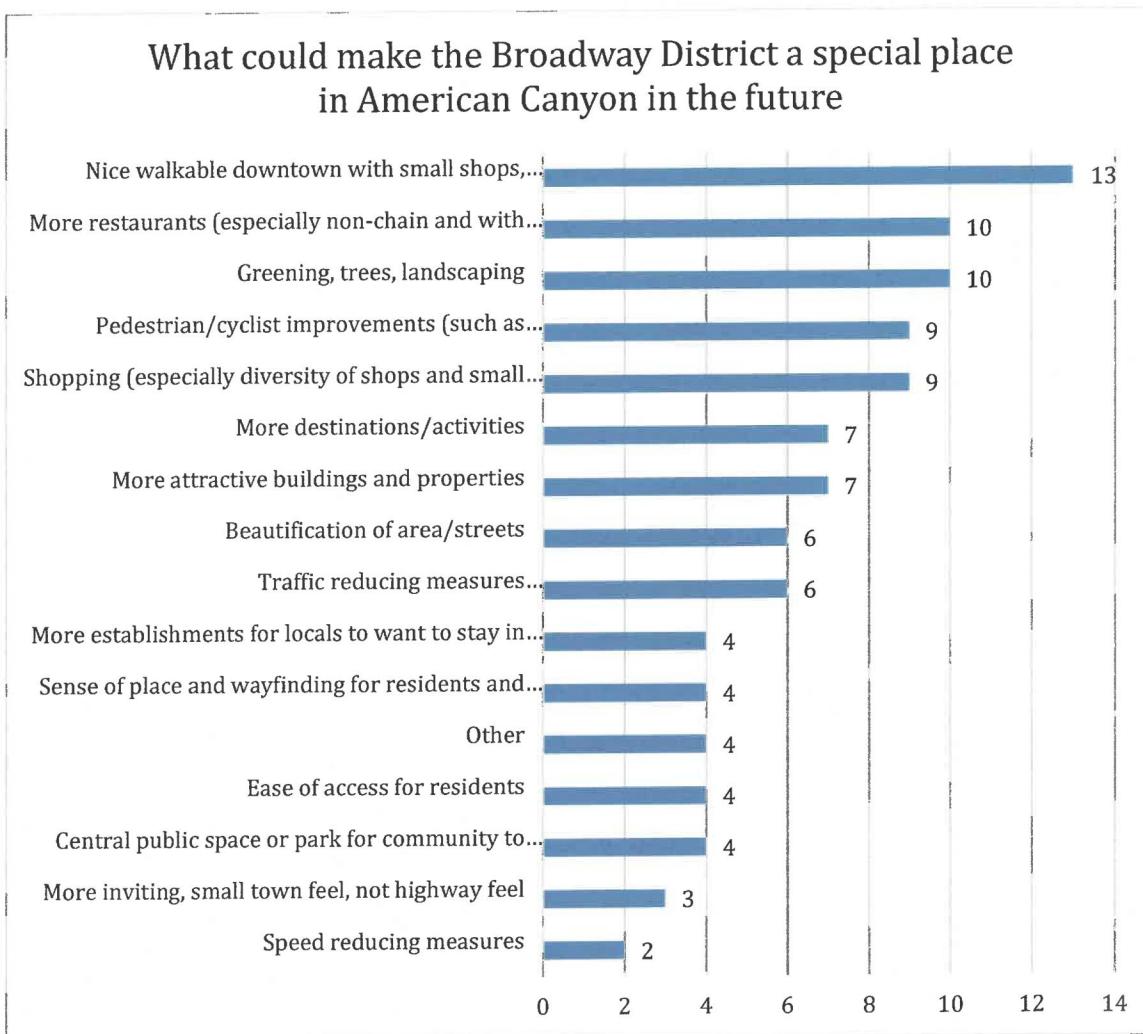
If they were to live in the Broadway District, almost half of the survey participants said they would prefer to live between American Canyon Road and Donaldson Way.



For future development, the top four most important issues in shaping the future of Broadway District are (1) traffic along State Route 29; (2) highway beautification; (3) improving pedestrian access along and across State Route 29; and (4) expanding the types of businesses. Nearly all respondents (93%) would like future development to include outdoor places where people can gather and meet friends.



Many community members believe there is currently no special qualities of Broadway District but believe that it has the potential become a special place in American Canyon in the future if there is a nice walkable downtown with small shops, restaurants and entertainment opportunities (e.g. theaters).

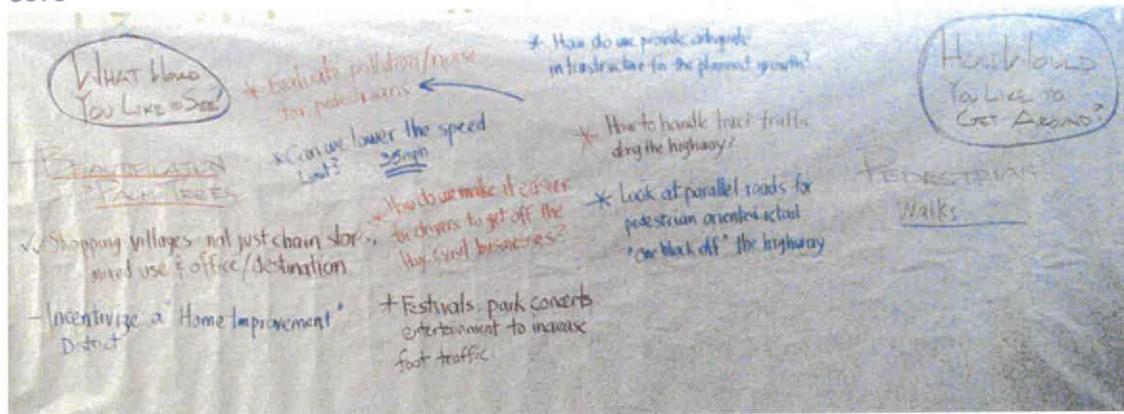


Among survey participants, desirable businesses include grocery stores (especially Trader Joe's); restaurants (especially family-friendly, local, and non-chain/fast food); more destinations and activities (such as a movie theater); and more retail (especially local stores and clothing/boutiques).

#### Stakeholder Meetings

The City solicited input from CORE, an organization formed to support Broadway District businesses and property owners, and the Leadership Academy, individuals from American Canyon who had a particular interest in Civic functions. Together these Groups provided input on issues, opportunities and constraints and contributed their perspective in establishing priorities for the Broadway District.

### Core



### Leadership Academy



## 1.5 Physical Context

At the north and south ends of the plan area, Broadway has an overpass and a park that create an arrival experience to the Broadway District. Between these gateways, the Broadway District is home to diverse land uses and infrastructure improvements.

### Entry to the Broadway District

Industrial uses are located north of, and within the northern portion of the Plan Area. Broadway gains elevation to cross the Union Pacific rail line and creates an elevated entrance to American Canyon for southbound traffic. Foothills provide an attractive backdrop to the city for northbound traffic exiting the Plan Area. This portion of the Plan Area largely functions as a gateway or transition area between American Canyon and Napa County unincorporated lands to the north.

The dominant feature in the southern portion of the Plan Area is Veterans Memorial Park on the east side of Broadway. While residential development is located west side of the highway, it has little orientation to or interaction with the corridor. The portion of SR-29 located between the park and homes provides an important community separator to distinguish the cities of Vallejo and American Canyon.

### East and West of Broadway

East of the Plan Area, foothills provide an attractive backdrop to the city. This asset should be protected to preserve views from the project area. Though located outside the project area, ruins of a former cement plant are a unique feature that the city plans to revitalize with future redevelopment.

The Union Pacific rail line runs north to south along the eastern edge of the project area. The rail lines are still used, although infrequently, for freight traffic. Within the Broadway District, public crossings of the rail line occur at Donaldson Way and American Canyon Road. Private rail line crossings occur at Holcomb Lane and South Napa Junction Road. The General Plan calls for a future public crossing at Rio del Mar.

Immediately to the east of the highway, the project area has a variety of small and large-scale commercial uses, a few residential units and several hotels. The east side of Broadway has been the location of more recent investments in the community.

On the west side of Broadway, there are a variety of commercial industrial and residential uses, the largest office building in American Canyon, and numerous vacant and underutilized parcels. This older part of the community has smaller scale development, often with driveway access directly from Broadway. Newer commercial developments provide important local services and contribute to a more modern impression of the west side of the highway.

A 20-foot wide sewer and water easement is located along the west side of Broadway. Generally, trees are not appropriate within sewer and water easements because the roots may infiltrate the pipelines. For this reason, landscape setbacks along the west

side of Broadway should be 30 feet to accommodate trees to soften the appearance of new buildings along this side of the boulevard. Easements are also present along the east side of Broadway. However, there is no consistent easement depth. Addressing landscaping on the east side can be addressed on a case-by-case basis.

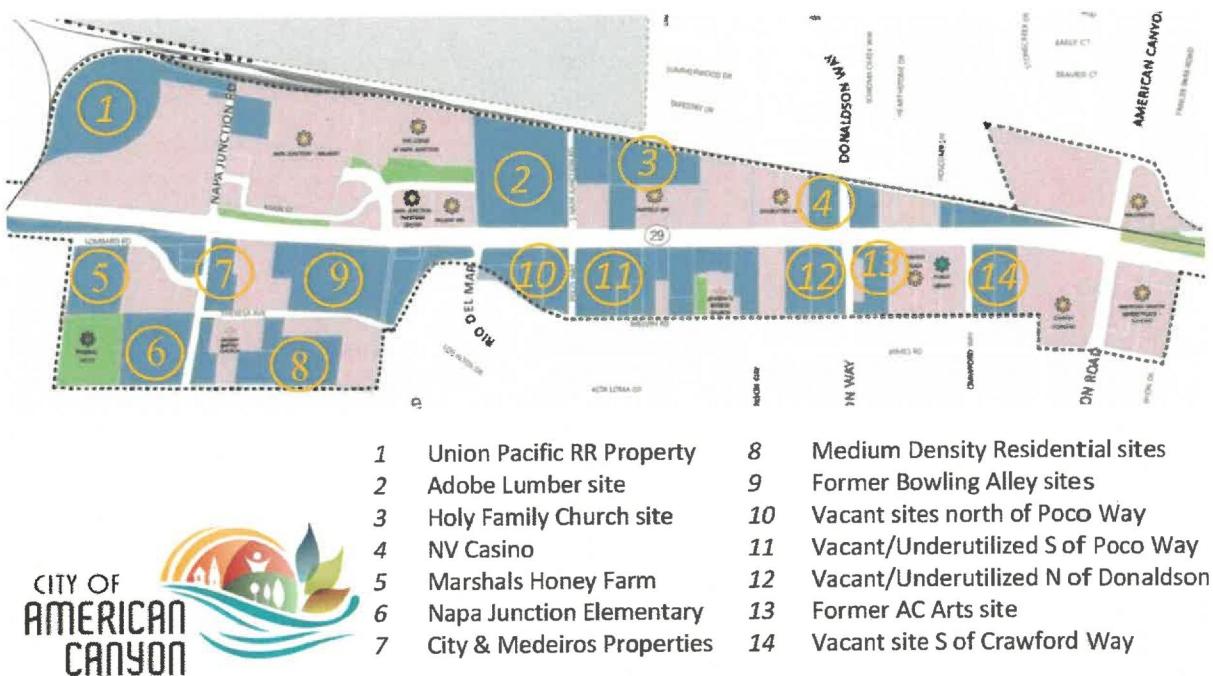
With primarily commercial uses fronting the highway, existing residential uses are set back from, and run parallel to, Broadway. While Broadway supports destination-oriented land uses, it would benefit from a complementary, parallel “Main Street” setting to provide space for people who live and work in American Canyon to come together. The pattern and character of future development will need to be configured to ensure compatibility with the adjoining neighborhoods and preserve views to the foothills from the project area.

