

**AGENDA – REULAR MEETING  
BELVEDERE CITY COUNCIL  
JUNE 13, 2022, 6:30 P.M.  
REMOTE MEETING**

On March 3, 2020, Governor Newsom proclaimed a State of Emergency due to the COVID-19 pandemic that remains in effect. This meeting will be held remotely consistent with Executive Order N-29-20 and Assembly Bill 361, modifying provisions of the Brown Act to allow remote meetings at the current time.

Members of the public are encouraged to participate remotely via Zoom or telephone pursuant to the information and link below. The Council will take public comment by email or by speaking at the meeting. Members of the public are entitled to provide public comment once on each agenda item when it is called. Those who wish to comment on an agenda item during the meeting should use the “raise hand” function or should write “I wish to make a public comment” in the chat section. If you have called into the meeting and wish to speak, please press \*9. Council will not entertain comments made in the chat function. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes.

The public may also submit comments in advance of the meeting by emailing the City Clerk at: [clerk@cityofbelvedere.org](mailto:clerk@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 City Council and included in the public record for the meeting.

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

**Topic: Belvedere Regular City Council Meeting**

**Time: June 13, 2022, 6:30 P.M.**

**Join Zoom Meeting:**

**<https://us02web.zoom.us/j/88177815116?pwd=a2tWWHQzQ3ZIenF5c1ZuenhEZXU1dz09>**

**Webinar ID: 881 7781 5116**

**Passcode: 715560**

**877 853 5247 US Toll-free**

**888 788 0099 US Toll-free**

**AGENDA – REGULAR MEETING  
BELVEDERE CITY COUNCIL  
JUNE 13, 2022, 6:30 P.M.  
REMOTE MEETING**

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**COMMENTS ON AGENDA ITEMS BY MEMBERS OF THE AUDIENCE**

*Members of the public are encouraged to participate remotely via Zoom or telephone. The Council will take public comment by email or by speaking at the meeting. Members of the public are entitled to provide public comment once on each agenda item when it is called. Those who wish to comment on an agenda item during the meeting should use the “raise hand” function or should write “I wish to make a public comment” in the chat section. If you have called into the meeting and wish to speak, please press \*9. Council will not entertain comments made in the chat function. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes. The Council welcomes comments raised by interested citizens but typically does not respond during the comment period.*

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**6:30 PM      CALL TO ORDER**

**OPEN FORUM**

*This is an opportunity for any citizen to briefly address the City Council on any matter that does not appear on this agenda. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Council consideration may be placed on the agenda for further discussion at a later meeting.*

**REPORTS & PRESENTATIONS**

1. City Council reports.
2. City Manager report.
3. Swearing in of new Police Officer Caitlin Cullen by Police Chief Jason Wu.

**CONSENT CALENDAR**

*The Consent Calendar consists of items that the City Council considers to be routine, or Council has discussed previously and do not require further discussion. Unless any item is specifically removed by any member of the City Council, staff, or the public, the Consent Calendar will be adopted by one motion. Items removed will be considered in the sequence as they appear below. If any member of the public wishes to have an item removed, please raise your hand when called and indicate the item.*

4. Approve minutes of the May 9, 2022, regular meeting.
5. Adoption of a Resolution establishing the Gann (Proposition 4) appropriations limit for Fiscal Year 2022/2023.
6. Adoption of an Ordinance amending title 9 of the Belvedere Municipal Code by adding chapter 9.80, “Parks and Community Center,” regulating the use of Belvedere parks and Community Center.
7. Approve a revocable license for proposed private improvements in the City street right-of-way along Britton Avenue for the property at 7 Britton Avenue.

8. Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only (Standard procedural item – no backup information provided).

## PUBLIC HEARING

9. Discussion and possible adoption of a Resolution of the City Council of the City of Belvedere calling for and giving notice of the holding of a General Municipal Election of November 8, 2022, to: (1) elect three Councilmembers and (2) submit to the voters of the City a measure to authorize adoption of a city charter and a real property transfer tax; and requesting that the Board of Supervisors of the County of Marin consolidate said election with the Statewide General Election to be held the same date.

*Staff Recommendation: Adopt the Resolution.*

10. Introduction & first reading of an ordinance of the City Council of the City of Belvedere for proposed amendments of the Belvedere Municipal Code related to Objective Design & Development Standards – adding a new Title, Title 22: Objective Design & Development Standards, to the City of Belvedere Municipal Code.

*Staff Recommendation: Approve the first reading of the Ordinance.*

11. Discussion and possible adoption of a Resolution approving the City of Belvedere Annual Operating and Capital Budget for Fiscal Year 2022-2023 and the Five-Year Capital Plan.

*Staff Recommendation: Adopt the Resolution.*

12. Discussion and possible adoption of a Resolution levying a previously approved special tax for Fire and Emergency Medical Services and fixing the rates thereof for the fiscal year 2022/2023.

*Staff Recommendation: Adopt the Resolution.*

## OTHER SCHEDULED ITEMS

13. Adopt a Resolution updating and adopting the City's Climate Action Plan 2030.

*Staff Recommendation: Adopt the Resolution.*

## ADJOURN

### NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at [www.cityofbelvedere.org/archive.aspx](http://www.cityofbelvedere.org/archive.aspx)
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. *(Materials distributed to the City Council after the Thursday before the meeting are available for public inspection at this location only.)*
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at (415) 435-3838.

### NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling 415/435-3838. Whenever possible, please make your request four working days in advance.

Posted: 6/10/2022

**CONSENT CALENDAR**

**BELVEDERE CITY COUNCIL  
JUNE 13, 2022**

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To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: **Approve minutes of the May 9, 2022, regular City Council meetings**

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**Recommended Motion/Item Description**

That the City Council approve the minutes as part of the Consent Calendar.

**Attachments**

Minutes.

**REGULAR MEETING  
BELVEDERE CITY COUNCIL  
MAY 09, 2022, 6:30 PM  
REMOTE VIA ZOOM**

**MINUTES**

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**COUNCIL PRESENT:** James Campbell, Nancy Kemnitzer, James Lynch, and Sally Wilkinson

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Craig Middleton, Police Chief Jason Wu, Public Works Director Robert Zadnik, Administrative Services Director Helga Cotter, City Attorney Amy Ackerman, and City Clerk Beth Haener

*These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available: <https://www.cityofbelvedere.org/agendacenter>.*

**CALL TO ORDER IN REMOTE OPEN SESSION**

The meeting was called to order by Mayor Wilkinson at 6:30 PM via remote Zoom meeting.

City Clerk Haener read the COVID-19 notice and public participation instructions.

City Manager Middleton took roll call.

**OPEN FORUM**

Belvedere resident Linda Remy ceded her time to Belvedere resident William Rothman. Mr. Rothman shared his concerns on the Protect Belvedere project.

Mrs. Benediktsson questioned why the City is not using the process that it has used to fund the undergrounding of utilities to raise funds for the Protect Belvedere project. City Manager Middleton stated that this process is different than an undergrounding district partly because the entire City benefits from this project. City Manager Middleton stated that he would be happy to discuss this topic more offline with Mrs. Benediktsson.

Belvedere resident David Flaherty stated his opposition to the Protect Belvedere project and stated that his neighbors and friends are upset about this project.

Belvedere resident Alison Russel stated her concern about how the City plans to raise funds for the Protect Belvedere project and stated she supports a parcel tax.

Belvedere resident Beth Cherry requested story poles for the San Rafael Avenue wall. Public Works Director Zadnik stated that story poles will be a part of the project's process.

Seeing no one else wishing to speak, Mayor Wilkinson closed the open forum.

**SCHEDULED ITEMS**

**1. Council will conduct interviews with applicants for the vacant seat on City Council.**

Mr. Peter Mark and Mr. Brian Davis were interviewed for the vacant City Council seat.

Mayor Wilkinson took public comment from residents who stated their support for the applicants.

Mayor Wilkinson thanked the applicants for their interest and thanked the public for sharing their thoughts.

Mayor Wilkinson stated that Council will be bringing this item back for discussion and decision at the end of the meeting.

## **2. Election of Vice Mayor**

City Manager Middleton gave the staff report stating that, because the Vice Mayor resigned in March, the Council has an opportunity to elect another Councilmember to the role this evening. There were no questions from the Council or public.

**MOTION:** To nominate Jim Lynch as Vice Mayor

**MOVED:** By Kemnitzer, seconded by Campbell; approval was unanimous

## **REPORTS & PRESENTATION**

### **3. City Council Reports**

Councilmember Campbell stated that he and Mayor Wilkinson have been meeting with residents to discuss the Protect Belvedere project. Councilmember Campbell stated that it has been great hearing everyone's thoughts and urged anyone who would like to schedule a meeting to discuss this project to please reach out to him.

Mayor Wilkinson reported that tickets went on sale for the Yellow Bus challenge, the traffic mitigation program, for the 2022-2023 school year, and stated that tickets can be purchased at [buschallenge.org](http://buschallenge.org).

Mayor Wilkinson called for public comment and, seeing none, closed public comment.

### **4. City Manager Report**

City Manager Middleton reported that on the 21st of May there will be a Housing Element workshop held at Community Park from 12:00 to 3:00 p.m. and encouraged all to come.

City Manager Middleton reported that the playground construction has begun and is expected to be done by the latter part of June.

City Manager Middleton stated that he is delighted to report the City has hired Police Officer Caitlin Cullen and indicated that she will be sworn in at the June Council meeting.

Mayor Wilkinson called for public comment and, seeing none, closed public comment.

### **5. Police Chief Report.**

Police Chief Jason Wu gave a presentation on the Police Department's quarterly report.

Mayor Wilkinson called for public comment and, seeing none, closed public comment.

### **6. Presentation by Belvedere Tiburon Library Board of Trustees member Roxanne Richards providing an update on the Library.**

Roxanne Richards, Belvedere's representative on the Library Board of Trustees, along with Chair Jeff Slavitz, Library Director Crystal Duran, and President of the Library Foundation Susannah Scully, gave a brief presentation on the expansion and re-opening of the Library.

Mayor Wilkinson called for public comment and, seeing none, closed public comment.

### **CONSENT CALENDAR**

**MOTION:** Move to adopt the Consent Calendar with one motion

**MOVED:** By Campbell, seconded by Lynch. Approval was unanimous

The Consent Calendar consisted of the following Items:

**7. Approve minutes of the:**

**A. March 14, 2022, regular meeting**

**B. March 22, 2022, special meeting**

**C. March 23, 2022, special meeting**

**8. Approve warrants of March 2022.**

**9. Accept the Fiscal Year Investment Report for the quarter ending March 31, 2022.**

**10. Adopt a Resolution allocating Road Repair and Accountability Act (SB 1) funds to be included in the FY2022-23 Capital Improvement Plan Budget.**

**11. Adopt a Resolution amending Administrative Policy Manual Section 2.5 Investments.**

**12. Adopt a Resolution to Continue Remote Public Meetings pursuant to Assembly Bill 361.**

**13. Adopt a Resolution accepting Lexipol Police Department Policy Manual updates.**

**14. Adopt a Resolution consenting to a change in the Richardson's Bay Regional Agency (RBRA) Joint Powers Authority (JPA) agreement to bring it into conformance with State law.**

**15. Approve a revocable license for proposed private improvements in the City street right-of-way along San Rafael Avenue for the property at 70 San Rafael Avenue.**

**16. Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only (Standard procedural item – no backup information provided).**

### **PUBLIC HEARING**

**17. Second Public Hearing on Proposing a City Charter for Belvedere and the Content of the Proposed Charter.**

City Manager Middleton presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere Resident William Rothman stated his concerns about the proposed City charter.

Belvedere resident Sprague Van Stroh stated that she is not in favor changing the City's government structure to allow additional taxes to be levied with a majority vote.

Belvedere resident Wendy Stovell asked how common it is for a city the size of Belvedere to become a charter city. City Manager Middleton stated there are over 120 charter cities in California.

Belvedere resident Neil Cherry stated his concerns about the transfer tax and also stated his appreciation for all the time the Council is giving to this topic.

Belvedere resident David Flaherty stated his concern about how other California charter cities are run and expressed his concern about Belvedere being run like these cities.

City Clerk Haener read an email from Suzanne Du Molin for the record, stating her concern about the real property transfer tax and the charter proposal.

City Clerk Haener read an email from Sandy Donnell and Justin Faggioli for the record, stating their support of the real property transfer tax and the charter proposal.

Belvedere resident Jim Stovell stated his opposition to the proposed charter.

Belvedere resident Suzanne Du Molin stated that there are contradictions being stated this evening to what has been stated in the past.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment and brought it back to Council for discussion.

This item required no action.

#### **OTHER SCHEDULED ITEMS**

#### **18. Discussion and possible action to adopt a Resolution Amend the Administrative Policy Manual Section 6.1 to better define the roles and responsibilities of the Belvedere Block Captain Committee.**

City Manager Middleton presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment and, seeing none, closed public comment.

**MOTION:** Adopt a Resolution to amend the Administrative Policy Manual Section 6.1 to better define the roles and responsibilities of the Belvedere Block Captain Committee

**MOVED:** By Campbell, seconded by Lynch, Approval was unanimous

#### **19. Preliminary review and discussion of the annual operating budget and capital improvement program for the City for Fiscal Year 2022/2023.**

Administrative Services Director Helga Cotter presented the staff report and took questions from Council.

Councilmember Kemnitzer stated her concerns with the budget, including the Planning Department costs, the increase in funds for the Richardson's Bay Regional Agency(RBRA), and the costs of capital projects. Councilmember Kemnitzer requested that staff take a second look before the budget returns to Council in June.

Mayor Wilkinson called for public comment.

Belvedere resident and Parks, Open Spaces, and Lanes Committee Chair Jean Bordon commented on the budget and expressed concerns about insufficient funding for Parks, Open Spaces, and Lanes Committee projects.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment.

This item required no action and will be brought back to Council in June for adoption.

#### **20. Adopt a Resolution appointing Robert Zadnik as City Manager and Approve the Employment Agreement between the City and Mr. Zadnik setting the terms and conditions of his employment as City Manager.**

City Manager Middleton presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere resident William Rothman stated his concerns about Mr. Zadnik taking on the role of City Manager.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment.

**MOTION:** Adopt resolution appointing Robert Zadnik as City Manager and authorizing the Mayor to execute an



**MOVED:** Employment Agreement with Mr. Zadnik on behalf of the City.  
By Lynch, seconded by Campbell. Approval was unanimous

**21. Discussion and possible action to appoint a new Councilmember to fill the vacant seat on the Council.**

City Council discussed the two applicants in detail and appointed Peter Mark as the new councilmember to fill the vacant seat on the Council.

**MOTION:** Appoint Peter Mark to the interim position on the Belvedere City Council

**MOVED:** By Kemnitzer, seconded by Lynch. Approval was unanimous

**ADJOURN**

The meeting was adjourned at 9:54 P.M.

**THE FOREGOING MINUTES** were approved at a regular meeting of the Belvedere City Council on June 13, 2022, by the following vote:

**AYES:** James Campbell, Nancy Kemnitzer, James Lynch, Peter Mark and Mayor Wilkinson  
**NOES:** None  
**ABSENT:** None  
**RECUSED:** None

**Approve:** \_\_\_\_\_  
Sally Wilkinson, Mayor

**Attest:** \_\_\_\_\_  
Beth Haener, City Clerk

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To: Mayor and City Council

From: Helga Cotter, Administrative Services Director

**Subject: Establish Appropriations limit for Fiscal Year 2022/2023**

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**Recommended Motion/Item Description**

Adopt the resolution establishing the Gann (Proposition 4) appropriations limit for Fiscal Year 2022/2023.

**Background**

Article XIII B of the California State Constitution was approved by California voters in November 1979, and modified by Proposition 111 in 1990. This article, more commonly known as the Gann Limit, places limits on the amount of tax proceeds that government agencies can receive and spend each year. Each year the City Council must adopt, by resolution, an appropriations limit.

The appropriations limit is different for each agency, and the limit changes each year. The limit is based on the actual appropriations that were authorized to be spent in fiscal year 1978-79 for each agency and is modified for changes in inflation and population in each subsequent year. Not all revenues are restricted by the Gann Limit, only those that are defined as “proceeds of taxes.” Additional appropriations to the budget funded by non-tax sources, such as charges for services, restricted revenues or grants, are not affected by the Appropriations Limit.

The factors used to compute the Gann Limit are:

- (1) The percentage change in California per capita personal income, and
- (2) The greater of either the City's own population growth *or* the population growth of the entire County.

The State of California Department of Finance annually provides the California per capita personal income change percentage for purposes of calculating the Gann Limit. For 2022/2023, California per capita personal income increased by 7.55%. The County's population decline of -1.11% is more than the City's population decline of -1.09%. Therefore, the calculation for the FY 2022/2023 Gann Limit is based on the percentage change in California per capita personal income and the *City's* population decline. Attachment 2 details the calculation of the Gann Limit for FY2022/2023.

**Findings**

In Fiscal Year 2022/2023 the overall limit increases to \$4,788,340. This is \$419,258 more than the City estimates it will collect in revenue subject to the limit.

**Attachments**

1. Resolution
2. FY 2022/2023 Gann Limit Calculation

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
ADOPTING THE 2022/2023 FISCAL YEAR GANN APPROPRIATIONS LIMIT**

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**WHEREAS**, Article XIIB of the Constitution of the State of California (Proposition 4 on the November 6, 1979 ballot) requires governmental jurisdictions to establish appropriation limits each fiscal year; and

**WHEREAS**, Proposition 111, passed by the voters in June of 1990, expands the choices for making annual adjustments to the appropriations limit based on various growth factors; and

**WHEREAS**, the City Council has determined that the growth factors of (1) the percentage change in California per capita personal income and (2) the percentage change in the City's population will be used to establish the 2022/2023 appropriation limit; and

**WHEREAS**, selecting these growth factors will result in a new limit for 2022/2023 of \$4,788,340.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Belvedere that:

1. The growth factors selected for fiscal year 2022/2023 for determining the City's Proposition 4 appropriations limit are (1) the percentage change in California per capita personal income and (2) the percentage change in the City's population.
2. The sum of \$4,788,340 is hereby established as the appropriations limit for the City of Belvedere.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on June 13, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:** \_\_\_\_\_

Sally Wilkinson, Mayor

**ATTEST:** \_\_\_\_\_

Beth Haener, City Clerk

	AMOUNT	SOURCE
A. PRIOR YEAR LIMIT	\$ 3,503,701	
B. ADJUSTMENT FACTORS		Greater of City <i>or</i> County
1. Population %	0.9891	population percent increase
2. Inflation%	1.0755	State Finance/Assessor
3. Total Adjustment %	1.0637	(B1*B2)
C. THIS YEAR'S LIMIT		
1. Current year limit calculation	3,726,887	(A*B3)
2. Voter approved additional amt	1,061,453	Fire Tax Assessment
D. TOTAL CURRENT YEAR LIMIT	<u>\$ 4,788,340</u>	(C1+C2)

## RESOURCES SUBJECT TO LIMITATION:

## PROCEEDS OF TAXES

Property Taxes	\$ 6,750,871
Sales Taxes	122,654
Business Licenses	53,745
HOPTR	21,461
Interest Income Earned from Taxes	13,040
TOTAL SUBJECT TO LIMITATIONS	<u>\$ 6,961,771</u>
EXCLUSIONS	<u>\$ (2,592,689)</u>
APPROPRIATIONS SUBJECT TO LIMITATION	<u>\$ 4,369,082</u>

Maximum allowable appropriation subject to limitations 2022-2023 fiscal year:	\$ 4,788,340
Less: Total appropriation subject to limitation for 2022-2023 fiscal year:	(4,369,082)
BALANCE UNDER ARTICLE XIIB LIMIT:	<u>\$ 419,258</u>

**CONSENT CALENDAR**

**BELVEDERE CITY COUNCIL  
JUNE 13, 2022**

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To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Amy Ackerman, City Attorney

**Subject: Adoption of an Ordinance amending title 9 of the Belvedere Municipal Code by adding chapter 9.80, "Parks and Community Center," regulating the use of Belvedere parks and Community Center.**

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**Recommended Motion/Item Description**

That the City Council adopt the ordinance as part of the Consent Calendar.

**Background**

This Ordinance was introduced at the March 14, 2022 regular City Council meeting. The first reading was approved unanimously. It is being presented tonight for final adoption.

**Attachment**

- Ordinance.

**CITY OF BELVEDERE**  
**ORDINANCE NO. 2022-XX**

**AN ORDINANCE OF THE CITY OF BELVEDERE AMENDING TITLE 9 OF THE  
BELVEDERE MUNICIPAL CODE BY ADDING CHAPTER 9.80, “PARKS AND  
COMMUNITY CENTER,” REGULATING THE USE OF BELVEDERE PARKS AND  
COMMUNITY CENTER.**

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WHEREAS, Article 11, Section 7 grants to the City of Belvedere the authority to make all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;

WHEREAS, the City of Belvedere operates public parks, including the Community Park adjacent to City Hall, and the Tom Price, Centennial, and Land Company Parks and the Community Center for use of the community;

WHEREAS, at its meeting on February 14, 2022, the Council approved the City’s expenditure of a mix of public funds and private donations of over \$400,000.00 to refurbish the Community Park playground;

WHEREAS, the City seeks to maintain its parks, playground, and community center in a clean and readily accessible condition for the use by its residents;

WHEREAS, the City has historically had a policy to not issue permits for use of its parks but instead to allow use of the parks on a first, come first, served basis and for programming by the City of Belvedere or recreation department sponsored events and camps;

WHEREAS, on November 8, 2021, the City Council approved a first reading of an ordinance banning commercial activity in its parks;

WEREAS, on December 13, 2021, the City Council declined to adopt the ordinance banning commercial activity in its parks;

WHEREAS, the City Council desires to adopt an ordinance more broadly regulating activity in the parks and community center in order to maintain them in a clean and accessible condition for use by its residents;

WHEREAS, on March 14, 2022, the City Council held a duly noticed public hearing to consider the Ordinance Amendment; and

WHEREAS, the Ordinance Amendment is not a “project” under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment (Pub. Res. Code § 21065).

**SECTION 1.** Findings. The Ordinance Amendment furthers the public health, safety, and welfare and the above recitals are true and correct and are incorporated as findings herein.

**SECTION 2.** Amendment. Belvedere Municipal Code Chapter 9.80 “Parks and Community Center” is hereby added to Title 9 “Public Peace, Morals, and Welfare” as follows:

### **Title 9 Chapter 9.80 Parks and Community Center**

#### **9.80.010. Scope.**

The provisions of this chapter shall apply to all Belvedere Parks on public property: the Community Park adjacent to City Hall, the Tom Price Park, the Centennial Park, and the Land Company Park and the Belvedere Community Center.

#### **9.80.020. Hours of Operation.**

(a) Park Hours. The parks shall be open for public use from sunrise to sunset. No person shall enter or remain in any park outside of the hours open to the public.

(2) The City Manager or his or her designee may set different hours for park use in a permit.

(b) Community Center Hours.

(1) Except as provided in section 9.80.020(b)(2), the Community Center is open for public use from one hour before sunrise until one hour after sunset. No person shall enter or remain in any park outside of the hours open to the public.

(2) The City Manager or his or her designee may set different hours for the Community Center in a permit.

(c) The City reserves the right to close the parks and community center to the public for the purpose of protecting the environmental quality of the area, during periods of extreme fire hazard, or other such conditions deemed hazardous to persons or property.

#### **9.80.030. Prohibited Activities.**

It is unlawful for any person to do any of the following in City parks or the Community Center:

(a) Amplified Sound. Use amplified sound, without a valid permit issued by the City Manager or her or her designee.

(b) Destruction of property. Willfully mark, deface, disfigure, injure, displace or remove any railing, bench, paving, paving material, water line, signs, notices, or placards (whether temporary or permanent), monuments, stakes, posts, or other boundary markers, wall or rock border, structures, equipment, facilities or public property of any kind.

(c) Damage or Remove Natural Resources. Damage, cut, carve, burn, or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant or remove sand, soil, rock, stones, trees, shrubs, or plants;



(d) Dumping. Dump, deposit, or leave any bottles, broken glass, paper, boxes, cans, garden trimmings, rubbish, waste or garbage, or other trash except those items which are incidental to the use of park facilities which items must be deposited in the receptacles provided. Where refuse receptacles are not provided or are full, the person responsible for the presence of refuse shall move such refuse from the park or building and properly dispose of it elsewhere.

(e) Erection of Structures. Construct or erect any building of whatever kind, whether permanent or temporary in character, any tent, fly or windbreak, or bounce machines, or run or string any rope, cord, or wire into, upon, or across, any public property without an encroachment permit;

(f) Fires and Barbeques. Kindle or maintain in any park, for any purpose, any fire except for a fire maintained in a portable barbecue grill. No person may dispose of any used coals in the park, park receptacles or the City dumpster.

(g) Loitering. Sleep or protractedly lounge on seats, benches, sidewalks, curbs, planters, walls or other areas in such a manner as will interfere with the rights of others to use the areas for which they were intended.

(h) Personal Services. No person shall use any of the facilities or areas of any park for the purpose of providing athletic instruction or training for compensation.

(i) Posting of Signs. Post or affix to any tree, shrub, plant, fence, building, monument, wall, post, vehicle or other physical object in any park any written or printed material, including, but not limited to, signs, notices, handbills, circulars and pamphlets. Any person who has scheduled an event in any park pursuant to a permit from the City may erect or post signs on the day that the event is scheduled to occur giving directions to such event, provided that such person receives prior approval from the City.

(J) Selling and Vending. Selling or offering for sale any service, merchandise, article, or anything whatever, nor station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing, in any park, or the community center except by permit issued by the City Manager and subject to all other provisions of this code. Any vendor must possess a valid Belvedere City Business License.

#### **9.80.050. Enforcement.**

The provisions of this chapter may be enforced by any code enforcement official as defined in section 1.15.020 of this Code.

#### **9.80.060. - Violation—Penalty.**

Any person violating section sections 9. 0.020 and 9.80.030 shall be guilty of an infraction and subject to administrative citation pursuant to Chapter 1.15 of this Code.

**SECTION 3. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance. The City Council hereby

declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this Ordinance are declared to be severable.

**SECTION 4. Effective Date.** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage. Within fifteen (15) days following its passage, a summary of the Ordinance shall be published with the names of those City Council members voting for and against the Ordinance and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance along with the names of the members voting for and against the Ordinance.

**INTRODUCED AT A PUBLIC HEARING** at a regular meeting of the Belvedere City Council on March 14, 2022 and adopted at a regular meeting of the Belvedere City Council on June 13, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:** \_\_\_\_\_

Sally Wilkinson, Mayor

**ATTEST:** \_\_\_\_\_

Beth Haener, City Clerk

To: Mayor and City Council

From: Samie Malakiman, Planning Consultant

Reviewed By: Irene Borba, Director of Planning and Building  
Craig Middleton, City Manager  
Amy Ackerman, City Attorney

**Subject: Revocable license for proposed private improvements in the City street right-of-way along Britton Avenue for the property at 7 Britton Avenue**

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**Recommended Motion/Item Description**

That the City Council review and approve a revocable license agreement for 7 Britton Avenue for new & existing improvements in the 7 Britton Avenue right-of-way for: new Driveway, Steppingstones, Sidewalk, Curb and Gutter, Entry walkway, and Landscaping. As a condition of approval of the project, the applicant is required to remove an existing fence from the public right-of-way and relocate it entirely on private property.

**Background and Findings**

*Proposed encroachment on City property – 7 Britton Avenue – APN 060-122-05.* The attached license agreement requires the property owner to assume liability and maintenance responsibilities for:

New Driveway, Steppingstones, Sidewalk, Curb and Gutter, Entry walkway, and Landscaping

***Background of current application***

On May 17, 2022, the Planning Commission approved Design Review for a remodel and raised roof for the home at 7 Britton Avenue. During the meeting, the Commission reviewed the Revocable License application for a new driveway, sidewalk, and curb and gutter, and fence in the Britton Avenue right of way. Staff recommended the front yard fence be removed from the public right of way and onto private property as a condition of approval. One Commissioner was concerned that widening one section of sidewalk to 4’ would be inconsistent with the adjacent sidewalks. The Building Official mentioned that constructing 4’ ADA compliant sidewalk is required per the City’s Transition Plan whenever a project includes substantial renovations. The applicant had no objection to relocating the fence entirely onto private property. There were no further questions or concerns regarding improvements in the public right of way. The Commission

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agreed that, as proposed and with the condition of approval to remove the fence from the public right of way, the project conforms to Municipal Code Chapter 13.04 and section 19.48.100 and to the requirements in the Administrative Policy Manual for Revocable Licenses.

A review of city records indicates that there is no existing Revocable License for the property.

*Existing Improvements*

- Driveway
- Fence
- Landscaping
- Pedestrian walkway

*Proposed Improvements in the Britton Avenue Right of Way*

- Driveway
- Landscaping
- Steppingstones
- Entry Walkway
- Sidewalk/Curb/Gutter

***Compliance with Administrative Policy Manual Section 272.05, Revocable Licenses***

In accordance with Section 11.7 of the City's Administrative Policy Manual, a revocable license for private use of excess street right-of-way may be granted at the discretion of the City Council when there is some benefit to the public, and provided that any proposed encroachment into the right-of-way complies with the design review requirements of Title 20 of the Belvedere Municipal Code. The existing & proposed improvements conform to the Administrative Policy Manual for revocable licenses.

The Belvedere Administrative Policy Manual provides that the City Council may grant a revocable license for the private use of excess right-of-way if there is some public benefit and based on a list of factors. (Administrative Policy No. 11.7.) Here, staff recommends that the Council approve a revocable license for the existing & *proposed* improvements pursuant to the administrative policy because there is a public benefit, and the factors are satisfied, as indicated in italics below.

- a. Where necessary to provide pedestrian or vehicular access from private property to the adjacent public street;

*The project proposes one driveway in the same place as existing. The project also proposes to replace the existing sidewalk with a 4'-0" wide ADA compliant sidewalk. The improvements are necessary to provide access.*

- b. Where use of the public right-of-way will permit landscaping and/or related improvements to be installed that the City Council determines will enhance the aesthetic qualities of the streetscape. Any such landscaping and/or related improvements should not significantly

impede public views or views from neighboring properties, or infringe on the privacy of neighboring properties;

*The proposed new vegetation helps to soften and screen the property along the street and improves the aesthetic qualities of the streetscape. Said landscaping will not significantly impede public views from what currently exists or infringe on the privacy of neighboring properties.*

- c. Where use of the public right-of-way will permit the creation of an off-street parking area, and will thereby relieve parking or traffic congestion on the adjacent City street;

*The project proposes to reconstruct an existing driveway that leads to a garage and additional parking area. The garage and parking area are not in the right-of-way and will provide parking for the homeowners.*

- d. Where the public right-of-way will be used to construct retaining walls, drainage structures or other facilities that the City considers necessary to protect or maintain the public infrastructure;

*There are no new retaining walls proposed in the right of way.*

- e. Where appropriate to validate already existing private improvements in the public right-of-way for the purpose of shifting the City's potential liability for injuries and damages to the private property owners using the right of-way for private purposes;

*The existing improvements on Britton Avenue include concrete driveway, sidewalk; curb and gutter, landscaping, and fence. The project is proposing to replace and widen the sidewalk 6" to be ADA compliant and in conformance with the Marin County Uniform Construction Standards. A Revocable License is necessary to validate the existing improvements and shift potential liability for injury and damages to the private property owner.*

- f. Where necessary to protect or enhance public safety;

*The sidewalk improvements will enhance public safety by widening the walkway to 4' for greater pedestrian access.*

- g. Where use of the public right-of-way will provide an area for street-level refuse and recycling containers on property that would otherwise not have an area for such improvements.

*Not applicable as no street-level refuse area is proposed with this project.*

Additionally, the Administrative Policy states that "Where fencing is proposed on City property, with the exception of where said fencing would be located on a very steep slope and would serve as a safety measure for vehicles and pedestrians, said fencing should normally be avoided as this effectively turns public property into private property and potentially creates the unwanted image of a "tunnel effect" along our city streets. Fences and other similar barriers, including landscaping, that enclose public property for private use should be avoided."

*The Planning Commission conditioned the project to remove the fence from the public right-of-way and relocate it entirely on private property.*

***Public Benefit***

The project benefits the public, as these proposed improvements will enhance the aesthetic appeal of the property frontage and will provide safer pedestrian access with a widened sidewalk. The proposed landscaping will provide screening of the home, as well as creating visual interest on the property.

***Future improvements***

The license covers any future improvements within the revocable license area that receive staff or Planning Commission design review approval, and which meet one or more of the criteria for approval of revocable license listed in the City's Administrative Policy Manual, Policy 11.7, as adopted by City Council resolution. Applications for substantial, potentially permanent and/or obstructive structures within the City right-of-way, which fall outside the criteria, will still be required to go to the City Council for consideration and approval/denial. Detailed records at City Hall, maintained in the Planning Department file for this address, will be retained in perpetuity to memorialize the exact structures approved by the city within the license area. This will save considerable staff time that would be devoted to bringing a revised license and staff report to the City Council and in issuing, recording, and archiving a new license agreement.

**Recommended Action**

That the City Council approve a revocable license agreement for existing & *proposed* improvements for 7 Britton Avenue as part of the Consent Calendar.

**Attachments**

- a. Draft license agreement with attached exhibit.
- b. Revocable License Application.
- c. Site Plan and Front Elevation
- d. Google Street view of Existing Property

RECORDING REQUESTED BY:  
City Clerk, City of Belvedere  
RECORD WITHOUT FEE PER G.C. 27383

AND WHEN RECORDED MAIL TO:

City Clerk  
City of Belvedere  
450 San Rafael Avenue  
Belvedere, CA 94920-2336

**CITY OF BELVEDERE REVOCABLE**

**LICENSE NO. 2022-02**

ASSESSOR'S PARCEL NO.:       **060-122-05**  
ADDRESS:                       **7 Britton Avenue, Belvedere, California 94920**  
OWNER:                         **Matthew Quinlan**  
DATE ISSUED:                 **June 13, 2022**

The City of Belvedere, California, a municipal corporation (hereinafter referred to as "City"), hereby authorizes and licenses the owner of the land described above and in Exhibit "A" (hereinafter referred to as "Licensee"), at Licensee's own cost and expense, to encroach temporarily upon the adjoining land owned by the City of Belvedere (hereinafter referred to as "Premises") for the following purpose:

New Driveway, Steppingstones, Sidewalk, Curb and Gutter, Entry walkway and Landscaping.

The Planning Commission approved these improvements on May 17, 2022 and a more specific description of the improvements can be found in the approved plans. This license shall cover any future improvements within the revocable license area which receive design review approval from the Planning Commission or Planning staff and which meet one or more of the criteria adopted by City Council resolution for the granting of revocable licenses.

A legal description of the Premises is attached hereto as Exhibit A and incorporated herein by reference.

This revocable license is granted subject to the following terms and conditions:

1. Licensee shall save and hold the City harmless from any loss, damage, or injury of any kind or character whatsoever that may arise from anything done, or omitted to be done, by Licensee, its agents, employees or contractors in connection with or in any way related to the matters authorized by this License. Licensee agrees to hold City harmless and indemnify City (including, but not limited to, attorney fees, expert witness costs and court costs), without limitation, from and against any and all claims, injuries, damage, liability and/or cause of action which may ever arise as a result of injury and/or damage to property claimed to be the result of construction and/or failure to maintain said property or improvements by Licensee in, on, under, or above City property which is the subject of the revocable license granted Licensee by City.
2. All work performed pursuant to this License shall comply with the City of Belvedere Municipal Code, including, without limitation, Title 13.
3. To the extent this License authorizes the erection or installation of any building, fence, wall, or other structure or facility in or upon land owned by City, Licensee agrees to erect and install the same in accordance with plans and specifications approved by the Planning Commission or Planning staff and further agrees to maintain the same at all times in good condition and repair, all at Licensee's sole cost and expense.

4. To the extent this License authorizes the erection or installation of any infrastructure improvements that are subject to the Americans With Disabilities Act (“the Act”), Licensee agrees to construct and maintain those improvements in full compliance with the requirements of the Act.
5. If Licensee shall fail to comply with the terms and conditions of this License, the City Manager at his sole discretion may immediately terminate and revoke this License by mailing or delivering written notice thereof to Licensee at the address hereinabove stated.
6. This License does not convey an exclusive right to use the Premises. Licensee shall not restrict access by the public and/or by adjacent property owners to the licensed area.
7. Licensee shall execute this License by: signing the License; making an acknowledgement of the License before a notary public or an officer specified by the State to take the acknowledgement of instruments of writing; and delivering the signed License and certificate of acknowledgement to the City. If Licensee shall fail to execute this License within thirty days of the date issued, the City may immediately terminate and revoke this License by mailing or delivering written notice thereof to Licensee at the address hereinabove stated.
8. ***Notwithstanding any other provision herein, this License shall be revocable at the pleasure of the City Council of the City of Belvedere.*** The election to revoke this License may be exercised at any time by mailing or delivering to Licensee at the address hereinabove stated a notice of revocation and termination. Within the time specified in said notice, Licensee shall, at its own cost and expense, remove from the Premises the encroachment and all structures and facilities placed thereon or therein by Licensee.
9. Upon the failure of Licensee to comply with any of the agreements contained herein, City may declare said improvements to be a public nuisance and may take such action as may be authorized by law to abate said nuisance. The City shall be entitled to recover from Licensee costs of suit and reasonable attorney's fees, to be determined by the court. The remedy of City as contained in this paragraph shall not be exclusive.
10. The Licensee acknowledges that the property interest created hereunder by issuance of this license may be subject to possessory interest taxation and said Licensee in whom such possessory interest is vested recognizes and agrees that it/they shall be solely responsible for payment of all such taxes levied upon said possessory interest.
11. The Licensee shall deliver this license to any successor in interest to the above-described land.
12. The agreements contained herein are covenants and servitudes running with the land and shall be binding upon Licensee and its successors, assignors, executors, administrators, and personal representatives unless or until revoked by the City.
13. The Licensee shall obtain an encroachment permit from the City prior to the commencement of any work on City property.
14. Any previous revocable licenses issued to this property are now null and void.

Issued by direction of the City Council of the City of Belvedere pursuant to action taken at its meeting of June 13, 2022.

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Craig Middleton, City Manager

The foregoing License is accepted and its terms and conditions are agreed to:

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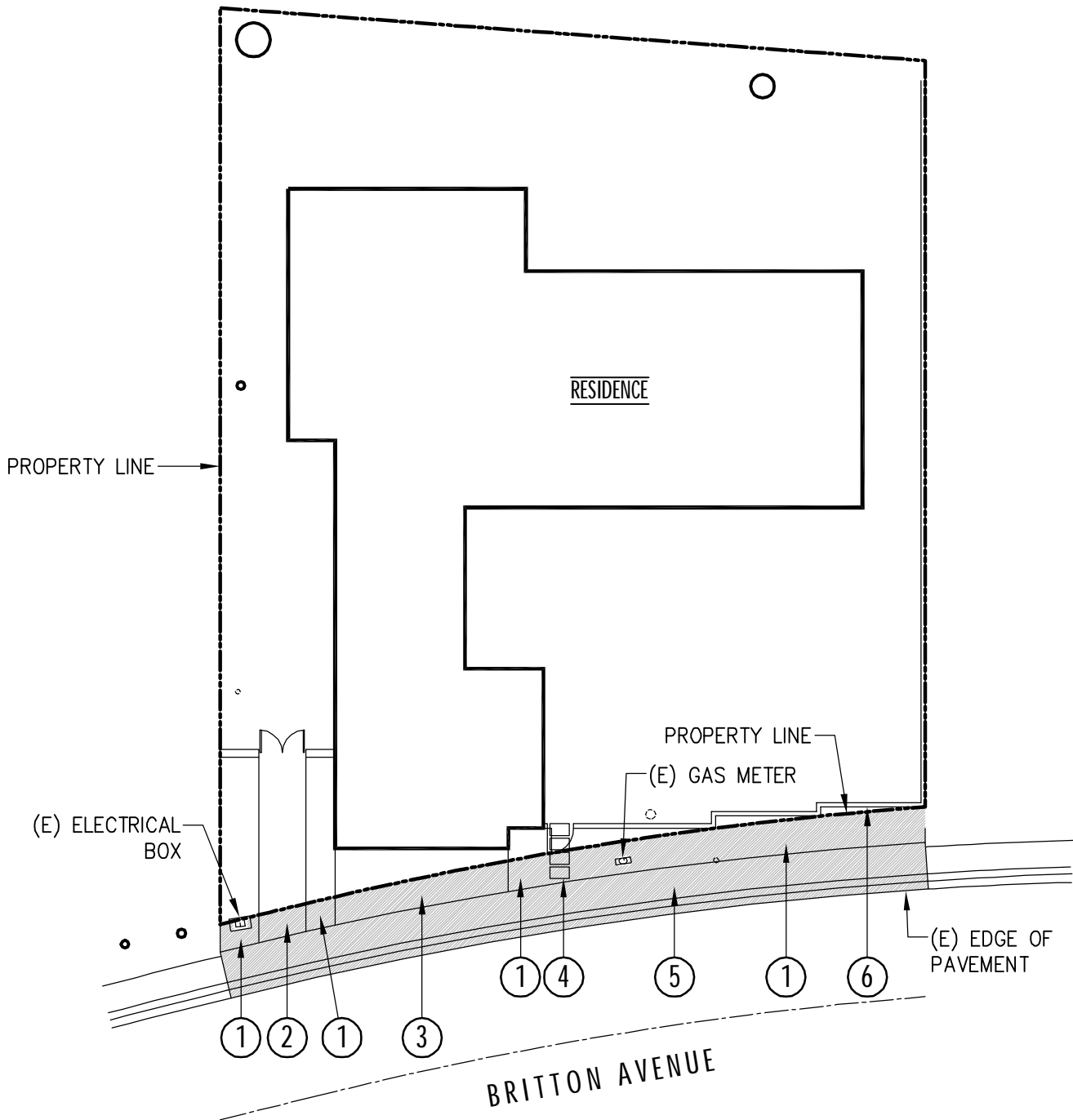
Matthew Quinlan, Licensee

(Attach acknowledgement from certified notary public for all Licensees)



# Exhibit "A"

- ① NEW LANDSCAPING
- ② NEW CONCRETE ENTRY WALK
- ③ NEW CONCRETE DRIVEWAY
- ④ NEW CONCRETE STEPPING STONES
- ⑤ NEW 4' SIDEWALK/CURB/GUTTER per MARIN COUNTY STANDARD DWG 130
- ⑥ NEW 6' WOOD FENCE



7 BRITTON AVENUE  
BELVEDERE, CA 94920  
APN 060 122 05

**REVOCABLE LICENSE**

1" = 200'

LICENSE AREA  
SHOWN SHADED

EXHIBIT "A"  
9 JUNE 2022



NORTH



# APPLICATION FOR REVOCABLE LICENSE

CITY OF BELVEDERE

450 SAN RAFAEL AVE • BELVEDERE, CA 94920-2336

PH. 415-435-3838 • FAX 415-435-0430 • WWW.CITYOFBELVEDERE.ORG

## FOR STAFF USE ONLY

Date: \_\_\_\_\_ Rec'd. by: \_\_\_\_\_ Amount: \_\_\_\_\_ Receipt No.: \_\_\_\_\_

Parcel No.: \_\_\_\_\_ Zone: \_\_\_\_\_

City property to be encroached upon: \_\_\_\_\_

## TO BE COMPLETED BY APPLICANT

Address of Property: 7 Britton Avenue, Belvedere, CA 94920

Type of City Property to Be Encroached Upon (e.g., street right-of-way, view easement, tide lot):  
Street right-of-way

Record Owner of Property: Matthew Quinlan

Mailing 280 Belvedere Avenue Daytime Phone: 415 345 4282

Address: Belvedere, CA 94920 Fax: 415 346 8987

Email: mquinlan@mjqlaw.com

Owner's Representative: David Kotzebue

Mailing 29 Holly Lane Daytime Phone: 415 286 3233

Address: El Sobrante, CA 94803 Fax: 510 223 7914

Email: david@dkarchitecture.com

Description of Encroachment Requested and Its Purpose (include list of private improvements, both existing and proposed, that will encroach onto public property): Replace existing landscaping.

Replace existing entry walk and driveway. Add new concrete stepping stones.

Replace existing sidewalk, curb, and gutter. Repair existing wood fence as required.

Existing gas meter and PG+E electrical box to remain.

- **Applicants, please attach a scale diagram showing your property line and the encroachments. FOLLOW INSTRUCTIONS ON PAGE 3**

**IMPORTANT!** This application will first be reviewed by the City Staff and/or Planning Commission. If the application successfully passes this review, a revocable license agreement will be drawn up by City Staff and a formal recommendation will be made to the City Council to approve it. *The property owner(s) will need to sign the agreement document and have the signature(s) acknowledged by a notary public or the Deputy City Clerk before the agreement can be ratified by the City Council.* A specimen copy of the revocable license agreement is attached for your information. **THE OWNER'S FAILURE TO EXECUTE THE AGREEMENT WILL PREVENT THE ISSUANCE OF ANY BUILDING PERMIT ASSOCIATED WITH THE LICENSE.**

I, the undersigned owner of the property herein described (or owner representative, as authorized by completion of a Statement of Ownership and Designation of Representative), hereby make application for the revocable license requested, and I hereby certify that the facts, statements and information presented herein and in the attached exhibit(s) are true and correct to the best of my knowledge and belief

I understand that the contents of this document are a Public Record.

Signature:  \_\_\_\_\_

Name: David Kotzebue

Date: 6 May 2022

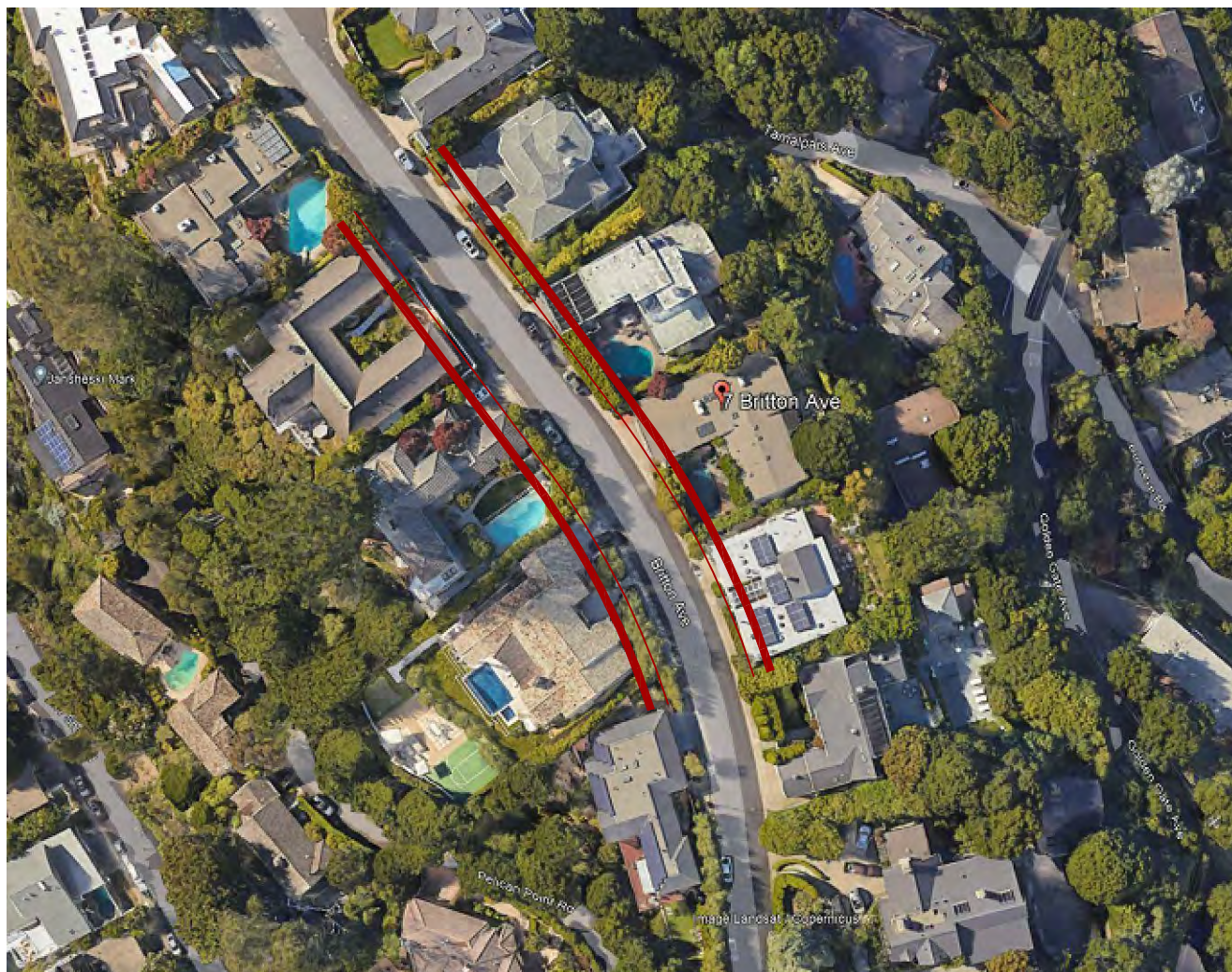


EXISTING LOOKING SOUTH

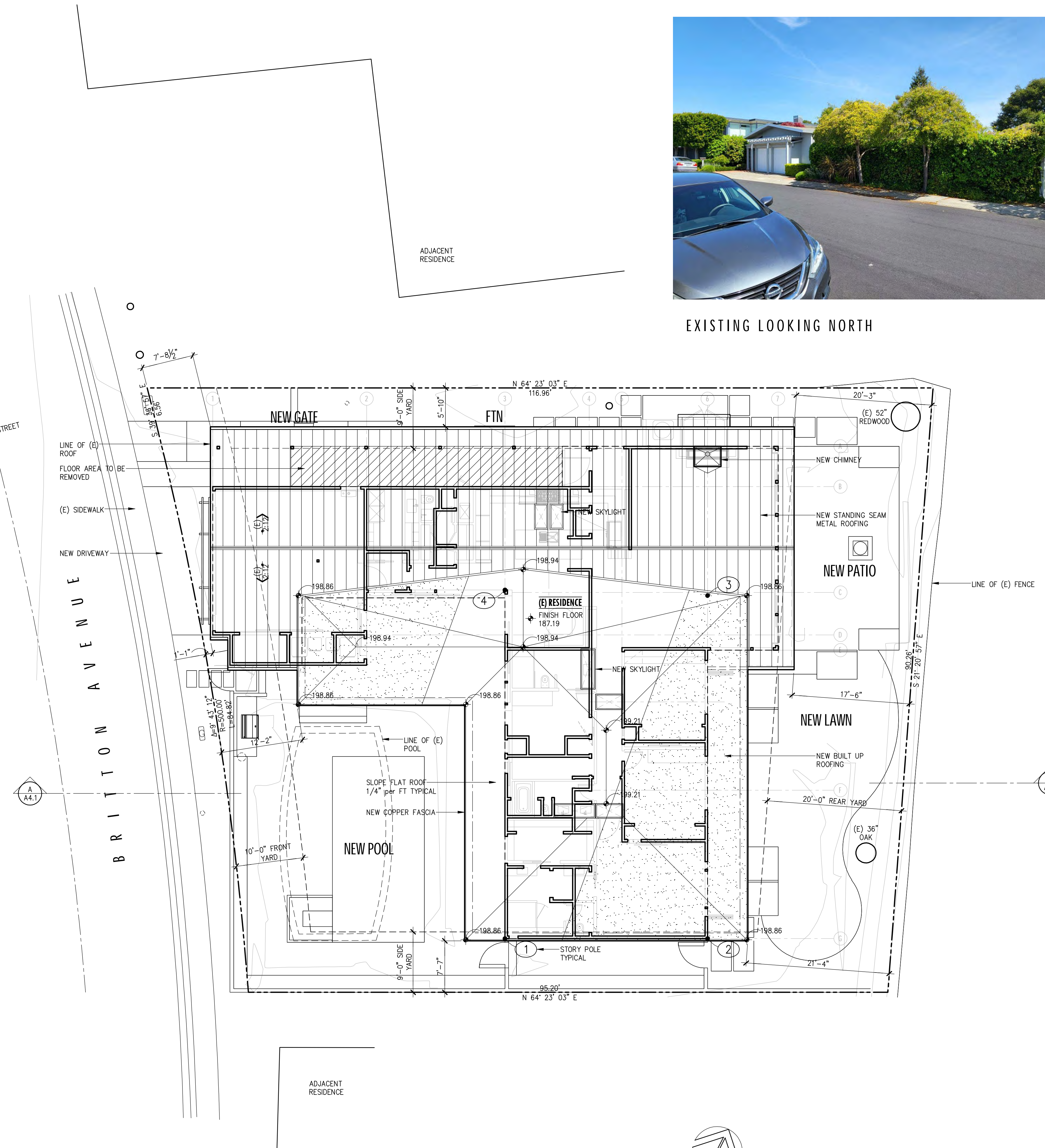
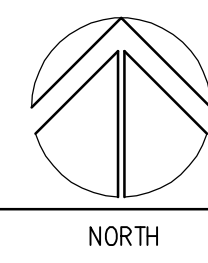


EXISTING LOOKING NORTH

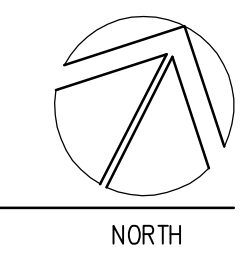
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NO	ELEVATION	NO	ELEVATION
1	198.86		
2	198.86		
3	198.86		
4	198.86		



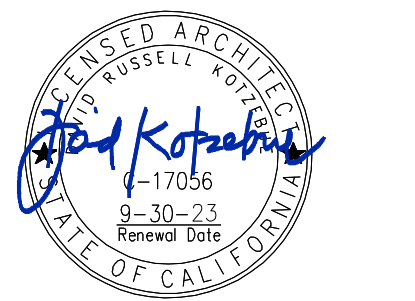
2 NEIGHBORHOOD  
SCALE: 1" = 100'



1 SITE/ROOF PLAN  
SCALE: 1/8"=1'-0"



29 Holly Lane  
El Sobrante, CA 94803  
david@dkarchitecture.com  
415 286 3233  
510 223 7914



Drawings and Specifications are the property of the Architect whether the project for which they are prepared is executed or not. Reproductions shall not be made without the Architect's express written permission.

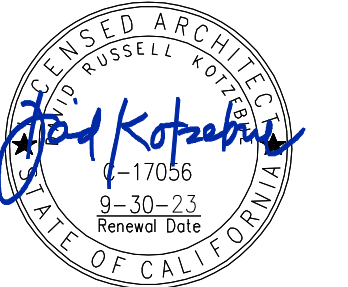
Revisions	
△	6 APRIL 2022 DR COMPLETENESS
△	
△	
△	

Issue	
△	
△	
△	
△	

Proposed Remodel + Addition  
**7 BRITTON AVENUE**  
Belvedere, CA 94920

APN 060 122 05  
Latitude 37.875  
Longitude -122.472

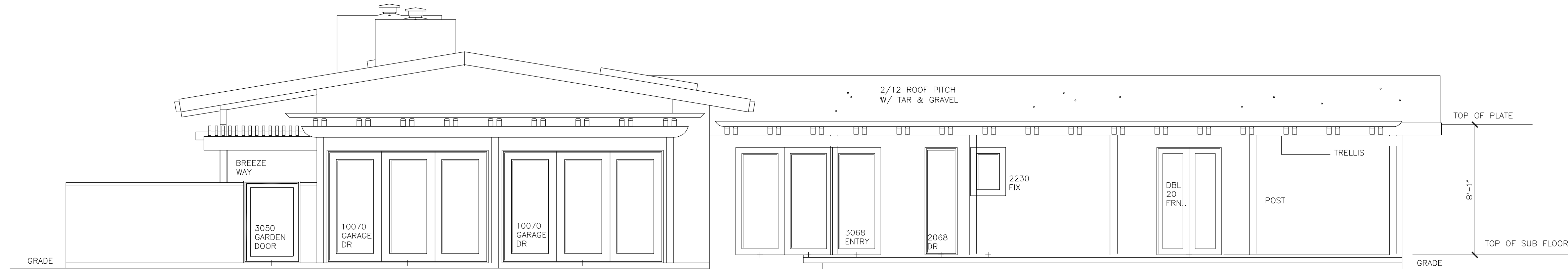
Title	SITE PLAN
Scale	1/8" = 1'-0"
Date	24 FEBRUARY 2022
Sheet	



Drawings and Specifications are the property of the Architect whether the project for which they are prepared is executed or not. Reproductions shall not be made without the Architect's express written permission.

Revisions

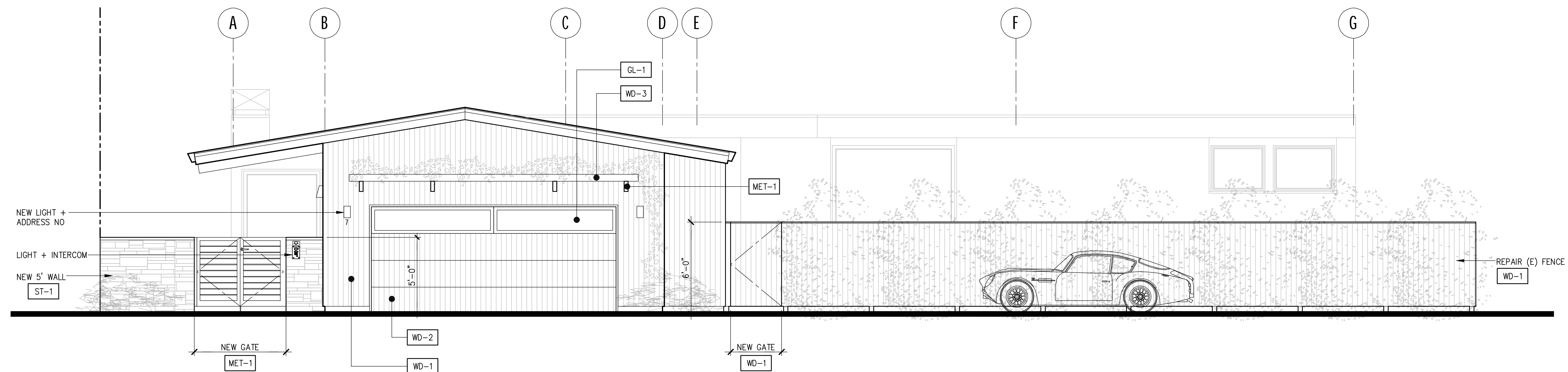
6 APRIL 2022  
DR COMPLETENESS



2 EXISTING WEST (FRONT) ELEVATION  
A3.1 SCALE: 1/4"=1'-0"

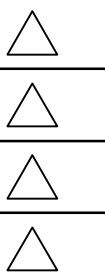
SUBMIT SAMPLES FOR APPROVAL PRIOR TO ORDERING MATERIALS.

NO	LOCATION	MATERIAL	COLOR	DESCRIPTION
WD-1	EXTERIOR SIDING/ OVERHANGS/FENCE	1 X 4 CLEAR WESTERN RED CEDAR	CABOT DRIFTWOOD GRAY	VERTICAL BOARD SIDING
WD-2	GARAGE DOOR	1 X 3 CLEAR WESTERN RED CEDAR	CABOT DRIFTWOOD GRAY	HORIZONTAL BOARDS
WD-3	TRELLIS	3 X 6 CLEAR WESTERN RED CEDAR	SIKKENS NATURAL STAIN	SPACED BOARDS ON METAL FRAME
WD-4	NORTH ENTRY WALL	2 X 2 CLEAR WESTERN RED CEDAR	SIKKENS NATURAL STAIN	VERTICAL SPACED GAP SIDING
GL-1	GARAGE DOOR	LAMINATED OBSCURE GLASS IN WOOD FRAME	CABOT DRIFTWOOD GRAY FRAME	EXTERIOR GLAZING
GL-2	WINDOWS and DOORS	CLEAR GLASS IN ALUMINUM FRAME	DARK ANODIZED BRONZE FRAME	EXTERIOR GLAZING
R-1	ROOFING	4-PLY TAR and GRAVEL	3/8 DELAWARE BLEND	BUILT-UP ROOFING
MET-1	TRELLIS/ENTRY GATE	GALVANIZED STEEL	DARK BRONZE PAINT	CANTILEVERED RELIUS SUPPORT
MET-2	GUTTERS + FLASHING	GALVANIZED STEEL	PAINT TO MATCH WOOD SIDING	MISC SHEET METAL
PAV-1	ENTRY/FRONT TERRACE POOL DECK	INTEGRAL COLOR CONCRETE	DAVIS COLORS "MIAMI BUFF"	TERRACES/WALKS



1 WEST ELEVATION  
A3.1 SCALE: 1/4"=1'-0"

Issue



Proposed Remodel + Addition  
**7 BRITTON AVENUE**  
Belvedere, CA 94920

APN 060 122 05  
Latitude 37.875  
Longitude -122.472

Title EXTERIOR ELEVATIONS

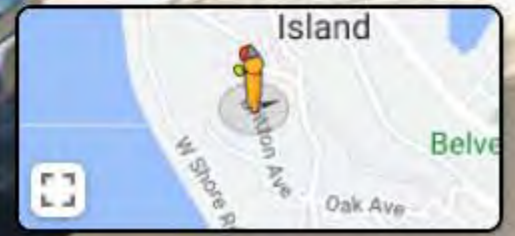
Scale 1/4" = 1'-0"

Date 24 FEBRUARY 2022

Sheet

7 Britton Ave  
Belvedere, California  
Google  
Street View - Apr 2019

Attachment D



Google



To: Mayor and City Council

From: Craig Middleton, City Manager  
Robert Zadnik, Director of Public Works & Incoming City Manager

**Subject: Resolution calling for a municipal election to elect Councilmembers and submit a ballot measure regarding Charter City and Real Property Transfer Tax**

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**Recommended Motion/Item Description**

That the City Council consider this staff report and attachments, and

That the City Council approve a resolution giving notice of the holding of a general municipal election on November 8, 2022, to elect three Councilmembers and submit to the voters of the City a measure to authorize adoption of a city charter and a real property transfer tax; and requesting that the Board of Supervisors of the County of Marin consolidate said election with the statewide general election to be held on the same date.

**Background**

Election of Councilmembers

In November, the terms of office of Mayor Sally Wilkinson, Councilmember James Campbell, and Interim Councilmember Peter Mark will expire.

The City must notify, by resolution, the Marin County Registrar of Voters of the City’s intention to conduct a general municipal election on November 8, 2022, for the purpose of electing three members to the City Council. Approval of the resolution will also authorize the City Clerk to publish the Notice of Election in local media, which serves to inform Belvedere voters of a local election and the upcoming filing period to become a candidate. The attached resolution (Attachment A) provides the required notification.

This year, the nomination period to become a candidate begins on July 18, 2022, and ends at 5:30 p.m. on August 12, 2022. If one of the incumbents does not file by 5:30 p.m. on August 12, the filing period will extend to August 17 for all candidates other than incumbents. The attached timetable lists all of the deadlines and important dates for the election.

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Real Property Transfer Tax and Charter City

The City has identified a program of infrastructure projects that will greatly enhance public safety. Current and projected budgets do not provide sufficient funds to support this program without an infusion of additional general revenues. After examining several options for obtaining enhanced revenues, the Finance Committee recommended that the Council place a measure on the ballot that would authorize a tax on the sale or transfer, for consideration, of real property. At a rate of 1%, this tax would provide adequate revenues to the City's general fund to allow the City Council to budget for the set of needed public safety infrastructure improvements that have been identified.

Based on direction provided by the Council on June 6, 2022, to phase the implementation of the program, staff has studied the financial implications of a phased set of public safety infrastructure projects. The Council directed at that meeting that priority should be given to protecting Belvedere from the impacts of earthquakes. A later phase of the program would augment the City's defenses against catastrophic flooding and sea level rise. Staff was directed to continue to work with stakeholders on a design for the flood protection program and to redouble efforts to identify and obtain outside funding while focusing on near-term protection against earthquakes.

Staff, working with an independent professional cost estimator hired by the City, has determined that the program of seismic strengthening relating to improvements to the City's roads, levees, utilities and seawall would cost approximately \$20M. The larger program, including flood protection, was estimated to cost \$27.4M. If, as has been discussed, funding for the flood prevention aspects of the project could be obtained from outside or other sources, then the amount of general fund revenue needed to support the program would be reduced.

Given that the Finance Committee's recommendation of a 1% tax rate was intended to provide sufficient general fund revenue so that the Council would have resources that could be used to support a \$27.4M set of infrastructure improvements to enhance public safety, a less expensive project (\$20M) would require a lower contribution to the general fund. Having conferred with the City's financial advisor, staff believes that a real property transfer tax rate of .8% would provide sufficient augmentation of the general fund. The Chairman of the Finance Committee has concurred with this recommendation.

A draft ordinance that, if approved by voters, would implement a real property transfer tax is included in this staff report as Attachment C. The ordinance sunsets (ends) the tax in 30 years. Expenditures of general funds obtained from the tax would be subject to Finance Committee oversight and annual audits.

In order to implement a .8% tax on the sale or transfer, for consideration, of real property, Belvedere must first become a charter city. California cities, such as Belvedere, that are structured as "general law" cities are limited to levying real property transfer taxes at the rate set in Revenue and Taxation Code section 11911. Charter cities may enact a real property transfer tax at a higher rate.



There are over 120 charter cities in California; each is governed by a city charter. The draft city charter that is included in this staff report is very narrowly drawn, meaning that the only new power provided by the charter would be the authority to levy a real property transfer tax at a rate greater than the rate established in California Revenue and Taxation Code section 11911, only after such a tax is approved by Belvedere voters. In all other respects, Belvedere would continue to function as a general law city under the laws of the state; that is, it would function as it does today.

A draft city charter is included in this staff report as Attachment B. This is the same draft charter that has been considered in two public hearings held this year by the City Council. These hearings were held on March 22, 2022, and May 9, 2022, and public comment was received by the Council.

It is important to note that, if adopted by Belvedere voters, the Belvedere city charter could be amended only by voters. The Council does not have authority to amend the city charter.

#### Summary/Conclusions

- The Finance Committee has studied options for enhancing the City's general revenues and has recommended to the Council that a real property transfer tax is the best approach and should be presented to voters.
- The Finance Committee recommended that voters be asked to consider a 1% tax on the sale, for consideration, of real property. This would be a general tax, providing revenue to the City's general fund. Such funds could not be designated for any particular purpose. They would provide sufficient general fund liquidity to enable the City to take on a comprehensive program of public safety upgrades to infrastructure. Such a tax would end at 30 years or could be ended earlier by voters.
- The City Council, on June 6, 2022, voted to direct staff to implement a phased approach to the proposed Protect Belvedere project. This approach would prioritize protecting the City's infrastructure from the impacts of earthquakes. Protect Belvedere's flood protection measures would be delayed and would be implemented as part of a second phase, which could be supported with grants and other funding sources.
- Staff believes that a real property tax rate of .8% would provide sufficient levels of general revenue to enable the City to support the seismic protection program. Funds obtained from the tax would be general funds and would not be designated for the project. The City Council has the authority to make budgetary decisions, including the decision as to whether to fund the seismic protection program.

- The California Constitution reserves the right to levy enhanced real property transfer taxes to charter cities, but not to general law cities. Belvedere is currently a general law city and would therefore need to convert to a charter city for this purpose.
- A draft charter has been presented at two public hearings of the City Council in March and May of this year. It is very narrowly drawn, meaning that the only change it would allow is to authorize of the City to levy a real property transfer tax, if that tax were approved by voters. Any change to the charter would also need to be approved by voters.
- The Council may act by motion and resolution to place a measure on the ballot.
- The measure, if approved by a majority of those Belvedere voters who participate in the election, would convert Belvedere to a charter city to be governed in accordance with the draft charter, and would empower the City to levy a real property transfer tax at a specified tax rate on the sale or transfer of property for consideration.

**Resolution**

The resolution that is included in the packet (Attachment A) would give notice of the holding of a general municipal election on November 8, 2022, to elect three Councilmembers and submit to the voters of the City a measure to authorize adoption of a city charter and a real property transfer tax. It would request that the Board of Supervisors of the County of Marin consolidate said election with the statewide general election to be held on the same date.

**Attachments:**

- A. Draft Resolution
- B. Draft City Charter (also included as Exhibit A to the Draft Resolution)
- C. Draft Real Property Transfer Tax Ordinance (also included as Exhibit B to the Draft Resolution)
- D. Timetable relating to November 8, 2022, election

Attachment A

CITY OF BELVEDERE

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022 TO ELECT THREE COUNCILMEMBERS AND SUBMIT TO THE VOTERS OF THE CITY A MEASURE TO AUTHORIZE ADOPTION OF A CITY CHARTER AND A REAL PROPERTY TRANSFER TAX; AND REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE

WHEREAS, California Government Code Section 36503 and California Elections Code Section 1000(e) provide that a General Municipal Election may be conducted on November 8, 2022; and

WHEREAS, the voters of the City of Belvedere must elect three members of the City Council, two members for the term of office in which two vacancies will be created in December 2022 and which will end in 2026 and one member to fill a term of office which will end in 2024; and

WHEREAS, the City of Belvedere was incorporated as a general law city in 1896 by residents seeking to manage local affairs; and

WHEREAS, becoming a Charter City would allow the City of Belvedere to adopt a real property transfer tax at a rate greater than that permitted in Revenue and Taxation Code Section 11911 to expand the economic and fiscal independence of our City and promote the health, safety, and welfare of all residents; and

WHEREAS, the real property transfer tax would provide a protected and reliable source of local funds to maintain critical municipal services; and

WHEREAS, the City Council has the authority to submit this measure to the voters of the City of Belvedere pursuant to Article XI of the California Constitution and Elections Code Section 9255; and

WHEREAS, Sections 10403 and 10418 of the Elections Code provide that the City Council may request the County of Marin Board of Supervisors to permit the County Elections Official to render specified services relating to the conduct of the election on a reimbursable basis; and

WHEREAS, it is desirable that the election on three Councilmember seats, the City Charter, and the real property transfer tax be consolidated with the general election to be held on the same date and that within the City, the precincts, polling places and election officers of the two elections be the same; and

WHEREAS, it is desirable that the County Election Department of the County of Marin canvass the returns of the General Municipal Election.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Belvedere that:

SECTION 1. Election Called. Pursuant to its right, power, and authority under the laws of the State of California and the City of Belvedere Municipal Code, a general municipal election is hereby called and ordered to be held in the City of Belvedere, California, on Tuesday, November 8, 2022 to: (1) elect two City Councilmembers for the full term of four years each and one City Councilmember to a non-regular term of two years to fill a vacancy and (2) submit to the voters a measure that would adopt a City Charter and a real property transfer tax.

SECTION 2. Procuring and Filing Nomination Papers. Nomination papers may be procured from the City Clerk and shall be filed with the City Clerk no later than 5:30 p.m. on the eighty-eighth day before the election, or August 12, 2022. Nomination papers may not be circulated prior to July 18, 2022 and must be filed no later than 5:30 P.M. on August 12, 2022. If any one of the incumbents does not file for re-election to office by August 12, 2022 at 5:30 p.m., the filing period for such office is extended until 5:30 p.m. on August 17, 2022 for non-incumbent candidates only.

SECTION 2. Measure to be Submitted to Voters. The full text of the measure, attached to this Resolution as Exhibit A and Exhibit B, including the proposed Charter of the City of Belvedere and an ordinance authorizing a real property transfer tax, shall be completely printed in the voter pamphlet. The measure shall not take effect unless and until it is approved by a vote of at least a simple majority of affirmative votes of the voters voting on the question at the election. If the measure is approved, both the Charter and the real property transfer tax shall be approved. The City Council, pursuant to its right and authority, does order the following measure to be submitted to the voters which shall appear and be printed on the ballot as follows:

City of Belvedere	
<i>To advance public safety; strengthen infrastructure against earthquakes; support fire suppression; safeguard water, sewer and other utilities; secure evacuation routes; and provide other general services, shall the measure establishing Belvedere</i>	YES

<i>as a Charter City and enacting a real estate property transfer tax of \$8 per \$1,000 to be paid by buyers or sellers of real property, providing \$1,600,000 annually, to end in 30 years or less, with audits and citizen oversight, benefiting Belvedere, be adopted?</i>	NO
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SECTION 3. Approval of Submission of Charter and Ordinance to Voters. The City Council hereby proposes a City Charter, attached hereto as Exhibit A, and approves submitting the proposed City Charter to the voters. The City Council hereby approves the proposed ordinance, attached hereto as Exhibit B, to be submitted to the voters. The proposed tax is a general tax and shall not take effect unless and until the proposed measure, including the Charter, is approved by a vote of at least a simple majority of affirmative votes of the voters voting on the question at the election. The ordinance specifies that the rate of the real property transfer tax shall be eight dollars per each one thousand dollars, or fraction thereof, of the consideration paid for real property. The tax is owed at the time of sale of real property. The tax shall be collected by the City. The tax shall expire in 30 years or less.

SECTION 4. Impartial Analysis. The City Attorney is hereby directed to prepare an impartial analysis of the ballot measure pursuant to Elections Code Section 9280, showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by August 22, 2022.

SECTION 5. Ballot Argument. Pursuant to Elections Code Section 9282, The Mayor is hereby authorized to prepare a written argument in support of the ballot measure, not to exceed 300 words, on behalf of the City Council. The deadline for filing arguments for and against the ballot measure with the City Clerk shall be August 22, 2022. The arguments may be changed or withdrawn until and including that date. At the Mayor’s discretion, the argument may also be signed by members of the City Council or representatives of bona fide associations or by individual voters who are eligible to vote on the measure.

SECTION 6. Rebuttal Argument. The City Council hereby adopts Elections Code Section 9285(a), permitting the filing of rebuttal arguments. If an argument is filed against the measure, the Mayor is authorized to submit a rebuttal argument on behalf of the City Council, which may also be signed by members of the City Council or representatives of bona fide associations or by individual voters who are eligible to vote on the measure, which may be different from those who signed the primary argument. When the City Clerk has selected the arguments for and against the ballot measure, which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. Rebuttal arguments shall be filed with the City Clerk by August 29, 2022 and shall not exceed 250 words in length.

SECTION 7. Ballot Format. The ballots to be used at the election shall be in the same form and content as required by law.

SECTION 8. Requesting the Consolidation of Elections. Pursuant to Elections Code Sections 10403 and 10418, the Board of Supervisors of the County of Marin is hereby requested to consolidate the General Municipal Election on Tuesday, November 8, 2022, provide all services necessary for this election, and print ballots including the Councilmember elections and ballot measure hereinabove set forth, provided that no person not a qualified elector of the City of Belvedere shall be permitted to vote for the Councilmembers or ballot measure. Within the City of Belvedere, the election precincts, polling places, and voting booths shall in every case be the same as those selected and designated by the County of Marin Registrar of Voters. The City agrees to reimburse the County of Marin for costs incurred by reason of this consolidation.

SECTION 9. Notice to County of Marin. The City Clerk shall file a certified copy of this Resolution with the Board of Supervisors of the County of Marin and the Registrar of the County of Marin, pursuant to Elections Code Section 10403.

SECTION 10. Notice of Election. The City Clerk is authorized and directed to give notice of the election as required by law. The City Clerk shall cause to be published in a newspaper of general circulation a Notice of Election which will include the date of election, hours of polling, and the offices to be filled. The City Clerk may request that the County of Marin Elections Department prepare and publish the Notice of Election.

SECTION 11. Hours of Polling. The polls for said election shall be opened at 7:00 a.m. on the day of said election and shall remain open continuously from said time until 8:00 p.m. of the same day when said polls shall be closed, except as provided in Section 10242 of the Elections Code.

SECTION 12. Certification of Vote by Council. The Council shall conduct a duly noticed public meeting on the first available date following the canvass of the vote by the Registrar of the County of Marin to certify the election and install the newly elected officers.

SECTION 13. Other Procedures. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or its application to other persons and circumstances. The City Council of the City of Belvedere hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections,

subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 15. Compliance with the California Environmental Quality Act. The adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. (“CEQA”) and 14 Cal. Code Reg. §§ 15000 et seq. (“CEQA Guidelines”). The calling and noticing of a Special Municipal Election is not a project within the meaning of CEQA Guidelines section 15378, subsection (b)(3).

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing is a full, true and complete copy of a resolution duly passed and adopted by the Council of the City of Belvedere at a regular meeting thereof held on the \_\_\_ day of June, 2022, by the following vote:

Ayes, and in favor thereof, Council Members:

Noes, Council Members:

Abstain, Council Members:

Absent, Council Members:

Dated:

Approved: \_\_\_\_\_  
Sally Wilkinson, Mayor

ATTEST: \_\_\_\_\_  
Beth Haener, Town Clerk

## **Preamble to the Belvedere Charter**

We, the people of the City of Belvedere, in the State of California, ordain and establish this Charter as the organic law of the City under the Constitution of the State. The City was originally founded in 1896 as a general law city.

## **City of Belvedere Charter**

### **ARTICLE I. NAME AND BOUNDARIES**

#### **Section 100. Name and Boundaries**

The municipal corporation now existing and known as the City of Belvedere, hereafter referred to as “the City,” shall remain and continue to be a municipal corporation under its present name of “City of Belvedere.” The boundaries of the City shall be the boundaries as established at the time this Charter takes effect, or as such boundaries may be changed thereafter in the manner authorized by law.

### **ARTICLE II. POWERS OF CITY**

#### **Section 200. Exercise of Constitutional Power of Taxation**

The City may exercise all power conferred on general law cities under the California Constitution and the laws of the state of California. In addition, the City may exercise the power granted to charter cities by Article XI Section 5 of the California Constitution with respect to the powers over municipal affairs solely for establishing a system for the imposition, levy and collection of a tax on the conveyance of real property based on the sales price or the value or the consideration paid for the real property without any of the limitations of the general laws of the State of California, including without limitation Revenue and Taxation Code Section 11911.

#### **Section 201. Subject to General Laws**

Except as provided in this Charter with respect to the power of the City over municipal affairs in relation to municipal revenues including taxation, assessment, fees, and other charges, the power of the City shall otherwise be constrained by, subject to, and governed by the general laws of the State as now and hereafter existing relating to cities organized under said general laws.

### **ARTICLE III. SUCCESSION**

#### **Section 300. Rights and Liabilities**

The City shall remain vested with and continue to own, have, possess, control, and enjoy all property, rights of property, and rights of action of every nature and description owned, possessed, controlled or enjoyed by it at the time this Charter takes effect . The City shall be subject to all the obligations, contracts, liabilities, debt, and duties of the City at the time this Charter takes effect.

#### **Section 301. Ordinances, Codes, and Other Regulations**



All ordinances, codes, resolutions, regulations, rules, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until repealed, amended, changed, or superseded in the manner provided by this Charter and any other applicable laws.

**Section 302. Pending Actions and Proceedings**

No action or proceeding, civil or criminal, pending at the time this Charter takes effect, brought by or against the City or any officer, office, or department thereof, shall be affected or abated by the adoption of this Charter, or by anything herein contained.

**ARTICLE IV. SEVERABILITY**

**Section 400. Severability**

If any provision of this Charter is found by a court of competent jurisdiction to be invalid, the remaining provisions of the Charter shall remain in full force and effect.

Exhibit B

**CITY OF BELVEDERE ORDINANCE NO. 2022-XX**

**AN ORDINANCE OF THE CITY OF BELVEDERE AMENDING BELVEDERE MUNICIPAL CODE TITLE 3 – REVENUE AND FINANCE, AUTHORIZING A TAX ON THE TRANSFER OF REAL PROPERTY LOCATED IN BELVEDERE AND ADDING CHAPTER 3.30 – REAL PROPERTY TRANSFER TAX TO THE BELVEDERE MUNICIPAL CODE**

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**WHEREAS**, the City of Belvedere was incorporated as a general law city in 1896; and

**WHEREAS**, the power of home rule granted by the California Constitution makes available to charter cities tools to construct local policy and address local concerns; and

**WHEREAS**, establishing Belvedere as a charter city would enable the City to implement a property transfer tax, if the tax is approved by voters; and

**WHEREAS**, under the terms of the proposed Charter for the City Belvedere, the only additional power provided to the City is the authority to implement a transfer tax, if the tax is approved by voters; and

**WHEREAS**, the City Council held two noticed public hearings to receive comments from the public and to consider the proposed draft City of Belvedere Charter; and

**WHEREAS**, the City Council held a public hearing on a proposed ordinance that would authorize a real property transfer tax; and

**WHEREAS**, at the conclusion of the hearing process, after considering all testimony, evidence, and comments from the public, the City Council wishes to place a measure on the ballot that would approve the City of Belvedere Charter and an ordinance that would authorize a real property transfer tax; and

**WHEREAS**, the measure provides a protected and reliable source of general fund revenue that could enable the City to support public safety and related infrastructure, and

**WHEREAS**, the measure would end in thirty years, or could be ended sooner by voters; and

**WHEREAS**, the measure requires oversight by the City's Finance Committee and annual audits; and

**WHEREAS**, the tax to be submitted to the voters, if approved, would authorize a tax on the sale of property. Payment of the tax could be negotiated between the buyer and seller. The tax would not be an annual tax on property, only a tax on the sale of property. The tax rate would be eight dollars (\$8.00) per each one thousand dollars (\$1,000), or fraction thereof, of the consideration paid for real property. The tax would be owed at the time of sale of real property. Both the City of Belvedere Charter and the tax would be approved if the measure receives at least a simple majority vote of affirmative votes; and

**WHEREAS**, approval of this ordinance is exempt from review under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. ("CEQA") and 14 Cal. Code Reg. §§ 15000 et seq. ("CEQA Guidelines")). The tax authorized by this ordinance is a general tax that can be used for any legitimate governmental purpose; it is not a commitment to any particular action. As such, under CEQA Guidelines section 15378(b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue from the tax were used for a purpose that would have such effect, the City would undertake the required CEQA review for that particular project at the earliest feasible time prior to approval of the project, consistent with CEQA Guidelines Sections 15004 and 15352. Therefore, pursuant to CEQA Guidelines section 15060, CEQA analysis is not required.

**NOW, THEREFORE**, the City Council of the City of Belvedere does hereby ordain as follows:

**SECTION 1. AMENDMENT.** A new Chapter 3.30 "Real Property Transfer Tax" is hereby added to the Belvedere Municipal Code (BMC) to read as set forth in **Exhibit A** to this Ordinance, which is hereby incorporated as though set forth in full herein.

**SECTION 2. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this ordinance are declared to be severable.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect 10 days after the City Council declares the results of the vote at the November 8, 2022 election. The tax authorized by

the ordinance shall become operative upon the effective date of the Charter of the City of Belvedere. Within 15 days following its passage, a summary of the Ordinance shall be published with the names of those City Council members voting for and against the Ordinance, and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance.

The foregoing ordinance was approved by the following vote of the People of the City of Belvedere at an election held on November 8, 2022:

YESES:  
NOES:

The foregoing ordinance was adopted by the Declaration of the vote at the November 8, 2022 election, which the City Council of the City of Belvedere declared on December XX, 2022 by the following vote:

AYES:  
NOES:  
ABSENT:  
RECUSED:

APPROVED:  
Sally Wilkinson, Mayor

ATTEST:  
Beth Haener, City Clerk

## EXHIBIT A

Chapter 3.30 “Real Property Transfer Tax” is hereby added to the Belvedere Municipal Code to read in its entirety as follows:

3.30.010 Title. This chapter may be cited as the “Real Property Transfer Tax Ordinance of the City of Belvedere.”

3.30.020 Purpose and Authority.

- A. The tax imposed by this chapter is solely for the purpose of raising revenues for the general governmental purposes of the City. All of the proceeds from the tax imposed by this chapter shall be placed in the City’s general fund. This chapter is not enacted for regulatory purposes.
- B. This ordinance is adopted pursuant to the City’s authority under Article XI, section 5 of the Constitution of the State of California and Section \_\_\_ of the Belvedere City Charter.

