

**REGULAR MEETING  
PARKS & OPEN SPACE COMMITTEE  
THURSDAY, MAY 13, 2021, 4:00 PM  
REMOTE WEBINAR VIA ZOOM**

**COVID-19 ADVISORY NOTICE**

Due to Covid concerns and consistent with State Executive Orders No. 25-20 and No. 29-20, the meeting will not be physically open to the public. Members of the Committee and staff will participate in this meeting remotely. Members of the public are encouraged to participate remotely via Zoom or telephone pursuant to the information and link below. Public comment will be accepted during the meeting. The public may also submit comments in advance of the meeting by emailing Christina Cook at: [ccook@cityofbelvedere.org](mailto:ccook@cityofbelvedere.org). Please write "Public Comment" in the subject line. Comments submitted one hour prior to the commencement of the meeting will be presented to the Committee and included in the public record for the meeting. Those received after this time will be added to the record and shared with Committee members after the meeting.

**The City of Belvedere is inviting you to a scheduled Zoom webinar.**

**When: May 13, 2021, 04:00 PM Pacific Time (US and Canada)  
Topic: Parks and Open Space Committee Regular Meeting**

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/86811762170?pwd=Ymd4bnFaT0pRTHpyWnFXcDhOYms3Zz09>

**Passcode: 978723  
Webinar ID: 868 1176 2170**

**877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)**

The City encourages that comments be submitted in advance of the meeting. However, for members of the public using the Zoom video conference function, those who wish to comment on an agenda item should write "I wish to make a public comment" in the chat section of the remote meeting platform. At the appropriate time, City staff will allow oral public comment through the remote meeting platform. Any member of the public who needs special accommodations to access the public meeting should email [ccook@cityofbelvedere.org](mailto:ccook@cityofbelvedere.org), who will use her best efforts to provide assistance.

**REGULAR MEETING  
PARKS & OPEN SPACE COMMITTEE  
THURSDAY, MAY 13, 2021  
4:00 PM  
REMOTE WEBINAR VIA ZOOM**

<b>OPEN FORUM</b>
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*This is an opportunity for any citizen to briefly address the Parks and Open Space Committee on any matter that does not appear on this agenda. Upon being recognized by the Chair, please state your name, address, and limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Committee consideration may be agendaized for further discussion at a later meeting.*

<b>SCHEDULED ITEMS</b>
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1. Approve minutes of March 11, 2021 Regular Meeting
2. Comments from the Chair, Bryan Kemnitzer.
3. Report from Robert Zadnik, Public Works Director.

Old Business:

4. Discussion and possible action regarding planting projects along Lagoon Road.
5. Continued discussion and possible action regarding TVV survey and progress.
6. Update and discussion on the status of Fletcher Design with regard to Artist's View.
7. Continued discussion and possible motion regarding a recommendation to City Council to amend Administrative Policy Manual 20.3 - Guidelines for Public Memorials.

New Business

8. Review of existing policies for use of Community Park with regard to sports activities; consider a motion to recommend that City Council amend or develop city policies to limit specific sport activities in Community Park.

Posted 05/10/2021

**REGULAR MEETING  
PARKS AND OPEN SPACE COMMITTEE  
THURSDAY, March 11<sup>th</sup>, 2021, 4:00 PM  
REMOTE WEBINAR VIA ZOOM**

**MINUTES**

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**COMMITTEE PRESENT:** Chair Bryan Kemnitzer, Anne-Marie Walker, Jena Watson, Jean Bordon, Kathy Pearson, Mario Valente, and Carolyn Lund

**COMMITTEE ABSENT:** None

**OTHERS PRESENT:** Public Works Director Robert Zadnik, Council Liaison and Mayor James Campbell, Office Coordinator Christina Cook

*These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available on the City website at [www.cityofbelvedere.org](http://www.cityofbelvedere.org)*

**CALL TO ORDER OF REGULAR MEETING**

The meeting was called to order at 4:00 PM.  
Chair Kemnitzer read the COVID-19 disclaimer and special instructions for Zoom webinars.

**ROLL CALL**

Roll call was taken by Public Works Director Zadnik. Committee Member Watson signed in at 4:06 PM.

**OPEN FORUM**

William Rothman wished to speak. He hoped everyone read the email from City Manager Middleton stating that every item on the agenda must have a time for public comment according to the Brown Act. Mr. Rothman then explained his reasons for being inside the playground.