### **Opportunity Sites**

Not every parcel in the Broadway District is a candidate for development within the next 25 years. Several newer retail, commercial and residential projects have developed in the last 15 – 20 years. In addition, certain older commercial sites (“legacy sites”) have a loyal following and also contribute positively to the City’s services and economy.

These newer and legacy developments however, served as the backbone land use pattern that became the proposed Subarea District Plan. Amending zoning regulations for newer developments and older “legacy” properties may result in changes that render the sites nonconforming to current regulations. A nonconforming status could interfere with the property owner’s ability to make routine improvements and modernization. For this reason, the Specific Plan does not propose to change the current zoning regulations for newer developments and older “legacy” properties.

Vacant and underutilized parcels have a greater potential to contribute to the City. The Specific Plan provides new zoning districts to encourage land uses that are compatible with newer and legacy properties as shown on the Figure below. Opportunity sites are shown in blue. Newer and Legacy properties are shown in pink.

**FIGURE 4 – BROADWAY DISTRICT OPPORTUNITY SITES**

## 1.6 Planning Principles

The outreach process identified the vision, goals and guiding principles described in Section 1.2, and identified key issues and desired outcomes for the Specific Plan. To help address challenges within the Broadway District, the Specific Plan focuses on five overarching concepts that will guide future development in the project area. These concepts are simple and achievable:

- 1) Place Making: Nurture an environment where the Broadway District can become a destination for American Canyon.
- 2) Connectivity: Increase opportunities to travel through and within the Broadway District.
- 3) Commerce: Leverage citywide economic benefits from the Broadway District Specific Plan.
- 4) Growth: Increase the number and type of housing opportunities in the Broadway District and encourage variety in the scale and design of new development.

These four overarching concepts are refined into Goals and Policies in subsequent Chapters of the Specific Plan. Key priorities include enhanced aesthetics, creation of a “Main Street” environment, and a new land use context to support mixed-use developments that provide amenities and services to the community, providing connections to, and between surrounding residential neighborhoods, and reinforcing the small-scale feel of the community. To be successful, the Broadway District Specific Plan addresses the following four primary challenges.

## Place-Making

As a relatively young and growing city, American Canyon has developed around State Route 29 (SR-29) as a fragmented mix of commercial and industrial uses without a coherent aesthetic or sense of place. New land uses present an opportunity to enhance the visual quality of the Broadway District and improve connectivity along and across SR-29.

## Connectivity

With growth in the region, SR-29 has been called on to accommodate additional automobile traffic. In 2020, the Napa Valley Transportation Authority (NVTA) approved the SR-29 Comprehensive Multimodal Corridor Plan (SR 29 CMCP). The preferred multimodal improvement package includes operational and telecommunication strategies coupled with parallel roadway capacity.

This Specific Plan assumes the SR-29 Improvement Plan will be implemented but at a travel speed that is reduced from 55 and 60 miles per hour (mph) to 35 mph. The speed limit reduction is a Complete Street<sup>1</sup> approach that will include additional roadway capacity and reduce road noise and improves vehicle, bicycle, and pedestrian connectivity.

## Commerce

With more than 40,000 vehicles traveling through our City every day, American Canyon has an opportunity to play an important role in the regional economy by providing goods and services that also benefit the broader community. Successful economic development will hinge on responding to market demand to capture through traffic while also serving a growing community. Local serving uses will benefit from creating new places for community interaction that are attractive and comfortable for pedestrians.

## Growth

As American Canyon grows, it will be essential to provide a diversity of housing types that respond to demand while maintaining and enhancing community character and improving aesthetics. In order to be successful, this growth will need supporting infrastructure that is designed and sized to address community goals.

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<sup>1</sup> Complete Streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. See National Complete Streets Coalition <http://bit.ly/2i9r314>

## **1.7 Using this Document**

The Broadway District Specific Plan sets the stage for the future by explaining the planning process, describing the land use framework, establishing key goals, strategies, development standards, and design guidelines to address objectives the community has envisioned. The Specific Plan also outlines specific implementation phasing and actions to bring these proposed improvements to life. The Plan document is organized as follows:

**The Specific Plan** includes the following chapters:

**Chapter 1: Introduction** – explains the Plan’s background and purpose, provides an overview of recent and current planning efforts, and outlines the organization of the Plan document.

**Chapter 2. Land Use Plan and Development Standards** –implements the Broadway District vision by identifying the land use designations that govern property within the Broadway District and establishes standards for development.

**Chapter 3. Design Guidelines** –establishes the principals that govern building mass and form under different conditions, and identifies concepts that will govern design.

**Chapter 4. Circulation** – establishes standards that will govern multiple modes of transportation improvements.

**Chapter 5. Open Space and Recreation** – identifies standards to ensure appropriate open space and recreation opportunities to serve new development

**Chapter 6. Infrastructure** – identifies improvements necessary to support development in the Broadway District, and establishes standards to govern infrastructure improvements.

**Chapter 7. Implementation** – identifies timing, approximate cost, and responsibility for implementing all components of the Specific Plan.

# Chapter 4. Circulation

*As a neighborhood, the Broadway District can support multiple mobility options such as enhanced pedestrian and bicycle pathways and greater transit access. The Broadway District can also accommodate alternative pedestrian and motor vehicle circulation that parallels Broadway and improves land use integration to provide viable options for travel between areas within the Broadway District.*

## 4.1 Introduction

The Broadway District is the crossroad for the City of American Canyon. Broadway connects American Canyon to its neighbors, the City of Vallejo and the City of Napa and destinations beyond. Broadway also serves as the commercial and residential heart of the City. The Broadway District is also located at the center of important east/west arterials and can serve as a unifying influence between the east and west halves of American Canyon.

The Broadway District Specific Plan includes a network of “complete streets” that is planned, designed, operated and maintained to enable safe, convenient, and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation.

### Circulation Challenges

- The long block lengths on Broadway discourages pedestrian access.
- High posted speed limit on Broadway makes the environment noisy for outdoor activities near Broadway.
- The lack of separated bicycle facilities discourages bicycling as a mode of transit.
- The high posted speed limit increases the cost to widen and improve Broadway and limits “complete streets” features.

With respect to the distance between intersections (“Block Length”), there is a direct relationship to pedestrian friendliness. Long blocks discourage pedestrian activity and shorter ones encourage it. Block lengths along Broadway are 700-2,000 feet whereas an ideal block length that fosters pedestrian activity is less than 300 feet in length.

## 4.2 Policy Framework

At the outset of the project, the City established transportation related goals for the Specific Plan. In addition, the City Council adopted Circulation-related Guiding Principles, which were discussed in subsequent meetings and workshops. Transportation related Project Goals and Guiding Principles are shown below:

## Attachment 1 Exhibit C2

### **Broadway District Specific Plan Goals**

- Specific Plan lines for Highway 29, intersection designs, and parallel routes.
- Pedestrian/bike crossing solution.

### **Broadway District Guiding Principles**

- Beautify the corridor with landscaping, trees and architecture.
- Improve Mobility.
- Provide Connections between neighboring Properties and Adjacent Neighborhoods.
- Improve Safety with Highway Speeds and Pedestrian Access.

In the course of subsequent workshops and feedback, residents and the business community expressed several additional accomplishments that they would like to see the Broadway Specific Plan achieve. These include the following:

### **Broadway District Circulation Workshop Ideas**

- Investigate the feasibility of reducing the Broadway speed limit.
- Provide alternatives for drivers to gain access to businesses off Broadway.
- Investigate parallel pedestrian-oriented routes to retail that is located “one block off” Broadway.
- Promote multiple safe access routes for pedestrian and bicycles throughout the area.
- Beautify Broadway and emphasize aesthetic place-making through landscaping and gateway treatments.
- Investigate parallel pedestrian-oriented routes to retail that is located “one block off” Broadway.

### **4.3 Overall Circulation Plan**

Addressing the goals, guiding principles and workshop ideas, gives rise to new ideas for the Broadway District. These ideas are expressed in a connectivity plan that identifies existing and proposed new motor vehicle routes, a modified boulevard plan for Broadway, a trail plan, and implementing policies.

The proposed Connectivity Plan shown below identifies new roadway locations and a connectivity plan that uses an alleyway or paséo to enable drivers or pedestrians to travel between neighboring parcels without using Broadway.