3.30.030 Definitions. For purposes of this Chapter , the following definitions apply:

- A. “Change in control and ownership of legal entity” means any direct or indirect acquisition or transfer of ownership interest or control in a legal entity that constitutes a change in ownership or transfer of the real property of the legal entity under California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- B. “Change in ownership” shall have the same meaning as in California Revenue and Taxation Code section 60, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- C. “City” means the City of Belvedere.
- D. “County Assessor” means the Assessor-Recorder-Clerk of the County of Marin or any department of the government of the County of Marin that succeeds to the assessor functions.
- E. “County Recorder” means the Assessor-Clerk-Recorder of the County of Marin or any department of the government of the County of Marin that succeeds to the recorder functions.
- F. “Person” and “persons” mean any natural person, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, limited liability company, municipal corporation, political subdivision of the State of California, domestic or foreign corporation, association, syndicate, society, or any group of

individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, and the United States or any instrumentality thereof. “Person” and “persons” also mean any natural person, who as an individual or with a spouse, owns 51 percent or more of the capital stock of a corporation obligated to file a declaration and pay tax pursuant to this chapter; and in addition, is a person with the power to control the fiscal decision-making process by which the corporation allocates funds to creditors in preference to its tax obligations under the provisions of this chapter. A person who is also an officer or director of a corporation obligated to file declarations and pay tax pursuant to this chapter shall be presumed to be a person with the power to control the fiscal decision-making process. Whenever the term “person” is used in any clause prescribing and imposing a penalty, the term as applied to an association shall mean the owners or part owners thereof, and as applied to corporation, the officers thereof.

- G. “Real property” and “realty” mean real property as defined by and under the laws of the state of California.
- H. “Tax” means the tax authorized and imposed by this chapter.
- I. “Tax Administrator” means the Finance Director or other City official designated by the City Manager to administer the tax. Some or all of the functions of the Tax Administrator may be delegated to the County Recorder. References to the Tax Administrator include the County Recorder or other department of the County of Marin when a power or duty referred to has been delegated to the County Recorder or other department of the County of Marin.
- J.
  - 1. “Transfer of real property” means a sale, grant, assignment, transfer, or other conveyance of any lands, tenements, or other real property by deed, instrument, or other writing from a transferor to a transferee, or to a third person at or by the direction of transferee.
  - 2. “Transfer of real property” includes the purchase or transfer of ownership interests in legal entities, such as corporate stock or partnership or limited liability company interests, if a purchase or transfer of ownership interest in a legal entity would constitute a transfer of real property (held directly or indirectly by the legal entity purchased or transferred) under California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration. This subsection is applicable to the purchase or transfer of ownership interests in a partnership without regard to whether it is a continuing or a dissolved partnership or whether the real property is or was held directly or indirectly by the partnership or any member of the partnership. To the extent necessary to further the purposes of this chapter, the documents effectuating the purchase or transfer of ownership interest in a legal entity shall be deemed to have been an instrument executed whereby there was conveyed, for fair market

value, all real property that experienced a change of ownership under California Revenue and Taxation Code Section 64.

- K. “Transferee” means a person to whom a transfer of real property is made. For the purposes of a transfer of real property as defined in subsection (J)(2), above, “transferee” shall be interpreted consistent with California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- L. “Transferor” means a person who makes a transfer of real property. For the purposes of a transfer of real property as defined in subsection (J)(2), above, “transferor” shall be interpreted consistent with California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- M.
  1. “Value of consideration” means the total consideration, valued in money of the United States, paid or delivered, or contracted to be paid or delivered in return for the transfer of real property, including the amount of any indebtedness existing immediately prior to the transfer which is secured by a lien, deed of trust, or other encumbrance on the property conveyed and which continues to be secured by such lien, deed of trust, or encumbrances after such transfer, and also including the amount of any indebtedness which is secured by a lien, deed of trust, or encumbrance given or placed upon the property in connection with the transfer to secure the payment of the purchase price or any part thereof which remains unpaid at the time of transfer.
  2. “Value of the consideration” also includes the amount of any special assessment levied or imposed upon the property by a public body, district or agency, where such special assessment is a lien or encumbrance on the property and the purchaser or transferee agrees to pay such special assessment or takes the property subject to the lien of such special assessment. The value of any lien or encumbrance of a type other than those which are hereinabove specifically included, existing immediately prior to the transfer and remaining after such transfer, shall not be included in determining the value of the consideration.
  3. For the purposes of a transfer of real property as defined in subsection (J)(2), above, “value of the consideration” means the fair market value of the property transferred, as determined by the Tax Administrator or County.
  4. If the “value of the consideration” cannot be definitely determined, or is left open to be fixed by future contingencies, “value of the consideration” shall be deemed to mean the fair market value of the property at the time of transfer, after deducting the amount of any lien or encumbrance, if any,

of a type which would be excluded in determining the “value of the consideration” pursuant to the above provisions of this section.

5. In the event that the asserted “value of consideration” for a transfer of real property is less than the fair market value, the Tax Administrator may assume that the “value of consideration” is the fair market value of the property but shall consider evidence submitted by the persons responsible for the paying the tax that the lower amount represents the price agreed upon as part of a valid arms-length transaction.

3.30.040 Tax Imposed. A tax is hereby imposed on each transfer of real property located in the City of Belvedere, when the value of the consideration exceeds one hundred dollars (\$100.00)

3.30.050 Tax Rate. The rate of the tax imposed pursuant this chapter shall be eight dollars (\$8.00) for each one thousand dollars (\$1,000.00) of the value of consideration paid for a transfer of real property, or fractional part of each one thousand dollars (\$1,000.00) of the value of consideration.

3.30.060 Persons Liable for Tax.

- A. Any person who makes a transfer of real property subject to the tax imposed by this chapter and any person to whom such a transfer is made shall be jointly and severally liable for payment of the tax. The transferor and transferee may apportion the tax between themselves.
- B. Without in any way limiting the effect of subsection (A), above, and for informational purposes only, the City notes that it is the custom in Belvedere that the transferor and transferee each pay one half of the tax.

3.30.070 Exceptions and Exemptions.

- A. Government Entities. The United States or any political subdivision thereof, the State of California, any city, county, city and county, district or any other political subdivision of the State of California shall be exempt from the tax imposed pursuant to this chapter. If the transferee or transferor is not a government entity, then the party to the transfer that is not a government entity shall be liable for the tax imposed pursuant to this chapter.
- B. Writings That Secure a Debt. Any tax imposed pursuant to this chapter shall not apply to any instrument in writing given to secure a debt.
- C. Transfers of Real Property to Effectuate a Plan of Reorganization. Any tax imposed pursuant to this chapter shall not apply to the making, delivery, or filing of conveyances to make effective any plan of reorganization or adjustment:
  1. Confirmed under the Federal Bankruptcy Act, as amended;



2. Approved in an equity receivership proceeding in a court involving a railroad corporation, as defined in Section 101 of Title 11 of the United States Code, as amended;
3. Approved in an equity receivership proceeding in a court involving a corporation, as defined in Section 101 of Title 11 of the United States Code, as amended; or
4. Whereby a mere change in identity, form, or place of organization is effected.

Subsections (1) to (4), above, shall only apply if the making, delivery, or filing of instruments of transfer or conveyance occurs within five (5) years from the date of such confirmation, approval, or change.

- D. Orders of the Securities and Exchange Commission. Any tax imposed pursuant to this article shall not apply to the making or delivery of conveyances to make effective any order of the Securities and Exchange Commission, as defined in subdivision (a) of Section 1083 of the Internal Revenue Code of 1954; but only if:
1. The order of the Securities and Exchange Commission in obedience to which such conveyance is made is necessary or appropriate to effectuate the provisions of Section 79k of Title 15 of the United States Code, relating to the Public Utility Holding Company Act of 1935;
  2. Such order specifies the property which is ordered to be conveyed; and
  3. Such conveyance is made in obedience to such order issued prior to February 8, 2006.
- E. Transfer of Certain Partnership Property.
1. In the case of any realty held by a partnership or other entity treated as a partnership for federal income tax purposes, no tax shall be imposed pursuant to this chapter by reason of any transfer of an interest in the partnership or other entity or otherwise, if all of the following apply:
    - a. The transfer of an interest in the partnership or other entity does not constitute a transfer of real property as defined in section 3.30.030(J)(2).
    - b. The partnership or other entity treated as a partnership is considered a continuing partnership within the meaning of Section 708 of the Internal Revenue Code of 1986, as amended.
    - c. The continuing partnership or other entity treated as a partnership continues to hold the realty concerned.

2. If there is a termination of any partnership or other entity treated as a partnership for federal income tax purposes, within the meaning of Section 708 of the Internal Revenue Code of 1986, for purposes of this chapter, the partnership or other entity shall be treated as having transferred all realty held by the partnership or other entity under section 3.30.030(J)(2). The date of the transfer of the real property held by the partnership or other entity shall be the same as the date of the termination.
  3. Not more than one (1) tax shall be imposed pursuant to this chapter by reason of a termination described in subsection (2) of this section, and any transfer pursuant thereto, with respect to the realty held by a partnership or other entity treated as a partnership at the time of the termination.
- F. Transfers That Result Only in a Change in the Method of Holding Title to Real Property. No tax shall be imposed pursuant to this chapter by reason of any transfer between an individual or individuals and a legal entity or between legal entities that results solely in a change in the method of holding title to the realty and in which proportional ownership interests in the realty, whether represented by stock, membership interest, partnership interest, co-tenancy interest, or otherwise, directly or indirectly, remain the same immediately after the transfer.
- G. Deed in Lieu of Foreclosure. Any tax imposed pursuant to this chapter shall not apply with respect to any deed, instrument, or writing to a beneficiary or mortgagee, which is taken from the mortgagor or trustor as a result of or in lieu of foreclosure; provided, that such tax shall apply to the extent that the consideration exceeds the unpaid debt, including accrued interest and cost of foreclosure. Consideration, unpaid debt amount, and identification of grantee as beneficiary or mortgagee shall be noted on said deed, instrument, or writing or stated in an affidavit or declaration under penalty of perjury for tax purposes.
- H. Transfers between Spouses and Domestic Partners.
1. Any transfer made during the term of a marriage or domestic partnership between spouses or domestic partners shall be exempt from the tax imposed pursuant to this chapter.
  2. Any transfer of property from one spouse or domestic partner to the other in accordance with the terms of a decree of dissolution or legal separation or in fulfillment of a property settlement incident thereto shall be exempt from the tax imposed pursuant to this chapter. This exemption shall apply only to property that was acquired by the spouses or domestic partners prior to the final decree of dissolution. This exemption shall not apply to a transfer of property to a third party, despite the existence of a valid court order or settlement agreement.
    - a. For domestic partners, the two parties to the transfer must have on file a valid domestic partnership registration (a) under existing law

and procedures for the state of California domestic partnership registry, or (b) with a governmental agency of a jurisdiction that recognizes domestic partnership registration.

- b. If domestic partners do not own, as joint tenants, the property that is the subject of their dissolution agreement, they must demonstrate that they were living together at the location of the real property in question either at least six months prior to the dissolution of the domestic partners relationship or the entire period of ownership of the transferring partner, whichever is more.
  - c. To qualify for this exemption, domestic partners must provide that portion of their dissolution and property settlement agreement pertaining to the division or transfer of property, which shall be filed with the Office of the City Clerk or County Recorder. The copy of the settlement agreement shall be accompanied by an affidavit with verifiable signatures or proof of identity, that the copy is an accurate and authentic reproduction of the final settlement agreement between the parties.
- I. Transfers That Confirm or Correct a Recorded Deed. A transfer of real property without consideration that confirms or corrects a deed shall be exempt from the tax imposed pursuant to this chapter. The correcting or confirming transfer must be recorded no later than ninety (90) days after the recordation of the transfer requiring correction or confirmation.
- J. Transfers Pursuant to Gifts and Bequests.
- 1. The tax imposed pursuant to this chapter shall not apply to a transfer of real property from a natural person if the transfer is a gift for which the transferee pays or delivers no consideration to the transferor. If real property is transferred to multiple transferees as a gift, and one transferee subsequently pays or delivers consideration to the other transferees to obtain sole ownership of the real property, the tax shall apply to the transfer referred to in this sentence.
  - 2. The tax imposed pursuant to this chapter shall not apply to a transfer if the real property is specifically devised by a natural person to the transferee as part of a will or similar document, as long as the transferee pays or delivers no consideration to the transferor for the real property. If real property is devised to multiple transferees as part of a will or similar document, and one transferee subsequently pays or delivers consideration to the other transferees to obtain sole ownership of the real property, the tax shall apply to the transfer referred to in this sentence.

3. The exception provided in this subsection shall not apply if a transfer of real property is determined to be a transfer of real property as defined in section 3.30.030(J)(2).

3.30.080. Administration of Tax. The Tax Administrator shall collect or cause to be collected the tax imposed pursuant to this chapter and shall otherwise administer this chapter. The Tax Administrator may make such rules and regulations, not inconsistent with this chapter, as they may deem reasonably necessary or desirable to administer this chapter, as well as necessary forms and receipts.

3.30.090 Due Dates, Delinquencies, Penalties, Interest, Administrative Charges, and Lien Release Recordation Fees; Penalty for Fraud.

- A. The tax imposed pursuant to this chapter is due and payable at the time the deed, instrument, or writing effecting a transfer of real property subject to the tax is delivered or the transfer of real property is deemed to have been completed. The tax imposed pursuant to this chapter is delinquent if unpaid ninety (90) days later. If a transfer of real property is effected but not recorded with the County Recorder within ninety (90) days of the date on which the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed, all statutes of limitations regarding liability for the tax imposed pursuant to this chapter shall be tolled until the City has actual knowledge of the transfer, at which time the tax on the unrecorded transfer shall relate back to the date on which the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed. Penalties and interest shall be deemed to have begun accruing on the date the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed, and shall be the joint and several liability of the persons referred to in Section 3.30.060. In the event that the tax is not paid prior to becoming delinquent, a delinquency penalty of twenty-five percent (25%) of the amount of the tax due shall accrue. In the event only a portion of the tax is unpaid prior to becoming delinquent, the penalty shall only accrue as to the unpaid portion. An additional penalty of fifteen percent (15%) of the amount of tax due shall accrue if the tax remains unpaid on the ninetieth day following the date of the original delinquency. Interest shall accrue at the rate of one percent (1%) per month or fraction thereof, on the amount of the tax, inclusive of penalties, from the date the tax becomes delinquent to the date of payment. Interest and penalties shall become part of the tax. An administrative charge and a release of lien filing fee equal to the amount charged by the County Recorder shall be added to the amount owed for each property approved for a tax lien by the City Council.
- B. If the Tax Administrator determines that the failure of any person to timely pay any tax imposed by this chapter was attributable to fraud or an intent to evade this chapter, then the Tax Administrator shall impose a penalty in the amount of fifty percent (50%) of the amount of the unpaid tax. The penalty imposed by this subsection (B) shall be in addition to the penalty imposed under subsection (A) and any other fines, penalties, or other charges imposed by law.

- C. Tax due and payable prior to the expiration of the authority to levy the tax imposed pursuant to this chapter shall continue to be owed and a debt to the City after the expiration of the City's authority to levy the tax. All interest and penalties shall continue to apply to delinquent tax after the expiration of the authority to levy the tax. The City may continue to take all actions authorized by this chapter to collect delinquent tax and to hear and decide petitions for redetermination.

3.30.100 Declaration May Be Required.

- A. The tax imposed by this chapter shall be paid to the Tax Administrator or County Recorder by the persons referred to in Section 3.30.060. The Tax Administrator shall have the authority, pursuant to this chapter and any promulgated rules and regulations, to require that the payment shall be accompanied by a declaration of the amount of tax due signed by the person paying the tax or by their duly authorized agent. If a declaration is required, it shall include a statement that the value of the consideration on which the tax due was computed includes all indebtedness secured by liens, deeds of trust, or other encumbrances remaining or placed on the property transferred at the time of transfer, and also includes all special assessments on the property which a purchaser or transferee agrees to pay or which remains a lien on the property at the time of transfer. The declaration shall identify the deed, instrument, or writing effecting the transfer for which the tax is being paid. The declaration may include a statement that all information provided in the declaration is offered under penalty of perjury. The Tax Administrator may require delivery of a copy of such deed, instrument, or writing whenever they deem such to be reasonably necessary to adequately identify such writing or to administer the provisions of this chapter. The Tax Administrator may but is not required to rely on the declaration as to the amount of the tax due.
- B. Whenever the Tax Administrator has reason to believe that the full amount of tax due is not shown on the declaration or has not been paid, they may, by notice served upon any person liable for the tax, require them to furnish a true copy of their records relevant to the value of the consideration or fair market value of the property transferred. Such notice may be served at any time within three (3) years after delivery of the deed, instrument, or writing which transfers such property or the date that the transfer of real property is deemed to have been completed, except that the deadline to serve the notice shall be tolled until the City has actual knowledge of the transfer, at which time the tax on the unrecorded transfer shall relate back to the date on which the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed.

3.30.110 Determination of Deficiency; Petition for Redetermination.

- A. If on the basis of such information as the Tax Administrator receives pursuant to Section 3.30.100, or on the basis of such other relevant information that comes into their possession, they determine that the amount of tax due as set forth in the

declaration, or as paid, is insufficient, he or she may re-compute the tax due on the basis of such information.

- B. If the declaration referenced in Section 3.30.100 is not submitted, the Tax Administrator may make an estimate of the value of the consideration for the property transferred and determine the amount of tax to be paid on the basis of any information in their possession or that may come into their possession.
- C. More than one deficiency determination may be made of the amount due with respect to any single transfer of real property.
- D. The Tax Administrator shall give written notice to a person liable for payment of the tax imposed pursuant this chapter of a deficiency determination made under this section. Such notice shall be given within three (3) years after the City has actual knowledge of the recordation of the deed, instrument, or writing effecting the transfer or the date on which the transfer of real property is deemed to have been completed.
- E. Any notice required to be given by the Tax Administrator under this chapter may be served personally or by mail. If service is made by mail, it shall be made by depositing the notice in the United States mail, in a sealed envelope with postage paid, addressed to the person on whom it is to be served at the address as it appears in the records of the City or as ascertained by the Tax Administrator. The service is complete at the time of the deposit of the notice in the United States mail, without extension of time for any reason.
- F. Any person against whom a deficiency determination is made under this chapter or any person directly interested may petition the Tax Administrator for a redetermination within sixty (60) days after service upon the person of notice thereof. If a petition for redetermination is not filed in writing with the Tax Administrator within the sixty (60) day period, the determination becomes final at the expiration of the period.
- G. If a petition for redetermination is filed within the sixty (60) day period, the Tax Administrator shall reconsider the determination and, if the person has so requested in his or her petition, shall grant the person an oral hearing, and shall give them ten (10) days' notice of the time and place of the hearing. The Tax Administrator may designate a hearing officer for the purpose of conducting hearings. A hearing on a tax deficiency redetermination may be continued from time to time as may be necessary.
- H. As part of a redetermination hearing, the Tax Administrator may decrease or increase the amount of the tax owed before a redetermination decision becomes final, but the amount may be increased only if the Tax Administrator asserts a claim for the increase at or before the hearing.
- I. The order or decision of the Tax Administrator upon a petition for redetermination becomes final thirty (30) days after service of notice thereof upon

the petitioner or at the time of hearing of redetermination. There is no administrative appeal to the City Council of the Tax Administrator's decision on a petition for redetermination. Writs challenging the Tax Administrator's decision must be filed with the appropriate court within ninety (90) days of the final date of such redetermination. (California Code of Civil Procedure Section 1094.6.)

3.30.120 Tax a Debt. The amount of any tax, penalty, and interest imposed under the provisions of this chapter shall be deemed a debt owed to the City. Any person owing money to the City under the provisions of this chapter shall be liable in an action brought in the name of the City for the recovery of such amount, plus the City's costs of bringing the action, including attorneys' fees and litigation costs. The provisions of this section shall not be deemed a limitation upon the right of the City to bring any other action, whether criminal, legal, or equitable, based upon the failure to pay the tax, penalty, or interest imposed by this chapter or the failure to comply with any of the provisions hereof.

3.30.130 Refunds. Whenever the amount of any tax, penalty, or interest has been overpaid, or paid more than once, or has been erroneously collected or received by the City under this chapter, it may be refunded as provided in this section. The person who paid the tax must file with the Tax Administrator a written claim stating under penalty of perjury the specific grounds on which the refund is claimed. A refund claim must be filed within one (1) year of the date of payment. The claim shall be submitted on forms furnished by the Tax Administrator. The Tax Administrator may make such refund if they are satisfied that the claimant is entitled to the refund under the provisions of this chapter. No refund shall be paid under the provisions of this section unless the claimant establishes his or her right thereto. Persons claiming they are aggrieved under this chapter must prior to seeking judicial relief (A) pay the amount of the disputed tax, penalty, or interest; and (B) present a claim for refund to the Tax Administrator.

3.30.140 Tax a Lien or Assessment against Transferred Real Property.

- A. The amount of tax, penalty, and interest imposed under the provisions of this chapter is assessed against the real property upon the transfer of which the tax is imposed. If the tax, penalties, or interest are not paid when due, they may be recorded as a lien against or a special assessment on the real property transferred. Any lien against the transferred real property shall continue until the amount thereof including all penalties and interest are paid, or until it is discharged of record. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount.
- B. The Tax Administrator shall file with the City Manager a written notice of liens and special assessments that the Tax Administrator believes should be recorded to collect the tax, penalties, or interest owned pursuant to this chapter. Upon the receipt of such notice, the City Manager shall present the same to the City Council, and the City Council shall forthwith, by resolution, fix a time and place for a public hearing on such notice.

- C. The Tax Administrator shall cause a copy of such resolution and notice to be served upon the persons responsible for the tax, penalties, or interest owed. Notice shall be provided not less than ten (10) days prior to the time fixed for the hearing. Service shall be made by mailing a copy of the resolution and notice to the transferor and transferee of real property at their last known addresses. Service shall be deemed complete at the time of deposit in the United States mail.
- D. Following the hearing, if the City Council determines that tax, penalties, or interest are owed pursuant to this chapter, it may authorize the imposition of a lien against the transferred real property and may order that any delinquent taxes, penalties, or interest that remain unpaid by the transferor or transferee shall constitute a special assessment against the transferred real property. If the City Council orders the imposition of a special assessment against the transferred real property, the special assessment shall be collected at such time as is established by the County Assessor for inclusion in the next property tax assessment.
- E. The Tax Administrator shall turn over to the County Assessor for inclusion in the next property tax assessment the total sum of unpaid delinquent charges consisting of the delinquent taxes, penalties, and interest at the rate of twelve percent (12%) per annum from the date of recordation to the date of lien.
- F. Thereafter, the authorized special assessment may be collected at the same time and in the same manner as ordinary property taxes are collected, and shall be subject to the same penalties and the same procedure of sale as provided for delinquent property taxes. The assessment lien previously imposed upon the property is paramount to all other liens except for those of State, county, and municipal taxes with which it shall be upon parity. The lien shall continue until the special assessment and all interest and charges due and payable thereon are paid. All taxes applicable to the levy, collection, and enforcement of municipal taxes shall be applicable to said special assessments.

3.30.150 Annual audit. Each year, as part of audit of the city's financial statements, the city's independent auditors shall complete a report reviewing the collection, management, and expenditure of revenue from the tax levied by this chapter. The report shall be reviewed by the Finance Committee or successor agency designated by the City Council as part of its annual review of the City's audited financial statements.

3.30.160 Amendments.

- A. The following amendments to this ordinance must be approved by the voters of the City: increasing the tax rate or revising the methodology for calculating the tax such that a tax increase would result; imposing the tax on persons not previously subject to the tax; or extending the tax.
- B. The City Council may otherwise amend this chapter without submitting the amendment to the voters of the City for approval.



- C. The City Council may establish rules that are necessary and desirable for implementation of this chapter.

3.30.170 Sunset of Tax. The authority to levy the tax authorized pursuant to this chapter shall terminate at midnight on the thirtieth anniversary of the date that the City is first authorized to levy the tax.

5089126.12

## **Preamble to the Belvedere Charter**

We, the people of the City of Belvedere, in the State of California, ordain and establish this Charter as the organic law of the City under the Constitution of the State. The City was originally founded in 1896 as a general law city.

## **City of Belvedere Charter**

### **ARTICLE I. NAME AND BOUNDARIES**

#### **Section 100. Name and Boundaries**

The municipal corporation now existing and known as the City of Belvedere, hereafter referred to as “the City,” shall remain and continue to be a municipal corporation under its present name of “City of Belvedere.” The boundaries of the City shall be the boundaries as established at the time this Charter takes effect, or as such boundaries may be changed thereafter in the manner authorized by law.

### **ARTICLE II. POWERS OF CITY**

#### **Section 200. Exercise of Constitutional Power of Taxation**

The City may exercise all power conferred on general law cities under the California Constitution and the laws of the state of California. In addition, the City may exercise the power granted to charter cities by Article XI Section 5 of the California Constitution with respect to the powers over municipal affairs solely for establishing a system for the imposition, levy and collection of a tax on the conveyance of real property based on the sales price or the value or the consideration paid for the real property without any of the limitations of the general laws of the State of California, including without limitation Revenue and Taxation Code Section 11911.

#### **Section 201. Subject to General Laws**

Except as provided in this Charter with respect to the power of the City over municipal affairs in relation to municipal revenues including taxation, assessment, fees, and other charges, the power of the City shall otherwise be constrained by, subject to, and governed by the general laws of the State as now and hereafter existing relating to cities organized under said general laws.

### **ARTICLE III. SUCCESSION**

#### **Section 300. Rights and Liabilities**

The City shall remain vested with and continue to own, have, possess, control, and enjoy all property, rights of property, and rights of action of every nature and description owned, possessed, controlled or enjoyed by it at the time this Charter takes effect . The City shall be subject to all the obligations, contracts, liabilities, debt, and duties of the City at the time this Charter takes effect.

#### **Section 301. Ordinances, Codes, and Other Regulations**

All ordinances, codes, resolutions, regulations, rules, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until repealed, amended, changed, or superseded in the manner provided by this Charter and any other applicable laws.

Attachment B  
Draft City Charter

**Section 302. Pending Actions and Proceedings**

No action or proceeding, civil or criminal, pending at the time this Charter takes effect, brought by or against the City or any officer, office, or department thereof, shall be affected or abated by the adoption of this Charter, or by anything herein contained.

**ARTICLE IV. SEVERABILITY**

**Section 400. Severability**

If any provision of this Charter is found by a court of competent jurisdiction to be invalid, the remaining provisions of the Charter shall remain in full force and effect.

**CITY OF BELVEDERE ORDINANCE NO. 2022-XX****AN ORDINANCE OF THE CITY OF BELVEDERE AMENDING BELVEDERE MUNICIPAL CODE TITLE 3 – REVENUE AND FINANCE, AUTHORIZING A TAX ON THE TRANSFER OF REAL PROPERTY LOCATED IN BELVEDERE AND ADDING CHAPTER 3.30 – REAL PROPERTY TRANSFER TAX TO THE BELVEDERE MUNICIPAL CODE**

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**WHEREAS**, the City of Belvedere was incorporated as a general law city in 1896; and

**WHEREAS**, the power of home rule granted by the California Constitution makes available to charter cities tools to construct local policy and address local concerns; and

**WHEREAS**, establishing Belvedere as a charter city would enable the City to implement a property transfer tax, if the tax is approved by voters; and

**WHEREAS**, under the terms of the proposed Charter for the City Belvedere, the only additional power provided to the City is the authority to implement a transfer tax, if the tax is approved by voters; and

**WHEREAS**, the City Council held two noticed public hearings to receive comments from the public and to consider the proposed draft City of Belvedere Charter; and

**WHEREAS**, the City Council held a public hearing on a proposed ordinance that would authorize a real property transfer tax; and

**WHEREAS**, at the conclusion of the hearing process, after considering all testimony, evidence, and comments from the public, the City Council wishes to place a measure on the ballot that would approve the City of Belvedere Charter and an ordinance that would authorize a real property transfer tax; and

**WHEREAS**, the measure provides a protected and reliable source of general fund revenue that could enable the City to support public safety and related infrastructure, and

**WHEREAS**, the measure would end in thirty years, or could be ended sooner by voters; and

**WHEREAS**, the measure requires oversight by the City's Finance Committee and annual audits; and

**WHEREAS**, the tax to be submitted to the voters, if approved, would authorize a tax on the sale of property. Payment of the tax could be negotiated between the buyer and seller. The tax would not be an annual tax on property, only a tax on the sale of property. The tax rate would be eight dollars (\$8.00) per each one thousand dollars (\$1,000), or fraction thereof, of the consideration paid for real property. The tax would be owed at the time of sale of real property.

Both the City of Belvedere Charter and the tax would be approved if the measure receives at least a simple majority vote of affirmative votes; and

**WHEREAS**, approval of this ordinance is exempt from review under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. (“CEQA”) and 14 Cal. Code Reg. §§ 15000 et seq. (“CEQA Guidelines”). The tax authorized by this ordinance is a general tax that can be used for any legitimate governmental purpose; it is not a commitment to any particular action. As such, under CEQA Guidelines section 15378(b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue from the tax were used for a purpose that would have such effect, the City would undertake the required CEQA review for that particular project at the earliest feasible time prior to approval of the project, consistent with CEQA Guidelines Sections 15004 and 15352. Therefore, pursuant to CEQA Guidelines section 15060, CEQA analysis is not required.

**NOW, THEREFORE**, the City Council of the City of Belvedere does hereby ordain as follows:

**SECTION 1. AMENDMENT.** A new Chapter 3.30 “Real Property Transfer Tax” is hereby added to the Belvedere Municipal Code (BMC) to read as set forth in **Exhibit A** to this Ordinance, which is hereby incorporated as though set forth in full herein.

**SECTION 2. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this ordinance are declared to be severable.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect 10 days after the City Council declares the results of the vote at the November 8, 2022 election. The tax authorized by the ordinance shall become operative upon the effective date of the Charter of the City of Belvedere. Within 15 days following its passage, a summary of the Ordinance shall be published with the names of those City Council members voting for and against the Ordinance, and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance.

The foregoing ordinance was approved by the following vote of the People of the City of Belvedere at an election held on November 8, 2022:

YESES:

NOES:

The foregoing ordinance was adopted by the Declaration of the vote at the November 8, 2022 election, which the City Council of the City of Belvedere declared on December XX, 2022 by the following vote:

AYES:

NOES:

ABSENT:

RECUSED:

APPROVED:

Sally Wilkinson, Mayor

ATTEST:

Beth Haener, City Clerk

## EXHIBIT A

Chapter 3.30 “Real Property Transfer Tax” is hereby added to the Belvedere Municipal Code to read in its entirety as follows:

3.30.010 Title. This chapter may be cited as the “Real Property Transfer Tax Ordinance of the City of Belvedere.”

3.30.020 Purpose and Authority.

- A. The tax imposed by this chapter is solely for the purpose of raising revenues for the general governmental purposes of the City. All of the proceeds from the tax imposed by this chapter shall be placed in the City’s general fund. This chapter is not enacted for regulatory purposes.
- B. This ordinance is adopted pursuant to the City’s authority under Article XI, section 5 of the Constitution of the State of California and Section \_\_\_ of the Belvedere City Charter.

3.30.030 Definitions. For purposes of this Chapter , the following definitions apply:

- A. “Change in control and ownership of legal entity” means any direct or indirect acquisition or transfer of ownership interest or control in a legal entity that constitutes a change in ownership or transfer of the real property of the legal entity under California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- B. “Change in ownership” shall have the same meaning as in California Revenue and Taxation Code section 60, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- C. “City” means the City of Belvedere.
- D. “County Assessor” means the Assessor-Recorder-Clerk of the County of Marin or any department of the government of the County of Marin that succeeds to the assessor functions.
- E. “County Recorder” means the Assessor-Clerk-Recorder of the County of Marin or any department of the government of the County of Marin that succeeds to the recorder functions.
- F. “Person” and “persons” mean any natural person, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, limited liability company, municipal corporation, political subdivision of the State of California, domestic or foreign corporation, association, syndicate, society, or any group of

individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, and the United States or any instrumentality thereof. “Person” and “persons” also mean any natural person, who as an individual or with a spouse, owns 51 percent or more of the capital stock of a corporation obligated to file a declaration and pay tax pursuant to this chapter; and in addition, is a person with the power to control the fiscal decision-making process by which the corporation allocates funds to creditors in preference to its tax obligations under the provisions of this chapter. A person who is also an officer or director of a corporation obligated to file declarations and pay tax pursuant to this chapter shall be presumed to be a person with the power to control the fiscal decision-making process. Whenever the term “person” is used in any clause prescribing and imposing a penalty, the term as applied to an association shall mean the owners or part owners thereof, and as applied to corporation, the officers thereof.

- G. “Real property” and “realty” mean real property as defined by and under the laws of the state of California.
- H. “Tax” means the tax authorized and imposed by this chapter.
- I. “Tax Administrator” means the Finance Director or other City official designated by the City Manager to administer the tax. Some or all of the functions of the Tax Administrator may be delegated to the County Recorder. References to the Tax Administrator include the County Recorder or other department of the County of Marin when a power or duty referred to has been delegated to the County Recorder or other department of the County of Marin.
- J.
  - 1. “Transfer of real property” means a sale, grant, assignment, transfer, or other conveyance of any lands, tenements, or other real property by deed, instrument, or other writing from a transferor to a transferee, or to a third person at or by the direction of transferee.
  - 2. “Transfer of real property” includes the purchase or transfer of ownership interests in legal entities, such as corporate stock or partnership or limited liability company interests, if a purchase or transfer of ownership interest in a legal entity would constitute a transfer of real property (held directly or indirectly by the legal entity purchased or transferred) under California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration. This subsection is applicable to the purchase or transfer of ownership interests in a partnership without regard to whether it is a continuing or a dissolved partnership or whether the real property is or was held directly or indirectly by the partnership or any member of the partnership. To the extent necessary to further the purposes of this chapter, the documents effectuating the purchase or transfer of ownership interest in a legal entity shall be deemed to have been an instrument executed whereby there was conveyed, for fair market



value, all real property that experienced a change of ownership under California Revenue and Taxation Code Section 64.

- K. “Transferee” means a person to whom a transfer of real property is made. For the purposes of a transfer of real property as defined in subsection (J)(2), above, “transferee” shall be interpreted consistent with California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- L. “Transferor” means a person who makes a transfer of real property. For the purposes of a transfer of real property as defined in subsection (J)(2), above, “transferor” shall be interpreted consistent with California Revenue and Taxation Code section 64, as such statute reads and is interpreted by the California State Board of Equalization or California Department of Tax and Fee Administration.
- M. 1. “Value of consideration” means the total consideration, valued in money of the United States, paid or delivered, or contracted to be paid or delivered in return for the transfer of real property, including the amount of any indebtedness existing immediately prior to the transfer which is secured by a lien, deed of trust, or other encumbrance on the property conveyed and which continues to be secured by such lien, deed of trust, or encumbrances after such transfer, and also including the amount of any indebtedness which is secured by a lien, deed of trust, or encumbrance given or placed upon the property in connection with the transfer to secure the payment of the purchase price or any part thereof which remains unpaid at the time of transfer.
2. “Value of the consideration” also includes the amount of any special assessment levied or imposed upon the property by a public body, district or agency, where such special assessment is a lien or encumbrance on the property and the purchaser or transferee agrees to pay such special assessment or takes the property subject to the lien of such special assessment. The value of any lien or encumbrance of a type other than those which are hereinabove specifically included, existing immediately prior to the transfer and remaining after such transfer, shall not be included in determining the value of the consideration.
3. For the purposes of a transfer of real property as defined in subsection (J)(2), above, “value of the consideration” means the fair market value of the property transferred, as determined by the Tax Administrator or County.
4. If the “value of the consideration” cannot be definitely determined, or is left open to be fixed by future contingencies, “value of the consideration” shall be deemed to mean the fair market value of the property at the time of transfer, after deducting the amount of any lien or encumbrance, if any,

of a type which would be excluded in determining the “value of the consideration” pursuant to the above provisions of this section.

5. In the event that the asserted “value of consideration” for a transfer of real property is less than the fair market value, the Tax Administrator may assume that the “value of consideration” is the fair market value of the property but shall consider evidence submitted by the persons responsible for the paying the tax that the lower amount represents the price agreed upon as part of a valid arms-length transaction.

3.30.040 Tax Imposed. A tax is hereby imposed on each transfer of real property located in the City of Belvedere, when the value of the consideration exceeds one hundred dollars (\$100.00)

3.30.050 Tax Rate. The rate of the tax imposed pursuant this chapter shall be eight dollars (\$8.00) for each one thousand dollars (\$1,000.00) of the value of consideration paid for a transfer of real property, or fractional part of each one thousand dollars (\$1,000.00) of the value of consideration.

3.30.060 Persons Liable for Tax.

- A. Any person who makes a transfer of real property subject to the tax imposed by this chapter and any person to whom such a transfer is made shall be jointly and severally liable for payment of the tax. The transferor and transferee may apportion the tax between themselves.
- B. Without in any way limiting the effect of subsection (A), above, and for informational purposes only, the City notes that it is the custom in Belvedere that the transferor and transferee each pay one half of the tax.

3.30.070 Exceptions and Exemptions.

- A. Government Entities. The United States or any political subdivision thereof, the State of California, any city, county, city and county, district or any other political subdivision of the State of California shall be exempt from the tax imposed pursuant to this chapter. If the transferee or transferor is not a government entity, then the party to the transfer that is not a government entity shall be liable for the tax imposed pursuant to this chapter.
- B. Writings That Secure a Debt. Any tax imposed pursuant to this chapter shall not apply to any instrument in writing given to secure a debt.
- C. Transfers of Real Property to Effectuate a Plan of Reorganization. Any tax imposed pursuant to this chapter shall not apply to the making, delivery, or filing of conveyances to make effective any plan of reorganization or adjustment:
  1. Confirmed under the Federal Bankruptcy Act, as amended;

2. Approved in an equity receivership proceeding in a court involving a railroad corporation, as defined in Section 101 of Title 11 of the United States Code, as amended;
3. Approved in an equity receivership proceeding in a court involving a corporation, as defined in Section 101 of Title 11 of the United States Code, as amended; or
4. Whereby a mere change in identity, form, or place of organization is effected.

Subsections (1) to (4), above, shall only apply if the making, delivery, or filing of instruments of transfer or conveyance occurs within five (5) years from the date of such confirmation, approval, or change.

- D. Orders of the Securities and Exchange Commission. Any tax imposed pursuant to this article shall not apply to the making or delivery of conveyances to make effective any order of the Securities and Exchange Commission, as defined in subdivision (a) of Section 1083 of the Internal Revenue Code of 1954; but only if:
1. The order of the Securities and Exchange Commission in obedience to which such conveyance is made is necessary or appropriate to effectuate the provisions of Section 79k of Title 15 of the United States Code, relating to the Public Utility Holding Company Act of 1935;
  2. Such order specifies the property which is ordered to be conveyed; and
  3. Such conveyance is made in obedience to such order issued prior to February 8, 2006.
- E. Transfer of Certain Partnership Property.
1. In the case of any realty held by a partnership or other entity treated as a partnership for federal income tax purposes, no tax shall be imposed pursuant to this chapter by reason of any transfer of an interest in the partnership or other entity or otherwise, if all of the following apply:
    - a. The transfer of an interest in the partnership or other entity does not constitute a transfer of real property as defined in section 3.30.030(J)(2).
    - b. The partnership or other entity treated as a partnership is considered a continuing partnership within the meaning of Section 708 of the Internal Revenue Code of 1986, as amended.
    - c. The continuing partnership or other entity treated as a partnership continues to hold the realty concerned.

2. If there is a termination of any partnership or other entity treated as a partnership for federal income tax purposes, within the meaning of Section 708 of the Internal Revenue Code of 1986, for purposes of this chapter, the partnership or other entity shall be treated as having transferred all realty held by the partnership or other entity under section 3.30.030(J)(2). The date of the transfer of the real property held by the partnership or other entity shall be the same as the date of the termination.
  3. Not more than one (1) tax shall be imposed pursuant to this chapter by reason of a termination described in subsection (2) of this section, and any transfer pursuant thereto, with respect to the realty held by a partnership or other entity treated as a partnership at the time of the termination.
- F. Transfers That Result Only in a Change in the Method of Holding Title to Real Property. No tax shall be imposed pursuant to this chapter by reason of any transfer between an individual or individuals and a legal entity or between legal entities that results solely in a change in the method of holding title to the realty and in which proportional ownership interests in the realty, whether represented by stock, membership interest, partnership interest, co-tenancy interest, or otherwise, directly or indirectly, remain the same immediately after the transfer.
- G. Deed in Lieu of Foreclosure. Any tax imposed pursuant to this chapter shall not apply with respect to any deed, instrument, or writing to a beneficiary or mortgagee, which is taken from the mortgagor or trustor as a result of or in lieu of foreclosure; provided, that such tax shall apply to the extent that the consideration exceeds the unpaid debt, including accrued interest and cost of foreclosure. Consideration, unpaid debt amount, and identification of grantee as beneficiary or mortgagee shall be noted on said deed, instrument, or writing or stated in an affidavit or declaration under penalty of perjury for tax purposes.
- H. Transfers between Spouses and Domestic Partners.
1. Any transfer made during the term of a marriage or domestic partnership between spouses or domestic partners shall be exempt from the tax imposed pursuant to this chapter.
  2. Any transfer of property from one spouse or domestic partner to the other in accordance with the terms of a decree of dissolution or legal separation or in fulfillment of a property settlement incident thereto shall be exempt from the tax imposed pursuant to this chapter. This exemption shall apply only to property that was acquired by the spouses or domestic partners prior to the final decree of dissolution. This exemption shall not apply to a transfer of property to a third party, despite the existence of a valid court order or settlement agreement.
    - a. For domestic partners, the two parties to the transfer must have on file a valid domestic partnership registration (a) under existing law

and procedures for the state of California domestic partnership registry, or (b) with a governmental agency of a jurisdiction that recognizes domestic partnership registration.

- b. If domestic partners do not own, as joint tenants, the property that is the subject of their dissolution agreement, they must demonstrate that they were living together at the location of the real property in question either at least six months prior to the dissolution of the domestic partners relationship or the entire period of ownership of the transferring partner, whichever is more.
  - c. To qualify for this exemption, domestic partners must provide that portion of their dissolution and property settlement agreement pertaining to the division or transfer of property, which shall be filed with the Office of the City Clerk or County Recorder. The copy of the settlement agreement shall be accompanied by an affidavit with verifiable signatures or proof of identity, that the copy is an accurate and authentic reproduction of the final settlement agreement between the parties.
- I. Transfers That Confirm or Correct a Recorded Deed. A transfer of real property without consideration that confirms or corrects a deed shall be exempt from the tax imposed pursuant to this chapter. The correcting or confirming transfer must be recorded no later than ninety (90) days after the recordation of the transfer requiring correction or confirmation.
- J. Transfers Pursuant to Gifts and Bequests.
1. The tax imposed pursuant to this chapter shall not apply to a transfer of real property from a natural person if the transfer is a gift for which the transferee pays or delivers no consideration to the transferor. If real property is transferred to multiple transferees as a gift, and one transferee subsequently pays or delivers consideration to the other transferees to obtain sole ownership of the real property, the tax shall apply to the transfer referred to in this sentence.
  2. The tax imposed pursuant to this chapter shall not apply to a transfer if the real property is specifically devised by a natural person to the transferee as part of a will or similar document, as long as the transferee pays or delivers no consideration to the transferor for the real property. If real property is devised to multiple transferees as part of a will or similar document, and one transferee subsequently pays or delivers consideration to the other transferees to obtain sole ownership of the real property, the tax shall apply to the transfer referred to in this sentence.

3. The exception provided in this subsection shall not apply if a transfer of real property is determined to be a transfer of real property as defined in section 3.30.030(J)(2).

3.30.080. Administration of Tax. The Tax Administrator shall collect or cause to be collected the tax imposed pursuant to this chapter and shall otherwise administer this chapter. The Tax Administrator may make such rules and regulations, not inconsistent with this chapter, as they may deem reasonably necessary or desirable to administer this chapter, as well as necessary forms and receipts.

3.30.090 Due Dates, Delinquencies, Penalties, Interest, Administrative Charges, and Lien Release Recordation Fees; Penalty for Fraud.

- A. The tax imposed pursuant to this chapter is due and payable at the time the deed, instrument, or writing effecting a transfer of real property subject to the tax is delivered or the transfer of real property is deemed to have been completed. The tax imposed pursuant to this chapter is delinquent if unpaid ninety (90) days later. If a transfer of real property is effected but not recorded with the County Recorder within ninety (90) days of the date on which the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed, all statutes of limitations regarding liability for the tax imposed pursuant to this chapter shall be tolled until the City has actual knowledge of the transfer, at which time the tax on the unrecorded transfer shall relate back to the date on which the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed. Penalties and interest shall be deemed to have begun accruing on the date the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed, and shall be the joint and several liability of the persons referred to in Section 3.30.060. In the event that the tax is not paid prior to becoming delinquent, a delinquency penalty of twenty-five percent (25%) of the amount of the tax due shall accrue. In the event only a portion of the tax is unpaid prior to becoming delinquent, the penalty shall only accrue as to the unpaid portion. An additional penalty of fifteen percent (15%) of the amount of tax due shall accrue if the tax remains unpaid on the ninetieth day following the date of the original delinquency. Interest shall accrue at the rate of one percent (1%) per month or fraction thereof, on the amount of the tax, inclusive of penalties, from the date the tax becomes delinquent to the date of payment. Interest and penalties shall become part of the tax. An administrative charge and a release of lien filing fee equal to the amount charged by the County Recorder shall be added to the amount owed for each property approved for a tax lien by the City Council.
- B. If the Tax Administrator determines that the failure of any person to timely pay any tax imposed by this chapter was attributable to fraud or an intent to evade this chapter, then the Tax Administrator shall impose a penalty in the amount of fifty percent (50%) of the amount of the unpaid tax. The penalty imposed by this subsection (B) shall be in addition to the penalty imposed under subsection (A) and any other fines, penalties, or other charges imposed by law.

- C. Tax due and payable prior to the expiration of the authority to levy the tax imposed pursuant to this chapter shall continue to be owed and a debt to the City after the expiration of the City's authority to levy the tax. All interest and penalties shall continue to apply to delinquent tax after the expiration of the authority to levy the tax. The City may continue to take all actions authorized by this chapter to collect delinquent tax and to hear and decide petitions for redetermination.

3.30.100 Declaration May Be Required.

- A. The tax imposed by this chapter shall be paid to the Tax Administrator or County Recorder by the persons referred to in Section 3.30.060. The Tax Administrator shall have the authority, pursuant to this chapter and any promulgated rules and regulations, to require that the payment shall be accompanied by a declaration of the amount of tax due signed by the person paying the tax or by their duly authorized agent. If a declaration is required, it shall include a statement that the value of the consideration on which the tax due was computed includes all indebtedness secured by liens, deeds of trust, or other encumbrances remaining or placed on the property transferred at the time of transfer, and also includes all special assessments on the property which a purchaser or transferee agrees to pay or which remains a lien on the property at the time of transfer. The declaration shall identify the deed, instrument, or writing effecting the transfer for which the tax is being paid. The declaration may include a statement that all information provided in the declaration is offered under penalty of perjury. The Tax Administrator may require delivery of a copy of such deed, instrument, or writing whenever they deem such to be reasonably necessary to adequately identify such writing or to administer the provisions of this chapter. The Tax Administrator may but is not required to rely on the declaration as to the amount of the tax due.
- B. Whenever the Tax Administrator has reason to believe that the full amount of tax due is not shown on the declaration or has not been paid, they may, by notice served upon any person liable for the tax, require them to furnish a true copy of their records relevant to the value of the consideration or fair market value of the property transferred. Such notice may be served at any time within three (3) years after delivery of the deed, instrument, or writing which transfers such property or the date that the transfer of real property is deemed to have been completed, except that the deadline to serve the notice shall be tolled until the City has actual knowledge of the transfer, at which time the tax on the unrecorded transfer shall relate back to the date on which the deed, instrument, or writing was delivered or the transfer of real property is deemed to have been completed.

3.30.110 Determination of Deficiency; Petition for Redetermination.

- A. If on the basis of such information as the Tax Administrator receives pursuant to Section 3.30.100, or on the basis of such other relevant information that comes into their possession, they determine that the amount of tax due as set forth in the

declaration, or as paid, is insufficient, he or she may re-compute the tax due on the basis of such information.

- B. If the declaration referenced in Section 3.30.100 is not submitted, the Tax Administrator may make an estimate of the value of the consideration for the property transferred and determine the amount of tax to be paid on the basis of any information in their possession or that may come into their possession.
- C. More than one deficiency determination may be made of the amount due with respect to any single transfer of real property.
- D. The Tax Administrator shall give written notice to a person liable for payment of the tax imposed pursuant this chapter of a deficiency determination made under this section. Such notice shall be given within three (3) years after the City has actual knowledge of the recordation of the deed, instrument, or writing effecting the transfer or the date on which the transfer of real property is deemed to have been completed.
- E. Any notice required to be given by the Tax Administrator under this chapter may be served personally or by mail. If service is made by mail, it shall be made by depositing the notice in the United States mail, in a sealed envelope with postage paid, addressed to the person on whom it is to be served at the address as it appears in the records of the City or as ascertained by the Tax Administrator. The service is complete at the time of the deposit of the notice in the United States mail, without extension of time for any reason.
- F. Any person against whom a deficiency determination is made under this chapter or any person directly interested may petition the Tax Administrator for a redetermination within sixty (60) days after service upon the person of notice thereof. If a petition for redetermination is not filed in writing with the Tax Administrator within the sixty (60) day period, the determination becomes final at the expiration of the period.
- G. If a petition for redetermination is filed within the sixty (60) day period, the Tax Administrator shall reconsider the determination and, if the person has so requested in his or her petition, shall grant the person an oral hearing, and shall give them ten (10) days' notice of the time and place of the hearing. The Tax Administrator may designate a hearing officer for the purpose of conducting hearings. A hearing on a tax deficiency redetermination may be continued from time to time as may be necessary.
- H. As part of a redetermination hearing, the Tax Administrator may decrease or increase the amount of the tax owed before a redetermination decision becomes final, but the amount may be increased only if the Tax Administrator asserts a claim for the increase at or before the hearing.
- I. The order or decision of the Tax Administrator upon a petition for redetermination becomes final thirty (30) days after service of notice thereof upon



the petitioner or at the time of hearing of redetermination. There is no administrative appeal to the City Council of the Tax Administrator's decision on a petition for redetermination. Writs challenging the Tax Administrator's decision must be filed with the appropriate court within ninety (90) days of the final date of such redetermination. (California Code of Civil Procedure Section 1094.6.)

3.30.120 Tax a Debt. The amount of any tax, penalty, and interest imposed under the provisions of this chapter shall be deemed a debt owed to the City. Any person owing money to the City under the provisions of this chapter shall be liable in an action brought in the name of the City for the recovery of such amount, plus the City's costs of bringing the action, including attorneys' fees and litigation costs. The provisions of this section shall not be deemed a limitation upon the right of the City to bring any other action, whether criminal, legal, or equitable, based upon the failure to pay the tax, penalty, or interest imposed by this chapter or the failure to comply with any of the provisions hereof.

3.30.130 Refunds. Whenever the amount of any tax, penalty, or interest has been overpaid, or paid more than once, or has been erroneously collected or received by the City under this chapter, it may be refunded as provided in this section. The person who paid the tax must file with the Tax Administrator a written claim stating under penalty of perjury the specific grounds on which the refund is claimed. A refund claim must be filed within one (1) year of the date of payment. The claim shall be submitted on forms furnished by the Tax Administrator. The Tax Administrator may make such refund if they are satisfied that the claimant is entitled to the refund under the provisions of this chapter. No refund shall be paid under the provisions of this section unless the claimant establishes his or her right thereto. Persons claiming they are aggrieved under this chapter must prior to seeking judicial relief (A) pay the amount of the disputed tax, penalty, or interest; and (B) present a claim for refund to the Tax Administrator.

3.30.140 Tax a Lien or Assessment against Transferred Real Property.

- A. The amount of tax, penalty, and interest imposed under the provisions of this chapter is assessed against the real property upon the transfer of which the tax is imposed. If the tax, penalties, or interest are not paid when due, they may be recorded as a lien against or a special assessment on the real property transferred. Any lien against the transferred real property shall continue until the amount thereof including all penalties and interest are paid, or until it is discharged of record. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount.
- B. The Tax Administrator shall file with the City Manager a written notice of liens and special assessments that the Tax Administrator believes should be recorded to collect the tax, penalties, or interest owned pursuant to this chapter. Upon the receipt of such notice, the City Manager shall present the same to the City Council, and the City Council shall forthwith, by resolution, fix a time and place for a public hearing on such notice.

- C. The Tax Administrator shall cause a copy of such resolution and notice to be served upon the persons responsible for the tax, penalties, or interest owed. Notice shall be provided not less than ten (10) days prior to the time fixed for the hearing. Service shall be made by mailing a copy of the resolution and notice to the transferor and transferee of real property at their last known addresses. Service shall be deemed complete at the time of deposit in the United States mail.
- D. Following the hearing, if the City Council determines that tax, penalties, or interest are owed pursuant to this chapter, it may authorize the imposition of a lien against the transferred real property and may order that any delinquent taxes, penalties, or interest that remain unpaid by the transferor or transferee shall constitute a special assessment against the transferred real property. If the City Council orders the imposition of a special assessment against the transferred real property, the special assessment shall be collected at such time as is established by the County Assessor for inclusion in the next property tax assessment.
- E. The Tax Administrator shall turn over to the County Assessor for inclusion in the next property tax assessment the total sum of unpaid delinquent charges consisting of the delinquent taxes, penalties, and interest at the rate of twelve percent (12%) per annum from the date of recordation to the date of lien.
- F. Thereafter, the authorized special assessment may be collected at the same time and in the same manner as ordinary property taxes are collected, and shall be subject to the same penalties and the same procedure of sale as provided for delinquent property taxes. The assessment lien previously imposed upon the property is paramount to all other liens except for those of State, county, and municipal taxes with which it shall be upon parity. The lien shall continue until the special assessment and all interest and charges due and payable thereon are paid. All taxes applicable to the levy, collection, and enforcement of municipal taxes shall be applicable to said special assessments.

3.30.150 Annual audit. Each year, as part of audit of the city's financial statements, the city's independent auditors shall complete a report reviewing the collection, management, and expenditure of revenue from the tax levied by this chapter. The report shall be reviewed by the Finance Committee or successor agency designated by the City Council as part of its annual review of the City's audited financial statements.

3.30.160 Amendments.

- A. The following amendments to this ordinance must be approved by the voters of the City: increasing the tax rate or revising the methodology for calculating the tax such that a tax increase would result; imposing the tax on persons not previously subject to the tax; or extending the tax.
- B. The City Council may otherwise amend this chapter without submitting the amendment to the voters of the City for approval.

- C. The City Council may establish rules that are necessary and desirable for implementation of this chapter.

3,30.170 Sunset of Tax. The authority to levy the tax authorized pursuant to this chapter shall terminate at midnight on the thirtieth anniversary of the date that the City is first authorized to levy the tax.

5089126.12

**MARIN COUNTY REGISTRAR OF VOTERS**  
**MUNICIPAL TIMETABLE FOR CANDIDATE & MEASURE ELECTIONS**  
**NOVEMBER 8, 2022**

Days Before Election	
<b>July 4 thru July 18 (E-127 thru E-113)</b>	<p><b>Publish or post Notice of Election once:</b> Include date of election, offices to be filled, and the hours when the polls will be open. <i>(EC 12101, EC 12102; GC 6061)</i></p> <p><b>Notice of Election and the Notice of Measure</b> shall be consolidated onto one notice if the measure is placed on the ballot before publishing the Notice of Election pursuant to EC Section 12101. <i>(EC 12111b)</i></p> <p>In the case of a municipal election on any measure, the city elections official shall publish a <i>Notice of Measure To Be Voted On</i> at least one time no later than <b>7 days</b> before the election in a newspaper of general circulation in the city. <i>(EC 12111a)</i>  <i>(Measure Questions on Ballot are limited to 75 words or less)</i></p>
<b>July 6 (E-125)</b>	Jurisdictional boundary changes occurring less than 125 days before the election will not be effective for purposes of that election. <i>(EC 12262 and 10522)</i>
<b>July 18 thru August 12 (E-113 thru E-88)</b>	<b>Nomination</b> papers to be obtained and filed during this period. Optional Candidate Statements must remain confidential until expiration of filing period. <i>(EC 10220, 13307, 13311, 17100c)</i>
<b>August 12 (E-88)</b>	<p><b>Last day</b> to file with County Board of Supervisors (with copy to Registrar of Voters) a Council resolution requesting consolidation of municipal election with other local elections to be held on same date. Resolution must include exact form of measure(s) or office(s) to be voted upon, as they are to appear on the ballot. This resolution must be adopted and filed at the same time as the ordinance or resolution calling the election. <i>(EC 10400, 10402, 10403 a2)</i></p> <p><b>Last Day</b> to file nomination papers with the City Clerk's office. A candidate shall not file nomination papers for more than one municipal office or term of office for the same municipality in the same election. <i>(EC 10220.5)</i></p> <p><b>Last day</b> for a candidate to withdraw his/her filed nomination papers. <i>(EC 10510)</i></p>
<b>August 13 thru August 22 (E-87 thru E-78)</b>	10-day public inspection period to view all materials submitted for printing related to <i>measures</i> , as well as <i>candidate statements</i> . <i>(EC 9295, EC 13313, EC 13314)</i>

Days Before Election	
<p><b>August 13 thru August 17 (E-87 thru E-83)</b></p>	<p><b>Time extension</b> for non-incumbents to file nominations papers if an incumbent officer of the city is not filed by the 88th day before the election. Not applicable where there is no incumbent eligible to be elected. A candidate filing under this section has until E-83 to withdraw papers that have been filed. <i>(EC 10225)</i></p> <p><b>Last day</b> to amend or withdraw a measure from the ballot, upon the filing of a resolution with the City Clerk's office by the close of business. <i>(EC 9605)</i></p>
<p><b>Close of nomination periods thru August 25 (E-75)</b></p>	<p><b>If no one files</b> or there are an insufficient number of candidates, the governing body of the city may appoint the nominated candidate or appoint any eligible elector if no one has been nominated or hold the election if by <i>E-75</i> no one has been appointed.</p> <p>The City Clerk must publish a notice of these facts in a newspaper of general circulation.</p> <p>The decision to cancel the election, appoint, or hold the election must be sent to the Elections Department no later than <i>E-74</i>.</p> <p>See <b><i>Election Code §10229</i></b> for important details and procedures.</p>
<p><b>August 18 (E-82)</b></p>	<p><b>Random alphabet</b> drawing by Secretary of State to decide the order of candidate names on the ballot. <i>(EC 13112)</i></p>
<p><b>August 22 (E-78)</b></p>	<p><b>Suggested</b> deadline for submission of <b>primary arguments</b> (300-word limit) to City Clerk and for receipt of City Attorney's analysis (500-word limit). <i>(EC 9282)</i></p>
<p><b>August 23 thru September 1 (E-77 thru E-68)</b></p>	<p>The public has 10 days to inspect <b>primary arguments</b> submitted for printing. <i>(EC 9295 &amp; 13314)</i></p>
<p><b>August 29 (E-71)</b></p>	<p><b>Suggested</b> deadline for submission of <b>rebuttal arguments</b> with the City Clerk (250-word limit). <i>(EC 9285)</i></p>
<p><b>August 30 thru September 8 (E-70 thru E-61)</b></p>	<p>The public has 10 days to inspect <b>rebuttal arguments</b> submitted for printing. <i>(EC 9295 &amp; 13314)</i></p>

Days Before Election	
September 12 thru October 25 (E-57 thru E-14)	If an election is held, <b>write-in candidates</b> may obtain and file nomination papers at the office of the City Clerk. <i>(EC 8600 thru EC 8605)</i>
September 29 (E-40)	<b>Sample Ballots:</b> The Elections Department begins mailing Voter Information Pamphlets to voters registered by E-29. <i>(EC 13303)</i>
October 10 (E-29)	<b>Vote by Mail ballots:</b> The Elections Department begins issuing Vote by Mail ballots in person or by mail to voters. <i>(EC 3001)</i>
October 24 (E-15)	This is the last day to register to vote for this election. If voters miss the registration deadline for this election, they can come into the Election Office to register and vote on the same day beginning <b>October 20</b> . <i>(EC 2119; 2170 thru 2171)</i>
November 1 (E-7)	<b>Last day</b> for City Clerk to publish once the <i>Nominees for Public Office</i> listing the names of the nominees and the respective offices for which they have been nominated. <i>(EC 12110)</i>
November 8, 2022	<b>ELECTION DAY</b> – Polls open 7 a.m. until 8 p.m. <i>(EC 10242, 14212)</i>
November 10 thru December 8 (E+2 thru E+30)	<b>Official canvass</b> period begins. After completion the Elections Department prepares and sends the certified statement of results to the cities. <i>(EC 10411 &amp; EC 15372)</i>
December 6 et seq. (E+28 et seq.)	<p><b>City Clerks</b> certifies results to the City Council <i>(EC 10262b)</i></p> <p><b>City Council</b> meets no later than the next regularly scheduled meeting following presentation of the canvass of results, or at a special meeting called for this purpose, to declare the results and install the newly elected officers. <i>(EC 10263b)</i></p> <p><b>City Clerk</b> enters results in council minutes and prepares and delivers Certificate(s) of Election to the elected candidates. <i>(EC 10264 &amp; 10265)</i></p>
+5 days after official canvass is completed	<b>Deadline</b> for voters to file request for recount. <i>(EC 10266 &amp; 15620)</i>

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**To:** Mayor and City Council

**From:** Irene Borba, Director of Planning and Building

**Reviewed By:** Craig Middleton, City Manager  
Amy Ackerman, City Attorney

**Subject:** **Introduction & first reading of an ordinance of the City Council of the City of Belvedere for proposed amendments of the Belvedere Municipal Code related to Objective Design & Development Standards – adding a new Title, Title 22: Objective Design & Development Standards, to the City of Belvedere Municipal Code**

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**RECOMMENDATION.**

1. That the City Council conduct the public hearing.
2. Motion to approve the first reading of the Ordinance and waive future readings of the Ordinance in its entirety.

**SUMMARY&BACKGROUND.**

The state of California awarded the City of Belvedere a \$160,000 grant in 2019 under Senate Bill 2, the “Building Homes and Jobs Act,” to work with other Marin County jurisdictions on several projects, including the development of Objective Design and Development Standards (ODDS) for multi-family projects. The City of Belvedere collaborated with Marin County and nine other Marin County cities on the development of a “toolkit” for creating Objective Design and Development Standards for individual jurisdictions’ multi-family and mixed-use development projects. This effort is intended to result in new design standards that provide clear parameters for multi-family and mixed-use housing projects in Belvedere.

Recent State laws restrict the City of Belvedere’s (City) power to apply discretionary design standards to multi-family housing projects. The immediate purpose of developing the ODDS Toolkit is to ensure that the City has adequate objective development standards within its Municipal Code to apply to housing projects that utilize State legislation to bypass and/or limit the City’s discretionary review processes. The ODDS Toolkit does not change any of the City’s existing housing densities or use regulations for private property, but rather adds new objective design standards for those housing projects governed by State legislation that prohibits the use of discretionary standards. The ODDS design standards set objective standards for matters such as a housing development’s location on a lot, the location and amount of required vehicular and bicycle parking, and the project’s overall massing, including required setbacks.

The toolkit furthers the City's stated housing policies and goals related to the development of multi-family design standards and may also provide benefits in the future as a reference in discussions during the Housing Element adoption process.

*Planning Commission - November 16, 2021*

At a regular meeting of the Planning Commission on November 16, 2021, staff brought forth a revised draft of the ODDS document for consideration by the Planning Commission.

Additional background information pertaining to prior discussions of the Planning Commission and/or the subcommittee are outlined in the [November 16, 2021, Planning Commission staff report](#). The minutes of the November 16, 2021, Planning Commission can be found [here](#).

At the meeting, Commissioners discussed various sections of the ODDS document for clarification and for potential revisions or amendments. The item was continued for additional discussion by the subcommittee.

*ODDS Subcommittee – December 14, 2021*

At the December 14, 2021, ODDS subcommittee meeting, further discussion occurred addressing the concerns and questions that were raised at the November 16<sup>th</sup> Planning Commission meeting. Suggested changes to the ODDS document to address comments/concerns were recommended by the subcommittee. The subcommittee also recommended that staff move forward with an Urgency Ordinance to be adopted by the City Council.

The subcommittee also had a discussion regarding SB 9 (two lot subdivisions and two-unit developments).

The subcommittee met again on January 19, 2022, to make further refinements to the ODDS document.

*City Council – January 27, 2022 (Special Meeting)*

At a special meeting of the City Council on January 27, 2022, the Council adopted an Urgency Ordinance for the ODDS document. The staff report can be found [here](#) and the minutes of the meeting can be found [here](#).

The Council discussed various sections of the ODDS document and asked for clarification. Additionally, Council discussed the architectural style restrictions and the height limitations. The Council adopted an Urgency Ordinance. The Council extended the urgency ordinance on February 24, 2022. The Urgency Ordinance is valid for one year.

*ODDS Subcommittee – February 17 & April 11, 2022*

Additional discussions took place in the ODDS subcommittee on February 17 & April 11, 2022, and additional refinements and changes to the document were recommended.



*Modifications to ODDS Document Since the November 16, 2021, Planning Commission Meeting*

The following modifications have been made to the ODDS document:

- We modified Neighborhood Townhouse in the T3SN zone, by limiting this building type to two side-by-side units.
- We discussed the heights of buildings in all ODDS zones as they relate to FEMA regulations and our broader municipal code. We determined, while slightly different, ODDS is consistent with our height regulations currently in our municipal code. We made no changes.
- We added a Tudor Architectural Style. We discussed adding a Mid-Century style but reasoned that this was more of a restorative style and Opticos would have had to re-create this style, so we opted not to add it. The new Tudor style is in section 22.08.100 (p. 183)
- We corrected a few misplaced pictures in the Architectural Style section.
- We eliminated confusing and conflicting imagery in all Architectural Styles relating to Porches and Decks. Since roof decks are prohibited in all styles, we did not want representations of decks that appear to be on roofs in the document.
- In a few places throughout the document, we clarified the distinction between Existing Grade and Finished Grade.
- In the Administrative section, we eliminated Adjustment to Standards (22.10.030). These variance-type procedures allowed for deviations from certain standards. We felt they were too absolute and would likely undermine the purpose of these objective standards. We also discussed this with City Council and determined to eliminate.
- We slightly edited a few Definitions (Chapter 11), including Affordable Housing Development and Grade, clarifying Existing and Finished.

*Planning Commission meeting – May 17, 2022*

At the regular meeting of the Planning Commission on May 17, 2022, staff brought forth a revised/updated version of the ODDS document. The link to Planning Commission staff report can be found [here](#).

At the meeting, Commissioners discussed various sections of the ODDS document for clarification and for potential revisions or amendments. The Planning Commission recommended that the City Council adopt the ODDS document with several recommended modifications to the document, which include the following:

Zone Map - P. 4/5 Zones slightly modified to more accurately follow property lines. Property lines around Teal Road, and Cove Road Pl.

p. 11 - Added the option to provide for a Stoop to the T3SN zone

p. 12 - Added “min” (minimum) to base flood elevation +1

p. 12 – Added Accessory Structure height limit (16’); same for all zones

p. 13 – Corrected & clarified the footnote relating to setbacks adjacent to Lagoon for side and back, same for all zones

p. 13 – Edited the upper story encroachment language so that the language reads more clearly and made the same change for properties in each of the zoning districts.

p. 14 – Changed the requirement for a minimum of 1.5 parking spaces to 2, in all zones

p. 14 – Added a footnote addressing rear parking adjacent to lagoon, in all zones

p. 14 – Corrected the Allowable Public Frontage reference (Section 22.05.060.C.1 -22.05.050.C.1) and other zoning districts.

p. 16 – Corrected reference in Footnote 2

p. 28 - Added reference in #4 to the table above

p. 28 - 5 B (1) Added language to clarify that height must remain within standards

p. 30 – Changed wattage to voltage, added maximum mature height of trees in relationship to the building height

p. 38 – Changed measurements of Border and storm water to feet, not inches

p. 39 – Fixed the title number on the table

p. 40/41 - Fixed the number 060 to 050

p. 43 - Removed outdated reference to since deleted 22.05.050 Slope Standards

p. 66 - Removed conflicting language pertaining to Wings

p. 73 - Added Footnote saying only 2 in the T3 zone

p. 93 - Corrected Sloped roof text

p. 134 - At all deck illustrations, added a footnote stating that no roof decks allowed

p. 105 - Corrected Finish level above sidewalk, conflicts with BFE +1, in all types

p.105 - Removed Porch Engaged, inconsistent with Setbacks, removed references throughout

p. 148 - Added roof colors to Materials Pages, for all types of housing

p. 163,175 G Added maximum sizes of ornamental plants p. 121 - 13 b iii change Title 24 to 22

p. 265 - 2b9 -Changed the amount from 50 feet to more than 40 feet.

p. 270 - Corrected existing grade reference

The above noted changes have been added to current ODDS for consideration by the City Council.

## **DISCUSSION**

### **Housing Legislation**

Several State laws have been adopted in recent years that allow for by right and streamlined approvals for qualifying multi-family and mixed-use projects based on satisfying “objective”

development standards. Objective standards are defined in state legislation as “involving no personal or subjective judgement by a public official” and “standards that are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowledgeable by both the development applicant or proponent and the public official prior to submittal.”

The most notable bills that allow for by right and streamlined approvals for multi-family housing projects include Senate Bill 9 (SB 9), Senate Bill (SB 35), SB 330 (Housing Crisis Act of 2019) and the Housing Accountability Act. Staff would refer the Planning Commission to the [November 16, 2021 staff report](#) which outlines some of the housing legislation.

#### *RHNA- Regional Housing Needs Allocation*

The Regional Housing Needs Allocation (“RHNA”) is a State-mandated process that identifies the number of housing units by affordability level<sup>1</sup> that each California jurisdiction must accommodate in its Housing Element. Since 1969, State law has required that all jurisdictions must plan to meet their “fair share” of housing for the community.

The objectives of RHNA are:

- Increase housing supply and mix of housing types, tenure, and affordability in all cities and counties in an equitable manner.
- Promote infill development and socioeconomic equity, protect environmental and agricultural resources, encourage efficient development patterns, and achieve GHG reduction targets.
- Promote intraregional jobs-housing relationships including balance between low-wage jobs and affordable housing.
- Balance disproportionate household income distributions (more high-income RHNA to lower- income areas and vice-versa).

The California Department of Housing and Community Development (“HCD”) identifies the total number of units, across all income groups for which the region must plan during the current eight (8) - year RHNA cycle. The next cycle is 2023- 2031.

The Association of Bay Area Governments (“ABAG”) is responsible for allocating RHNA numbers among the Bay Area jurisdictions. On June 9, 2020, HCD released its Regional Housing Needs Determination for the current Housing Element cycle to ABAG. A total of 441,175 housing units were allocated to the Bay Area for the 2023-2031 Housing Element cycle, almost doubling the needs determination from the most recent 2012 cycle. Marin County’s RHNA allocation increased from 2,298 units to 14,210 units.

Marin’s increased RHNA numbers reflect changes to State law and methodology changes in allocation calculations. For example, SB 828 adopted in 2018, allows the HCD to consider both existing and future housing need. Additionally, ABAG identified “high resource” and “high opportunity” areas, as a way to address racial equity concerns, and allotted increased units to these areas. A high opportunity and resource area is one that is near public transit, contains amenities conducive to childhood development and economic mobility, including low poverty rates, high

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<sup>1</sup> Affordable housing levels are defined as a percentage of Area Median Income (“AMI”), established by HCD and include very low income (30%-50% AMI), low income (50%-80% AMI), and moderate income (“80%-120% AMI).

home values, high education values, high school test schools, and high employment rates. Belvedere, along with most of Marin County, qualifies as a high opportunity and resource area for purposes of RHNA allocation. Additionally, State law now prohibits stable population numbers or prior housing underproduction as justifications to reduce a jurisdiction's RHNA allocation.

A city accommodates its RHNA numbers by identifying housing sites in its Housing Element. This does not indicate that development proposals are under review, or will necessarily be submitted; rather, the Housing Element indicates possible housing site availability. HCD must certify each jurisdiction's Housing Element, and if unapproved, a city may challenge HCD's determination. A city without a compliant Housing Element may face legal action from the State Attorney General, which may result in fines between \$10,000 to \$600,000 per month until a legal element is adopted.

ABAG has allocated to Belvedere a total of 160 units, up from 16 units in the last cycle. Belvedere's units include: 1) 49 units very low income (<50% AMI); 2) 28 units low income (50-80% AMI); 3) 23 units moderate income (80-120% AMI); 4) 61 units above moderate income (> 120% AMI).

Belvedere appealed its RHNA allocation; ABAG denied that appeal. The City will be required to accommodate a much higher RHNA number in its upcoming Housing Element than in the past. City staff has chosen a Housing Element consultant to identify sites that satisfy Belvedere's allocation during the Housing Element process.

### **TOOLKIT CUSTOMIZATION**

Pursuant to recent state legislation, jurisdictions are limited to using objective design and development standards to evaluate certain housing projects. The Objective Design and Development Standards is a kit of parts organized around the range of zoning districts and standards that address the range of sites and physical conditions throughout various jurisdictions in Marin County. The project consultant, Opticos Design, distributed the Final Objective Design and Development Standards Toolkit to each jurisdiction in February 2021. The proposed new Title 22 represents months of work with Opticos and the subcommittee, to customize the ODDS Toolkit to Belvedere's specific needs.

The toolkit distributed to each jurisdiction included eight zones, which range from lower intensity Edge Neighborhoods to higher intensity Core Neighborhoods and Main Streets. The zones are based on the location and context of the area and described in the toolkit as the "transect." The transect ranges from "natural" to "urban." As part of the project, each jurisdiction will decide which zones to adopt and where in the community to apply the zones.

The subcommittee evaluated the document, considering its relationship to Chapter 19 of the Belvedere Municipal Code. The subcommittee reviewed each toolkit Zone and ultimately kept T3 Suburban Neighborhood (T3SN), T4 Suburban Neighborhood Small (T4SN.S) and T4 Suburban Main Street Small (T4SMS.S). These three zones corresponded well to existing multi-family zoning. The recent revisions to the toolkit reflect that each of the (T) zones match the existing (R)

zoning ordinance as feasible. The subcommittee then evaluated the development criteria for each of the chosen zones, T3, T4SN.S and T4 SMS.S. The subcommittee’s overarching goal was to get the toolkit development standards as close to Chapter 19 development standards as possible, consistent with the need to achieve the required objective character.

Staff notes that Title 22’s ODDS “Toolkit” will only apply to multi-family sites that are subject to the Housing Accountability Act (HAA), Senate Bill 330 and Senate Bill 35.<sup>2</sup> Title 22 includes objective design and development standards that will be used to evaluate qualifying multi-family housing projects submitted to the City of Belvedere. Title 22 will serve as a supplement to the zoning code (Title 19) and will be used to evaluate qualifying multi-family housing projects.

Currently, the City evaluates HAA, SB 330 and SB 35 projects under Urgency Ordinance No. 2022-01, which the City Council adopted on January 27, 2022. That ordinance does contain the required object design standards but, by law, is only a temporary solution.

Staff proposes that the City Council adopt the ODDS “Toolkit”.

**PUBLIC COMMENTS/NOTICE**

The City provided notice of the Ordinance in the *Ark* and as of the writing of this report, no written correspondence has been received however staff notes that has been much public involvement in the process/review of the ODDS document throughout this process.

**FISCAL IMPACT**

As noted above, the City of Belvedere was awarded a \$160,000 grant in 2019 under Senate Bill 2, the “Building Homes and Jobs Act,” to work with other Marin County jurisdictions on several projects including the development of Objective Design and Development Standards (ODDS) for multi-family projects.

**ENVIRONMENTAL REVIEW**

The proposed ordinance and ordinance amendments are not subject to the provisions of the California Environmental Quality Act (CEQA). The ordinance and amendments are exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, which states that a project is exempt from CEQA when the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant impact to the environment. An activity is not subject to CEQA when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The ordinance will not result in any changes to the permitted locations or densities of multi-family housing.

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<sup>2</sup> SB 9 projects are evaluated under objective standards contained in Urgency Ordinance No. 2022-01. Staff is currently preparing a permanent ordinance for these projects.

**STAFF RECOMMENDATION**

1. That the City Council conduct the public hearing.
2. Motion to approve the first reading of the Ordinance and waive future readings of the Ordinance in its entirety.

**ATTACHMENT**

1. Ordinance with Exhibit A: Objective Design and Development Standards & Zoning Map

**CITY OF BELVEDERE**

**ORDINANCE NO. 2022-XX**

**AN ORDINANCE OF THE CITY OF BELVEDERE ADOPTING A NEW TITLE TO THE BELVEDERE MUNICIPAL CODE (TITLE 22) ADOPTING OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS FOR QUALIFYING MULTI-FAMILY AND MIXED-USE PROJECTS**

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**WHEREAS**, the Housing Accountability Act (HAA), Government Code Section 65589.5, establishes limitations to a local government’s ability to deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards and contribute to meeting housing need; and

**WHEREAS**, pursuant to Government Code section 66300, “Objective Design Standard” means a design standard that involves no personal or subjective judgement by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application; and

**WHEREAS**, the City of Belvedere was awarded \$160,000 in state funding established by California Senate Bill 2, the 2018 Building Homes and Jobs Act (SB 2), for actions intended to increase housing in California; and

**WHEREAS**, City staff participates in the Marin County Planning Directors Housing Working Group, which comprises the planning director of each Marin jurisdiction and other planning professionals. The goal of the working group is to look for ways to collaborate on housing issues, share information regarding best practices, and stay up to date with housing legislation and other legal requirements related to housing; and

**WHEREAS**, the Housing Working Group applied for SB 2 grants as a group effort to address several housing items, including the development of objective design and development standards; and

**WHEREAS**, the Housing Working Group worked together with a consultant team lead by Opticos Design on the development of the objective design and development standards; and

**WHEREAS**, the City formed a Subcommittee at the onset of the project to help guide the development of the objective design and development standards. The Subcommittee reviewed reports and other documents, provided collective comments representative of the group, and made recommendations regarding the implementation of the objective design standards in Belvedere; and

**WHEREAS**, the Belvedere Objective Design and Development Standards (Title 22) address current and future State housing legislation intended to limit jurisdictions’ discretion related to the approval or denial of multi-family housing, and it furthers the City’s stated housing polices and goals; and

**WHEREAS**, the amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, which states that a project is exempt from CEQA when the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant impact to the environment. When it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

**WHEREAS**, based on the record, the Planning Commission finds that the ordinance amendments are consistent with and promote the goals of the General Plan, including, without limitation, the Housing Element; and

**WHEREAS**, the Planning Commission discussed the proposed Objective Design and Development Standards (“ODDS Toolkit”) on June 16, 2020, November 10, 2020, April 28, 2021, and May 17, 2022; and

**WHEREAS**, on April 27, 2022, notice of the Planning Commission public hearing was published in the Ark Newspaper in compliance with California Government Code Section 65090; and

**WHEREAS**, on May 17, 2022, the Planning Commission held a public hearing, received the staff report and reviewed a presentation from the Planning Department and received comments from the public and interested parties and recommended approval of the Objective Design & Development Standards to the City Council with minor modifications; and

**WHEREAS**, on June 13, 2022, the City Council held a duly noticed public hearing to consider the Ordinance Amendments; and

**WHEREAS**, at said meeting the City Council considered the Ordinance Amendment.

**NOW, THEREFORE**, THE CITY COUNCIL OF THE CITY OF BELVEDERE DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. Findings.** The Ordinance Amendments further the public health, safety, and welfare and the above recitals are true and correct and are incorporated as findings herein.

**SECTION 2. Amendment.** The City Council hereby adopts a new Title, Title 22 to the Belvedere Municipal Code adopting objective design and development standards for qualifying multi-family and mixed-use projects, as set forth in **EXHIBIT A**.

**SECTION 3. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this Ordinance are declared to be severable.



**SECTION 4. Effective Date, Regular Ordinance.** This Ordinance shall take effect and be in force thirty (30) days after the date of its passage. Within fifteen (15) days following its passage, a summary of the Ordinance shall be published with the names of those City Council members voting for and against the Ordinance and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance along with the names of the members voting for and against the Ordinance.

**INTRODUCED AND ADOPTED AT A PUBLIC HEARING** at a regular meeting of the Belvedere City Council on June 13, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**RECUSED:**

**APPROVED:** \_\_\_\_\_

Sally Wilkinson, Mayor

**ATTEST:** \_\_\_\_\_

Beth Haener, City Clerk



## Title 22: Objective Design and Development Standards

Objective design development standards and regulations to govern qualified Housing Accountability Act, Senate Bill 330, and Senate Bill 35 development projects within the City of Belvedere.

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# Chapter 1: Introduction

## Sections:

- 22.01.010 Purpose
- 22.01.020 Applicability

### 22.01.010 Purpose

The purpose of Title 22 is to establish objective design development standards and regulations to govern qualified Housing Accountability Act, Senate Bill 330, and Senate Bill 35 projects within the City of Belvedere. These standards reflect the community's vision for implementing the intent of the Belvedere General Plan to facilitate housing production and specifically infill housing production, through development that reinforces the highly valued character and scale of the City's walkable centers, neighborhoods, and corridors.

### 22.01.020 Applicability

1. Title 22 applies to proposed development as identified in Table A (Applicability).

Table 22.01.020.A: Applicability			
Development Type	Housing Accountability Act (HAA) Applies <sup>1</sup>	Senate Bill 330 Applies <sup>1</sup>	Senate Bill 35 Applies <sup>2</sup>
Single-Unit House	No	No	No
Transitional Housing	Yes	Yes	
Supportive Housing	Yes	Yes	See Multi-Family Housing (2 or more residential units)
Emergency Shelter	Yes	Yes	
Farmworker Housing	Yes	Yes	
<b>Multi-Family Housing (2 or more residential units)</b>			
Affordable	Yes	Yes	Yes
Market Rate <sup>3</sup>	Yes	Yes	No
<b>Mixed-Use Development (at least 2/3 of square footage designated for residential units)</b>			
Affordable	Yes	Yes	Yes
Market Rate <sup>3</sup>	Yes	Yes	No

<sup>1</sup> See Government Code §65589.5 for additional eligibility criteria and specific protections by development type.

<sup>2</sup> See Government Code §65913.4(a) for additional eligibility criteria (e.g., site standards, affordability provisions, and labor provisions).

<sup>3</sup> "Market Rate" refers to projects that do not contain the minimum percentage of affordable housing units to be eligible for Senate Bill 35 streamlining. See Footnote 2.