That was the only request to speak.

**SCHEDULED ITEMS**

**1. Approve minutes of January 14, 2021 regular meeting.**

Chair Kemnitzer called for Committee and Public Comment, there was none.

**MOTION:** Committee Member Pearson made motion to approve, Committee Member Walker seconded the motion, and Director Zadnik took roll call.

**AYES:** Kemnitzer, Pearson, Bordon, Walker, Watson, Valente, and Lund

**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

2. **Approve minutes of February 23, 2021 special meeting.**

Chair Kemnitzer called for Public Comment, there was none.

**MOTION:** Committee Member Valente made motion to approve, Committee Member Pearson seconded the motion, and Director Zadnik took roll call.

**AYES:** Kemnitzer, Pearson, Bordon, Walker, Watson, Valente, and Lund  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

3. **Comments from the Chair, Bryan Kemnitzer.**

There was no comment from the Chair. He stated that he would comment on scheduled items during the appropriate scheduled item.

No public comment.

4. **Report from Robert Zadnik, Public Works Director.**

Director Zadnik reported that the City has received a request from MMWD to install a buried water line through Tom Price Park for the purposes of fire safety. The line would be extended from Tiburon and relocated through the park to provide easier access and maintenance. First, the district would need to secure an easement from the City which would require City Council approval.

He continued by stating that an easement is a transfer of usability and ownership of land, which generally precludes any future development of the project site—i.e. permanent structures. He stated that the district would have to provide just compensation including an easement appraisal in their proposal to City Council; compensation may be in the form of additional water meters or water entitlements. He concluded that this is an informational item that would probably go directly to City Council.

Director Zadnik then moved on to the next item. He advised Committee Members there will likely be an upcoming request from a resident to install a little library in the City right of way. This will most likely be at a location on Beach Road or in a City park. Both the Parks and Open Space Committee and the Planning Commission will be involved in the process. Committee Member Watson mentioned two other existing little libraries that are located around the Island. A third location was mentioned as well.

Committee Member Walker questioned the water line item and asked how deep the trench for the water line would be. Director Zadnik answered that the width of the easement is 10' and the depth of the water line is between 6'-10'. She also wanted to know if any existing trees would be harmed. Director Zadnik gave a brief outline of the district's plan. Committee Member Walker then was wondering why the district needs a new line. Director Zadnik explained it will be the replacement of a dilapidated fire line that serves the Peninsula and Belvedere Island; relocation of the line through the park would make it easier to maintain in the future. Member Watson suggested the District could route the line down bike path, perpendicular to Tiburon Blvd. Committee Member Walker asked why

there is no water tank at the top of Belvedere Island. Director Zadnik explained that there are sufficient tanks in Tiburon to supply Belvedere.

There were no committee comments.

Chair Kemnitzer called for Public Comment. William Rothman spoke about the request from MMDW to replace a water line in Tom Price Park. He urged that when City Staff speaks with MMDW to ask them to install earthquake resistant pipes. His was the only public comment.

**5. Continued discussion and possible action regarding TVV survey and progress.**

Chair Kemnitzer asked Committee Member Walker to make a report. Committee Member Walker said she would focus mainly on the consequences of failure to remove dead trees. She began with actions taken at the January 2021 meeting of this committee. At that meeting the Committee adopted unanimously the recommendations of the TVV Task Force and moved to have the items presented to City Council. The committee also accepted authorization to work with the Department of Public Works, City Staff, other City committees and volunteers to implement actionable items. Since that meeting there has been one notable action taken by the Tiburon Fire Marshall to clear dead trees and broom at property located near Crest Road and Madrona Avenue. Regarding the remaining trees on the TVV survey are that are still not acted upon, Committee Member Walker gave a comprehensive research-based report about the consequences of failure to remove dead trees. She spoke of the hazards to trees from pathogens and pests and how to handle them.

Mayor Campbell commented that he was saddened to hear the pear tree by City Hall is diseased as it is one of the oldest cultivated trees remaining on the island. He then thanked Committee Member Walker for her report and stated that he thought her report topic about the removal of Bay trees should be further investigated. Committee Member Walker shared updated information on the Bay Tree location distances relating to Oak trees.

Committee Member Bordon asked if the committee was going to formalize waiving the permit fee to remove hazardous and dead trees. Chair Kemnitzer mentioned that there is an existing exemption form that is available, and that form is approved through the Planning Department.

Chair Kemnitzer called for public comments. There were none.