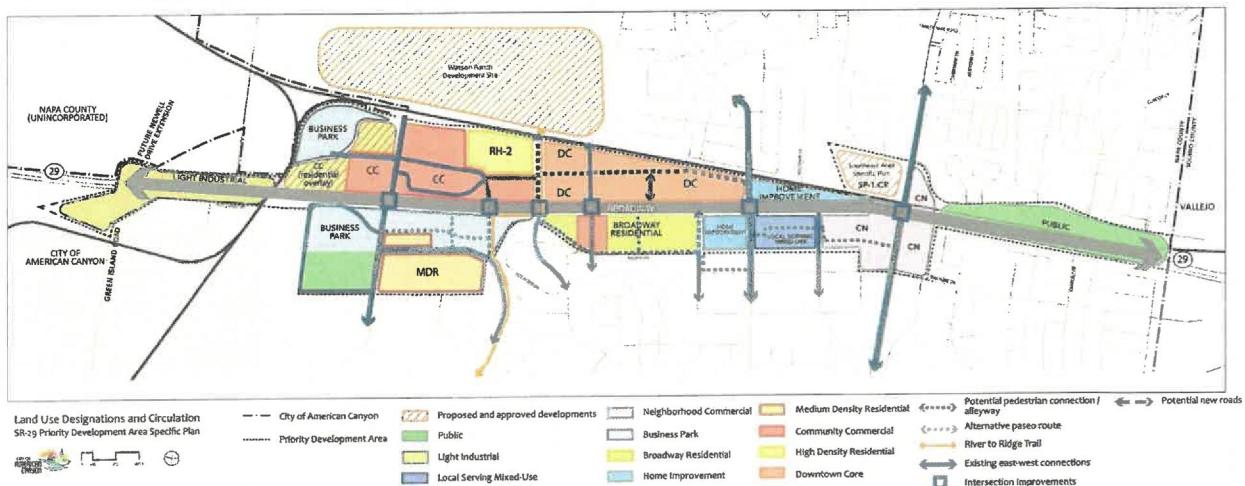
Some of the significant features of the proposed Circulation Plan include:

- Extend Rio del Mar as an arterial east from Broadway to the future extension of Newell Drive with a grade-separated crossing at the railroad.
- Extend Main Street south of Rio del Mar to Donaldson Way.
- Extend Wilson Way east from Melvin Road to a right-in, right-out intersection at Broadway.
- Identify a paseo/alleyway program to interconnect neighboring parcels.
- Identify a revised roadway cross section for Broadway as a 6-lane arterial with a 35 mile per hour design speed, separated bicycle lanes, and landscaped median.
- Identify a new roadway cross section for Main Street between Rio del Mar and S. Napa Junction Road as a “family” street.

## Attachment 1 Exhibit C2

- Identify a new Paseo/Alley cross section to interconnect parcels adjacent to Broadway
- Enhanced pedestrian walkway on the east side of Melvin Road.

FIGURE 4-1 – PROPOSED CIRCULATION PLAN



### SR 29 Multimodal Improvements

In each of the workshops, participants consistently stated that pedestrian and bicycle safety is an issue of significant importance. SR-29 (Broadway) current 50 and 55 mile per hour speed limit makes the pedestrian and bicycle environment uncomfortable and can lead to a variety of negative consequences, such as roadway noise which discourages residential and outdoor retail uses. Revising the Broadway speed limit to 35 miles per hour would provide numerous benefits in pedestrian and bicycle safety, and reduction in vehicle noise, and require less right-of-way to implement the desired 6-lane improvements.

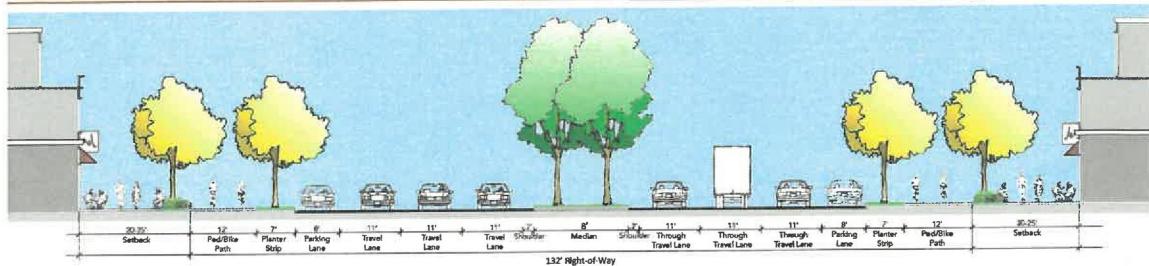
Slowing the speed may provide economic benefits as drivers would travel slower during off-peak hours and may be able to view local businesses and shopping center monument signs with greater ease.

Along most of Broadway, the existing right-of-way is 132 feet. This width can accommodate a proposed cross section that includes six 11-foot travel lanes, an 8-foot parallel parking/landscape/bus stop lane on each side, a two-foot center median shoulder, and an 8-foot landscaped center median. A 7-foot landscaped planter strip on each side, and a 12-foot separated pedestrian/ bicycle lane. Additional right-of-way would be required at intersections to accommodate turn lanes, etc.

SR-29 Multimodal Improvements will also reduce greenhouse gas emissions in part, by increasing ridership on the NVTA transit system and reducing the number of single occupancy vehicles on SR 29 in Napa County.

## Attachment 1 Exhibit C2

**FIGURE 4-2 – PROTOTYPE BROADWAY ROAD SECTION – SR-37 TO NAPA JUNCTION ROAD**



SR 29 would include Multimodal improvements:

- Off-corridor Class I shared use paths on both sides of the roadway.
- 8-foot shoulders.
- Pedestrian refuge islands at intersections.
- Landscaped planting strips to separate the Class I paths from vehicle traffic.
- A path exists from Eucalyptus Road to Napa Junction Road. The proposed improvements along SR 29 would connect to this path.

Napa Junction Road to Paoli Loop Road

SR 29 between Napa Junction Road and Paoli Loop Road would include trail gap closures, such as:

- Extend the existing multi-use path on the east side of SR 29 from Eucalyptus Drive to Napa Junction Road, north to Paoli Loop Road. This path would connect to the proposed Napa Valley Vine Trail alignment at Paoli Loop Road with an at-grade bicycle and pedestrian railroad crossing south of Paoli Loop Road. This would provide access to the proposed Napa Valley Vine Trail alignment along Paoli Loop Road and Green Island Road, which extends north to the west of SR 29.<sup>1</sup>

This proposed connection and alignment would provide a safe avenue for bicyclists and pedestrians completely separated from and parallel to SR 29, and provide a gap connection to the proposed Napa Valley Vine Trail.

### Main Street Extension

The multi-purpose automobile, pedestrian and safe play area features of the Main Street roadway design between Rio del Mar and S. Napa Junction Road is intended to enable Main Street to become a central gathering place for local residents and visitors.

<sup>1</sup> The Vine Trail Coalition is studying trail alignments options along Paoli Loop. A preferred route is not yet identified.

## Attachment 1 Exhibit C2

**FIGURE 4-3 – FAMILY FRIENDLY MAIN STREET DESIGN**



The design includes two 10-foot vehicle lanes, an 8-foot wide parallel parking lane, one 12-foot wide sidewalk, and a 20-foot sidewalk plaza. Blending the vehicle and pedestrian areas of the roadway is intended to slow traffic speed. Flexibility in the way the road area is designed can accommodate special outdoor street events.

Main Street is planned to extend south of South Napa Junction Road. Between South Napa Junction Road and Antonina, this roadway has been planned for many years and is depicted as an easement on Assessor's Parcel Maps as "Center Street." Implementation of the Center Street portion of the Main Street extension would occur in conjunction with development proposed along the roadway route.

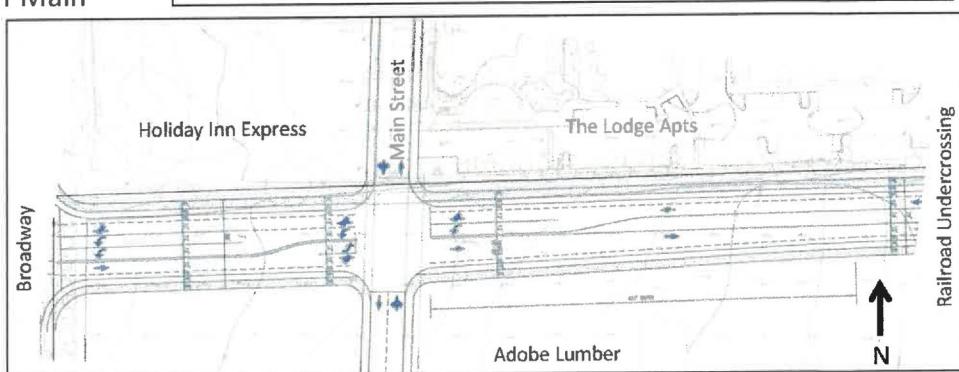
South of Antonina, Main Street is shown to continue to Donaldson Way. Extension of Main Street along this segment is not planned for the near term as there are three developed parcels on the roadway route. Extension of Main Street along this southern roadway segment would be addressed on a case-by-case basis and depend on good engineering practice and thorough analysis.

### Rio Del Mar Extension

The proposed Rio Del Mar extension from Broadway to the future Newell Drive alignment would be constructed as a Major Collector arterial. The cross-section width would vary from 88-feet at Broadway to 76-feet where it would cross under the railroad tracks. The cross section would have two 12-foot wide travel lanes. On each side of the road would have a 5-foot Class II bike lane, a 6-foot landscape strip, and 8-foot sidewalks. Additional turn lanes would be built at the signalized Broadway intersection and the Main St intersection would be controlled with a two-way stop on Main

Street. This same roadway section is proposed as part of the Watson Ranch Specific Plan and would require an amendment to the General Plan Circulation Element.

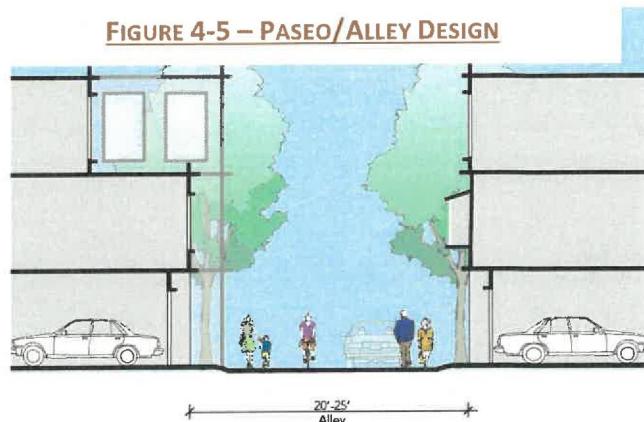
**FIGURE 4-4 – RIO DEL MAR PRELIMINARY CROSS SECTION**



## Attachment 1 Exhibit C2

### Paseo/Alley Cross Section

A new Paseo/Alley cross section is intended to interconnect residential and commercial parcels adjacent to Broadway and provide opportunities for special outdoor street events within and among neighboring shopping centers. The Paseo/Alley plan is intended to augment mobility parallel to Broadway. In places where the block length is 700-2,000 feet, a paseo can break up the long block into an ideal 300-foot block length that fosters pedestrian activity. The potential Paseo/Alley cross section is 20-25 feet in width.