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# Chapter 2: Establishment of Zones

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**Sections:**

- 22.02.010 Purpose
- 22.02.020 Zones Established
- 22.02.030 Belvedere Objective Design Standard Zones

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**22.02.010 Purpose**

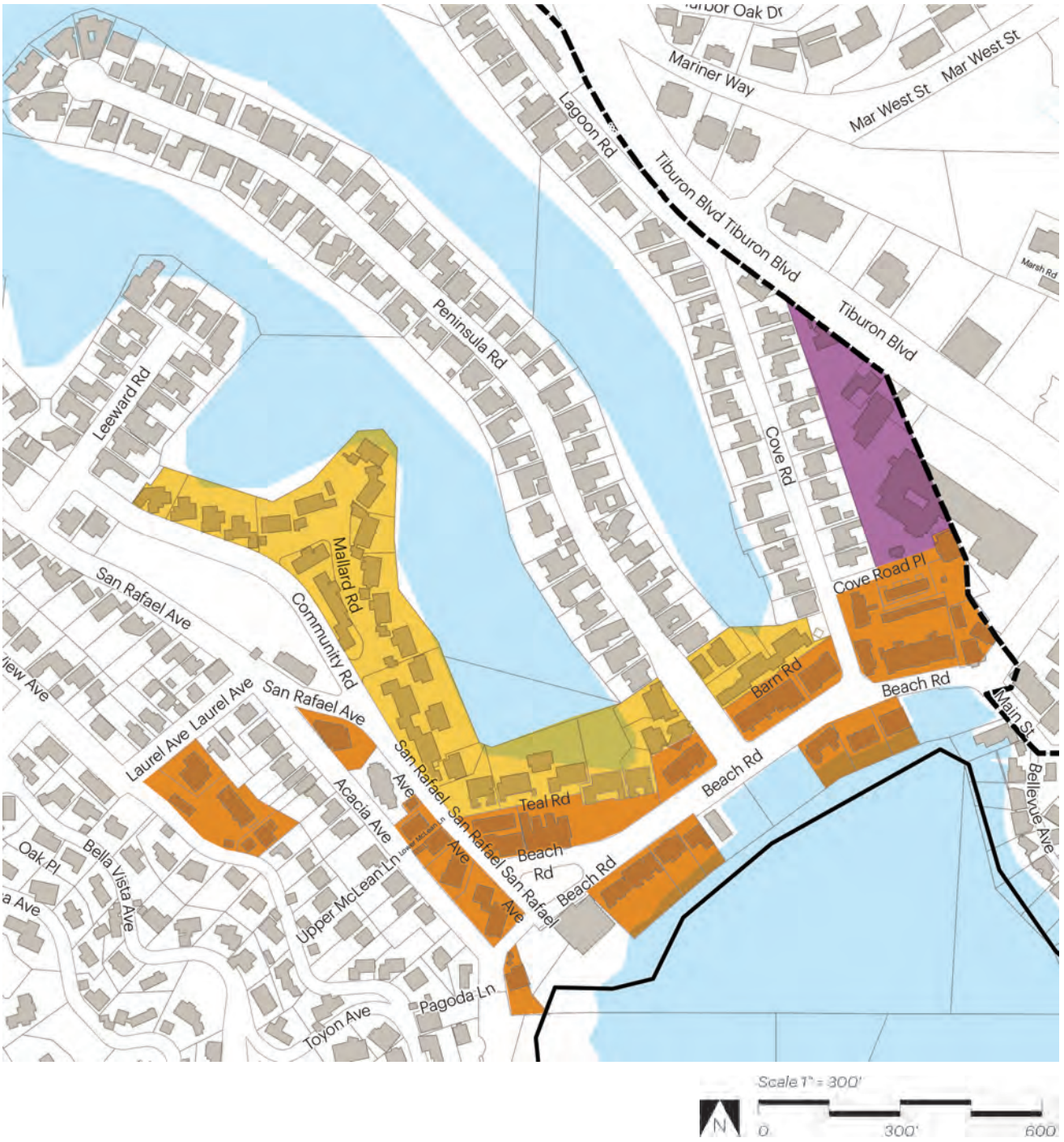
The purpose of Chapter is to identify the zones within the City of Belvedere where qualified Housing Accountability Act, Senate Bill 330, and Senate Bill 35 development projects are applicable.




---

**22.02.020 Zones Established**

This Section identifies the zones, based on the intended physical form and character of the City environments. These zones focus on mixed-use, walkable environments and range in function and intensity from primarily residential areas with a mix of lower intensity building types (T3 Suburban Neighborhood), to moderate intensity neighborhoods (T4 Suburban Neighborhood.Small), and moderate-intensity centers (T4 Suburban Main Street.Small).

### 22.02.030 Belvedere Objective Design Standards Zones



Area	ODDS Zones
	T3 Suburban Neighborhood
	T4 Suburban Neighborhood.Small
	T4 Suburban Main Street.Small

For development sites of at least 2 acres, see Title 22 (Objective Design and Development Standards) Section 22.09.030.

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# Chapter 3: Zones

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**Sections:**

- 22.03.010 Purpose
- 22.03.020 Overview of Zones
- 22.03.030 T3 Suburban Neighborhood (T3SN)
- 22.03.040 T4 Suburban Neighborhood.Small (T4SN.S)
- 22.03.050 T4 Suburban Main Street.Small (T4SMS.S)

---

**22.03.010 Purpose**

This Chapter provides zones and standards for qualified Housing Accountability Act, Senate Bill 330, and Senate Bill 35 development projects to implement the Belvedere General Plan to generate and support the variety of physical character of the intended development.

---

**22.03.020 Overview of Zones**

Table A (Zones Overview) provides an overview of each zone and its intent.

**Table 22.03.020.A: Zones Overview**

**Less Urban**



**Zone Abbreviation**

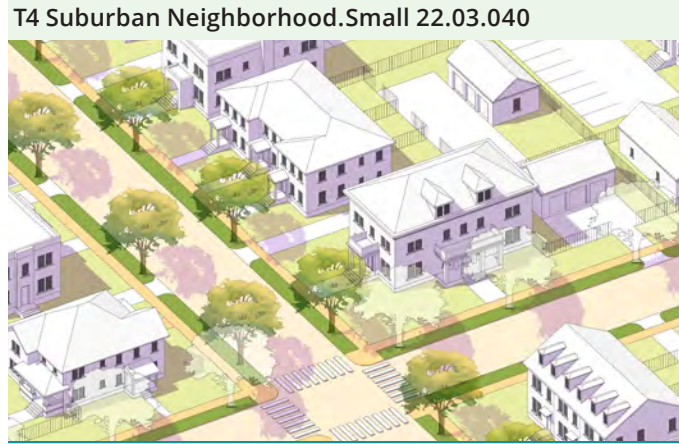
T3SN

**Intent**

A walkable neighborhood environment of small-to-medium footprint, low-to-moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

**Desired Form**

- House-Scale Buildings
- Primarily Detached Buildings
- Small-to-Medium Building Footprint
- Small-to-Medium Front Setbacks
- Small-to-Medium Side Setbacks
- Up to 2.5 Stories without Bonus; Up to 3 Stories with Bonus
- House, Duplex Side-by-Side, Cottage Court, Fourplex, Neighborhood Townhouse, and Pocket Neighborhood
- Porch Projecting, Dooryard, and Stoop Frontage Types



**Zone Abbreviation**

T4SN.S

**Intent**

A walkable neighborhood environment of small-to-medium footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

**Desired Form**

- House-Scale Buildings
- Primarily Detached Buildings
- Small-to-Medium Building Footprint
- Small-to-Medium Front Setbacks
- Small-to-Medium Side Setbacks
- Up to 2.5 Stories without Bonus; up to 3 Stories with Bonus
- House, Duplex Stacked, Cottage Court, Fourplex, Neighborhood Townhouse, Neighborhood Courtyard, Pocket Neighborhood, and Multiplex
- Porch Projecting, Dooryard, and Stoop Frontage Types

Table 22.03.020.A: Zones Overview (Continued)

More Urban



T4 Suburban Main Street.Small 22.03.050



Zone Abbreviation

T4SMS.S

Intent

A walkable, vibrant district of small-to-medium footprint, moderate intensity, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

Desired Form

Primarily House-Scale Buildings

Primarily Attached Buildings

Small-to-Medium Building Footprint

None-to-Small Front Setbacks

None-to-Small Side Setbacks

Up to 2.5 Stories without Bonus; up to 3 Stories with Bonus

House, Neighborhood Townhouse, Neighborhood Courtyard, Multiplex, and Main Street Building

Porch Projecting, Forecourt, Shopfront, Terrace, and Gallery

Frontage Types; Dooryard, Stoop, and Maker Shopfront

Frontage Types on Side Street



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## 22.03.030 T3 Suburban Neighborhood (T3SN)



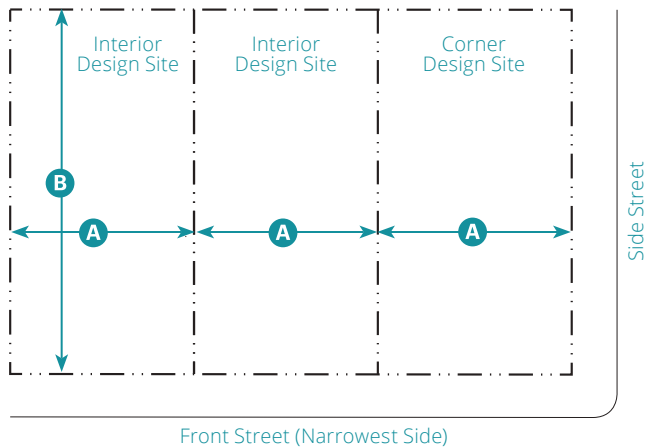
*General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.*

### 1. Intent

A walkable neighborhood environment of small-to-medium footprint, low-to-moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

The following are generally appropriate form elements in the zone.

House-Scale Buildings	Up to 2.5 Stories without Bonus; Up to 3 Stories with Bonus
Primarily Detached Buildings	
Small-to-Medium Building Footprint	House, Duplex Side-by-Side, Cottage Court, Fourplex, Neighborhood
Small-to-Medium Front Setbacks	Townhouse, and Pocket Neighborhood
Small-to-Medium Side Setbacks	Porch Projecting, Dooryard, and Stoop Frontage Types



**Key**

--- ROW/ Design Site Line

2. Building Types and Design Site Size			
Allowed Building Types	Design Site <sup>1</sup>		Standards
	Width <b>A</b>	Depth <b>B</b>	
<b>House-Scale</b>			
House	50' min.	100' min.	22.06.040
Duplex Side-by-Side	50' min.	110' min.	22.06.050
Cottage Court	125' min.	130' min.	22.06.070
Fourplex	50' min.	110' min.	22.06.080
Neighborhood Townhouse <sup>2</sup>	24' min <sup>3</sup>	100' min.	22.06.080
Pocket Neighborhood	170' min.	260' min.	22.06.110
	300' max.	500' max.	

**Block-Scale**

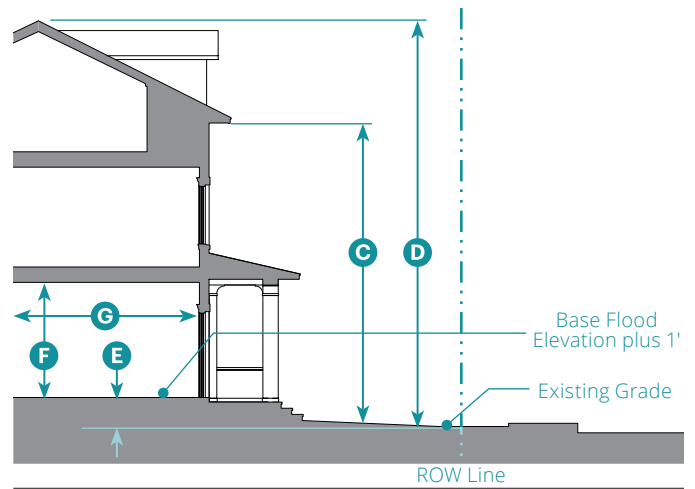
None

Each design site shall have only one primary building type.

<sup>1</sup> Design sites of at least 3 acres or over 700' long or deep are required to include civic space and new street(s) per Chapter 9 (Specific to Large Sites).

<sup>2</sup> Max. 2 side-by-side

<sup>3</sup> Represents one townhouse



**Key**

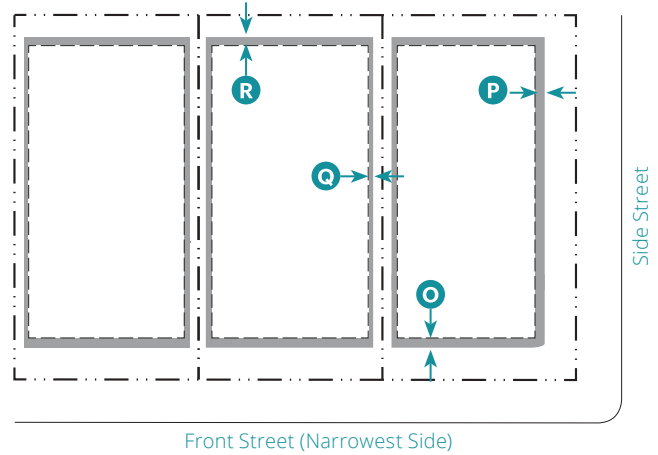
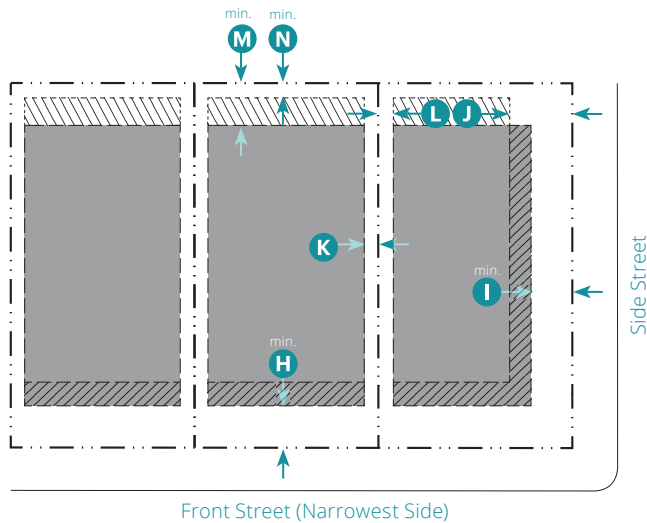
--- ROW Line

3. Building Form		
Height	Without Bonus	With Bonus
<b>Primary Building<sup>4</sup></b>		
Stories	2.5 max.	3 max.
To Highest Eave/Parapet	22' max.	32' max. <b>C</b>
Overall	29' max.	36' max. <b>D</b>
Ground Floor Finish Level (Base Flood Elevation plus 1' min.)		<b>E</b>
Ground Floor Ceiling		<b>F</b>
Residential	— 9' min. —	
Non-Residential	— Not Allowed —	
<b>Accessory Structure(s)</b>		
Area	— 120 sf max. —	
Height	— 16' max. —	
<b>Footprint</b>		
Max. Design Site Coverage	See standards in Chapter 6 (Specific to Building Types)	
Depth, Ground-Floor Space	— 30' min. <sup>5</sup> — <b>G</b>	

Roof decks are not allowed.

<sup>4</sup> See Chapter 6 (Specific to Building Types) for refinements to massing and height standards.

<sup>5</sup> For habitable/occupiable space only, except in the Cottage Court Building Type



<b>Key</b>	Buildable Area
- · · · ROW/ Design Site Line	Acc. Structures Only
- - - Building Setback Line	Facade Zone

<b>Key</b>	Encroachment Area
- · · · ROW/ Design Site Line	Setback Line

**4. Building Placement**

**Setback (Distance from ROW/ Design Site Line)**

Front (Facade Zone)		<b>H</b>
Interior Design Site	15' min.	
Corner Design Site	15' min.	
Side Street (Facade Zone)		
Primary Building	10' min.	<b>I</b>
Accessory Structure(s)	20' min.	<b>J</b>
Side		
Primary Building <sup>6</sup>	7' min.	<b>K</b>
Accessory Structure(s) <sup>6</sup>	5' min.	<b>L</b>
Rear		
Primary Building	20' min.	<b>M</b>
Accessory Structure(s) <sup>6</sup>	5' min.	<b>N</b>

**Building Facade**

Facade Zone Defined By Building	Front St.	Side St.
Total length of facade required within or abutting the facade zone, exclusive of setbacks	60% min.	50% min.

**Facade Design**

All building facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>6</sup>Where abuts lagoon, setback shall be 15' min. as measured from the summer high water line.

Setbacks shall be measured from the summer high water line.

**5. Encroachments**

**Encroachments into Minimum Setbacks**

Encroachment Type	Front <b>O</b>	Side St. <b>P</b>	Side <b>Q</b>	Rear <b>R</b>
Roof Rake/Eave	4' max.	4' max.	3' max.	4' max.

Ramps providing ADA or FHA visitability are allowed within setbacks but shall not encroach within public ROWs.

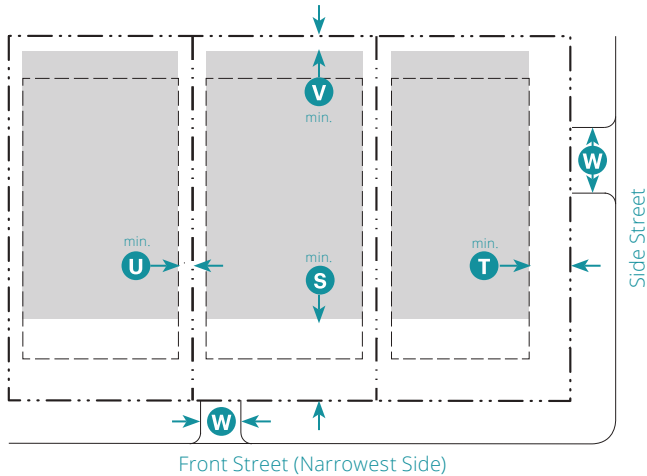
Fences, hedges, and other screen devices are allowed within setbacks as identified in Section 19.48.190 (Residential Zones—Certain Facilities and Structures Permitted in Yards).

**Encroachments into Public Right of Ways (ROW)**

Encroachments at grade not allowed within a street ROW, alley ROW, or across a design site line.

Upper story encroachments require 8' min. of vertical clearance.

<b>Key</b>	X = Not Allowed	N/A = Not Applicable
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**Key**

- - - - ROW/ Design Site Line
- - - - Building Setback Line
- █ Parking Area

**6. Parking**

Use Type	Vehicular Spaces <sup>8</sup>	Bicycle Spaces <sup>9</sup>
<b>Residential Uses</b>		
Studio or 1 Bedroom	1 min. per unit	1 min. per unit
2 or More Bedrooms	2 min. per unit	2 min. per unit
<b>Non-Residential Uses per Building<sup>10</sup></b>		
≤ 1,000 sf	0 min.	
≥ 1,000 sf	1 min. per 1,000 sf above first 1,000 sf	

Setback (Distance from ROW/ Design Site Line)		
Front	30' min.	<b>S</b>
Side Street	20' min.	<b>T</b>
Side	5' min.	<b>U</b>
Rear <sup>11</sup>	5' min.	<b>V</b>

Driveway <sup>12</sup>	One-Way	Two-Way
Curb Cut/Width	8' max.	Not Allowed <b>W</b>

<sup>8</sup> See Subsection 22.05.040.5 for additional standards.  
<sup>9</sup> See Subsection 22.05.040.3 for additional standards.  
<sup>10</sup> See Chapter 4 (Specific to Uses) for allowed uses.  
<sup>11</sup> 15' rear setback when abutting to Lagoon.  
<sup>12</sup> See Subsection 22.05.040.8.C for additional standards.

**6. Parking (Continued)**

Parking spaces may be grouped with those on adjacent design sites and may be detached from design sites within the same block, in compliance with parking setbacks and access standards.

Curb cut width along alley may exceed 8'.

Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.

Front access not allowed on corner design sites.

Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.

**7. Frontages**

Allowed Private Frontage Type	Standards
Porch Projecting	22.07.040
Porch Engaged	22.07.050
Dooryard	22.07.060

Allowed Public Frontage Type	Standards
Street	22.05.050.C.1

## 22.03.040 T4 Suburban Neighborhood.Small (T4SN.S)



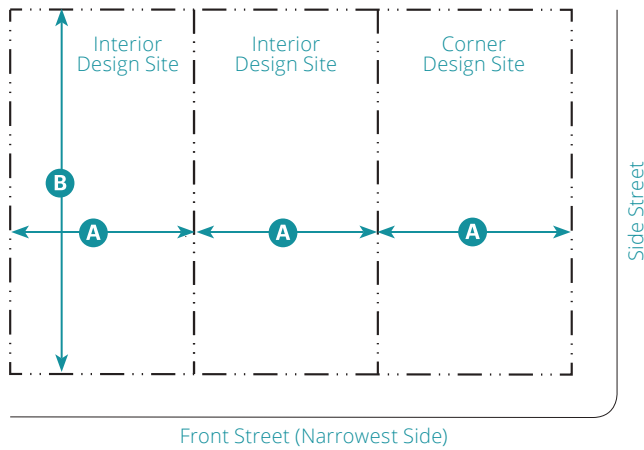
General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

### 1. Intent

A walkable neighborhood environment of small-to-medium footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

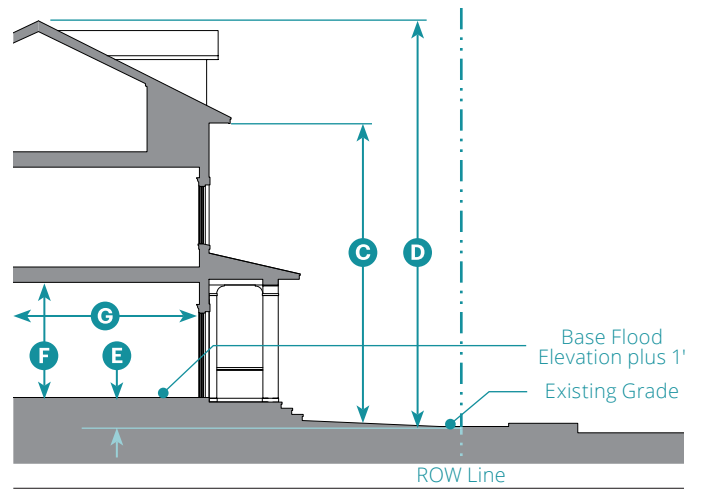
The following are generally appropriate form elements in the zone.

House-Scale Buildings	House, Duplex Stacked, Cottage Court,
Primarily Detached Buildings	Fourplex, Neighborhood Townhouse,
Small-to-Medium Building Footprint	Neighborhood Courtyard, Pocket
Small-to-Medium Front Setbacks	Neighborhood, and Multiplex
Small-to-Medium Side Setbacks	Porch Projecting, Dooryard, and Stoop
Up to 2.5 Stories without Bonus; up to 3 Stories with Bonus	Frontage Types



**Key**

--- ROW/ Design Site Line



**Key**

--- ROW Line

**2. Building Types and Design Site Size**

Allowed Building Types	Design Site <sup>1</sup>		Standards
	Width <b>A</b>	Depth <b>B</b>	
<b>House-Scale</b>			
House	50' min.	100' min.	22.06.040
Duplex Stacked <sup>2</sup>	50' min.	100' min.	22.06.060
Cottage Court	90' min.	120' min.	22.06.070
Fourplex	50' min.	110' min.	22.06.080
Neighborhood Townhouse	18' min. <sup>3</sup>	100' min.	22.06.090
Neighborhood Courtyard	70' min. <sup>4</sup>	150' min.	22.06.100
Pocket Neighborhood	170' min.;	260' min.;	22.06.110
	300' max.	500' max.	
Multiplex	100' min.	125' min.	22.06.120

**Block-Scale**

None  
Each design site shall have only one primary building type.

<sup>1</sup> Design sites of at least 3 acres or over 700' long or deep are required to include civic space and new street(s) per Chapter 9 (Specific to Large Sites).

<sup>2</sup> Represents up to 2 stacked units.

<sup>3</sup> For an L-shaped building; 100' min. for a U-shaped building

**3. Building Form**

Height	Without Bonus	With Bonus	
<b>Primary Building<sup>4</sup></b>			
Stories	2.5 max.	3 max.	
To Highest Eave/Parapet	23' max.	33' max.	<b>C</b>
Overall	29' max.	36' max.	<b>D</b>
Ground Floor Finish Level (Base Flood Elevation plus 1' min.)			<b>E</b>
Ground Floor Ceiling			<b>F</b>
Residential	9' min.		
Non-Residential	12' min.		
<b>Accessory Structure(s)</b>			
Area	120 sf max.		
Height	16' max.		

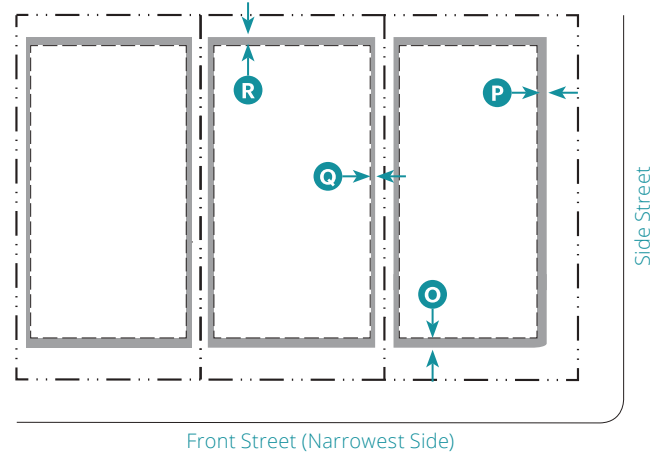
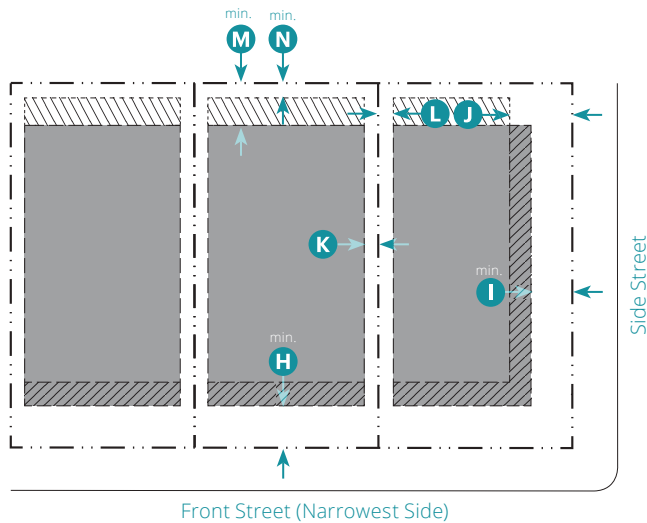
**Footprint**

Max. Design Site Coverage See standards in Chapter 6 (Specific to Building Types)

Depth, Ground-Floor Space 20' min.<sup>5</sup> **G**  
Roof deck are not allowed.

<sup>4</sup> See Chapter 6 (Specific to Building Types) for refinements to massing and height standards.

<sup>5</sup> For habitable/occupiable space only, except in the Cottage Court Building Type



<b>Key</b>	Buildable Area
- · · · ROW/ Design Site Line	Acc. Structures Only
- - - Building Setback Line	Facade Zone

<b>Key</b>	Encroachment Area
- · · · ROW/ Design Site Line	
- - - Setback Line	

**4. Building Placement**

**Setback (Distance from ROW/ Design Site Line)**

Front (Facade Zone)		<b>H</b>
Interior Design Site	10' min.	
Corner Design Site	10' min.	
Side Street (Facade Zone)		
Primary Building	10' min.	<b>I</b>
Accessory Structure(s)	20' min.	<b>J</b>
Side		
Primary Building <sup>6</sup>	7' min.	<b>K</b>
Accessory Structure(s) <sup>6</sup>	5' min.	<b>L</b>
Rear		
Primary Building	15' min.	<b>M</b>
Accessory Structure(s) <sup>6</sup>	5' min.	<b>N</b>

**5. Encroachments**

**Encroachments into Minimum Setbacks**

Encroachment Type	Front <b>O</b>	Side St. <b>P</b>	Side <b>Q</b>	Rear <b>R</b>
Roof Rake/Eave	3' max.	3' max.	3' max.	5' max.

Ramps providing ADA or FHA visitability are allowed within setbacks but shall not encroach within public ROWs.

Fences, hedges, and other screen devices are allowed within setbacks as identified in Section 19.48.190 (Residential Zones—Certain Facilities and Structures Permitted in Yards).

**Encroachments into Public Right of Ways (ROW)**

Encroachments at grade not allowed within a street ROW, alley ROW, or across a design site line.

Upper story encroachments require 8' min. of vertical clearance.

**Building Facade**

Facade Zone Defined By Building	Front St.	Side St.
Total length of facade required within or abutting the facade zone, exclusive of setbacks	65% min.	55% min.

**Facade Design**

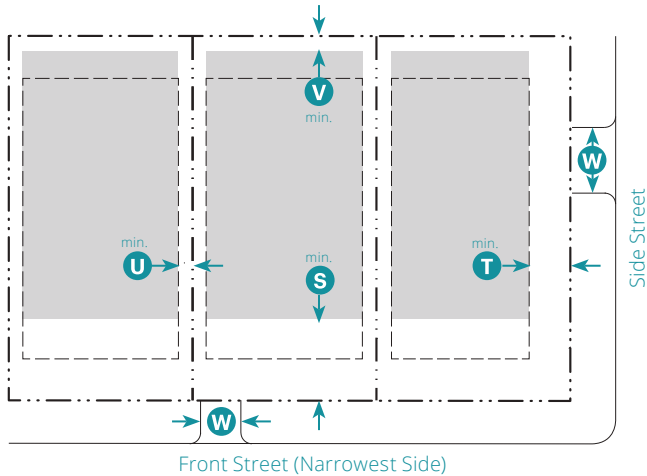
All building facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>6</sup>Where abuts lagoon, rear setback shall be 15' min. as measured from the summer high water line.

Setback shall be measured from the summer high water line.

<b>Key</b>	X = Not Allowed	N/A = Not Applicable
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**Key**

- - - - ROW/ Design Site Line
- - - - Building Setback Line
- █ Parking Area

**6. Parking**

Use Type	Vehicular Spaces <sup>8</sup>	Bicycle Spaces <sup>9</sup>
<b>Residential Uses</b>		
Studio or 1 Bedroom	1 min. per unit	1 min. per unit
2 or More Bedrooms	2 min. per unit	2 min. per unit
<b>Non-Residential Uses per Building<sup>10</sup></b>		
≤ 1,000 sf	0 min.	
≥ 1,000 sf	1 min. per 1,000 sf above first 1,000 sf	

Setback (Distance from ROW/ Design Site Line)		
Front	40' min.	<b>S</b>
Side Street	20' min.	<b>T</b>
Side	5' min.	<b>U</b>
Rear <sup>11</sup>	5' min.	<b>V</b>

Driveway <sup>12</sup>	One-Way	Two-Way
Curb Cut/Width	8' max.	Not Allowed <b>W</b>

<sup>8</sup>See Subsection 22.05.040.5 for additional standards.  
<sup>9</sup>See Subsection 22.05.040.3 for additional standards.  
<sup>10</sup>See Chapter 4 (Specific to Uses) for allowed uses.  
<sup>11</sup>15' rear setback when abutting to Lagoon.  
<sup>12</sup>See Subsection 22.05.040.8.C for additional standards.

**6. Parking (Continued)**

Parking spaces may be grouped with those on adjacent design sites and may be detached from design sites within the same block, in compliance with parking setbacks and access standards.

Curb cut width along alley may exceed 8'.

Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.

Front access not allowed on corner design sites.

Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.

**7. Frontages**

Allowed Private Frontage Type	Standards
Porch Projecting	22.07.040
Porch Engaged	22.07.050
Dooryard	22.07.060
Stoop	22.07.070
Allowed Public Frontage Type	Standards
Street	22.05.050.C.1

## 22.03.050 T4 Suburban Main Street.Small (T4SMS.S)



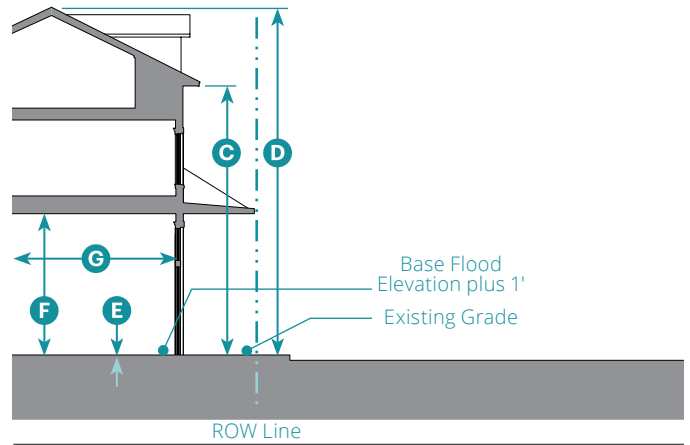
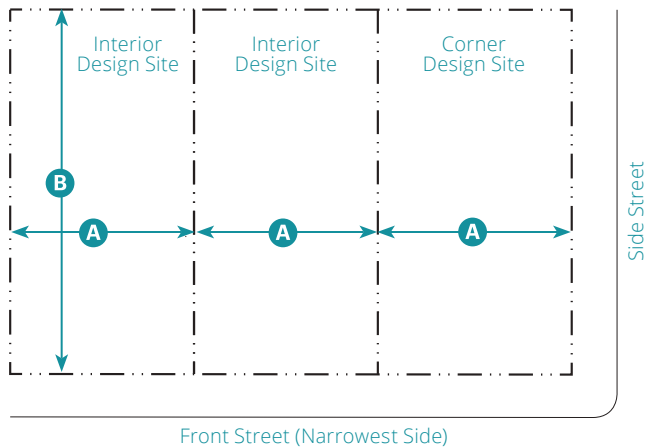
*General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.*

### 1. Intent

A walkable, vibrant district of small-to-medium footprint, moderate intensity, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

The following are generally appropriate form elements in the zone.

Primarily House-Scale Buildings	House, Neighborhood Townhouse,
Primarily Attached Buildings	Neighborhood Courtyard, Multiplex,
Small-to-Medium Building Footprint	and Main Street Building
None-to-Small Front Setbacks	Porch Projecting, Forecourt,
None-to-Small Side Setbacks	Shopfront, Terrace, and Gallery
Up to 2.5 Stories without Bonus; up to 3 Stories with Bonus	Frontage Types; Dooryard, Stoop, and Maker Shopfront Frontage Types on Side Street



**Key**

--- ROW/ Design Site Line

**Key**

--- ROW Line

**2. Building Types and Design Site Size**

Allowed Building Types	Design Site <sup>1</sup>		Standards
	Width <b>A</b>	Depth <b>B</b>	
<b>House-Scale</b>			
House	50' min.	100' min.	22.06.040
Neighborhood Townhouse	18' min. <sup>2</sup>	100' min.	22.06.090
Neighborhood Courtyard	70' min. <sup>3</sup>	150' min.	22.06.100
Multiplex	60' min.	110' min.	22.06.120
<b>Block-Scale</b>			
Main Street Building	25' min.	100' min.	22.06.130

Each design site shall have only one primary building type.

<sup>1</sup> Design sites of at least 3 acres or over 700' long or deep are required to include civic space and new street(s) per Chapter 9 (Specific to Large Sites).

<sup>2</sup> Represents up to 2 stacked units.

<sup>3</sup> For an L-shaped building; 100' min. for a U-shaped building

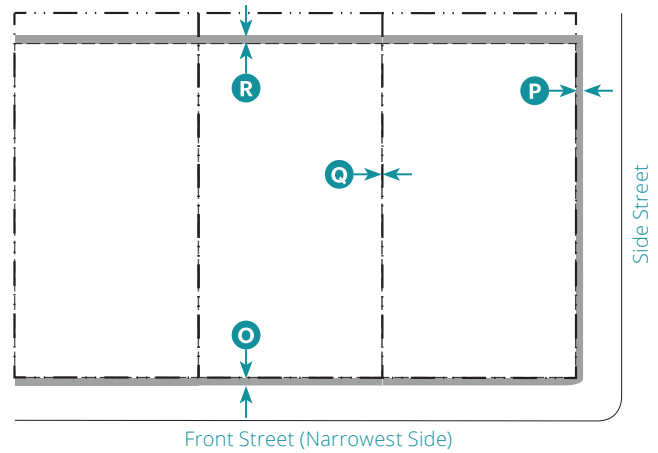
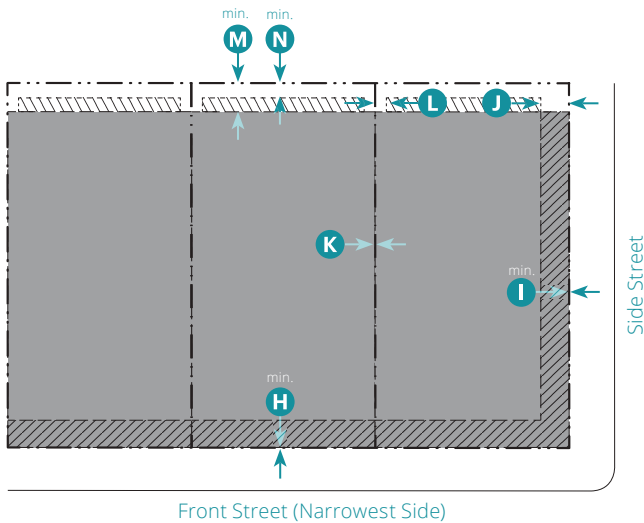
**3. Building Form**

Height	Without Bonus	With Bonus	
<b>Primary Building<sup>4</sup></b>			
Stories	2.5 max.	3 max.	
To Highest Eave/Parapet	26' max.	35' max.	<b>C</b>
Overall	29' max	36' max.	<b>D</b>
Ground Floor Finish Level (Base Flood Elevation plus 1' min.)			<b>E</b>
Ground Floor Ceiling	12' min.		<b>F</b>
<b>Accessory Structure(s)</b>			
Area	120 sf max.		
Height	16' max.		

<b>Footprint</b>		
Max. Design Site Coverage	See standards in Chapter 6 (Specific to Building Types)	
Depth, Ground-Floor Space Roof deck are not allowed.	30' min. <sup>5</sup>	<b>G</b>

<sup>4</sup> See Chapter 6 (Specific to Building Types) for refinements to massing and height standards.

<sup>5</sup> For habitable/occupiable space only



<b>Key</b>	Buildable Area
- - - - ROW/ Design Site Line	Acc. Structures Only
- - - - Building Setback Line	Facade Zone

<b>Key</b>	Encroachment Area
- - - - ROW/ Design Site Line	
- - - - Setback Line	

**4. Building Placement**

**Setback (Distance from ROW/ Design Site Line)**

Front (Facade Zone)		<b>H</b>
Interior Design Site	0' min.	
Corner Design Site	0' min.	
Side Street (Facade Zone)		
Primary Building	0' min.	<b>I</b>
Accessory Structure(s)	10' min.	<b>J</b>
Side		
Primary Building	0' min.	<b>K</b>
Adjacent to T3EN or Res'I Zone	10' min.	
Accessory Structure(s) <sup>7</sup>	3' min.	<b>L</b>
Rear		
Primary Building <sup>6</sup>	15' min.	<b>M</b>
Adjacent to T3EN or Res'I Zone	20' min.	
Accessory Structure(s) <sup>7</sup>	5' min.	<b>N</b>

**Building Facade**

<b>Facade Zone Defined By Building</b>	<b>Front St.</b>	<b>Side St.</b>
Total length of facade required within or abutting the facade zone, exclusive of setbacks	65% min.	55% min.

**Facade Design**

All building facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>6</sup>Rear setback shall be measured from the summer high water line.

<sup>7</sup>Where abuts lagoon, rear setback shall be 15' min. as measured from the summer high water line.

**5. Encroachments**

**Encroachments into Minimum Setbacks**

<b>Encroachment Type</b>	<b>Front</b>	<b>Side St.</b>	<b>Side</b>	<b>Rear</b>
	<b>O</b>	<b>P</b>	<b>Q</b>	<b>R</b>
Roof Rake/Eave	3' max.	3' max.	X	5' max.

Ramps providing ADA or FHA visitability are allowed within setbacks but shall not encroach within public ROWs.

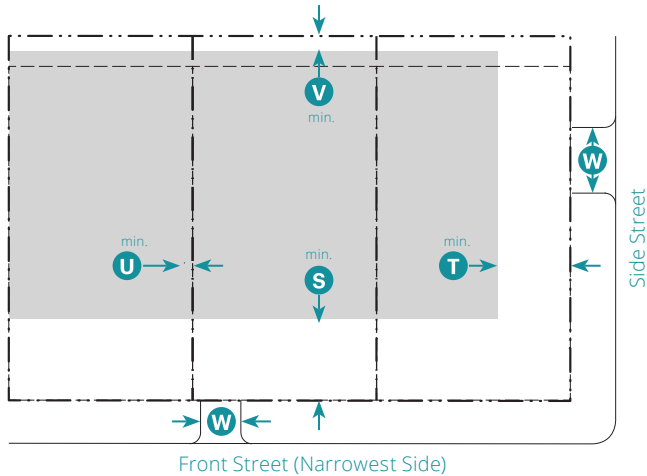
Fences, hedges, and other screen devices are allowed within setbacks as identified in Section 19.48.190 (Residential Zones—Certain Facilities and Structures Permitted in Yards).

**Encroachments into Public Right of Ways (ROW)**

Encroachments at grade not allowed within a street ROW, alley ROW, or across a design site line.

Upper story encroachments require 8' min. of vertical clearance.

<b>Key</b>	X = Not Allowed	N/A = Not Applicable
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**Key**

- - - ROW/ Design Site Line
- - - Building Setback Line
- █ Parking Area

**6. Parking**

Use Type	Vehicular Spaces <sup>8</sup>	Bicycle Spaces <sup>9</sup>
<b>Residential Uses</b>		
Studio or 1 Bedroom	1 min. per unit	1 min. per unit
2 or More Bedrooms	1 min. per unit	2 min. per unit
<b>Non-Residential Uses per Building<sup>10</sup></b>		
≤ 3,000 sf	0 min.	
≥ 3,000 sf	1 min. per 1,000 sf above first 3,000 sf	

<b>Setback (Distance from ROW/ Design Site Line)</b>		
Front	40' min.	<b>S</b>
Side Street	40' min.	<b>T</b>
Side	0' min.	<b>U</b>
Rear <sup>11</sup>	5' min.	<b>V</b>

Driveway <sup>12</sup>	One-Way	Two-Way
Curb Cut/Width	8' max.	12' max.

<sup>8</sup> See Subsection 22.05.040.5 for additional standards.  
<sup>9</sup> See Subsection 22.05.040.3 for additional standards.  
<sup>10</sup> See Chapter 4 (Specific to Uses) for allowed uses.  
<sup>11</sup> 15' rear setback when abutting to Lagoon.  
<sup>12</sup> See Subsection 22.05.040.8.C for additional standards.

**7. Parking (Continued)**

Parking spaces may be grouped with those on adjacent design sites and may be detached from design sites within the same block, in compliance with parking setbacks and access standards.

Curb cut width along alley may exceed 12'.

Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.

Front access not allowed on corner design sites.

Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.

**7. Frontages**

Allowed Private Frontage Type	Standards
Porch Projecting	22.07.040
Porch Engaged	22.07.050
Dooryard <sup>12</sup>	22.07.060
Stoop <sup>12</sup>	22.07.070
Forecourt	22.07.080
Maker Shopfront <sup>12</sup>	22.07.090
Shopfront	22.07.100
Terrace	22.07.110
Gallery	22.07.120
Allowed Public Frontage Type	Standards
Avenue/Boulevard	22.05.050.C.2
Main Street	22.05.050.C.3

<sup>12</sup> Only on Side Street

# Chapter 4: Specific to Uses

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**Sections:**

- 22.04.010 Purpose
- 22.04.020 Use Standards
- 22.04.030 Use Table

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**22.04.010 Purpose**

This Chapter provides the standards for uses in each zone to implement the intent described in Chapter 3 (Zones).

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**22.04.020 Use Standards**

Table 22.04.030.A (Uses) identifies the following for each zone: the allowed uses ("P") and the uses that are not allowed ("X"). In addition, as required, specific use-standards are identified. Uses not listed are not allowed.

## 22.04.030 Use Table

**Table 22.04.030.A: Uses**

	T3SN	T4	
		SN.S	SMS.S
<b>Commercial Uses</b>			
Alcohol Sales	X	X	P
Eating and Drinking Establishment	X	X	P
Office-General	X	X	P
Office-Medical/Dental	X	X	P
Indoor Recreation	X	X	P
Lodging	X	X	P
Parking Facilities-Municipal	X	X	P
Retail-General	X	X	P
Services-General	X	X	P
Veterinary Clinics	X	X	P
<b>Institutional and Civic Uses</b>			
Community Assembly	P <sup>1</sup>	X	P
Daycare			
Adult	P	X	P
7-12 Children	P	X	P
1-6 Children	P	X	P
Park and Outdoor Recreation	P	P	P
School-Public and Private	P <sup>1</sup>	P <sup>1</sup>	P
Studio: Art, Music, Dance	P <sup>2</sup>	P <sup>1</sup>	P

<sup>1</sup> Max. 1,500 sf per building

<sup>2</sup> Only allowed in an accessory structure

**Key**            P = Allowed            X = Not Allowed

**Table 22.04.030.A: Uses (Continued)**

	T3SN	T4	
		SN.S	SMS.S
<b>Residential Uses</b>			
Dwelling	P	P	P
Group Living-Assisted	X	P <sup>1</sup>	P
Group Living-General	X	P <sup>1</sup>	P
Group Living-Independent	X	P <sup>1</sup>	P
Live/Work	X	X	P

<sup>1</sup> Max. 1,500 sf per building

<sup>2</sup> Only allowed in an accessory structure

**Key**            P = Allowed            X = Not Allowed



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# Chapter 5: General to Design Sites

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## Sections:

22.05.010	Purpose
22.05.020	Screening
22.05.030	Landscaping and Lighting
22.05.040	Parking and Loading
22.05.060	Public Frontage Standards
22.05.070	Privacy Standards
22.05.080	Location of Density Bonus Height/Floor Area on Sloped Design Sites

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## 22.05.010 Purpose

This Chapter provides standards to ensure that new development accomplishes the following:

1. Makes a positive contribution to the development pattern of the area;
2. New or altered structures are compatible with the design and use of existing structures on neighboring properties;
3. Respects the existing conditions of neighboring properties; and
4. Does not adversely affect neighboring properties, with "adversely affect" meaning to impact in a substantial, negative manner the habitability of these properties.

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## 22.05.020 Screening

1. **Intent.** This Section provides standards for screening, fences, and walls for the protection of property, the enhancement of privacy, the attenuation of noise, and the improvement of the visual environment.
2. **Design Standards for Screening.** Except for wall- and ground-mounted equipment that is not visible from the public right-of-way or abutting design sites, all equipment shall comply with the following:
  - A. **Screening Height Maximums.** Screening shall not exceed the maximums identified in Table A (Maximum Screening Height).
  - B. **Screening Height Measurement.** Screening height shall be measured as the vertical distance between the existing grade at the base of the screen and the top edge of the screen material.

Zone	Item	Maximum Height Allowed			
		Front	Side St.	Side	Rear
T3SN	Fences	3' max.	3' max.	8' max.	4' max.
	Free Standing Walls	3' max.	3' max.	4' max.	4' max.
	Landscaping <sup>1</sup>	4' max.	4' max.	8' max.	6' max.
T4SN.S	Fences	3' max.	3' max.	8' max.	4' max.
	Free Standing Walls	3' max.	3' max.	8' max.	8' max.
	Landscaping <sup>1</sup>	4' max.	4' max.	8' max.	8' max.
T4SMS.S	Fences	X	X	8' max.	4' max.
	Free Standing Walls	X	X	8' max.	8' max.
	Landscaping <sup>1</sup>	3' max.	3' max.	8' max.	8' max.

<sup>1</sup> Excludes trees. Fencing and walls shall comply with Section 19.48.190.A and Administrative Policy Manual 15.4 (Fence Repair and Replacement).

**Key** X = Not Allowed

### 3. Courtyard Screening

- A. Fences, walls and other screening installed to create a courtyard without a roof shall not exceed five feet in height and shall be set back a minimum of 10 feet from the front property line or back of sidewalk, whichever is the least.
- B. Landscaping installed in compliance with Section 22.05.030 (Landscaping and Lighting).

### 4. Screening on Retaining Walls.

The total height of screens and the retaining walls they are mounted on or attached to shall not exceed applicable heights in Table 22.05.020.A.

### 5. Mechanical Equipment Screening

- A. The following mechanical equipment is exempt from screening:
  - (1) Free-standing or roof-mounted solar equipment; and
  - (2) Vents less than two feet in height.
- B. For new installation or relocation of existing mechanical equipment, the equipment shall be screened.
  - (1) **Roof-Mounted Equipment.** Building parapets or other architectural elements in the building's architectural style shall screen roof-mounted equipment. These screening elements are required to stay within the maximum building height.
    - (a) New buildings shall be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new mechanical equipment to be located on the roof of the building; and
    - (b) For existing buildings with no parapet less than two feet in height, mechanical equipment shall be surrounded on all sides by an opaque screen wall as tall as the highest point of the equipment. The wall shall be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail.

(2) **Wall- and Ground-Mounted Equipment**

- (a) Equipment is not allowed between front or side street facades and the street.
  - (b) All screen devices shall be as high as the highest point of the equipment being screened.
  - (c) Equipment and screening shall be in compliance with the setbacks of the zone.
  - (d) Screening shall be architecturally compatible and include matching paint, finish, and trim cap of the building.
6. **Temporary Fencing.** Temporary fencing may be used to provide security for approved special events, construction sites, or vacant structures and land, which cannot otherwise be secured. All temporary fencing shall be in compliance with Section 20.04.150 (Fences and Screening).
7. **Barbed Wire and Razor Wire.** Barbed wire and razor wire screening are not allowed.
8. **Safety.** Fences, walls, and other screening and landscaping, whether provided in compliance with the provisions of this Subsection or provided in addition to those provisions, are subject to review by the Traffic Engineer in the following areas to ensure that visibility is maintained:
- A. Within 10 feet of the point of intersection of:
    - (1) A vehicular access way or driveway and a street; and/or
    - (2) A vehicular access way or driveway and a sidewalk.
  - B. Within 20 feet of the point of intersection of two or more vehicular access ways, including driveways, alleys, or streets.
  - C. As used in this Subsection, "point of intersection" is measured from the face of curb or if none, from the edge of pavement.

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## 22.05.030 Landscaping and Lighting

1. **Intent.** This Section prescribes landscaping and lighting standards for protection and enhancement of the environmental and visual quality of the community, enhancement of privacy, and the control of dust.
2. **Required Landscaping.** The landscaping required by this Section shall be installed as part of the development or improvement(s) requiring the landscaping. Standards for landscaping in parking areas shall be in combination with Section 22.05.040 (Parking and Loading).
  - A. Landscaping materials shall be integrated into the required setbacks, stream and wetland buffers, and design of the selected private frontage type(s).
  - B. Landscape materials shall be applied to the planting areas identified for public frontage type(s).
3. **Required Lighting**
  - A. Site improvements, including lighting, as required to be consistent with the selected Architectural Style for the primary building.
  - B. Lighting shall be provided in compliance with the following:
    - (1) Exterior lighting shall be shielded and directed downward, with location of lights coordinated with the approved landscape plan.
    - (2) Exterior lamps shall be low voltage, LED, and except for outdoor Christmas lights, shall not be colored.
    - (3) Skylights shall not have white or light opaque colored exterior lenses.
    - (3) All exterior lighting shall be dark sky compliant, and designed, located and lamped to prevent overlighting, energy waste, glare, and light trespass.
    - (4) All parking lot lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences.
    - (5) Bollard lighting may be used to light walkways and other landscape features, but shall cast its light downward.
    - (6) Internally illuminated fascia, wall, roof, awning or other building parts are prohibited.
    - (7) All nonessential exterior lighting associated with non-residential uses shall be turned off within ½ hour after the close of business or when the non-residential use is not in use.
4. **Design Standards**
  - A. **Allowed Landscaping Materials**
    - (1) Landscaping materials shall comply with the following:
      - (a) Shrubs, of at least one-gallon size;
      - (b) Ground cover instead of grass/turf; and/or
      - (c) Decorative nonliving landscaping materials including, but not limited to, sand, stone, gravel, wood or water may be used to satisfy a maximum of 25 percent of the required landscaping area.
    - (2) Street trees, of at least 15-gallon size, double-staked, planted between the curb and the back of the sidewalk. Mature height of street trees cannot surpass adjacent building height.

**B. Species Selection**

- (1) Native and drought tolerant species are required to meet the minimum standards, in conformance with MMWD Water Conservation Ordinance 414.
- (2) Landscape selection shall include native vegetation, applicable to Marin County, in compliance with Water Use Classification of Landscape Species (WUCOL IV).
- (3) Landscaping shall be in compliance with Tiburon Fire Protection District.

**C. Retaining Walls**

- (1) Retaining walls within the front and/or side street façade zone(s) or visible from the public sidewalk adjoining the design site shall:
  - (a) Not exceed four feet in height as measured to the adjacent existing grade;
  - (b) Include a landscape planter in front of the wall. The planter shall be at least 18 inches deep measured perpendicular to the wall; and/or
  - (c) Be finished with allowable wall material(s) of the selected architectural style for the primary building.
- (2) Retaining walls along the interior design site line that are beyond the front and/or side street façade zone(s) shall:
  - (a) Not exceed three feet as measured to the adjacent existing grade; if the lot abuts Lagoon, retaining walls shall comply with Administrative Policy Manual 15.4.4;
  - (b) Include a landscape planter in front of the wall. The planter shall be at least three feet deep measured perpendicular to the wall; and/or
  - (c) Be finished with allowable wall material(s) of the selected architectural style for the primary building.
- (3) Retaining walls along the rear design site line that are beyond the front and/or side street façade zone(s) shall:
  - (a) Not exceed eight feet as measured to the adjacent existing grade<sup>1</sup>;
  - (b) If exposed, include a landscape planter in front of the wall. The planter shall be at least three feet deep measured perpendicular to the wall;
  - (c) Be finished with allowable wall material(s) of the selected architectural style for the primary building; and/or
  - (d) Not require landscaping or wall material finish(es) if within the building and not exposed.

- D. Maintenance.** Required landscaping shall be maintained in a clean and healthy condition. This includes pruning, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the appropriate watering of all landscaping.

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<sup>1</sup>Except when abutting Lagoon. Please refer to BMC (19.48.190).

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## 22.05.040 Parking and Loading

1. **Intent.** This Section prescribes standards for motor vehicle and bicycle parking areas, loading and access drives, and standards for reducing motor vehicle trips per capita to and from development. These standards are intended to ensure that new development accomplishes the following:
  - A. Consistency with the intended physical character of walkable environments;
  - B. Provision of bicycle parking to increase bicycle trips and reduce motor vehicle trips per capita; and
  - C. Appropriately limits, screens, and landscapes motor vehicle parking areas to protect and enhance the environmental and visual quality of the community, enhance privacy, attenuate noise, and control dust.
2. **On-site Parking.** On-site parking is allowed in all zones subject to the standards in this Section.
3. **Bicycle Parking Standards.** Bicycle parking shall be provided in compliance with the standards of the zone.
4. **General Vehicular Parking Standards**
  - A. **Sharing of On-Site Parking.** Sharing of parking between different uses and developments is allowed.
  - B. **Sharing of Non-Residential Parking Required.** If on-site parking spaces for non-residential uses are provided, such spaces shall be made available for use by the general public during at least one of the following time periods:
    - (1) Monday through Friday, 8 AM to 5 PM; or
    - (2) Monday through Friday, 5 PM to 11 PM and all day on Saturday and Sunday.
  - C. **Larger Vehicle Parking**
    - (1) Trucks, tractors or tractor-trailers having a capacity of more than a 1.5-ton load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural, or transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored in any zone for purposes other than unloading, loading, or delivery services.
    - (2) Automobiles, small trucks, vans, and vehicle trailers allowed in conjunction with an approved home occupation (one per home occupation), and recreational vehicles are excluded from the provisions of this Subsection.
  - D. **Storage of Unregistered or Inoperable Motor Vehicles.** Automotive vehicles, trailers, or vehicles of any kind or type, requiring licenses that are without current license plates or are inoperable shall only be parked within completely enclosed buildings.
  - E. **Cargo or Freight Container.** Portable cargo or freight storage containers in any zone for purposes of loading or unloading may be parked or stored on-premise for a period not to exceed 10 days in any one calendar year.
5. **Number of Motor Vehicle Parking Spaces Required**
  - A. **Required Spaces.** The minimum number of parking spaces required is listed in Subsection 6 of the zone. For any use not addressed in Subsection 6 of the zone, parking shall not exceed a ratio equivalent to the average peak parking occupancy rate for the most comparable use in the Institute of Transportation Engineers Parking Generation Manual.

**B. Required Number of Parking Spaces**

- (1) When calculating the required number of parking spaces, numbers shall be rounded down to the closest whole number.
- (2) Parking systems that stack individual vehicles are counted as three spaces for every horizontal space identified.
- (3) **Calculating Required Parking for a Mixed-Use Development.** For a building with residential and non-residential uses, shared parking shall be calculated as follows. The sum of the required parking for the two use types as stated in Subsection 6 of the zone shall be divided by the factor listed in Table A (Shared Parking Factor for Two Uses). The required number of parking spaces shall be rounded up to the closest whole number.

<b>Table 22.05.040.A: Shared Parking Factor for Two Uses</b>				
	<b>Residential</b>	<b>Lodging</b>	<b>Office</b>	<b>Retail</b>
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

- C. **Exception in the Event of Changes of Use or Alterations to Existing Buildings or Structures.** If an existing building or structure is altered or existing land uses are changed, the existing number of parking spaces on a property may be retained, even if the resulting building, structure or land use would ordinarily be subject to a lower maximum parking allowance.
6. **Electric Vehicle Charging.** Electric vehicle charging facilities shall be provided in compliance with CA Green Standards Building Code, Title 24, Part 11.



7. **Traffic-Reducing Parking Standards**

A. **Carshare Parking Spaces**

- (1) Carshare parking spaces shall be provided in the amounts specified in Table B (Required Carshare Parking Spaces).

<b>Table 22.05.040.B: Required Carshare Parking Spaces</b>	
<b>Residential Uses</b>	<b>Carshare Parking Spaces Required</b>
0-49 units	None
50-100 units	1
101 or more units	2 + 1 per additional 200 units
<b>Office/Research &amp; Development Uses</b>	<b>Carshare Parking Spaces Required</b>
≤ 10,000 sf	None
> 10,000 sf	1 per 10,000 sf

- (2) The required carshare space(s) shall be made available, at no cost, to a carshare service for purposes of providing carshare services to its members. At the election of the property owner, the carshare spaces may be provided:
  - (a) On the design site; or
  - (b) On another off-street site within 1,000 feet of the design site.
- (3) Required carshare space or spaces shall be designed in a manner that will make the spaces accessible to non-resident subscribers from outside the building as well as building residents.
- (4) If no carshare service can make use of the dedicated carshare parking spaces, the spaces may be occupied by non-carshare vehicles; provided, however, that upon 90 days of advance written notice to the property owner from a carshare service, the property owner shall terminate any non-carsharing leases for such spaces and shall make the spaces available to the carshare service for its use of such spaces.

- B. **Carpool Spaces.** If parking is provided at a development, parking spaces reserved for use by carpool/vanpool vehicles shall be designated in preferred locations (including, but are not limited to, closest to building entries). The locations of these spaces shall be approved by the City. The minimum number of carpool spaces required is listed in Table C (Required Carpool Parking Spaces).

<b>Table 22.05.040.C: Required Carpool Parking Spaces</b>	
<b>Office/Research &amp; Development Uses</b>	<b>Carpool Parking Spaces Required</b>
≤ 40 parking spaces	None
> 40 parking spaces	10% of the total number of spaces
<b>Other Uses</b>	<b>Carpool Parking Spaces Required</b>
All Other Uses	None

## 8. **Parking Spaces, Design and Layout**

- A. **Parking Facilities.** All off-street parking is required to be located within a carport or garage and shall be designed in compliance with the selected Architectural style of the primary building.
- B. **Access.** On-site parking areas shall be accessed per the following:
  - (1) On-site parking shall be designed with an appropriate means of vehicular access to a street or to an alley to cause the least interference with traffic flow; and
  - (2) Ingress to and egress from parking spaces shall be from an on-site aisle or driveway, directly from the front, side street, public alley, or rear lane; and
  - (3) On-site loading space(s) is not required.

C. **Driveways**

(1) **Access to Driveways**

- (a) Driveway access to and from developments of two or fewer dwelling units onto public streets shall be where practical by forward motion of the vehicle; and
- (b) Driveway access to and from developments of three or more dwelling units onto public streets shall be by forward motion of the vehicle.
- (c) Minimum 30 feet separation between driveways for all uses except developments of two or fewer dwelling units.

(2) **Number of Driveways.** Table D (Number of Driveways) specifies the maximum number of driveways for a development site based on the amount of lot frontage along arterial streets.

(3) Driveways shall be setback from design site lines as follows:

- (a) For front access, minimum two feet from side design site lines; and/or
- (b) For side street access, no less than the minimum rear parking setback per the zone; and/or
- (c) Where driveway access is shared by abutting design sites, Subsections (a) and (b) above do not apply; minimum two feet from building(s), and in compliance with Tiburon Fire Protection District.

(4) Driveways shall extend to and include the area between the design site line and the edge of the street pavement.

(5) The design and construction of all on-site parking access drives shall be in compliance with Marin Uniform Construction Standards.

Table 22.05.040.D: Number of Driveways	
Lot Frontage	Maximum Number of Driveways
Up to 150'	1
150' to 299'	2
Each additional 300'	1

D. **Tandem Parking.** Tandem parking is allowed in all zones for all uses, subject to on-site management.

E. **Compact Spaces.** In parking lots with more than 10 spaces, up to 25 percent of the total number of spaces may be designate as compact spaces. Each compact space shall be a minimum 16 feet in length and a minimum 7.5 feet in width.

F. **Identification as to Purpose and Location.** On-site parking areas of four or more spaces shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas, while distinguishing such spaces from aisle and other circulation features.

**G. Materials**

- (1) All on-site parking areas and driveways shall be surfaced only with the following materials, in compliance with Tiburon Fire Protection District:
  - (a) Crushed granite, "grasscrete";
  - (b) Recycled materials including, but not limited to, glass, used asphalt, brick, block and concrete; or
  - (c) A combination of the above materials.
- (2) The perimeter of the parking area shall be improved with impervious materials, exclusive of required landscaping in Table E (Required Parking Lot Landscaping), and in compliance with Section 20.04.210 (Landscape Plans—Materials).

**H. Landscaping.** The landscaping standards identified in Table E (Required Parking Lot Landscaping) shall be applied with the standards of Section 22.05.020 (Screening) and Section 22.05.030 (Landscaping and Lighting).

- (1) Parking and loading areas shall be screened from adjacent residential zones by a six foot wall, fence, or evergreen.
- (2) Screening in the form of landscaping is required when parking area(s) is adjacent to an alley.
- (3) Landscaping areas shall integrate stormwater management features per Marin County Stormwater Pollution Prevention Program (MCSTOPP).
- (4) For portions of parking areas covered by photo-voltaic solar collectors that also function as shade structures, the minimum standard for trees does not apply.

**I. Location**

- (1) Location of on-site parking is regulated by the required setbacks in Subsection 6 of the zone and the following:
  - (a) Parking lots with 11-20 spaces shall be separated at least by five feet from buildings to make room for a sidewalk, landscaping, and/or other planting between the building and the parking area;
  - (b) Parking lots with more than 20 spaces shall be separated by at least 12 feet from buildings to make room for a sidewalk, landscaping, and other planting between the building and the parking area; and
  - (c) The required separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.

**Table 22.05.040.E: Required Parking Lot Landscaping**

<b>Number of Parking Spaces</b>	<b>Percent of Gross Parking Area Required to be Landscaped</b>
10 or fewer	None
11 to 20	5' min. wide planter along property line
21 to 50	5%; 5' min. wide planter between every 5 spaces, property line, and building(s)
51 and over	10%; 5' min. wide planter between every 5 spaces, property line, and building(s)
<b>General Landscaping</b>	
Required Border	6" high curb or equivalent
Border and Stormwater	Curb or equivalent shall include breaks every 4' to provide drainage to retention and filtration areas.
Car Overhangs	Shall be prevented by stops
Required Quantity	1 tree per every 10 parking spaces, beginning at 11 total spaces
Tree Well Size <sup>1</sup>	5' min. in any direction
Tree Can Size	15 gallon min.
Tree Box Size	20% of required trees shall be 24" min.
Tree Caliper	1" min.
Tree Height at Installation	7' min. vertical clearance
Tree Characteristics	High branching, broad headed, shading form
Location	Evenly spaced throughout parking lot to provide uniform shade

<sup>1</sup>Any vehicle overhang requires the minimum planter area width to be expanded by an equivalent dimension.

- J. **Size of Parking Lot.** Parking lots larger than 10,000 square feet in size shall be broken down into smaller parking areas with planted landscape areas with a minimum width of 15 feet between them to minimize the perceived scale of the total field of stalls.

## 22.05.050 Public Frontage Standards

1. **Intent.** Public frontage types provide a coordinated approach to design standards for the area between each design site's private frontage(s) and the adjoining right-of-way or private driveway easement. Public frontage types consist of planters, walkways, curbs, planters, planting and lighting, as illustrated in Table B (Public Frontage Types Overview).
2. **Required Improvements.** The public frontage along the design site(s) shall be improved per Table A (Required Improvements) and the development scenario that applies to the project.

**Table 22. 05.050.A: Required Improvements**

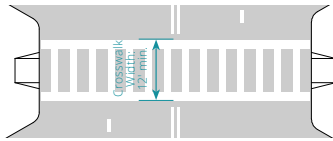
Required Improvements	Development Scenario			
	Infill Design Site on Existing Block	Two or More Design Sites on Existing Block	More Than Half of Existing Block	New Block(s)
	Development consists of one design site.	Development consists of two or more design sites that are less than half of the block face.	Development consists of two or more design sites that are more than half of the block face.	Development creates one or more new blocks.
a. <b>Sidewalk.</b> Add missing segment(s) along abutting front and/or side street.	R	R	R	R
b. <b>Sidewalk.</b> Repair uneven segments along abutting front and/or side street.	R	R	R	N/A
c. <b>Street trees.</b> Add street trees along abutting front and/or side street where there is adequate room to also maintain sufficient width for traffic lanes, pedestrian sidewalks, and bicycle facilities. See Subsection 22.05.030.4.A.(2).	R	R	R	R
d. <b>Crosswalk improvements.</b> Add crosswalk.	N/A	N/A	N/A	R, Including adjacent and new intersection(s).
e. <b>Bicycle facilities.</b> Add bicycle facilities required in Bicycle and Pedestrian Master Plan to the frontage of the development site. Not applicable to southwest side of San Rafael Avenue between Acacia Avenue and Beach Road.	X	X	X	R, Including bike lanes.

- 3. **Design Standards for Public Frontages.** Public frontages shall be designed and maintained in compliance with the following standards:
  - A. The required elements are identified in and shall be configured according to Table C (Public Frontage Assemblies) and in compliance with Marin Uniform Construction Standards.
  - B. Planting and landscape selection shall consist of native vegetation that is applicable to Marin County, in compliance with Water Use Classification of Landscape Species (WUCOL IV).

4. **Pedestrian Crossings**

- A. **Curb Ramps.** Perpendicular corner curb ramps with a separate ramp installed in each direction are required.
- B. **Crosswalks.** Crosswalks shall be designed per the City's applicable standards and applicable State guidelines and standards.

(1) Standard Crosswalk.



5. **Allowed Public Frontage Types**

- A. **Street.** The Street Frontage includes raised curbs drained by inlets with sidewalks separated from vehicular lanes by individual or continuous planters. Landscaping consists of street trees of a single or alternating species aligned and spaced at 35' intervals on average.
- B. **Avenue/Boulevard.** The Avenue/Boulevard Frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a continuous planter, with parking on both sides. Landscaping consists of single or double rows of a single or alternating tree species aligned and spaced at 35' intervals on average.
- C. **Main Street.** The Main Street Frontage includes raised curbs drained by inlets with very wide sidewalks along both sides separated from the vehicular lanes by individual tree wells with grates. Landscaping consists of a single tree species aligned and spaced at 35' intervals on average.

**Table 22.05.050.B: Public Frontage Types Overview**

Table B (Public Frontage Types Overview) provides an overview of the allowed public frontage types in or abutting each zone.

Public Frontage Types	Specific Standards	Zones		
		T3	T4	
		SN	SN.S	SMS.S
Street	22.05.050.C.1	P	P	X
Avenue/Boulevard	22.05.050.C.2	X	X	P
Main Street	22.05.050.C.3	X	X	P
<b>Key</b>	P = Allowed	X = Not Allowed		

**Table 22.05.050.C: Public Frontage Assemblies**

Table C (Public Frontage Assemblies) identifies the required elements and dimensions of each public frontage type.

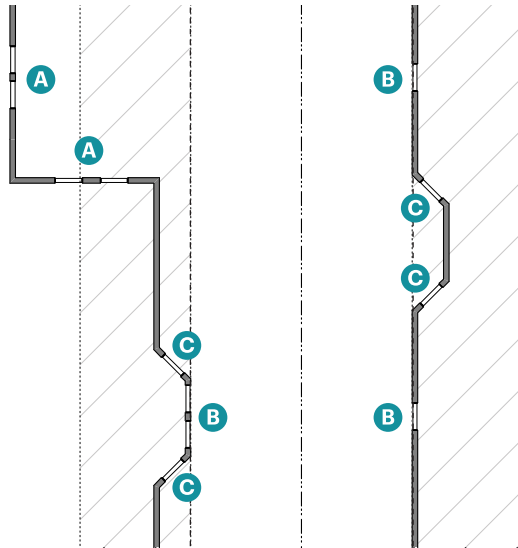
	Street 22.05.060.C.1	Avenue/Boulevard 22.05.060.C.2	Main Street 22.05.060.C.3
<b>Assembly.</b> The type and dimension of curbs, walkways, and planters.			
Total Width	<b>A</b> 11' min.	<b>A</b> 13' min.	<b>A</b> 16' min.
Note: See below for required elements of each assembly			
a. <b>Curb.</b> The detailing of the edge of the vehicular pavement, incorporating drainage.			
i. Type	Raised Curb	Raised Curb	Raised Curb
b. <b>Walkway.</b> The pavement dedicated exclusively to pedestrian activity.			
i. Type	Walkway	Walkway	Walkway
ii. Width	6' min.	8' min.	12' min.
Note: Placement of curb ramps shall match the desired path of pedestrian travel. See Marin County Uniform Construction Standards for curb ramp design.			
c. <b>Planter.</b> The area that accommodates street trees and other landscaping.			
Arrangement	Regular	Regular	Regular
Types	Planting Strips along curb edge and R.O.W. edge	Planting Strips along curb	Tree Wells (shall be located between walkway and curb)
Width	5' min.	5' min.	4' min.



## 22.05.060 Privacy Standards

1. **Intent.** These standards are designed to provide privacy between primary living spaces of buildings on each side of a design site line in T3 and T4 zones. Windows and balconies along the side of a building within 20 feet of an interior side design site line in T3SN or T4SN.S zones are subject to these standards.
2. **Standards**
  - A. Primary living spaces adjoining a side setback shall orient principal/main windows/glazed openings toward the front and rear of the building.
  - B. Windows and balconies within 10 feet of and oriented to an interior design site setback:
    - (1) Shall have a minimum sill height of five feet unless the window is placed at an angle of at least 30 degrees, measured perpendicular to the adjacent side design site line.

**Figure 22.05.060.1: Sill Height Standards along Interior Design Site Line**



### Key

---	Design Site Line
----	Side Yard Setback Line
////	10' of Design Site Line
<b>A</b>	Principal Window
<b>B</b>	5' min. Sill Height
<b>C</b>	No Limitation on Sill Heights

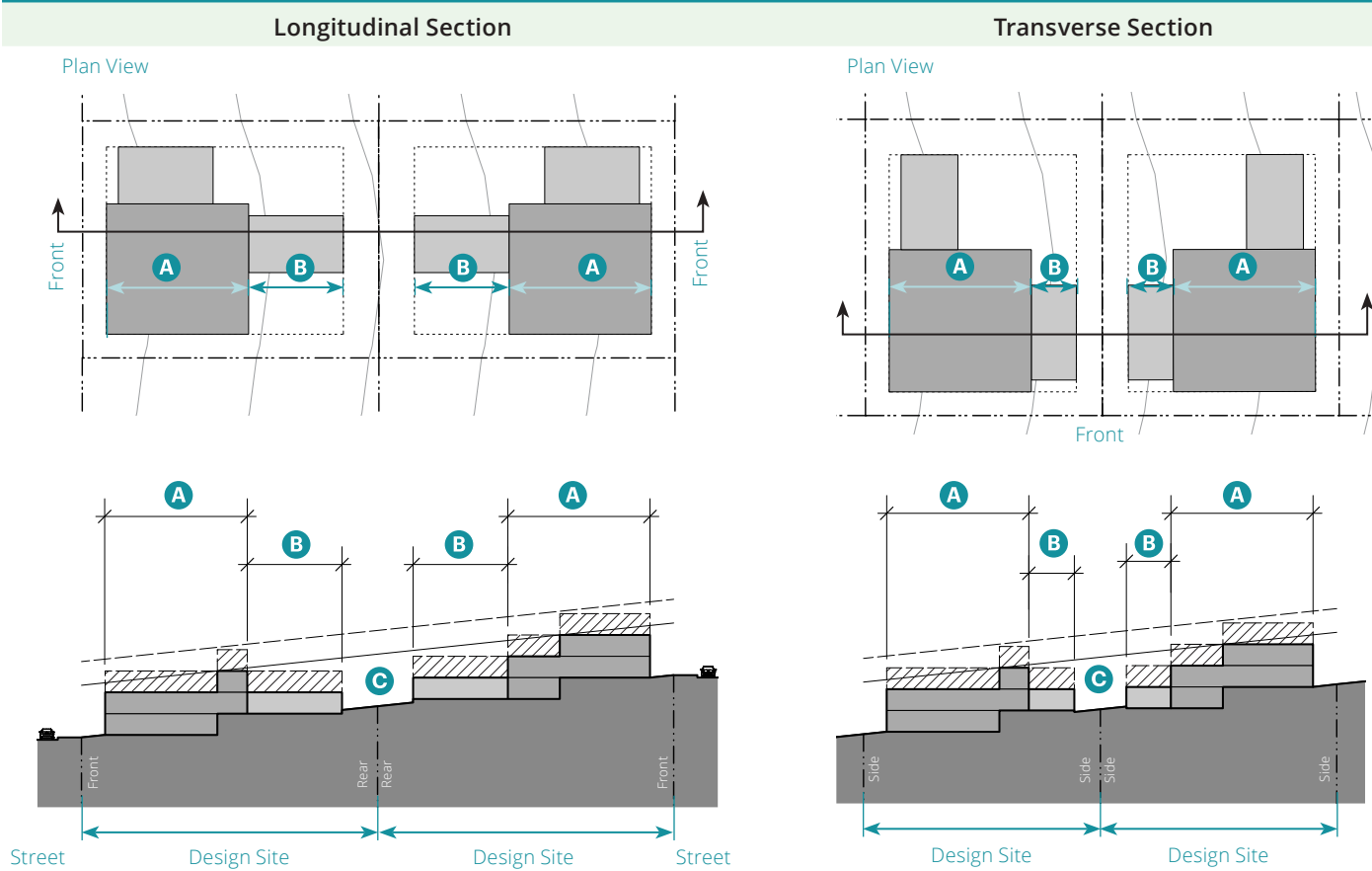
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## 22.05.070 Location of Density Bonus Height/Floor Area on Sloped Design Sites

1. **Intent.** This Section provides the standards for the location of additional height and/or floor area resulting from a density bonus on design sites with sloped topography. For the purposes of this Section, sloped topography is a slope of six percent or more.
2. **Topography and Required Location of Density Bonus Height/Floor Area**
  - A. Figure 1 (Allowed Location of Density Bonus Height/Floor Area from Front to Rear of a Sloped Design Site for 2.5-Story Zones) identifies the allowed locations for additional height and/or floor area resulting from a density bonus on a sloped design site.
  - B. Density Bonus height/floor area shall be located as identified in Figure 1 and Table A (Allowed Location of Density Bonus Height/Floor Area).
  - C. Figure 1 is illustrative. The actual width and length of Density Bonus areas is dependent on the actual dimensions of the parcel and the various slopes within the parcel.

**Figure 22.050.070.1: Allowed Location of Density Bonus Height/Floor Area of a Sloped Design Site for 2.5-Story Zones**

**2.5 stories max. (3 stories max. with Density Bonus)**



Key	
---	Max. Bonus Height Allowed by Zone
—	Max. Height Allowed by Zone
▨	Allowed Locations of Density Bonus Height/Floor Area Required within the Volume of the Roof
■	Building Main Body Max. Height without Density Bonus
■	Building Wing(s) Max. Height without Density Bonus
A	Max. Size Allowed for Main Body in Subsection 3 of the Building Type Standards
B	Max. Size Allowed for Wing(s) in Subsection 3 of the Building Type Standards
C	Building Wing(s) Max. Height without Density Bonus Shall be One Story Less than Main Body Height without Density Bonus

**Table 22.05.070.A: Allowed Location of Density Bonus Height/Floor Area**

Allowed Location <sup>1</sup>	In Roof Volume <sup>2,3</sup>	Not within Roof Volume <sup>2,3</sup>	In Wing(s)
<b>House-Scale Buildings</b>			
Houses <sup>5</sup>	N/A	N/A	N/A
Duplex Side-by-Side	P	X	P <sup>7</sup>
Duplex Stacked	P	X	P <sup>7</sup>
Fourplex	P	X	P <sup>7</sup>
Neighborhood Townhouse <sup>6</sup>	P	X	P <sup>7</sup>
Neighborhood Courtyard	P	P <sup>4</sup>	N/A
Multiplex	P	P <sup>4</sup>	P <sup>6</sup>
<b>Block-Scale Buildings</b>			
Main Street Building	P	P	N/A

<sup>1</sup> In compliance with Subsection 3 of the zone

<sup>2</sup> Of highest story allowed for the building type in the zone

<sup>3</sup> 10' minimum stepback required on design site with 6% or more slope

<sup>4</sup> Except on design site with less than 6% slope

<sup>5</sup> The type consists of 1 unit per building maximum.

<sup>6</sup> Bonus units are only applicable when building type includes 2 or more units.

<sup>7</sup> Wing allowed to match number of stories in primary building.

**Key** P = Allowed X = Not Allowed N/A = Not Applicable

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# Chapter 6: Specific to Building Types

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## Sections:

22.06.010	Purpose
22.06.020	Building Types
22.06.030	Overview of Building Types
22.06.040	House
22.06.050	Duplex Side-by-Side
22.06.060	Duplex Stacked
22.06.070	Cottage Court
22.06.080	Fourplex
22.06.090	Neighborhood Townhouse
22.06.100	Neighborhood Courtyard
22.06.110	Pocket Neighborhood
22.06.120	Multiplex
22.06.130	Main Street Building

---

## 22.06.010 Purpose

This Chapter provides the standards for development of individual building types to achieve the intended physical character of each zone, offer housing choices and affordable housing opportunities, and incubate small businesses as amenities.

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## 22.06.020 Building Types

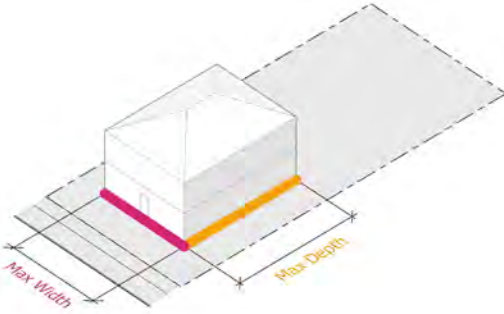
1. Building types are used to articulate size, scale, and intensity according to the intent of each zone.
2. Building types are categorized into two groups: House-Scale Buildings and Block-Scale Buildings. See Figure 1 (Example of House-Scale and Block-Scale Buildings) for examples.
  - A. **House-Scale Buildings.** Buildings that are the size of a house, typically ranging in footprint from as small as 25 feet up to 80 feet overall; and
  - B. **Block-Scale Buildings.** Buildings that are individually as large as most or all of a block or, when arranged together along a street, appear as long as most or all of a block.
3. The design site size standards for each building type are set in each zone to generate pedestrian-oriented buildings within the overall intended physical character of each zone. The design site size standard identifies the range of design site sizes on which the given building type is allowed to be built.
4. Certain building types have additional standards beyond the zone standards to further calibrate the type for its context.

5. Each design site shall have only one primary building type, except as follows, and in compliance with all standards:
  - A. The Cottage Court (Section 22.06.070) may consist of up to nine individual buildings;
  - B. The Pocket Neighborhood (Section 22.06.110) may consist of up to five buildings; and
  - C. More than one building type is allowed on a parcel that identifies proposed multiple design site lines that meet the standards of this Section. See Figure 2 (Example of Multiple Design Sites on One Parcel).
    - (1) Examples:
      - (a) A parcel large enough to accommodate multiple design sites but smaller than the size of a block; or
      - (b) A parcel large enough to create one or more new blocks.
6. On-site open space. The standards identify only the required type (private or common) and amount. For example, if the type only has standards for private open space, common open space is not required for that building type. The identified amount is for the entire building unless specified otherwise.
7. Parking may be designed as tuck-under, detached garage(s), podium or subterranean, in compliance with the zone standards for parking placement.
8. Wings are required to be smaller in size and height than the main body to visually reduce the overall size of a building. To further this objective, the standards specify the amount that wings are required to be offset from the main body so that their facades are not aligned. Wings may be the same number of stories and height as the main body when a density bonus is applied to the building.
9. The maximum number of units identified for each building type is dependent on the design site being large enough to accommodate the zone's standards (e.g., parking).
10. Individual designs may vary from the diagrams for each building type in compliance with the standards of this Chapter and Chapter 8 (Specific to Architectural Design).
11. New buildings and their improvements are subject to the City's local standards for Fire Safety and Building Safety.