**6. Continued discussion and possible action regarding request to installed additional benches in Tom Price Park; consider a recommendation to City Council to amend Administrative Policy Manual 20.3, Moratorium on Installations.**

Chair Kemnitzer provided a report on two issues: 1) The installation location of the benches at Tom Price Park and 2) The City's Administrative Policy Manual addressing new benches. He then opened the item up for Committee discussion. Committee Member Pearson asked for clarification of the install location of the benches in Tom Price Park. Chair Kemnitzer state that the locations have not been decided, but final approval would have to come from the Planning Department. Committee Member Walker suggested a joint celebration of the City's 125<sup>th</sup> anniversary and the bench installations. There was conversation regarding the style of the new benches, and Mayor Campbell suggested that in Parks and Open Space records there is a standardized style of bench that was adopted.

Chair Kemnitzer called for public comment. Sue Hoeschler spoke about dogs with regard to best bench locations at Tom Price park.

**MOTION:** Committee Member Bordon made a motion to accept the donation from the Belvedere Community Foundation of two benches and installation at the north end of Tom Price park. Committee Member Pearson seconded. The motion passed unanimously. Director Zadnik took roll call.

**AYES:** Kemnitzer, Pearson, Bordon, Walker, Watson, Valente, and Lund

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

Discussion continued by Committee Members and Mayor Campbell to amend the municipal code with regard to replacing memorial plaques on playground equipment. No motion was made; however, it was decided that Chair Kemnitzer and Committee Member Bordon would discuss and agendaize an item about the memorial policy at the next meeting.


7. **Review and consider a recommendation to City Council to adopt certain Marin County Municipal Code sections concerning regulations and use of Open Space land.**

There was no discussion.

Chair called for public comment, there was none.

**ADJOURNMENT**

The meeting was adjourned at 6:09 PM by a unanimous vote.

	<b>CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL</b>		
	<b>POLICY 20.3 GUIDELINES FOR PUBLIC MEMORIALS</b>		
<b>Adoption Date:</b>	6/8/2009 <sup>1</sup>	<b>Adopted by:</b>	City Council Motion
<b>Revised Date:</b>	3/11/2013 <sup>2</sup> 3/11/2019 8/10/2020 <sup>3</sup>	<b>Revised by:</b>	City Council Resolution No. 2013-07 City Council Resolution No. 2019-04 City Council Motion (Item 12)
<b>Authority:</b>	City Council		

### **20.3.1 PURPOSE**

This policy was created to assist the Belvedere Parks and Open Space Committee in standardizing approvals for memorial and dedicatory installations in public places within the City. Considering the visual aesthetics, placement and long-term maintenance, guidelines are set for appropriate management of pending sites.

### **20.3.2 APPROVAL REQUIRED FOR INSTALLATIONS IN PUBLIC PLACES**

Installations donated to the City, including any dedicatory monuments or plaques and the wording thereon, must first be ~~approved~~ **recommended for approval** by the Belvedere Parks and Open Space Committee in conjunction with the City staff. Requests should be submitted in writing to the ~~Parks and Open Space Department.~~ **Department of Public Works.**

### **20.3.3 REPLACEMENT OF INSTALLATIONS**

Installations that suffer deterioration with the passage of time so that they no longer present a neat appearance and/or lose their functionality may be replaced or relocated by the ~~City Parks and Open Space Committee~~ **at its discretion.** Department of Public Works staff will attempt to notify the original donor in writing, **at their last known address,** to facilitate a timely replacement or relocation if so desired. ~~at their last known address.~~

### **20.3.4 CRITERIA FOR NEW INSTALLATIONS**

**The Belvedere Parks and Open Space Committee will consider whether or not to recommend approval of new installations in a case-by-case basis considering the need, location, type of installation, vicinity, placement, design and long-term maintenance requirements.**

- A. Honorees. Persons honored must be present or past residents of Belvedere. No pets or other animals shall be honored in this manner. Lanes will not be named after persons.