### River to Ridge Trail

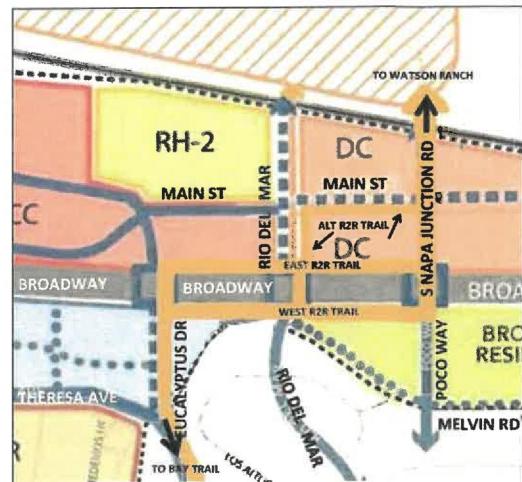
The River to Ridge trail (R2R Trail) is a significant east-west bicycle and pedestrian trail that connects the Bay Trail to the west to the Vine Trail and Newell Open Space Reserve to the east. From the Bay Trail, the R2R trail travels on the north side of Eucalyptus Drive until it reaches Broadway. East of the Broadway District, the R2R Trail is intended to pass through the future Watson Ranch Ruins and Gardens center.

The R2R trail alignment was adopted into the General Plan Circulation Element in 2012, but the alignment between Broadway and Watson Ranch was not resolved, as detailed planning work on the Broadway District and Watson Ranch Specific Plans had not yet commenced.

Adoption of the Circulation Element in 2013 provided a plan for Class 1 separated bicycle lanes on the east and west sides of Broadway, which can serve as north-south connectors for the R2R Trail.

The current plan to reduce Broadway's speed limit to 35 miles per hour enables the R2R trail to safely cross Broadway at a signalized intersection at Eucalyptus Drive, Rio Del Mar, or S. Napa Junction Road. The graphic below shows the many alternate bicycle routes for the R2R trail in the Broadway District. Since the Broadway District is in the center of American Canyon, the R2R Trail will provide very convenient and safe means to walk or bicycle to some of the most enjoyable destinations in American Canyon.

**FIGURE 4-6 – PROPOSED RIVER TO RIDGE TRAIL ALIGNMENT**



## Attachment 1 Exhibit C2

### **Melvin Road Enhanced Pedestrian Walkway**

The property along the east side of Melvin Road is proposed to be zoned as Broadway Residential. Currently, there are permanent buildings, such as the LDS Church and Napa County Mosquito Abatement District facility among others that are constructed in the path of an internal pedestrian or vehicle Paseo/Alley way.

At the same time, high traffic speeds on Melvin Road lead to unsafe conditions for residents and drivers which highlights the need for traffic calming measures. To accommodate a substitute paseo/alley way concept parallel to Broadway, and to calm traffic on Melvin Road, the Circulation plan calls for an enhanced landscaped sidewalk on the east side of Melvin Road. Adding landscaping between the street and sidewalk on the east side of Melvin Road would provide cues to drivers that they need to slow down as this is a residential street, and the landscape buffer between vehicles and pedestrians would improve comfort for pedestrians.

### **Other Roadway Extensions**

As noted above, additional roadways are planned to be extended within the Broadway District. These roadways would be constructed in accordance with the adopted road classifications. As is often the case, special circumstances require modifications to the ultimate design. These issues are addressed on a case-by-case basis and depend on good engineering practice and thorough analysis.

### **Parcel Interconnections**

As new projects are proposed on old or vacant sites, there is an opportunity to interconnect these properties with vehicle driveway access and with internal paseos or alleyways. Interconnections between parcels are a good idea to minimize the number of vehicles entering and exiting Broadway on short trips. In addition, if reaching a neighboring property is easy and convenient, customers are more likely to take their business next door when running errands.

### **Vehicle Access onto Broadway**

Consolidating driveway access points and reducing the number of individual driveway entrances on Broadway will improve traffic flow, which improves travel speed and inconvenience. Consolidating several parcels with one driveway access also makes it easier for businesses to be located by drivers because there are fewer possible driveways that give access to their destination. Fewer driveways provide more opportunities for identifying destination centers and more landscaping.

The Specific Plan implementation section will include criteria and a method to consider opportunities to eliminate or consolidate driveway access in new development projects.

### **Public Transit**

Operated by the Napa Valley Transit Authority (NVTA), American Canyon Transit (ACT) provides a deviated fixed route bus service aimed at getting local resident to shopping and

## Attachment 1 Exhibit C2

healthcare facilities within American Canyon and Vallejo. ACT also connects to the VINE Routes 11 and 29 allowing American Canyon residents and visitors to travel to Napa, Vallejo, the Vallejo Ferry and BART in the East Bay. The VINE system serves all the cities in the Napa Valley and connects with Sol Trans, Sonoma County Transit, Petaluma Transit, Lake County Transit, BART, the Vallejo Ferry, Amtrak, and Greyhound.

The Broadway District is served by American Canyon Transit (ACT) on weekdays between 7:30 and 6:00 PM and VINE service to Vallejo and El Cerrito Del Norte BART. While the Plan Area benefits from these two transit service providers, bus transit in the Broadway District is limited. As development occurs in the Broadway District, expanded bus service may become viable and could dramatically increase how efficiently people move to and throughout the Broadway District. Particularly in combination with slower roadway speed limits and improved design, regular bus stops become feasible on Broadway. This enhancement would reduce the circuitous route that the Vine and ACT must take today to serve American Canyon residents, which would shorten travel distances and save time.

### *Pedestrian Facilities*

Pedestrian facilities will be enhanced and expanded to provide a viable and attractive alternative to driving. Currently, the pedestrian network limits pedestrian travel to individual neighborhoods rather than connecting residents between residential, commercial and recreational spaces. There are only three marked pedestrian crosswalks on Broadway. Safe, attractive and conveniently located connections across Broadway are essential to creating an integrated pedestrian network. Incorporating brightly lit crosswalks and pedestrian refugees within the median, and through reduced posted speed limits, the Specific Plan provides viable options for surface crossings on Broadway.

### *Bicycle Network*

Located in the in Napa Valley at the foot of beautiful hills and just far enough away from urbanized areas, American Canyon will implement the citywide bike network outlined in the American Canyon Bicycle Plan and the Circulation Element. New facilities include Class I, II and III improvements, the proposed Vine and River to Ridge Trails, all of which combine to create a safe, comfortable, convenient and enjoyable bicycling option. Class 1 bicycle lanes are separated from the street; Class II bicycle lanes are striped next to the travel lanes adjacent to the curb; Class III bicycle lanes are shared with vehicle travel lanes. The following table identifies bicycle lanes proposed in the Broadway District.

**FIGURE 4-7 – PROPOSED RIVER TO RIDGE TRAIL ALIGNMENT**



## Attachment 1 Exhibit C2

**TABLE 4-1 – PROPOSED BICYCLE TRAILS**

<b>Class 1 Bicycle Lane</b>	
<b>Street</b>	<b>Segment</b>
Broadway (both sides)	Green Island Road to the City of Vallejo
Broadway (east of Hwy 29)	Vine Trail from American Canyon Road to the City of Vallejo
Eucalyptus Drive	River to Ridge Trail from Wetlands Edge to Broadway
Green Island Road	Vine Trail from Devlin Road to Paoli Loop
South Napa Junction Road	River to Ridge from Broadway to Newell Drive
Napa Junction Road	Broadway to Main Street (Existing)
<b>Class 2 Bicycle Lane</b>	
<b>Street</b>	<b>Segment</b>
Napa Junction Road	Broadway to Hess Drive
<b>Class 3 Bicycle Lane</b>	
<b>Street</b>	<b>Segment</b>
Danrose	American Canyon Road to Marla
James Road	Wilson Way to American Canyon Road
Melvin	Los Altos to Wilson Way
<b>Class 3 Bicycle Lane</b>	
<b>Street</b>	<b>Segment</b>
Watson Lane	Vine Trail from Paoli Loop to Watson Ranch
Wilson Way	Melvin Road to Broadway
Theresa Avenue	Napa Junction Road to Eucalyptus Drive
Main Street	Entire Length