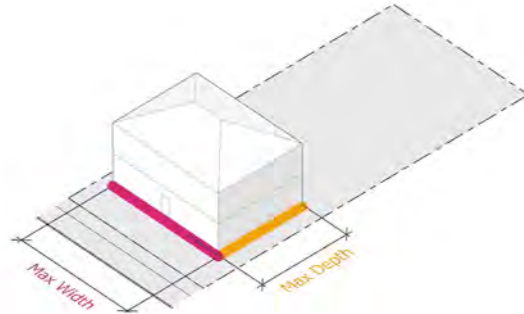
Figure 22.06.020.1 Example of House-Scale and Block-Scale Buildings

**House-Scale Buildings**

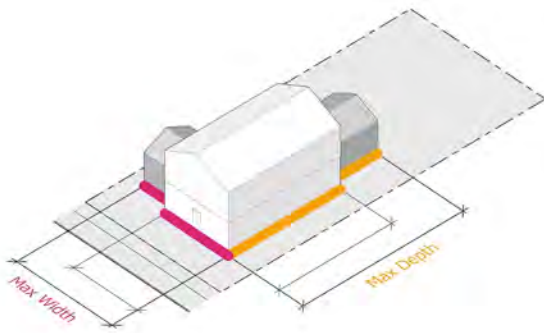
*Main body only*



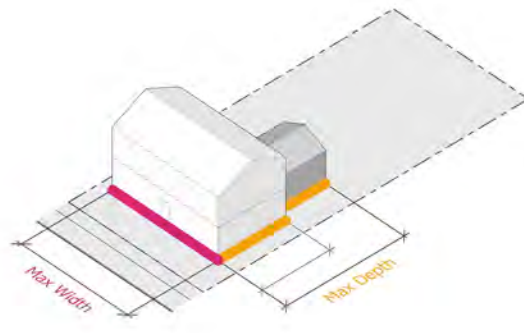
*Main body only*



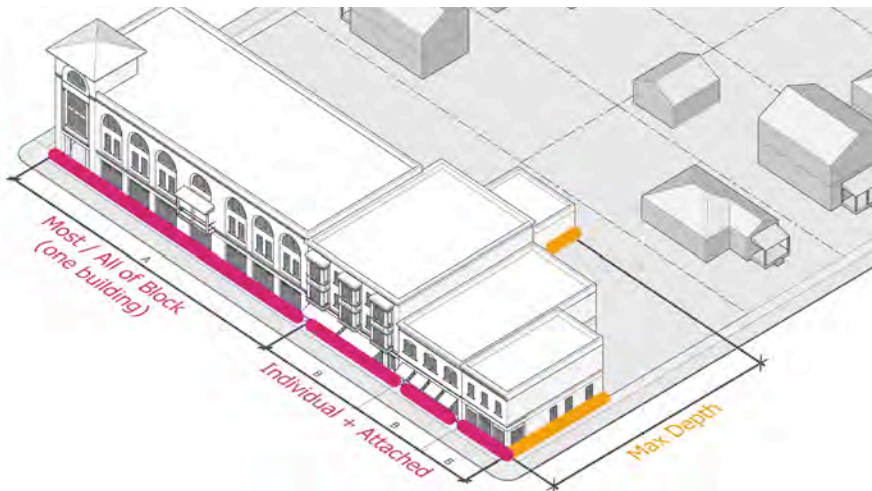
*Main body with side and rear wings*



*Main body with rear wing*

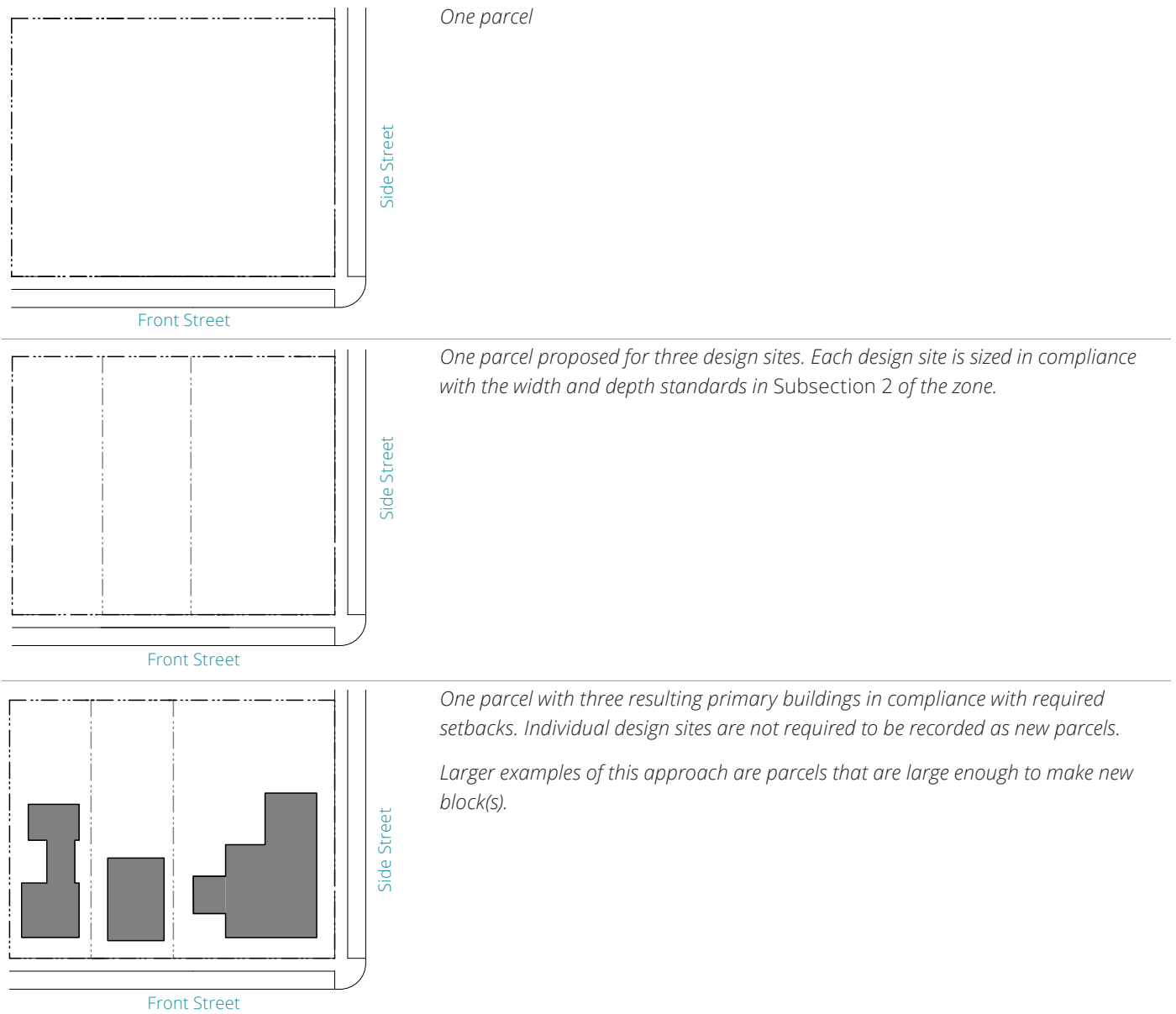


**Block-Scale Buildings**





**Figure 22.06.020.2 Example of Multiple Design Sites on One Parcel**



**Key**

- · - · - Parcel Line
- - - - Design Site Line
- Primary Building Type

## 22.06.030 Overview of Building Types

Table A ( Building Types Overview) provides an overview of the allowed building types in each zone. The names of the building types are not intended to limit uses within a building type. For example, a Duplex may have non-residential uses within it as allowed by the zone.

Table 22.06.030.A: Building Types Overview				
	Specific Standards	T3SN	T4	
			SN.S	SMS.S
<b>House Scale</b>				
House	22.06.040	P	P	P
Duplex Side-by-Side	22.06.050	P	X	X
Duplex Stacked	22.06.060	X	P	X
Cottage Court	22.06.070	P	P	X
Fourplex	22.06.080	P	P	X
Neighborhood Townhouse	22.06.090	P	P	P
Neighborhood Courtyard	22.06.100	X	P	P
Pocket Neighborhood	22.06.110	P	P	X
Multiplex	22.06.120	X	P	P
<b>Block Scale</b>				
Main Street Building	22.06.130	X	X	P

**Key** P = Allowed X = Not Allowed

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**22.06.040 House**



Example of House



Example of House



Example of House

**1. Description**

A small-to-medium-sized, detached, House-Scale Building with one unit, small-to-medium setbacks, a rear setback, and located within a low-intensity, walkable neighborhood.

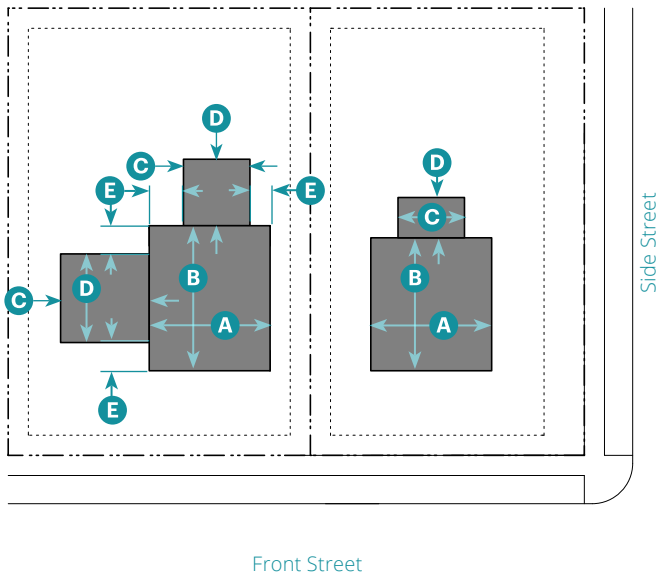
**2. Number of Units**

Units per Building	1 max. <sup>1</sup>
Buildings per Design Site	1 max. <sup>1</sup>

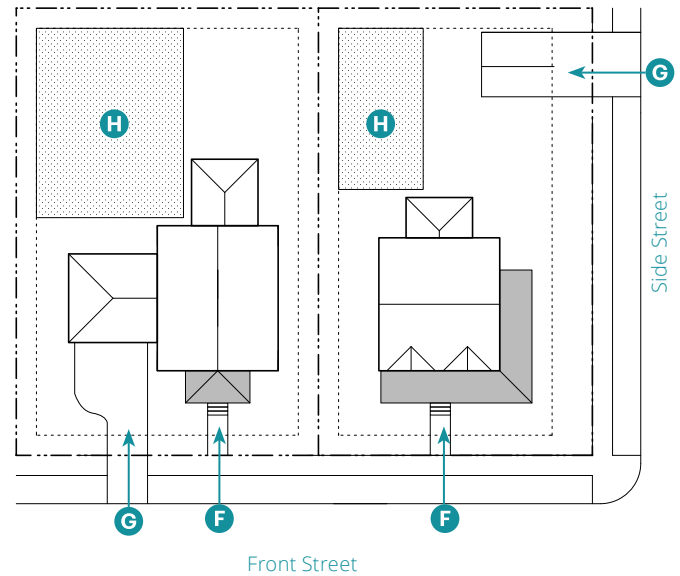
<sup>1</sup> Not including ADU

*General Note: Photos on this page are illustrative, not regulatory.*

Alley access required if alley exists



Alley access required if alley exists



**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>4</sup>**

Width 36' max. **(A)**

Depth 48' max. **(B)**

**Wing(s)<sup>3,4</sup>**

Width 20' max. **(C)**

Depth 20' max. **(D)**

Separation between Wings 15' min.

Offset from Main Body 5' min. **(E)**

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>3</sup>In compliance with Subsection 4 of the zone

<sup>4</sup>Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- ▨ Private Open Space

**4. Pedestrian Access**

Main Entrance Location Front Street **(F)**

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **(G)**

Parking may be covered, uncovered, or in a garage.

**6. Open Space**

**Private Open Space**

Area 300 sf min. **(H)**

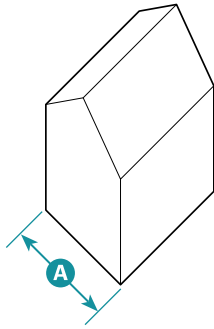
Required setbacks and driveways do not count toward open space.

Required private open space shall be located behind the main body of the building.

### 7. Main Body Massing Composition

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

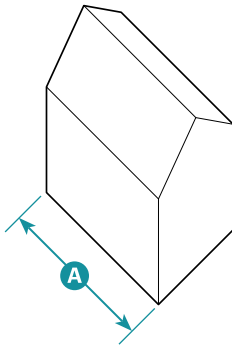
#### Front Gable



This massing type is a simple rectilinear form that is deeper than it is long. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-5 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

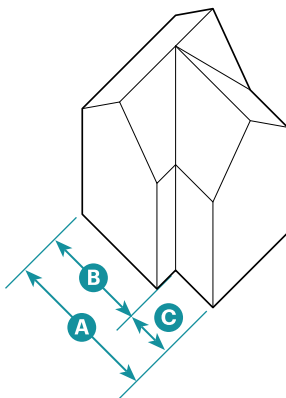
#### Side Gable



This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-5 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

#### Gable L (2/3 + 1/3)



This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

Number of Bays	3 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	B
	1/3	C

22.06.050 Duplex Side-by-Side



Example of Duplex Side-by-Side



Example of Duplex Side-by-Side



Example of Duplex Side-by-Side

1. Description

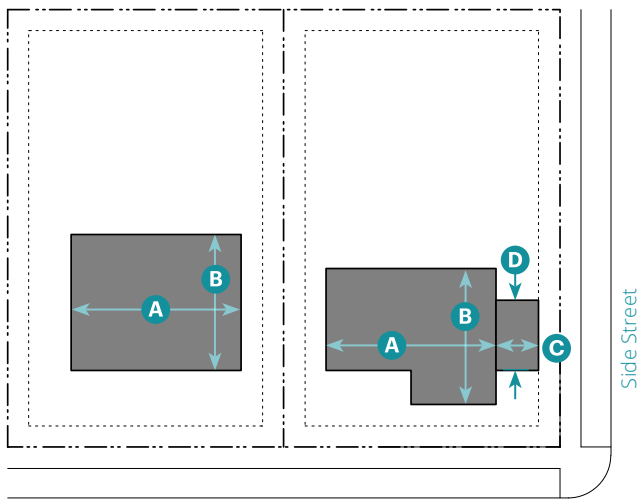
A small-to-medium-sized, detached, House-Scale Building with small-to-medium setbacks and a rear setback. The building consists of two side-by-side units, both facing the street and within a single Building massing. The type has the appearance of a medium-to-large, single-unit house and is scaled to fit within lower-intensity neighborhoods.

2. Number of Units

Units per Building	2 max.
Buildings per Design Site	1 max.

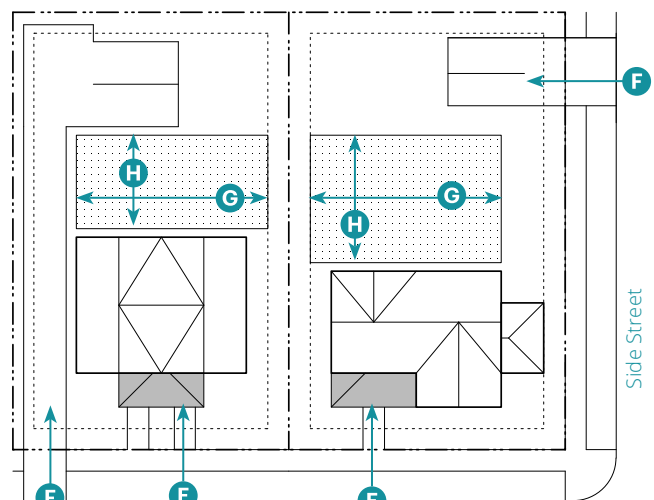
General Note: Photos on this page are illustrative, not regulatory.

Alley access required if alley exists



Front Street

Alley access required if alley exists



Front Street

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>2</sup>**

Width 48' max. **(A)**

Depth 36' max. **(B)**

**Wing(s)<sup>2,3</sup>**

Width 15' max. **(C)**

Depth 24' max. **(D)**

Separation between Wings 15' min.

Offset from Main Body 5' min.

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>2</sup> In compliance with Subsection 4 of the zone

<sup>3</sup> Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- ▨ Private Open Space

**4. Pedestrian Access**

Main Entrance Location Front Street<sup>4</sup> **(E)**

Each unit shall have an entry facing the street on or within 15' of the front facade.

<sup>4</sup> On corner design sites, each unit shall front a different street.

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **(F)**

Parking may be covered, uncovered, or in a garage.

**6. Open Space**

**Common Open Space**

Width 15' min. **(G)**

Depth 15' min. **(H)**

Required setbacks and driveways do not count toward open space.

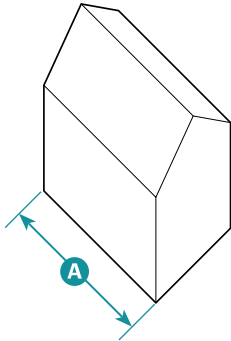
Required private open space shall be located behind the main body of the building.



**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

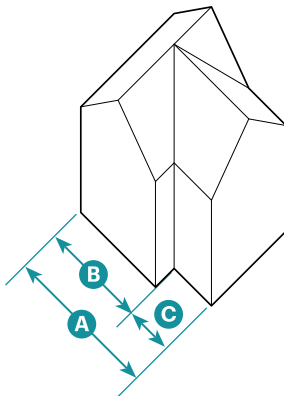
**Side Gable**



This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

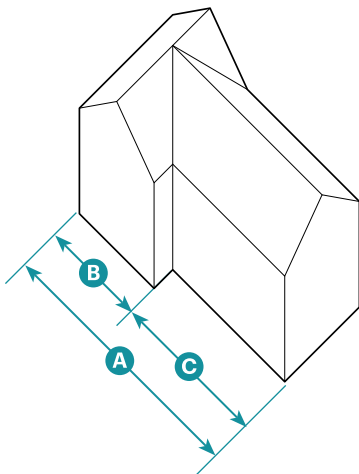
**Gable L (2/3 + 1/3)**



This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	B
	1/3	C

**Gable L (2/5 + 3/5)**

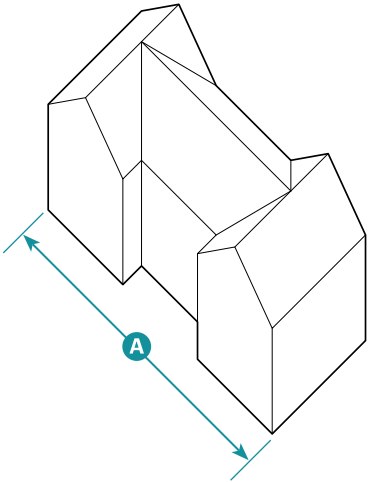


This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is sloped with gables at the projecting two parts.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/5	B
	3/5	C

7. Main Body Massing Composition (Continued)

Twin Gable



This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

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**22.06.060 Duplex Stacked**



Example of Duplex Stacked



Example of Duplex Stacked



Example of Duplex Stacked

**1. Description**

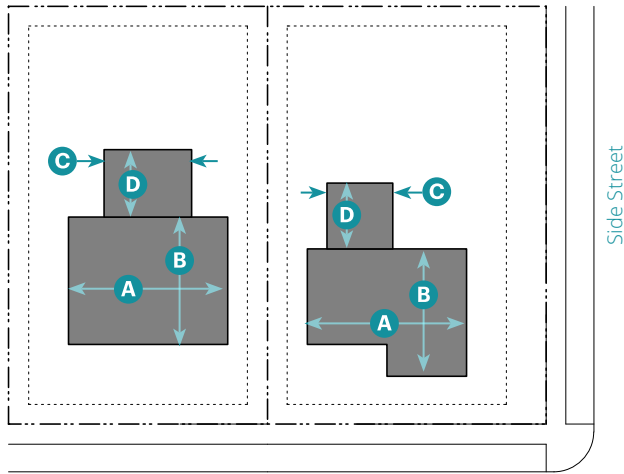
A small-to-medium-sized, detached, House-Scale Building with small-to-medium setbacks and a rear setback. The building consists of two stacked units, both facing the street and within a single building massing. The type has the appearance of a medium-to-large, single-unit house and is scaled to fit within lower-intensity neighborhoods.

**2. Number of Units**

Units per Building	2 max.
Buildings per Design Site	1 max.

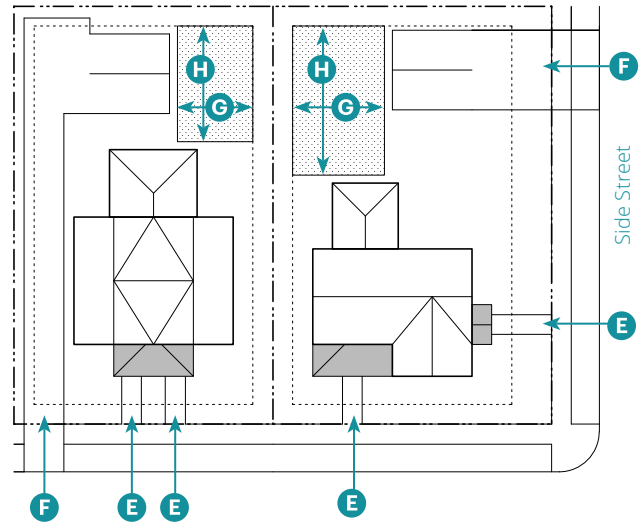
*General Note: Photos on this page are illustrative, not regulatory.*

Alley access required if alley exists



Front Street

Alley access required if alley exists



Front Street

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>1</sup>**

Width 36' max. **(A)**

Depth 48' max. **(B)**

**Wing(s)<sup>1,2</sup>**

Width 15' max. **(C)**

Depth 24' max. **(D)**

Separation between Wings 15' min.

Offset from Main Body 5' min.

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>1</sup> In compliance with Subsection 4 of the zone

<sup>2</sup> Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- ▨ Private Open Space

**4. Pedestrian Access**

Main Entrance Location Front Street<sup>3</sup> **(E)**

Each unit shall have an entry facing the street on or within 15' of the front facade.

<sup>3</sup> On corner design sites, each unit shall front a different street.

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **(F)**

Parking may be covered, uncovered, or in a garage.

**6. Open Space**

**Private Open Space**

Width 15' min. **(G)**

Depth 15' min. **(H)**

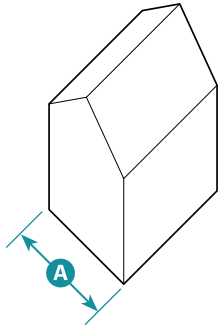
Required setbacks and driveways do not count toward open space.

Required private open space shall be located behind the main body of the building.

**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

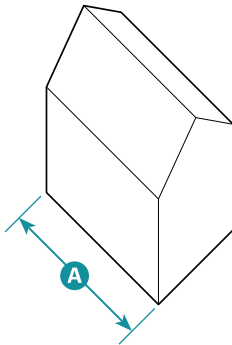
**Front Gable**



This massing type is a simple rectilinear form that is deeper than it is long. The roof is sloped and may be either hipped or gabled.

Number of Bays	2-3 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

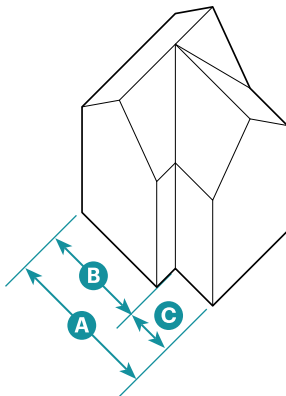
**Side Gable**



This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-5 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**Gable L (2/3 + 1/3)**



This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

Number of Bays	2-3 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	B
	1/3	C

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**22.06.070 Cottage Court**



Example of Cottage Court



Example of Cottage Court



Example of Cottage Court

**1. Description**

A group of up to nine small, detached, House-Scale Buildings arranged to define a shared court open to and visible from the street. The shared court is common open space and takes the place of a private rear setback, thus becoming an important community-enhancing element. The type is scaled to fit within low-to-moderate-intensity neighborhoods and in non-residential contexts.

Synonym: Bungalow Court

**2. Number of Units**

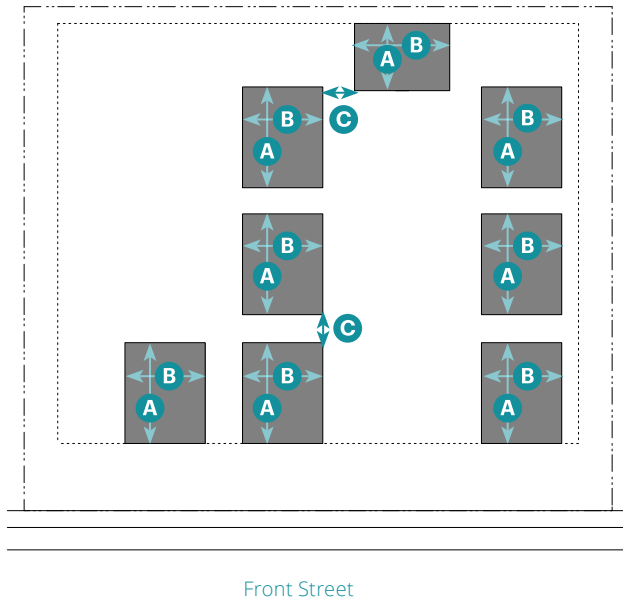
Units per Building	1 max.
Buildings per Design Site	3 min.; 9 max. <sup>1</sup>

<sup>1</sup> In the T4SN.S zone, the rearmost Cottage may contain up to 2 units, for a total of 10 units.

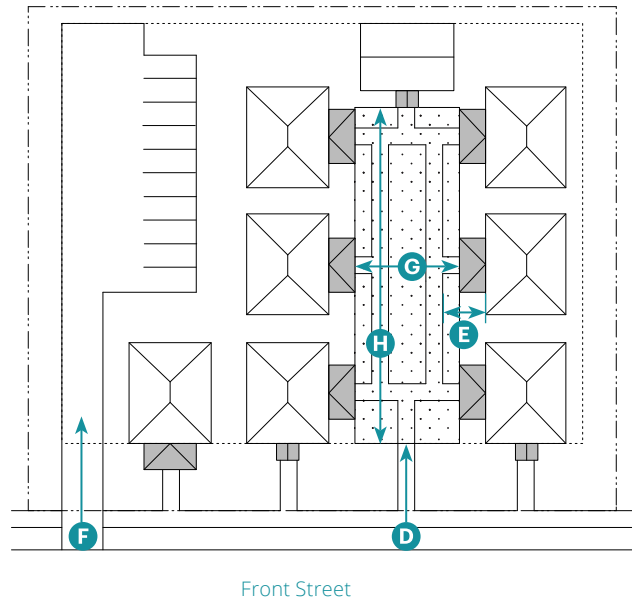
*General Note: Photos on this page are illustrative, not regulatory.*



Alley access required if alley exists



Alley access required if alley exists



**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories	1.5 max.
To Highest Eave/parapet	18' max.

**Main Body<sup>2</sup>**

Width	32' max.	<b>A</b>
Depth	32' max.	<b>B</b>
Separation between Cottages	7' min.	<b>C</b>

**Wing(s)**

Not Allowed

**4. Pedestrian Access**

Shared court shall be accessible from front street. **D**

**Pedestrian Path Setbacks**

From Building Entrance 6' min. **E**

Main entrance to units required from shared court.

Units on a corner may enter from the side street.

Pedestrian connections shall connect all buildings to the public ROW, shared court, and parking areas.

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>2</sup> In compliance with Subsection 4 of the zone

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- Common Open Space

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **F**

Parking may be covered, uncovered, or in a garage.

Spaces may be individually accessible by the units and/or common parking area(s) at rear or side of design site.

**6. Open Space**

**Common Open Space**

Width	20' min. clear	<b>G</b>
Depth	75' min. (3-4 units)	<b>H</b>
	90' min. (5-9 units)	

Required setbacks and driveways do not count as open space.

Up to 1/3 of the shared court(s) may be used for stormwater management if designed as a rain garden or bioswale.

**7. Miscellaneous**

**Fencing**

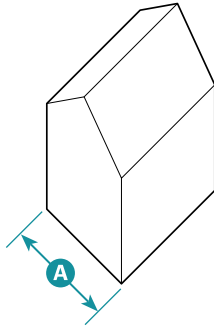
Fencing only allowed around or between individual buildings and shall not exceed 36" in height.

Visibility shall be maintained through the fencing.

**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width for each building in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

**Front Gable**



This massing type is a simple rectilinear form that is deeper than it is long. The roof is sloped and may be either hipped or gabled.

Number of Bays	2-3 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

22.06.080 Fourplex



Example of Fourplex



Example of Fourplex



Example of Fourplex

1. Description

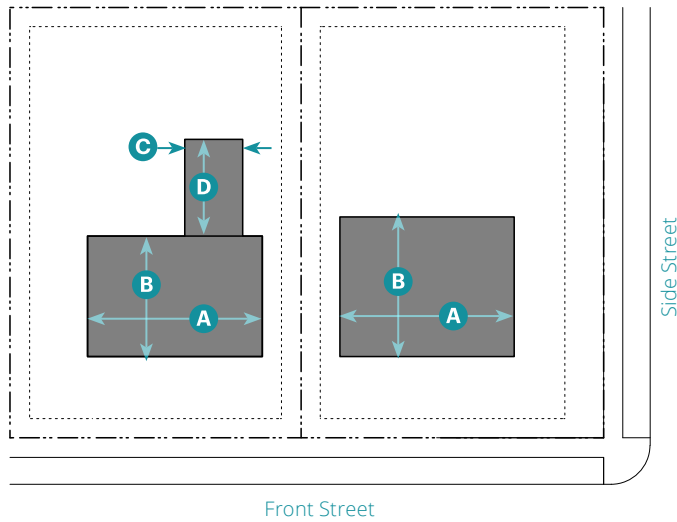
A small-to-medium-sized, detached, House-Scale Building that consists of three to four side-by-side and/or stacked units, typically with one shared entry or individual entries along the front. The type has the appearance of a medium-sized, single-unit house and is scaled to fit within low- to moderate-intensity neighborhoods.

2. Number of Units

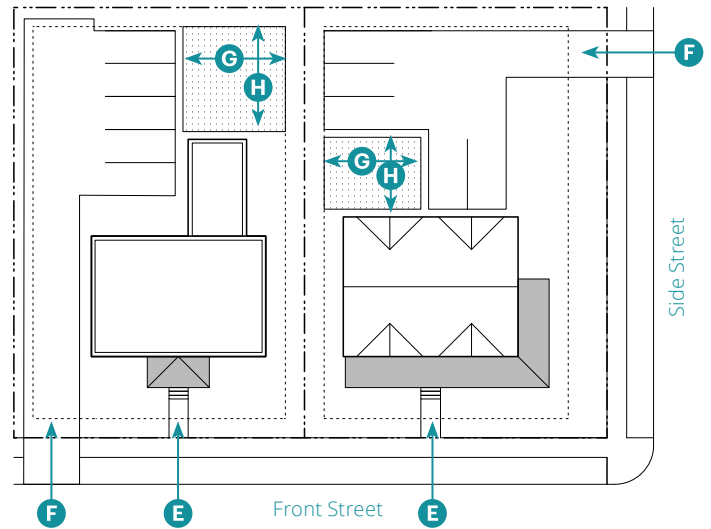
Units per Building	3 min.; 4 max.
Buildings per Design Site	1 max.

General Note: Photos on this page are illustrative, not regulatory.

Alley access required if alley exists



Alley access required if alley exists



**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>1</sup>**

Width 48' max. **A**

Depth 48' max. **B**

**Wing(s)<sup>1,2</sup>**

Width 15' max. **C**

Depth 20' max. **D**

Separation between Wings 15' min.

Offset from Main Body 5' min.

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>1</sup> In compliance with Subsection 4 of the zone

<sup>2</sup> Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- ▨ Common Open Space

**4. Pedestrian Access**

Main Entrance Location Front Street **E**

Each unit may have an individual entry.

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **F**

Parking may be covered, uncovered, or in a garage.

**6. Open Space**

**Common Open Space<sup>3</sup>**

Width 15' min. **G**

Depth 15' min. **H**

Required setbacks and driveways do not count toward open space.

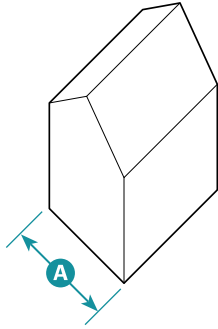
Required common open space shall be located behind the main body of the building.

<sup>3</sup> None is required if the building is within 800' of public open space

### 7. Main Body Massing Composition

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

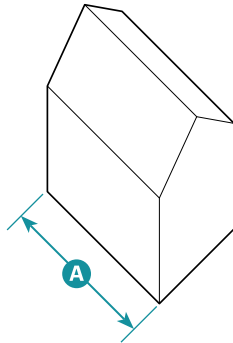
#### Front Gable



This massing type is a simple rectilinear form that is deeper than it is long. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

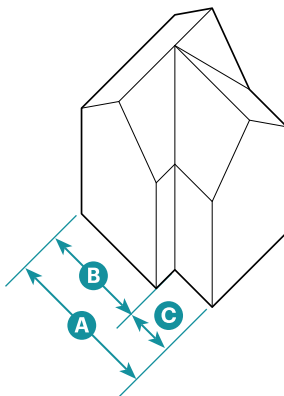
#### Side Gable



This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

#### Gable L (2/3 + 1/3)

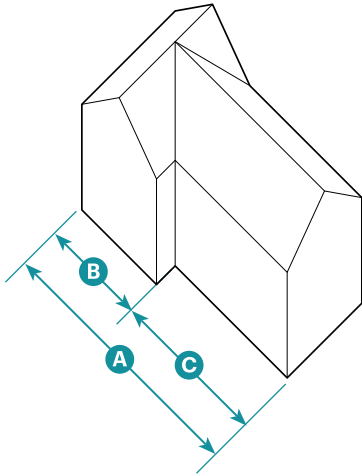


This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

Number of Bays	3 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	B
	1/3	C

**7. Main Body Massing Composition (Continued)**

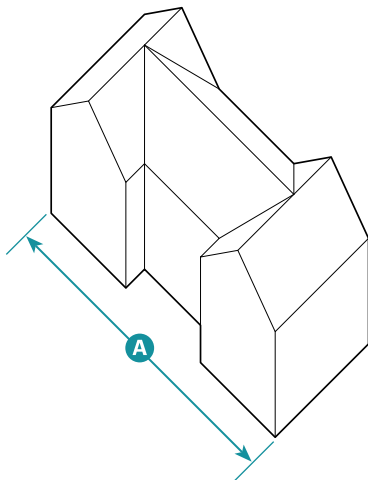
**Gable L (2/5 + 3/5)**



This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is sloped with gables at the projecting two parts.

Number of Bays	3-6 bays	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/5	<b>B</b>
	3/5	<b>C</b>

**Twin Gable**



This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-6 bays	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	

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**22.06.090 Neighborhood Townhouse**



Example of Neighborhood Townhouse



Example of Neighborhood Townhouse



Example of Neighborhood Townhouse

**1. Description**

A small-sized, typically attached, House-Scale Building (up to four side-by-side) with a rear setback. As allowed by the zone, the type may also be detached with minimal separations between buildings. The type is typically located within low-to-moderate-intensity neighborhoods.

Synonym: Rowhouse

**2. Number of Units**

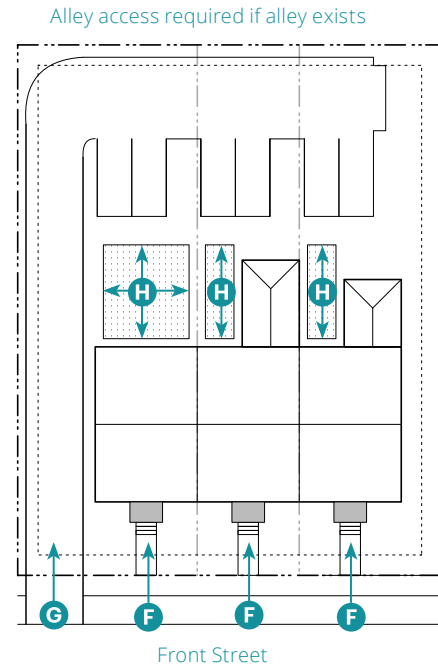
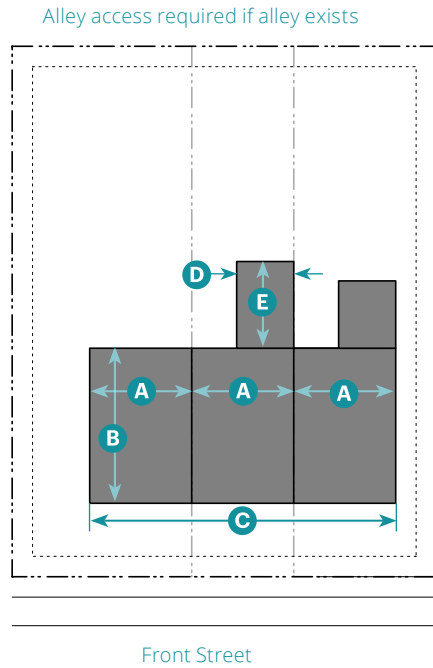
Units per Building 2 max.

Buildings per Design Site<sup>1</sup> 4 max.

<sup>1</sup> Only 2 side-by-side allowed in T3SN

*General Note: Photos on this page are illustrative, not regulatory.*





**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

Height	T3SN <sup>4</sup>	T4SN.S T4SMS.S
--------	-------------------	-------------------

Stories — 2.5 max. —

**Main Body<sup>1</sup>**

Width per Unit<sup>2</sup> 24' min.; 18' min. **A**  
30' max.

Depth per Unit<sup>2</sup> — 40' max. — **B**

Width per Building 60' max. 120' max. **C**

**Wing(s)<sup>1,3</sup>**

Width — 14' max. — **D**

Depth — 25' max. — **E**

Separation between Wings — 15' min. —

Offset from Main Body — 5' min. —

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>1</sup>In compliance with Subsection 4 of the zone

<sup>2</sup>Represents up to 2 stacked units.

<sup>3</sup>Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

<sup>4</sup>A max of 2 per site in the T3SN

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- ▨ Private Open Space

**4. Pedestrian Access**

Main Entrance Location Front Street **F**

Each unit shall have an individual entry facing a street.

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **G**

Parking may be covered, uncovered, or in a garage.

**6. Open Space**

**Private Open Space**

Width 8' min. **H**

Depth 8' min. **H**

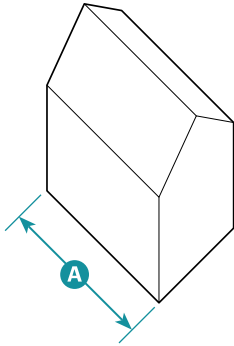
Required setbacks and driveways do not count toward open space.

Required private open space shall be located behind the main body of the building.

### 7. Main Body Massing Composition

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

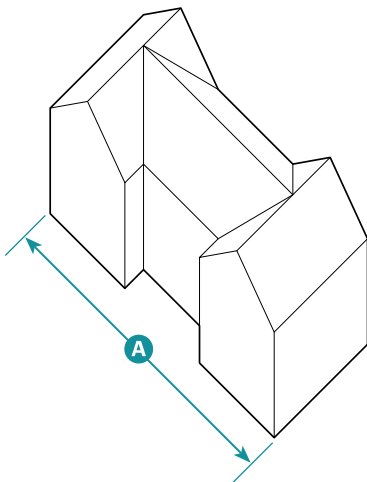
#### Side Gable



This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

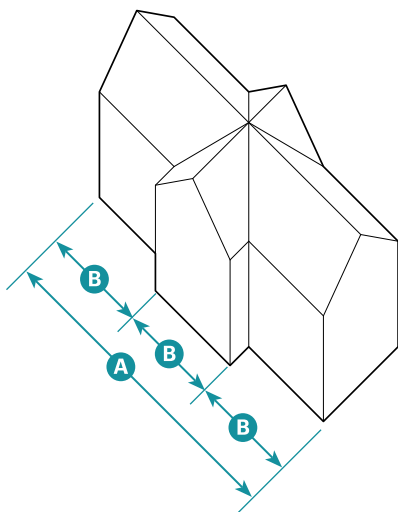
#### Twin Gable



This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-4 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

#### Center Gable (1/3 + 1/3 + 1/3)



This massing type divides the facade into three equal parts, with the middle third projecting. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	1/3 each	B

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**22.06.100 Neighborhood Courtyard**



*Example of Neighborhood Courtyard*



*Example of Neighborhood Courtyard*



*Example of Neighborhood Courtyard*

**1. Description**

A detached, House-Scale Building that consists of up to 16 multiple attached and/or stacked units, accessed from a shared courtyard. The shared court is common open space and takes the place of a rear setback. The type is typically integrated as a small portion of lower-intensity neighborhoods or more consistently into moderate-intensity neighborhoods.

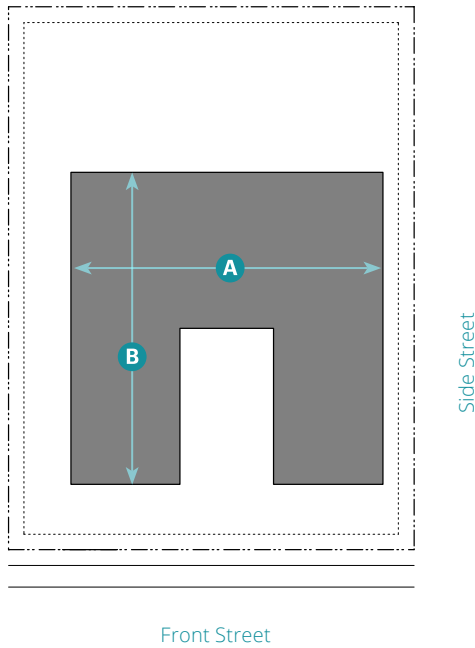
Synonym: Courtyard Apartment

**2. Number of Units**

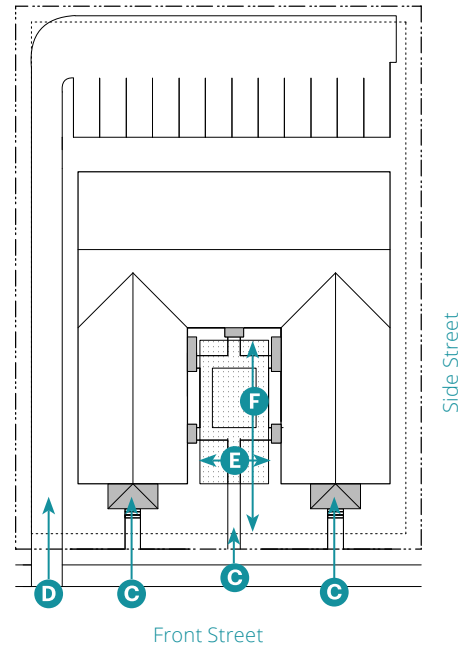
	<b>T4SN.S</b>	<b>T4SMS.S</b>
Units per Building	12 max.	16 max.
Buildings per Design Site	1 max.	

*General Note: Photos on this page are illustrative, not regulatory.*

Alley access required if alley exists



Alley access required if alley exists



**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>1</sup>**

Width 100' max. **(A)**

Depth 100' max. **(B)**

**Wing(s)**

Not Allowed

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>1</sup>In compliance with Subsection 4 of the zone

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- ▨ Common Open Space

**4. Pedestrian Access**

Main Entrance Location<sup>2</sup> Courtyard or Street **(C)**

<sup>2</sup>The main entry of ground floor units shall be directly off of a courtyard or street, whichever is closer.

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **(D)**

Parking may be covered, uncovered, or in a garage.

**6. Open Space**

Common Open Space	L-shaped	U-shaped	
Width	20' min.	25' min.	<b>(E)</b>
Depth	30' min.	60' min.	<b>(F)</b>

Courtyard(s) shall be accessible from the front street.

Multiple courtyards are required to be connected via a Passage through or between buildings.

Building shall define at least three walls of the courtyard.

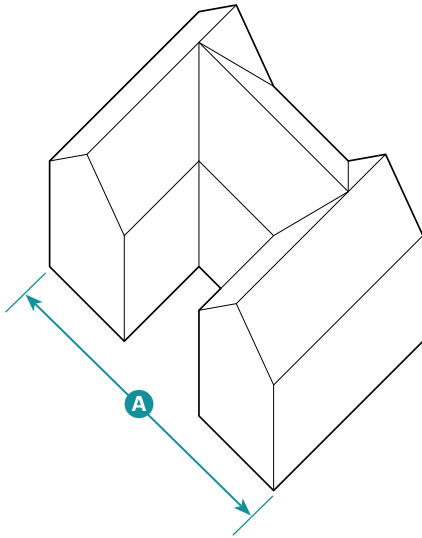
Up to 1/3 of the shared court(s) may be used for stormwater management if designed as a rain garden or bioswale.

Front of courtyard not defined by building shall be defined by 2'-6" to 5' tall wall with entry gate/door.

**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

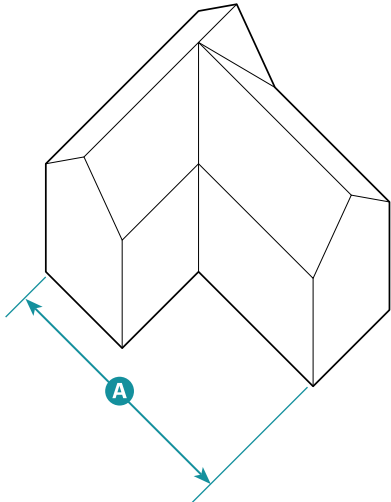
**Gabled Courtyard**



This massing type divides the facade into three parts, with the middle part set back substantially to create a deep open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	6-9 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**Gabled L Courtyard**



This massing type divides the facade into two parts, with one part set back substantially to create a deep open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	4-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

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**22.06.110 Pocket Neighborhood**



Source: Starr Hill Vision Plan

Example of Pocket Neighborhood



Source: Ross Chapin

Example of Pocket Neighborhood



Source: Ross Chapin

Example of Pocket Neighborhood

**1. Description**

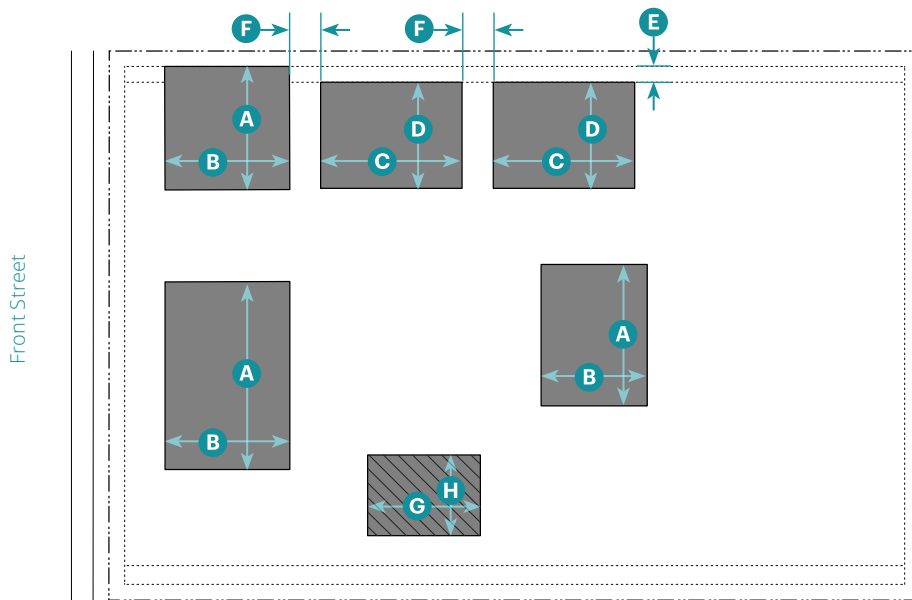
A group of up to 5 detached, House-Scale Buildings each containing one to four units, arranged to define a shared open space. The shared open space is common open space and takes the place of a private rear setback, trees become an important community-enhancing element. The type is scaled to fit within low-to-moderate intensity neighborhoods.

**2. Number of Units**

	T3SN	T4SN.S
Units per Building	2 max.	4 max.
Buildings per Design Site	5 max.	

General Note: Photos on this page are illustrative, not regulatory.





**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building
- ▨ Community Building

**3. Building Size and Massing**

**Main Body<sup>1</sup>**

Stories	2.5 max.	
Buildings along Front and Side Street		
Width	60' max.	<b>A</b>
Depth	40' max.	<b>B</b>
Buildings along Side and Rear		
Width	36' max.	<b>C</b>
Depth	48' max.	<b>D</b>
Side Setback in Addition to Zone Setback	5' min.	<b>E</b>
Building Separation <sup>2</sup>		
Between 1-story Buildings	10' min.	<b>F</b>
Between Buildings > 1-story	15' min.	

**3. Building Size and Massing (Continued)**

**Community Building<sup>1,3</sup>**

Stories	2.5 max.
Width	40' max. <b>G</b>
Depth	30' max. <b>H</b>

**Wing(s)**

Not Allowed

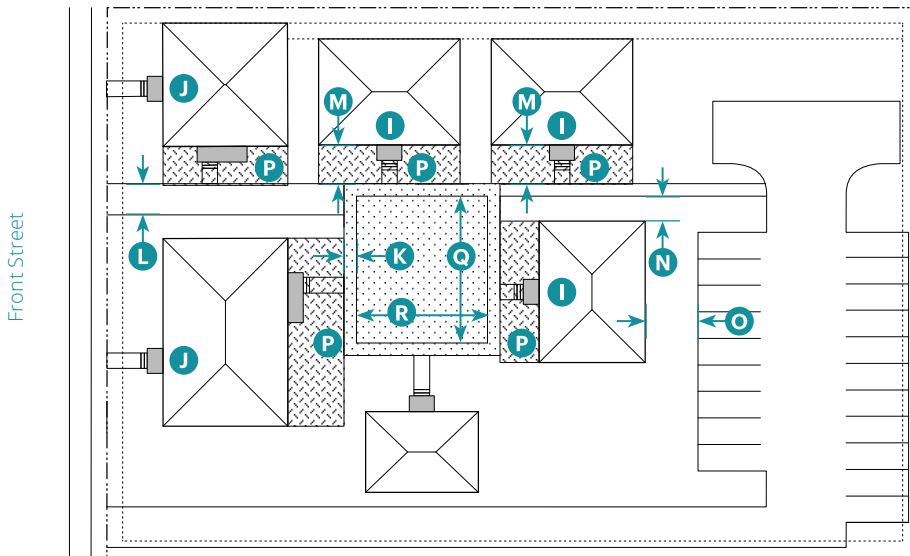
Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

No single-unit buildings allowed along the front or side street

<sup>1</sup> In compliance with Subsection 4 of the zone

<sup>2</sup> Including community building

<sup>3</sup> Shall front on common open space and is not allowed along front or side street



**Key**

- - - - ROW/ Design Site Line      ■ Frontage
- ..... Building Setback Line

**4. Pedestrian Access**

Main Entrance Location		
Buildings with 1 Unit <sup>4</sup>	At Common Open Space	<b>I</b>
Buildings with 2 or more Units	At Front or Side Street	<b>J</b>
Pedestrian Path Width		
Along Buildings and Open Space	5' min.	<b>K</b>
At Front or Side Street Connection	10' min.	<b>L</b>
Pedestrian Path Setbacks		
From Building Entrance	12' min.	<b>M</b>
From Side of Building	8' min.	<b>N</b>

<sup>4</sup> Max. 40' from edge of common open space

**5. Vehicle Access and Parking**

Offset from Buildings	5' min.	<b>O</b>
Driveway and parking location shall comply with standards in Subsection 6 of the zone.		
Parking not allowed along private or common open space.		
Parking may be covered, uncovered, or in a garage.		
Turnaround access required in compliance with Fire Department standards.		

**Key**

- Private Open Space
- ▨ Common Open Space

**6. Open Space**

<b>Private Open Space per Building</b>		
Required for full length of building at all facades adjacent or abutting a pedestrian path or common open space <b>P</b>		
<b>Common Open Space<sup>5</sup></b>		<b>5 Bldgs.<sup>6</sup></b>
Width	30' min.	<b>Q</b>
Depth	40' min.	<b>R</b>

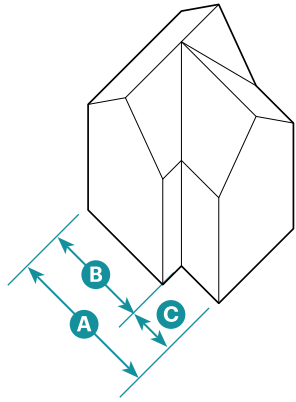
**7. Miscellaneous**

<b>Fencing</b>	
Fencing only allowed around or between individual buildings and shall not exceed 36" in height.	
Visibility shall be maintained through the fencing.	
<sup>5</sup> Shall provide access from front or side street	
<sup>6</sup> Not including community building	

**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width for each building in compliance with Chapter 8 (Specific to Architectural Design).

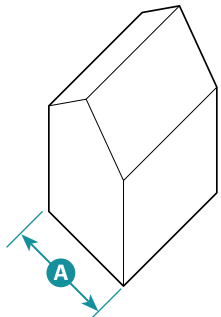
**1-2 Units per Building**



**Gable L (2/3 + 1/3)**

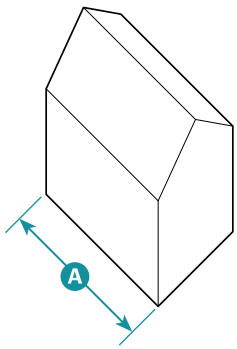
Number of Bays	3 bays
Main Body Width	Max. allowed by Subsection 3 of this building type

**1-4 Units per Building**



**Front Gable**

Number of Bays	2-3 bays
Main Body Width	Max. allowed by Subsection 3 of this building type

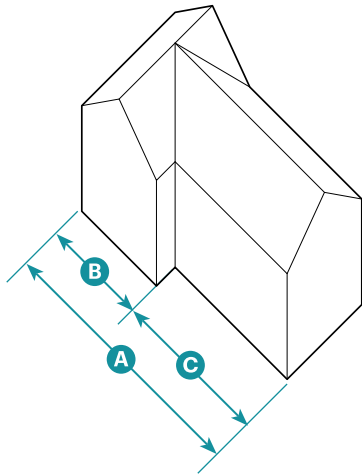


**Side Gable**

Number of Bays	3-5 bays
Main Body Width	Max. allowed by Subsection 3 of this building type

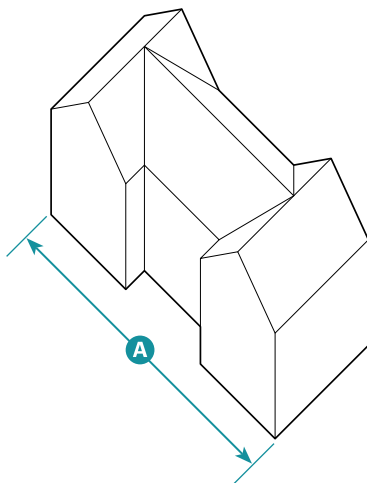
**7. Main Body Massing Composition (Continued)**

**2-4 Units per Building**



**Gable L (2/5 + 3/5)**

Number of Bays	3-6 bays
Main Body Width	Max. allowed by Subsection 3 of this building type



**Twin Gable**

Number of Bays	3-6 bays
Main Body Width	Max. allowed by Subsection 3 of this building type

22.06.120 **Multiplex**



Example of Multiplex



Example of Multiplex



Example of Multiplex including bonus height

**1. Description**

A medium-to-large-sized, detached, House-Scale Building that consists of 5 to 12 side-by-side and/or stacked units, typically with one shared entry. The type is scaled to fit within moderate-intensity neighborhoods.

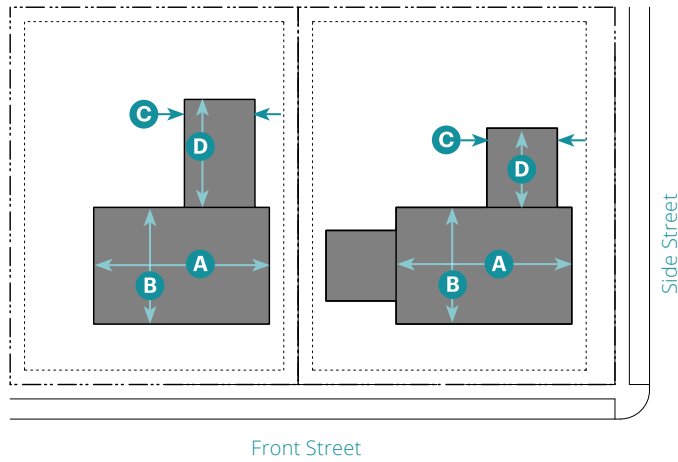
Synonym: Mansion Apartment

**2. Number of Units**

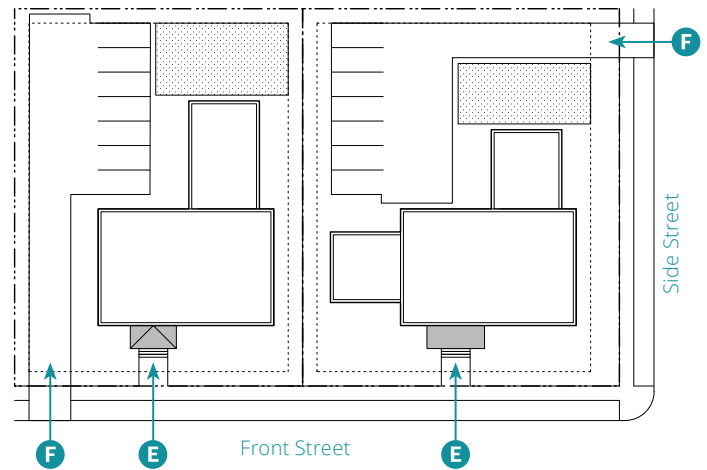
Units per Building	12 max.
Buildings per Design Site	1 max.

*General Note: Photos on this page are illustrative, not regulatory.*

Alley access required if alley exists



Alley access required if alley exists



**Key**

- - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>1</sup>**

Width 60' max. **(A)**

Depth 60' max. **(B)**

**Wing(s)<sup>1,2</sup>**

Width 24' max. **(C)**

Depth 40' max. **(D)**

Separation between Wings 15' min.

Offset from Main Body 5' min.

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>1</sup> In compliance with Subsection 4 of the zone

<sup>2</sup> Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

**Key**

- - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage

**4. Pedestrian Access**

Main Entrance Location Front Street **(E)**

Units located in the main body shall be accessed by a common entry along the front street.

On corner design sites, units in a wing may enter from the side street.

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **(F)**

Parking may be covered, uncovered, or in a garage.

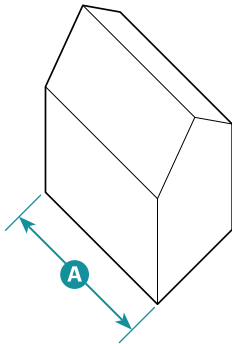
**6. Open Space**

Common or private open space is not required.

**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

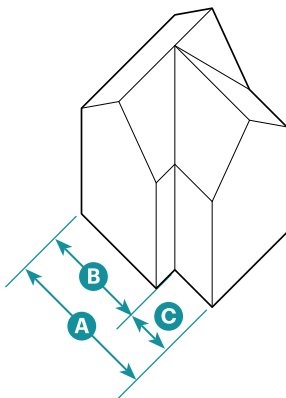
**Side Gable**



This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	

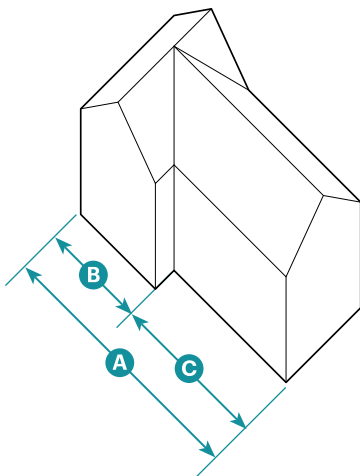
**Gable L (2/3 + 1/3)**



This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

Number of Bays	3-6 bays	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	<b>B</b>
	1/3	<b>C</b>

**Gable L (2/5 + 3/5)**

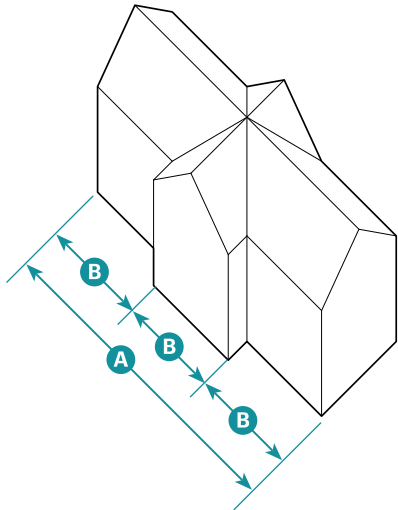


This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is sloped with gables at the projecting two parts.

Number of Bays	5 bays	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/5	<b>B</b>
	3/5	<b>C</b>

**7. Main Body Massing Composition (Continued)**

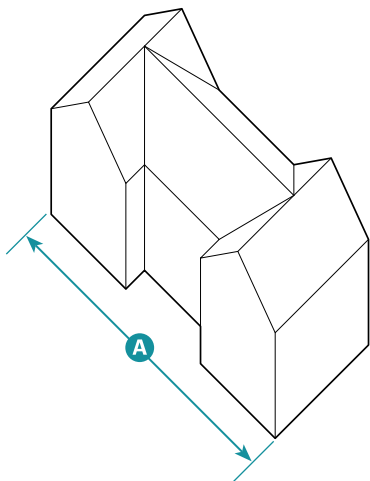
**Center Gable (1/3 + 1/3 + 1/3)**



This massing type divides the facade into three equal parts, with the middle third projecting. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	1/3 each	B

**Twin Gable**



This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	3-6 bays	A
Main Body Width	Max. allowed by Subsection 3 of this building type	



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**22.06.130 Main Street Building**



Example of Main Street Building



Example of Main Street Building



Example of Main Street Building

**1. Description**

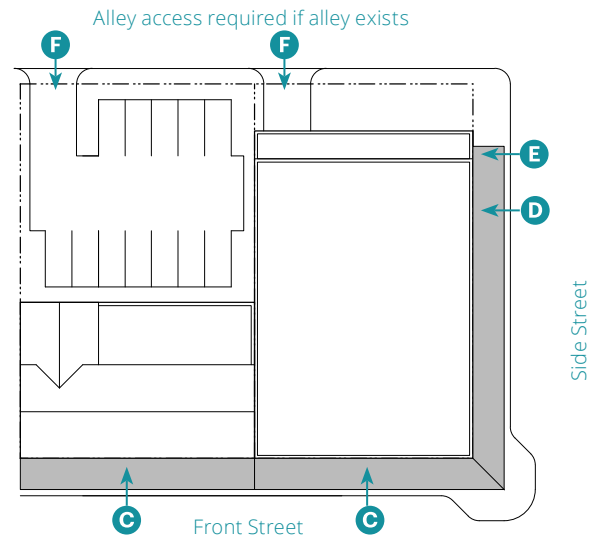
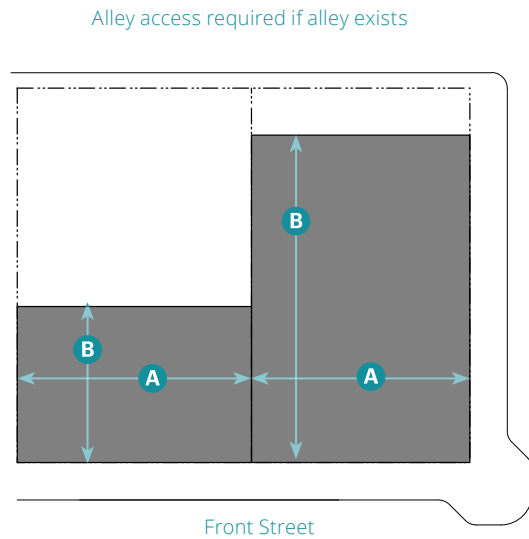
A small-to-large-sized, Block-Scale Building, typically attached, but may be detached. The type is intended to provide a vertical mix of uses with ground-floor retail, office, or service uses and upper-floor service or residential uses. The type makes up the primary component of neighborhood and downtown main streets, therefore being a key component to providing walkability.

**2. Number of Units**

Units per Building	Unrestricted <sup>1</sup>
Buildings per Design Site	1 max.

<sup>1</sup> Number of units restricted by International Building Code (IBC) and Uniform Fire Code (UFC) standards.

*General Note: Photos on this page are illustrative, not regulatory.*



**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Building

**3. Building Size and Massing**

**Height**

Stories 2.5 max.

**Main Body<sup>2</sup>**

Width 100 max. **(A)**

Depth 90 max. **(B)**

**Wing(s)**

Not Allowed

Facades shall be designed in compliance with Chapter 8 (Specific to Architectural Design).

<sup>2</sup>In compliance with Subsection 4 of the zone

**Key**

- - - - ROW/ Design Site Line
- ..... Building Setback Line
- Frontage
- Outline of Building above

**4. Pedestrian Access**

Distance between Entries to Ground Floor Shops 50' max.

Upper floor units shall be accessed by a common entry along the front street. **(C)**

Ground floor shops shall have individual entries along the adjacent street. **(D)**

Ground floor units allowed along side street at least 60' from front of design site.

On corner design sites, units in a wing or accessory structure may enter from the side street. **(E)**

**5. Vehicle Access and Parking**

Driveway and parking location shall comply with standards in Subsection 6 of the zone. **(F)**

Parking may be covered, uncovered, or in a garage.

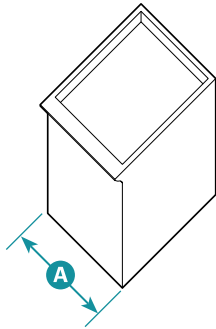
**6. Open Space**

Common or private open space is not required.

**7. Main Body Massing Composition**

Select from the allowed massing proportions and apply the standards to the main body width in compliance with Chapter 8 (Specific to Architectural Design) and the following standards.

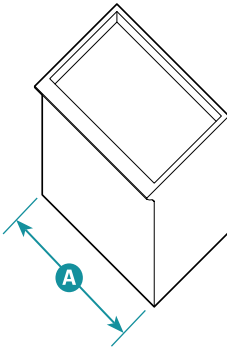
**Flat Box**



This massing type is a simple rectilinear form that is deeper than it is long. The roof is flat.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

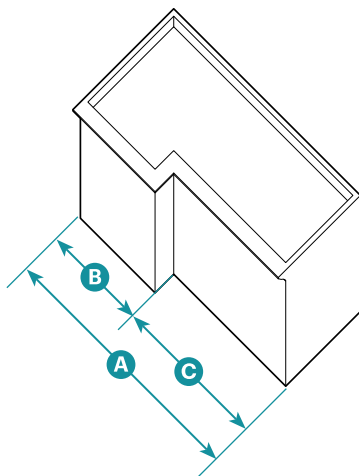
**Flat Bar**



This massing type is a simple rectilinear form that is longer than it is deep. The roof is flat.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**Flat L (2/5 + 3/5)**

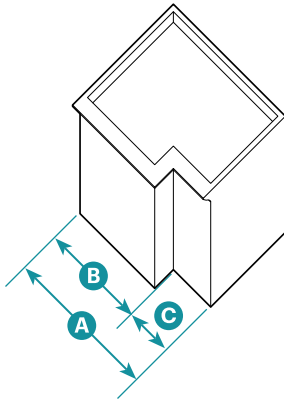


This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is flat.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/5	B
	3/5	C

**7. Main Body Massing Composition (Continued)**

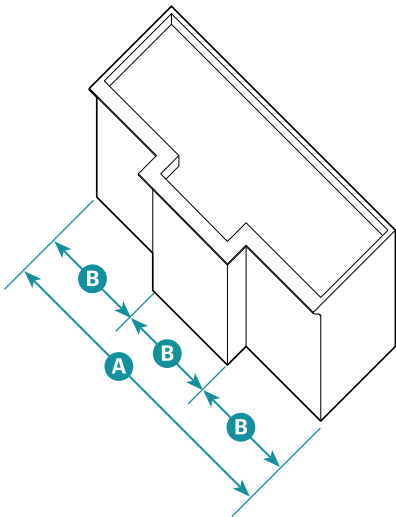
**Flat L (2/3 + 1/3)**



This massing type divides the facade into three equal parts, 1 part projecting with a gable roof and 2/3 as a wing. The roof is flat.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	<b>B</b>
	1/3	<b>C</b>

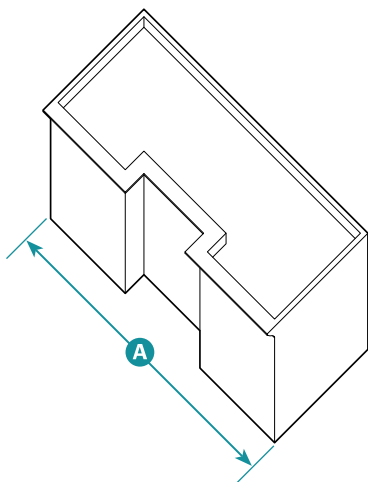
**Flat T (1/3 + 1/3 + 1/3)**



This massing type divides the facade into three equal parts, with the middle third projecting. The roof is flat.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	1/3 each	<b>B</b>

**Flat Forecourt**

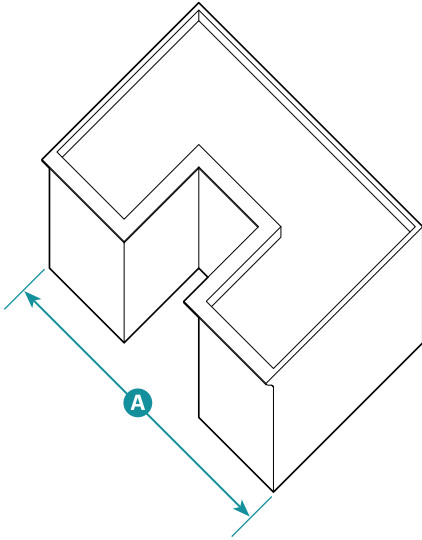


This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is flat.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	

**7. Main Body Massing Composition (Continued)**

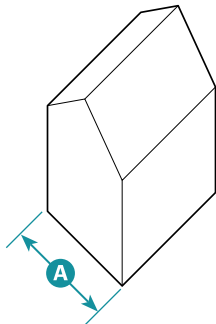
**Flat Courtyard**



This massing type divides the facade into three parts, with the middle part set back substantially to create a deep open space. The roof is flat.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

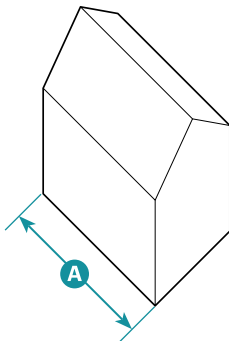
**Front Gable**



This massing type is a simple rectilinear form that is deeper than it is long. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**Side Gable**

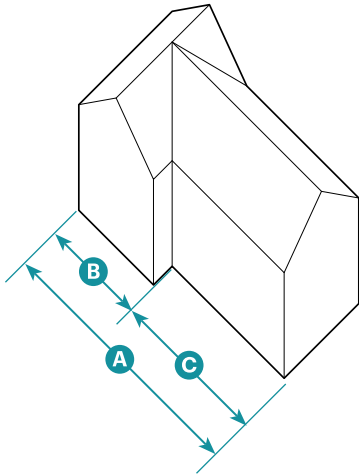


This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**7. Main Body Massing Composition (Continued)**

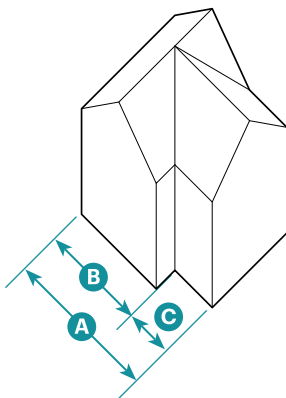
**Gable L (2/5 + 3/5)**



This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is sloped with gables at the projecting two parts.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/5	<b>B</b>
	3/5	<b>C</b>

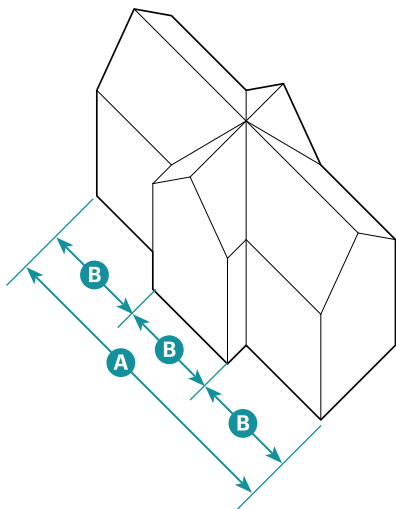
**Gable L (2/3 + 1/3)**



This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	2/3	<b>B</b>
	1/3	<b>C</b>

**Center Gable (1/3 + 1/3 + 1/3)**

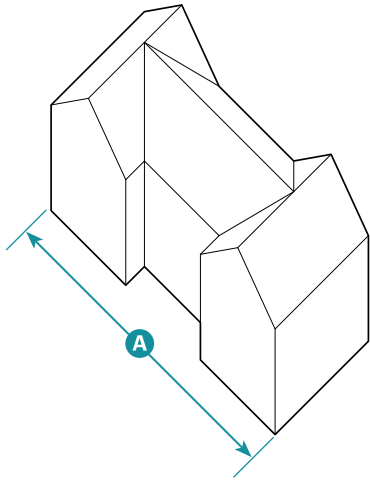


This massing type divides the facade into three equal parts, with the middle third projecting. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	
Massing Proportions	1/3 each	<b>B</b>

**7. Main Body Massing Composition (Continued)**

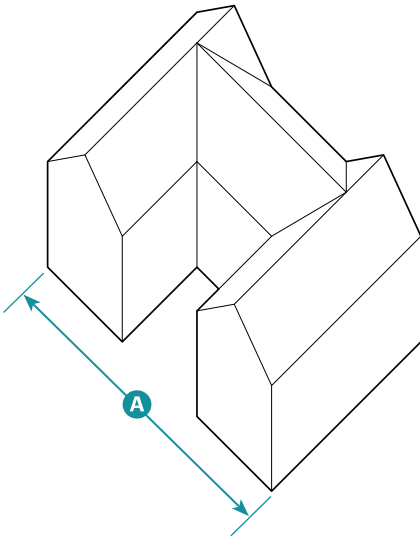
**Twin Gable**



This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**Gabled Courtyard**



This massing type divides the facade into three parts, with the middle part set back substantially to create a deep open space. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	



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# Chapter 7: Specific to Private Frontage Types

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## Sections:

22.07.010	Purpose
22.07.020	Private Frontage Types
22.07.030	Overview of Private Frontage Types
22.07.040	Porch Projecting
22.07.050	Dooryard
22.07.060	Stoop
22.07.070	Forecourt
22.07.080	Maker Shopfront
22.07.090	Shopfront
22.07.100	Terrace
22.07.110	Gallery

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## 22.07.010 Purpose

This Chapter provides the standards for private frontages ("frontages"). Private frontages are the components of a building that provide the transition and interface between the public realm (street and sidewalk) and the private realm (setback or building).

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## 22.07.020 Private Frontage Types

1. The names of the private frontage types indicate their particular configuration or function and are not intended to limit uses within the associated building. For example, a Porch may be used by non-residential uses including, but not limited to, a restaurant or office, as allowed by the zone.
2. Each building is required to include at least one private frontage type along the front street or adjacent civic space. Buildings with entries along a side street are required to include at least one private frontage type on those facades.
3. The ground floor, for a minimum depth as identified in Subsection 3 of the zone, is required to be habitable/occupiable space in compliance with this Chapter. Accessibility is provided through the allowed private frontage types for each zone.
4. Private frontage types not listed in Subsection 7 of the zone are not allowed in that zone.
5. Each building may have multiple private frontage types in compliance with the allowed types in Subsection 7 of the zone.
6. Each private frontage type shall be located in compliance with the facade zone per Subsection 4 of the zone.
7. Standards are stated for the front and side street facades of a design site.

8. In addition to the zone's standards, each private frontage is further refined through these standards to further calibrate the type for its context.
9. Certain types are only allowed on a side street in the base zone (e.g., T4SMS.S) to implement the intended physical character.

## 22.07.030 Overview of Private Frontage Types

Table A (Private Frontage Types Overview) provides a summary of the allowed private frontage types in each zone. See referenced Section(s) for standards.

Private Frontage Type	Specific Standards	T3SN	T4	
			SN.S	SMS.S
Porch Projecting	22.07.040	P	P	P
Dooryard	22.07.050	P	P	O
Stoop	22.07.060	P	P	O
Forecourt	22.07.070	X	X	P
Maker Shopfront	22.07.080	X	X	O
Shopfront	22.07.090	X	X	P
Terrace	22.07.100	X	X	P
Gallery	22.07.110	X	X	P

**Key**      P = Allowed      O = Allowed Only in Side Street      X = Not Allowed

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22.07.040 Porch Projecting



Example of a Projecting Porch



Example of a Projecting Porch

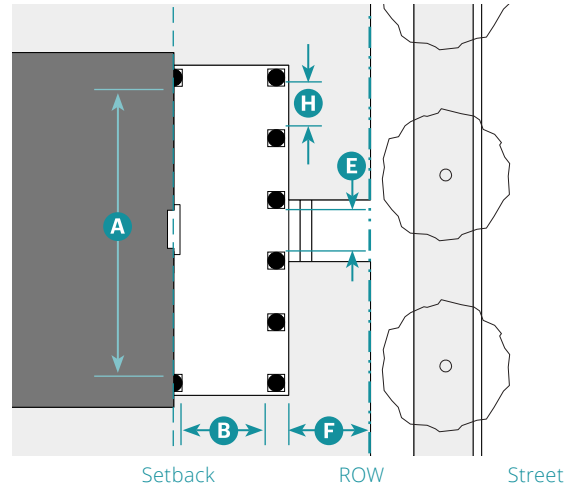
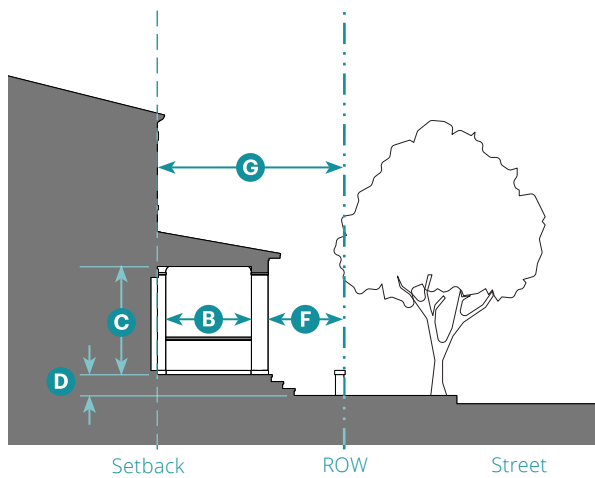


Example of a Projecting Porch

1. Description

The main facade of the building is set back from the front design site line with a covered structure encroaching into the front setback. The resulting setback area may be defined by a fence or hedge to spatially maintain the edge of the street. The Porch may be one or two stories, is open on three sides, with all habitable space located behind the building setback line.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

**2. Size**

Width, Clear	15' min. <sup>1</sup>	<b>A</b>
Depth, Clear	8' min.	<b>B</b>
Height, Clear	8' min.	<b>C</b>
Stories	2 stories max.	
Finish Level above Sidewalk	12" min. <sup>2,3</sup>	<b>D</b>
Pedestrian Access	3' wide min.	<b>E</b>
Distance between Porch and Sidewalk	6' min.	<b>F</b>
Depth	15' min.	<b>G</b>
Distance between Porch columns shall be in compliance with selected architectural style in Chapter 8 (Specific to Architectural Design).		<b>H</b>

<sup>1</sup>Reduce to 8' min. and maximum 1 story when applied to Cottage Court Building Type

<sup>2</sup>Common entries may be set at grade per local and federal accessibility standards.

<sup>3</sup>Base Flood Elevation plus 1' min. where applicable.

**3. Miscellaneous**

Porch shall be open on three sides and have a roof. Clear glass may be installed between the porch columns if the minimum size of individual panes is in compliance with the standards in Chapter 8 (Specific to Architectural Design).

Ramps are required to be integrated along the side of the building to connect with the Projecting Porch.

The Porch shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.

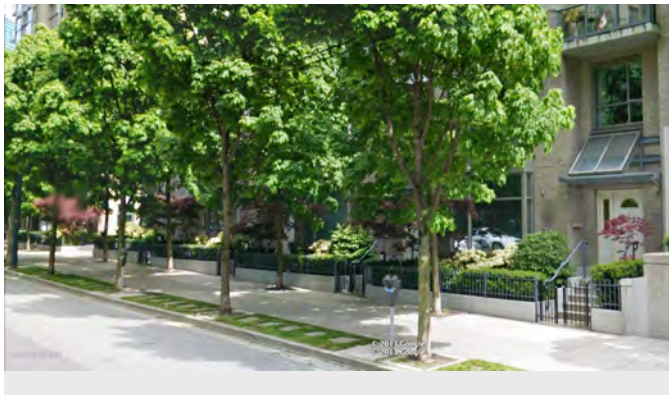
22.07.050 Dooryard



Example of a residential Dooryard



Example of a commercial Dooryard

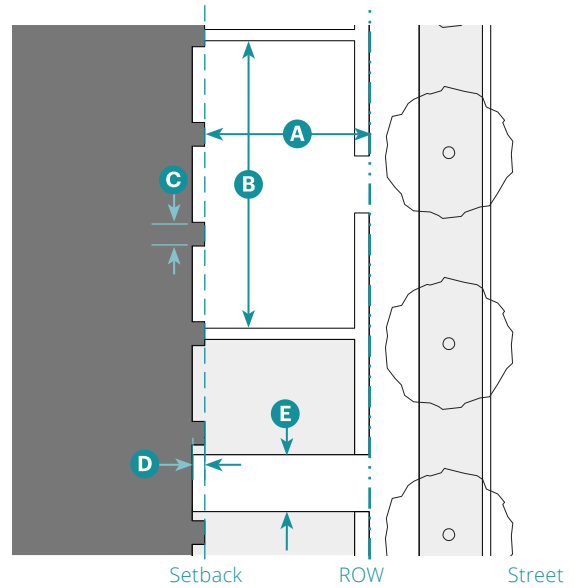
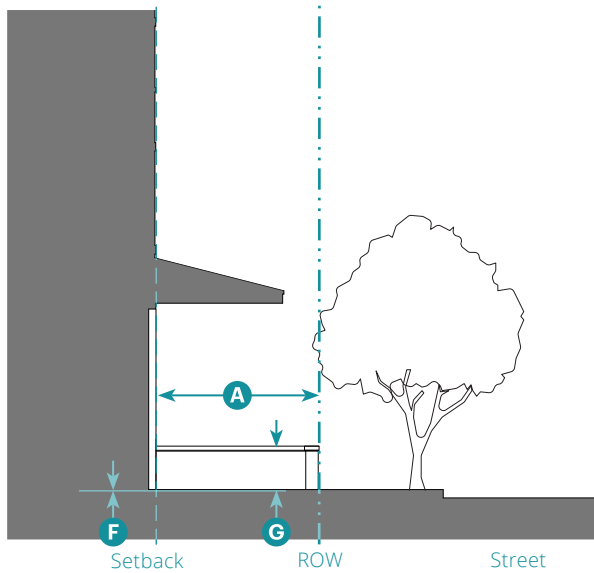


Example of a residential Dooryard

1. Description

The main facade of the building is set back from the front design site line, which is defined by a low wall or hedge, creating a small private area between the sidewalk and the facade. Each Dooryard is separated from adjacent Dooryards. The Dooryard may be raised or at grade.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

2. Size		
Depth, Clear	6' min.	<b>A</b>
Length	15' min.	<b>B</b>
Distance between Glazing	4' max.	<b>C</b>
Depth of Recessed Entries	3' max.	<b>D</b>
Pedestrian Access	3' wide min.	<b>E</b>
Finish Level above Sidewalk	12" max. <sup>1,2</sup>	<b>F</b>
Height of Dooryard Fence/Wall above Finish Level	36" max.	<b>G</b>

<sup>1</sup> Common entries may be set at grade per local and federal accessibility standards.

<sup>2</sup> Base Flood Elevation plus 1' min. where applicable.

**3. Miscellaneous**

For live/work, retail, service, and restaurant uses, the Shopfront Frontage Type (22.07.100) may be applied.

Each Dooryard shall provide access to only one ground floor entry.

Ramps are required to be integrated along the side of the building to connect with the Dooryard.

The Dooryard shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.