- B. Types of Installations. The following items ~~will be reviewed and accepted~~ are **examples of types of installations which will be considered** on a case-by-case basis:
1. City-approved structures or landscape project.
  2. Trees named as part of a City-approved landscape project.
  3. Lanes: reopening; redesign or repair; installation of handrails.
- C. Donor Plaques. The design of the plaques used on new installations, maintenance, or replacement installations will be ~~(determined) provided~~ **considered on a case-by-case basis** by the Parks and Open Space Committee.
1. ~~The standard plaque installation for maintenance of or replacement of existing benches consists of a brass plate, 1/4 to 1/8 inch thick, or thinner where possible, with text that is clearly legible~~
  2. ~~Step discs lanes.~~
  3. ~~Other recognition plaques.~~
- D. Locations. The Parks and Open Space Committee shall maintain, in the office of the City Clerk, a list of suggested locations and installation types.
- E. Installations Subject to Design Review. All installations shall be subject to the City's Design Review standards and review process.

### ~~20.3.5 MORATORIUM ON INSTALLATIONS~~

- ~~A. The Belvedere Parks and Open Space Committee has created a moratorium on installations within the Belvedere Community Park playground.~~
- ~~B. The Belvedere Parks and Open Space Committee has created a moratorium on the installation of new benches within the parks and open spaces of the City except replacement of benches if original donor is not available or in the case of unnamed benches.~~

<sup>1</sup> Recommended by the Parks & Open Space Committee 5/7/2009

<sup>2</sup> Recommended by the Parks & Open Space Committee in 2012

<sup>3</sup> Recommended by the Parks & Open Space Committee in 2020





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# CITY OF BELVEDERE

## Memorandum

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**TO:** Belvedere Parks and Open Space Committee

**FROM:** Robert Zadnik, Public Works Director

**SUBJECT:** **Review of Community Park recreation and use.**

**DATE:** May 13<sup>th</sup>, 2021

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Dear Committee,

The resident of 3 Community Road has repeatedly voiced concerns about high-speed ball sports being played in Community Park. Due to Covid, players and coaches are utilizing the north-west end of the Park (main grass area) to practice lacrosse and baseball. During the course of these activities, balls have repeatedly entered the yard of 3 Community Road, and on one occasion Belvedere PD has responded to a broken window. The resident has requested that the City take action to prevent dangerous sport activities from being played in this area.

Over the last few months, Public Works has removed several of the temporary ball-stops (nets), and PD has increased outreach to the lacrosse players, asking them to relocate to Tom Price Park or an appropriate location in Tiburon. Unfortunately, without clear policies on park use, Belvedere PD can only request these players relocate. To date, this outreach has not been enough to discourage these sports activities altogether.

Our current policies surrounding use of this park are vague. The City's Special Event Permit speaks mainly towards types of non-profit and vendor activities that are acceptable; it does not cover recreational sports. The city's zoning (R) of Community Park allows for a variety of recreational activities; however, it is up to each jurisdiction to further define what is acceptable use. The purpose of including this item on the May Agenda is to make the Committee aware of the issue and ask for recommendations regarding a preferred approach.

### **Alternatives**

There are different ways to approach this issue:

- Consider providing direction to staff to develop policies regulating the use of this area with regard to specific sports or classifications of sports (for example hard-ball or fast-ball). As example, skateboards are currently restricted under section 10.68.010 of the Municipal Code.

- Extend the existing chain-link ball stop along the perimeter of the property line. \*Note, there would be a significant cost associated with this modification.
- Recommend the tenant and property owner work with the Planning Department to erect netting or plantings on their property.

**Attachments:**

- Site photo
- O and R Zoning definitions
- Special Event Permit
- Skateboard Ordinance 10.68.010



19.12.030 Criteria for zone boundary interpretation. Where uncertainty exists as to the boundary of any zone shown on the zoning map, the following rules shall apply:

A. Where a zone boundary is indicated as approximately following a street, alley or highway, the centerline of the street, alley, or highway shall be construed to be the zone boundary.

B. Where a zone boundary is indicated as approximately following the dividing line between land and water, such line shall be construed to be the mean high water line.

C. Where a boundary line follows or coincides approximately with a lot line or a property ownership line, it shall be construed as following the lot line or property ownership line.

D. Where a boundary of a zone follows approximately the City limit line, such line shall be construed to be at the limit of the jurisdiction of the City, unless otherwise indicated.

E. Where uncertainty exists, the Planning Commission, upon written application therefor or on its own motion, shall determine the location of the boundary in question, giving consideration to the location and scale indicated on the zoning map, any legal descriptions from which the zoning map was prepared, and the objectives of the zoning regulations and the purposes set forth therein. In case of doubt as to the exact location, the zoning regulations of the more restrictive adjoining zone shall govern.