### Shared Use Paths

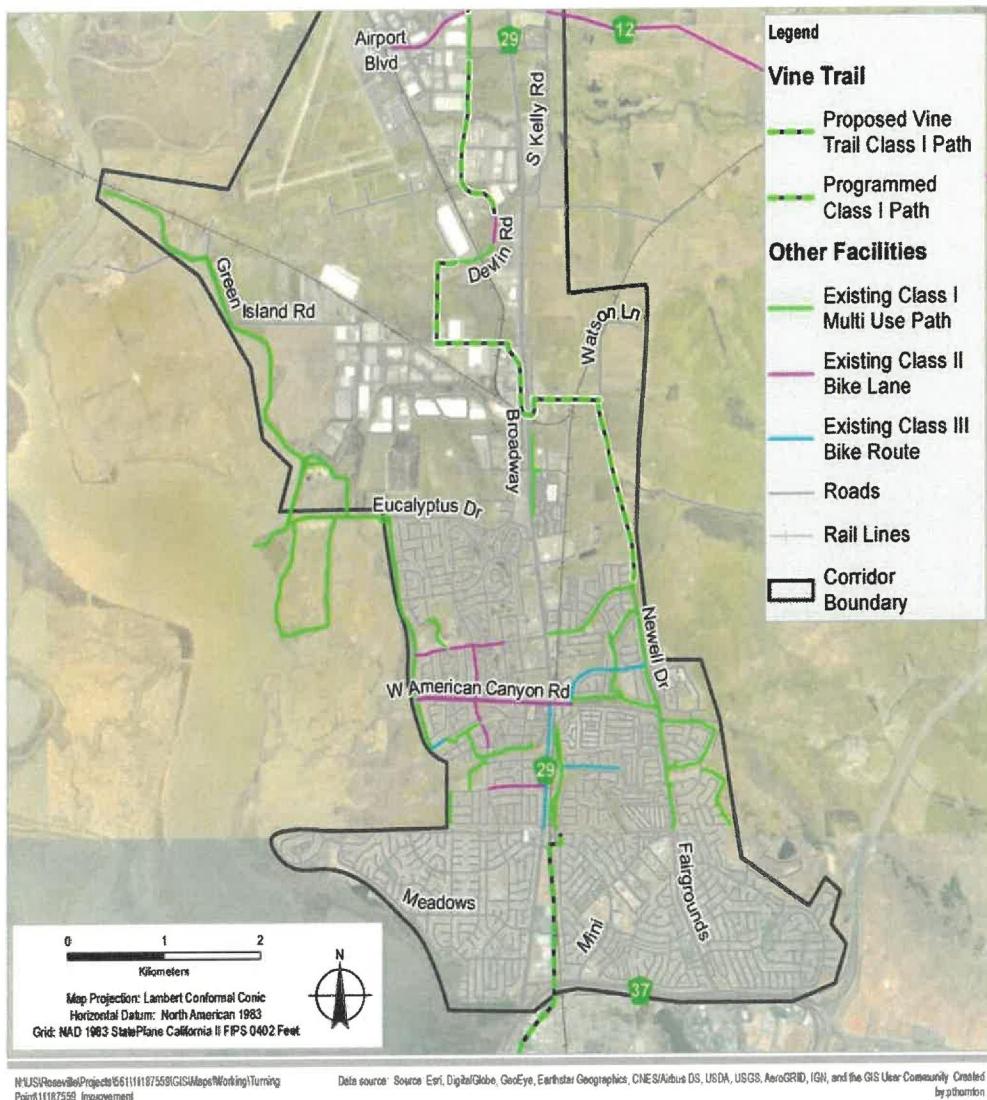
#### Napa Valley Vine Trail

The overall Vine Trail project envisions 47 miles of trail system connecting the entire Napa Valley, from the City of Vallejo in Solano County to the City of Calistoga in Napa County. The current Vine Trail stretches about 12.5 miles, from Kennedy Park, along SR 221 at the northern end of the SR 29 CMCP study area, to the Town of Yountville. Several segments of the trail are in various stages of design or construction. Some segments of the trail system currently fall short of Class I standards, for example the current Class II bike lanes on Devlin Road in American Canyon.

The SR 29 CMCP proposed Vine Trail improvements include gap closures from Kennedy Park in the City of Napa, to Newell Drive in the City of American Canyon. From Newell Drive, the trail would rejoin existing portions of the Vine Trail to American Canyon Road and SR 29 (Broadway).

## Attachment 1 Exhibit C2

**FIGURE 4-8 – PROPOSED VINE TRAIL ALIGNMENT**



### San Francisco Bay Trail

This proposed San Francisco Bay Trail would offer a dedicated space for people walking and bicycling parallel to SR 29, closer to the bay. The overall Bay Trail project envisions 500 miles of trail system throughout the San Francisco and San Pablo Bays, and throughout the member agencies of the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC). The Bay Trail shares alignments with other trail systems, including the Napa Valley Vine Trail, in several segments. Other “sister trails” include the Bay Area Ridge Trail, Bay Area Water Trail, and the Great Delta Trail.

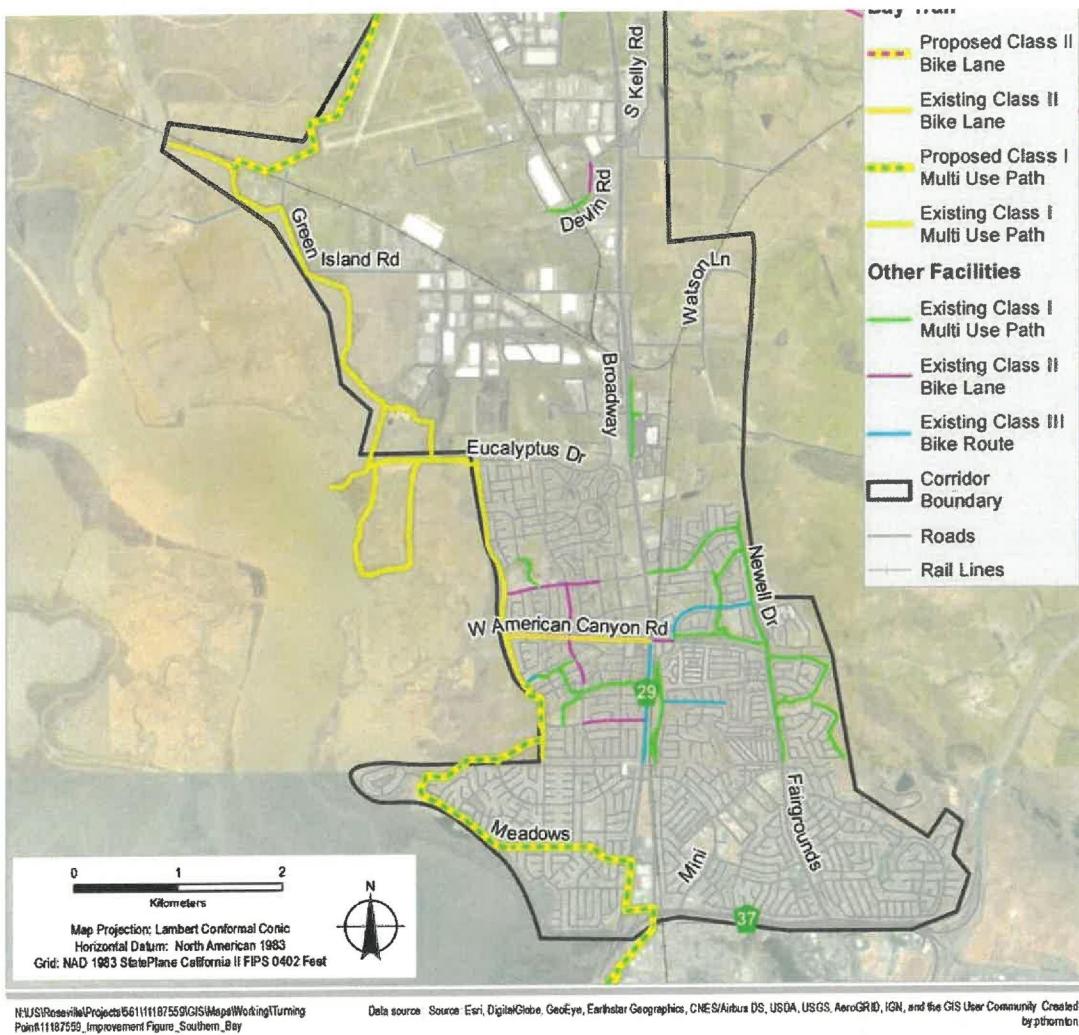
As with the Vine Trail, the proposed SR 29 CMCP improvements include:

- Gap closures between discontinuous segments of the Bay Trail, on the western edge of the study area. In particular, alignments are proposed along the Napa River connecting the Cities of July 2020

## Attachment 1 Exhibit C2

Napa and American Canyon, west of the Napa Airport to Green Island Road. Further south, the proposed alignment would connect the trail terminus along Wetlands Edge Road in the City of American Canyon, through the City of Vallejo, and to SR 37.

**FIGURE 4-9 – PROPOSED SAN FRANCISCO BAY TRAIL ALIGNMENT**



### 4.4 Circulation Policies and Programs

To improve the efficiency of the existing circulation network and strengthen connections in and around the Broadway District, the Specific Plan targets roadway improvements on key streets, the expansion of bicycle and pedestrian facilities, and the addition of new streetscape improvements to improve mobility and connectivity in the Plan Area. These improvements will be coordinated and staged over time in order to ensure the most efficient investment of public funding to key projects that bolster connectivity for drivers, transit rider, bicyclists, and pedestrians.

## Attachment 1 Exhibit C2

The transportation and circulation policies address four topical sections:

- Roadway System Improvements: This section outlines the functional classification system for current and future roadways in the Plan Area, which includes their sizing and level of service standards.
- Public Transit: This section describes future transit improvements needed to better connect the Broadway District to the rest of American Canyon.
- Pedestrian and Bicycle Circulation: This section describes needed improvements to the overall pedestrian and bicycle circulation system in the Plan Area, as well as strategies the City can use to improve safety and access.
- Travel and Parking Demand Management Plan: This section describes various policy and programming strategies the City will use to further enhance the efficiency of roadways in the Plan Area. This includes strategies the City will use to make parking more accessible and efficient while also ensuring there is adequate parking.

### 4.5 Roadway System Improvements

#### Goal

To redesign and reprogram roadways throughout the Plan Area in order to improve traffic mobility, enhance walkability and bikeability within neighborhoods, and support community cohesion and safety.

#### Roadway Classifications

The Broadway District includes a well-established network of streets that provide access through and within the area. The City defines a series of Roadway Classifications in its General Plan in order to administer engineering design standards and traffic operation performance standards. This system is based on the functional classification hierarchy which orders streets in terms of their mobility and access functions. The roadway classification system is defined as follows:

- **Freeways**: Freeways provide high speed intra-and inter-regional mobility. Access is typically restricted to primary arterials via interchanges, with grade-separated crossings. Typically, the maximum speed limit on freeways range from 50 to 65 mph with usually one mile or greater spacing between interchanges. I-80 is the only freeway that directly serves the City, although the closest interchange is about 2 ¼ miles east of the City limits.
- **Highways**: Highways are controlled access facilities whose junctions with cross streets are characterized by at-grade intersections rather than interchanges. State Route 29 bisects the project area and serves the dual purpose of providing local cross-town circulation as well as serving significant regional traffic. Other nearby highways include State Route 12 and State Route 37. These highways also provide access to and from I-80, north and south of the City respectively. State Route 37 continues west towards Sonoma County and the City of Novato.

## Attachment 1 Exhibit C2

- **Regional Corridors:** Regional Corridors include highways and arterials that include a significant regional traffic component. Within the Broadway District, these include State Route 29, American Canyon Road east of State Route 29.
- **Arterial Streets:** Arterial facilities connect areas of major activity and function primarily to distribute cross-town traffic from highways to collector streets. Within the Broadway District, arterial streets include American Canyon Road.
- **Collectors:** Collectors function as connector routes between local and arterial streets and provide access to residential, commercial, and industrial property. Many roads within the Broadway District are collector streets with typically two-lane facilities with maximum operating speeds of 30 mph and include Eucalyptus Drive, Rio Del Mar, and Donaldson Way among others.
- **Local Streets:** Local streets provide direct access to abutting properties and allow for localized movement of traffic. Local streets are characterized by low daily traffic volumes and operating speeds of 25 to 30 mph.

### Complete Streets

The Broadway District Specific Plan includes several “Complete Street” improvements to the roadway network and to Broadway in particular. Complete Streets are designed and operated to enable safe access and travel for all users. Pedestrians, bicyclists, motorists, transit users, and travelers of all ages and abilities will be able to move along the street network safely.