22.07.060 Stoop



Example of a Stoop with paired entries



Example of a Stoop

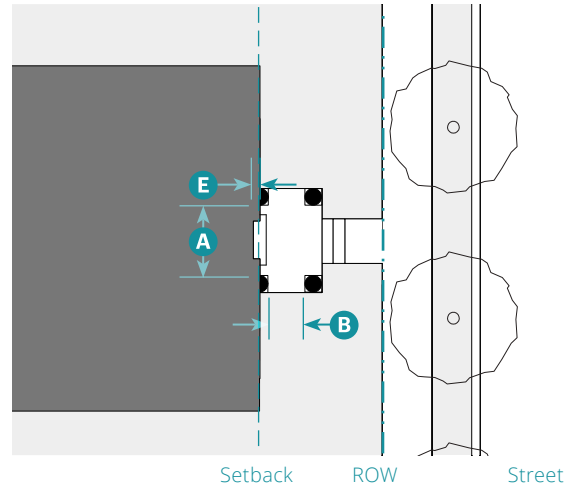
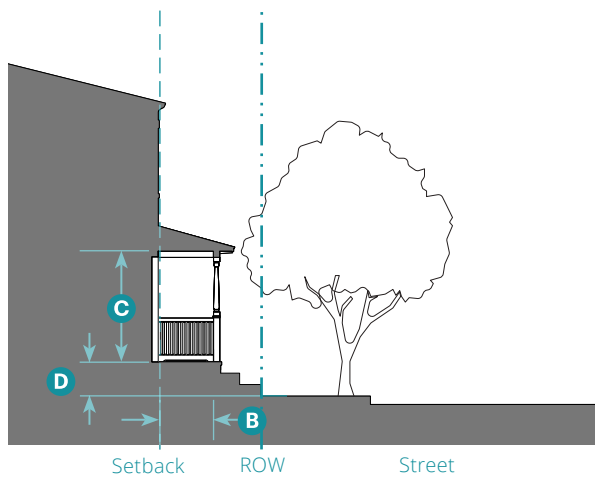


Example of a Stoop

1. Description

The main facade of the building is near the front design site line with steps to an elevated entry. The Stoop is elevated above the sidewalk to provide privacy along the sidewalk-facing rooms. Stairs or ramps from the Stoop may lead directly to the sidewalk or may be parallel to the sidewalk.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      ..... Setback Line

2. Size		
Width, Clear	4' min.	<b>A</b>
Depth, Clear	3' min.	<b>B</b>
Height, Clear	8' min.	<b>C</b>
Stories	1 story max.	
Finish Level above Sidewalk	12" min. <sup>1</sup>	<b>D</b>
Depth of Recessed Entries	8' max.	<b>E</b>

<sup>1</sup>Base Flood Elevation plus 1' min. where applicable.

**3. Miscellaneous**

- Stairs may be perpendicular or parallel to the building facade.
- Entry doors shall be covered or recessed to provide shelter from the elements.
- Gates are not allowed.
- All doors shall face the street.
- Ramps are required to be integrated along the side of the building to connect with the Stoop.
- The Stoop shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.

22.07.070 Forecourt



Example of a Forecourt with Shopfronts



Example of a Forecourt with outdoor dining

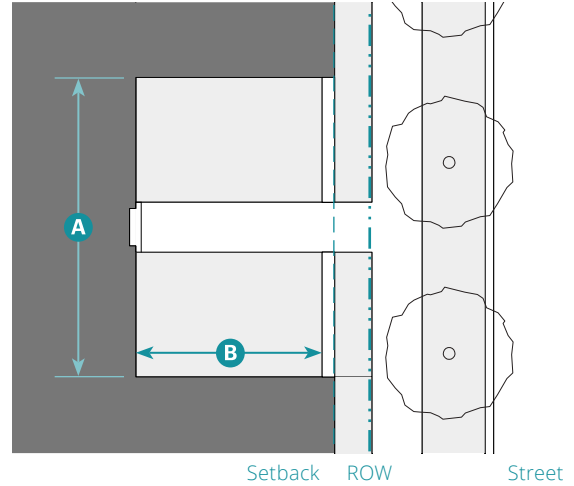
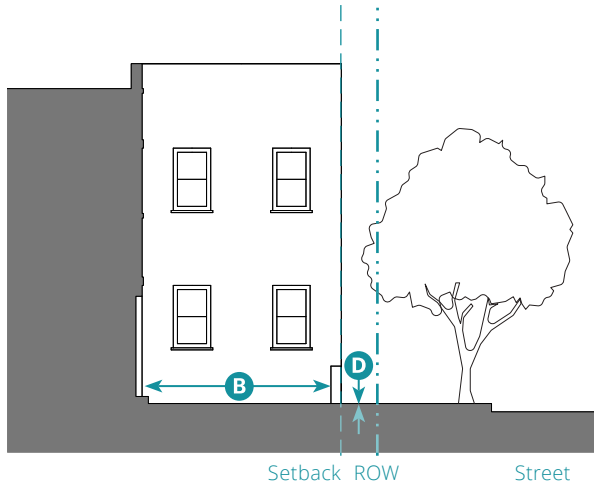


Example of Forecourt

1. Description

The main facade of the building is at or near the front design site line and a portion is set back, extending the public realm into the design site to create an entry court or shared garden space for housing, or an additional shopping or restaurant seating area within retail and service areas.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      ..... Setback Line

**2. Size**

Width, Clear	15' min.	<b>A</b>
Depth, Clear	15' min.	<b>B</b>
Ratio, Height to Width	2:1 max.	<b>C</b>
Finish Level above Sidewalk	12" max. <sup>1</sup>	<b>D</b>
Gallery frontages, awnings, balconies and porches may encroach into Forecourt on all sides.	Max 1/2 width of Forecourt	<b>E</b>

<sup>1</sup>Base Flood Elevation plus 1' min. where applicable.

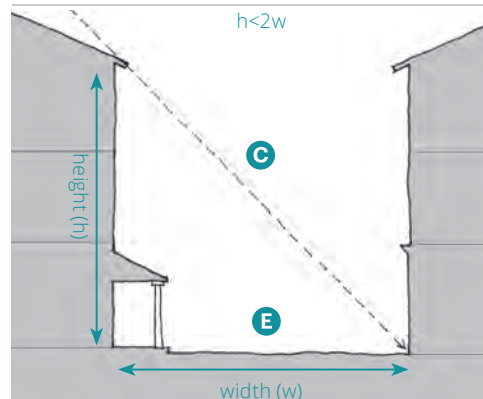
**3. Miscellaneous**

Forecourts may be utilized to group several entries at a common elevation in compliance with the zones' ground floor finish level standards.

The proportions and orientation of a Forecourt shall be in compliance with the diagram below for solar orientation and user comfort.

Ramps are required to be integrated along the side of the building to connect with the Forecourt.

The Forecourt shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.



22.07.080 Maker Shopfront



Example of a Maker Shopfront



Example of a Maker Shopfront

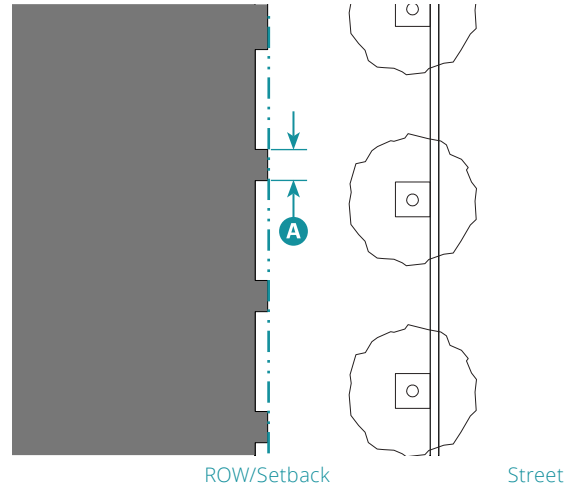
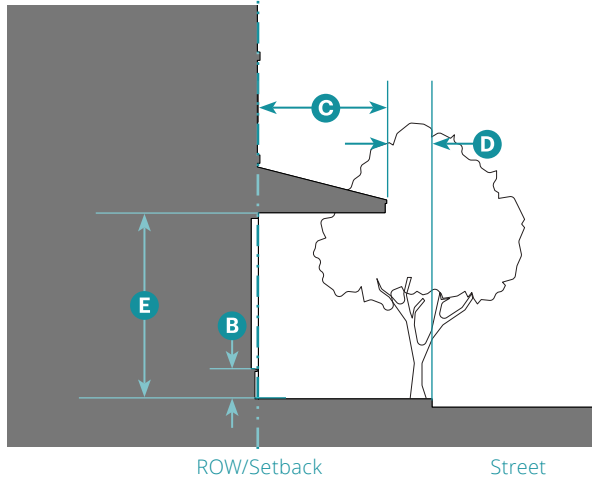


Example of a Maker Shopfront

1. Description

The main facade of the building is at or near the front design site line with an at-grade or elevated entrance from the sidewalk. The type is only allowed on side streets from the adjacent main street and is intended for industrial artisan businesses to show their activity to pedestrians, as well as for retail sales of products made on-site. The Maker Shopfront may include a decorative roll-down or sliding door, including glazing and an awning that overlaps the sidewalk.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

**2. Size**

Distance between Glazing	10' max.	<b>A</b>
Ground Floor Glazing between Sidewalk and Finished Ceiling Height	30% min.	
Depth of Recessed Entries	No max.	
Shopfront Base (if used)	48" max.	<b>B</b>

**3. Awning**

Depth	5' min.	<b>C</b>
Setback from Curb	2' min.	<b>D</b>
Height, Clear	8' min.	<b>E</b>

**4. Miscellaneous**

Decorative accordion-style doors/windows or other operable windows that allow the space to open to the street are allowed in compliance with Chapter 8 (Specific to Architectural Design).

The Maker Shopfront shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.

22.07.090 Shopfront



Example of Shopfronts



Example of a Shopfront

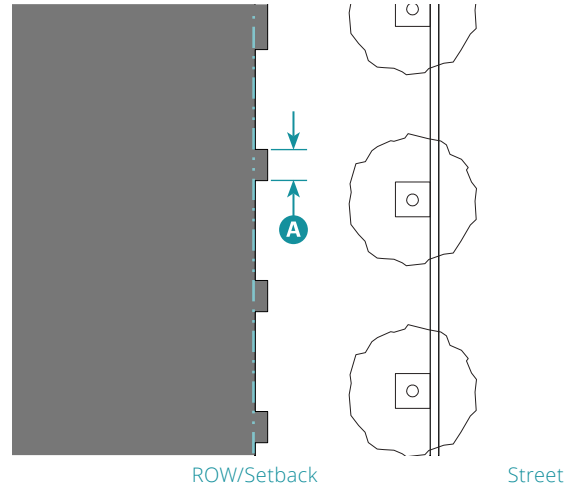
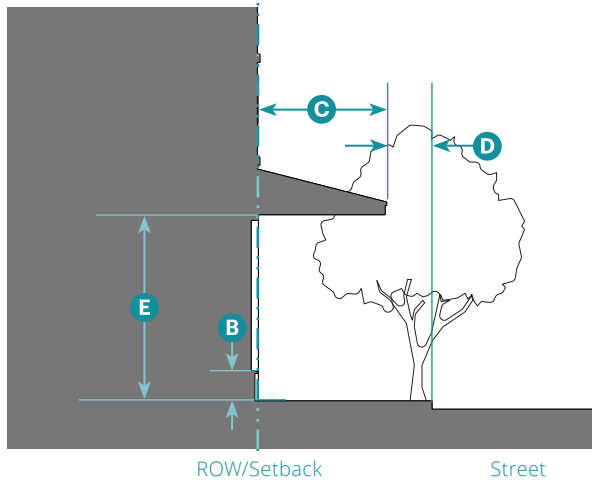


Example of a Shopfront

1. Description

The main facade of the building is at or near the front design site line with at-grade entrance from the sidewalk. The type is intended for service, retail, or restaurant use and includes substantial glazing between the Shopfront base and the ground floor ceiling. This type may include an awning that overlaps the sidewalk.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

**2. Size**

Distance between Glazing	2' max.	<b>A</b>
Ground Floor Glazing between Sidewalk and Finished Ceiling Height	75% min.	
Depth of Recessed Entries	5' max.	
Shopfront Base	6" min.; 24" max.	<b>B</b>

**3. Awning**

Depth	5' min.	<b>C</b>
Setback from Curb	2' min.	<b>D</b>
Height, Clear	8' min.	<b>E</b>

**4. Miscellaneous**

Decorative accordion-style doors/windows or other operable windows that allow the space to open to the street are allowed in compliance with Chapter 8 (Specific to Architectural Design).

Ramps are required to be integrated along the side of the building to connect with the Shopfront.

The Shopfront shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.



22.07.100 Terrace



Example of a Terrace with low-wall seating



Example of a Terrace

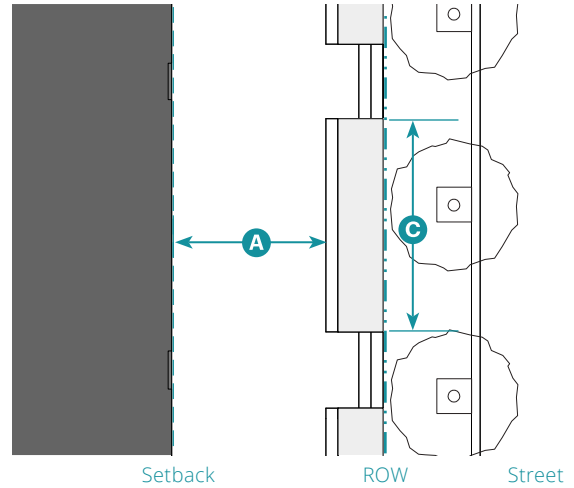
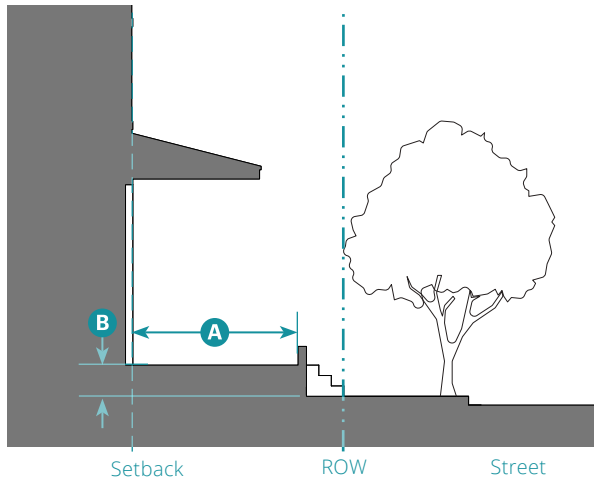


Example of a residential Terrace along a courtyard

1. Description

The main facade is at or near the front design site line with steps leading to an elevated area providing pedestrian circulation along the facade. The type is used for retail, service, office uses, or housing to provide outdoor areas along the sidewalk and/or to accommodate an existing or intended grade change.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      - - - - - Setback Line

**2. Size**

Depth of Terrace	8' min. residential; 12' min. non-residential	<b>A</b>
Finish Level above Sidewalk	36" max. <sup>1</sup>	<b>B</b>
Distance between Stairs	25' max.	<b>C</b>

<sup>1</sup>Base Flood Elevation plus 1' min. where applicable.

**3. Miscellaneous**

These standards are to be used with those for the Shopfront Frontage Type (22.07.100) where the zone requires the Shopfront Frontage Type.

Where the zone requires the Shopfront Frontage Type (22.07.100) and the ground floor is flush with the sidewalk, the Terrace shall be considered to be the sidewalk.

May be utilized to group several entries at a common elevation in compliance with the zones' ground floor finish level standards.

Ramps are required to be integrated along the side of the building to connect with the Terrace.

The Terrace shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.

22.07.110 Gallery



Source: Google Street View

Example of a two-story Gallery with an uncovered second story.



Example of a Gallery providing covered outdoor dining

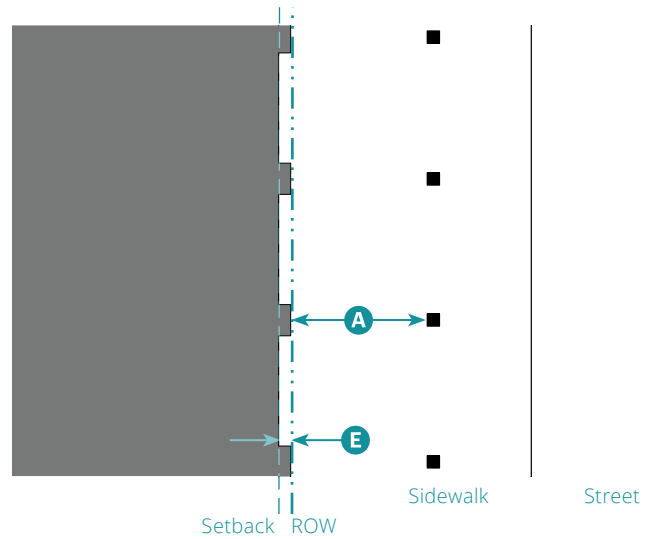
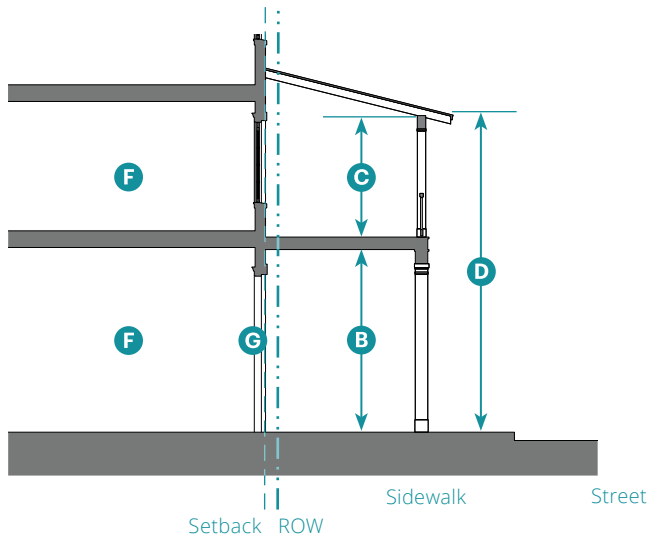


Example of a Gallery with shopfronts

1. Description

The main facade of the building is set back from the front design site line and an at-grade covered structure, articulated with colonnade or arches, overlaps the sidewalk. The type may be one or two stories. When used in nonresidential settings, the Shopfront Type is included; when used in residential settings, Stoops, Dooryards, and Forecourts may be included as allowed by the zone.

General Note: Photos on this page are illustrative, not regulatory.



**Key**

--- ROW/ Design Site Line      ..... Setback Line

2. Size		
Depth, Clear	8' min.	<b>A</b>
Ground Floor Height, Clear	12' min.	<b>B</b>
Upper Floor Height, Clear	9' min.	<b>C</b>
Height	2 stories max.	<b>D</b>
Gallery Setback from Public ROW	18" min. (clear)	<b>E</b>

3. Miscellaneous	
Habitable space	<b>F</b>
Galleries shall also follow the standards for the Shopfront Frontage Type (22.07.100).	<b>G</b>
Galleries shall have a consistent depth across the entire front and/or side street facade.	
Galleries are allowed to project over the sidewalk in the public ROW.	
The second story of the Gallery may be covered.	
Planting is not required. Lighting is required within the gallery in compliance with Subsection 22.05.030.3.	
Ramps are required to be integrated along the side of the building to connect with the Gallery, where applicable.	
The Gallery shall be designed in compliance with the standards in Chapter 8 (Specific to Architectural Design) for the selected architectural style.	

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# Chapter 8: Specific to Architectural Design

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## Sections:

22.08.010	Purpose
22.08.020	Applicability
22.08.030	Architectural Design Standards
22.08.040	Overview of Architectural Styles
22.08.050	Contemporary
22.08.060	Craftsman
22.08.070	East Coast Cottage
22.08.080	Main Street Classical
22.08.090	Mediterranean
22.08.100	Tudor

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## 22.08.010 Purpose

This Chapter sets forth standards that supplement the zone standards to further refine the intended building form and physical character.

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## 22.08.020 Applicability

Unless stated otherwise, all subsections within each architectural style ("style") identified in this Chapter apply to all facades of a building, including front facades, side street facades, side interior facades, and rear facades.

---

## 22.08.030 Architectural Design Standards

This Chapter contains architectural design standards for the six allowed styles. The standards for each style address a range of topics based on local architectural examples. The standards address the following aspects of individual building design: Roofs and roof pitch, eaves, cornices, walls, base of walls, dormers, openings and doors, storefronts, porches, and balconies.

1. Each building is required to be designed in compliance with one of the allowed architectural styles.
2. The architectural style standards are coordinated with the building types and the intended physical character of each zone.
3. Any facade greater than 75 feet in length along a street (public or private) or civic space shall include more than one architectural style, with a maximum 75 feet in length of any one style.

---

## 22.08.040 Overview of Architectural Styles

Table A (Architectural Styles Overview) provides an overview of the allowed architectural styles.

**Table 22.08.040.A: Architectural Styles Overview**

**Contemporary 22.08.050**



**Typical Characteristics**

Long, low-sloped roof forms with simple eaves with deep overhangs

Asymmetrical facade compositions with square and horizontal openings often made from ganged vertical windows

Mix of exterior materials to differentiate massing forms, with prevalent natural materials including wood siding

Horizontally proportioned balconies and terraces with minimalist vertical supports

**Applicable Standards**

- Wall
- Building Roof
- Rake
- Eave
- Parapet
- Windows
- Bay Windows
- Dormers
- Entry Doors
- Balconies
- Porches
- Storefronts
- Materials

**Craftsman 22.08.060**



**Typical Characteristics**

Low-pitched roofs with deep eaves and exposed rafter tails

Horizontally proportioned openings made from ganged vertical windows

Emphasis on natural materials including wood shingles

Asymmetrical composition with wall plane broken by projecting gable ends

**Applicable Standards**

- Wall
- Base
- Building Roof
- Rake
- Eave
- Parapet
- Windows
- Bay Windows
- Dormers
- Entry Doors
- Balconies
- Porches
- Storefronts
- Materials

**East Coast Cottage 22.08.070**



**Typical Characteristics**

Prominent gabled or gambrel roof forms

Shingle or horizontal lap siding as primary facade material

Vertically proportioned openings with surround

Painted trim, often white in color

Top story partially within roof with shed dormers

**Applicable Standards**

- Building Roof
- Rake
- Eave
- Windows
- Bay Windows
- Dormers
- Entry Doors
- Balconies
- Porches
- Storefronts
- Materials

**Table 22.08.040.A: Architectural Styles Overview (Continued)**

**Main Street Classical 22.08.080**



**Typical Characteristics**

Symmetrical facade composition with proportions that imply load-bearing masonry structure

Prominent cornice with classical detailing and parapet or pedimented roof forms

Regular pattern of vertically proportioned openings

Brick and stucco as primary facade materials

**Applicable Standards**

- Base
- Building Roof
- Parapet
- Windows
- Bay Windows
- Entry Doors
- Balconies
- Porches
- Storefronts
- Materials

**Mediterranean 22.08.090**



**Typical Characteristics**

Low-pitched gabled or hipped roofs clad in red tile with open eaves

Flat, rectilinear wall plane with vertically proportioned punched openings without trim

Stucco as primary facade material with stucco or wood attached elements

**Applicable Standards**

- Building Roof
- Eave
- Parapet
- Windows
- Bay Windows
- Dormers
- Entry Doors
- Balconies
- Porches
- Storefronts
- Materials

**Tudor 22.08.100**



**Typical Characteristics**

Prominent gabled roof forms with steep pitch and open eaves

Vertically proportioned openings with surround

Brick and stucco as primary facade materials, often with half-timbering at upper floors

**Applicable Standards**

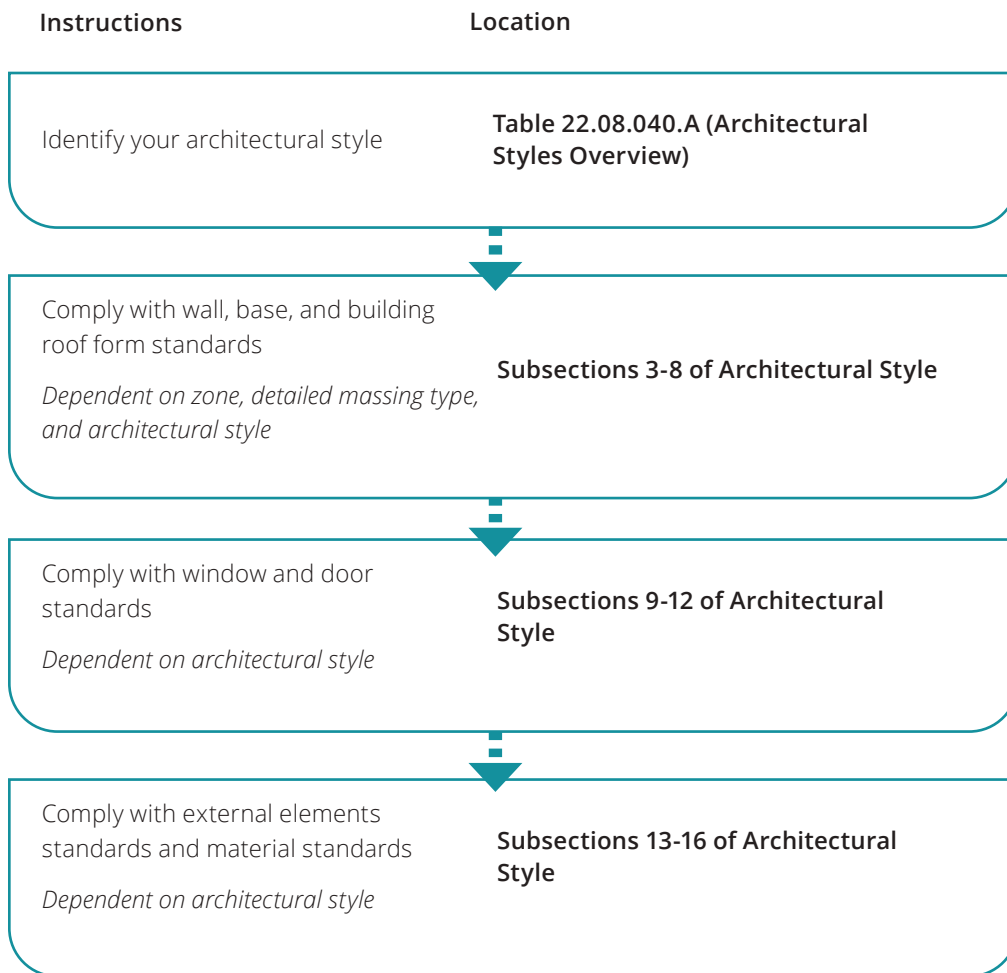
- Wall
- Building Roof
- Rake
- Eave
- Windows
- Bay Windows
- Dormers
- Entry Doors
- Balconies
- Porches
- Storefronts
- Materials



# Quick Code Guide: Specific to Architectural Design

The following graphic is intended as a summary guide. Please refer to the procedures for applications eligible for streamlined review consistent with State Law [Section 22.10.020 (Procedures)] for all necessary information.

**Before you begin**  
Identify your zone, building type, and detailed massing type. If you have not done this yet, go back to the Table of Contents and follow the Quick Code Guide.



**22.08.050 Contemporary**



*General note: The images above and the descriptions in Subsections 1 and 2 below are intended to provide a brief overview of the architectural style and are descriptive, not regulatory.*

**1. Description of Style**

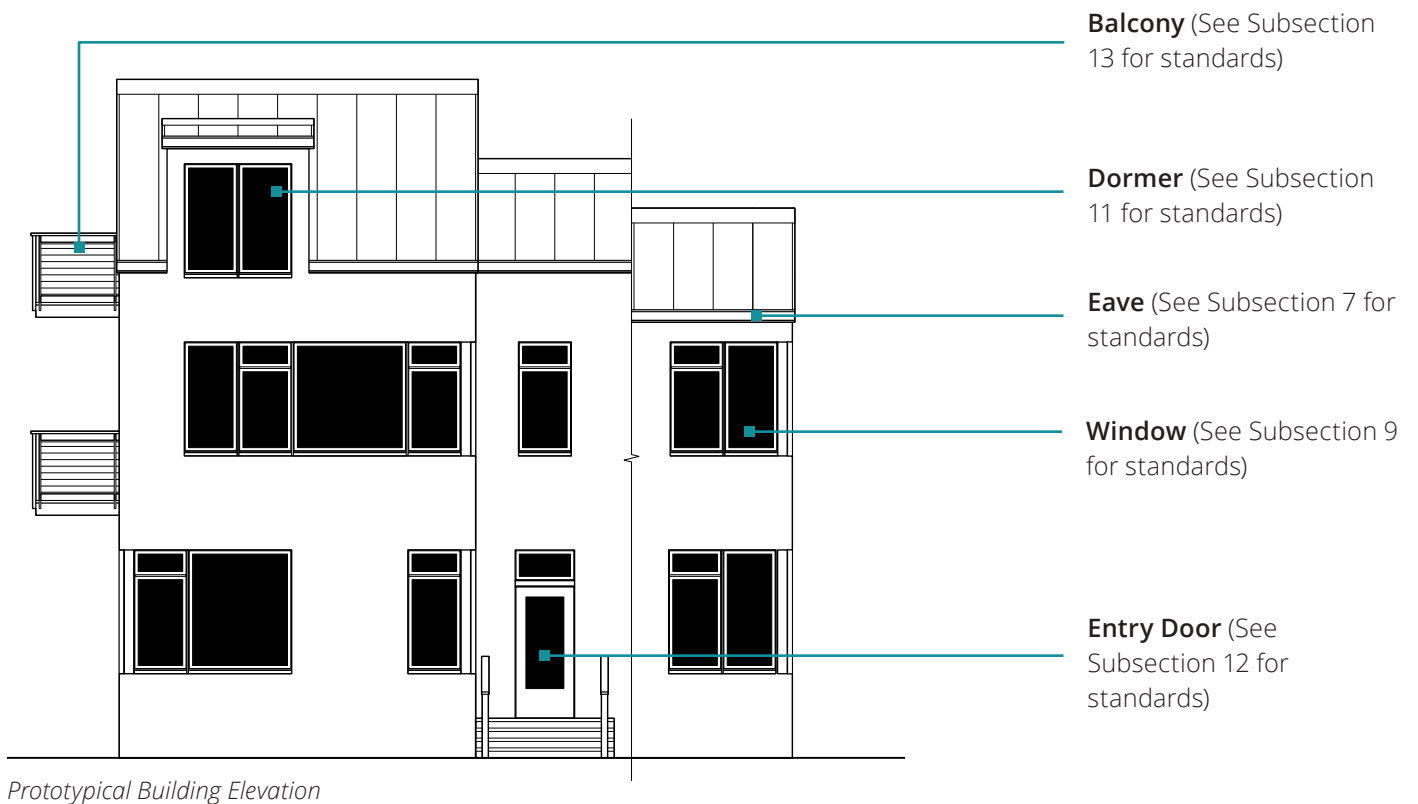
Contemporary style buildings have a streamlined aesthetic and minimal ornamentation. This style focuses on combining simple rectilinear massing forms with changes in material and color. The use of glass and cantilevered elements imbues buildings with a sense of lightness and simplicity. This style is prevalent throughout Marin County.

**2. Typical Characteristics**

- Long, low-sloped roof forms with simple eaves with deep overhangs
- Asymmetrical facade compositions with square and horizontal openings often made from ganged vertical windows
- Mix of exterior materials to differentiate massing forms, with prevalent natural materials including wood siding
- Horizontally proportioned balconies and terraces with minimalist vertical supports

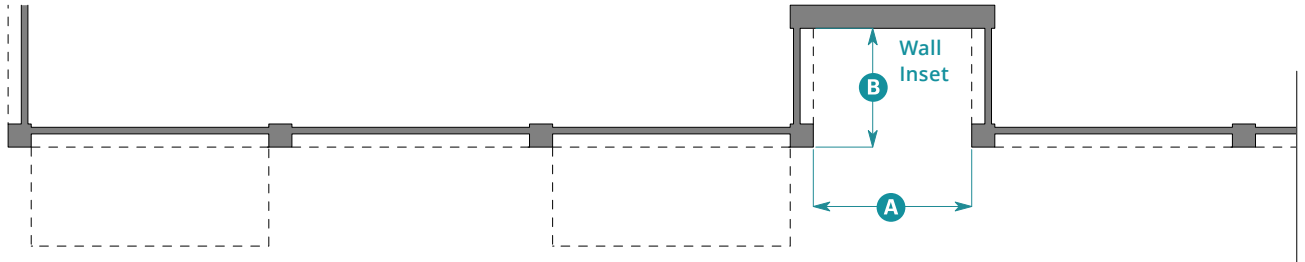
## Elements of Contemporary Style – Multifamily Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



# Elements of Contemporary Style – Mixed-Use Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



Prototypical Building Plan, Primary Facade



Prototypical Building Elevation

### 3. Wall

#### Wall Inset

A wall inset from the primary facade is required for buildings greater than 75' in width.

Wall inset shall be continuous for the full height of the building.

Roof and wall projections may encroach into wall inset.

### 3. Wall (Continued)

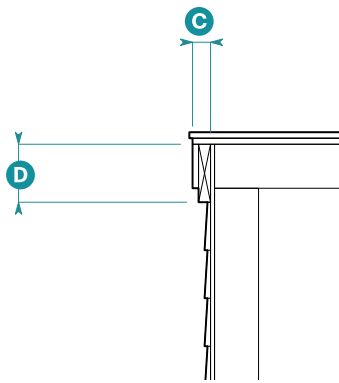
#### Wall Inset Dimensions

Width 8'0" min.; 12'0" max. A

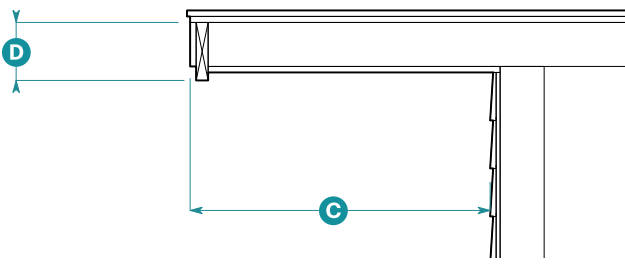
Depth 6'0" min. B

### 4. Base

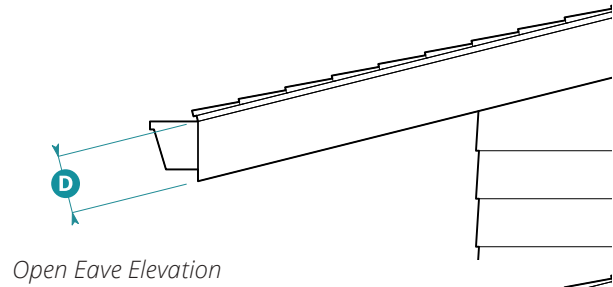
No base is required for this style.



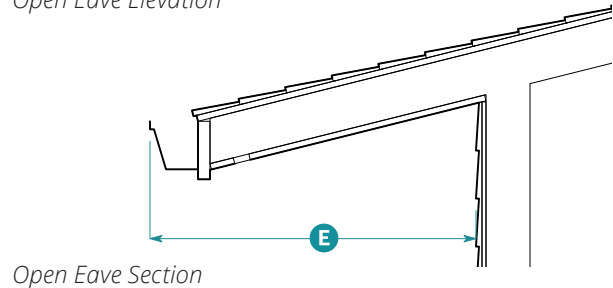
Flush Profile Rake Section



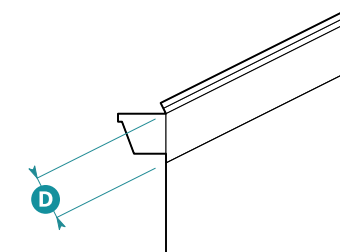
Projecting Profile Rake Section



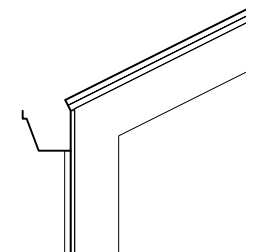
Open Eave Elevation



Open Eave Section



Closed Eave Elevation



Closed Eave Section

**5. Building Roof**

Building Roof Standards	Buildings with Half-Story Heights	Buildings with Full-Story Heights
<b>Roof Form</b>		
Type	Shed	Flat
Pitch	2:12 min.; 6:12 max.	N/A

**Applicable Subsections**

6. Rake	A	N/A
7. Eave	A	N/A
8. Parapet	N/A	A

**6. Rake**

Standards	Flush Profile	Projecting Profile
Horizontal Projection	No min.; 2" max.	2'6" min.; No max.

**C**

See Subsection 7 (Eave) for height standards.

**7. Eave**

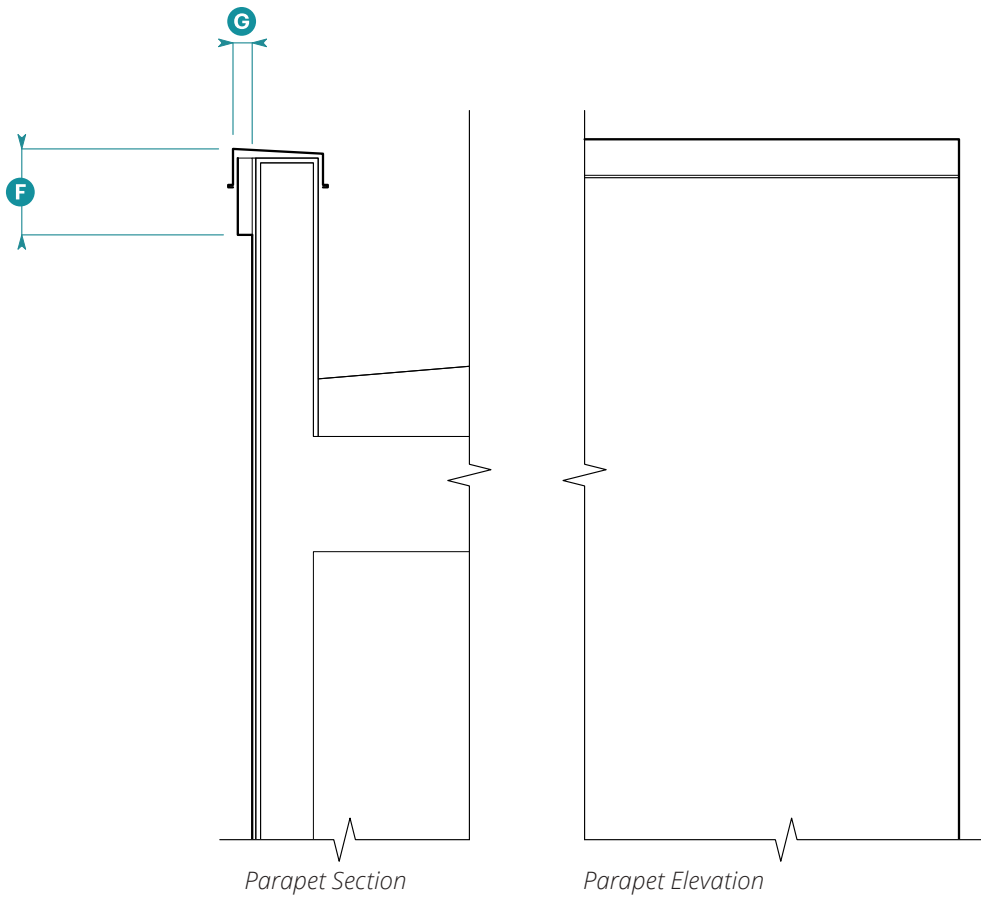
Standards	Open	Closed
<b>Height</b>		
Overall	8" min.	
Fascia	6" min.	
<b>Horizontal Projection<sup>1</sup></b>		
Overall	36" min.; No max.	0" (flush with facade)

**D**

**E**

<sup>1</sup>Horizontal projection includes gutter.

**Key** A = Applicable N/A = Not Applicable



**8. Parapet**

**Height**

Projection 0" min.; 6" max. **F**

**Horizontal Projection**

Overall 0" min.; 3" max. **G**

**9. Windows**

**Opening**

Proportion, Height **H** to Width **I**<sup>2</sup>

Ground floor	2.2 min.
Upper floor	2.0 min.
Dormer	See Subsection 11 (Dormers) for standards.

Typical Sizes, Width **I** x Height **H**

Ground Floor, Typical	3'0" x 6'0"
Ground Floor, Ganged	3'0" x 6'0"
Ground Floor, Picture	4'6" x 6'0"
Upper Floor, Typical	3'0" x 5'6"
Upper Floor, Ganged	3'0" x 5'6"
Upper Floor, Picture	4'6" x 5'6"
Privacy	2'0" x 4'6"

Shape	Square
-------	--------

Operation	Double-Hung, Single-Hung, Awning, Casement
-----------	---

**Window**

Glazing Divisions	None
-------------------	------

Frame Width (Frame + Sash)

At Rail	2.5" min. ± 1/4"	<b>J</b>
At Stile	2.5" min. ± 1/4"	<b>K</b>

Trim Widths<sup>3</sup>

Head	3" min.
Jamb	3" min.
Apron	3" min.

**Window Frame Recess**

Depth	2" min.
-------	---------

**Sill**

Depth	3" min.
-------	---------

**Pediment**

Allowed	No
---------	----

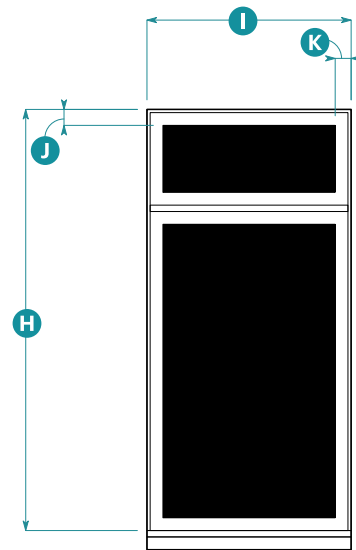
**Mullions**

Mullions required between ganged windows.

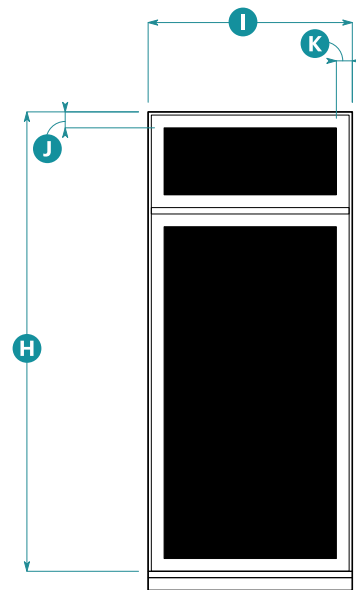
"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.

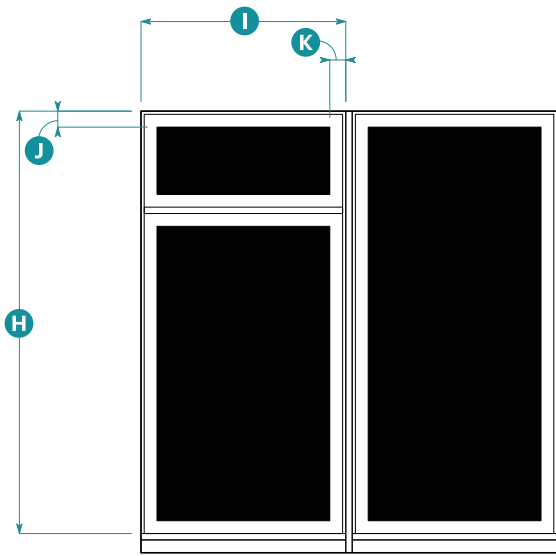
<sup>3</sup>Trim required for windows only on buildings or parts of buildings with lap siding.



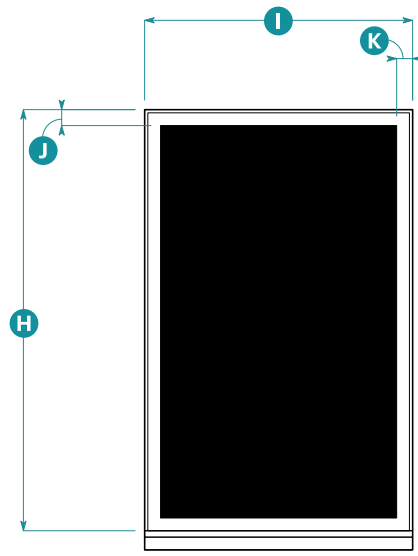
Upper Floor Typical Window Elevation



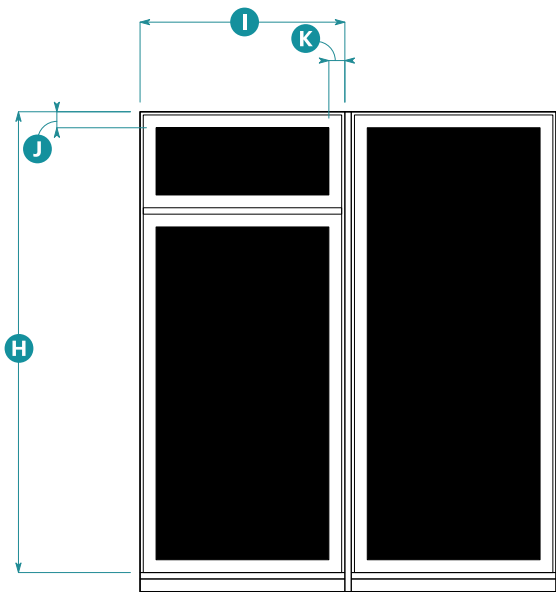
Ground Floor Typical Window Elevation



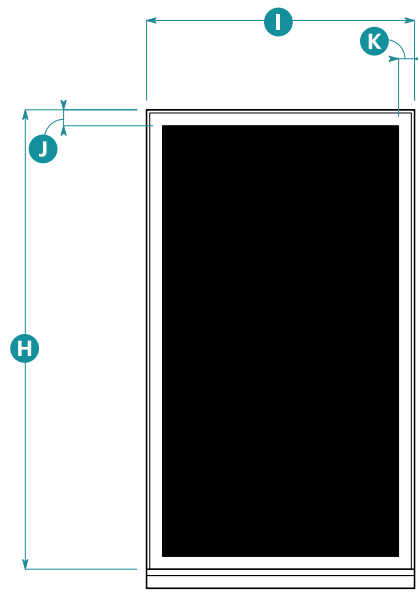
*Upper Floor Ganged Window Elevation*



*Upper Floor Picture Window Elevation*



*Ground Floor Ganged Window Elevation*

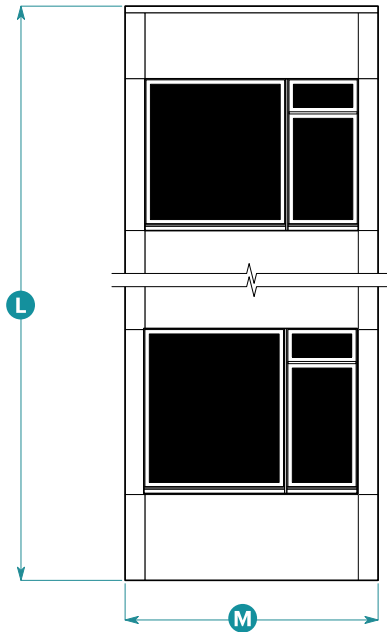


*Ground Floor Picture Window Elevation*

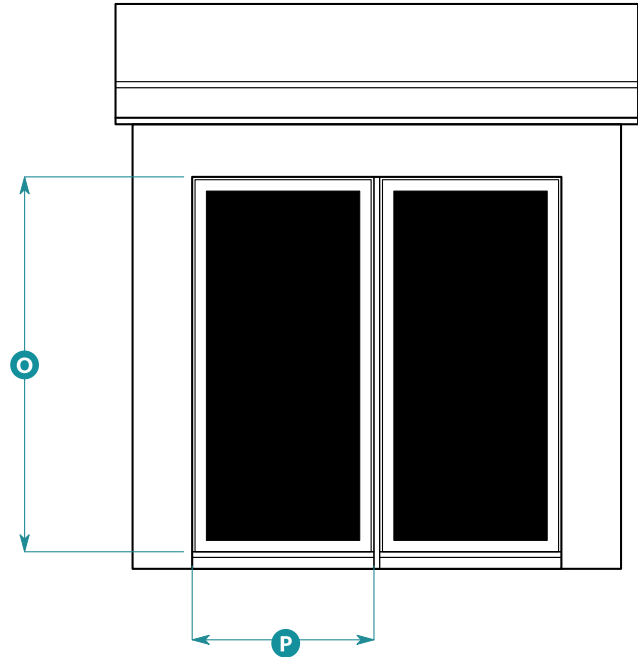




Bay Window Plan



Bay Window Elevation



Dormer Elevation

**10. Bay Windows**

**Form**

Type Square<sup>4</sup>

**Size**

Height L  
 On buildings with heights up to 3 stories 2 stories max.

Width 6'0" min.; 12'0" max. M

Depth 1'0" min.; 3'0" max. N

**Additional Standards**

Multi-story bay window form shall be vertically continuous.  
 Continuous horizontal articulation on building shall wrap bay form.

<sup>4</sup>Corner bay may be turned on side to be rotated 45 degrees from building corner.

**11. Dormers**

**Roof Form**

Type Shed

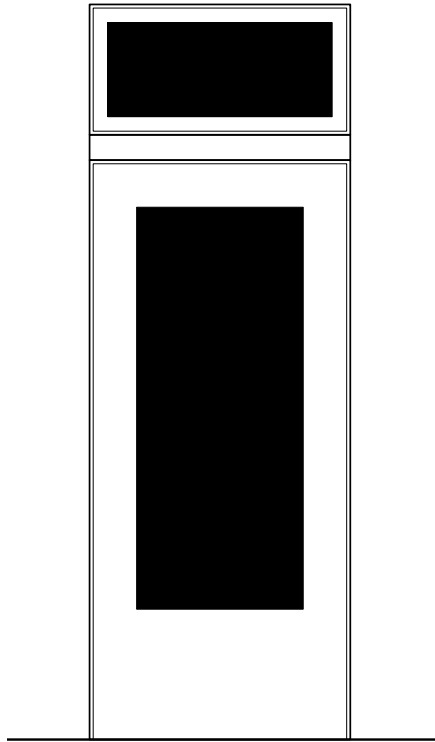
Pitch 2:12 min.; 6:12 max.

**Window**

Proportion, Height 2.0 min.  
O to Width P

Width 2'6" min. P

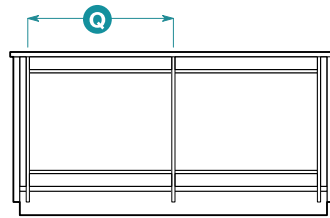
Dormers allowed only for buildings with half stories.  
 See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.



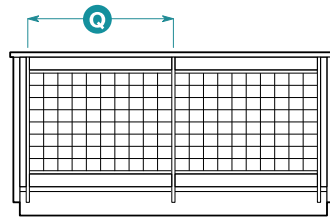
Entry Door Elevation

12. Entry Doors	
Surround <sup>5</sup>	
Head Width	4" min.
Jamb Width	4" min.
Additional Elements	
Transom	Allowed
Pediment	Not Allowed

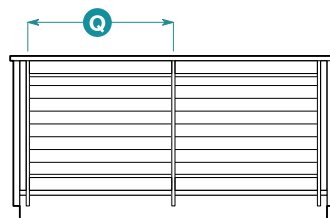
<sup>5</sup>Surround required for doors only on buildings or parts of buildings with lap siding.



Type 1  
Panel Guardrail



Type 2  
Mesh Guardrail

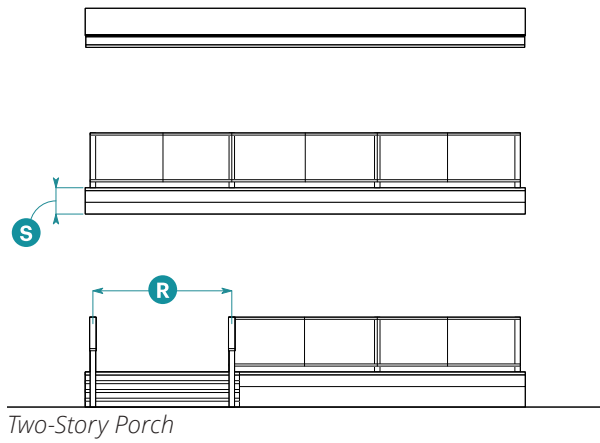
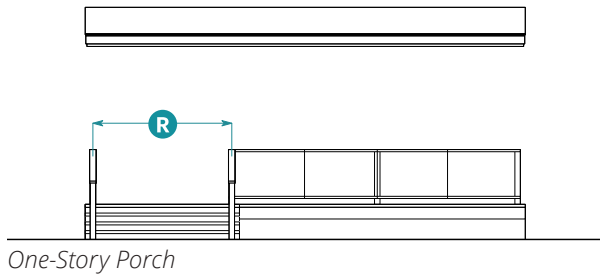


Type 3  
Horizontal Guardrail

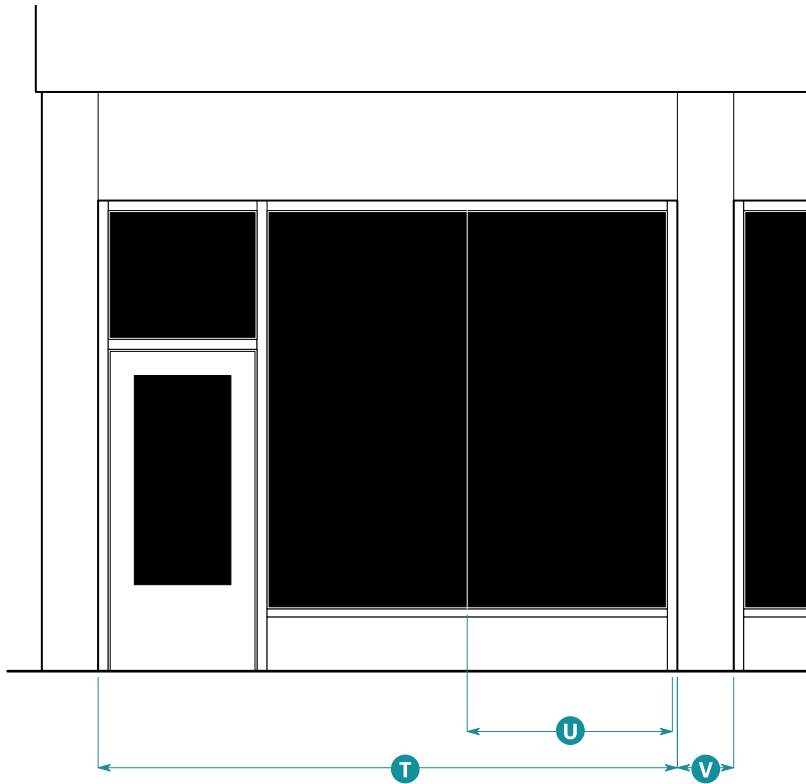
Balcony Front Elevation

13. Balconies	
Allowed Materials	
Type 1 - Panel Guardrail	
Post	Metal
Baluster	Metal panel
Handrail	Metal, glass
Fascia	Metal, composite wood, wood
Type 2 - Mesh Guardrail	
Post and Handrail	Metal
Baluster	Metal mesh
Fascia	Metal, composite wood, wood
Type 3 - Horizontal Guardrail	
Post and Handrail	Metal
Baluster	Metal, steel cable
Fascia	Metal, composite wood, wood
Size	
Overall Balcony Width	10'0" max.
Width Between Posts	3' min.

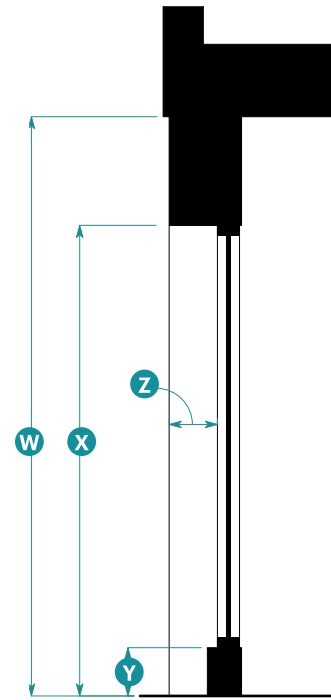




14. Porches	
<b>Columns</b>	
Shape	Cantilevered (no columns) or Pilotis
Diameter	4" max.
Spacing	8'0" max. on center <span style="float: right;">R</span>
<b>Entablature</b>	
<b>Height of Entablature Supporting Deck</b>	
Overall	10" min. <span style="float: right;">S</span>
No porch or deck on or above roof structure	



Storefront Elevation



Storefront Section

**15. Storefronts**

**Width**

Storefront Module	10'0" min.; 15'0" max.	T
Display Window	3'0" min.; 4'0" max.	U
Distance Between Storefront Modules	1'0" min.; 2'0" max.	V

**Height**

Overall	12'0" min.	W
Head Height	11'0" min.	X
Base	8" min.; 2'0" max.	Y

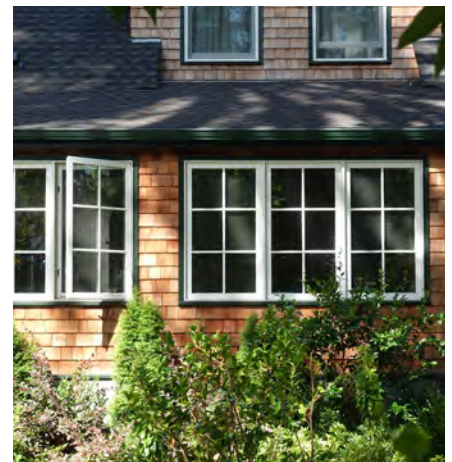
**Horizontal Recess**

Depth	6" min.; 3'0" max.	Z
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Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

<b>16. Materials</b>		
<b>Element</b>	<b>Allowed Materials</b>	<b>Required Finishes</b>
<b>Wall</b>		
Wall Cladding	Lap siding, composite wood, wood, fiber cement, stucco, metal panel	No Finish, or Whites, Greys, Browns, or Beiges
<b>Base or Foundation</b>		
Base or Foundation	Brick, concrete, stone, stucco, composite wood, wood, fiber cement	No Finish, or Whites, Greys, Browns, or Beiges
<b>Roof and Roof Elements</b>		
Roofing	Asphalt shingles, wood shingles, standing seam metal	Browns, Blacks, or Beiges
Rake and Eave	Composite wood, wood, steel	N/A
Gutter	Metal box	N/A
<b>Windows, Bay Windows, and Entry Doors</b>		
Entry Door	Wood, aluminum, fiberglass, composite wood	No Finish, or Whites, Greys, Browns, or Beiges
Window Frames	Wood, aluminum clad wood, aluminum, fiberglass	No Finish, or Whites, Greys, Browns, or Beiges
Glazing	Clear glass; shall not be tinted, mirrored, or colored	N/A
<b>Balconies</b>		
See Subsection 13 (Balconies) for allowed materials.		
<b>Porches</b>		
Columns	Composite wood, wood, fiberglass, metal	N/A
Railing	Composite wood, wood, metal	N/A
<b>Storefronts</b>		
Storefront	Composite wood, wood, metal	N/A
Storefront Base	Stucco, concrete	N/A

22.08.060 Craftsman



General note: The images above and the descriptions in Subsections 1 and 2 below are intended to provide a brief overview of the architectural style and are descriptive, not regulatory.

1. Description of Style

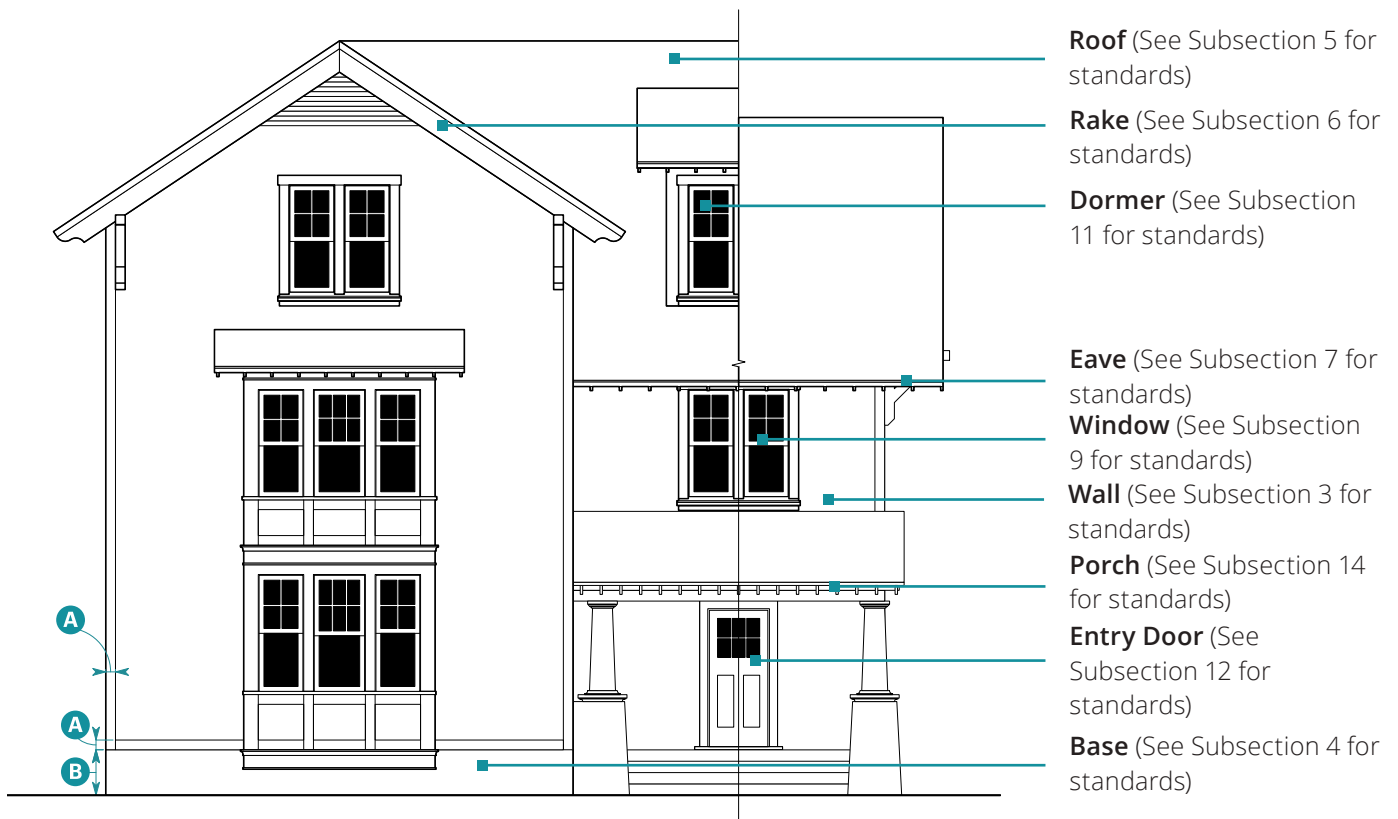
The Craftsman style emerged in the American west inspired by the English Arts and Crafts movement. The Craftsman bungalow house was prevalent from the 1900's to the 1940's. Since that time, it has adapted to multifamily and mixed-use prototypes.

2. Typical Characteristics

- Low-pitched roofs with deep eaves and exposed rafter tails
- Horizontally proportioned openings made from ganged vertical windows
- Emphasis on natural materials including wood shingles
- Asymmetrical composition with wall plane broken by projecting gable ends
- Wall plane broken by projecting and/or recessed elements

# Elements of Craftsman Style – Multifamily Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



Prototypical Building Elevation

3. Wall	
<b>Trim<sup>1</sup></b>	
Width	4" min. <span style="float: right;">A</span>

<sup>1</sup>Trim not required on buildings or portions of buildings where stucco is the primary wall material.

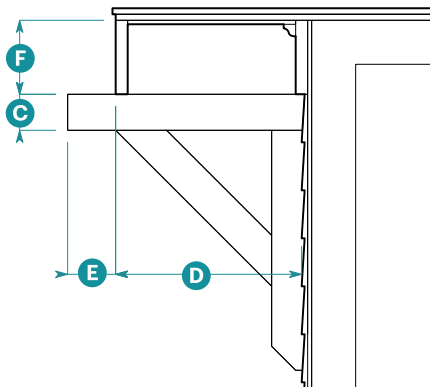
4. Base	
Height	1'0" min.; 1/2 story max. <span style="float: right;">B</span>

# Elements of Craftsman Style – Mixed-Use Prototype

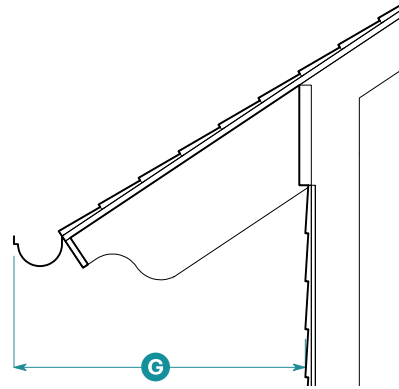
Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



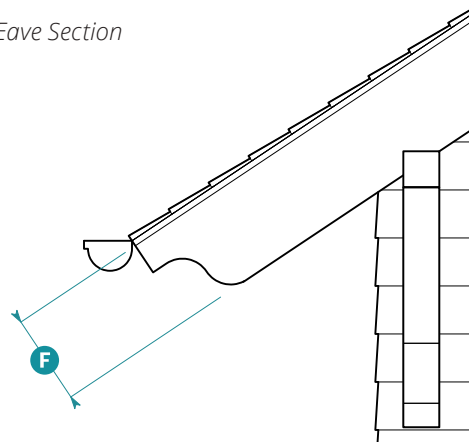




Rake Section



Eave Section



Eave Elevation

**5. Building Roof**

Building Roof Standards	Sloped Roof	Flat Roof
<b>Applicable Subsections</b>		
Subsection 6 (Rake)	A	N/A
Subsection 7 (Eave)	A	N/A
Subsection 8 (Parapet)	N/A	A
<b>Form</b>		
Pitch	4:12 min.; 10:12 max.	N/A

**6. Rake**

<b>Height</b>		
Bracket Bracing Member	4" min.	<b>C</b>
<b>Horizontal Projection</b>		
Projection to Fascia	1'8" min. 3'0" max;	<b>D</b>
Bracket Projection Beyond Fascia	No min.; 1'0" max.	<b>E</b>

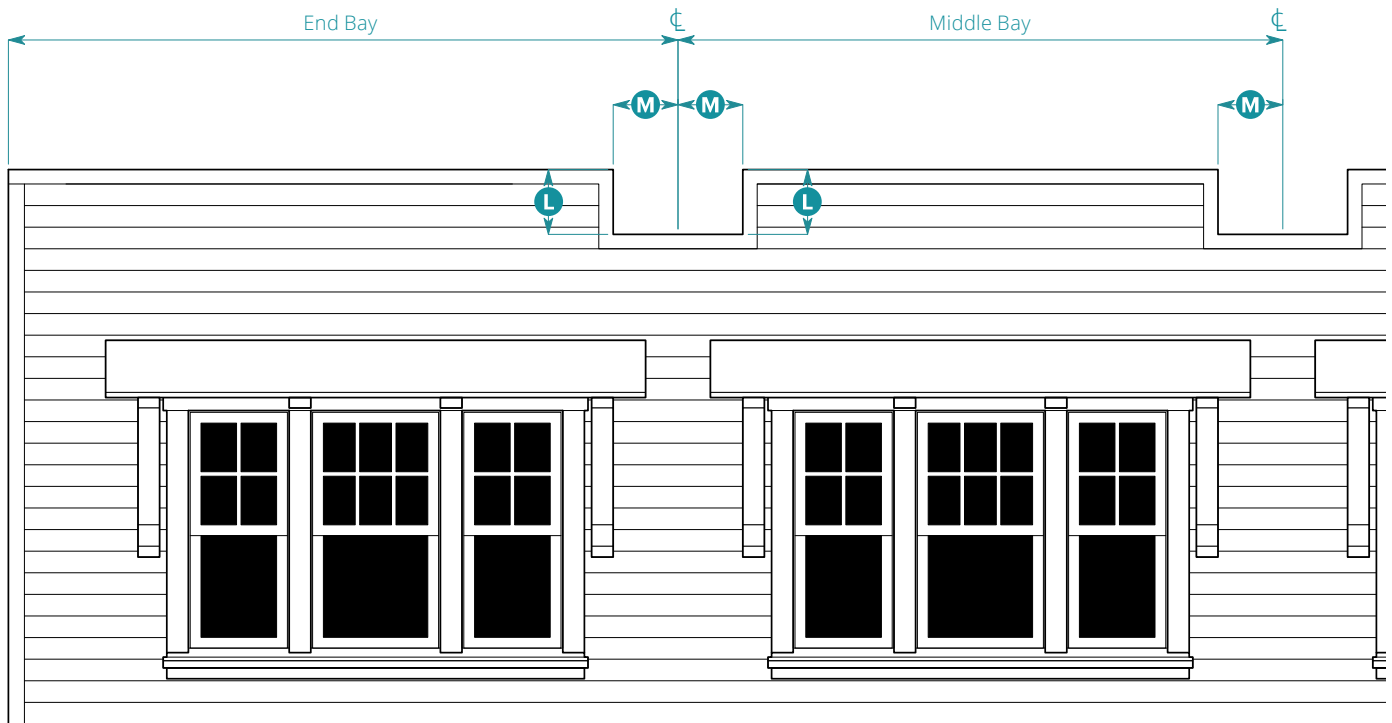
See Subsection 7 (Eave) for height standards.

**Key** A = Applicable N/A = Not Applicable

**7. Eave**

<b>Allowed Types</b>		
Eave Types	Open	
<b>Height</b>		
Fascia	10" min.	<b>F</b>
<b>Horizontal Projection <sup>2</sup></b>		
Overall	2'6" min.	<b>G</b>

<sup>2</sup> Horizontal projection includes gutter.



Parapet Elevation

**8. Parapet**

**Canopy**

Parapet may include canopy.

Eave Height 6" min. **H**

Horizontal Projection<sup>3</sup> 3'0" min. **I**

Required Support Brackets  
Elements

Bracket Width 4" min. **J**

Roof Pitch 3:12 min. **K**

**Crenellation**

Parapet shall be crenellated.

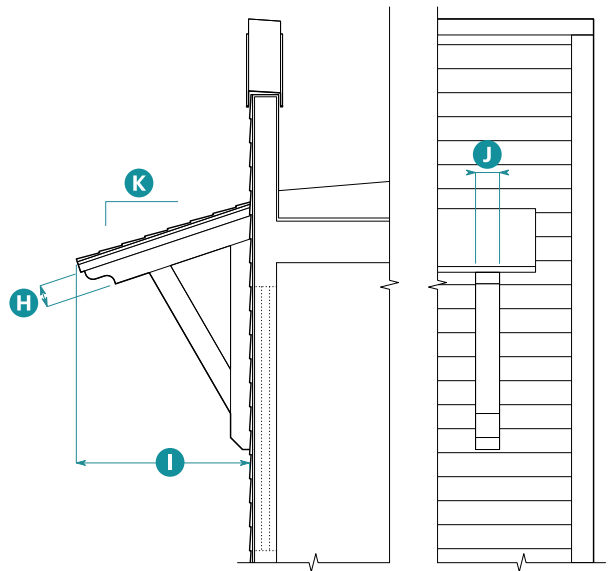
Crenel Height 1'0" min. **L**

Width, from Center 1'0" min. **M**

Line

Crenel may not occur at building corner or end bays.

<sup>3</sup>Horizontal projection includes gutter.



Parapet Section

Parapet Elevation

**9. Windows**

**Opening**

Proportion, Height **N** to Width **O**<sup>4</sup>

Ground Floor	2.0 min.
Upper Floor	1.75 min.
Dormer	See Subsection 11 (Dormers) for standards.

Typical Sizes, Width **O** x Height **N**

Ground Floor, Typical	3'0" x 6'0"
Ground Floor, Ganged	2'4" x 6'0"
Ground Floor, Picture	4'6" x 6'0"
Upper Floor, Typical	3'0" x 5'6"
Upper Floor, Ganged	2'4" x 5'6"
Upper Floor, Picture	4'6" x 5'6"
Privacy	2'0" x 4'0"

Shape	Square
Operation	Single Hung, Double Hung, Casement

**Window**

Glazing Divisions	6 over 1; 4 over 1; 10 over 1
-------------------	-------------------------------------

Frame Width (Frame + Sash)		
At Rail	2.5" min. ± 1/4"	<b>P</b>
At Stile	2.5" min. ± 1/4"	<b>Q</b>

Trim Widths		
Head	6" min.	<b>R</b>
Jamb	6" min.	<b>S</b>
Apron	3" min.	<b>T</b>

**Window Frame Recess**

Depth	2" min.
-------	---------

**Sill**

Depth	3" min.
-------	---------

**Pediment**

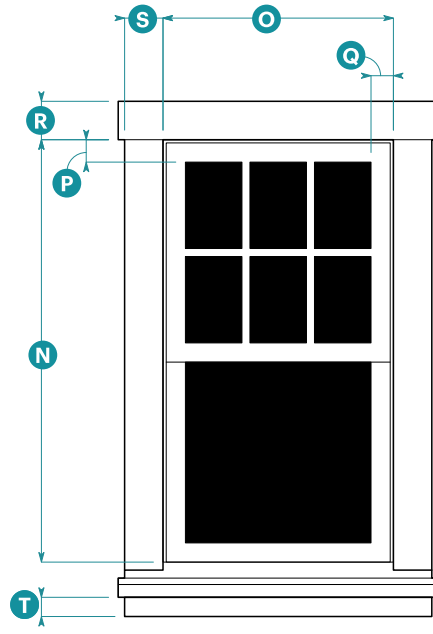
Allowed	No
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**Mullions**

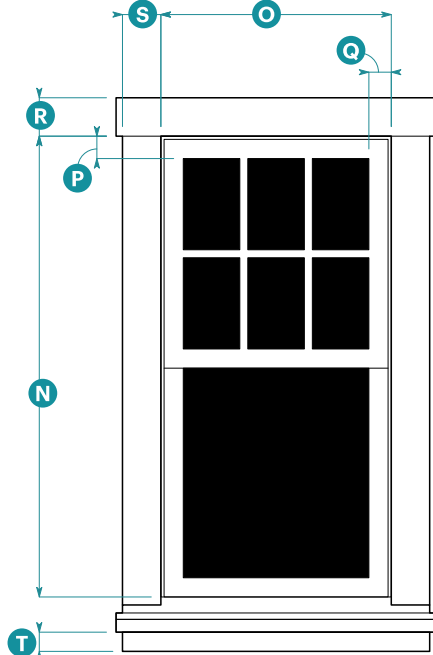
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

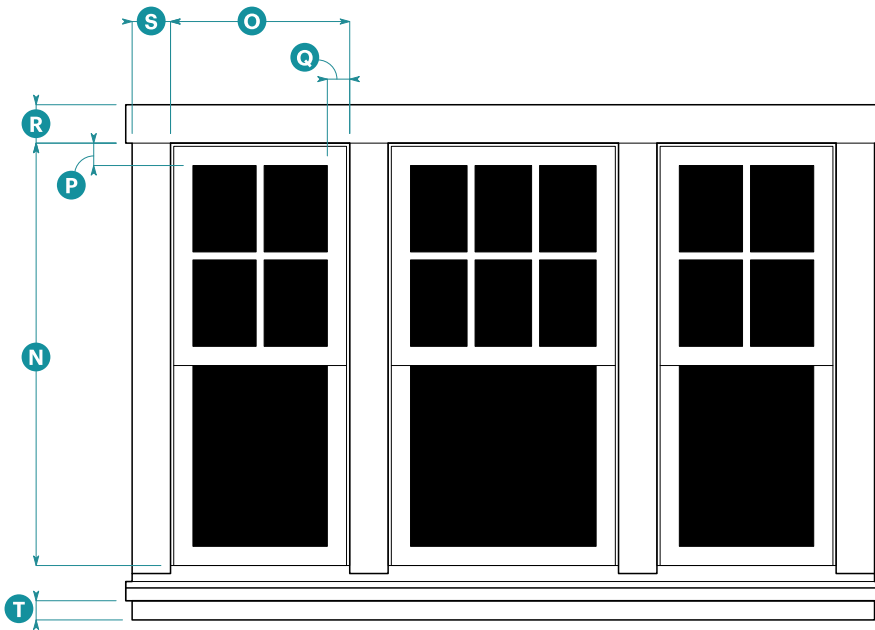
<sup>4</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



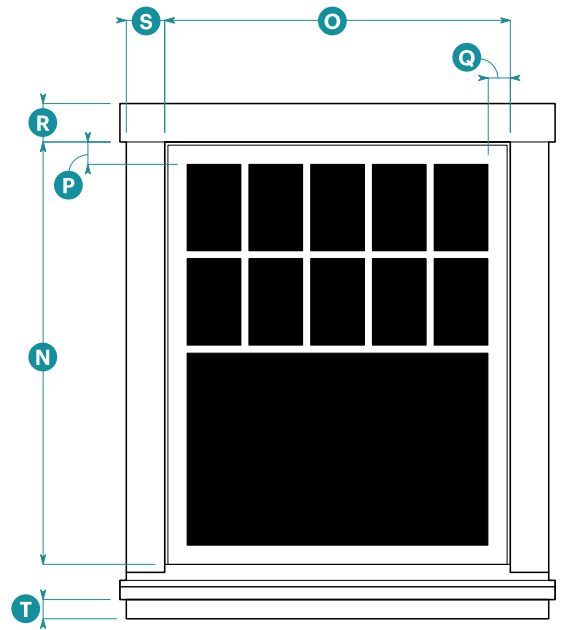
Upper Floor Typical Window Elevation  
6 over 1



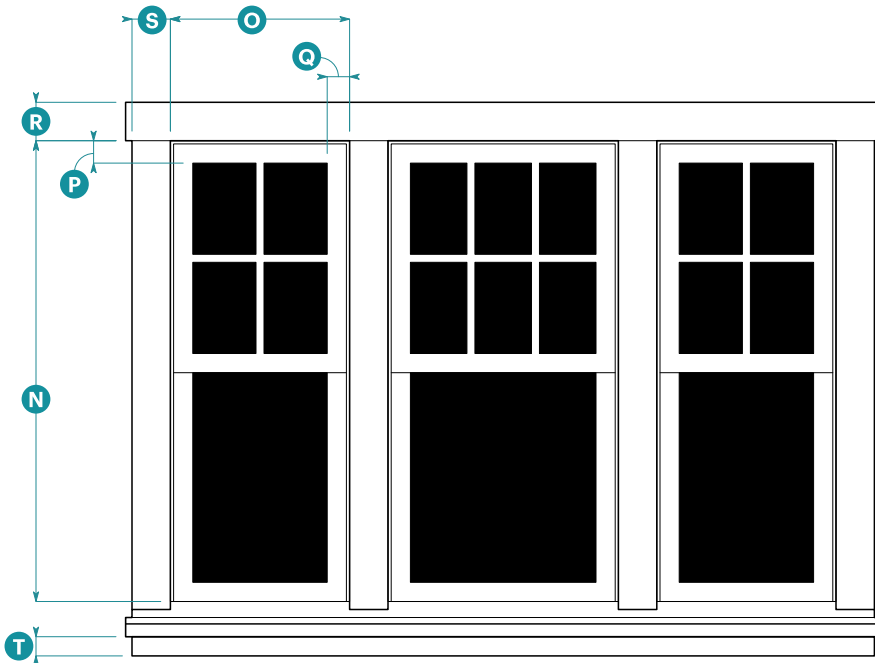
Ground Floor Typical Window Elevation  
6 over 1



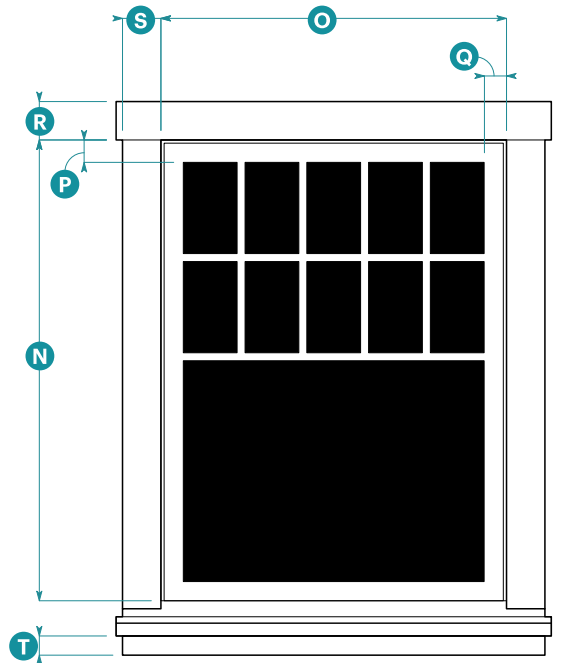
*Upper Floor Ganged Window Elevation  
4 over 1 and 6 over 1*



*Upper Floor Picture Window Elevation  
10 over 1*



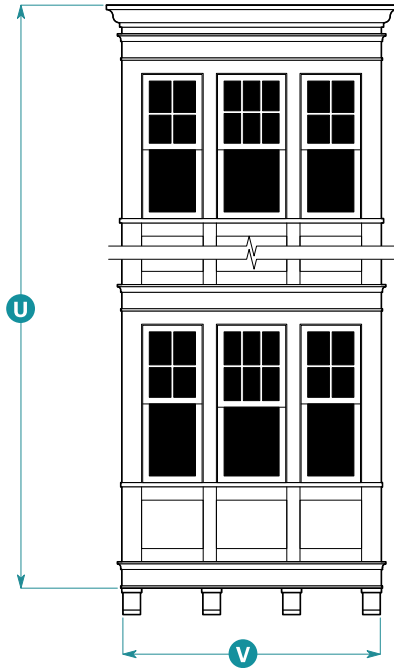
*Ground Floor Ganged Window Elevation  
4 over 1 and 6 over 1*



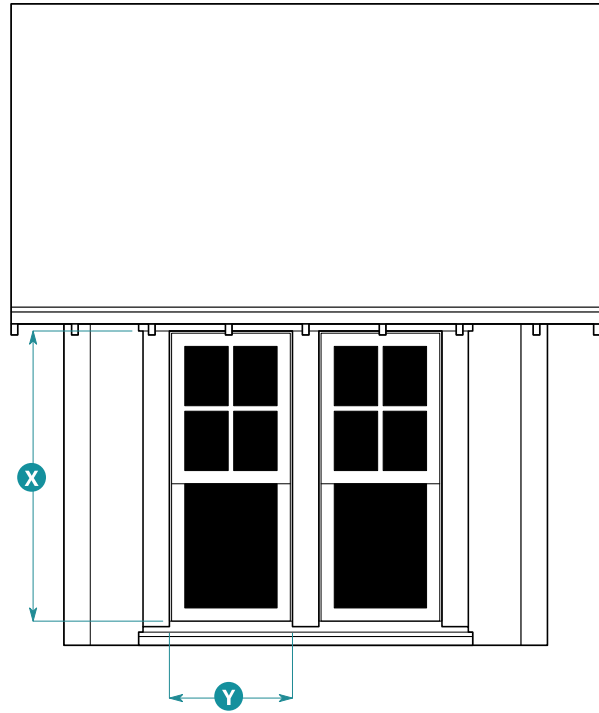
*Ground Floor Picture Window Elevation  
10 over 1*



Bay Window Plan



Bay Window Elevation



Dormer Elevation

**10. Bay Windows**

**Form**

Type Square<sup>5</sup>

**Size**

Height U  
 On buildings with heights up to 3 stories 2 stories max.

Width V  
 6'0" min.; 12'0" max.

Depth W  
 1'0" min.; 3'0" max.

**Cornice Types**

- Building parapet wraps bay.
- Bay stops below building eave (bay has own cornice).
- Bay returns into building eave (bay never projects above the building eave).

<sup>5</sup>Corner bay may be turned on side to be rotated 45 degrees from building corner.

**10. Bay Windows (Continued)**

**Additional Standards**

- Bay depth not allowed to project beyond eave depth.
- Multi-story bay window form shall be vertically continuous.
- Continuous horizontal articulation on building shall wrap bay form.

**11. Dormers**

**Roof Form**

Type Shed or Gable  
 Pitch 2:12 min.; 5:12 max.

**Horizontal Projection**

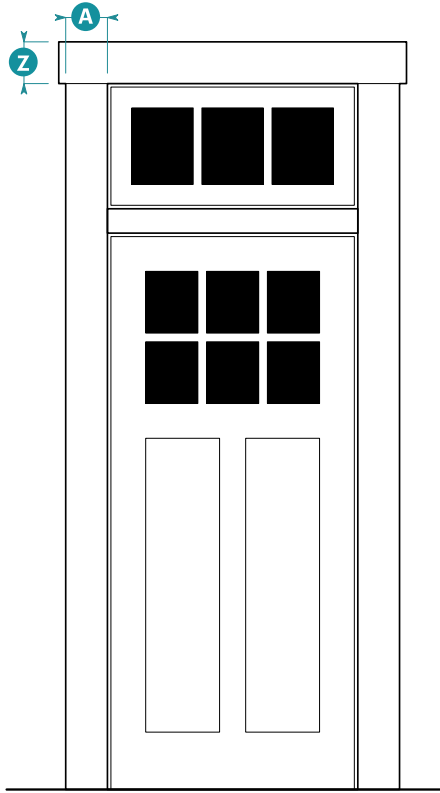
Eave 8" min.  
 Rake 8" min.