F. Zone boundaries shall extend vertically upward and downward from the existing or finished grade. (Ord. 89-1 § 1 (part), 1989.)

## Chapter 19.16

### O ZONE

Sections:

- 19.16.010 Purpose
- 19.16.020 Permitted uses.
- 19.16.030 Uses permitted under permit.
- 19.16.040 Prohibited uses.
- 19.16.050 Development standards.

19.16.010 Purpose. The open space scenic zone or zones shall include therein from time to time by amendment to the official zoning map such land as is voluntarily designated and dedicated by its owner, public or private, to be used in perpetuity for the natural scenic open space purposes hereinafter set forth. Such land includes a land or water area that is essentially unimproved or in its natural state and which possesses outstanding scenic qualities worthy of preservation. (Ord. 89-1 § 1 (part), 1989.)

19.16.020 Permitted uses. The following uses are permitted in the O zone:

- A. Enjoyment of natural scenic beauty;
- B. Wildlife habitat;

C. Public and private gardens, paths and uncovered walkways and like uses consistent with preservation of natural scenic beauty. (Ord. 89-1 § 1 (part), 1989.)

19.16.030 Uses permitted under permit. The following uses are permitted in the O zone with a use permit from the Planning Commission:

- A. Outdoor recreational use, including parks and beaches-and like uses consistent with preservation of natural scenic beauty;
- B. Public utility facilities below ground. (Ord. 89-1 § 1 (part), 1989.)

19.16.040 Prohibited uses. The following uses are prohibited in the O zone: Any and all uses, structures and improvements not specifically mentioned in Sections 19.16.020 and 19.16.030. (Ord. 89-1 § 1 (part), 1989.)

19.16.050 Development standards. For any development permitted in the O zone, all standards relative to setbacks, heights, sizes of parcels or lots, size, location and bulk of structures and other design criteria shall be determined by the Planning Commission through the design review process as outlined in Title 20 of this Code. (Ord. 89-1 § 1 (part), 1989.)

## Chapter 19.20

### R ZONE

#### Sections:

- 19.20.010 Permitted uses.
- 19.20.020 Uses permitted under permit.
- 19.20.030 Prohibited uses.
- 19.20.035 Summary of development standards—R zone.
- 19.20.040 Design review required.

19.20.010 Permitted uses. The following uses are permitted in the R zone:

- A. Any public or private recreational use, including any beach, park, playground, boardwalk, esplanade, open walk, path, pier, wharf or other facilities for boats; provided, however, that construction of any new structure, or alteration, extension, enlargement or movement of any existing structure, shall only be permitted if authorized by the use permit specifically mentioned in Section 19.20.020;
- B. All uses permitted in the O zone.
- C. Emergency housing for up to three (3) beds. (Ord. 2011-4 § 21, 2011; Ord. 89-1 § 1 (part), 1989.)

19.20.020 Uses permitted under permit. The following uses are permitted in the R zone with a use permit from the Planning Commission:

A. New construction, or alteration, enlargement, extension, or moving of any building or other structure for any use relevant to any use described in Section 19.20.010 of this Chapter, which use permit shall specify in each case the permitted lot coverage, setback, yard and height requirements therefor;

B. Electric substations and other public utility facilities;

C. Public buildings, parks and playgrounds;

D. Club buildings. (Ord. 89-1 § 1 (part), 1989.)

19.20.030 Prohibited uses. The following uses are prohibited in the R zone: All uses and all buildings and structures not specifically mentioned in Sections 19.20.010 and 19.20.020 of this Chapter. (Ord. 89-1 § 1 (part), 1989.)

19.20.035 Summary of development standards—R zone. The following summarizes the standards that shall apply to development in the R zone for emergency housing. For all regulations concerning the determination and measurement of slope, height, setbacks, floor area ratio and other development standards, see Chapters 19.44 through 19.68 of this Title.

<b>Minimum</b>	lot size	6,000 square feet
	lot width	60 foot average
	lot frontage	60 feet
<b>Lot area/unit</b>	3 or fewer beds	4,000 square feet
<b>Front yard setback</b>	Building less than 15 feet high within first 40 feet from front property line	5 feet
	Building less than 25 feet high within first 40 feet	10 feet
	Building over 25 feet high within first 40 feet	15 feet
<b>Side yard setback</b>	For buildings 15 feet high or less in height	5 feet
	For buildings 16-25 feet high	10 feet
	For buildings over 25 feet high	15 feet
<b>Rear yard setback</b>	Abutting another lot	20 feet
	Abutting a street	15 feet
	Abutting water, an alley or private way	10 feet
<b>Maximum lot coverage</b>	40 percent	
<b>Maximum Height</b>	28 feet	
<b>Usable open space</b>	300 square feet/unit/public	
	450 square feet/unit/private	

<b>Off-street parking</b>	One parking space per bed.
<b>Maximum number of beds or persons to be served nightly</b>	3
<b>Siting</b>	No emergency housing may be built on an inundated parcel or any parcel which is partially inundated by water.