Complete Street features for Broadway include reconfiguring the roadway into a boulevard with one additional travel lane in each direction, pedestrian sidewalks, bicycle lanes separated from the travel lanes, and landscaping.

### Strategies

- 1) Work with Caltrans, the Napa Valley Transportation Authority, and neighboring jurisdictions to design and fund Broadway improvements that serve all modes of travel. The preferred design includes one lane in each direction with separated bicycle lanes, pedestrian sidewalks, street lighting, and landscaping.
- 2) The preferred Broadway design speed is 35 miles per hour. Lowering the design speed provides “value engineering” benefits such as reduced need for right-of-way, narrower 11-foot lane widths, narrower shoulder lanes and deceleration lanes. It also improves quality of life for American Canyon residents by lowering noise pollution, and improving pedestrian and bicycle safety. A key effort to improve traffic flow is to balance north-south and east west traffic flow with traffic synchronization software and a more “permeable” corridor with additional intersections that disperse traffic.
- 3) Improve pedestrian connections across Broadway, where appropriate, especially at roadways that provide access to the Downtown Core (e.g. Rio Del Mar, Poco Way, South Napa Junction Road, Eucalyptus Drive).

### Complete Street History

2008- Caltrans approves Deputy Directive-64-R1

2010 California requires Complete Street policies in the General Plan

2012 American Canyon adopts a Complete Street Policy

2013 American Canyon adopts a new General Plan Circulation Element with Complete Streets policies

## Attachment 1 Exhibit C2

- a) Providing “safe havens” within the Broadway Median to allow people to cross the roadway in stages if necessary;
  - b) Creating new high-visibility crossings, including the use of enhanced striping, rapid rectangular flashing beacons, and other treatments, at signalized intersections.
- 4) Develop a series of streets parallel to Broadway that connect land uses on the east and west sides without requiring vehicles to travel on Broadway. This includes the Main Street extension from Rio Del Mar to Donaldson Way as well as a narrower private paseo network on the west side of Broadway.
- 5) Transform Main Street from Rio Del Mar to South Napa Junction Road into a “family friendly” street that incorporates open space, community and visitor serving uses, bicycle, and pedestrian amenities within the right-of-way. This will include specific “block-by-block” opportunities to imagine the public right-of-way so that it serves as an amenity for the community (see **Chapter 3** for design guidelines related to the Main Street right-of-way).
- 6) Implement traffic calming measures, where appropriate, especially in residential neighborhoods, around parks and public gathering places, and schools. This can include:
- a) Creating curb extensions other treatments, at unsignalized intersections; and
  - b) Providing 10-foot travel lanes on new streets and retrofit existing streets to provide narrower lanes, along with striped bike lanes (five-foot minimum) where possible within the curb-to-curb width.

## 4.6 Public Transit

### Goal

Improve access to and use of bus and rail transit in the Broadway District.

### Strategies

- 1) **Reconfigure Broadway with pedestrian sidewalks, bicycle lanes and bus stops.**  
Reconfiguration of Broadway will provide convenient bicycle and pedestrian access that makes regular scheduled bus service down the center of the city possible. Improving bus stops on Broadway will straighten out the #17 Express bus route and potentially reduce travel time for American Canyon residents and bus riders north of American Canyon that use the service for their daily commute.
- 2) **Participate in Napa Valley Transportation Authority (NVTA) bus transit service demand studies to monitor demand and identify ways to improve bus transit.** This could include adding additional routes and new stops within the Broadway District as needed.
- 3) **Support the potential of residential Rail service to American Canyon by actively participating in any Rail service plans that may emerge from the NVTA.**

## Attachment 1 Exhibit C2

### 4.7 Pedestrian and Bicycle Circulation

#### Goal

Ensure a comprehensive, integrated, and safe circulation system for pedestrians and bicyclists throughout the Broadway District.

#### Strategies

- 1) **Install Class 1 trails on the west and east sides of Broadway** to provide continuous bicycle and pedestrian access running north-south from Napa Junction Road to American Canyon Road.
- 2) **Continue to participate in Safe Routes to Schools grant funding** programs to ensure safe connections between the Broadway District and nearby elementary and high schools.
- 3) **Improve the condition of sidewalks in the Broadway District** by identifying funding sources to assist property owners with sidewalk repairs and complete all missing sidewalk connections. Potential funding sources include grants for improving access to transportation. As part of this strategy, require property owners who develop/redevelop their property to install sidewalks where there are currently gaps.
- 4) **Strengthen the network of bicycle-friendly streets** by implementing the adopted Bicycle Master Plan that creates an integrated system of designated bicycle facilities that link all portions of the Plan Area.
- 5) **Provide safe pedestrian access to designated Railroad Crossings.** Future railroad crossings are planned at South Napa Junction Road or the future extension of Rio Del Mar.
- 6) **Provide east-west pedestrian connections between parallel roads such as Main Street and Paseos to Broadway.** Ideally, such access will occur every 250 – 300 feet.

#### Transit

A variety of proposed transit improvements are included in the SR 29 CMCP. These improvement categories are described below in more detail. Figure 40 presents proposed transit improvement locations in American Canyon. Proposed improvement locations in the southern study area are shown in Figure 41.

#### Bus Stop Changes

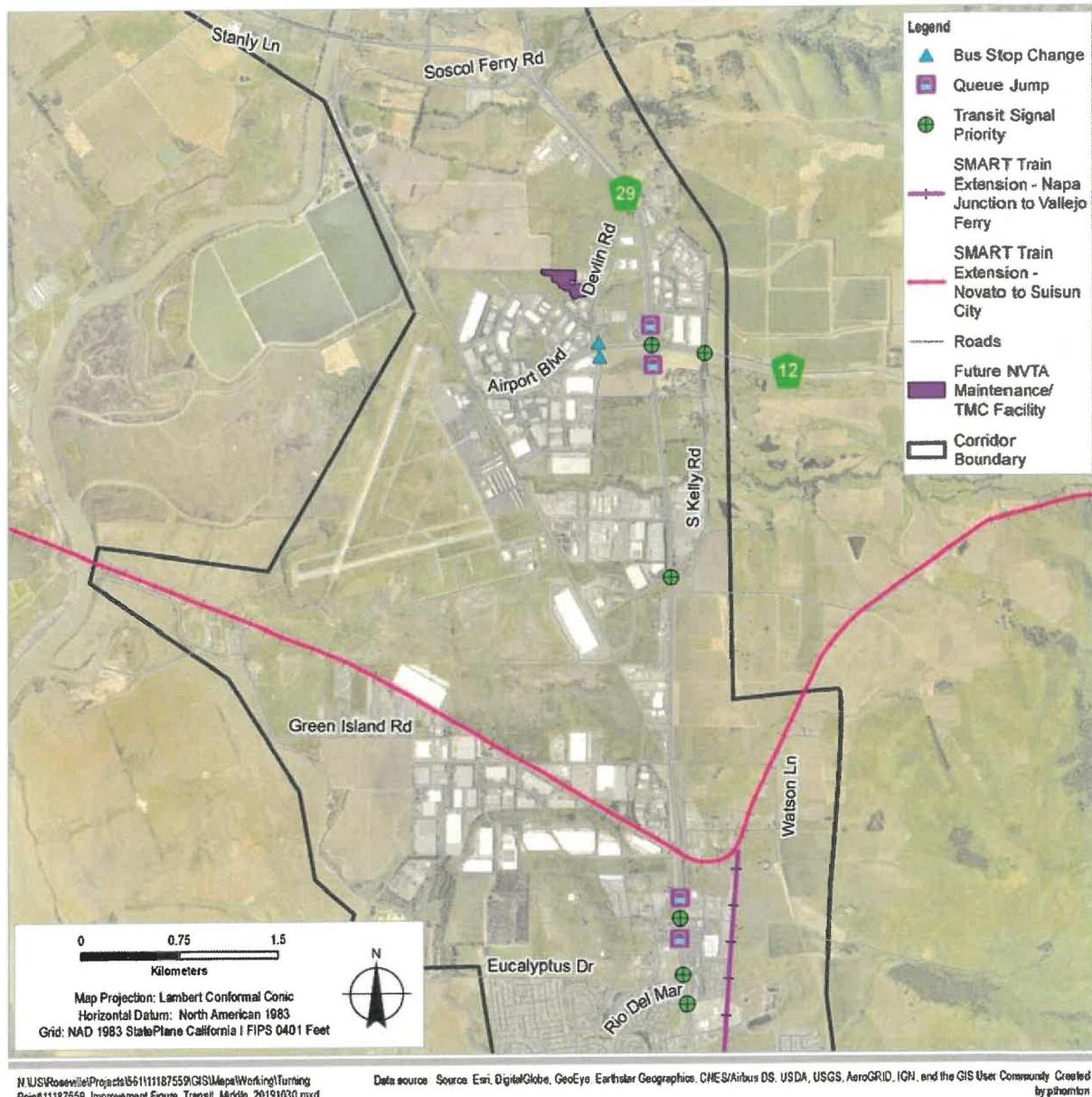
Proposed bus stop changes and/or upgrades would include:

- benches,
- new or improved bus shelters,
- realtime travel information,

## Attachment 1 Exhibit C2

- wayfinding, and transit route information.
- Wi-Fi, bicycle storage, lighting, and improved pedestrian facilities in some locations.

**FIGURE 4-10 – PROPOSED TRANSIT IMPROVEMENTS**



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## Attachment 1 Exhibit C2

### Bus on Shoulder

This improvement allows buses to use existing shoulder width to increase efficiency and improve transit service. Bus use of shoulder space is becoming a more common means to increase highway capacity and transit service reliability.

Use of existing shoulders by buses would be implemented in conjunction with Queue Jump locations with between 1,000 and 1,500 feet depending on location constraints. Part time use of shoulder by buses would require upgrades to existing shoulders in order to ensure geometric design and pavement index requirements are met.

Part time bus use of the current shoulder space could present a potential conflict between bicyclists and buses. This conflict would be limited to the peak hours during which buses were allowed to operate in the shoulder. With current 30-minute bus headways, this potential conflict between users would be limited to twice in one hour. Proposed parallel Class I bikeways would remain a low-stress option.

Caltrans has the authority to redesignate shoulders as a part-time use lanes. Caltrans is currently developing guidance for the implementation of part time lanes for shoulder use.