**Window**

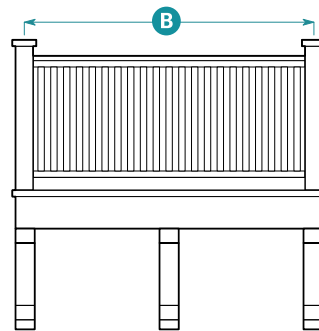
Proportion, Height 1.75 min.  
X to Width Y

- Dormers allowed only for buildings with half stories.
- Pediment not allowed.

See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.



Entry Door Elevation



Balcony Front Elevation

**12. Entry Doors**

**Door**

Number of Panels 2 min.

**Surround**

Head Width 6" min. **Z**

Jamb Width 4" min. **A**

**Additional Elements**

Transom Allowed

Pediment Not Allowed

**13. Balconies**

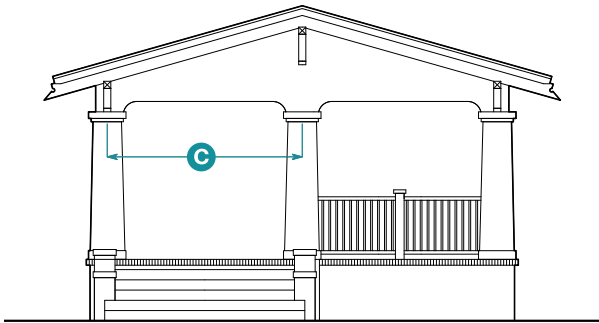
**Allowed Materials**

Post, Baluster, Handrail, and Fascia Metal, composite wood, wood

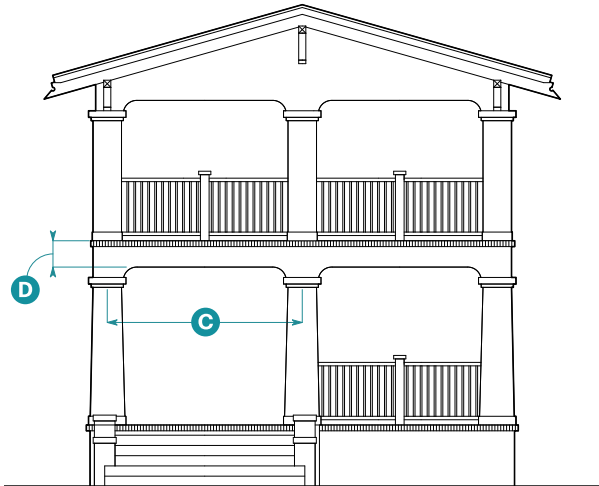
**Size**

Overall Balcony Width 10'0" max.

Width Between Posts 3' min. **B**



One-Story Porch

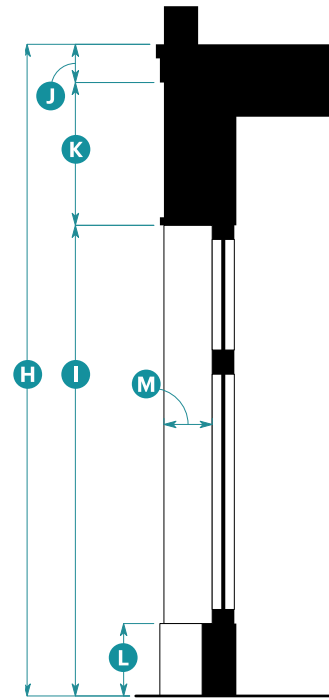


Two-Story Porch

14. Porches	
<b>Columns</b>	
Shape	Square-tapered
Base Width	1'10" min.
Spacing	9'6" min.; 12' max. on center <span style="float: right;">C</span>
<b>Entablature</b>	
<b>Height of Entablature Supporting Deck</b>	
Overall	10" min. <span style="float: right;">D</span>
No porch or deck on or above roof structure	



Storefront Elevation



Storefront Section

**15. Storefronts**

**Width**

Storefront Module	10'0" min.; 15'0" max.	<b>E</b>
Display Window	3'0" min.; 4'0" max.	<b>F</b>
Distance Between Storefront Modules	1'0" min.; 2'0" max.	<b>G</b>

**Height**

Overall	13'0" min.	<b>H</b>
Head Height	10'0" min.	<b>I</b>
Cornice	10" min.	<b>J</b>
Signage Band	1'6" min.	<b>K</b>
Base	1'0" min.; 2'0" max.	<b>L</b>

**Horizontal Recess**

Depth	1'0" min.; 2'0" max.	<b>M</b>
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Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

Cornice shall be continuous.



<b>16. Materials</b>		
<b>Element</b>	<b>Allowed Materials</b>	<b>Required Finishes</b>
<b>Wall</b>		
Wall Cladding	Shingle and lap siding: composite wood, wood, fiber cement; and stucco	Transparent, Whites, Greys, Browns, or Beiges
<b>Base</b>		
Base or Foundation	Stone, cast stone, painted concrete	Transparent, Whites, Greys, Browns, or Beiges
<b>Roof and Roof Elements</b>		
Roofing	Asphalt shingles, wood shingles, standing seam metal	Browns, Blacks, or Beiges
Rake and Eave	Composite wood, wood	N/A
Cornice	Composite wood, wood	N/A
Brackets	Composite wood, wood, fiberglass	N/A
Gutter	Metal half-round	N/A
<b>Windows, Bay Windows, and Entry Doors</b>		
Trim or Surround	Composite wood, wood, fiber cement	Transparent, Whites, Greys, Browns, or Beiges
Entry Door	Wood, aluminum, fiberglass, composite	Transparent, Whites, Greys, Browns, or Beiges
Window Frames	Wood, aluminum-clad wood, aluminum, fiberglass	Transparent, Whites, Greys, Browns, or Beiges
Glazing	Clear glass; shall not be tinted, mirrored, or colored	N/A
<b>Balconies</b>		
See Subsection 13 (Balconies) for allowed materials.		
<b>Porches</b>		
Columns	Composite wood, wood, metal	N/A
Railing	Composite wood, wood, metal	N/A
<b>Storefronts</b>		
Columns	Composite wood, wood, fiberglass, metal	N/A
Storefront Base	Wood panels, brick, stone tile, fiber cement	N/A

**22.08.070 East Coast Cottage**



*General note: The images above and the descriptions in Subsections 1 and 2 below are intended to provide a brief overview of the architectural style and are descriptive, not regulatory.*

**1. Description of Style**

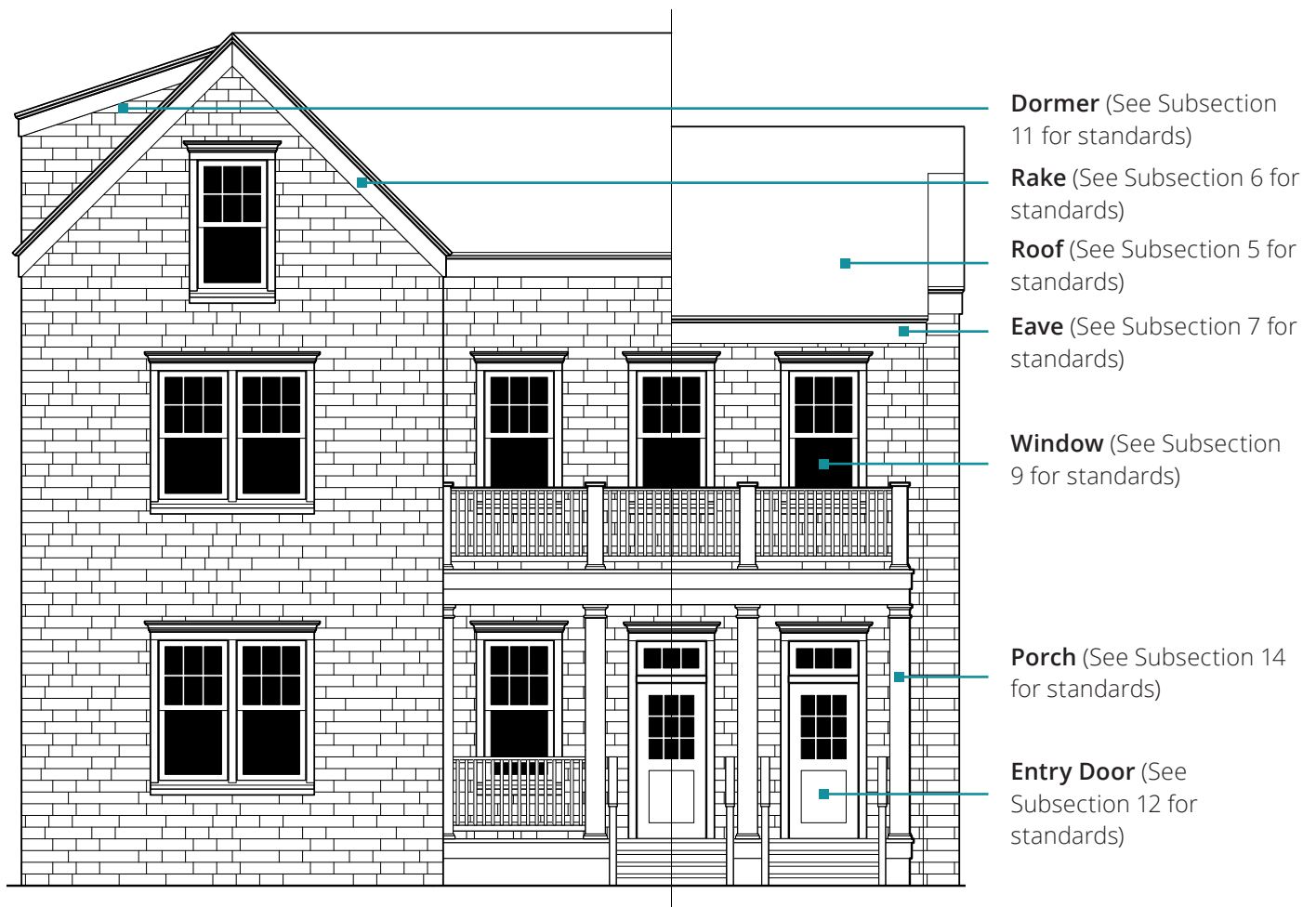
East Coast Cottage style buildings are influenced by the shingle style and may take on traditional or contemporary expression. Gabled or gambrel roof forms are used as a major compositional element to emphasize individual bays and create half-story roof forms.

**2. Typical Characteristics**

- Prominent gabled or gambrel roof forms
- Vertically proportioned openings with surround
- Painted trim, often white in color
- Shingle or horizontal lap siding as primary facade materials
- Top story partially within roof with shed dormers

# Elements of East Coast Cottage Style – Multifamily Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



Prototypical Building Elevation

### 3. Wall

No wall standards apply to this style. See Subsection 16 (Materials) for materials standards.

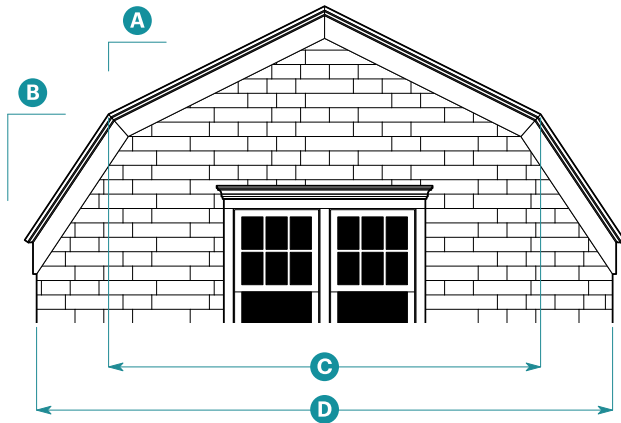
### 4. Base

None required

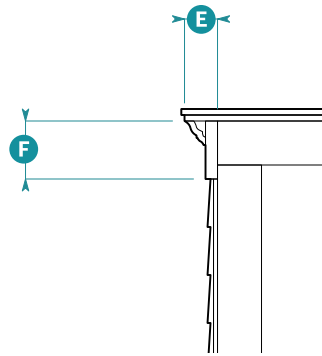
## Elements of East Coast Cottage Style – Mixed-Use Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.

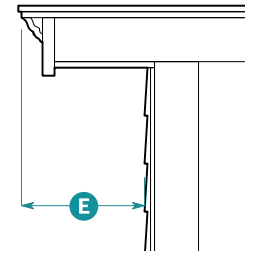




Gambrel Roof Form Elevation



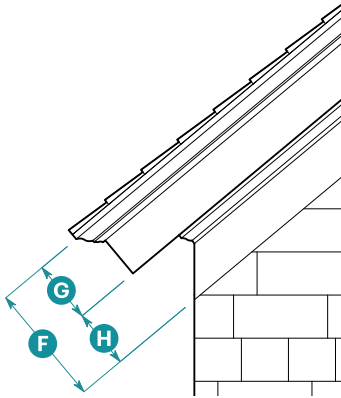
Flush Profile Rake Section



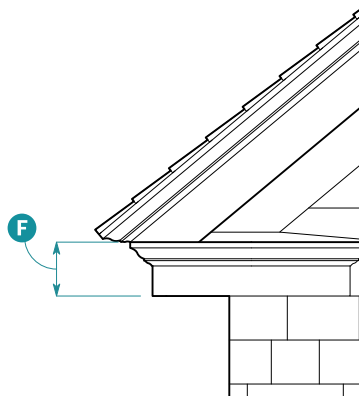
Projecting Profile Rake Section

5. Building Roof		
Building Roof Form		
Allowed Forms	Gable, Gambrel	
<b>Gable</b>		
Pitch	6:12 min., 12:12 max.	
<b>Gambrel</b>		
Pitch		
Top	3:12 min., 9:12 max.	A
Bottom	9:12 min., 24:12 max.	B
Width of Top Pitch	50% min., 75% max. of overall roof width	C, D

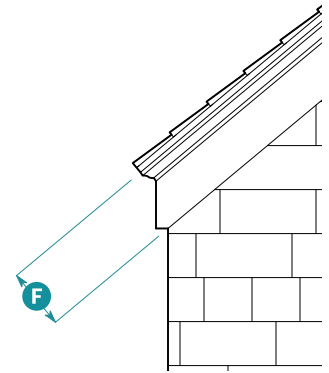
6. Rake		
Standards	Flush Profile	Projecting Profile
Horizontal Projection	No min.; 2" max.	6" min.; 1'0" max. E
See Subsection 7 (Eave) for height standards.		



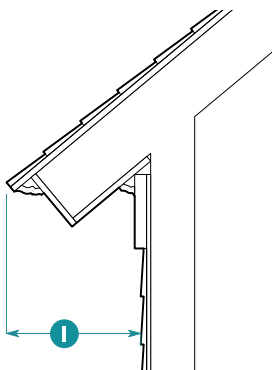
Open Eave Elevation



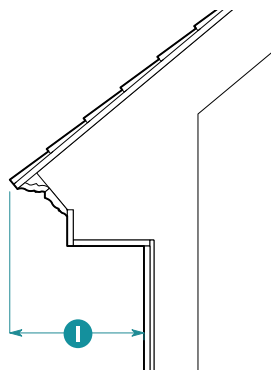
Returned Eave Elevation



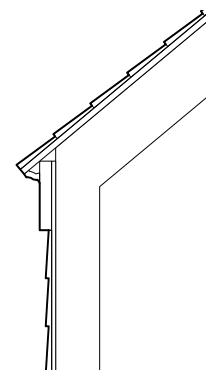
Closed Eave Elevation



Open Eave Section



Returned Eave Section



Closed Eave Section

**7. Eave**

**Allowed Types**

Eave Types Open, Returned, Closed

Standards	Open Eave	Returned Eave	Closed Eave
-----------	-----------	---------------	-------------

**Height**

Overall	1'6" min.	1'6" min.	10" min.	F
Crown Mold and Fascia	10" min.	N/A	N/A	G
Trim Band	8" min.	N/A	N/A	H

**Horizontal Projection<sup>1</sup>**

Overall	1'0" min.	1'0" min.	2" max.	I
---------	-----------	-----------	---------	---

<sup>1</sup>Horizontal projection includes gutter.

**8. Parapet**

No flat roofs are allowed in this style and parapet standards are not applicable. See Subsection 5 (Roof), Subsection 6 (Rake) and Subsection 7 (Eave) for standards applicable to sloped roofs.

**Key** N/A = Not Applicable

**9. Windows**

**Opening**

Proportion, Height <b>J</b> to Width <b>K</b> <sup>2</sup>	
Ground Floor	2.0 min.
Upper Floor	1.75 min.
Dormer	See Subsection 11 (Dormers) for standards.

Typical Sizes, Width **K** x Height **J**

Ground Floor, Typical	3'0" x 6'0"
Ground Floor, Ganged	3'0" x 6'0"
Ground Floor, Picture	4'6" x 6'0"
Upper Floor, Typical	3'0" x 5'6"
Upper Floor, Ganged	3'0" x 5'6"
Upper Floor, Picture	4'6" x 5'6"
Privacy	2'0" x 4'0"

Shape	Square
-------	--------

Operation	Single Hung, Double Hung, Casement
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**Window**

Glazing Divisions	6 over 1
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Frame Width (Frame + Sash)

At Rail	2.5" min. ± 1/4"	<b>L</b>
At Stile	2.5" min. ± 1/4"	<b>M</b>

Trim Widths

Head	4" min.	<b>N</b>
Jamb	4" min.	<b>O</b>
Apron	3" min.	<b>P</b>

**Window Frame Recess**

Depth	2" min.
-------	---------

**Sill**

Depth	3" min.
-------	---------

**Pediment**

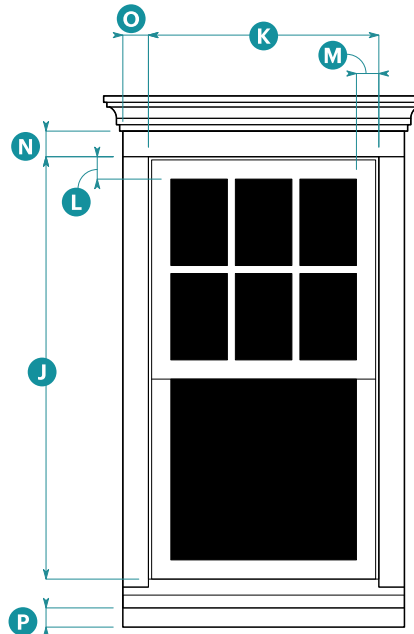
Allowed	No
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**Mullions**

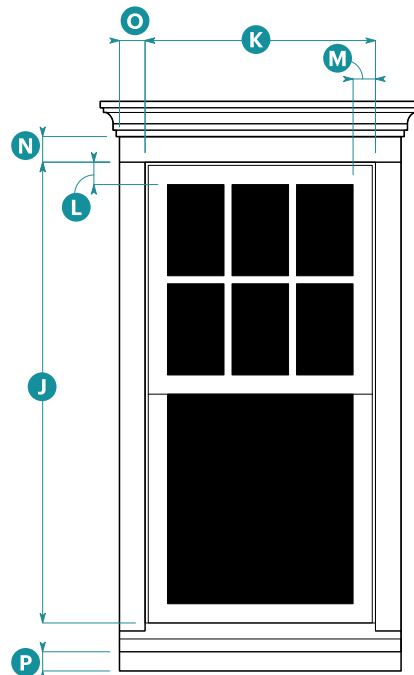
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

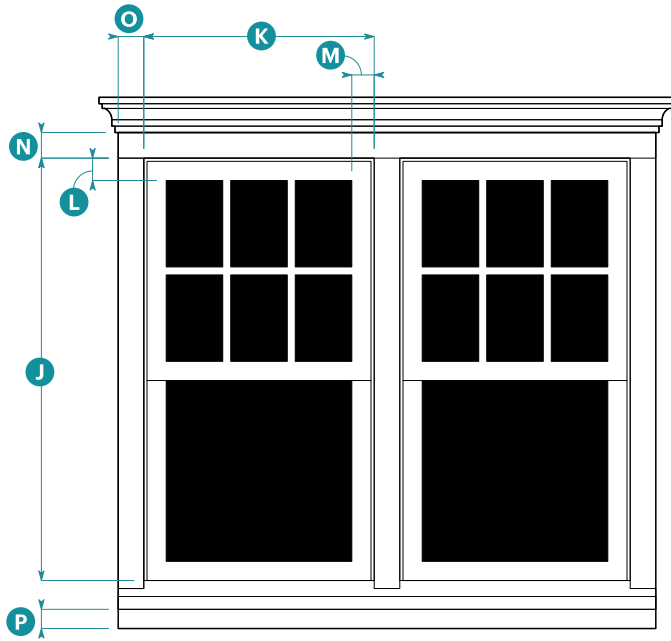
<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



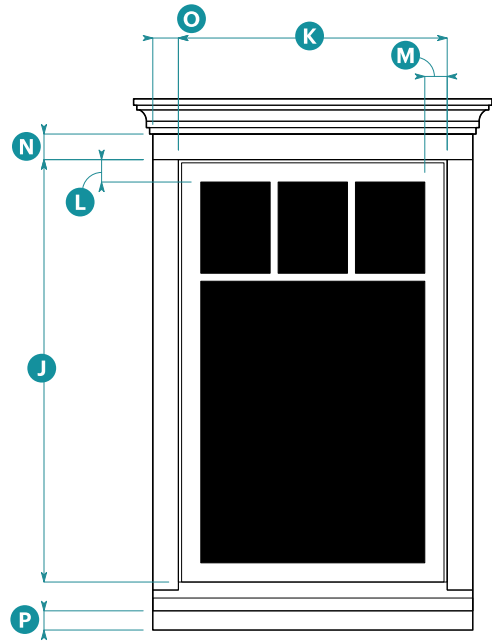
Upper Floor Typical Window Elevation  
6 over 1



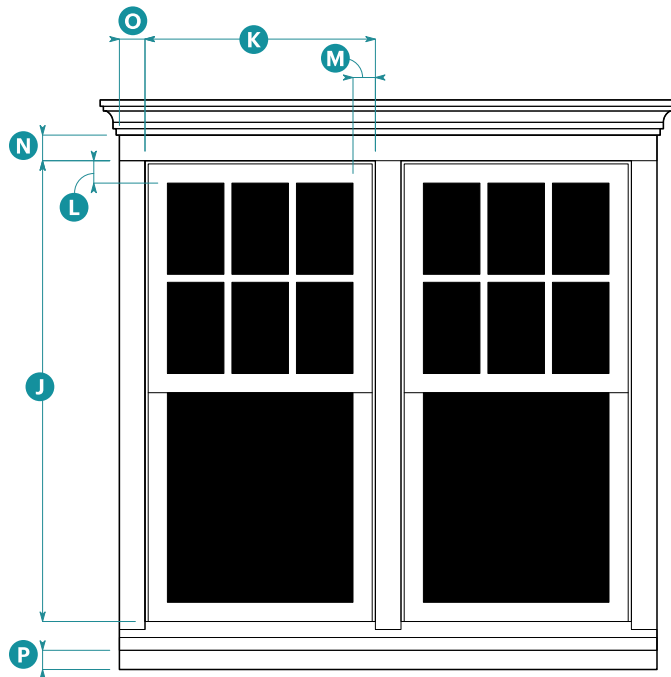
Ground Floor Typical Window Elevation  
6 over 1



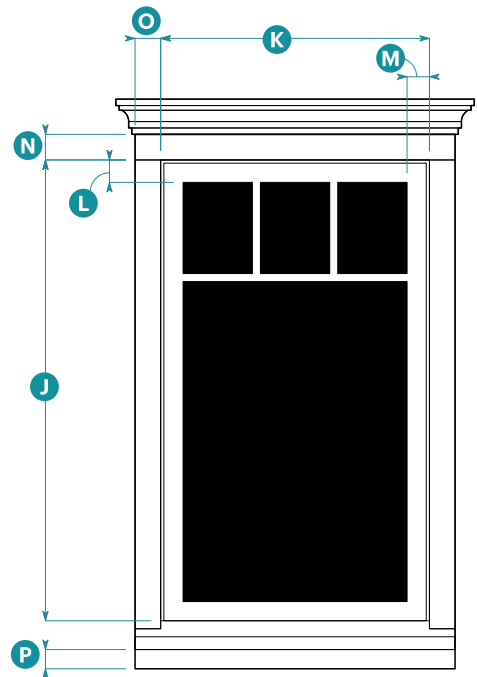
*Upper Floor Ganged Window Elevation  
6 over 1*



*Upper Floor Picture Window Elevation*



*Ground Floor Ganged Window Elevation  
6 over 1*



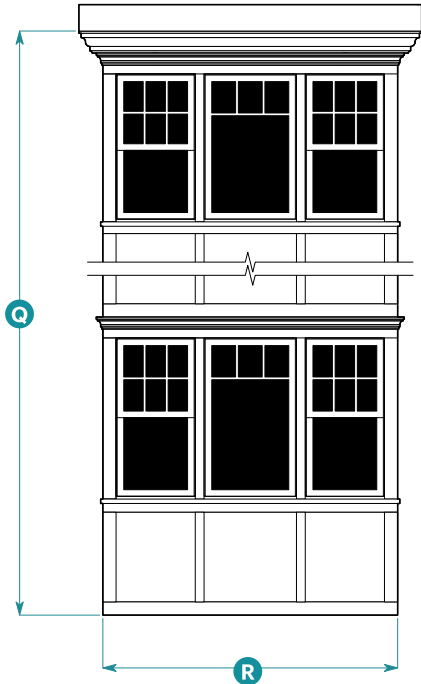
*Ground Floor Picture Window Elevation*



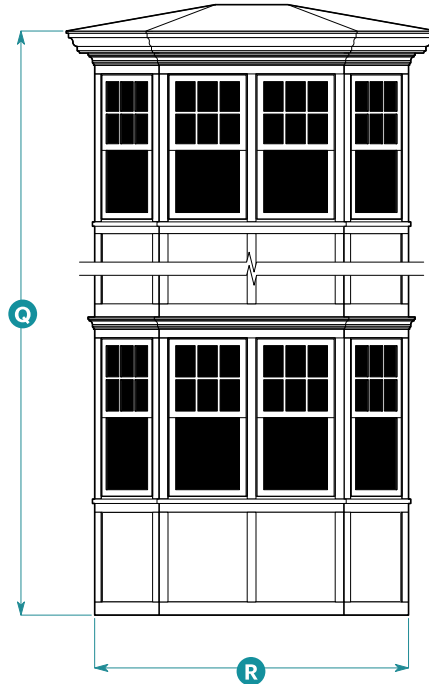


Square Bay Window Plan

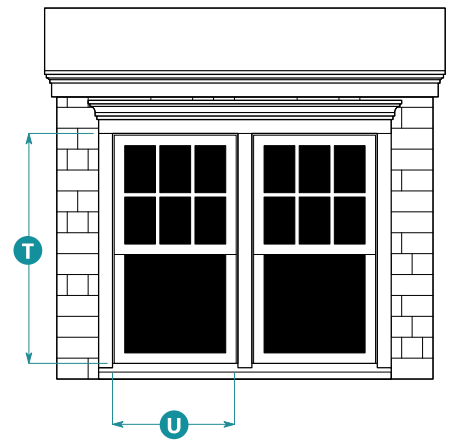
Chamfered Bay Window Plan



Square Bay Window Elevation



Chamfered Bay Window Elevation



Dormer Elevation

**10. Bay Windows**

**Allowed Types**

Bay Window Types Square,<sup>3</sup> Chamfered

**Chamfered Form Standards**

Interior Angle 30 degrees min.;  
55 degrees max.

Number of Faces 3 or 5

**Size**

Height **Q**

On buildings with heights up to 3 stories 2 stories max.

Width 6'0" min.; 12'0" max. **R**

Depth 1'0" min.; 3'0" max. **S**

**Cornice Types**

Cornice wraps bay.

<sup>3</sup>Corner bay may be turned on side to be rotated 45 degrees from building corner.

**10. Bay Windows (Continued)**

Bay stops below building cornice (bay has own cornice).

Bay returns into building cornice (bay never projects above the building cornice).

**Additional Standards**

Bay depth not allowed to project beyond eave depth.

Multi-story bay window form shall be vertically continuous.

Continuous horizontal articulation on building shall wrap bay form.

**11. Dormers**

**Roof Form**

Type Shed

Pitch 3:12 min.

**Window**

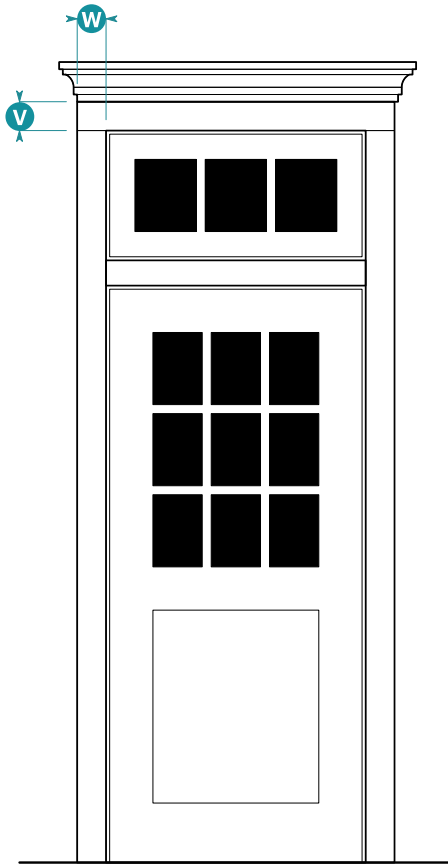
Proportion, Height **T** to 1.75 min.

Width **U**

Dormers allowed only for buildings with half stories.

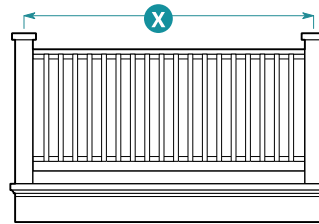
Pediment not allowed.

See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.

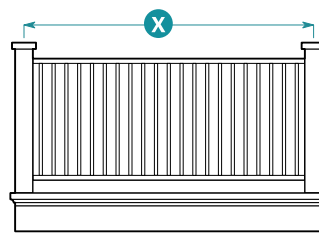


Entry Door Elevation

12. Entry Doors	
<b>Door</b>	
Number of Panels	2 min.
<b>Surround</b>	
Head Width	4" min. <span style="float: right;">V</span>
Jamb Width	4" min. <span style="float: right;">W</span>
<b>Additional Elements</b>	
Transom	Allowed
Pediment	Allowed



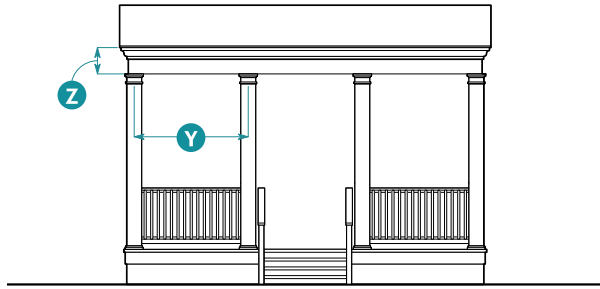
Type 1  
Square Guardrail



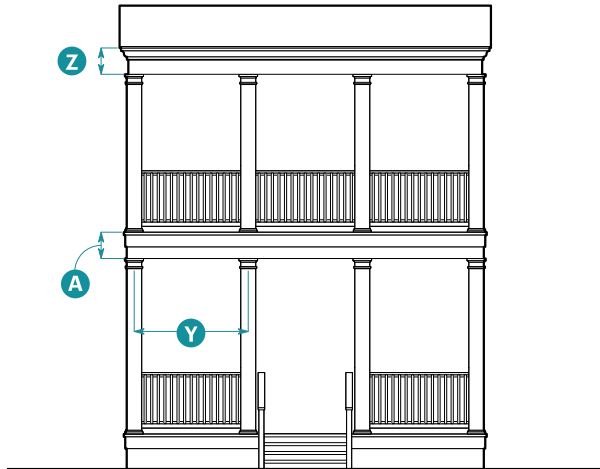
Type 2  
Metal Guardrail

Balcony Front Elevation

13. Balconies	
<b>Allowed Materials</b>	
<b>Type 1 - Square Guardrail</b>	
Post, Baluster, Handrail, Fascia, and Brackets	Metal, composite wood, wood
<b>Type 2 - Metal Guardrail</b>	
Post, Handrail, Fascia, and Brackets	Metal, composite wood, wood
Baluster	Metal
<b>Size</b>	
Overall Balcony Width	10'0" max.
Width Between Posts	3' min. <span style="float: right;">X</span>



One-Story Porch



Two-Story Porch

**14. Porches**

**Columns**

Shape	Clearly defined capital, base, and shaft; square stock with optional detailing
Width	8" min.
Spacing	8'0" max. on center <span style="float: right;">Y</span>

**Entablature**

**Height of Topmost Entablature**

Overall	1'6" min. <span style="float: right;">Z</span>
Fascia	10" min.

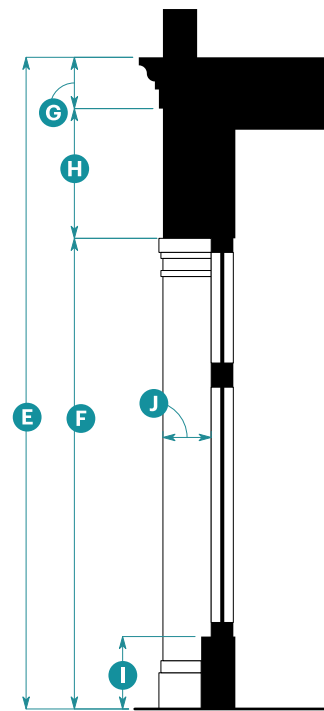
**Height of Floor-to-Floor Entablature**

Overall	10" min. <span style="float: right;">A</span>
---------	---

No porch or deck on or above roof structure



Storefront Elevation



Storefront Section

**15. Storefronts**

**Width**

Storefront Module	10'0" min.; 15'0" max.	<b>B</b>
Display Window	3'0" min.; 4'0" max.	<b>C</b>
Distance Between Storefront Modules	1'0" min.; 2'0" max.	<b>D</b>

**Height**

Overall	13'0" min.	<b>E</b>
Head Height	10'0" min.	<b>F</b>
Cornice	10" min.	<b>G</b>
Signage Band	1'6" min.	<b>H</b>
Base	1'0" min.; 2'0" max.	<b>I</b>

**Horizontal Recess**

Depth	6" min.; 1'0" max.	<b>J</b>
-------	--------------------	----------

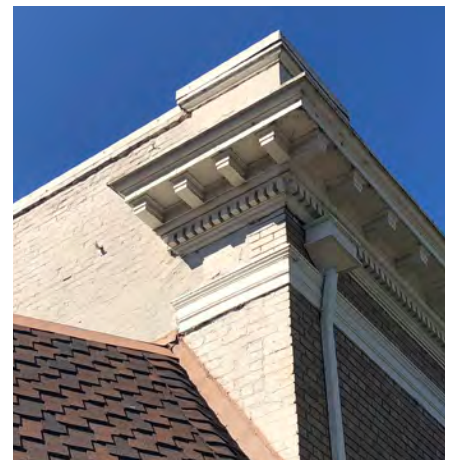
Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

Cornice shall be continuous.

<b>16. Materials</b>			
<b>Element</b>	<b>Allowed Materials</b>	<b>Required Finishes</b>	<b>Required Colors</b>
<b>Wall</b>			
Wall Cladding	Shingle and lap siding: composite wood, wood, fiber cement; and stucco	Transparent, semi-transparent, or painted	Blacks, greys, browns, or beiges
<b>Base</b>			
Base or Foundation	Stone, cast stone, painted concrete	N/A	N/A
<b>Roof and Roof Elements</b>			
Roofing	Composite (asphalt) shingles, wood shingles, standing seam metal	N/A	Browns, Blacks, or Beiges
Rake and Eave	Composite wood, wood	N/A	N/A
Cornice	Composite wood, wood	N/A	N/A
Brackets	Composite wood, wood, fiberglass	N/A	N/A
Gutter	Metal half-round	N/A	N/A
<b>Windows, Bay Windows, and Entry Doors</b>			
Trim or Surround	Composite wood, wood, fiber cement	Painted	Whites, Greys, Browns, or Beiges
Entry Door	Wood, aluminum, fiberglass, composite	N/A	N/A
Window Frames	Wood, aluminum-clad wood, aluminum, fiberglass	N/A	N/A
Glazing	Clear glass; shall not be tinted, mirrored, or colored	N/A	N/A
<b>Balconies</b>			
See Subsection 13 (Balconies) for allowed materials.			
<b>Porches</b>			
Columns	Composite wood, wood, metal	N/A	N/A
Railing	Composite wood, wood, metal	N/A	N/A
<b>Storefronts</b>			
Storefront	Composite wood, wood, fiberglass, metal	N/A	N/A
Storefront Base	Wood panels, brick, fiber cement	N/A	N/A

**Key** N/A = Not Applicable

**22.08.080 Main Street Classical**



General note: The images above and the descriptions in Subsections 1 and 2 below are intended to provide a brief overview of the architectural style and are descriptive, not regulatory.

**1. Description of Style**

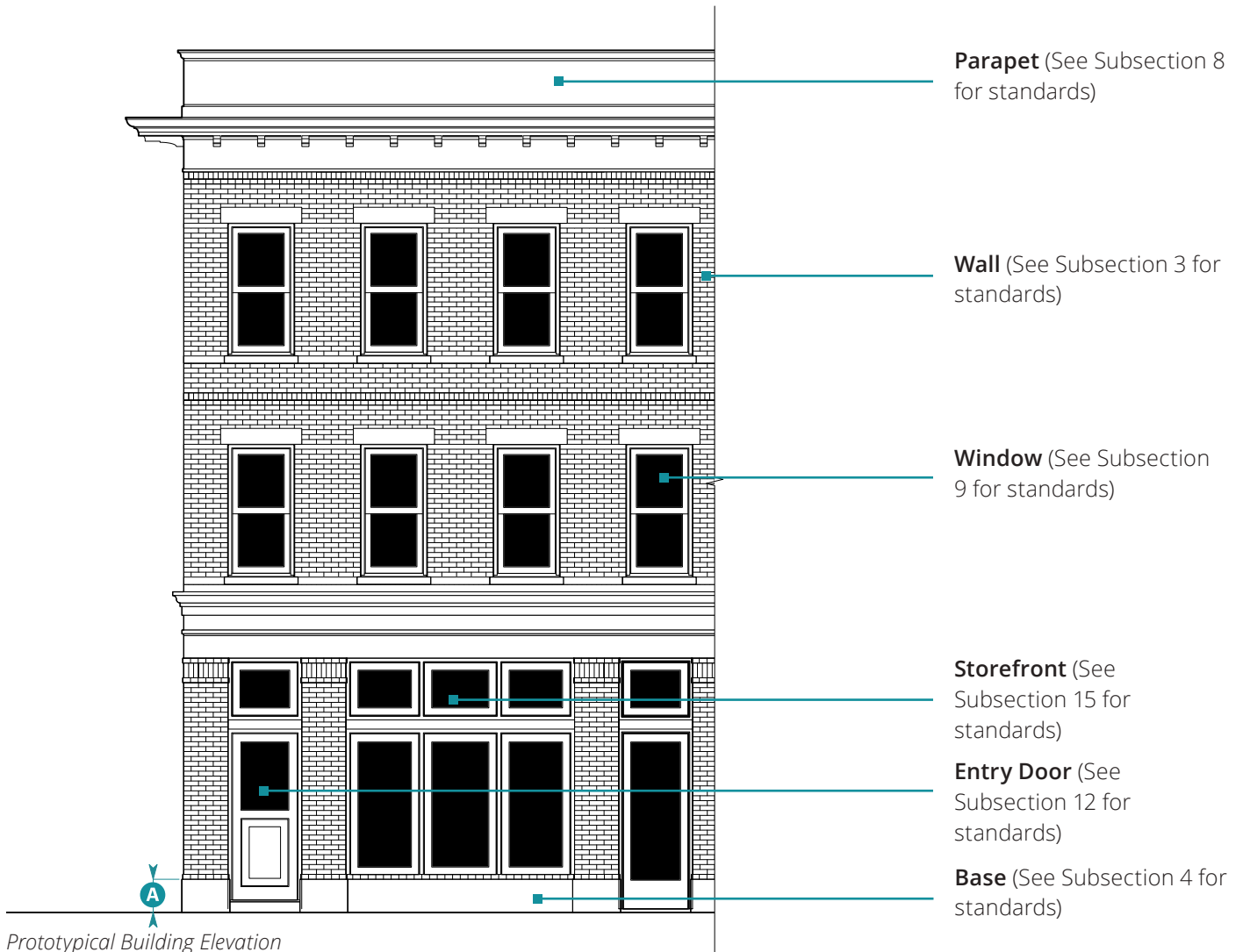
Main Street Classical style buildings combine influences from late 19th century Classical Revival and pre-war American main street architecture. With brick as a primary facade material, facades have a tripartite composition and often introduce ornament in a prominent cornice.

**2. Typical Characteristics**

- Symmetrical facade composition with proportions that imply load-bearing masonry structure
- Prominent cornice with classical detailing and parapet or pedimented roof forms
- Regular pattern of vertically proportioned openings
- Brick and stucco as primary facade materials

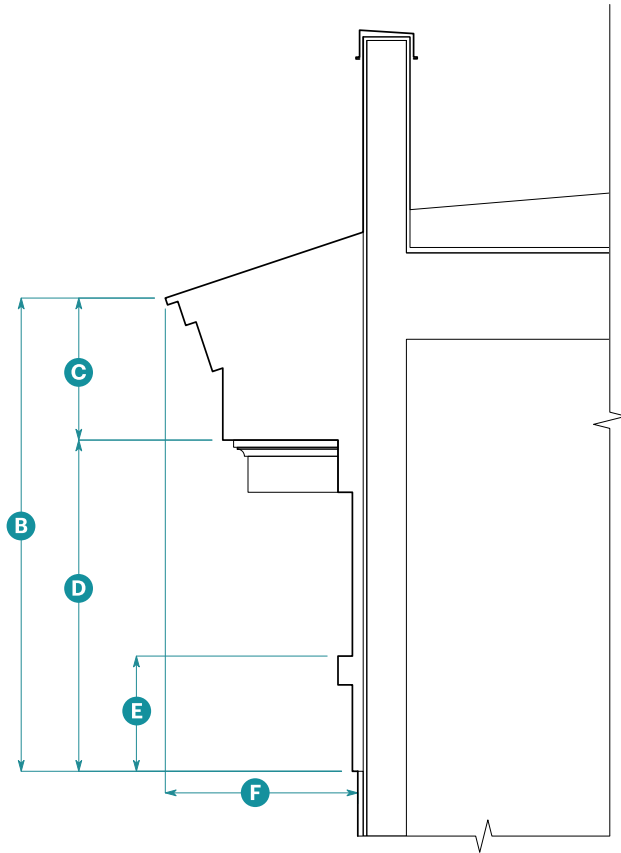
# Elements of Main Street Classical Style – Mixed-Use Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.

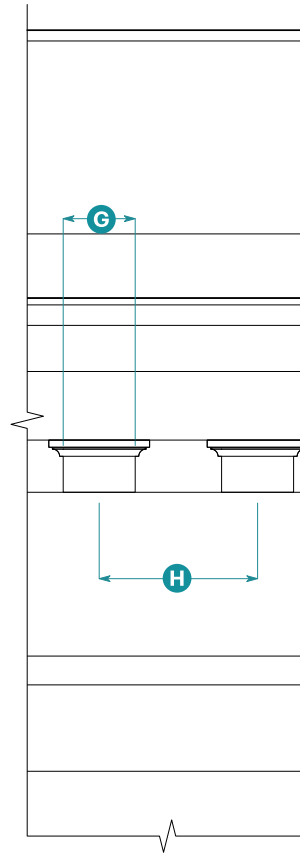


**3. Wall**  
 No wall standards apply to this style. See Subsection 16 (Materials) for materials standards.

**4. Base**  
 Height 1'0" min.; 2'0" max. **A**



Parapet Section



Parapet Elevation

**5. Building Roof**

**Form**

Roof Type                  Flat

**6. Rake**

Because this style does not allow sloped roofs, rake is not regulated. For wall-roof junction standards, see Subsection 8 (Parapet).

**7. Eave**

Because this style does not allow sloped roofs, eave is not regulated. For wall-roof junction standards, see Subsection 8 (Parapet).

**8. Parapet**

**Height**

Overall	5'6" min.	<b>B</b>
Cornice	1'8" min.	<b>C</b>
Fascia		
Overall	3'6" min.	<b>D</b>
Lower Band	1'2" min.	<b>E</b>

**Horizontal Projection<sup>1</sup>**

Overall	2'6" min.	<b>F</b>
---------	-----------	----------

Continuous cornice required on all street facing facades.

**Required Ornament**

Type	Dentils	
Width	10" min., 16" max.	<b>G</b>
Spacing	2'0" max. on center	<b>H</b>
Placement	Below cornice at top of fascia	

<sup>1</sup>Horizontal projection includes gutter.



**9. Windows**

**Opening**

Proportion, Height <b>I</b> to Width <b>J</b> <sup>2</sup>	
Ground Floor	2.0 min.
Upper Floor	1.75 min.

Typical Sizes, Width **J** x Height **I**

Ground Floor, Typical	3'0" x 6'6"
Ground Floor, Picture	4'6" x 6'6"
Upper Floor, Typical	3'0" x 5'6"
Upper Floor, Picture	4'6" x 5'6"
Privacy	2'0" x 4'0"

Shape	Square
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Operation	Single Hung, Double Hung, Casement
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**Window**

Glazing Divisions	6 over 9; 6 over 6
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Frame Width (Frame + Sash)

At Rail	2.5" min. ± 1/4"	<b>K</b>
At Stile	2.5" min. ± 1/4"	<b>L</b>

Molding Widths

Head	2" min.	<b>M</b>
Jamb	2" min.	<b>N</b>

**Window Frame Recess**

Depth	2" min.
-------	---------

**Sill**

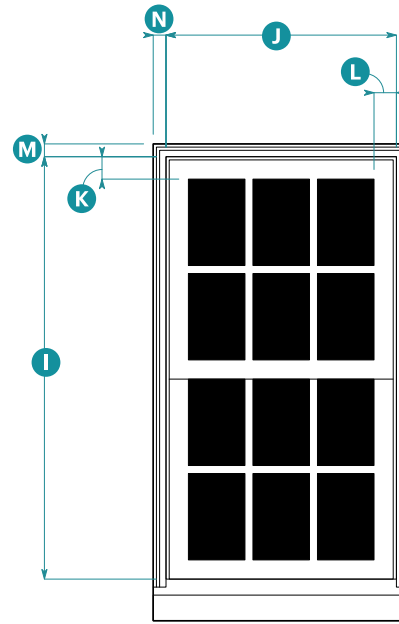
Depth	3" min.
-------	---------

**Pediment**

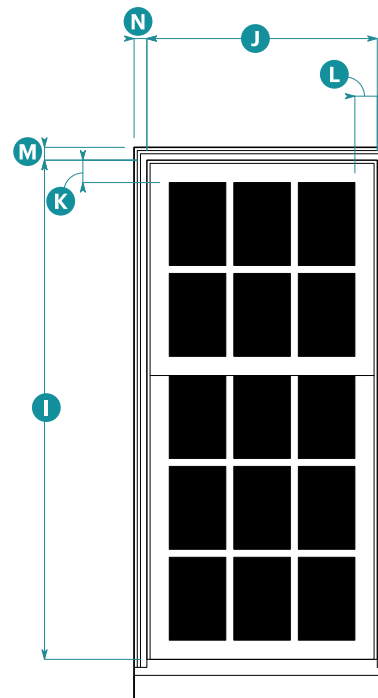
Allowed	Yes
---------	-----

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

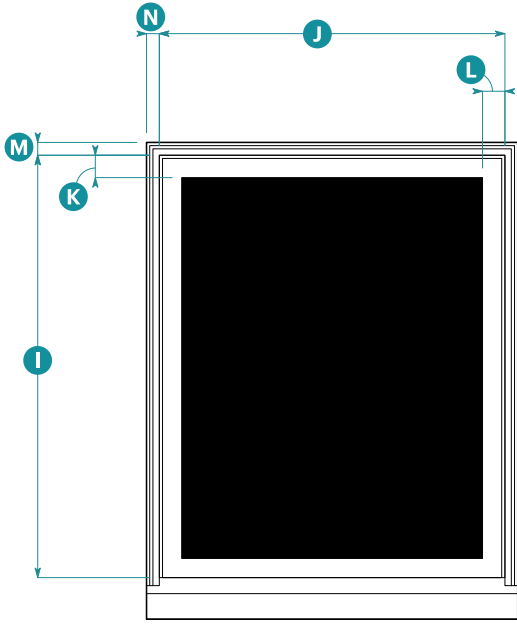
<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



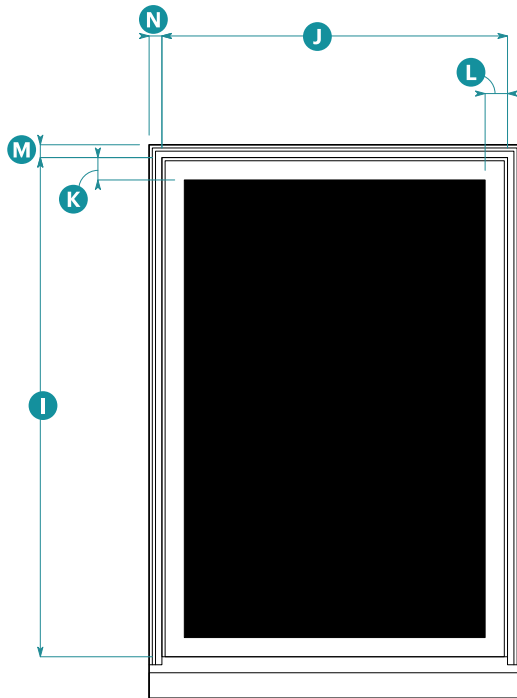
Upper Floor Typical Window Elevation  
6 over 6



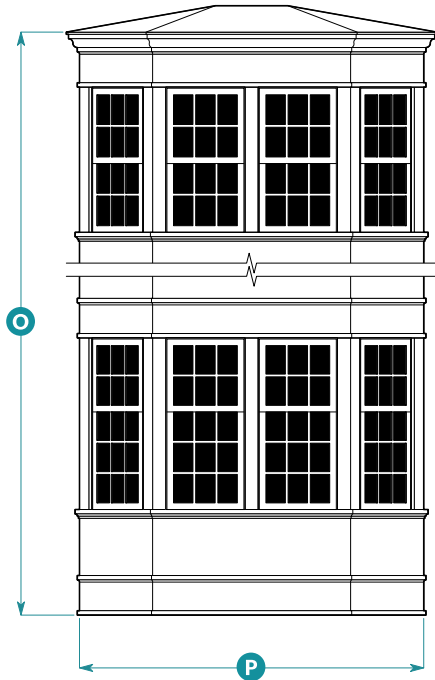
Ground Floor Typical Window Elevation  
6 over 9



*Upper Floor Picture Window Elevation*



*Ground Floor Picture Window Elevation*



**10. Bay Windows**

**Form**

Type	Chamfered
Interior Angle	30 degrees min.; 55 degrees max.
Number of Faces	3 or 5

**Size**

Height		<b>O</b>
On buildings with heights up to 3 stories	2 stories max.	
Width	6'0" min.; 12'0" max.	<b>P</b>
Depth	1'0" min.; 3'0" max.	<b>Q</b>

**Cornice Types**

- Cornice wraps bay.
- Bay stops below building cornice (bay has own cornice).
- Bay returns into building cornice (bay never projects above the building cornice).

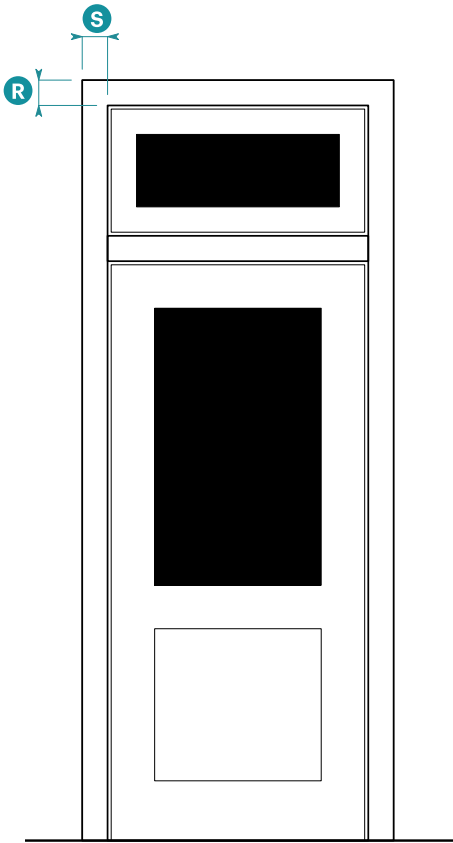
**10. Bay Windows (Continued)**

**Additional Standards**

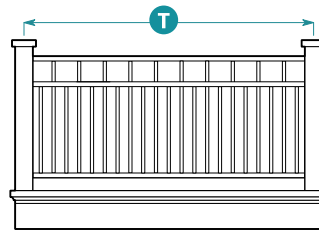
Bay depth not allowed to project beyond cornice depth.  
 Multi-story bay window form shall be vertically continuous.  
 Continuous horizontal articulation on building shall wrap bay form.

**11. Dormers**

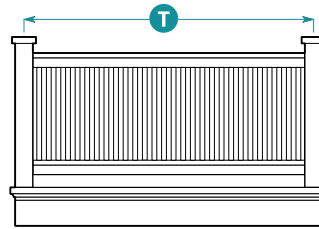
Because this style does not allow sloped roofs, dormers shall not be used.



Entry Door Elevation



Type 1  
Square Guardrail



Type 2  
Decorative Metal Guardrail

Balcony Front Elevation

### 12. Entry Doors

#### Door

Number of Panels 2 min.

#### Surround

Head Width 4" min. R

Jamb Width 4" min. S

#### Additional Elements

Transom Allowed

Pediment Allowed

### 13. Balconies

#### Allowed Materials

##### Type 1 - Square Guardrail

Post, Baluster, Handrail, Metal, composite wood, wood  
Fascia, and Brackets

##### Type 2 - Decorative Metal Guardrail

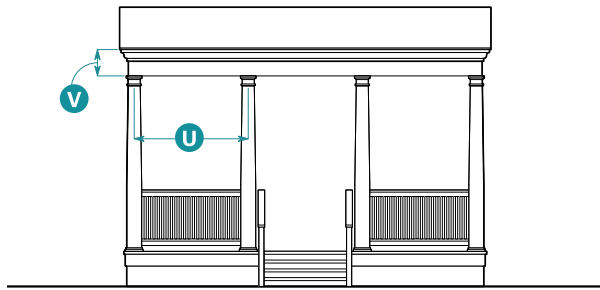
Post, Handrail, Fascia, Metal, composite wood, wood  
and Brackets

Baluster Metal

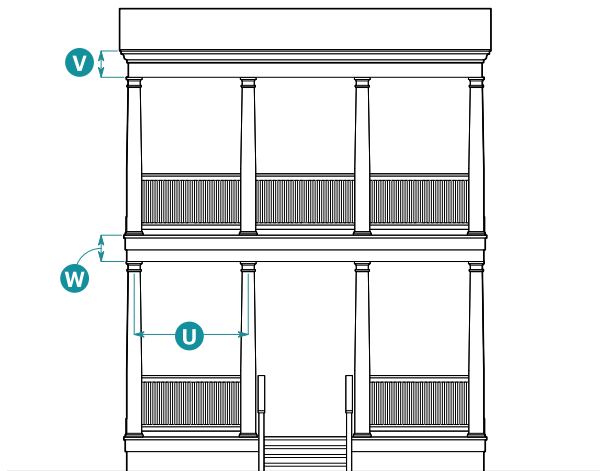
#### Size

Overall Balcony Width 10'0" max.

Width Between Posts 3' min. T



One-Story Porch



Two-Story Porch

**14. Porches**

**Columns**

Shape                      Clearly defined capital, base, and shaft; shaft either turned with entasis or square stock with optional detailing

Diameter                  8" min.

Spacing                   6'6" max. on center **U**

**Entablature**

**Height of Topmost Entablature**

Overall                    1'6" min. **V**

Fascia                     10" min.

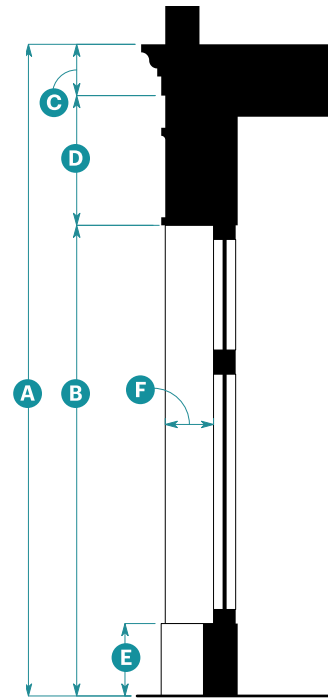
**Height of Floor-to-Floor Entablature**

Overall                    10" min. **W**

No porch or deck on or above roof structure



Storefront Elevation



Storefront Section

**15. Storefronts**

**Width**

Storefront Module	10'0" min.; 15'0" max.	X
Display Window	3'0" min.; 4'0" max.	Y
Distance Between Storefront Modules	1'6" min.; 2'6" max.	Z

**Height**

Overall	13'0" min.	A
Head Height	10'0" min.	B
Cornice	10" min.	C
Signage Band	1'8" min.	D
Base	1'0" min.; 2'0" max.	E

**Horizontal Recess**

Depth	6" min.; 2'0" max.	F
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Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

Cornice shall be continuous.

16. Materials		
Element	Allowed Materials	Required Finishes
<b>Wall</b>		
Wall Cladding	Brick, stucco	No Finish, Whites, Greys, Browns, or Beiges
<b>Base</b>		
Base or Foundation	Brick, stone	N/A
<b>Windows, Bay Windows, and Entry Doors</b>		
Lintel	Stone, concrete	N/A
Entry Door	Wood, aluminum-clad wood, aluminum	Whites, Greys, Browns, or Beiges
Window Frames	Wood, aluminum clad wood, aluminum, fiberglass	Whites, Greys, Browns, or Beiges
Glazing	Clear glass; shall not be tinted, mirrored, or colored	N/A
<b>Balconies</b>		
See Subsection 13 (Balconies) for allowed materials.		
<b>Porches</b>		
Columns	Composite wood, wood, cast stone, metal	N/A
Railing	Composite wood, wood, metal	N/A
<b>Storefronts</b>		
Storefront	Composite wood, wood, metal	N/A
Storefront Base	Wood panels, brick, stone tile, fiber cement	N/A

22.08.090 Mediterranean



General note: The images above and the descriptions in Subsections 1 and 2 below are intended to provide a brief overview of the architectural style and are descriptive, not regulatory.

1. Description of Style

Mediterranean style buildings in Marin County draw from Spanish Colonial, Pueblo, and Spanish Revival influences. These buildings combine austere wall planes with punched, recessed openings for windows.

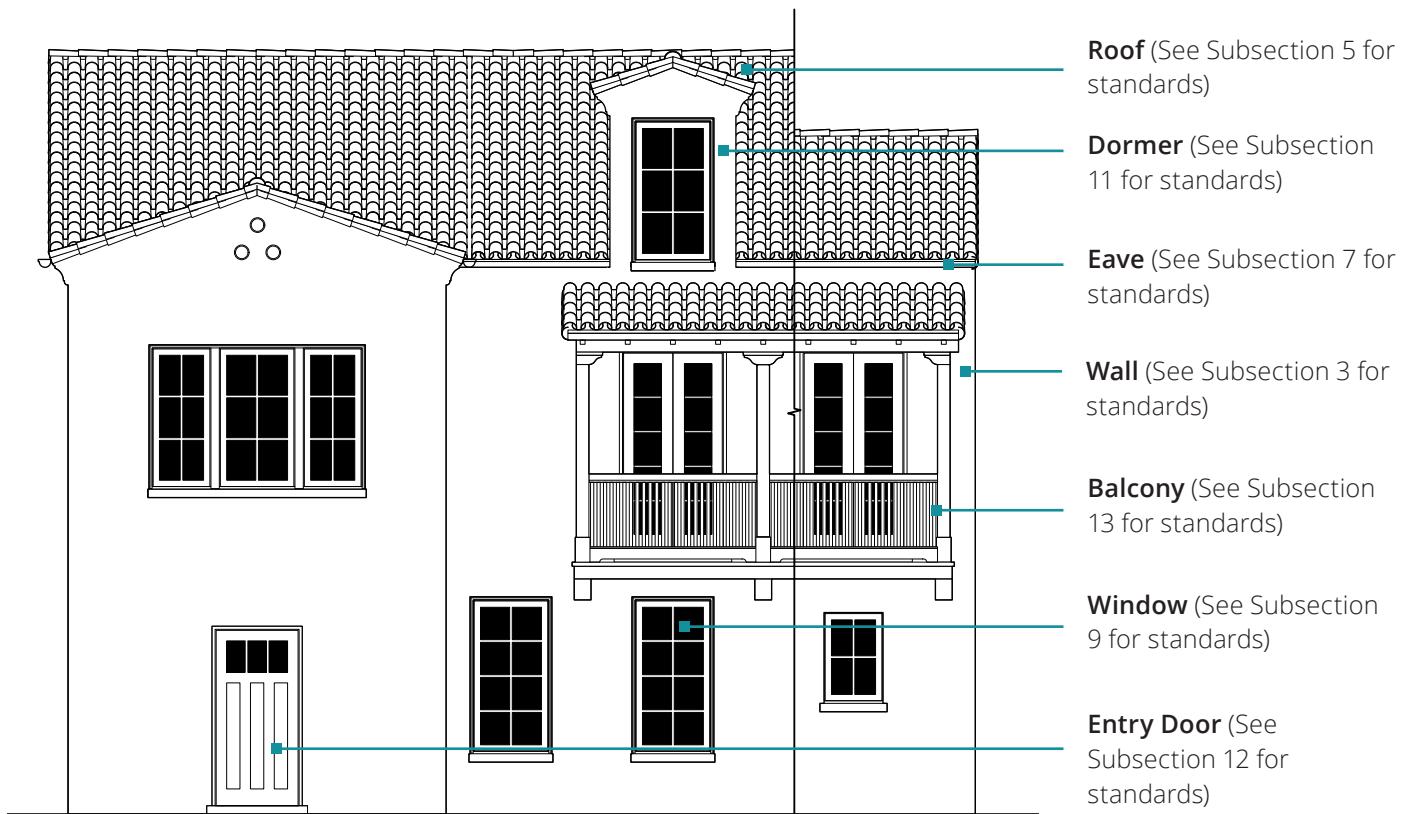
2. Typical Characteristics

- Low-pitched gabled or hipped roofs clad in red tile with open eaves
- Flat, rectilinear wall plane with vertically proportioned punched openings without trim
- Stucco as primary facade material with stucco or wood attached elements



# Elements of Mediterranean Style – Multifamily Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



Prototypical Building Elevation

### 3. Wall

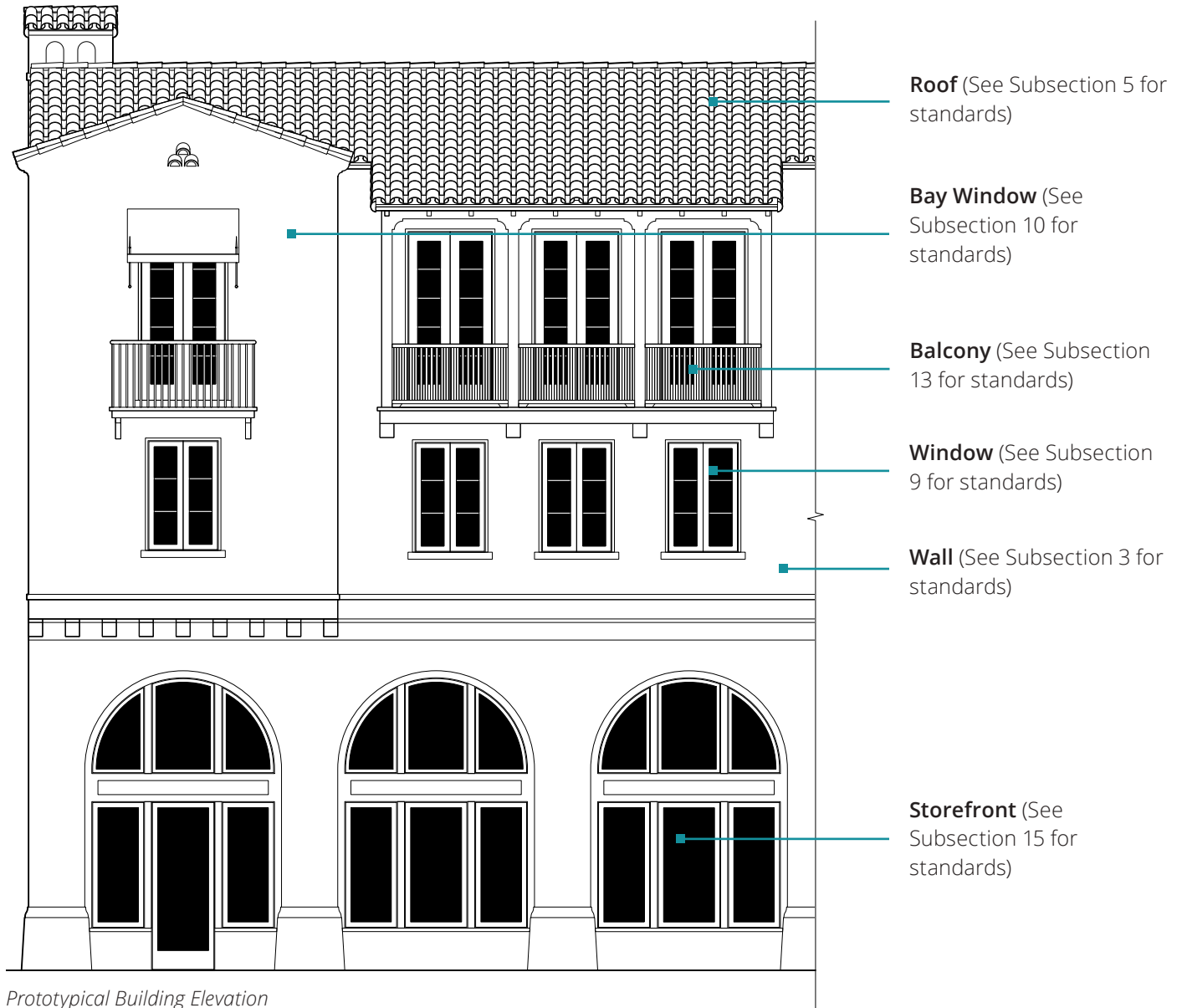
No wall standards apply to this style. See Subsection 16 (Materials) for materials standards.

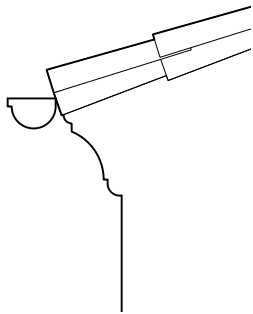
### 4. Base

None required

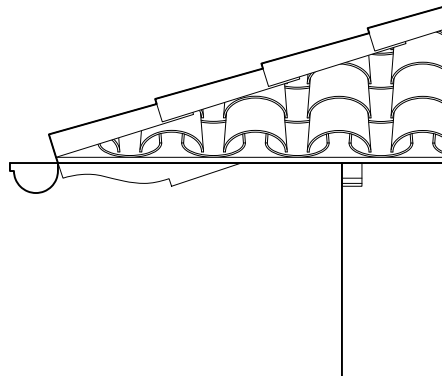
## Elements of Mediterranean Style – Mixed-Use Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.

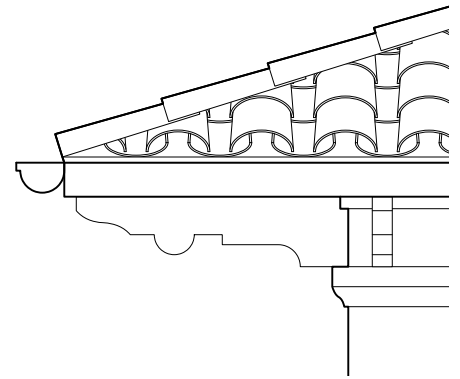




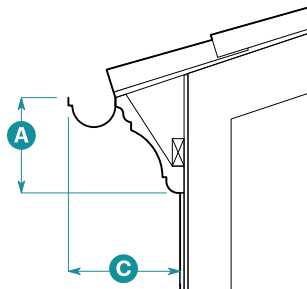
Closed Eave Elevation



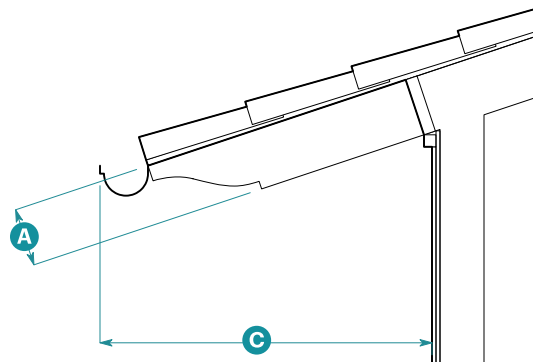
Open Eave Elevation



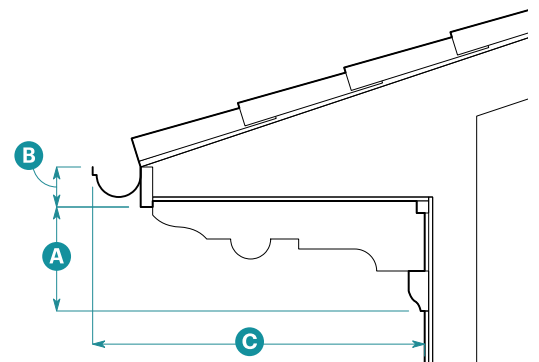
Returned Eave Elevation



Closed Eave Section



Open Eave Section



Returned Eave Section

### 5. Building Roof

Building Roof Standards	Sloped Roof	Flat Roof
<b>Applicable Subsections</b>		
Subsection 6 (Rake)	A	N/A
Subsection 7 (Eave)	A	N/A
Subsection 8 (Parapet)	N/A	A

#### Form

Pitch	4:12 min.; 6:12 max.	N/A
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### 6. Rake

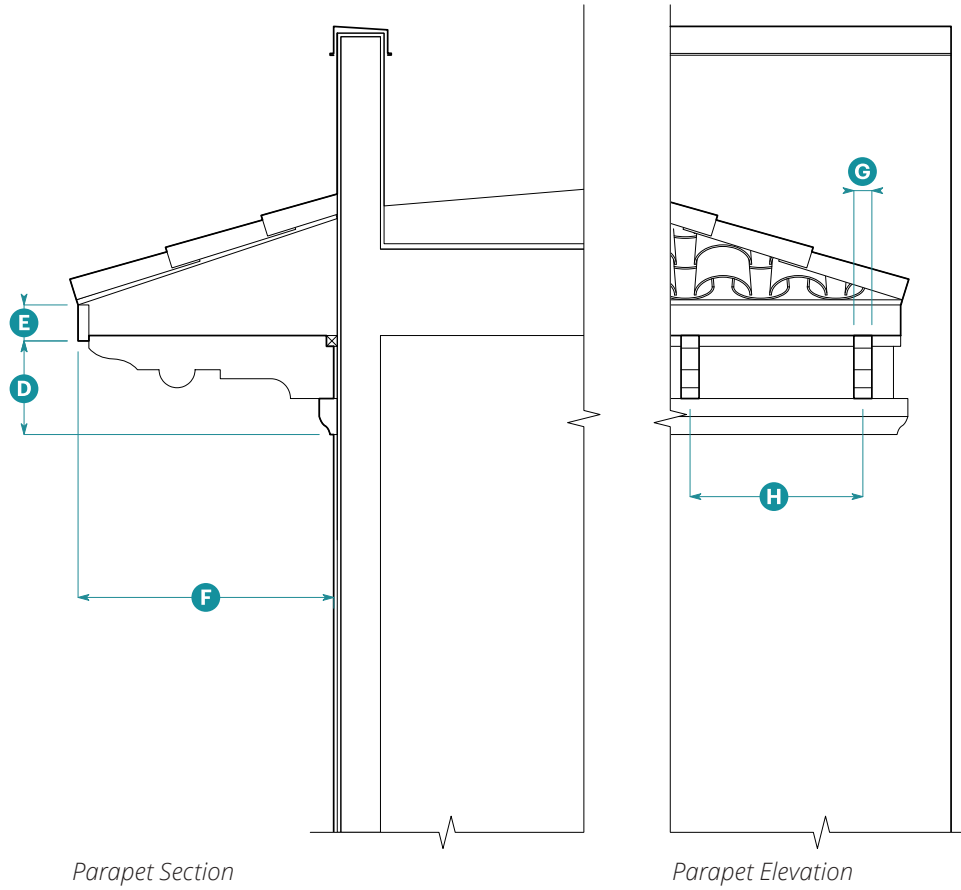
No specialized rake profile

### 7. Eave

Standards	Closed	Open	Returned
<b>Height</b>			
Supporting Element	1'0" min.	8" min.	1'0" min. <b>A</b>
Fascia	None	None	6" min. <b>B</b>
<b>Horizontal Projection<sup>1</sup></b>			
Overall	1'0" min.	3'0" min.	2'6" min. <b>C</b>

<sup>1</sup>Horizontal projection includes gutter.

**Key**                      A = Applicable    N/A = Not Applicable



8. Parapet		
<b>Height</b>		
Supporting Element	1'8" min.	<b>D</b>
Fascia	6" min.	<b>E</b>
<b>Horizontal Projection<sup>2</sup></b>		
Overall	2'0" min.	<b>F</b>
Continuous cornice required on all street facing facades.		
<b>Required Ornament</b>		
Type	Brackets	
Width	3" min., 5" max.	<b>G</b>
Spacing	24" max. on center	<b>H</b>
Placement	Below fascia	

<sup>2</sup>Horizontal projection includes gutter.

**9. Windows**

**Opening**

Proportion, Height **I** to Width **J**<sup>3</sup>

Ground Floor	2.0 min.
Upper Floor	1.75 min.
Dormer	See Subsection 11 (Dormers) for standards.

Typical Sizes, Width **J** x Height **I**

Ground Floor, Typical	3'0" x 6'0"
Ground Floor, Ganged	2'4" x 6'0"
Ground Floor, Picture	4'6" x 6'0"
Upper Floor, Typical	3'0" x 5'6"
Upper Floor, Ganged	2'4" x 5'6"
Upper Floor, Picture	4'6" x 5'6"
Privacy	2'0" x 4'0"

Shape	Square, arched
-------	----------------

Operation	Casement
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**Window**

Glazing Divisions	6 parts or 8 parts
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Frame Width (Frame + Sash)

At Rail	2.5" min. ± 1/4"	<b>K</b>
At Stile	2.5" min. ± 1/4"	<b>L</b>

Molding Widths

Head	2" min.	<b>M</b>
Jamb	2" min.	<b>N</b>
Apron	None required	

**Window Frame Recess**

Depth	2" min.
-------	---------

**Sill**

Depth	2" min.
-------	---------

**Pediment**

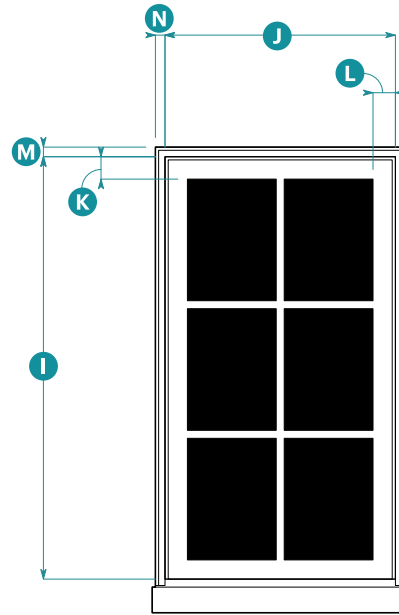
Allowed	No
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**Mullions**

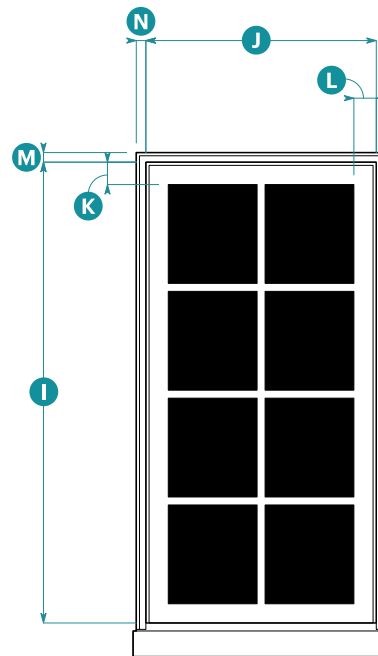
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

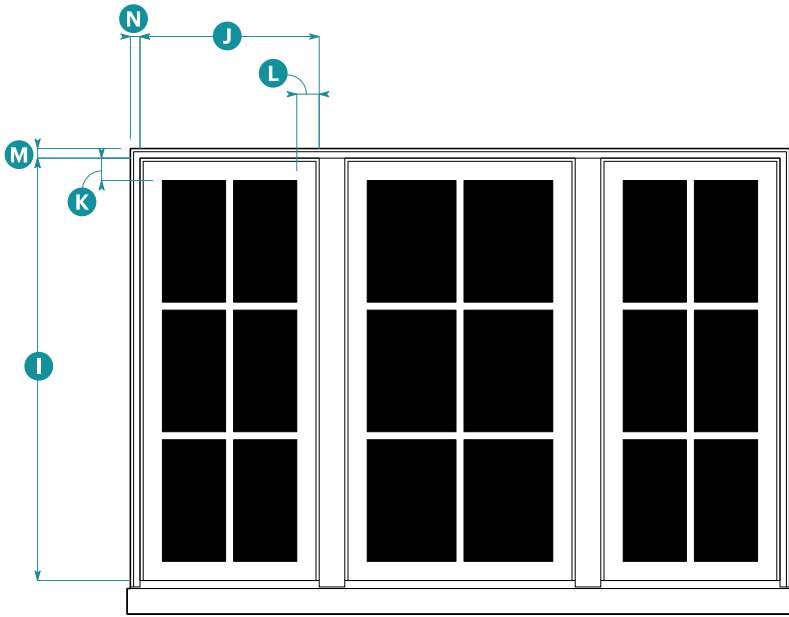
<sup>3</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



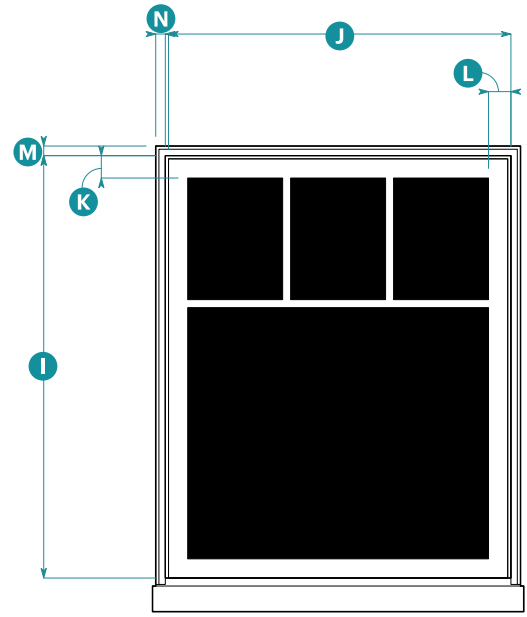
Upper Floor Typical Window Elevation  
6 parts



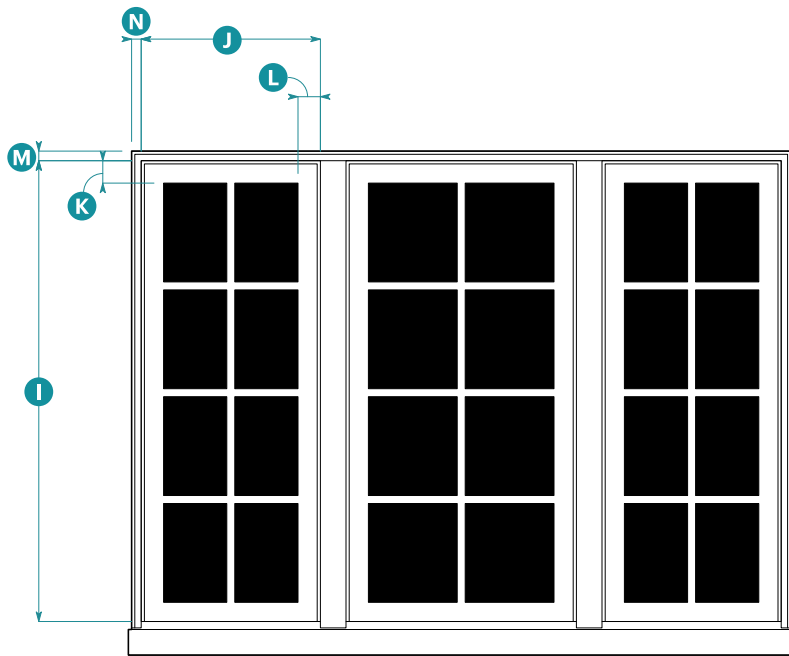
Ground Floor Typical Window Elevation  
8 parts



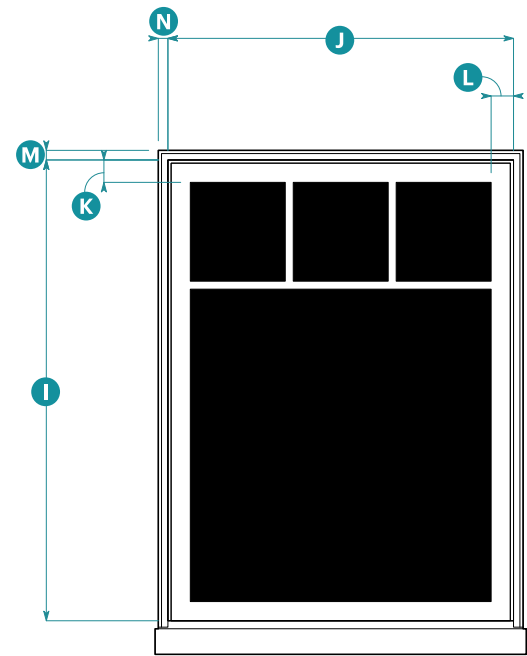
Upper Floor Ganged Window Elevation  
6 parts



Upper Floor Picture Window Elevation



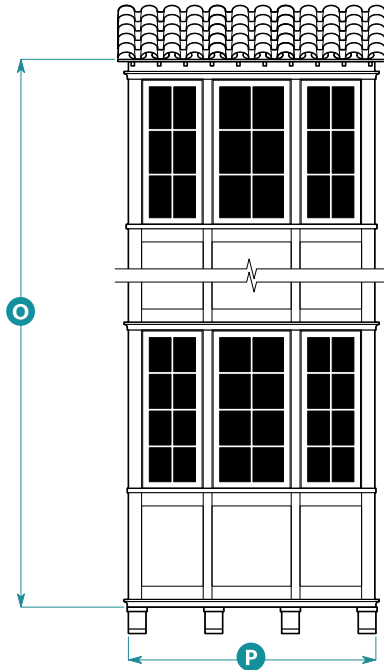
Ground Floor Ganged Window Elevation  
8 parts



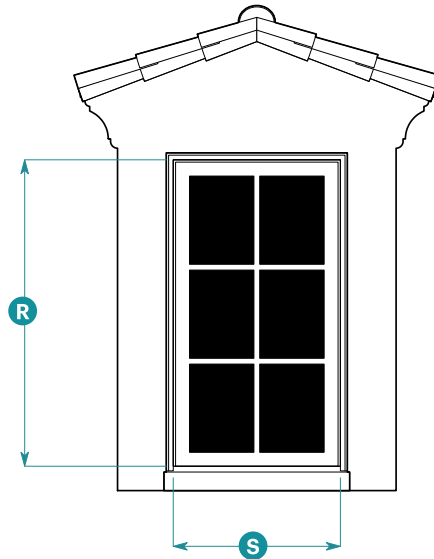
Ground Floor Picture Window Elevation



Bay Window Plan



Bay Window Elevation



Dormer Elevation

**10. Bay Windows**

**Form**

Type Square<sup>4</sup>

**Size**

Height O

On buildings with heights up to 3 stories 2 stories max.