(Ord. 2011-4 § 22, 2011)

19.20.040 Design review required. All new structures, and all exterior remodeling, alteration, addition or other construction, including retaining walls, swimming pools, or fences or barriers of any kind and the like shall be subject to the Design Review process as required in Title 20 of this Code. (Ord. 2018-7 § 3, 2018; Ord. 89-1 § 1 (part), 1989.)

Chapter 19.24

R-1 ZONES

Sections:

- 19.24.010 Permitted uses.
- 19.24.020 Uses permitted under permit.
- 19.24.030 Prohibited uses.
- 19.24.040 Summary of development standards—R-1C zone (Corinthian Island).
- 19.24.050 Summary of development standards—R-1L zone (Lagoon Area).
- 19.24.060 Summary of development standards—R-1W zone (West Shore Road area).
- 19.24.070 Design review required.

19.24.010 Permitted uses. The following uses are permitted in the R-1 zones:

- A. Single-family dwellings;
- B. Accessory Dwelling Units and Junior Accessory Dwelling Units;
- C. Accessory uses to single-family dwellings, including private garages, private greenhouses, guest houses and servants’ quarters; provided that no person shall use or maintain a single-family dwelling primarily to provide meeting or entertainment facilities;
- D. The office of any profession in any dwelling when used solely by a resident in such dwelling; provided, that such office is not regularly or customarily used for treatment of patients or interviews with clients or customers, and no person who is not a resident of such dwelling shall be employed in such office;
- E. Structures, facilities and uses relating to or convenient or necessary for any function of municipal government;
- F. Transitional and supportive housing facilities;

## City of Belvedere

450 San Rafael Avenue • Belvedere, California 94920

Phone 435-3838 Fax 435-0430

www.cityofbelvedere.org

### SPECIAL EVENT PERMIT

**The purpose of the Special Event Permit is to ensure that groups and individuals planning an event that will be held on or pass through public land or streets have public liability insurance and any other permits and licenses that may be required.**

**This permit does not serve as a reservation for use of Belvedere's Community Park. Groups and individuals may use Community Park on a first come, first served basis provided the park is not in use for City of Belvedere or Recreation Department sponsored events and camps.**

**Location:** Community Park: 450 San Rafael Avenue and Community Road (adjacent to Belvedere City Hall) or any other specified public area that may be requested.

**Hours:** The City of Belvedere park facilities are open daily to the general public from sunrise to sunset.

#### WHO MUST APPLY

- 1) Any group or individual organizing an event that is **open to the public** that will be held on or pass through public land or streets. Types of events may include but are not limited to fairs, house tours, block parties, and parades. An encroachment permit may be required if streets or areas are to be encroached upon.
- 2) Any group or individual organizing an event regardless of whether it is public or private where **equipment will be used or services will be rendered** on public land. Equipment and services to be used may include but are not limited to tents, pony rides, educational animal programs, music, food carts, barbeques, or other forms of entertainment.

#### RESTRICTIONS

- 1) Public land and parks cannot be used for private gain.
- 2) Bounce machines, generators and amplified music are not permitted.
- 3) Pony rides on turf areas are not allowed.





## **INSURANCE REQUIREMENT**

Special Event Permit applicants agree to provide public liability insurance in the amount of \$500,000, with the City of Belvedere and its agents named as additional insured to protect the applicant and government entity from loss, claim, liabilities, or damages and/or injuries to property or persons attending the event. Proof of insurance must be submitted in order for the Special Event permit to be issued.

### **How to obtain proof of insurance –**

- 1) Contacting your homeowner's insurance and requesting an "additional insured special event endorsement" may meet this requirement.