**FIGURE 4-11 – BUS ON SHOULDER**



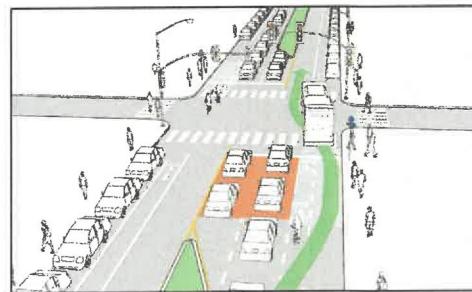
### Queue Jump

A queue jump is a type of roadway geometry used to provide preference to buses at intersections, often found in bus rapid transit systems. It consists of a dedicated lane space for buses to travel around queued vehicles at particular locations. Queue jumps reduce delay for buses caused by intersections and reduce travel time and variability.

Proposed Queue Jump locations along SR 29 include:

- Napa Junction Road,
- Donaldson Way, and
- American Canyon Road.

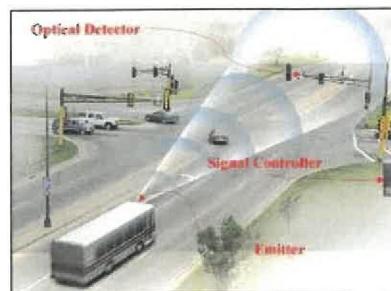
**FIGURE 4-12 – TRANSIT QUEUE JUMP**



### Transit Signal Priority

Transit Signal Priority (TSP) is a general term for a set of operational improvements that use technology to reduce dwell time at traffic signals for transit vehicles by holding green lights longer or shortening red lights. TSP may be implemented at individual intersections or across corridors or entire street systems.

**FIGURE 4-13 – TRANSIT SIGNAL PRIORITY**



## Attachment 1 Exhibit C2

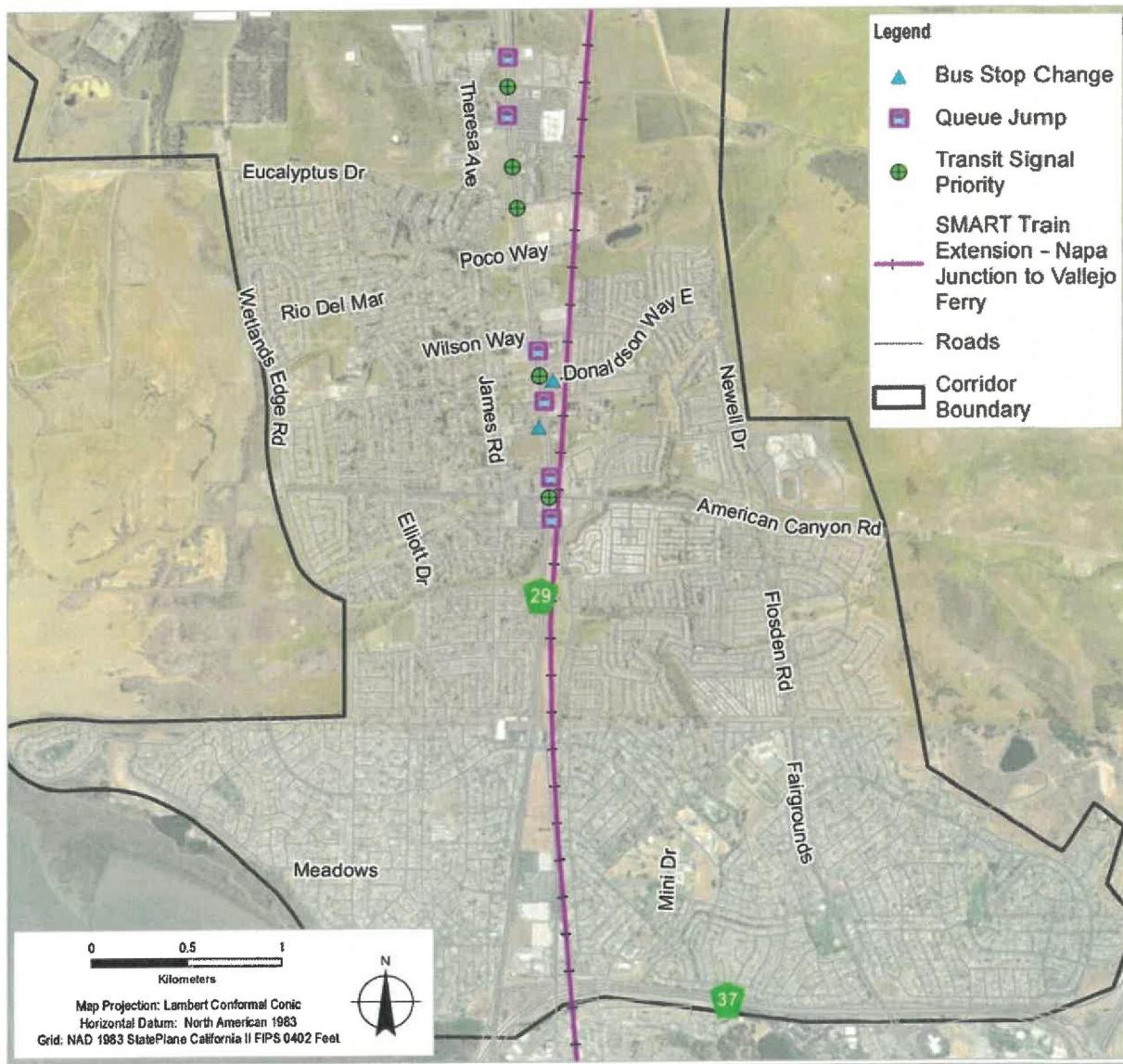
Transit signal priority can reduce travel time and improve reliability by giving priority to buses at intersections. Installation of equipment is needed on buses to activate the signal priority.

### New Transit Stops

As shown on Figure 4-14 below, the SR 29 CMCP includes installation of new transit stops located at the following signalized intersections on SR 29 in the BDSP:

- i. Napa Junction Road
- ii. Donaldson Way
- iii. Eucalyptus Drive
- iv. Crawford Way
- v. Rio Del Mar

**FIGURE 4-14 – TRANSIT IMPROVEMENTS**



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Data source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Created by pthomson

## Attachment 1 Exhibit C2

### Increased Service Frequency

The Route 11X and Route 29 would be served by two new, electric, 40-foot buses, and increased service frequency to 30-minute headways.

### Integrated Corridor Management

Integrated Corridor Management (ICM) uses intelligent transportation systems (ITS) technologies to efficiently and proactively manage people and goods movement in major transportation corridors.

The proposed ICM improvements include:

- Traffic monitoring detectors,
- CCTV Cameras, and
- a Transportation Management Center to facilitate the deployment of the communications systems needed to facilitate the various intelligent transportation systems (ITS) within the ICM package.

Field devices would use wireless communications. Data is transferred to the Traffic Management Center through an internet network over 4G cellular system.

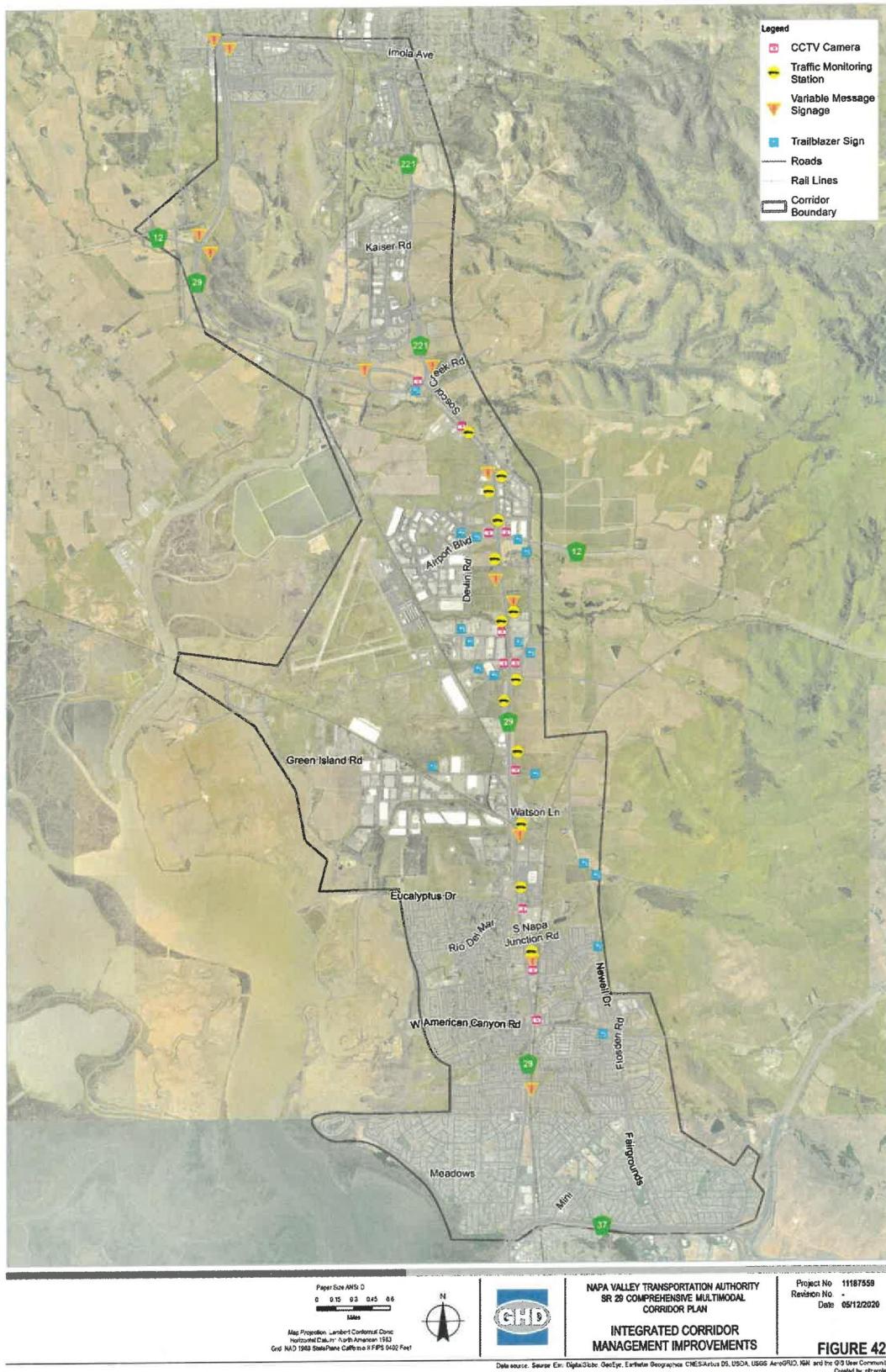
All current and future signalized intersections would be upgraded with traffic sensors/traffic detection; traffic signal controllers; and fiber optic or wireless communication systems at key corridor intersections. These communication devices would allow signalized intersections to be adaptive and allow them to react to changing traffic conditions; monitor traffic conditions in real time, and continuously distribute green time equitably for all traffic movements. Proposed locations of the ICM components discussed below are shown.