Width P 6'0" min.; 12'0" max.

Depth Q 1'0" min.; 3'0" max.

**Cornice Types**

Building eave wraps bay.

Bay stops below building eave (bay has own cornice).

Bay returns into building eave (bay never projects above the building eave).

<sup>4</sup>Corner bay may be turned on side to be rotated 45 degrees from building corner.

**10. Bay Windows (Continued)**

**Additional Standards**

Bay depth not allowed to project beyond eave depth.

Multi-story bay window form shall be vertically continuous.

Continuous horizontal articulation on building shall wrap bay form.

**11. Dormers**

**Roof Form**

Type Gable

Pitch 4:12 min.; 8:12 max.

**Window**

Proportion, Height 1.75 min.

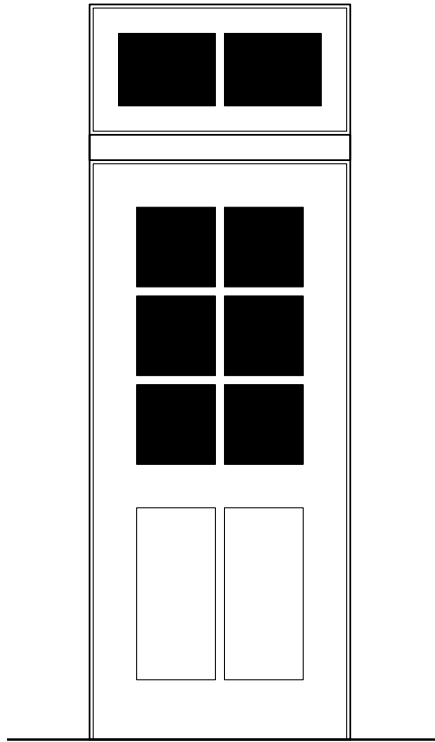
R to Width S

**Pediment**

Allowed No

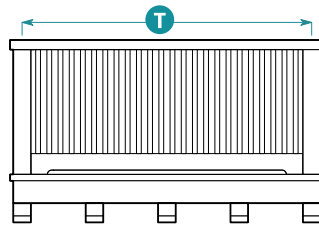
Dormers allowed for buildings with half stories.

See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.

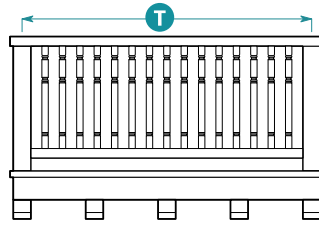


Entry Door Elevation

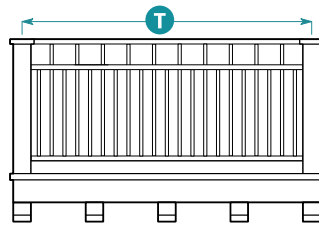
12. Entry Doors	
<b>Door</b>	
Number of Panels	2 min.
<b>Surround</b>	
None required	
<b>Additional Elements</b>	
Transom	Allowed
Pediment	Not Allowed



Type 1  
Square Guardrail



Type 2  
Turned Guardrail



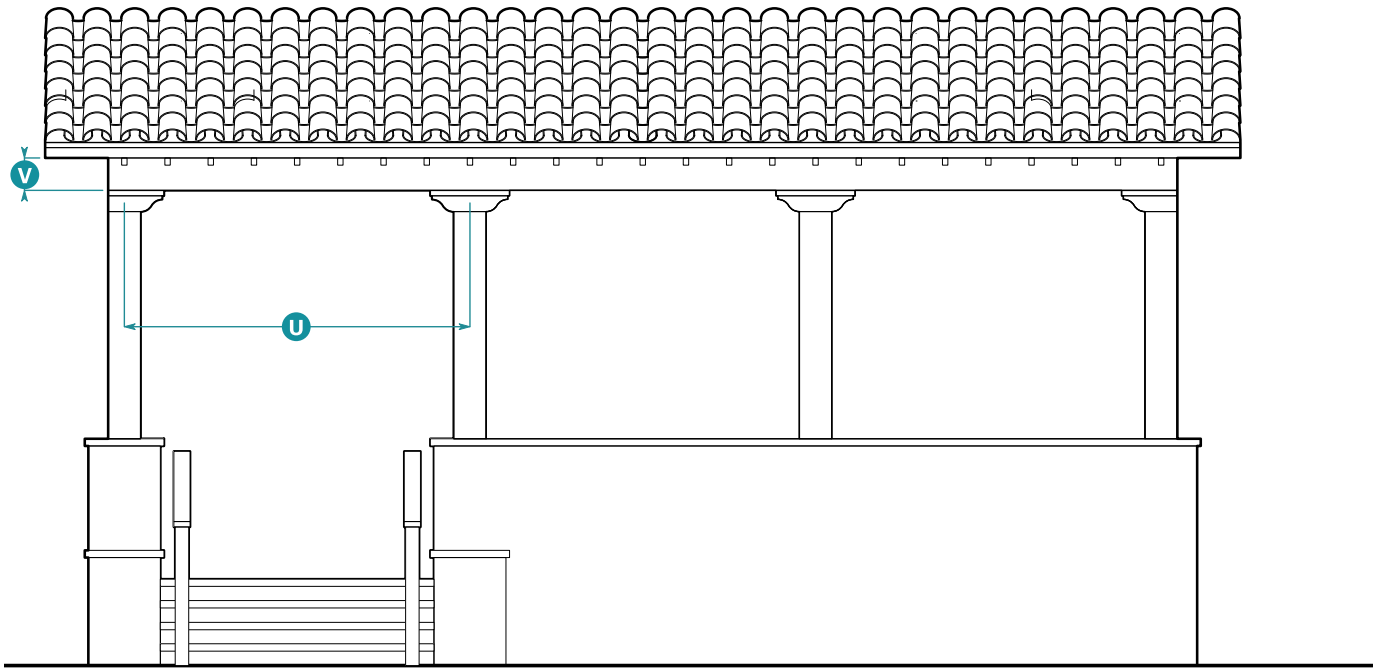
Type 3  
Decorative Metal Guardrail

Balcony Front Elevation

13. Balconies	
<b>Allowed Materials</b>	
<b>Type 1 - Square Guardrail</b>	
Post, Baluster, Handrail, Fascia, and Brackets	Metal, composite wood, wood
<b>Type 2 - Turned Guardrail</b>	
Post, Baluster, Handrail, Fascia, and Brackets	Metal, composite wood, wood
<b>Type 3 - Decorative Metal Guardrail</b>	
Post, Handrail, Fascia, and Brackets	Metal, composite wood, wood
Baluster	Metal
<b>Size</b>	
Overall Balcony Width	10'0" max.
Width Between Posts	3' min.

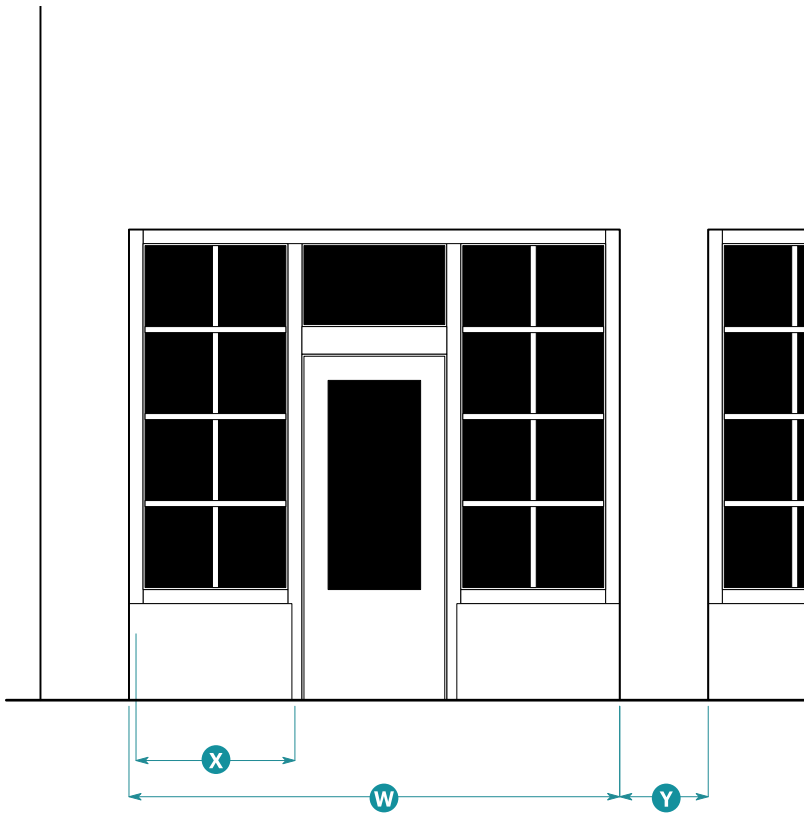




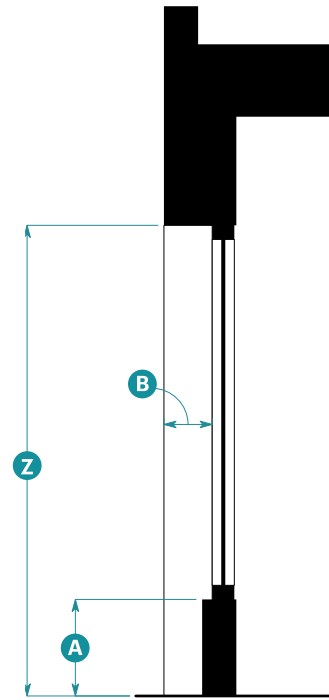


Porch Elevation

14. Porches	
<b>Columns</b>	
Shape	Square or round, with capitals or brackets
Diameter	8" min.
Spacing	9'0" max. on center <span style="float: right;">U</span>
<b>Entablature</b>	
Overall	10" min. <span style="float: right;">V</span>
No porch or deck on or above roof structure	



Storefront Elevation



Storefront Section

**15. Storefronts**

**Width**

Storefront Module	10'0" min.; 15'0" max.	W
Display Window	3'0" min.; 4'0" max.	X
Distance Between Storefront Modules	1'6" min.; 2'6" max.	Y

**Height**

Head Height	11'0" min.	Z
Cornice	None	
Signage Band	None	
Base	1'0" min.; 2'0" max.	A

**Horizontal Recess**

Depth	6" min.; 9" max.	B
-------	------------------	---

Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

<b>16. Materials</b>		
<b>Element</b>	<b>Allowed Materials</b>	<b>Required Finish</b>
<b>Wall</b>		
Wall Cladding	Stucco	Whites, Greys, Browns, or Beiges
<b>Roof and Roof Elements</b>		
Roofing	Terracotta clay barrel tiles	N/A
Rake and Eave	Wood, composite wood, stucco	N/A
Cornice	Wood, composite wood, stucco	N/A
Brackets	Composite wood, wood, or fiberglass	N/A
Gutter	Metal half-round	N/A
<b>Windows, Bay Windows, and Entry Doors</b>		
Entry Door	Wood, aluminum, fiberglass, composite	Whites, Greys, Browns, or Beiges
Window Frames	Wood, aluminum-clad wood, aluminum, fiberglass	Whites, Greys, Browns, or Beiges
Sill	Stucco, cast stone	N/A
Glazing	Clear glass; shall not be tinted, mirrored, or colored	N/A
<b>Balconies</b>		
See Subsection 13 (Balconies) for allowed materials.		
<b>Porches</b>		
Columns	Composite wood, wood, fiberglass, metal	N/A
Railing	Wood, wrought iron	N/A
<b>Storefronts</b>		
Storefront	Composite wood, wood, metal	N/A
Storefront Base	Stucco, tile	N/A

**22.08.100 Tudor**



*General note: The images above and the descriptions in Subsections 1 and 2 below are intended to provide a brief overview of the architectural style and are descriptive, not regulatory.*

**1. Description of Style**

Tudor style buildings are inspired by the Storybook and Tudor Revival styles that emerged in America in the late 19th century. Its origins are in late Medieval English construction, reflected in faux half-timbering often expressed in upper stories. Initially used in formal civic buildings, the style became popular in Marin communities for main street building types.

**2. Typical Characteristics**

- Prominent gabled roof forms with steep pitch and open eaves
- Vertically proportioned openings with surround
- Brick and stucco as primary facade materials, often with half-timbering at upper floors
- Open eaves

# Elements of Tudor Style – Multifamily Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



Prototypical Building Elevation

### 3. Wall

#### Half-Timbering Trim

Width 10" min. A

Align bottom of half-timbering with bottom of porch entablature, where occurs. B

### 4. Base

None required

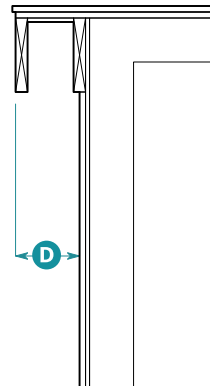
# Elements of Tudor Style – Mixed-Use Prototype

Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.





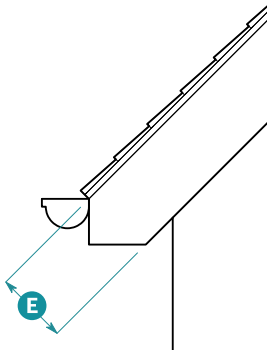
Gable End Elevation



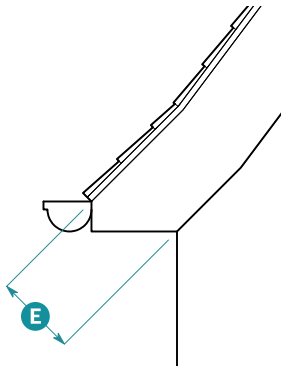
Rake Section

5. Building Roof	
Building Roof Form	
Pitch	10:12 min.
Gable End Form	
Pitch	12:12 min. <span style="float: right;">C</span>

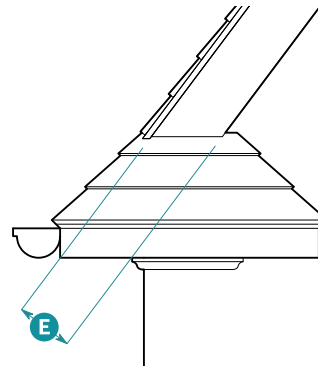
6. Rake	
Horizontal Projection to Fascia	8" min. <span style="float: right;">D</span>
See Subsection 7 (Eave) for height standards.	



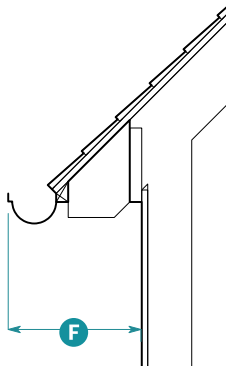
Open Eave Elevation



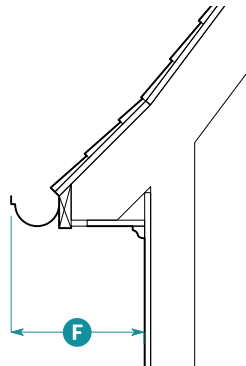
Returned Eave Elevation



Returned Eave  
Alternate Elevation



Open Eave Section



Returned Eave Section

### 7. Eave

Standards	Open Eave	Returned Eave	
<b>Height</b>			
Overall	8" min.	10" min.	<b>E</b>
<b>Horizontal Projection <sup>1</sup></b>			
Overall	1'0" min.	1'0" min.	<b>F</b>

<sup>1</sup>Horizontal projection includes gutter.

### 8. Parapet

No flat roofs are allowed in this style and parapet standards are not applicable. See Subsection 5 (Roof), Subsection 6 (Rake) and Subsection 7 (Eave) for standards applicable to sloped roofs.



**9. Windows**

**Opening**

Proportion, Height **G** to Width **H**<sup>2</sup>

Ground Floor	2.0 min.
Upper Floor	1.75 min.
Dormer	See Subsection 11 (Dormers) for standards.

Typical Sizes, Width **H** x Height **G**

Ground Floor, Typical	3'0" x 6'0"
Ground Floor, Ganged	2'4" x 6'0"
Ground Floor, Picture	4'6" x 6'0"
Upper Floor, Typical	3'0" x 5'6"
Upper Floor, Ganged	2'4" x 5'6"
Upper Floor, Picture	4'6" x 5'6"
Privacy	2'0" x 4'0"
Shape	Square
Operation	Single Hung, Double Hung, Casement

**Window**

Glazing Divisions	6 parts min.; 24 parts max.
Frame Width (Frame + Sash)	
At Rail	2.5" min. ± 1/4" <b>I</b>
At Stile	2.5" min. ± 1/4" <b>J</b>
Trim Widths	
Head	None required
Jamb	None required
Apron	None required

**Window Frame Recess**

Depth	2" min.
-------	---------

**Sill**

Depth	3" min.
-------	---------

**Pediment**

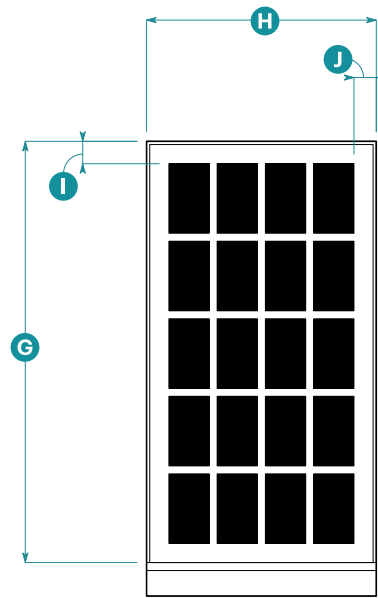
Allowed	No
---------	----

**Mullions**

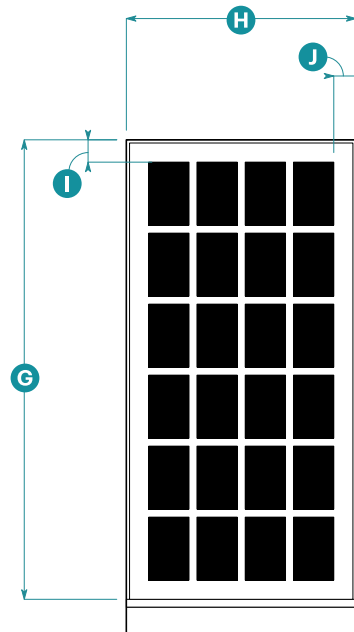
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

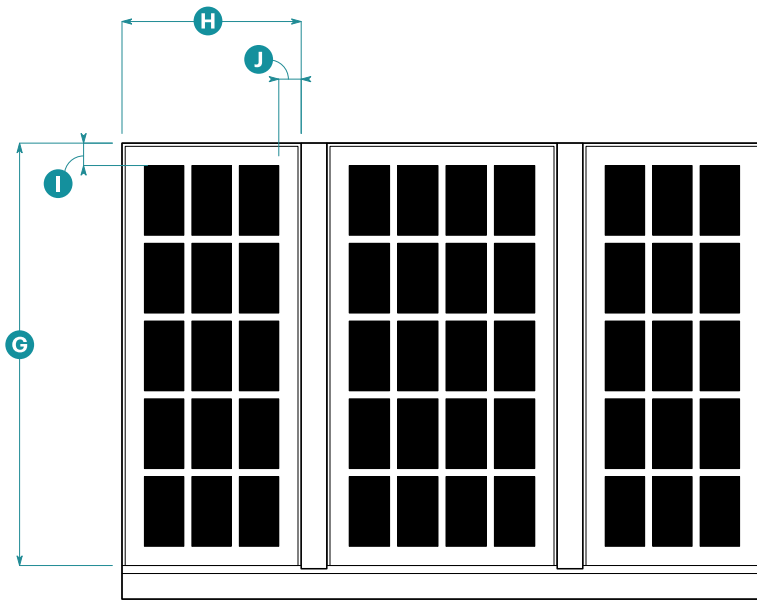
<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



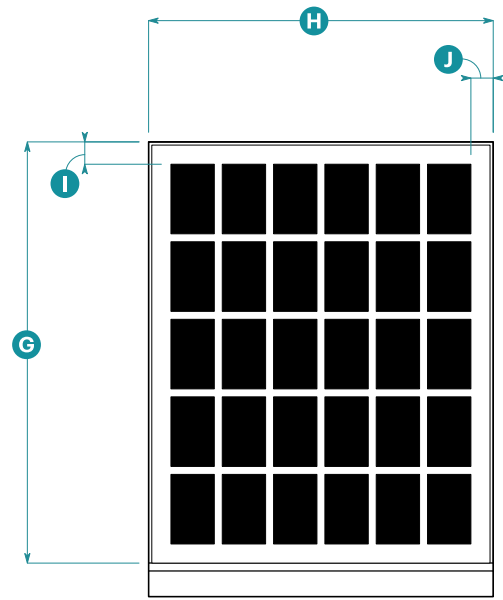
Upper Floor Typical Window Elevation  
20 parts



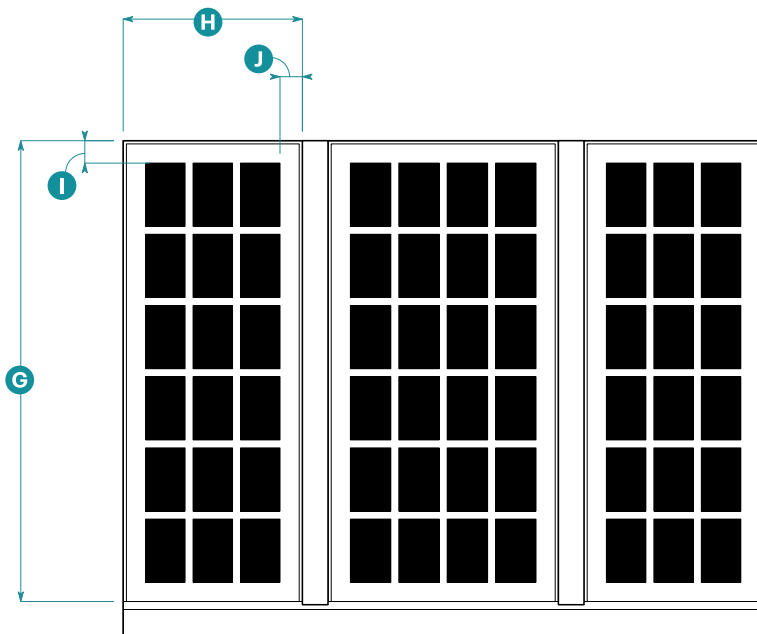
Ground Floor Typical Window Elevation  
24 parts



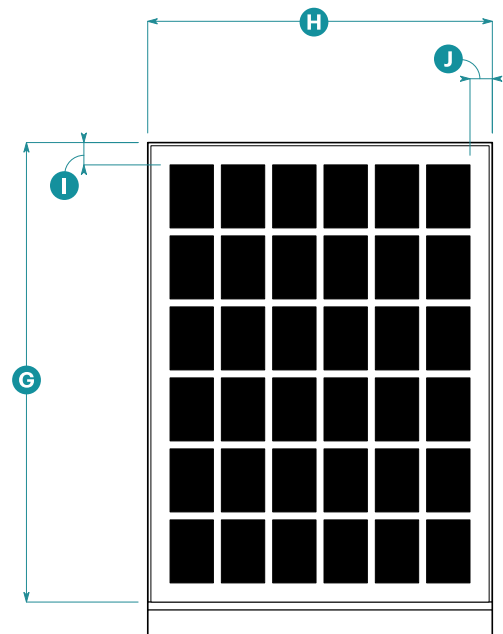
Upper Floor Ganged Window Elevation  
15 parts and 20 parts



Upper Floor Picture Window Elevation



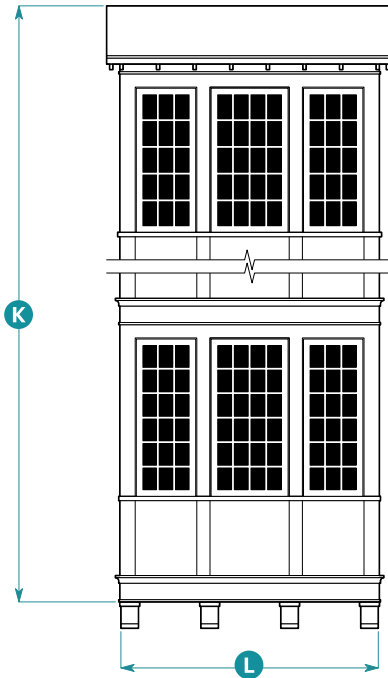
Ground Floor Ganged Window Elevation  
18 parts and 24 parts



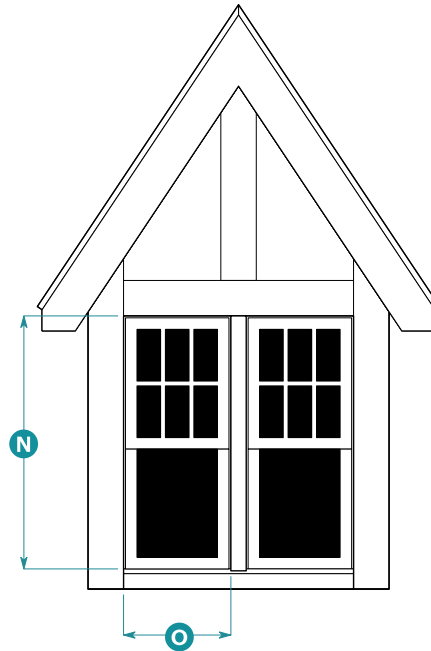
Ground Floor Picture Window Elevation



Bay Window Plan



Bay Window Elevation



Dormer Elevation

**10. Bay Windows**

**Form**

Type Square

**Size**

Height K

On buildings with heights up to 3 stories 2 stories max.

On buildings with heights above 3 stories 2 stories plus 1 additional story for each building story over 3 max.

Width 6'0" min.; 12'0" max. L

Depth 1'0" min.; 3'0" max. M

**Cornice Types**

Building eave wraps bay.

Bay stops below building eave (bay has own cornice).

Bay returns into building eave (bay never projects above the building eave).

**Additional Standards**

Bay depth not allowed to project beyond eave depth.

**10. Bay Windows (Continued)**

Multi-story bay window form shall be vertically continuous. Continuous horizontal articulation on building shall wrap bay form.

Corner bay may be turned on side to be rotated 45 degrees from building corner.

**11. Dormers**

**Roof Form**

Type Gable

Pitch 12:12 min.

**Window**

Proportion, Height 1.75 min.

N to Width O

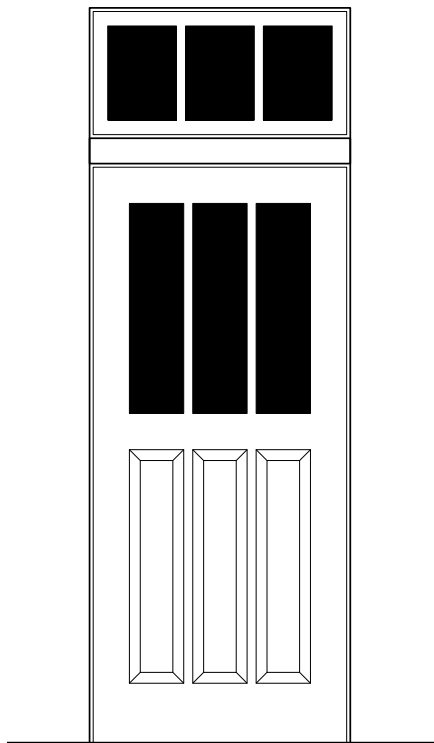
Width 3'0" min. O

**Pediment**

Allowed No

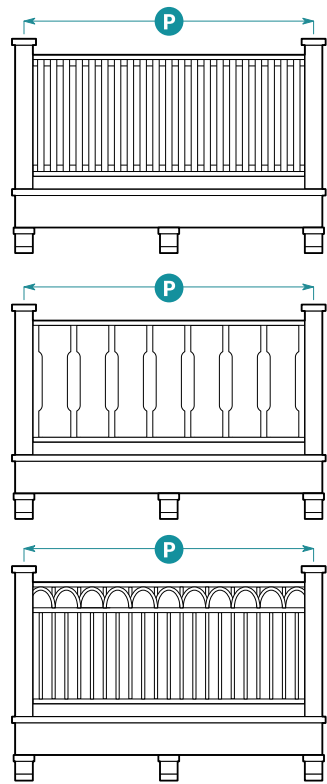
Dormers allowed only for buildings with half stories.

See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.



Entry Door Elevation

12. Entry Doors	
<b>Door</b>	
Number of Panels	2 min.
<b>Surround</b>	
None required	
<b>Additional Elements</b>	
Transom	Allowed
Pediment	Not Allowed



Type 1  
Square Guardrail

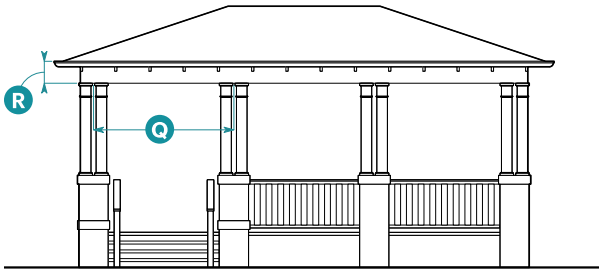
Type 2  
Flat Sawn Guardrail

Type 3  
Decorative Metal Guardrail

Balcony Front Elevation

13. Balconies	
<b>Allowed Materials</b>	
<b>Type 1 - Square Guardrail</b>	
Post, Baluster, Handrail, Fascia, and Brackets	Metal, composite wood, wood
<b>Type 2 - Flat Sawn Guardrail</b>	
Post, Baluster, Handrail, Fascia, and Brackets	Metal, composite wood, wood
<b>Type 3 - Decorative Metal Guardrail</b>	
Post, Handrail, Fascia, and Brackets	Metal, composite wood, wood
Baluster	Metal
<b>Size</b>	
Overall Balcony Width	10'0" max.
Width Between Posts	3' min.





One-Story Porch

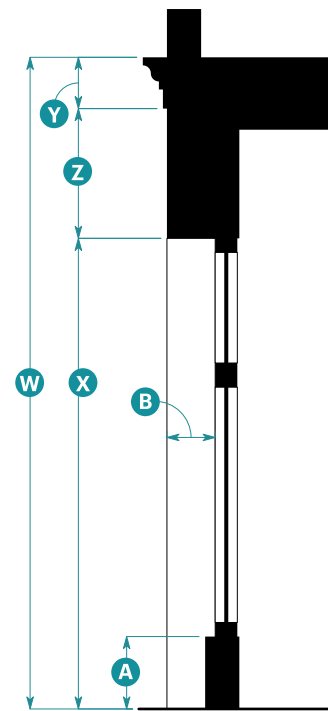


Two-Story Porch

14. Porches	
<b>Columns</b>	
Shape	Square stock (paired)
Width	6" min. each
Spacing	8' max. on center <span style="float: right;">Q</span>
<b>Entablature</b>	
<b>Height of Topmost Entablature</b>	
Overall	1'6" min. <span style="float: right;">R</span>
<b>Height of Floor-to-Floor Entablature</b>	
Overall	10" min. <span style="float: right;">S</span>
No porch or deck on or above roof structure	



Storefront Elevation



Storefront Section

**15. Storefronts**

**Width**

Storefront Module	10'0" min.; 15'0" max.	T
Display Window	3'0" min.; 4'0" max.	U
Distance Between Storefront Modules	1'0" min.; 2'0" max.	V

**Height**

Overall	13'0" min.	W
Head Height	10'0" min.	X
Cornice	10" min.	Y
Signage Band	1'6" min.	Z
Base	1'0" min.; 2'0" max.	A

**Horizontal Recess**

Depth	6" min.; 1'0" max.	B
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Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

Cornice shall be continuous.

<b>16. Materials</b>		
<b>Element</b>	<b>Allowed Materials</b>	<b>Required Finish</b>
<b>Wall</b>		
Wall Cladding	Stone, stucco, brick, composite wood, wood, fiber cement	Whites, Greys, Browns, or Beiges
<b>Base</b>		
Base or Foundation	Brick, stone, cast stone, painted concrete, stucco	No Finish, Greys, Browns, or Beiges
<b>Roof and Roof Elements</b>		
Roofing	Asphalt shingles, slate	Browns, Blacks, or Beiges
Rake and Eave	Composite wood, wood	N/A
Cornice	Composite wood, wood	N/A
Brackets	Composite wood, wood, fiberglass	N/A
Gutter	Metal half-round	N/A
<b>Windows, Bay Windows, and Entry Doors</b>		
Trim or Surround	Composite wood, wood, fiber cement	Whites, Greys, Browns, or Beiges
Entry Door	Wood, aluminum, fiberglass, composite	Whites, Greys, Browns, or Beiges
Window Frames	Wood, aluminum-clad wood, aluminum, fiberglass	Whites, Greys, Browns, or Beiges
Glazing	Clear glass; shall not be tinted, mirrored, or colored	N/A
<b>Balconies</b>		
See Subsection 13 (Balconies) for allowed materials.		
<b>Porches</b>		
Columns	Composite wood, wood, fiberglass, metal	N/A
Railing	Composite wood, wood, wrought iron	N/A
<b>Storefronts</b>		
Storefront	Composite wood, wood, metal	N/A
Storefront Base	Wood panels, brick, fiber cement	N/A

# Chapter 9: Specific to Large Sites

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## Sections:

22.09.010	Purpose
22.09.020	General to Walkable Community Design
22.09.030	Walkable Neighborhood Plan
22.09.040	General to Civic Space

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## 22.09.010 Purpose

This Chapter establishes standards to create walkable neighborhoods.

1. Development subject to this Chapter is required to create and reinforce walkable neighborhoods with a mix of housing, civic, retail, and service uses within a compact, walkable, and transit-friendly environment.
2. Developments in compliance with this Section shall achieve the following goals:
  - A. Improve the built environment and human habitat;
  - B. Promote development patterns that support safe, effective, and multi-modal transportation options, including auto, pedestrian, bicycle, and transit;
  - C. Reduce vehicle traffic and support transit by providing for a mixture of land uses, highly interconnected block and street network, and compact community form;
  - D. Generate or reinforce neighborhoods with a variety of housing types to serve the needs of a diverse population;
  - E. Promote the health benefits of walkable environments;
  - F. Generate pedestrian-oriented and scaled neighborhoods where the automobile is accommodated but does not dominate the streetscapes;
  - G. Reinforce the unique identity of the City and build upon the local context, climate, and history;
  - H. Realize development based on the patterns of existing walkable neighborhoods; and
  - I. Design that suits specific topographical, environmental, design site layout, and design constraints unique to the design site.

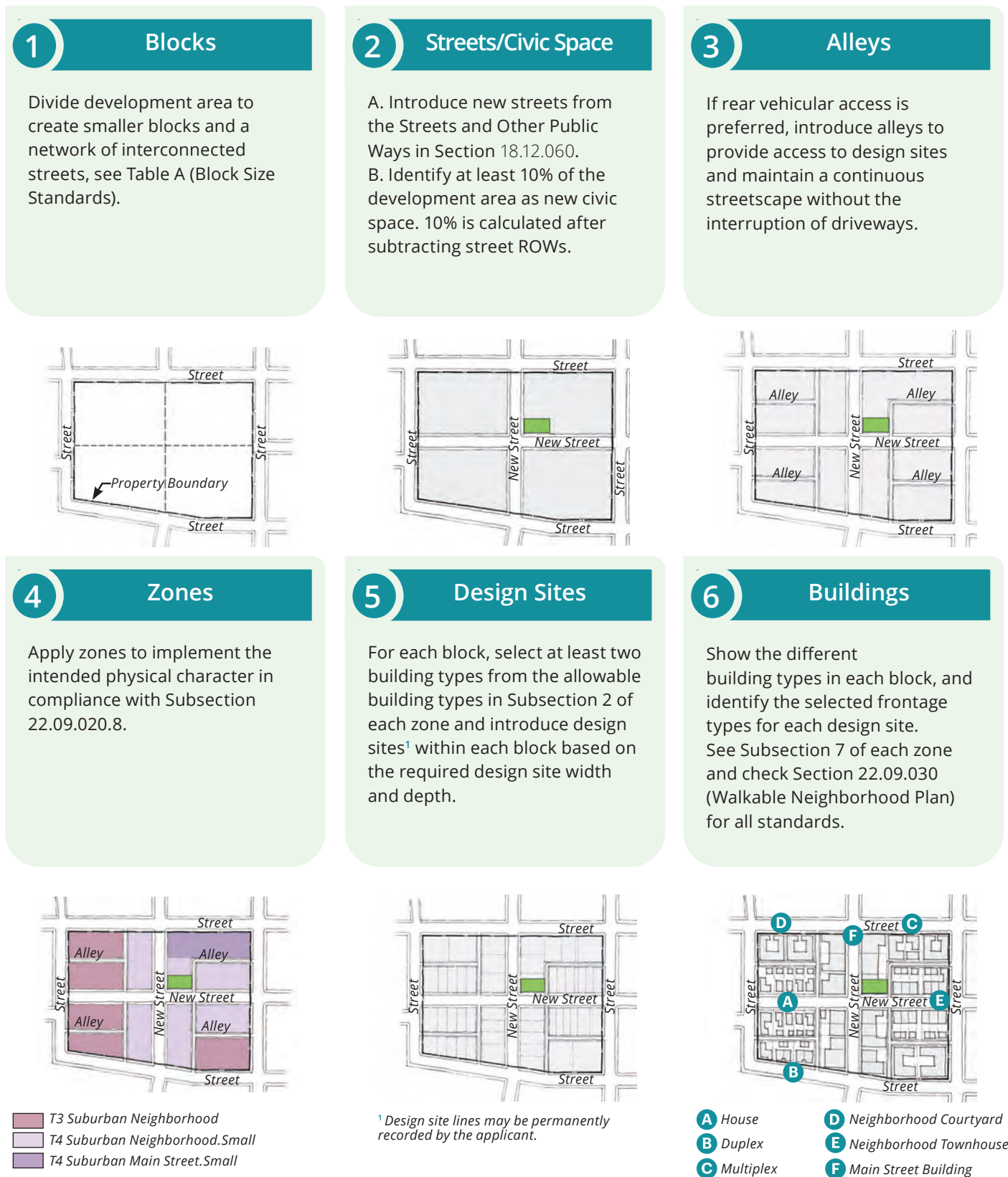


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## 22.09.020 General to Walkable Community Design

1. Developments of at least two acres or at least 700 feet long or deep shall be designed per the following standards:
  - A. Developments of at least two acres, see Figure 1 [Walkable Neighborhood Plan Design Process Overview for Large Sites (At Least 2 Acres)]
  - B. **Walkable Neighborhood Plan (WNP).** Proposed development is required to include a Walkable Neighborhood Plan (WNP) in compliance with this Subsection that identifies the proposed and existing blocks, civic and open spaces, and streets within 1,500 linear feet of the proposed development. WNP's shall include the information required in Section 22.09.030 (Walkable Neighborhood Plan).
2. **Civic Space Required**
  - A. Civic space shall be provided in compliance with Section 22.09.040 (General to Civic Space).
  - B. A minimum of 10 percent of the total development area, after subtracting street right-of ways, is required.
3. **Streets.** Streets are to be applied to create walkable neighborhoods with redundant routes for vehicular, bicycle, and pedestrian circulation.
  - A. New streets are required to meet the standards in Section 18.12.060 (Streets and Other Public Ways—Minimum Requirements), including maximum slope.
  - B. Required streets, indicated on the Official Zoning Map or Site Development Regulating Plan may be adjusted from their identified location by up to 100 feet in either direction.
  - C. The WNP shall identify the proposed street and block network.
  - D. Streets that pass from one zone to another may transition in their streetscape along the street's edges. For example, while a street within a more intense zone (e.g., T4SMS.S) with retail shops may have wide sidewalks with trees in grates, it may transition to a narrower sidewalk with a planting strip within a less intense zone (e.g., T4SN.S) with lower intensity residential building types.
4. **Alleys**
  - A. Existing alleys may be removed if street access is provided to the design sites on those blocks in compliance with the access standards of the zone.
  - B. Alleys may be added in compliance with Section 18.12.060 (Streets and Other Public Ways—Minimum Requirements) and in compliance with Table A (Block Size Standards).
  - C. Design sites adjoining an alley and/or with a slope greater than six percent may be reduced in depth by up to 10 feet of the required depth. Rear setbacks may be reduced as allowed by Section 22.10.030 (Adjustment to Standards). Front setbacks shall not be reduced.
5. **External Connectivity**
  - A. The arrangement of streets shall provide for the alignment and continuation of existing or proposed streets into adjoining lands where the adjoining lands are undeveloped and intended for future development, or where the adjoining lands are undeveloped and include opportunities for such connections.
  - B. Street rights-of-way shall be extended to or along adjoining property boundaries to provide a roadway connection or street stub for development, in compliance with Table A (Block Size Standards), for each direction (north, south, east, and west) in which development abuts vacant land.

Figure 22.09.020.1: Walkable Neighborhood Plan Design Process Overview for Large Sites (At Least 2 Acres)



- C. Right-of-way stubs shall be identified and include a notation that all stubs are to connect with future streets on adjoining property and be designed to transition in compliance with Section 18.12.060 (Streets and Other Public Ways—Minimum Requirements).
- D. New dead-end streets and cul-de-sacs are not allowed, except when the grade of the new street exceeds 15 percent.

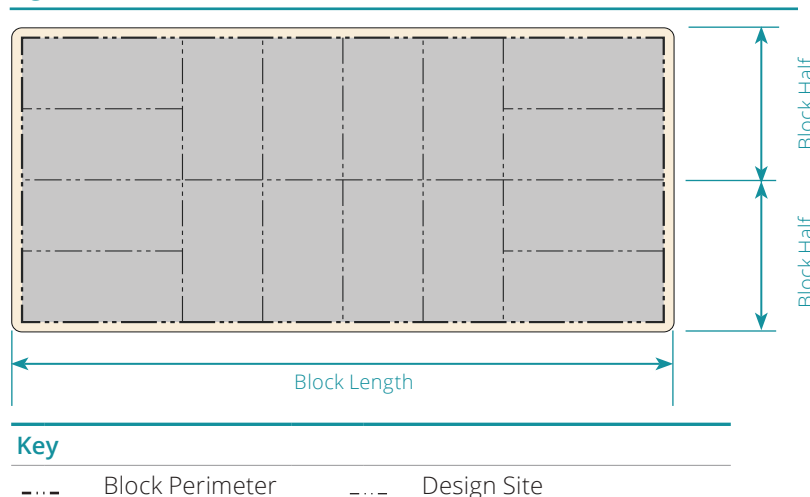
6. **Block Size (New Blocks and Blocks to be Modified)**

- A. Individual block lengths and the total block perimeter shall be in compliance with the standards in Table A (Block Size Standards).
- B. If a block contains multiple zones, the most intense zone is to be used to establish the standards for block size.
- C. Blocks shall be a minimum width to result in two halves of developable design sites in compliance with the design site depth standards for the allowed building types in the zone. A single half is allowed when adjoining an existing half-block.
- D. Blocks shall be designed so that new streets and design sites conform with Section 22.05.050 (Slope Standards).
- E. Blocks may be uniquely shaped in compliance with the standards in Table A (Block Size Standards), and the allowed adjustments in Table 22.10.030.A (Adjustments to Standards for Design Sites Less Than 6% Slopes) and Table 22.10.030B (Adjustments to Standards for Design Sites Over 6% Slopes).

Table 22.09.020.A: Block Size Standards			
Zone	Length	Passage Required <sup>1</sup>	Perimeter Length
T3SN	900' max.	Yes	2,400' max.
T4SN.S	600' max.	Yes	2,000' max.
T4SMS.S	600' max.	Yes	2,000' max.

<sup>1</sup>In compliance with the standards for a Passage in Subsection 22.09.040.11 (Passage)

Figure 22.09.020.2 Block Size

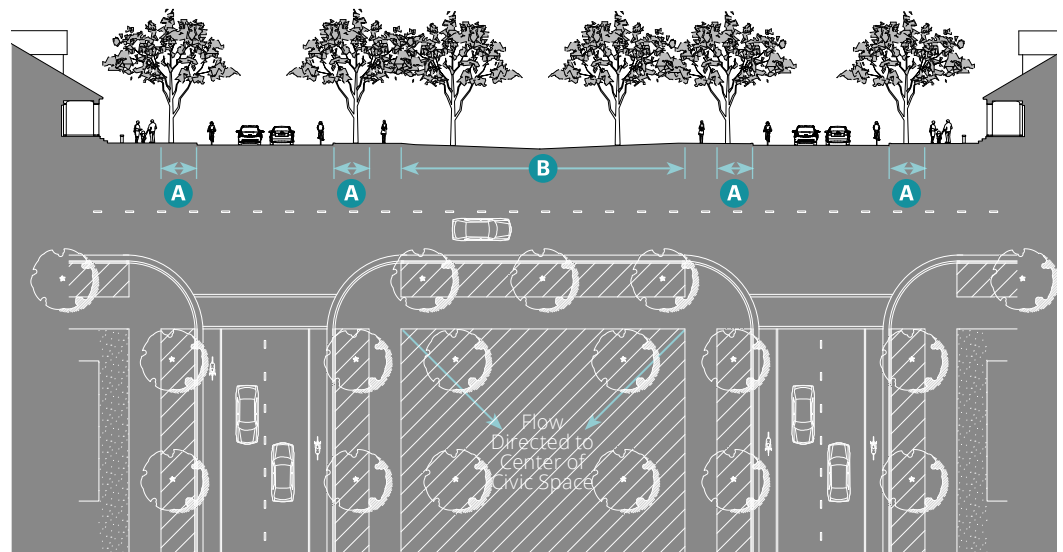


7. **Stormwater Management**




A. **Integrated Design**

- (1) Stormwater management is required through a system that is integral to the streetscapes and/or the civic and open space(s) in the development.
- (2) The WNP shall identify the area(s) being proposed for managing stormwater. These areas are required to be a combination of the following:
  - (a) Swale within a planted median;
  - (b) Swale within a continuous tree planter adjacent to the travel lane;
  - (c) Pond or other water body; and/or
  - (d) Areas within an allowed civic space type.
- (3) The area(s) used for stormwater management is to be designed for both seasonal temporary on-site retention of stormwater and as public open space for the neighborhood(s) accessible to the public.
- (4) The stormwater management area(s) may connect with those of adjacent development(s).

**Figure 22.09.020.3 Stormwater Management Diagram**



**Key**

-  Potential Area for Stormwater Management
-  Planted Swale
-  Civic Space Graded to also Accommodate Stormwater

8. **Applying Zones**

- A. **Allocation of Zones.** The WNP shall map the proposed zones on the proposed blocks and any existing blocks in the development in compliance with the following:
  - (1) Sites less than three acres are required to apply one zone, using only the zones established in Chapter 3 (Zones); or
  - (2) Sites greater than three acres and up to 20 acres shall apply at least two zones using only the zones established in Chapter 3 (Zones); or
  - (3) Sites over 20 acres shall apply zones in compliance with the allocation mix standards in Table B (Required Allocation Mix of Zones).
- B. **Organization of Zones.** Zones shall be organized and mapped in a manner that responds appropriately to the various design site conditions. When applying or amending zone boundaries, more intense zones (i.e., T4SMS.S) shall be organized around a neighborhood main street, civic or open space, transit stop, or civic building locations suitable for greater intensities. These areas shall not be located on slopes greater than six percent.
- C. **Transition between Zones.** Transitions between zones shall occur within the block or across alleys along the adjacent prevailing slope.

Table 22.09.020.B: Required Allocation Mix of Zones		
Zone	Minimum % of Land <sup>1</sup>	Maximum % of Land <sup>1</sup>
<b>Walkable Development</b>		
<b>Total to not exceed 100%</b>		
T3SN	None	15%
T4SN.S	10%	40%
T4SMS.S	None	25%
<b>Walkable Development within 1,500 feet of transit stop<sup>2</sup></b>		
<b>Total to not exceed 100%</b>		
T3SN	None	10%
T4SN.S	30%	50%
T4SMS.S	None	30%

<sup>1</sup>Net area after subtracting rights-of-way for streets and open/civic space

<sup>2</sup>A high-frequency transit stop with approximately 15-minutes between arriving buses

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## 22.09.030 Walkable Neighborhood Plan

### 1. Walkable Neighborhood Plan (WNP) Standards

#### A. **Organization.** Each WNP is required to:

- (1) Identify the zone(s), civic space(s), street and block network, as allowed to be adjusted by Table 22.10.030.A (Adjustments to Standards for Design Sites Less Than 6% Slopes) and Table 22.10.030B (Adjustments to Standards for Design Sites Over 6% Slopes); and
- (2) Be in compliance with the design standards of Section 22.09.020 (General to Walkable Community Design).

### 2. Required Content

#### A. **General.** Each WNP shall include the following information:

- (1) Boundaries of the proposed development;
- (2) Existing and proposed blocks within 1,500 linear feet of the development boundaries;
- (3) Open space not to be developed (if any);
- (4) Civic space, in compliance with Section 22.09.040 (General to Civic Space); and
- (5) Mapping of proposed zones in compliance with Subsection 22.09.020.8.

#### B. **Illustrative Site Plan**

- (1) The proposed physical character of the WNP shall be identified on an Illustrative Plan showing, in plan view, the proposed building types and private frontage types on each block and the proposed public frontage types showing proposed trees and landscaping along streets and in civic space types.
- (2) As individual needs of a development may change over time, the building types specified in the WNP may be substituted with other building types allowed by the zone in compliance with the zone standards.

### 3. Required Mix of Building Types and Private Frontage Types

- A. The WNP shall maintain a mix of at least two different building types and two different private frontage types within each block, using only the types allowed in the zone(s).
- B. The WNP shall maintain a mix of at least two different architectural styles within each block.
- C. The WNP shall show dimensioned block depths for both halves of each block to demonstrate compliance with the minimum design site depth required for the building types in each zone.
- D. The applicant may choose to show the shortest minimum design site depth allowed in each zone with an acknowledgement that the selected depth may not accommodate the full range of building types allowed by the zone.

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## 22.09.040 General to Civic Space

1. The WNP shall identify open spaces and civic space types in compliance with the following standards and the standards of Table A (Civic Space Types Overview).
2. When hillsides are within the development, the hillside ridge(s) shall be the location for civic and open space.
3. Required civic and open space identified on the Official Zoning Map may be adjusted from its identified location by up to 100 feet in any direction.
4. Public access and visibility is required along public parks, natural open spaces, and civic uses, including creeks and drainages and stormwater management areas, and shall be fronted by:
  - A. Single-loaded frontage streets (those with development on one side and open space on the other);
  - B. Bike and pedestrian paths; or
  - C. Other methods of frontage that provide similar access and visibility to the open space allowed in the zone. Such access may be provided through public easements or other similar methods.
5. **Amount of Civic Space Required.** As required by Subsection 22.09.020.2, development design sites are required to set aside a minimum area of the design site as civic space. One or more civic spaces may be used to meet the required area.
6. **Building Frontage Along or Adjacent to a Civic Space.** The facades on building design sites attached to or across a street from a civic space shall be designed as a "front" on to the civic space, in compliance with Subsection 4 and Subsection 7 of the zone.
7. **Civic Space Types Overview.** This Subsection identifies the allowed civic space types and standards for improvements to existing civic spaces and for construction of new civic spaces. For each civic space type, Subsection 1 and Subsection 3 are regulatory, and Subsection 2 and Subsection 4 are non-regulatory. Allowed civic space types are identified in Table A (Civic Space Types Overview).

**Table 22.09.040.A: Civic Space Types Overview**

	Specific Standards	T3SN	T4	
			SN.S	SMS.S
Green	22.09.040.8	P	P	X
Plaza	22.09.040.9	X	X	P
Community Garden	22.09.040.10	P	P	P
Passage	22.09.040.11	P	P	P

**Key**      P = Allowed      X = Not Allowed



8. Green



**1. Description**

A large space available for unstructured and limited amounts of structured recreation.

**2. General Character**

Formal or informal with integral stormwater management capacity

Primarily planted areas with paths to and between recreation areas and civic buildings

Spatially defined by tree-lined streets and adjacent buildings

**3. Size and Location**

Size 300' x 300' min.

Street required on at least one side of the Green.

Facades on design sites attached to or across a street shall "front" on to the Green.

**4. Typical Uses**

Unstructured passive and active recreation

Civic uses

Temporary commercial uses

9. Plaza



**1. Description**

A community-wide focal point primarily for civic purposes and commercial activities.

**2. General Character**

Formal, urban

Hardscaped and planted areas in formal patterns

Spatially defined by buildings and tree-lined streets

**3. Size and Location**

Size 50' x 50' min.

Street required one of the Plaza's sides.

Facades on design sites attached to or across a street shall "front" on to the Plaza.

**4. Typical Uses**

Civic uses

Commercial uses in support of civic uses

Passive recreation

Accessory Uses < 1,500 gsf

10. Community Garden



**1. Description**

A small-scale space designed as a grouping of garden plots available for small-scale cultivation. Community gardens may be fenced and may include a small accessory structure for storage. Community Gardens may be included within all other civic space types except Playgrounds.

**2. General Character**

- Informal or Formal, urban
- Combination of planted areas and hardscape
- Spatially defined by building frontages and adjacent street trees
- Walkways along edges or across space

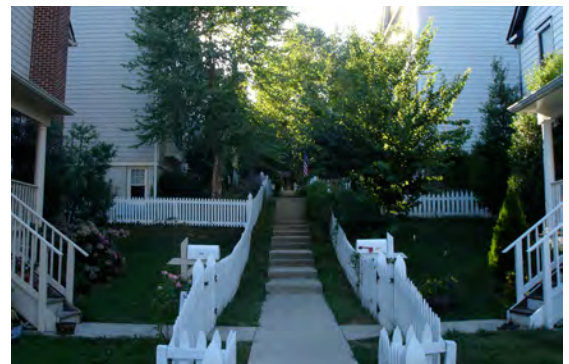
**3. Size and Location**

Size No minimum; within any design site as allowed by the zone

**4. Typical Uses**

- Food production
- Passive recreation

11. Passage



**1. Description**

A pedestrian pathway that extends from the public sidewalk into a civic space and/or across the block to another public sidewalk. The pathway is lined by non-residential shopfronts and/or residential ground floors and pedestrian entries as required by the zone.

**2. General Character**

- Formal, urban
- No accessory structure(s)
- Primarily hardscape with landscape accents
- Spatially defined by building frontages
- Trees and shrubs in containers and/or planters

**3. Size and Location**

- Size 20' min. clear width between or through buildings
- Ground floor facades shall be in compliance with facade zone in Subsection 4 and frontages allowed in Subsection 7 of the zone.
- Dooryards, porches, patios, and sidewalk dining shall not encroach into the minimum required width.

**4. Typical Uses**

- Civic and commercial activity as allowed by the zone
- Ground floor residential as allowed by the zone

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# Chapter 10: Administration

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## Sections:

22.10.010	Purpose
22.10.020	Procedures
22.10.030	Quick Code Guide for Developments Less Than Two Acres
22.10.040	Quick Code Guide for Developments of at Least Two Acres

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## 22.10.010 Purpose

This Chapter is intended to establish procedures for applications eligible for streamlined review consistent with State law (i.e., Senate Bill 35) and for reviewing applications under the Housing Accountability Act. The City is responding to State mandates and including application procedures in Title 22 that are compliant with State law but reflect the unique conditions and procedures within the City. The intent of Senate Bill 35 and the Housing Accountability Act is to facilitate and expedite the construction of housing through the application of objective standards and, with Senate Bill 35, ministerial and streamlined approval procedures. These procedures shall be used in conjunction with the objective standards contained in this Title as applicable.

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## 22.10.020 Procedures

1. **Procedures for Applications Filed Under** Senate Bill 35
  - A. **Applicability**
    - (1) This Section applies to housing development projects applying for approval under Government Code §65913.4 and replaces the City's procedures for reviewing discretionary applications.
    - (2) This Section shall remain in effect for the same period as Senate Bill 35 provisions contained in Government Code §65913.4. Unless Senate Bill 35 provisions are extended by the State Legislature, this Section shall remain in effect only until January 1, 2026, and as of that date is repealed.
    - (3) The California Environmental Quality Act (CEQA) does not apply to projects eligible under Senate Bill 35.
    - (4) The Department of Housing and Community Development is charged with developing guidelines for implementing Senate Bill 35. These procedures may change if required by changes in those guidelines or in Government Code §65913.4.

- B. **Definitions.** Terms defined in Government Code §65913.4 shall apply to this Section and shall control in the event of a conflict between definitions in this Title and definitions in Government Code §65913.4.
- C. **Application Filing**
- (1) **Preliminary Application Filing.** An applicant shall file a notice of intent to submit a Senate Bill 35 application in the form of a preliminary application consistent with Government Code §65941.1.
- (a) **Form.** A preliminary application shall be filed on a form provided by the City with the required fee. If the City has not prepared a form, a preliminary application shall be filed on the standardized form adopted by the California Department of Housing and Community Development.
- (b) **Timeline.** Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full Senate Bill 35 application, provided scoping consultation has concluded consistent with Subsection (c), below.
- (c) **Scoping Consultation**
- i. Upon receipt of the preliminary application, the City shall contact the Native American Heritage Commission for assistance in identifying any California Native American tribe that should be noticed. The City shall provide a formal notice of the applicant's intent to submit a full application to each required California Native American tribe within 30 days of preliminary application submittal. The formal notice shall be consistent with Government Code §65913.4(b).
- ii. If, within 30 days of receipt of the formal notice, any California Native American tribe that was formally noticed accepts the invitation to engage in scoping consultation, the City shall commence scoping consultation within 30 days of receiving that response.
- iii. Scoping consultation shall be conducted consistent with Government Code §65913.4(b). If, after scoping consultation is concluded, a development is not eligible for Senate Bill 35 streamlining, the City shall provide written documentation as required by Government Code §65913.4(b) to the applicant and any California Native American tribe that is a party to that scoping consultation.
- (2) **Full Application.** If the development remains eligible to apply under Senate Bill 35 after scoping consultation consistent with Government Code §65913.4(b) has concluded, an applicant may file a full Senate Bill 35 application on a form provided by the City with the required fee.
- D. **Completeness Review.** The City shall review an application for compliance consistent with Subsection 1.E; there shall be no separate or additional timeframe for completeness review. Only the items necessary to determine compliance with the provisions contained in Government Code §65913.4(a) shall be required.

## E. Compliance Review

- (1) **Scope of Review.** The Planning Commission's scope of review is limited to all of the provisions contained in Government Code §65913.4(a) and the objective standards in effect at the time of preliminary application submittal.
- (2) **Review Timeframes and Review Authority**
  - (a) **Consistency Review.** The Director shall determine if the application complies with all of the provisions contained in Government Code §65913.4(a) and applicable objective standards within the following timeframes:
    - i. Within 60 calendar days of application submittal for applications that include 150 or fewer housing units.
    - ii. Within 90 calendar days of application submittal for applications that include 151 or more housing units.
  - (b) **Design Review or Public Oversight.** Any design review or public oversight (i.e., Planning Commission review) to determine if the application complies with all of the provisions contained in Government Code §65913.4(a) and applicable objective standards shall occur within the following timeframes:
    - i. Within 90 calendar days of application submittal for applications that include 150 or fewer housing units.
    - ii. Within 180 calendar days of application submittal for applications that include 151 or more housing units.
- (3) **Compliance Determination**
  - (a) **Compliant Application.** If the application complies with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the City shall complete any design review or public oversight and any subdivision approval within the timeframes listed in Subsection 1.E. Only objective design and subdivision standards may be applied. See Subsection 1.F.
  - (b) **Non-Compliant Application.** If the application does not comply with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Planning Commission shall make the following determination:
    - i. If the application does not comply with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Planning Commission shall provide the applicant with written documentation of which standards the development conflicts with and an explanation of the reasons the development conflicts with each standard.
    - ii. Resubmitted Application. If the project was found to be non-compliant, the applicant may resubmit the application for Senate Bill 35 streamlining, and the City shall review it for compliance with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards subject to the same timelines in Subsection (2) above.
    - iii. Project Ineligible. If the project is ineligible for Senate Bill 35 streamlined processing, the applicant may elect to submit an application for the applicable discretionary approval.



**F. Decision on Project**

- (1) **Project Approval and Findings.** The Planning Commission shall approve the application if the Planning Commission finds that the proposed development is compliant with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, including objective subdivision standards.
- (2) **Conditions of Approval.** The Planning Commission may impose conditions of approval provided those conditions of approval are objective and broadly applicable to development within the City.

**G. Post-decision Procedures**

- (1) **Subsequent Permits.** Any necessary subsequent permits shall be issued on a ministerial basis subject to applicable objective standards. If a public improvement is necessary to implement a development subject to this Section, and that public improvement is located on land owned by the City, the Planning Commission shall process any approvals needed as required by Government Code §65913.4(h)(3).
- (2) **Post-Approval Modifications**
  - (a) **Post-Approval Modification Request.** An applicant or the City may request a modification to an approved development if that request is made prior to the issuance of the final building permit.
  - (b) **Applicability of Objective Standards to Modifications.** The Planning Commission shall only apply objective standards in effect when the original application was submitted, except that objective standards adopted after the date of original submittal may be applied in any of the following instances:
    - i. The total number of residential units or total square footage of construction changes by 15 percent or more; or
    - ii. The total number of residential units or total square footage of construction changes by five percent or more, and it is necessary to subject the development to an objective standard beyond those in effect when the application was submitted in order to mitigate or avoid a specific adverse impact upon public health or safety, for which there is no feasible alternative method to satisfactorily mitigate or avoid.
    - iii. Objective building standards contained in Title 22 may be applied to all modifications.
  - (c) **Post-Approval Modification Review Timeframe and Decision.** The Planning Commission shall determine if the modification is consistent with objective planning standards and issue a decision on the applicant's modification request within 60 days after submittal unless design review is required, in which case a decision shall be made within 90 days.
- (3) **Expiration.** An application approved consistent with this Section shall remain valid for three years; however, an application approval shall not expire if the development includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the area median income consistent with Government Code §65913.4(f).
- (4) **Extension.** At the discretion of the Planning Commission, a one-year extension may be granted consistent with Government Code §65913.4(f)(3).

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2. **Procedures for applications filed consistent with the** Housing Accountability Act
  - A. **Applicability**
    - (1) This Section applies to housing development projects as defined by Government Code §65589.5(h)(2).
    - (2) This Section shall remain in effect for the same period as provisions contained in the Government Code §65589.5 (Housing Accountability Act). Any provisions that are not extended by the State Legislature shall be repealed as of the date those provisions in the Housing Accountability Act are deemed null and void.
  - B. **Definitions.** Terms defined in Government Code §65589.5 shall apply to this Section and shall control in the event of a conflict between definitions in this FBC and definitions in Government Code §65589.5.
  - C. **Application Filing**
    - (1) **Preliminary Application Filing (Optional).** An applicant may file a preliminary application consistent with Government Code §65941.1.
      - (a) A preliminary application shall be filed on a form provided by the City with the required fee. If the City has not prepared a form, a preliminary application shall be filed on the standardized form adopted by the California Department of Housing and Community Development.
      - (b) Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full application for the housing development.
    - (2) **Full Application.** An applicant may file a full application for a housing development without filing a preliminary application. The full application shall be filed on a form provided by the City with the required fee.
  - D. **Conflicting Procedures.** This Section provides additional procedures that shall be followed for applicable projects. If conflicts occur between the City's procedures and the procedures of this Section, this Section shall control.

**E. Completeness Review**

- (1) **Preliminary Application.** If a preliminary application is filed, the preliminary application shall be deemed complete when the preliminary application containing all of the information listed in the preliminary application form is submitted. If all listed information is not provided, the City shall request the missing information from the applicant.
- (2) **Full Application**
  - (a) Once a full application is submitted, the City shall inform the applicant in writing within 30 calendar days of submittal or resubmittal that the application is complete or incomplete and the additional information required consistent with Government Code §65943. Only information requested in the City's application forms can be requested. If the City does not provide written notification within this timeframe, the application shall be deemed complete. The City shall review each resubmittal within the 30-day period and cannot request information that was not listed in the first incompleteness letter.
  - (b) If an applicant receives written notification that the application is incomplete, and a preliminary application was submitted for the housing development, the applicant shall submit the information needed to complete the application within 90 calendar days of receiving the written notification of incompleteness. If the applicant does not submit this information within this timeframe, the preliminary application shall expire and have no further force or effect.
  - (c) If a second determination of incompleteness is provided, the applicant shall be able to appeal the decision to the City Council. The City shall make a decision on the appeal no later than 60 calendar days after receipt of the applicant's written appeal. The initial appeal may be to the Planning Commission, but in that case the City Council shall still make a decision within 60 days. If the decision on the appeal is not made within this timeframe, the application shall be deemed complete.

**F. Compliance Review****(1) Scope of Review**

- (a) **Housing Development with a Preliminary Application Submittal.** A housing development for which a preliminary application was submitted shall only be subject to the ordinances, policies, and standards adopted and in effect when the preliminary application is submitted, except in the following circumstances:
- i. A fee, charge, or other monetary exaction increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or monetary exaction.
  - ii. A preponderance of the evidence in the record establishes that subjecting the housing development to an ordinance, policy, or standard beyond those in effect when the preliminary application was submitted is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.
  - iii. Subjecting the housing development to an ordinance, policy, standard, or any other measure, beyond those in effect when the preliminary application was submitted is necessary to avoid or substantially lessen an impact consistent with CEQA.
  - iv. The housing development has not commenced construction within 2.5 years following the date of the housing development's final approval (as defined in Government Code §65589.5(o)(1)(D)).
  - v. The number of residential units or square footage of construction proposed changes by 20 percent or more, exclusive of any increase resulting from a density bonus, incentive, concession, waiver, or similar provision.
- (b) **Housing Development without a Preliminary Application Submittal.** A housing development shall be subject to objective standards in effect when the application was deemed complete.

(2) **Review Timeframes**

- (a) Applications for housing development containing 150 or fewer units shall be reviewed for compliance with applicable objective standards within 30 calendar days of being deemed complete.
- (b) Applications for housing development containing more than 150 units shall be reviewed for compliance with applicable objective standards within 60 calendar days of being deemed complete.

(3) **Review Authority.** The Review Authority shall be the Planning Commission consistent with the City's procedures for the full application; however, if the Director is not the Review Authority, the Director may serve as the Review Authority, if necessary, to comply with Review Timelines described in Subsection 2.F.

(4) **Compliance Determination**

- (a) The Planning Commission shall identify the specific standard(s) that the project does not comply with and provide an explanation of the reason(s) why the housing development is considered to be inconsistent or non-compliant with identified provisions and shall provide the written determination to the applicant.
- (b) A housing development is considered in compliance with this Title, and shall not require an amendment to the zoning map, if the housing development complies with objective General Plan standards but the zoning for the housing development site is inconsistent with the General Plan.

(5) **Limited Hearings/Meetings.** If a housing development complies with applicable objective standards, the City shall not conduct more than five public hearings (including continuances), workshops, or similar meetings after the full application is complete in connection with the approval of the housing development consistent with Government Code §65905.5. Meetings required by CEQA are exempt from the limit.

## G. Findings and Decision

### (1) Findings

- (a) If the proposed housing development complies with applicable objective General Plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission may only deny the housing development or conditionally approve the housing development at a lower density if the Planning Commission makes written findings supported by a preponderance of the evidence in the record that:
  - i. The housing development would have a specific, adverse impact upon the public health or safety unless the housing development is denied or conditionally approved at a lower density. A "specific, adverse impact" means a "significant, quantifiable, direct, and unavoidable impact, based on identified written public health or safety standards, policies, or conditions as they existed on the date that the project was deemed complete"; and
  - ii. There is no feasible method to satisfactorily mitigate or avoid the adverse impact other than the denial of the housing development or conditional approval of the housing development at a lower density.
- (b) If the housing development includes 20 percent of units affordable to very low or low-income households, 100 percent of units affordable or moderate or middle income households, or an emergency shelter, the Planning Commission shall approve the housing development unless the Planning Commission makes written findings supported by a preponderance of the evidence in the record, as to at least one of the findings in Government Code §65589.5(d).

### (2) Decision Timeframes. The Planning Commission shall approve or deny the housing development within the following applicable period:

- (a) 90 days from Environmental Impact Report certification;
- (b) 60 days from Environmental Impact Report certification for an affordable housing development consistent with Government Code §65950(a)(3);
- (c) 60 days from adoption of a Negative Declaration; or
- (d) 60 days from determination of CEQA exemption.

## H. Post-Decision Procedures. Post-decision procedures for the required permit (full application) shall be followed provided those procedures do not conflict with applicable Government Code sections for housing developments (i.e., Housing Accountability Act, Government Code §65589.5).

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Figure 22.10.020.1: Process for Developments Eligible for Senate Bill 35 Streamlining with 150 units or Fewer (Government Code §65913.4)

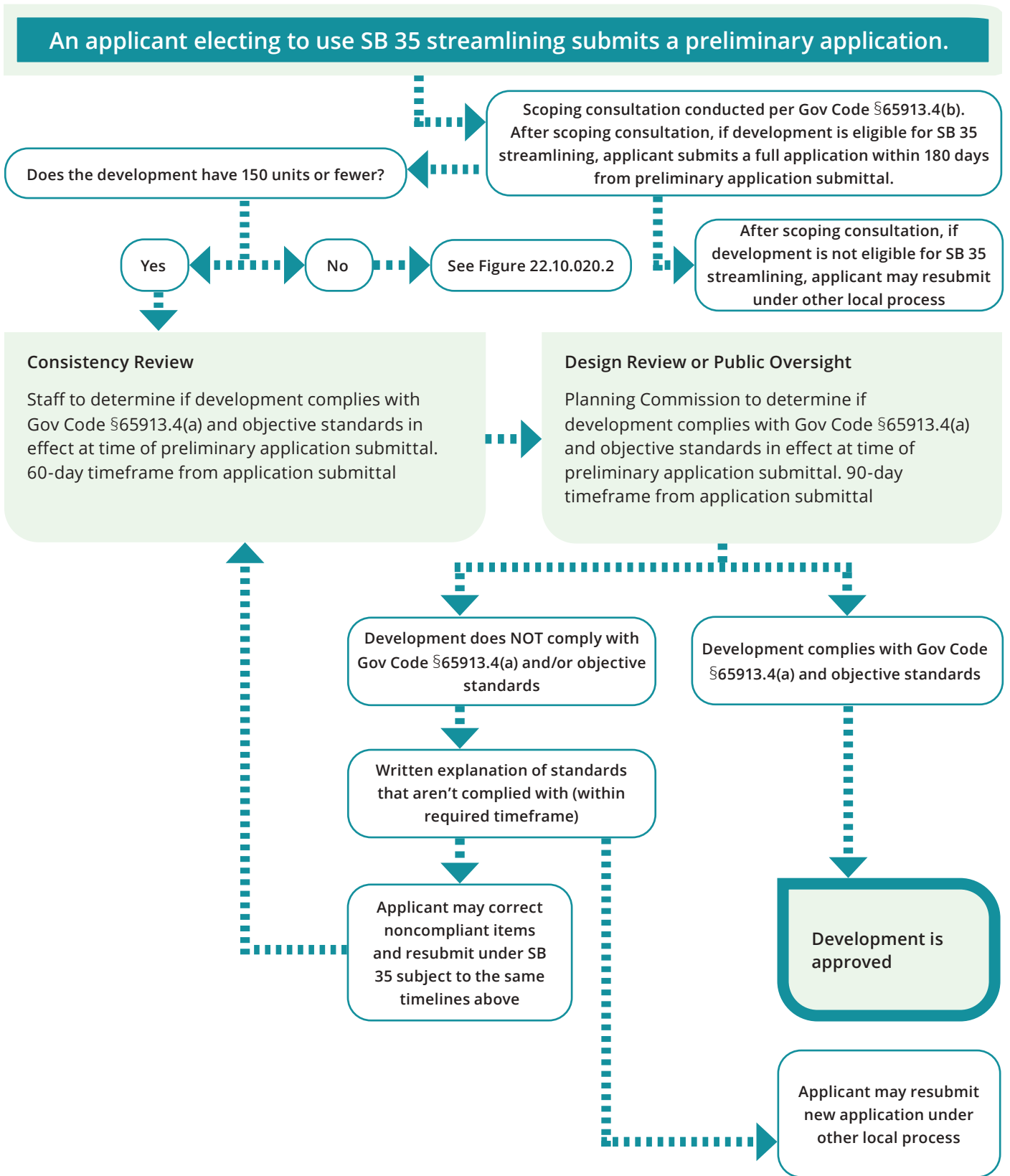


Figure 22.10.020.2: Process for Developments Eligible for Senate Bill 35 Streamlining with 151 units or More (Government Code §65913.4)

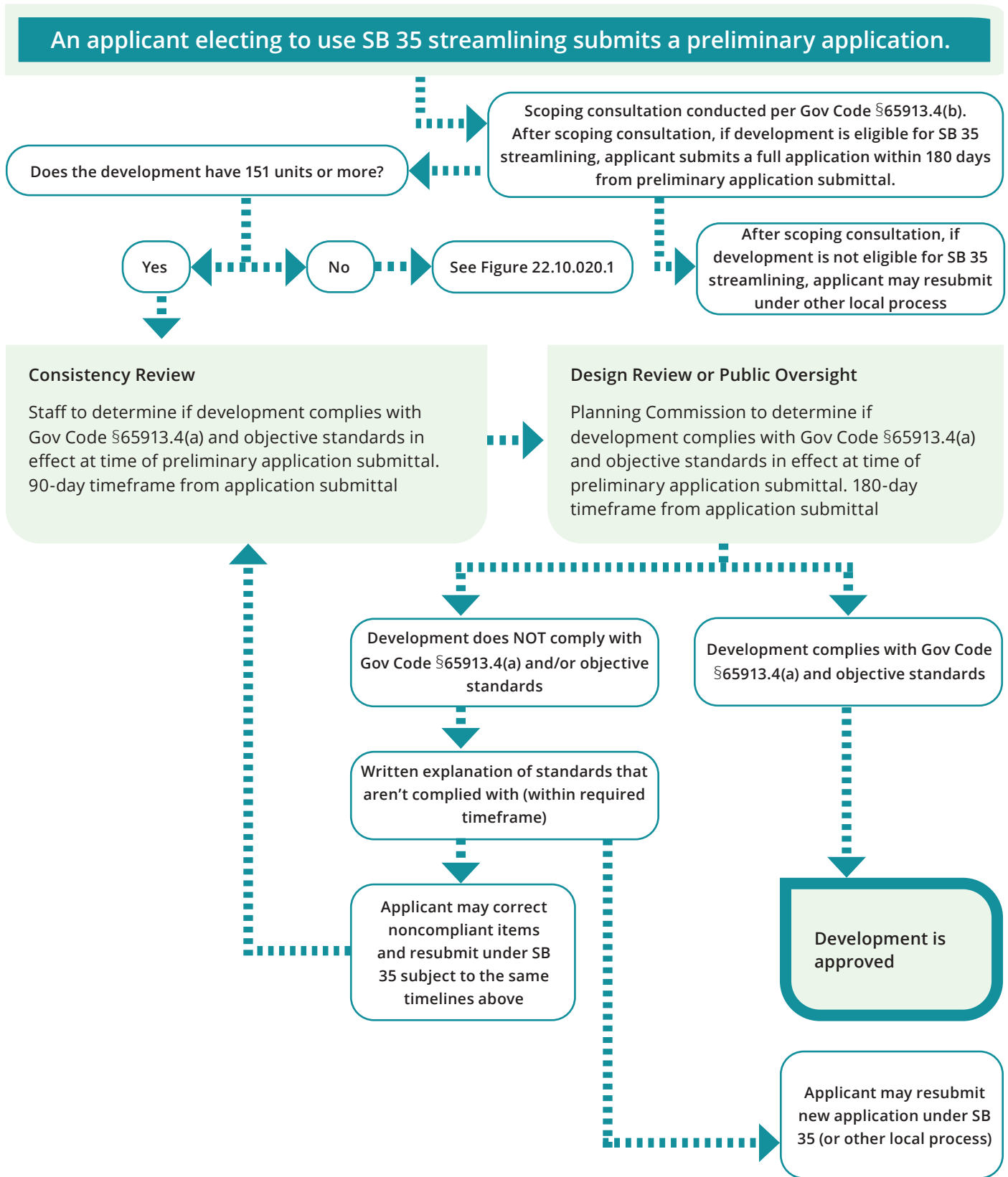
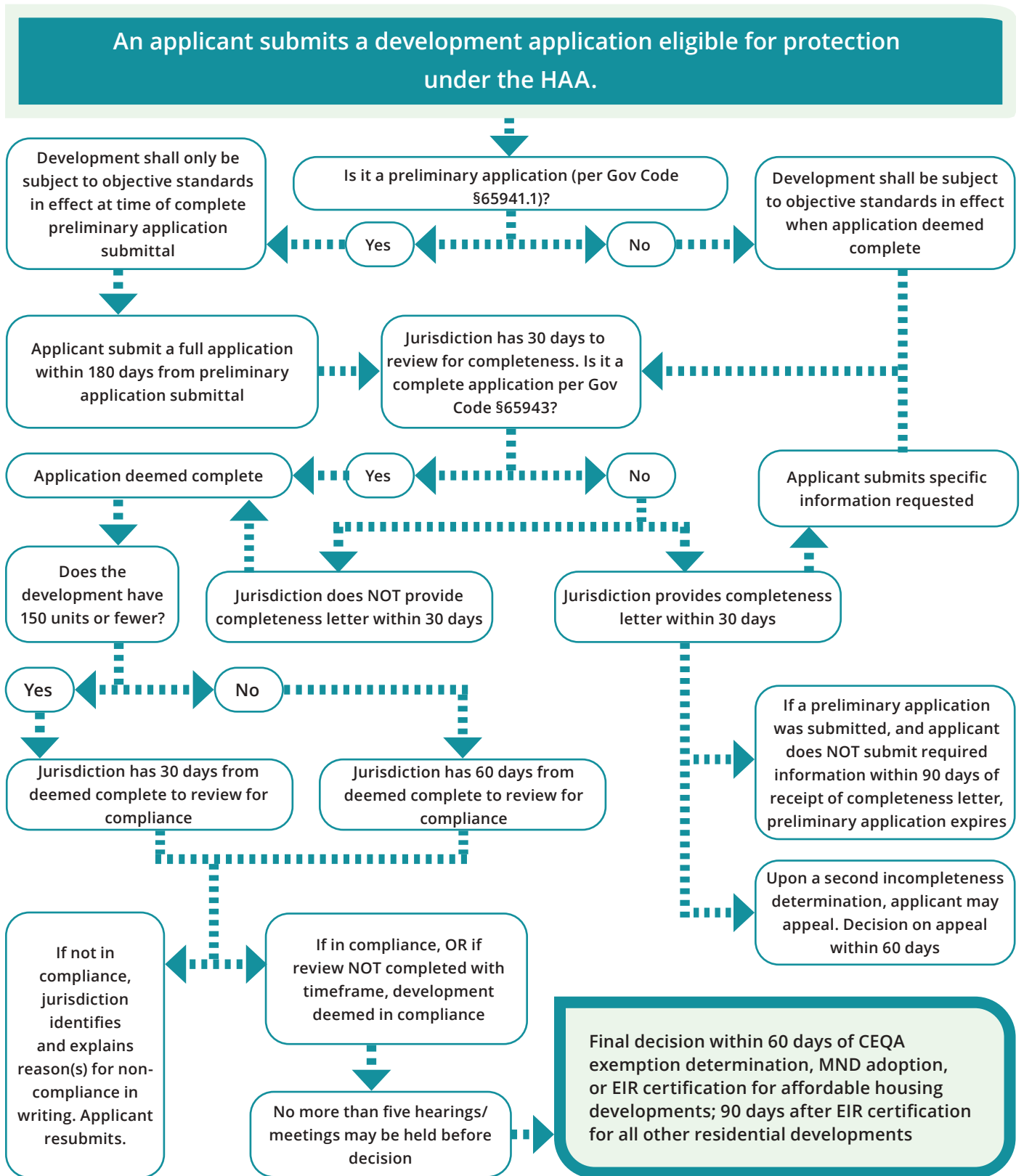


Figure 22.10.020.3: Process for Developments Eligible for Housing Accountability Act (HAA) Protection (Government Code §65589.5)



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## 22.10.030 Quick Code Guide for Developments Less Than Two Acres

The following graphic is intended as a summary guide. Please refer to the procedures for applications eligible for streamlined review consistent with State Law [Section 22.10.020 (Procedures)] for all necessary information.

1

### Determine your Maximum Zoning Envelope<sup>1</sup>

<b>Identify your zone</b> , see Chapter 3 (Zones) and Belvedere Objective Design Standards Zones Map	a. Select your building type(s)	Subsection 2 of the zone
	b. Comply with building placement standards	Subsection 4 of the zone
	c. Comply with building form and height standards	Subsection 3 of the zone
	d. Select from allowed uses	Table 22.04.030.A (Uses)
	e. Comply with parking standards	Subsection 6 of the zone
	f. Select your private frontage type	Subsection 7 of the zone
<b>Identify your building type standards</b> , see Chapter 6 (Specific to Building Types)	a. Select your detailed massing type	Subsections 3 and 7 of the building type
	b. Comply with the standards	Subsections 1, 2, 4-7 of the building type

<sup>1</sup> Developments that propose multiple design sites shall apply this process for each design site.

2

### Connect Ground Floor to Adjacent Streetscape

<b>Apply your private frontage type(s)</b> , see Chapter 7 (Specific to Private Frontage Types)	Based on your selected private frontage type(s), comply with the standards	See Subsections of the private frontage type
---	--	--

3

### Design your Building

<b>Identify your architectural standards</b> , see Chapter 8 (Specific to Architectural Design)	Based on your selected detailed massing type, select your architectural style	Subsections 1-16 of the architectural style
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4

Proceed to Approval Process

<b>If adjustments are proposed</b> , see Section 22.10.030 (Adjustments to Standards)	Meet the required findings to be eligible for the adjustment to the standard(s)	Section 22.10.030 (Adjustments to Standards)
<b>Identify your approval procedure</b> , see Chapter 10 (Administration)	Comply with the procedure standards	Section 22.10.020 (Procedures)

## 22.10.050 Quick Code Guide for Development of at Least Two Acres

The following graphic is intended as a summary guide. Please refer to the procedures for applications eligible for streamlined review consistent with State Law [Section 22.10.020 (Procedures)] for all necessary information.