**A certificate showing only that you have homeowner's insurance is not sufficient.**

- 2) Special Event Insurance can also be purchased through the Belvedere-Tiburon Joint Recreation Department at 435-4355 (1505 Tiburon Blvd, Tiburon Town Hall)

## **VENDORS**

Vendors who provide services at events (entertainers, caterers, etc.) must possess a City of Belvedere Business License. Refer vendors to the City of Belvedere at 435-3838 if they do not have a business license.

## **USE OF BELVEDERE COMMUNITY PARK**

**BBQ's:** When barbecuing at the park, the used coals must be completely extinguished and then removed entirely from the park, to be disposed of in a manner that ensures the safety of the area. Charcoal is not to be disposed of in the park's trash containers or in the City dumpster.

**Pets/Animals:** Currently there is no leash law for the Park. However, pets must be under the immediate control of their owners at all times. Owners are responsible for cleaning up after their animals. Any animal included in activities, i.e., a pony, must be cleaned up after.

# City of Belvedere

## Special Event Permit Application Process

**For questions pertaining to the permit process, contact the City of Belvedere at 435-3838.**

**1) Fax or mail your completed form to:**

**City of Belvedere –Attention Public Works  
450 San Rafael Avenue  
Belvedere CA 94920  
Fax: (415) 435-0430**

**2) The Public Works Superintendent reviews the permit.**

**3) The Public Works Superintendent issues an encroachment permit, if required.**

**4) It is confirmed that vendors/service providers (if any) have a City of Belvedere Business License.**

**5) The applicant secures special event insurance.**

**Note: If insurance is to be purchased through Belvedere Tiburon Recreation, contact Jessica Hotchkiss at The Ranch Offices, 600 Ned’s Way Tiburon (435-4355)**

**OR**

**Proof of acceptable private policy insurance is submitted by the applicant.**

**6) Public Works Superintendent issues Special Event Permit.**

**Date of Event:** \_\_\_\_\_ **Time: Start** \_\_\_\_\_ **End** \_\_\_\_\_

**Address of Event:** \_\_\_\_\_

**Type of Event:** \_\_\_\_\_

**Name of Individual or Sponsoring Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Home Phone:** \_\_\_\_\_ **Work Phone:** \_\_\_\_\_

**Fax Number:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**Number of people anticipated: Minimum** \_\_\_\_\_ **Maximum** \_\_\_\_\_

***Please answer the following questions relating to your event:***

Are you representing a non-profit organization? Yes \_\_\_ No \_\_\_

If so, what is the non-profit number? \_\_\_\_\_

Is the event open to the public or private? Public \_\_\_\_\_ Private \_\_\_\_\_

Will admission be charged or fees be collected in advance? Yes \_\_\_ No \_\_\_

Will alcoholic beverages be served? Yes \_\_\_ No \_\_\_

Will alcoholic beverages be sold? Yes \_\_\_ No \_\_\_

Is so, please provide the ABC permit # \_\_\_\_\_

***Please describe your plan for the following: (Attach separate sheets if necessary)***

Equipment (including BBQ's, tables, chairs):

Parking:

Street Blockage or Closure:

Clean-up:

Recycling (Required by the City of Belvedere):

First Aid:

List Vendors / Service Providers – Name, Address, Phone, and current year Belvedere Business License Number (required):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
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**INDEMNIFICATION**

Permittee shall indemnify, release, defend and hold harmless the City, its officers, agents, employees and volunteers against any and all claims, demands, suits, losses, liabilities or expenses of any kind, including attorney's fees and administrative costs to the extent caused, arising out of or resulting in any way, or in part, from the negligent acts or omissions or willful misconduct of Permittee, its officers, agents, employees, or contractors, in connection with the Permittee's duties or obligations under this Permit, or the Permittee's use of the City's property or right-of-way, excluding any such liability caused by the sole active negligence or willful misconduct by the City. This indemnification shall survive any termination of this Permit. Permittee shall defend, indemnify, release and hold harmless the City, its officers, agents, employees, and volunteers, from any loss, liability or damage arising from any claim, action or proceeding seeking to attack, set aside, void or annul the City's approval of the Permittee's use of the City's property or right- of-way pursuant to this permit.