**FIGURE 4-15 – INTEGRATED CORRIDOR MANAGEMENT**



## Attachment 1 Exhibit C2

**FIGURE 4-16 – INTEGRATED CORRIDOR MANAGEMENT IMPROVEMENT LOCATIONS**



## *NVTA Maintenance Facility/ Transportation Management Center*

The new NVTA Vine Transit Maintenance facility is proposed to replace the existing facility at 720 Jackson Street. The new facility would be constructed on undeveloped land at the terminus of Sheehy Court, approximately 900 feet west of its intersection with Devlin Road in unincorporated Napa County. The eight-acre site would provide for maintenance for six bays, an administrative building, parking for 74 transit vehicles up to 45 feet long, 75 visitor and employee parking spaces, and the opportunity to host a Transportation Management Center (TMC).

The TMC would be a multiagency project to coordinate transportation communication within the corridor. Further discussion to coordinate logistics of the TMC are required with Caltrans District 4 to prevent regional traffic management friction.

### *Traffic Monitoring Detectors*

Field deployment of traffic monitoring detectors include underground loop and radar detectors. The detectors would monitor traffic conditions and communicate with the TMC for incident management.

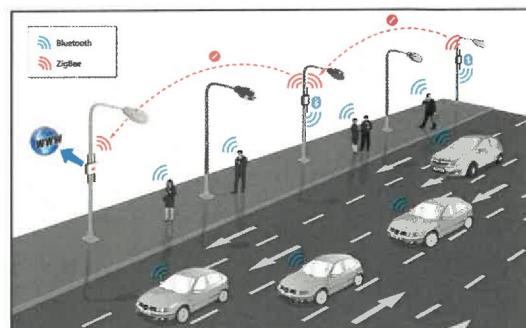
Proposed locations along SR 29 include:

- 1,200 feet south of Kelly Road
- 830 feet north of Donaldson Way
- 200 feet north of Eucalyptus Drive
- Overpass near Paoli Loop Road
- 1,000 feet north of Paoli Loop Road

**FIGURE 4-17 – TRAFFIC MONITORING CENTER**



**FIGURE 4-18 – TRAFFIC MONITORING DETECTORS**



### CCTV Cameras

Closed-circuit television (CCTV) cameras would be used in conjunction with variable message signs and traffic monitoring detectors to monitor and manage traffic conditions throughout the corridor.

FIGURE 4-20 – CCTV CAMERA

Proposed locations along the west side of SR 29 include:

- South Kelly Road

Proposed locations along the east side of SR 29 include:

- American Canyon Road
- Donaldson Way
- Rio Del Mar
- Paoli loop Road
- South Kelly Road
- south of Paoli Loop Road



## 4.8 Parking and Travel Demand Management

### Goals

Improve the functionality, efficiency, and safety of transportation systems in the Plan Area through travel demand management.

Create a more accessible and efficient system of surface parking that will adequately serve area needs.

The following are parking management and Transportation Demand Management (TDM) strategies the City will use to influence and improve parking demand. Each of these strategies has the following primary purpose:

- a. To encourage non-auto access to the Plan Area, while recognizing that not all area residents and patrons will have viable non-auto access alternatives;
- b. To support local businesses by maintaining parking availability in the retail areas; and
- c. To encourage efficient use of the existing transportation systems and facilities.

### Strategies

#### **Nonresidential Transportation Demand Management Program**

Nonresidential Trip Reduction Requirements apply to employers with 50 or more employees. Please see American Canyon Municipal Code Chapter 10.52.

## Residential Transportation Demand Management Program

### A. Applicability.

A Transportation Demand Management (TDM) Program is required of all new residential developments and redevelopments of ten or more units, including residential components of mixed-use developments.

### B. Standards.

(1) All new residential developments and redevelopments of one hundred (100) or more units are required to achieve a minimum of ten (10) points from the menu of TDM strategies.

(2) All new residential developments and redevelopments between ten (10) and ninety-nine (99) units are required to provide TDM strategies that achieve a minimum Proportionate Percentage of 10 points (rounded to the nearest half or whole number) from the menu of TDM strategies.

### C. Menu of TDM Strategies

Transportation Demand Management Strategies		Points Obtained*
<b>Proximity to Transit</b>	Less than 0.25 miles to a transit stop	1
	Less than 0.5 miles to a major transit stop (15-min headway)	5
<b>Affordable Housing</b>	20% Affordable Housing Project	1
	40% Affordable Housing Project	2
	60% Affordable Housing Project	3
	80% Affordable Housing Project	4
	100% Affordable Housing Project	5
<b>Proximity to Commercial Uses</b>	Less than 0.5 miles from: <ol style="list-style-type: none"> <li>1. A shopping center consisting of at least three tenant spaces, or</li> <li>2. Three separate retail/restaurant/service/recreational uses</li> </ol>	1
	Less than 0.25 miles from: <ol style="list-style-type: none"> <li>1. A shopping center consisting of at least three tenant spaces, or</li> <li>2. Three separate retail/restaurant/service/recreational uses</li> </ol>	3
<b>Access Improvements</b>	Close Gaps: Bicycle, Pedestrian, and/or transit access improvements (e.g. bike lanes) across project frontage	3

<b>Bicycle Facilities</b>	Provide an on-site bicycle repair station and secured bicycle parking	1
<b>Wayfinding Station</b>	On-site kiosk or information center with multi-modal wayfinding information and transit information	1
<b>TDM Coordination</b>	On-site TDM Coordinator (can be property manager) offering: multi-modal and wayfinding information, rideshare matching, walking/biking group coordination	1
<b>TDM Communication</b>	Distribution of transit, wayfinding and other TDM informational materials to new residents as they move in and annually to all residents	1
<b>Transit Pass Programs</b>	Provide Clipper (or a comparable program) membership to all residents for the first ten years following project completion	5
<b>Bicycle Share Program</b>	Provide private or public bicycle share memberships to on-site residents	1
<b>Proximity to Bicycle Share</b>	Site is less than 0.5 miles from a bicycle share hub with bicycles available to on-site residents	1
<b>Car Share Program</b>	Providing private or public car share memberships to on-site residents	1
<b>Proximity to Car Share</b>	Less than 0.5 miles from a car share hub with cars available to on-site residents	1

\* If a TDM category has multiple options, only one option/point value can be selected.

#### D. Definitions of TDM Terms

**Affordable Housing Project** – a development project consisting of below market rate housing units.

**Residential** – for the purpose of this program, residential includes all medium, high and very high-density residential developments, including the residential component of a mixed-use project.

**Multi-modal Information** – may consist of information on transit schedules, transit and bike maps, important service change information, real time transit information, biking or walking group organization, rideshare matching, etc.

**Shopping Center** – a group of retail, restaurant, commercial service or recreational uses that are planned, constructed and managed as a total entity.

**Secured Bicycle Parking** - means lockable facilities such as individual lockers or enclosed, locked, limited-access areas for parking of bicycles. Secured bicycle parking may also be known as Class 1 bicycle parking. For residential uses, an enclosed garage assigned to one residential unit meeting the minimum area requirements for a two-car garage is considered one secured bicycle parking space.

**Wayfinding Information** - provide signage for clear directions and walk/bike time to key destinations such as major transit stops, downtown, shops, and major employers.

#### C. Administrative Procedures.

(1) The director of community development shall adopt administrative procedures containing any rules and guidelines necessary or appropriate to achieve compliance with the requirements of this section.

(2) The procedures for compliance documentation shall include, but not be limited to, the following:

(i) Upon submittal of an application for any discretionary planning entitlement (if required) for any covered project, application materials shall include a TDM plan that documents how the development will comply with the requirements of the multi-family TDM Program.

(ii) Upon submittal of an application for a building permit, building plans shall show any physical improvement measures required by the approved TDM plan for the project.

(iii) Prior to final building inspection and occupancy, evidence shall be provided to the director of community development to confirm that all required physical improvements and programmatic measures in the approved TDM plan for the project have been installed or implemented.

#### D. Hardship or Infeasibility Exemption.

If a project applicant believes that circumstances exist presenting an unreasonable hardship to meet the requirements of this section, the applicant may apply for an exemption in their development application. In applying for an exemption, the burden is on the applicant to show significant hardship. The exemption request shall be decided by the approval authority for the development permit. Hardship exemptions shall only be granted in unusual circumstances based upon a showing of good cause and a determination that the public interest is not served by compliance or other compelling circumstances. An unreasonable hardship shall be defined as practical infeasibility, difficulties, or results inconsistent with the general purposes of this chapter.

#### E. TDM Plan Modifications.

Any modification to an approved TDM plan requires a modification permit under Chapter 19.45 of the Municipal Code. A request to modify a TDM plan may only be granted if it is designed to be at least as effective as the original TDM plan in meeting the objectives and purposes of this chapter.

#### F. Appeal.

1. Any decision of the community development director made pursuant to this chapter may be appealed to the planning commission by the applicant or any other person aggrieved by the director's decision. Such appeal may be made by filing a written notice of appeal with the director prior to the time the decision becomes final, on forms furnished by the director. The appeal shall be accompanied by the fee established by the city council.

2. Notice of the hearing on the appeal shall be given in the manner and time provided in this chapter not less than ten days before such hearing to each person entitled to notice of the preceding decision.

3. The commission may affirm wholly or partly, reverse, modify, or attach additional conditions to the decision which was appealed.

F. Permit Issuance. No permit shall be issued prior to the expiration of any appeal period for an entitlement.

### **Parking Management**

Parking is essential to the physical and financial health of the Broadway District, but providing too much parking will conflict with the Specific Plan Goals related to pedestrian access and livability. A well-managed public and private parking supply is critical to the long-term success of the Broadway District.

- 2) Unbundle residential parking as part of an apartment tenant lease or condominium price so the true cost of parking is known to renters and buyers (e.g., apartment managers charge a parking rental fee for more than one resident parking space.) Unbundled parking will help tenants understand the actual cost of parking, and may influence a resident's decision to own a car within the Plan Area.
- 3) Allow reduced parking requirements by sharing parking between adjacent residential and mixed use or commercial developments that balance peak parking demand times.
- 4) Continue to allow reduced parking requirements when a technical analysis shows that the parking demand is less than the code requirements.