**MANDATORY ARBITRATION OF CLAIMS AGAINST CITY**

It is hereby expressly understood that any claim asserted against the City by the undersigned participant, either on behalf of him/herself or on behalf of another person, on account of bodily injury, mental disturbance, death or property damage, sustained as a result of, or for any reason connected with the use of the City property, facilities, or programs pursuant to this rental contract will be determined by submission to arbitration as provided by California law, and not by a lawsuit or resort to court proceedings. **The City and the undersigned by execution of this contract are giving up their constitutional right to have any dispute decided in a court of law before a jury and instead are accepting the use of arbitration.**

Applicant's Printed Name & Signature \_\_\_\_\_  
Date \_\_\_\_\_

For office use only:

**Approval Process**

Date Application Received _____	Date Insurance Verified _____
Encroachment Permit Issued _____	Date _____
Police Notified _____	Date _____

**APPROVED BY DPW** \_\_\_\_\_  
Signature Date

Chapter 10.68

SKATEBOARDS

Sections:

10.68.010 Restrictions on use.

10.68.010 Restrictions on use. It is unlawful for any person upon a skateboard to go upon any roadway in the City in violation of the following restrictions:

- A. Such use shall not occur between the hours of sunset and sunrise.
- B. No person shall ride a skateboard upon any sidewalk in such a manner as to pose a hazard to pedestrian traffic.
- C. Persons riding skateboards shall ride as near to the right side of the roadway as practicable.
- D. No person shall ride a skateboard in any position other than standing on the board.
- E. No person riding a skateboard shall attach the same or himself to any other moving vehicle.
- F. Except as hereinabove provided, any person riding a skateboard shall be subject to all of the duties applicable to the driver of a vehicle under the California Vehicle Code, except those provisions which, by their very nature, can have no application. (Ord. 85-2 § 1 (part), 1985.)

## TVV Update and Action Items from Anne-Marie Walker

Bryan asked me to make a report on items on TVV list that can be brought forward as items that members of the Parks and Open Space can rally around and work on.

Here are some of the recommendations POSC voted on in January, 2021 to send to City Council that I believe can be worked on now even before City Council's direction:

### **Actions to Accomplish Fuel Load Reduction and Public Education Recommendations:**

- Increase municipal funding for removal of dead trees and highly flammable invasive vegetation on public land. Action by DPW to increase budget allocation.
- Notice properties with dead trees (refer to TVV Task Force dead tree list) and require removal of hazards to ensure public safety. Action item for TVV Task Force and City Staff.
- Identify the areas of the City at highest risk to establish priority order for fuel load reduction. Action item for TFD and Parks and TVV Task Force.
- Make a link on City website to [http://marinmg.ucanr.edu/Fire-smart\\_Landscaping/](http://marinmg.ucanr.edu/Fire-smart_Landscaping/) Action item for City Staff.
- Hold educative information sessions taught by the Fire Marshal about defensible space practices. Action item for TFD and TVV Task Force
- Encourage periodic Neighborhood inspections (every 2 years) with more effective enforcement methodology. Action item for TFD and TVV Task Force.
- Advertise Chipper Days on City website. Action item for TFD and City Staff.

### **Invasive Plant Removal:**

- Partner with the Tiburon Fire Department (TFD) to clear evacuation routes in Belvedere just as TFD currently does in Tiburon. Action item for TFD and Lanes Task Force.
- Establish municipal volunteer programs for both Youth and Residents for community led efforts to remove invasive plants. Model after St. Hillary's/Tiburon Broom Busters (organized by Marin Open Space) and Presidio's Habitat Stewards (organized by Golden Gate National Recreation Area). Action item for TVV Task Force.
- Work with TFD to remove high fire danger plants such as Acacia, pampas grass, broom, and Echium candicans from public spaces with effort funded by new fee to be added to building permits. Action item with TVV Task Force and DPW.
- Suggest Design Review and Planning require new landscaping plans include removal of invasive plants from entire parcels. Action item with TVV Task Force and City Staff.

### **View Restoration and Existing View Preservation:**

- The TVV Task Force strongly recommends the City encourage residents to recognize the importance of water views to all residents. Action item for TVV Task Force and City Staff.
- Survey references 8 impaired Views. Notice homeowners to correct. Action item for TVV Task Force and City Staff.

Encourage homeowners to conduct periodic compliance reviews (every 2 years) including compliance with conditions of project approval. Action item for TVV Task Force, Design Review and City Staff

I would recommend we secure a member of Parks and Open Space Committee to lead effort on each of highlighted action items above. We can send this out with the Agenda. If I were to nominate a person from POSC for each of the above action items they would be as follows:

**Fuel Load Reduction: Jena Watson**

**Invasive Plant Removal: Mario Valente**

**View Restoration: Kathy Pearson**

**Thanks,  
Anne-Marie**