1

### Design your Walkable Neighborhood Plan (WNP)

<b>Apply the WNP design process</b> , see Subsection 22.09.020.1	Comply with the standards	Section 22.09.020 (General to Walkable Community Design)
<b>Prepare WNP</b>	Comply with the standards	Section 22.09.030 (Walkable Neighborhood Plan)

2

### Determine your Maximum Zoning Envelope

<b>Identify your zone(s)</b> , see Chapter 3 (Zones) and Belvedere Objective Design Standards Zones Map	For each WNP:	
	a. Select your building type(s)	Subsection 2 of the zone
	b. Comply with building placement standards	Subsection 4 of the zone
	c. Comply with building form and height standards	Subsection 3 of the zone
	d. Select from allowed uses	Table 22.04.030.A (Uses)
	e. Comply with parking standards	Subsection 6 of the zone
<b>Identify your building type standards</b> , see Chapter 6 (Specific to Building Types)	f. Select your private frontage type for each building type	Subsection 7 of the zone
	a. Select your detailed massing type for each building type	Subsections 3 and 7 of the building type
	b. Comply with the standards	Subsections 1, 2, 4-7 of the building type

<sup>1</sup> This process shall be applied to each design site.

3

### Connect Ground Floor of each Building Type to Adjacent Streetscape

<b>Apply your private frontage types to each building type</b> , see Chapter 7 (Specific to Private Frontage Types)	Based on your selected building types, comply with the standards	See Subsections of the private frontage type
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**4** Design your Buildings

<b>Identify your architectural standards</b> , see Chapter 8 (Specific to Architectural Design)	Select your architectural style standards for each building type	Subsections 1-16 of the architectural style
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**5** Proceed to Approval Process

<b>If adjustments are proposed</b> , see Section 22.10.030 (Adjustments to Standards)	Meet the required findings to be eligible for the adjustment to the standard(s)	Section 22.10.030 (Adjustments to Standards)
<b>Identify your approval procedure</b> , see Chapter 10 (Administration)	Comply with the procedure standards	Section 22.10.020 (Procedures)



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# Chapter 11: Definitions

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## Sections:

22.11.010	Purpose
22.11.020	Definitions
22.11.030	Measurement Methods

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## 22.11.010 Purpose

This Chapter provides definitions for specialized terms and phrases used in this FBC. All other applicable definitions in Chapter 19.08 (Definitions) of Title 19 (Zoning) apply.

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## 22.11.020 Definitions

### A. Definitions

**Abutting.** Having a common property line or district boundary, or separated by a private or public street or easement.

**Access or Service Drive.** A public or private way of paving or right-of-way of not more than 30 feet affording means of access to property.

**Access Frontage or Service Road or Street.** A public or private street or right-of-way of not less than minimum standards as specified by the subdivision ordinance of the City affording means of access to property.

**Accessory Dwelling Unit (ADU).** An attached or detached residential dwelling unit which provides complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, which is located on the same parcel as a single-unit dwelling.

**Accessory Structure (syn. Accessory Building).** A structure physically detached from, secondary and incidental to, and commonly associated with a primary structure or use on the same site. Accessory structures normally associated with a residential use property include, but are not limited to: garages (unenclosed or enclosed) for the storage of automobiles (including incidental restoration and repair), personal recreational vehicles, and other personal property; studios; workshops; greenhouses (noncommercial); enclosed cabanas and pool houses; and storage sheds. Accessory structures normally associated with a non-residential use property include, but are not limited to: garages (unenclosed or enclosed) for the storage of automobiles and work related vehicles and equipment (including incidental restoration and repair); storage structures; workshops; and studios.

**Accessory Structure, Major (Major Accessory Structure).** An accessory structure with a footprint greater than 120 square feet.

**Accessory Structure, Minor (Minor Accessory Structure).** An accessory structure with a footprint of 120 square feet or less.

**Addition.** The enlargement of an improvement accomplished by appending a new improvement.

**Adjacent.** Sharing a common design site line, or having design site lines separated only by an alley.

**Adjacent Buildings.** Two or more buildings located upon adjacent design sites.

**Affordable to Low-Income or Very-Low-Income Households.** Being of a condition in which sales prices or rental rates for a housing development conform with the current State Law.

**Affordable Housing Development.** A residential development consisting of five or more units, not including any bonus units requested, in which the total units affordable to low-income households, very-low-income households; moderate income households; or senior housing are mandated by applicable California State Housing Laws.

**Agriculture.** The use of the land for purposes including farming, agriculture, horticulture, floriculture, viticulture, and the necessary accessory uses for packing, treating, or storing the produce, provided that any such accessory uses shall be secondary to that of normal agricultural activities. Does not include the raising of animals or fowl for commercial purposes, or sale of any products at retail on premises, unless otherwise specified.

**Alley.** A public or private way to be used primarily for vehicular access to the back or side of a design site of real property that otherwise abuts a street.

**Allowed Use.** Uses that are allowed by right and are not subject to the conditions of approval, mandatory review periods, or expiration periods as required for Use Permits or Minor Use Permits.

**Alter.** To create physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

**Amusement Center or Facility.** A place of amusement, recreation, or entertainment, involving assemblages of people.

**Ancillary Structure (syn. Ancillary Building).** See "Accessory Structure."

**Animal Shelter.** Any place where animals or birds are kept, bred, groomed, trained or treated for compensation; or any such place where animals or birds are sold.

**Antenna.** Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure. Antennas shall include devices having active elements extending in any direction and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.

**Apartment, Efficiency.** A dwelling unit in a multi-unit building, consisting of not more than one habitable room, excluding the kitchen or kitchenette and sanitary facilities, of a total floor area of not more than 400 square feet.

**Applicant.** Any individual, firm, or any other entity that applies to the City for the applicable permits to undertake any construction or development within the City.

**Architectural Feature.** Exterior building element intended to provide ornamentation to the building massing including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

**Attached Building or Structure.** Any building or structure which is structurally a part of or has a common wall and/or continuous roof with a primary building or structure, except where such connection is a breezeway or walkway incidental to and not a necessary part of the construction of the primary building.

**Auto and Vehicle Sales and Rental.** A retail or wholesale establishment selling and/or renting automobiles; trucks and vans; trailers; motorcycles; and scooters with internal combustion engines (bicycle sales are included under "General Retail"). May also include repair shops and the sales of parts and accessories incidental to vehicle dealerships. Does not include: the sale or rental of trailers, boats, RVs; businesses dealing exclusively in used parts, auto wrecking, and salvage; the sale of auto parts/accessories separate from a vehicle dealership (see "Auto parts sales"); or "Auto service stations," which are separately defined.

**Auto Disassembly or Wrecking.** The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

**Auto Parts Sales.** Stores that sell new or re-manufactured automobile parts, tires, and accessories. Establishments that provide installation services are instead included under "Vehicle Services, Auto Repair Garage." Does not include businesses dealing exclusively in used parts, auto wrecking and salvage, or tire recapping establishments, which are found in compliance with "Vehicle Services, Auto Repair Garage."

**Auto Repair.** See "Vehicle Services."

**Auto Repair.**

1. **Auto Repair, Major.** General repair, rebuilding or reconditioning of engines, motor vehicles, or trailers; collision service including body or frame, straightening or repair, overall painting, or paint shop.
2. **Auto Repair, Minor.** Incidental minor repairs to include replacement of parts and service to passenger cars, but not including any operation defined as "automobile repair, major," or any other operation similar thereto.

**Auto Service Station.** A building and/or design site or use having pumps and storage tanks where motor vehicle fuels or lubricating oil, grease, or accessories for motor vehicles are dispensed, sold, or offered for sale at retail only; where deliveries are made directly into motor vehicles, including car washing and incidental accessory retail sales in a convenience market.

**Automated Teller Machine (ATM).** A computerized self-service machine used by bank and financial service patrons for conducting transactions, including deposits, withdrawals, and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with this FBC.

**Average Slope.** The result of dividing the length of a slope by the difference in elevation at the top and bottom of the slope. See Section 22.11.030 (Measurement Methods).

**Awning.** A roof or cover which projects from a wall of a building over a window or door, made of canvas, aluminum, or similar material, which may be fixed in place or be retractable.

## B. Definitions

**Bank, Financial Services.** Financial institutions including: banks and trust companies; credit agencies; holding (but not primarily operating) companies; lending and thrift institutions; other investment companies; securities/commodity contract brokers and dealers; security and commodity exchanges; and vehicle finance (equity) leasing agencies.

**Base Flood Elevation.** As designated by Federal Emergency Management Agency (FEMA), the elevation of surface water resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

**Basement.** A story whose floor is more than 12 inches, but not more than half of its story height below the average level of the adjoining existing grade (as distinguished from a "cellar," which is a story more than one-half below such level). A basement, when used as a dwelling, shall not be counted as a story for purposes of height measurement.

**Bathroom.** A room that contains all of the following features: a bathtub or shower, a washbowl, and a toilet.

**Bay.** Any division of a building between vertical lines or planes, especially the entire space included between two adjacent supports.

**Bay Window.** An architectural projection from the building cantilevered from the facade, consisting of one or more stories in height, containing at least 60 percent glass area.

**Bed & Breakfast (B&B).** A use of up to 10 sleeping units, where one unit equals one room, for the rental accommodation of transient guests on an overnight basis.

**Block.** An area of land separated from other areas by adjacent streets, railroads, rights-of-way, public areas, or the subdivision boundary.

**Block Face.** The aggregate of all the building facades on one side of a block. The block face provides the context for establishing architectural harmony.

**Block Length.** The horizontal distance from the right-of-way on one end of the block to the right-of-way on the other end along the same street.

**Block Perimeter.** The aggregate of all sides of a block bounded by the abutting rights-of-way.

**Block-Scale, Building.** A building that is individually as large as a block or individual buildings collectively arranged along a street to form a continuous facade as long as most or all of a block.

**Bonus.** See "Density Bonus."

**Building.** A structure consisting of one or more foundations, floors, walls, and roofs that surround an interior space, and may include exterior appurtenant structures including, but not limited to, porches and decks.

**Buildable Area.** The horizontal area in which a building is allowed to be constructed.

**Building Elevation.** The exterior wall of a building not adjacent to a public right-of-way, the front or side along a private street, or civic space.

**Building Entrance.** A point of pedestrian ingress and egress to the front of a building along the sidewalk of the street immediately adjacent to the building.

**Building, Existing.** See "Structure, Existing."

**Building Facade.** The exterior wall of a building adjacent to a street, the front or side along a private street, or civic space.

1. **Building Facade, Front.** The exterior wall of a building adjacent to a street or civic space.
2. **Building Facade, Side Street.** The exterior wall of a building adjacent to a side street.
3. **Building Facade, Interior Side.** The exterior wall of a building adjacent to the interior design site line(s).
4. **Building Facade, Rear.** The exterior wall of a building opposite the front.

**Building Form.** The overall shape and dimensions of a building.

**Building Frontage.** The facade(s) along the front and side street of the design site.

**Building Frontage, Principal.** The facade along the front of the design site, typically the narrower of sides and identified by an address.

**Building, Primary.** The building that serves as the focal point for all activities related to the principal use of the design site.

**Building, Setback.** See "Setback, Building."

**Business Support Services.** An establishment within a building that provides services to other businesses. Examples of these services include: blueprinting; computer-related services (rental, repair); copying and quick printing services; film processing and photofinishing (retail); and mailing and mail box services. Does not include sales, storage or rental of heavy equipment.

**Building Type.** A structure defined by its combination of configuration, disposition, and function.

**By-Right, Approval.** Approval by administrative staff of certain uses, improvements, and developments not requiring further review and in compliance with all applicable standards.

## C. Definitions

**Cafe.** See "Restaurant, cafe or coffee shop."

**Camping and Picnicking Areas.** This land use is intended for picnicking and camping areas, which may include individual campsites, but where utility hookups for recreational vehicles are typically not provided at campsites.

**Carshare Parking Space.** A parking space required to be dedicated for current or future use by a carshare service through a deed restriction, condition of approval, or license agreement. Such deed restriction, condition of approval, or license agreement shall grant priority use to any carshare service that can make use of the space, although such spaces may be occupied by other vehicles so long as no carshare organization can make use of the dedicated carshare space(s).

**Car wash.** A place where motor vehicles are vacuumed, cleaned, washed, and/or waxed. Does not include the retail sale of motor vehicle fuels.

**Carshare Service.** A service that provides a network of motor vehicles available to rent by members by reservation on an hourly basis or in smaller intervals.

**Catering service.** A businesses that prepares food for consumption on the premises of a client.

**Ceiling Height, Ground Floor.** The height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms which include, but are not limited to: bathrooms, closets, utility rooms, and storage spaces.

**Ceiling Height, Upper Floor(s).** The height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms which include, but are not limited to: bathrooms, closets, utility rooms, and storage spaces.

**Cellar.** That portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. A cellar shall not be counted as a story, for the purpose of height standards.

**Center.** Concentration of ground floor shopping, restaurants, and services, with additional offices and housing located above, within a Walkable Urban context.

**Child Day Care.** Facilities for nonmedical care and supervision of minor children for periods of less than 24 hours. This land use includes the following types of facilities, all of which are required to be licensed by the California State Department of Social Services:

1. **Day Care Center.** Commercial or non-profit child day care facilities designed and approved to accommodate 15 or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with other approved land uses, or as an independent land use.
2. **Large Family Day Care Home.** A day care facility located in a single-unit residence where an occupant of the residence provides care and supervision for 7 to 14 children. Children under the age of 10 years who reside in the home count as children served by the day care facility.
3. **Small Family Day Care Home.** A day care facility located in a single-unit residence where an occupant of the residence provides care and supervision for either six or fewer children, or eight or fewer children provided that no more than two of the children are under the age of two and at least two of the children are over the age of six. Children under the age of 10 years who reside in the home count as children served by the day care facility.

**Chamfered.** A transitional edge between two faces of an object. Sometimes defined as a form of bevel, it is often created at a 45° angle between two adjoining right-angled faces.

**Chamfered Facade Corner.** An external wall of a building joining two perpendicular exterior walls, typically at a symmetrical, 45 degree angle creating a beveled edge to the building rather than a 90 degree corner.

**Civic.** A term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

**Civic Building.** A structure operated by governmental or not-for-profit organizations and limited to civic and related uses.

**Civic Space.** An outdoor area dedicated for public gathering and civic activities. See Section 22.09.040 (General to Civic Space).

**Coffee Shop.** See "Restaurant, cafe or coffee shop."

**Commercial.** A term defining service and retail uses collectively.

**Commercial Amusement Facility.** Establishments providing indoor amusement and entertainment services for a fee or admission charge, including:

1. Bowling alleys;
2. Coin-operated amusement;
3. Dance clubs;
4. Electronic game arcades (video games, pinball, etc.);
5. Gyms and recreation facilities;
6. Ice skating and roller skating; and
7. Pool and billiard rooms.

This use does not include adult oriented businesses, which are separately defined.

**Commercial Recreation Facility.** To include commercial amusement facilities (unlimited capacity amusement parks, arenas, auditoriums, convention centers, or stadiums); golf courses and country clubs; outdoor theaters; private swim clubs; and recreation centers.

1. **Commercial Recreation Facility, Indoor.** Establishments providing indoor amusement and entertainment services for a fee or admission charge, including: bowling alleys; coin-operated amusement arcades; night clubs; electronic game arcades (video games, pinball, etc.); ice skating and roller skating; and pool and billiard rooms as primary uses. Eight or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; seven or fewer machines are not considered a land use separate from the primary use of the site.
2. **Commercial Recreation Facility, Outdoor.** A facility for various outdoor recreational activities, where a fee is charged for use. Examples include: amusement and theme parks; camping and picnicking areas; go-cart tracks; golf driving ranges; miniature golf courses; and water slides. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars, restaurants, video game arcades, etc. Does not include golf courses, which are separately defined.

**Common Courtyard.** An entry court, forecourt, or courtyard shared by multiple residential units or commercial spaces.

**Common Open Space.** An entry court, forecourt, courtyard, or other on-site open space shared by multiple residential units or non-residential units.

**Common Space (syn. Common Area).** A portion of a development held in common and/or single ownership, is not reserved for the exclusive use or benefit of an individual tenant or owner, and is available for use by all persons who reside or work in the building or on the design site.

**Communication Equipment Building.** A building housing operating electrical and mechanical equipment necessary for the conduct of a communications business with or without personnel.

**Communications Tower.** Any structure which supports an antenna.



**Community Assembly.** A facility available for public assembly, such as a conference hall, club hall, lodge, performing arts center, amphitheater, or event facility, or for religious worship, such as a church, temple or mosque.

**Community Care Facility.** Residential care facilities for the elderly, alcoholism recovery, and homes for mentally disordered, handicapped, dependent, and neglected children.

**Community Center.** A multi-purpose meeting and recreational facility typically consisting of one or more meeting or multi-purpose rooms, kitchen, and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

**Community Garden (Use Type).** Land used for the cultivation by multiple users, of fruits, vegetables, plants, flowers, or herbs.

**Condominium.** An estate in real property consisting of an undivided interest in common in a portion of the property together with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, design site map, or condominium plan. The condominium may be commercial, industrial, residential, or any combination. [Civil Code §783, §1351(f)].

**Condominium Conversion.** The conversion of an existing structure into separately owned commercial, industrial, or mixed-use units.

**Convenience Market.** A market serving neighborhood needs, of less than 5,000 square feet inside, offering a broad selection of goods, but with less than 20 percent of the sales floor area devoted to the display of alcoholic beverages.

**Corner Element.** A physical distinction in a building at the corner of two streets or a street and public space.

**Corner Entry.** An entrance located on the corner of a building.

**Cornice.** The crown molding of a building or element.

**Cottage Court.** See Section 22.06.070 (Cottage Court).

**Council.** The City Council of the City of Belvedere.

**Courtyard (syn. Court).** An unroofed area that is completely or partially enclosed by walls or buildings on at least two sides and often shared by multiple residential units or non-residential units, not including off-street parking.

**Courtyard Building, Neighborhood.** See Section 22.06.100 (Neighborhood Courtyard).

### Coverage

1. **Coverage, Accessory Structures.** The sum of the footprint area of all structures on a design site.
2. **Coverage, Building.** The floor area of the largest story of a building divided by the total design site area.
3. **Coverage, Design Site.** The portion of the design site expressed as a percentage that is covered in buildings or other structures.

**Co-working Space.** A facilitated environment which may contain shared facilities including, but not limited to: conference rooms, reception services, phones, and other business amenities. Work spaces are used by a recognized membership who share the site in order to interact and collaborate with each other as part of a community and to reduce duplicated costs by sharing facilities. The uses shall have externally observable attributes similar to uses allowed in the zone in which that they are located. Equipment is limited to those which do not generate noise or pollutants in excess of what is customary within a typical office environment. Such space located in a research & development building may use equipment consistent with research & development uses. Co-working space may be interchangeably referred to as "incubator space."

**Cul-de-sac.** A street which connects to another public street only at one end and is not planned for later extension.

**Crawl Space.** A shallow unfinished uninhabitable space beneath the floor or under the roof of a building, that provides access to utility, structural, and other building components not readily accessible from the habitable portions of the building.

**Crenel.** A notch between two merlons (solid upright section of a crenellated parapet), often found in medieval architecture.

**Crenellated.** Having regularly-spaced, often rectangular gaps, often referring to a parapet or battlement in medieval architecture.

**Crenellation.** The series of regularly-spaced, often rectangular crenels along a parapet.

#### D. Definitions

**Dance Club.** Any dance open to the general public, whether or not a fee is charged for admission, but where such activity is in connection with any commercial activity.

**Dangerous or Objectionable Elements.** Any land or building structure used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or elements in such manner or in such amount as to adversely affect the surrounding area or adjoining premises.

**Days.** Calendar days unless this FBC specifies otherwise.

**Dedication.** The transfer by a subdivider to a public entity of title to real property or an interest therein, or of an easement or right in real property, the transfer of facilities, the installation of improvements, or any combination of these. [Title 18 (Subdivisions)]

**Defensible Space.** A public, private, or semi-private residential environment whose physical characteristics—building layout and site plan—function to allow inhabitants themselves to become key agents in ensuring their security.

**Density Bonus.** A density increase over the maximum allowable residential density of the zone. See Government Code §65915 for types of bonuses.

**Dentils.** Small, rectangular blocks found under a cornice in classical architecture. A decorative element, dentils bear resemblance to teeth, their namesake.

**Department.** Belvedere's Planning Department.

**Depth, Ground-Floor Space.** The distance from the street-facing facade to the rear interior wall of the ground-floor space available to an allowed use.

**Depth-to-Height Ratio.** The relationship of the depth of a space measured perpendicular to a building divided by the average height of the buildings adjacent to the space.

**Design Site.** A portion of land within a parcel, delineated from other design sites and/or parcels to accommodate no more than one building type. The main purpose of a design site is to allow a parcel large enough to contain more than one building type to contain multiple building types while not requiring the legal subdivision of the parcel into additional parcels.

1. **Design Site, Corner.** A design site located at the intersection of two or more streets, where they intersect at an interior angle of not more than 175 degrees. If the intersection angle is more than 175 degrees, the design site is considered an interior design site.
2. **Design Site, Flag.** A design site not meeting minimum design site frontage standards and where access to a public or private street is provided by means of a long, narrow driveway between abutting design sites.
3. **Design Site, Interior.** A design site abutting only one street.
4. **Design Site, Through.** A design site with two or more frontage lines that do not intersect.

**Design Site Area.** The total square footage or acreage of horizontal area included within the design site lines.

**Design Site Coverage.** See "Coverage."

**Design Site Depth.** The horizontal distance between the front design site line and rear design site line of a design site measured perpendicular to the front design site line.

**Design Site Line.** The perimeter and geometry of a design site demarcating one design site from another.

1. **Design Site Line, Front.** One of the following:
  - a. The frontage line in the case of a design site having a single frontage line;
  - b. The shortest frontage line in the case of a corner design site with two frontage lines, neither of which are adjacent to a thoroughfare or a design site with independent frontage;
  - c. The frontage line generally perceived to be the front design site line in the case of a corner design site with three or more frontage lines, none of which are adjacent to a thoroughfare or a design site with independent frontage;
  - d. The frontage line adjacent to a thoroughfare in the case of a corner design site with two or more frontage lines, one of which is adjacent to a thoroughfare;
  - e. The frontage line adjacent to a design site with independent frontage in the case of a corner design site with two or more frontage lines, one of which is adjacent to a design site with independent frontage; or
  - f. The frontage line adjacent to the front design site line of an adjacent design site in the case of a through design site.
2. **Design Site Line, Rear.** That design site line opposite the front design site line.
3. **Design Site Line, Side.** Design site lines connecting the front and rear design site lines.

**Design Site Width.** The horizontal distance between the design site lines measured perpendicular to the front design site line.

**Detached.** Separate or unconnected.

**Development Site.** The parcel(s) or portion(s) thereof on which proposed structures and improvements are to be constructed.

**Diligently Pursued.** Continued with constant or appropriate effort.

**Director.** Director of Planning and Building, an appointed representative.

**Display.** An item or arrangement of items indoors that is not attached to a window, door or wall.

**Disposition, Formal.** Composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

**Disposition, Informal.** Composed in an informal character with a mix of formal and natural characteristics.

**Disposition, Natural.** A preservation of the existing natural condition or a composition of elements arranged as they would appear in nature, with irregular shapes and asymmetry.

**Distance Between Entries.** The horizontal distance between entrances to a building or buildings, measured parallel to the facade.

**Drive-in Business.** Any business that either by design or operation provides services or products directly to occupants of a motor vehicle, except gasoline service stations.

**Drive-through Service.** Any business that either by design or operation provides services or products directly to occupants of a motor vehicle, except gasoline service stations.

**Driveway.** A vehicular lane within a design site, or shared between two design sites, usually leading to a garage, other parking, or loading area.

**Duplex Side-by-Side.** See Section 22.06.050 (Duplex Side-by-Side).

**Duplex Stacked.** See Section 22.06.060 (Duplex Stacked).

**Dwelling, Group Living (syn. Cohousing).** Dwellings designed for occupancy of groups living together and having a central dining facility.

**Dwelling, Multiple.** A building designed or used for three or more dwelling units.

**Dwelling, Second Unit.** A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-unit structure.

**Dwelling Unit.** A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

**Dwelling Unit, Stacked.** A dwelling unit situated immediately above or below another dwelling unit.

## E. Definitions

**Eave.** The edge of the roof that overhangs the face of the adjoining wall. The bottom of the eave can range from exposed rafters (“open eave”) to a finished horizontal surface (“closed eave”).

**Elevated Ground Floor.** A ground floor situated above the grade plane of the adjacent sidewalk.

**Emergency Shelter.** A facility for the temporary overnight shelter operated by a public or non-profit agency. Does not include charitable food distribution, which is not regulated by FBC.

**Encroachment.** Any architectural feature, structure, or structural element—including, but not limited to, a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace, or deck—that breaks the plane of a vertical or horizontal regulatory limit by extending: into a setback, beyond the build-to-line into the public frontage, or above a height limit.

**Entablature. Syn. Expression Line.** A horizontal, continuous lintel on a classical building supported by columns or a wall, comprising the architrave, frieze, and cornice.

**Entasis.** A slight convex curve in the shaft of a column, introduced to correct the visual illusion of concavity produced by a straight shaft.

**Entry.** An opening, including, but not limited to, a door, passage, or gate, that allows access to a building.

1. **Entry, Primary.** The opening that allows access to a building directly from the sidewalk along the front facade.
2. **Entry, Service.** An entrance located toward or at the rear of the building intended for the delivery of goods and removal of refuse.

**Equestrian Facility.** A commercial facility for horses, donkeys, and/or mules, including: horse ranches; boarding stables; riding schools and academies; horse exhibition facilities (for shows or other competitive events); and barns, stables, corrals, and paddocks, accessory and incidental to these uses. Does not include the simple pasturing of horses, donkeys, and/or mules.

**Established Landscape.** The point in time at which plants have developed roots into the soil adjacent to the root ball.

**Establishment Period.** The first year after installing a plant in a landscape.

**External Employees.** An employee who does not reside at his or her place of employment.

## F. Definitions

**Facade.** See "Building Facade."

**Facade Zone.** The area between the minimum and maximum setback lines along the front of a design site and along the side street of a corner design site where the building facade is required to be placed. The zone standards identify the minimum amount of facade to be placed in the facade zone. See Section 22.11.030 (Measurement Methods).

**Facility.** An improvement, structure, or building that is designed and used for a particular purpose.

**Farm Equipment Sales and Service.** The retail sale, rental, or repair of agricultural machinery, equipment, and supplies for use in: soil preparation and maintenance; the planting and harvesting of crops; and other operations and processes pertaining to farming and ranching. Includes commercial farm equipment sales, rental, and repair; farm and dairy supply and equipment repair; and feed sales.

**Farmworker Housing.** Any attached or detached dwelling unit used to house farm/agricultural workers and their family members, including temporary mobile homes. For the purpose of calculating density, no more than one food preparation area shall be provided for each farmworker housing unit.

**Fast-Food Business.** A restaurant with a drive-through facility providing food service directly to occupants of a motor vehicle.

**Fence.** A structure, made of wood, metal, masonry, or other material, typically used to screen, enclose, or divide open space for a setback or along a design site line.

**Finish Level, Ground Floor.** (Base Flood Elevation plus One Foot). Height difference between the finished floor on the ground floor and the adjacent sidewalk. In the case of a terrace frontage that serves as the public right-of-way, the floor finish level is the height of the walk above the adjacent street. Standards for ground floor finish level for ground floor residential uses do not apply to ground floor lobbies and common areas in multi-unit buildings.

**Financial services.** See "Bank, Financial Services."

**Fitness Facility.** A fitness center, gymnasium, or health and athletic club, which may include any of the following: sauna, spa, or hot tub facilities; indoor tennis, handball, and racquetball; archery and shooting ranges; and other indoor sports activities. Does not include adult entertainment businesses.

**Flex Space.** A room or group of internally connected rooms designed to accommodate an evolution of use over time in response to an evolving market demand. Typically designed to accommodate future commercial uses, while accommodating less intense short-term uses, including, but not limited to, residential or live/work, until the commercial demand has been established.

**Flood Hazard.** The threat of overflow stormwaters having the capability to flood lands or improvements, transport or deposit debris, scour the surface soil, dislodge or damage structures, or erode the banks of channels.

**Floor Area.** The sum of the gross areas of all stories of a building, measured from the exterior faces of the exterior walls. The floor area shall include any building that has a roof and is enclosed so as to provide shelter from the elements on three or more sides.

**Floor to Lot Area Ratio.** The floor area of the building divided by the total design site area.

**Floor Coverage.** See "Coverage."

**Floorplate.** An area measurement in square feet of either the gross or the rentable floor area of a typical floor in a building.

**Floorplate, Commercial.** The square footage area measurement of a floorplate dedicated to commercial uses.

**Floorplate, Non-residential.** The square footage area measurement of a floorplate dedicated to non-residential uses.

**Floorplate, Residential.** The square footage area measurement of a floorplate dedicated to residential uses.

**Flow Rate.** The rate at which water flows through pipes and valves, measured in gallons per minute or cubic feet per second.

**Food Store.** A business establishment principally intended to provide retail food sales and related products and services otherwise allowed within the zone in which the business is located.

**Footprint Area.** The total square footage contained within a footprint.

**Footprint, Building.** The outline of the area of ground covered by the foundations of a building or structure.

**Forecourt.** See Section 22.07.080 (Forecourt).

**Form-Based Zone (syn. Transect Zone).** One of several zones applied to parcel(s) subject to Title 22 (Objective Design and Development Standards). See Belvedere Objective Design Standards Zones Map.

**Fourplex.** See Section 22.06.080 (Fourplex).

**Freestanding Wall.** A wall that is separate from a building and supported by independent means.

**Front.** See "Design Site Line, Front."

**Front Loaded.** (Front Access). Design sites that provide vehicular access from the front of the design site.

**Frontage, Private.** The area between the building facade and the back of the sidewalk abutting a street (public or private) or public open space.

**Frontage, Public.** The area between the on-street parking and the back of the sidewalk.

**Frontage Line.** The design site line(s) of a design site fronting a street (public or private) or a civic space.

**Frontage Type.** A physical element configured to connect the building facade to the back of the sidewalk abutting a street or public open space depending on the intended physical character of the zone.

**Fuel Station, Private.** A private motor fuel dispensing facility exclusively serving the business occupying the subject property and not involving either wholesale or retail sales of motor vehicle fuels to other individuals or businesses.

**Funeral Home.** A room or chapel from which funeral services may be conducted.

**Furniture Area.** An area of space that allows for the placement of furniture without restricting the movement of pedestrians.

## G. Definitions

**Gable.** A vertical wall in the shape of a triangle formed between the cornice or eave and the ridge of the roof.

**Gallery.** See Section 22.07.120 (Gallery).

**Ganged.** Refers to windows designed/found in an array of two or more.

**Garage.** A structure, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

1. **Garage, Private.** A building or portion of a building, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.
2. **Garage, Public.** A structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, minor or major repair, or refinishing of self-propelled vehicles or trailers; except, that a structure or part thereof used only for storage or display of self-propelled passenger vehicles, but not for transients, and at which automobile fuels and oils are not sold and motor driven vehicles are not equipped, repaired, or hired, shall not be deemed to be a public garage

**General Retail.** Stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include: bicycle sales, service, and rental; bookstores, except adult bookstores; apparel and accessories; bakeries; and food stores.

**Glazing.** Openings in a building in which glass is installed.

**Grade.** The existing ground level at any point along the exterior walls of a structure.

**Grade, Existing.** The grade of a design site prior to any site improvements related to the proposed development.

**Grade, Finished.** The final ground surface elevation after the completion of grading or other site preparation related to a proposed development that conforms to an approved Grading Permit or Building Permit. In cases where substantial fill is proposed, "finished grade" shall be established by the Director consistent with design sites in the immediate vicinity and shall not be, nor have been artificially raised to gain additional building height. Also see "Grade."

**Grading.** Earthwork performed to alter the natural contours of an area.

**Green Building Practices.** A whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green building practices including, but not limited to, those described in the LEED™ rating system recognize the relationship between natural and built environments and seek to minimize the use of energy, water, and other natural resources and provide a healthy, productive environment.

**Ground Floor.** The floor of a building located nearest to the level of the ground around the building.

**Gross Floor Area.** The total floor area inside the building envelope, including the external walls, but not including the roof.

**Ground Floor Ceiling Height.** Height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms including, but not limited to: bathrooms, closets, utility rooms, and storage spaces.

**Gross Parking Area.** The total area of parking space and drive included on a design site.

**Gross Residential Acreage.** The total area, measured in acres, included within the design site lines of a residential development.

**Guest House.** A detached structure accessory to a single dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.



## H. Definitions

**Habitable Space.** The portion of a building that is suitable for human occupancy.

**Hardscape.** Paving, decks, patios, and other hard, non-porous surfaces.

### Height

1. **Height, Number of Stories.** The number of stories in a structure allowed above adjacent existing grade. See "Stories."
2. **Height, Overall.** The vertical distance between adjacent existing grade and the highest part of the structure directly above.
3. **Height, Highest Eave/parapet.** The vertical distance between adjacent existing grade and the highest eave or parapet of the building.

**Height, Above Grade.** See Section 19.08.240 (Height).

**Height Measurement on a Sloping Design Site.** This is addressed in Section 22.11.030 (Measurement Methods).

**High Water-use or Non-drought-Tolerant Plant.** A plant that will require regular irrigation for adequate appearance, growth, and disease resistance.

**Historic Resource.** Any resource that has been designated as historic.

**Historical Structure.** Any building or structure listed on or eligible for listing on the national, state, or local register of historic resources.

### Home Improvement Sales and Services

1. **Major.** Home improvement services that include building materials (lumberyards); building materials and hardware; hardware only; paint, glass, and wallpaper; floor and window coverings; carpentry shop, custom woodworking, or custom furniture; food lockers, rental for individual households; spa and pool sales, supplies, service, and repair; and nursery sales (garden supply).
2. **Medium intensity.** Home improvement services that include hardware, including light building materials; paint, glass, wallpaper, and floor covering; and miscellaneous repair services, including only establishments engaged in the repairing and servicing of household and business equipment, machines, and furnishings.
3. **Minor.** Home improvement services that include building materials and hardware, excluding lumber yards, paint, glass, wallpaper, and floor covering; and miscellaneous repair services, including only establishments engaged in the repairing and servicing of household and business equipment, machines, and furnishings.

**Home Occupations.** Any use conducted entirely within a dwelling and conducted only by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and is not evidenced beyond the limits of the property by noise, light, smoke, odor, vibration, electrical interference, storage of material or equipment, abnormal human activity, vehicular traffic, or other exterior evidences.

**Hotel or Motel.** Any building or portion thereof containing six or more guest rooms used, designed, or intended to be used, let, or hired out to be occupied by transients.

**House.** See Section 22.06.040 (House).

**House-Scale Building.** A building that is the size of a small-to-large house and detached from other buildings, typically ranging from 24 feet to as large as 80 feet overall, including wings.

#### I. Definitions

**Impervious.** The area of any surface that prevents the infiltration of water into the ground including, but not limited to, roads, parking areas, concrete, and buildings.

**Improved.** An area which has been paved or planted and is permanently maintained as such.

**Improvement.** The product of any modification to a site structure or building, not including maintenance or repairs.

**Infill.** The development of vacant land that was bypassed by earlier waves of development and is now largely surrounded by developed land.

**Irrigation Efficiency.** The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system, characteristics, and management practices.

**Irrigated Landscape Area.** An entire design site less the building footprint, driveways, non-irrigated portions of parking lots, and other hardscape areas. Landscape areas encompass all portions of a development site to be improved with planting and irrigation. They include water bodies including, but not limited to, fountains, swimming pools, and ponds. Natural open spaces without irrigation systems are not included.

#### J. Definitions

*No specialized terms beginning with the letter J are defined at this time.*

#### K. Definitions

**Kennel.** A commercial facility for the grooming, keeping, boarding, or maintaining of five or more dogs (four months of age or older), or five or more cats except for dogs or cats for sale in pet shops, or in animal hospitals. Includes pet day care.

## L. Definitions

**L-Shaped (syn. Ell).** A horizontal form for the main body of a building or a massing composition, also referred to as an "Ell" which is an extension at a right angle to the length of a building.

**Laboratory.** A facility for testing, experimenting, analysis, and/or research. Examples of this use include medical labs, soils and materials testing labs, and forensic labs.

**Landing.** A level area at the top or bottom of a staircase or between one flight of stairs and another.

**Landscaping.** Flowers, shrubs, trees, or other decorative material of natural origin.

**LEED™ Rating System.** The most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED™ rating system, approved by the U.S. Green Building Council.

**Lined Building.** A two-part building consisting of an exterior occupiable building specifically designed to mask the interior building, which consists of a parking structure, building with few windows, or a parking lot, from a frontage.

**Liner Building.** An occupiable structure specifically designed to mask a parking lot or a parking structure from a frontage.

**Lintel.** A horizontal architectural member spanning and usually carrying the load above an opening.

**Listed Resource.** See "Historic Resource."

**Live/Work.** An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-unit dwelling or multiple-unit dwelling, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

**Living Area.** The interior habitable area of a dwelling unit, including basements and attics, but not including garages or any accessory structure.

**Loading Dock(s).** A platform where cargo from vehicles can be loaded or unloaded.

**Loading Spaces, Off-street.** Permanently improved and maintained areas on the design site dedicated to loading and unloading of materials, equipment, and merchandise.

**Lodging.** See "Bed and Breakfast" or "Hotel or Motel."

**Lot.** See "Design Site."

**Low-Water-Use or Extra Drought-Tolerant Plant.** A plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.

## M. Definitions

**Main Body.** The primary massing of a primary building.

**Main Facade.** The front facade of a building.

**Main Street Building.** See Section 22.06.130 (Main Street Building).

**Major.** Having a greater size, scope, effect, characteristic, or quality relative to the other corresponding sizes, scopes, effects, characteristics, or qualities; or being the greater of two or more.

**Maker Shopfront.** See Section 22.07.090 (Maker Shopfront).

**Manufacturing/Processing - Heavy Industrial.** The manufacturing, assembly, processing, storage, or packaging of products involving chemicals, petroleum, and heavy agricultural products or other hazardous materials.

**Manufacturing/Processing - Light Industrial.** Any manufacturing, storage, and distribution that does not include hazardous wastes or resulting large truck usage/parking on the site. The use shall be accomplished entirely inside of the building except for incidental movement of products or materials into and out of the building to a delivery vehicle. Size of an individual light distribution business shall generally be limited to 4,000 square feet of storage (warehouse) area and one truck delivery door.

**Manufacturing/processing - Medium Intensity.** The manufacturing, assembling, processing, storage, or packaging of products, except: manufacturing, assembling, processing, storage, or packaging of chemicals, petroleum, heavy agricultural products, or other hazardous materials; or vehicle-dismantling, scrap, and waste yards. Medium intensity manufacturing and processing includes:

1. The manufacturing of electric and electronic circuits, instruments, and devices including, but not limited to, radio and television, phonographic equipment, calculators, computers, semi-conductors and transistors, and similar uses;
2. The manufacturing, assembly, processing, storage, or packaging of products from previously prepared materials including, but not limited to: cloth plastic, paper, leather, and precious or semi-precious metals or stones; but not including such operations as saw and planing mills, and any manufacturing uses involving primary production of wood, metal, or chemical products from raw materials and similar uses; and
3. The manufacturing of pharmaceutical products.

**Massing.** The overall shape or arrangement of the bulk or volume of a building and structures.

**Median.** A planted or paved area which separates two roadways or divides a portion of a road into two or more lanes.

**Media Production.** Facilities for motion picture, television, video, sound, computer, and other communications and distribution services.

**Medical Services - Doctor Office.** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis. Includes dental, medical, optical, and x-ray laboratory offices. Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional/Administrative."

**Meeting Facility, Public or Private.** A facility for public or private meetings, including community centers, civic and private auditoriums, Grange halls, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities including, but not limited to, kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by on-site employees and clients and occupy less floor area on the site than the offices they support. Does not include commercial entertainment facilities (see “Commercial Amusement Facility”) or convention centers (see “Convention Center”).

**Metal Products Fabrication.** An establishment engaged in the production and/or assembly of metal parts, including the production of: metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work, forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these uses include: welding shops; sheet metal shops; plating, stripping, and coating shops; machine shops; saw sharpening; stone cutting and products; glass and glass products; and sheet metal.

**Minor.** Having a lesser size, scope, effect, characteristic, or quality relative to the average size, scope, effect, characteristic, or qualities; or being the lesser of two or more.

**Mixed-Use.** Multiple functions within the same building or the same general area through superimposition or within the same area through adjacency.

**Mobile Home.** A vehicle, other than a motor vehicle, designed and equipped to contain one or more dwelling units to be used without a permanent foundation, and which is in excess of 8 feet in width and in excess of 40 feet in length.

**Mobile Home Park.** Any site that is planned and improved to accommodate two or more mobile homes used for residential purposes; or any site on which two or more mobile home design sites are rented, leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

**Moderate Water-Use or Semi-Drought-Tolerant Plant.** A plant that can survive throughout the year with occasional irrigation.

**Mortuary.** A funeral home where deceased are prepared for burial or cremation and funeral services may be conducted. Does not include on-site cremation.

**Multiplex.** See Section 22.06.120 (Multiplex).

**Multi-Unit Building.** A residential, non-residential, or mixed-use building in which there exists three or more separate units with direct exterior access and in which there are appurtenant shared facilities. Distinguishing characteristics of a multi-tenant building or use may, but need not, include common ownership of the real property upon which the building or use is located, common wall construction, and multiple occupant use of a single structure.

## N. Definitions

**Neighborhood Center.** A walkable environment that provides a mix of civic, institutional, and/or commercial uses.

**New Construction.** Structures for which the "start of construction" commenced on or after the effective date of this FBC.

**New Use.** Any purpose for which land or premises, or a building or structure thereon, is improved, occupied, utilized, built, or constructed for said purpose, which has not before existed on said land or premises.

**Night Club.** A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc.

**Nonconforming Design Site.** A design site that was legally created before the effective date of this FBC and does not comply with the minimum area, depth, width, or other applicable standards of the zone it is located.

**Nonconforming Site Improvement.** A site improvement (e.g., fences, landscaping, parking, walls, etc.) that conformed to the standards of the previous zoning that lawfully existed before the effective date of this FBC and does not conform to the present standards of the zone in which it is located.

**Nonconforming Structure or Building.** A structure or building that lawfully existed before the effective date of this FBC and does not conform to the present standards of the zone in which it is located.

**Nonconforming Use.** A use of a building, structure, or site, or portion thereof, or a building, structure or facility itself, which was lawfully established and maintained but, because of the application of this FBC to it, does not conform to the present standards of the zone in which it is located.

**Non-Street Frontage.** Building facades that do not face a street or civic space.

## O. Definitions

**Office.** This FBC distinguishes between the following types of offices. These do not include medical offices (see "Medical Service - Doctor Office.").

1. **Office, Business/Service.** An establishment providing direct services to consumers. Examples of this use include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include "Financial and Business Institutions," which are separately defined.
2. **Office, Government.** An administrative, clerical, or public contact and/or service office of a local, state, or federal government agency or service facility. Offices are located on publicly owned land and necessary for the administration of federal, state, county, and city governments or local agencies as defined in the Government Code. Includes post offices, but not bulk mailing distribution centers, which are under "Warehousing and Distribution Facility."
3. **Office, Professional/Administrative.** An office facility occupied by a business that provides professional services or is engaged in the production of intellectual property. Examples of this use include: accounting, auditing, and bookkeeping services; advertising agencies; attorneys; business associations and chambers of commerce; commercial art and design services; construction contractors (office facilities only); court reporting services; detective agencies and similar services; design services including architecture, engineering, landscape architecture, and urban planning; educational, scientific, and research organizations; financial management and investment counseling; literary and talent agencies; management and public relations services; media postproduction services; photographers and photography studios; political campaign headquarters; secretarial, stenographic, word processing, and temporary clerical employee services; and writers' and artists' offices.

**Office Amenity Space.** Non-employee, non-traffic-generating uses that are not easily convertible to employee-generating uses including, but not limited to, exterior covered walkways, lobby atrium, large cafeterias, employee lounge areas, employee fitness areas, and laboratories.

**Off-Site Hazardous Materials Storage Facility.** A facility, as defined in California Health and Safety Code §25117.1, that accepts hazardous wastes that are generated at another location (off-site) and serves more than one producer of hazardous waste.

**Off-Street Parking.** The area(s) located on a design site available for temporary storage of passenger vehicles, including a public or private parking lot where parking is the principal use of the property.

**Open Space.** See "Civic Space."

**Open Space Easement.** See "Scenic Easement or Open Space Easement."

**Open Structure.** An accessory structure having a roof constructed of lattice or other roof material which allows light and air to pass through a minimum of 50 percent of the roof surface. Additionally, the sides of an open structure consist only of support posts and decorative or functional elements including, but not limited to, braces and railings such that light and air can pass through a minimum of 75 percent of each side. Open structures include but are not limited to trellises, trellis-like patio covers, and other shade structures. Play structures do not qualify as open structures, but are regulated as minor or major accessory structures.

**Oriel Window (syn. Upper Story Bay Window).** A window that projects from the building facade or elevation, located on upper floors and may extend for multiple stories.

**Outdoor Sales Display.** An area where customers are encouraged to examine and/or experience merchandise in their typical configuration and/or manner of use.

**Outdoor Storage Building.** A building used primarily for storage of goods and materials, and uninhabitable.

**Overhead Doors.** Doors constructed in horizontally hinged sections that are equipped with hardware that rolls the sections into an overhead position, clear of the opening.

## P. Definitions

**Parapet.** A low wall along the edge of a roof or the portion of a wall that extends above the roof line.

**Parcel (syn. Lot).** A portion of land separate from others and delineated or described as a single integral unit on a subdivision map or by other map approved in compliance with the Subdivision Map Act (§66410 et seq.).

**Parcel Line Adjustment.** A shift or rotation of an existing parcel line between four or fewer existing, adjoining parcels, where the land taken from one parcel is added to an adjoining parcel and where a greater number of parcels than originally existed are not created, as provided in Section 18.28.010 (Lot Line Adjustments).

**Parcel Map.** A map prepared for the purpose of dividing a legal parcel into four or fewer parcels and prepared in compliance with the provisions of this Title 22 (Objective Design and Development Standards) and the Subdivision Map Act (§66410 et seq.) and in a manner to be recorded in the office of the County Recorder.

**Parcel, Nonconforming.** A legally created parcel which does not conform with current standards for area, width, frontage or other such standards for the zone in which the parcel is located because of annexation or amendments to the title.

**Park and Recreational Area, Public.** Include playgrounds, public gardens, outdoor sports grounds, indoor sports structures within a park area, tot lots, passive park areas, and other areas of use to the general public for recreation or outdoor diversions, not including commercial recreation facilities (see "Commercial Recreation Facility.")

**Parking Driveway Width.** The horizontal measurement of an access driveway to a parking area, measured perpendicular to the direction of travel.

**Parkway.** That portion of a public right-of-way located between the outermost curb-lane driving lane and the farthest edge of the right-of-way.

**Passageway.** A pathway unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

**Passive Recreation.** See "Recreation, Passive."

**Path of Travel.** A continuous, unobstructed way of pedestrian passage.

**Patio Cover.** A one story, roofed structure, not more than 12 feet in height above adjacent existing grade, used only for recreational and/or outdoor living purposes, that may be attached or detached as an accessory structure to the primary building.

**Pedestrian Shed.** An area centered on a destination including, but not limited to, a civic space, civic building, or main street. Its size is limited by an average distance that may be traversed at an easy walking pace in a given amount of time from its center to its edge, about 1,500 feet. Pedestrian sheds are used for planning Walkable Urban areas.



**Pedestrian Orientation.** A physical structure or place with design qualities and elements that contribute to an active, inviting, and pleasant place for pedestrians that typically includes most of the following elements:

1. Building facades that are highly articulated at the street level, with interesting uses of material, color, and architectural detailing, located directly behind the sidewalk;
2. Visibility into buildings at the street level;
3. A continuous sidewalk, with a minimum of intrusions into pedestrian right-of-way;
4. Continuity of building facades along the street with few interruptions in the progression of buildings and stores;
5. Signs oriented and scaled to the pedestrian rather than the motorist; and/or
6. Pedestrian orientation may also include: design amenities related to the street level including, but not limited to, awnings, paseos, and arcades; landscaping and street furniture.

**Pedestrian-Oriented Businesses.** General commercial businesses that allow customers to park once and complete multiple transactions and visits on foot in a context that encourages people to walk instead of drive.

**Pediment.** A triangular space that forms the gable of a low-pitched roof and that is usually filled with relief sculpture in classical architecture.

**Pedestrian-Oriented Use.** A land use that is intended to encourage walk-in customers and that generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian oriented use provides spontaneous draw from sidewalk and street due to visual interest, high customer turnover, and/or social interaction.

**Pennant.** Any lightweight flexible plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, in a series of three or more, designed to move in the wind.

**Personal Service Shops.** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include: barber and beauty shops; garment pressing, repair, and alteration; laundering, dry cleaning, laundromats; cleaning pickup stations; shoe repair shops; printing, limited to letterpress and duplication machines; therapeutic massage; vending machines. These uses may also include accessory retail sales of products related to the services provided.

**Pharmacy.** Establishment that sells prescription drugs, over-the-counter medications, and other related products.

**Places of Assembly With Fixed Seating.** Gathering places furnished with permanent seating, including auditoriums, theaters, assembly hall, sports arenas, and stadiums.

**Places of Assembly Without Fixed Seating.** Gathering places not furnished with permanent seating, including dance clubs, exhibition halls, and gymnasiums.

**Planning Commission.** The Belvedere Planning Commission, referred to in this FBC as the Planning Commission.

**Plant Nursery Sales and Garden Supply.** Establishments engaged in the production and sale of ornamental plants and other garden products, grown under cover either in containers or in the soil on the site, or grown outdoors in containers. The outdoor production of ornamental plants in the soil on the site is instead included under "Agriculture."

**Plot Plan.** A plan for an individual residential design site within an approved subdivision. At a minimum, the plot plan shows the design site property lines with metes and bounds; street address; driveways; grading; proposed locations for structures; public and private improvements (e.g., utility service laterals); retaining walls; trees; and measurements to locate these improvements within the design site.

**Podium.** A continuous projecting base or pedestal under a building often occupied by parking.

**Podium Top.** A flat, elevated and open area above a podium that can be used as common area.

**Porch.** A covered shelter projecting in front of the entrance of a building.

1. **Porch, Engaged.** See Section 22.07.050 (Porch Engaged).
2. **Porch, Projecting.** See Section 22.07.040 (Porch Projecting).

**Pre-Development Grade.** The grade of a design site prior to any site improvements related to the proposed development. See "Grade, Existing."

**Premises.** An area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

**Primary Building.** See "Building, Primary."

**Primary Living Space.** A space within the primary building that is designed as a living room, dining room, or bedroom.

**Printing and Processing.** Establishments engaged in heavy print shop, typesetting, lithograph, and silk screening (of printed materials only); graphics and art services; sign company; blueprinting; non-retail photographic processing and printing; and art services.

**Private Open Space.** The area required for each unit in some building types, provided as outdoor yard areas, patios, decks, and balconies, but excluding stairs, entrance decks, and/or landings. Does not include required setbacks.

**Private Street.** Any street not a public street.

**Private Swim Club and Recreation Center.** A private facility for swimming and other recreational activities. A swimming pool shall be any pool, pond, lake, or open tank located within or outside of a building and containing or normally capable of containing water to a depth at any point greater than one and one-half feet.

**Production, Artisanal.** Food and/or products made by hand in small batches that requires skills from a maker/master with a combination of science and art derived from experience.

**Pub.** A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery ("brew-pub"), and other beverage tasting facilities.

**Public Assembly.** A gathering of members of the public. See "Community Assembly."

**Public and Quasi-Public.** Includes public, semi-public, and private elementary schools; middle schools; high schools; civic buildings; community buildings and uses; and public utility uses including substations, governmental buildings, churches, museums, art galleries, fire stations, post offices, police stations, reservoirs, libraries, parks, essential services, hospitals, and similar uses, any of which may have additional standards to use set forth herein.

**Public Safety Building.** Buildings for public utility uses including substations, fire stations, police stations, hospitals, and similar uses.

**Public Property.** Any property publicly owned outside of the designated public right-of-way.

**Public Street.** A street for which the right-of-way is owned by or offered for dedication to the public and accepted by the City.

**Public Use.** A use undertaken by a political subdivision.

#### Q. Definitions

*No specialized terms beginning with the letter Q are defined at this time.*

#### R. Definitions

**Rake.** The sloped end portion of a roof. Rakes may be close to, or extend from the building to allow for an overhang. Roof rakes can be exposed or closed.

**Rear.** Opposite of front.

**Rear-Loaded (syn. Rear Access).** Vehicular access from the rear of the design site.

**Recessed Entry.** An entrance to a building that is set back from the facade of the building.

**Reclassification of Land.** An amendment to this Title, which changes the classification of any property from one zone to another zone provided for in compliance with this Title.

**Recreation, Active.** Recreational pursuits usually performed with others and often requiring equipment which required physical alteration to the area in which they are performed. Such areas are intensively used, and include but are not limited to playgrounds; sport courts; baseball/softball and other field sports; and swimming pools.

**Recreational Area.** Areas of active play or recreation including, but not limited to, sports fields, school yards, picnic grounds, or other areas with intense foot traffic.

**Recreation, Indoor.** Establishments providing indoor amusement and entertainment services for a fee or admission charge (e.g., bowling alleys, card rooms, coin-operated amusement arcades, dance halls, electronic game arcades, ice or roller skating, pool and billiard rooms, etc.).

**Recreation, Passive.** Recreational pursuits involving existing natural resources which can be carried out with little alteration or disruption to the area in which they are performed. This includes, but is not limited to such activities as walking; hiking; bicycling; bird and animal watching; and picnicking.

**Recreation, Commercial.** Recreation facilities operated as a business and open to the general public for a fee.

**Recreation, Private, Noncommercial.** Recreation facilities operated by a nonprofit organization and open only to bona fide members of such nonprofit organization.

**Relocation.** The act or process of moving a structure or object from one property to another property or to a different location on the same property.

**Renovation**

1. A structural change to the foundation, roof, floor, or exterior of load-bearing walls of a facility, or the extension of an existing facility to increase its floor area.
2. Alteration of an existing facility including, but not limited to, significantly changing its function, even if such renovation does not include any structural change to the facility.
3. Remodeling of the building interior or exterior.

**Rental Shops - Consumer Goods.** Consumer-oriented rental shops including party furnishings; household tools and appliances; consumer-scale garden equipment; auto-related equipment; etc. Includes vending machine service. Does not include construction equipment rental.

**Repair Service - Equipment, Appliances, etc.** Miscellaneous repair services including only:

1. Business equipment and furnishings repair and service;
2. Household yard equipment and appliance repair and service; and
3. Audio, video and computer repair, and service.

**Research and Development Facility.** A facility for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, and computer and telecommunications components in advance of product manufacturing; and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Includes pharmaceutical, chemical, and biotechnology research and development. Does not include laboratories for the testing of soil and other materials. See "Laboratory."

**Residential.** Premises used primarily for human habitation.

**Residential Development.** Any development that consists entirely of dwellings.

**Restaurant, Cafe, or Coffee Shop.** Any room, building, place, or portion thereof intended to provide seated and/or take-out service of food selections prepared on the premises; typically appropriate for a complete breakfast, lunch, or dinner meal; but excluding bakeries, specialty coffee, and similar retail establishments providing incidental seating/table accommodations for the convenience of the retail customer. Does not include fast-food or drive-in facilities. See "Restaurant, Fast Food" and "Drive-in Business."

**Restaurant, Fast Food.** A restaurant with a drive-through facility providing food service directly to occupants of a motor vehicle.

**Review Authority.** The individual or official City body (Director of Planning and Building, Planning Commission, or Belvedere City Council) identified by this FBC as having the responsibility and authority to review, and approve or deny the permit applications described in Chapter 10 (Administration).

**Right-of-Way (ROW).** Land dedicated to transportation purposes and/or use by the general public.

**Roadside Service Establishment.** Service stations, garages, restaurants, motels, hotels, and similar enterprises which provide food, shelter, or necessary automotive services or supplies to travelers.

**Rooming and/or Boarding.** A dwelling or part thereof other than a hotel where meals and/or lodgings are provided, for compensation, for six or more persons unless otherwise specified, not transients.

**Rowhouse.** See Section 22.06.090 (Neighborhood Townhouse).

**Runoff.** Water which is not absorbed by the soil to which it is applied. Runoff usually occurs when water is applied at too great a precipitation rate, when water is applied to saturated soils, or when water is applied to a steep slope.

## S. Definitions

**Sales Floor Area.** The interior building space devoted to the sale of merchandise. Does not include rest rooms, office space, storage space, automobile service areas, or open-air garden sales space.

**Satellite Dish Antenna.** Parabolic or spherical antenna whose purpose is to receive and/or transmit radio communication signals to and/or from satellites.

**Scenic Easement or Open Space Easement.** An easement granted to the public whereby the owner relinquishes or limits the right to construct improvements on the land.

**School.** Public-supported, private, and parochial institutions conducting regular academic instructions at preschool, kindergarten, elementary, secondary, and collegiate levels. Includes the following facilities.

1. **School, Elementary/ Middle/ Secondary.** A public or private academic educational institution, including elementary (kindergarten through 6th grade); middle and junior high schools (7th and 8th grades); secondary and high schools (9th through 12th grades). May also include any of these schools that also provide room and board.
2. **School, Specialty.** A school that provides education or training, including vocational training, in limited subjects. Examples of these schools include:
  - a. Art school;
  - b. Ballet and other dance school;
  - c. Business, secretarial, and vocational school;
  - d. Computers and electronics school;
  - e. Drama school;
  - f. Driver education school;
  - g. Establishments providing courses by mail;
  - h. Language school;
  - i. Martial arts;
  - j. Music school;
  - k. Professional school (law, medicine, etc.); and
  - l. Seminaries/religious ministry training facility.

Does not include pre-schools and child day care facilities. See also the definition of "Studio - Art, Dance, Martial Arts, Music, etc." for smaller-scale facilities offering specialized instruction.

**Second Unit.** See "Dwelling, Second Unit."

**Semi-Public Use.** A use owned or operated by a non-profit organization, private institution, or foundation.

**Semi-Public Utility Building.** A building owned or operated by a non-profit organization, private institution, or foundation, and used to provide utility services to its members or those persons it serves.

**Service Entries.** Building access for service providers.

**Service Facilities.** On-site facilities that support grounds maintenance, landscaping, and minor repair service relative to a primary use.

**Setback.** The distance by which a structure, parking area, or other development feature is separated from a design site line, other structure, or development feature.

1. **Setback, Front.** An area extending across the full width of the design site between the front design site line and the primary structure.
2. **Setback, Rear.** An area extending the full width of the design site between a rear design site line and the primary structure.
3. **Setback, Side.** An area between a side design site line and the primary structure extending between the front and rear setback.

**Setback, Building.** The mandatory clear distance between a design site line and a building.

**Setback, Parking.** The mandatory clear distance between a design site line and parking.

**Setback, Non-Street Frontage.** Any side or rear setback not contiguous to a public right-of-way. Such setback shall be measured laterally from the nearest part of that portion of a primary building facing said side or rear setback toward the nearest point of the design site line.

**Shared Parking.** Any parking spaces assigned to more than one user, where different persons utilizing the spaces are unlikely to need the spaces at the same time of day.

**Shopfront.** See Section 22.07.100 (Shopfront).

**Shopfront Base.** A very low wall, that does not include glass, between the display window(s) of a shopfront and the adjacent sidewalk.

**Sidewalk.** A paved area along a street intended exclusively for pedestrian use and often installed between a street and design site frontages.

**Single-Loaded, Building.** A building containing dwellings and/or commercial units without common hallways for access to the dwellings and/or units.

**Site Plan.** A base sheet that includes the basic information that will appear on all plans including, but not limited to, natural features, roads, buildings, or other structures to remain on-site.

**Special Event.** A temporary use including, but not limited to, art and craft shows and exhibits; carnivals; circuses; fairs; farmers' markets; festivals; flea markets; food events; open-air theaters; outdoor entertainment or sporting events; promotional events; swap meets; and other similar temporary community and entertainment assembly uses. Special events do not include private non-commercial events or parties held at a residence or accessory uses including, but not limited to, garage sales or outdoor displays.

**Special Architectural Elements.** Church spires; belfried cupolas and domes; monuments; corner or entry towers on residential units; and other similar architectural elements.

**Specific Plan.** See California Government Code §65450-65457.

**Stealth Design.** The effect of integrating an element including, but not limited to, a cellular antenna into a building that results in the element not being visible from adjacent public sidewalks and open space.

**Street, Front.** Street located along the front design site line of a parcel.

**Street, Side.** Street located along a design site line of a parcel that is not along the front design site line.

**Stoop.** See Section 22.07.070 (Stoop).

**Storage.** Includes:

1. **Contractor Storage Yard.** Outdoor storage facilities operated by or on behalf of a contractor licensed by the State of California for storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor's type of business. May also include truck terminals and buildings or structures for uses including, but not limited to, repair facilities. Does not include vehicle dismantling yards, scrap, and waste yards. May include an accessory office. A contractor's office located away from a storage facility is included in compliance with the definition of "Office - Business, Service."
2. **Outdoor.** The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.
3. **Self-Storage Facility.** A structure containing generally small, individual compartments, stalls, or lockers rented as individual storage spaces and characterized by low parking demand.

**Storefront.** The majority portion of a shopfront frontage that consists of the display window and/or entrance and its components, including windows, doors, transoms, and sill pane.

**Story.** The portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, the space between the floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above grade for more than 50 percent of the total perimeter, such basement or cellar shall be considered a story.

1. **Story, First.** The lowest story or the ground story of any building, the floor of which is not more than 12 inches below the average contact ground level at the exterior walls of the building.
2. **Story, Half (syn. Attic Story).** A conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows. The half story is identified by the ".5" in the description of maximum height (e.g., 2.5). A half-story is considered a story when its top wall plates, on at least two opposite exterior walls, are four feet or more above the floor of such story.
3. **Story, Mezzanine.** A story which covers one-third or less of the area of the story directly underneath it. A mezzanine story shall be deemed a full story when it covers more than one-third of the area of the story directly underneath said mezzanine story.

**Street.** A public or permanent private thoroughfare which affords a primary means of access to design site(s).

1. **Street, Front.** Street located along the front design site line.
2. **Street, Side.** Street located along a design site line that is not the front design site line

**Street Frontage.** The lineal length of that portion of a design site abutting a street.

**Street Frontage, Principal.** The length of the property line of any one premise parallel to and along the public right-of-way which it borders and which is identified by an officially assigned street address.

**Street Tree.** A tree planted in open spaces, parkways, sidewalk areas, easements, streets, and rights-of-way.

**Studio - Photography, Art, Martial Arts, Music, etc.** A small-scale facility, typically accommodating one group of students at a time, in no more than one instructional space. Larger facilities are included under the definition of "Schools - Specialty." Examples of these facilities include: individual and group instruction and training in the arts, martial arts, music, and photography; and the processing of photographs produced only by users of the studio facilities. Also includes production studios for individual painters, sculptors, photographers, and other artists.

**Supportive Housing.** See "Transitional Housing."

**Swimming Pool, Public or Private.** Any pool, pond, lake or open tank located within or outside of a building, and containing or normally capable of containing water to a depth at any point greater than 1.5 feet.

## T. Definitions

**Tandem Parking.** A parking space deep enough to allow two cars to park, one behind the other.

**Tavern.** See "Pub."

**Terrace.** See Section 22.07.110 (Terrace).

**Theater, Cinema or Performing Arts.** An indoor facility for group entertainment, other than sporting events. Examples of these facilities include: civic theaters, facilities for live theater and concerts, and movie theaters.

**Thoroughfares.** A way for use by vehicular, pedestrian, and bicycle traffic that provides access to design sites and open spaces, and that incorporates vehicular lanes and public frontages.

**Townhouse, Neighborhood.** See Section 22.06.090 (Neighborhood Townhouse).

**Transect.** A cross-section of the environment showing a range of different habitats. The Natural-to-Urban Transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and urbanism. See Table P-1E-B (Summary Table of Transects for Natural, Rural, and Walkable Contexts in Belvedere).

**Transect Zone.** See "Form-Based Zone."

**Transitional Housing.** Rental housing operated in compliance with program standards that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Includes supportive housing, shelters housing, and single room occupancy hotels and shelter housing.

**Transit Station.** A design site or structure used for the purpose of parking, loading, and unloading freight and passengers from train or bus transportation. May include parking facilities and other commercial amenities to service transit passengers.

**Transit Stop.** A location where buses stop to load and unload passengers. A transit stop may or may not include a shelter or a pullout.



**Transom.** Refers to a window; a window above a door or other window built on and commonly hinged to a transom

**Tripartite.** A method of visually organizing a facade of the building by dividing it up into three sections: the base, middle, and top.

**Turf.** A surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue, and tall fescue are cool-season grasses. Bermudagrass, kikuyugrass, seashore paspalum, St. Augustinegrass, zoysiagrass, and buffalo grass are warm-season grasses.

**TV and Radio Stations.** Commercial and public communications facilities entirely within buildings, including radio and television broadcasting, and receiving stations and studios.

## U. Definitions

**Understory.** The smaller trees and shrubs below the canopy of large trees.

**Unit.** See "Dwelling Unit."

**Upper Floor.** A floor in a building containing habitable space that is located above the ground floor.

**Urban Agriculture (Crop Production).** Areas in some form of cultivation including, but not limited to, row crops, orchards, or greenhouses that support nearby or on-site food establishment operations.

**Usable Open Space.** Common or private open space, excluding the following:

1. Required front setbacks;
2. Areas devoted to parking, driveways, and maneuvering areas;
3. Open space at grade less than 10 feet in its minimum dimension; and
4. Patios, balconies, or decks less than five feet in their minimum dimension.

**Use.** The purpose for which land, premises, or structure thereon is designed, arranged, or intended, or for which it is or may be occupied or used.

**Use, Accessory.** A subordinate use of a building, structure, or design site that is customarily incidental to a principal use located on the same parcel.

**Use, Principal.** The main or primary use or uses conducted on a design site or located within a building or within a portion of a building which is separated structurally from other uses within the same building, not to include an accessory use as defined herein or a subordinate department of a main or primary use.

**Use, Temporary.** The use of land or premises or a building thereon for a limited period of time which does not change the character of the site, premises, or uses therein.

## V. Definitions

### Vehicle Services.

1. **Vehicle Services, Auto Repair Garage.** Auto service for general repair, rebuilding, or reconditioning of engines, motor vehicles or trailers; towing service; collision service including body or frame, straightening, repair, or overall painting; or paint shop. Includes businesses dealing in used parts; auto wrecking and salvage; and tire recapping establishments.
2. **Vehicle Services, Auto Service Center.** Vehicle services in conjunction with a department store or as part of a shopping center or mall development.

**Veterinary Clinic, Animal Hospital.** Office and indoor medical treatment facilities used by veterinarians, including large- and small-animal veterinary clinics and animal hospitals.

**Visitability.** A basic level of accessibility that enables persons with disabilities to visit others in their dwellings by providing at least one accessible means of egress/ingress for each residential unit.

## W. Definitions

**Walkable Neighborhood Center.** A Walkable Urban environment that provides a concentrated mix of civic, institutional, and/or commercial uses.

**Walkable Neighborhood Plan (WNP).** A development plan for creating Walkable Urban environments with a mix of housing, civic, retail, and service choices within a compact, walkable, and transit-ready environment. See Section 22.09.030 (Walkable Neighborhood Plan).

**Walkable/Walkability.** The condition when an area is highly interconnected to other areas and appeals to pedestrians for recreational walking or for walking to work, transit, errands, shopping, or restaurants.

**Walkway.** A paved way located on one or more design sites, used for pedestrian traffic, and used exclusively by the design site owner(s), their guests, and invitees.

**Wall Plane.** A vertical surface defined by the facades of buildings.

**Warehousing and Distribution Facility.** An establishment engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include: Agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers, and associations engaged in the cooperative marketing of farm products; merchant wholesalers; and stores primarily selling electrical, plumbing, heating, and air conditioning supplies and equipment. Also includes storage, processing, packaging, and shipping facilities for mail order and electronic commerce retail establishments.

**Water Table, Architectural Feature.** A horizontal projecting string-course of masonry, molding, or a ledge placed so as to divert rainwater from a building.

**Width-to-Height Ratio.** The ratio of the horizontal size of a space measured perpendicularly to the vertical height of a building.

**Winery.**

1. **Boutique.** Winery of 100 to 5,000 cases, including indoor retail sales of processed products produced on-site and related products provided the retail sales portion shall not exceed 20 percent of the facilities building area.
2. **Small.** Winery producing 5,000 to 10,000 cases on design sites greater than 10 acres.
3. **Large.** Wineries larger than a boutique and small winery, including indoor retail sales of processed products produced on-site and related products, provided the retail sales do not exceed a maximum of 20 percent of the building area. Includes winery related uses, including on-site food preparation and sales; restaurant or delicatessen; non-wine-related retail sales; and outdoor facilities for commercial food service or entertainment.

**Wing.** A structure of at least five feet in depth physically attached to, and secondary to, the main body of a primary building.

**X. Definitions**

*No specialized terms beginning with the letter Y are defined at this time.*

**Y. Definitions**

**Yard.** See "Setback."

**Z. Definitions**

**Zero Design Site Line.** A building or structure that is placed on the property line.

**Zone.** See "Transect Zone."

**Zone Map.** The zoning map(s) of the City of Belvedere, California, together with all amendments.

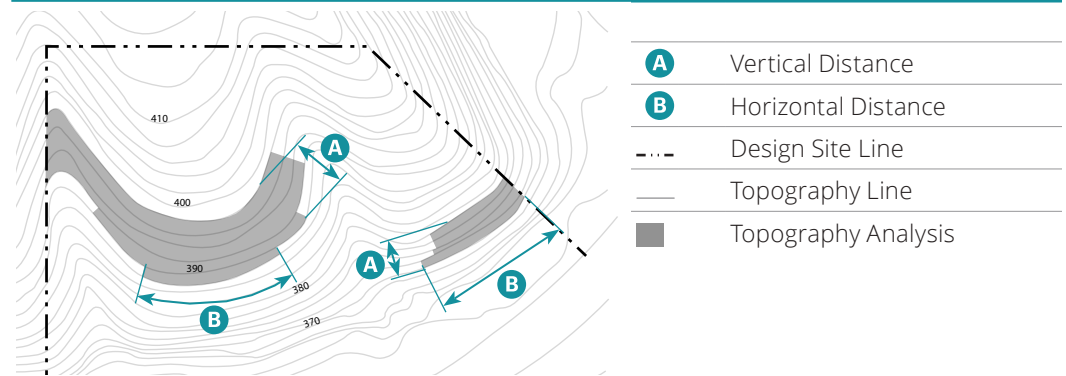
**Zoning Code.** The Zoning Ordinance of the City of Belvedere specified in Title 22 (Objective Design and Development Standards).

## 22.11.030 Measurement Methods

### 1. Sloped and Steeply Sloped Design Sites

- A. **Applicability.** The standards of Section 22.05.050 (Slope Standards) apply to sloped and steeply sloped design sites. Slope is measured by taking the vertical distance, or "rise", over the horizontal distance, or "run." The resulting fraction, or percentage, is the "slope" of the land. Sloped and steeply sloped design sites are those areas of land that exhibit the slopes of six percent and greater.
- B. **Methodology.** The following methodology shall be used to identify steep slopes protected in compliance with this Section. An example of the methodology is shown in Figure 1 (Methodology for Defining Sloped and Steeply Sloped Design Sites).
- (1) **Steep Slope Determination.** To qualify as a steep slope, the slope shall be at least six percent with a 10-foot vertical drop over a 100-foot horizontal distance parallel to at least one common contour line. The horizontal measurement shall cross property lines to establish if a steep slope may exist on a design site (i.e., the 100-foot minimum width calculation shall cross a property line if necessary to achieve this minimum width).

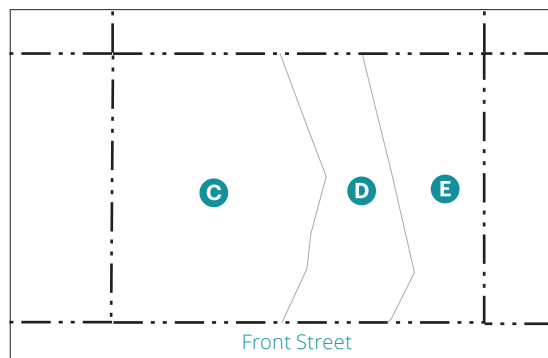
**Figure 22.11.030.1: Methodology for Defining Sloped and Steeply Sloped Design Sites**



- (2) **Area Calculation.** Step slope areas are calculated based on the square feet of steep slope on the design site as determined in Subsection (1) above. There is no minimum square footage for each slope area.
- First, calculate the square footage of slopes 30 percent and greater. Determine the square footage of each area as well as the sum of these areas for the total site.
  - Second, calculate the square footage of slopes between 29 and 25 percent. Determine the square footage of each area as well as the sum of these areas for the total site.
  - Third, calculate the square footage of slopes between 24 and 20 percent. Determine the square footage of each area as well as the sum of these areas for the total site.
  - Fourth, calculate the square footage of slopes between 15 percent and 19 percent. Determine the square footage of each area as well as the sum of these areas for the total site.
  - Fifth, calculate the square footage of slopes between 10 and 14 percent. Determine the square footage of each area as well as the sum of these areas for the total site.
  - Lastly, calculate the square footage of slopes between 6 and 9 percent. Determine the square footage of each area as well as the sum of these areas for the total site.

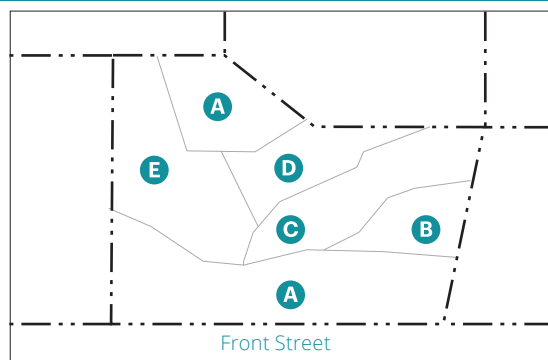
- (3) **Steep Slope Resource Area.** Based on the area calculations in Subsection (2), above, Table 22.05.050.A (Amount of Sloped Areas Allowed to be Developed) identifies the percentage of sloped area that is developable. Figure 2 and Figure 3 illustrate examples of the calculated slopes and the corresponding percentage allowed for development.
- (4) **Sloping Design Site Height.** Design sites with slopes of six percent or more shall measure the maximum height of structures as set forth in the zone and measured vertically from ground level at the front setback line, or if no setback is required, at the center of the design site.

**Figure 22.11.030.2: Example for a Sloped Development Site (<1 acre)**



Key	Existing Slope	Developable Area <sup>1</sup>
<b>A</b>	0-5.99%	100% max.
<b>B</b>	6-9.99%	100% max.
<b>C</b>	10-14.99%	100% max.
<b>D</b>	15-19.99%	100% max.
<b>E</b>	20-29.99%	50% max.
	>30%	25% max.
- - -	Design Site Line	
—	Slope Designations	

**Figure 22.11.030.3: Example for a Sloped Development Site (>1 acre)**



Key	Existing Slope	Developable Area <sup>1</sup>
<b>A</b>	0-5.99%	100% max.
<b>B</b>	6-9.99%	70% max.
<b>C</b>	10-14.99%	50% max.
<b>D</b>	15-19.99%	25% max.
<b>E</b>	20-29.99%	10% max.
	>30%	0% max.
- - -	Design Site Line	
—	Slope Designation	

<sup>1</sup> In compliance with the setbacks of the zone, required on-site open space, this Section, and the maximum building footprint standards in Chapter 6 (Specific to Building Types).

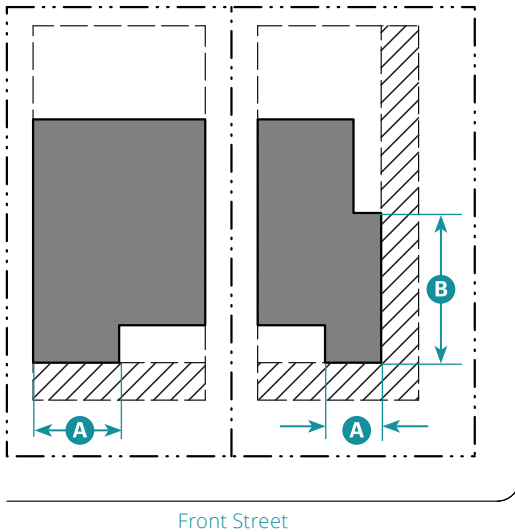
- C. **Average Slope.** The result of dividing the length of a slope by the difference in elevation at the top and bottom of the slope.
- (1) **Design Sites with Even Slope.** Average slope for design sites with relatively even slope across the site and small design sites is determined by using the following formula:
    - (a)  $S = ((T - B) \div \text{run}) \times 100$
    - (b) S = average slope
    - (c) T = elevation at top of slope
    - (d) B = elevation at bottom of slope
    - (e) Run = horizontal distance between the top and bottom elevations
  - (2) **Design Sites with Uneven Slope.** Average slope of design sites with an uneven slope across the site before grading is determined by using the following formula:
    - (a)  $S = (1.0029 \times I \times L) \div A$
    - (b) S = average slope
    - (c) I = contour interval in feet
    - (d) L = summation of length of the contour lines in scale feet
    - (e) A = area of the design site in acres

## 2. Primary Building within Facade Zone

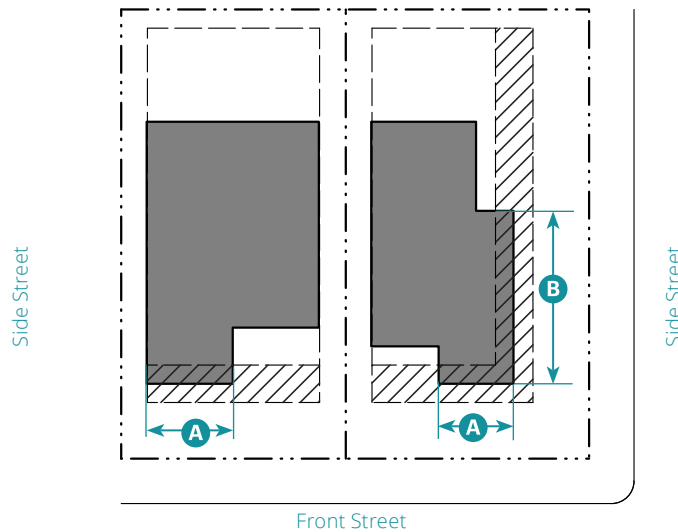
- A. **Applicability.** The facade zone standards apply to new primary buildings and their additions along the front and side street of a design site.
- B. **Methodology.** The required amount is expressed in the zone standards as a percentage. The percentage is calculated as follows through an example for the front facade zone. The same approach is to be applied to the side street, using the minimum front and rear building setbacks.
  - (1) Identify the width of design site (e.g., 50 feet) and apply required front and side building setbacks (e.g., 5 feet and 5 feet).
  - (2) Subtract the horizontal length between each side setback and the adjacent side design site line from the total width of the design site. The result is the net buildable width of the design site (e.g., 40 feet).
  - (3) Multiply the required minimum percentage in the zone standards (e.g., 50 percent) by the net buildable width of the design site (e.g., 40 feet).
  - (4) The result is the minimum length, in feet, of building facade that shall be placed in or abutting the facade zone (e.g., 20 feet).
  - (5) See Figure 4 (Applying the Required Amount to the Facade Zone) for examples that are consistent with the intent of this standard.

**Figure 22.11.030.4: Applying the Required Amount to the Facade Zone**

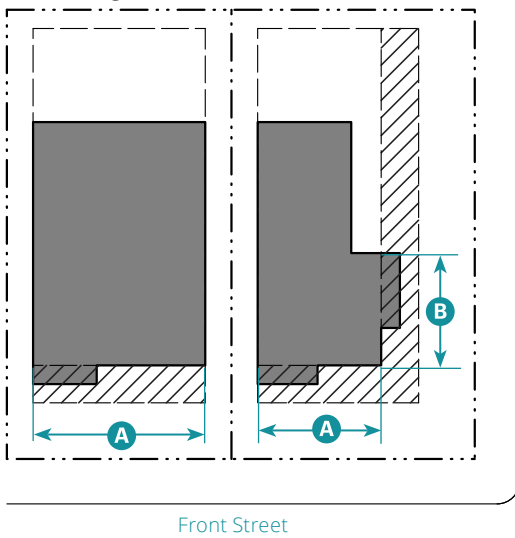
*A. Abutting Facade Only*



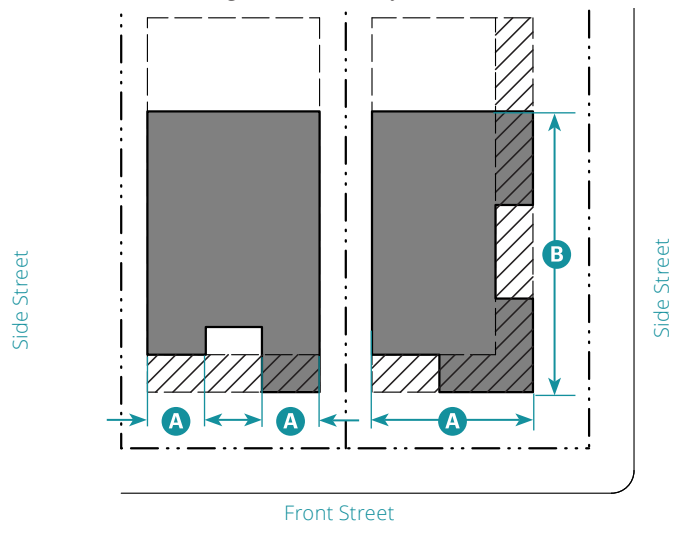
*B. Within Facade Zone Only*





*C. Abutting and Within Facade Zone*



*D. Abutting and at Front of Facade Zone*

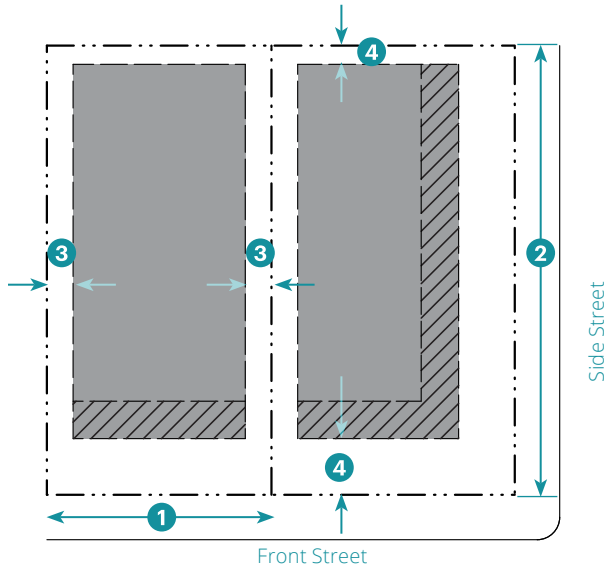


**Key**

	Front Street	Side Street
	Facade Zone 50% min. <sup>1</sup>	50% min. <sup>1</sup>
	Buildable Area <b>A</b>	<b>B</b>

<sup>1</sup>This is an example. See Subsection 4 of the zone for the standard.

Figure 22.11.030.5: Determining the Required Amount Subject to the Facade Zone



**Example Calculation**

50'	Design Site Width
- 5'	Side Setback
- 5'	Side Setback
= 40'	Net Buildable Width
40'	Net Buildable Width
x Zone Standard (e.g., 50%)	
= 20'	Required In or Abutting the Facade Zone

- 1 Width of Design Site
- 2 Depth of Design Site
- 3 Setback to be Subtracted from Design Site Width
- 4 Setback to be Subtracted from Design Site Depth

3. **Measuring Building Types**

A. **Methodology.** Measurement of width and depth.

(1) **Main Body.** The width and depth of the main body shall be measured as follows:

- (a) The width shall be parallel to the front.
- (b) The depth shall be perpendicular to the front.

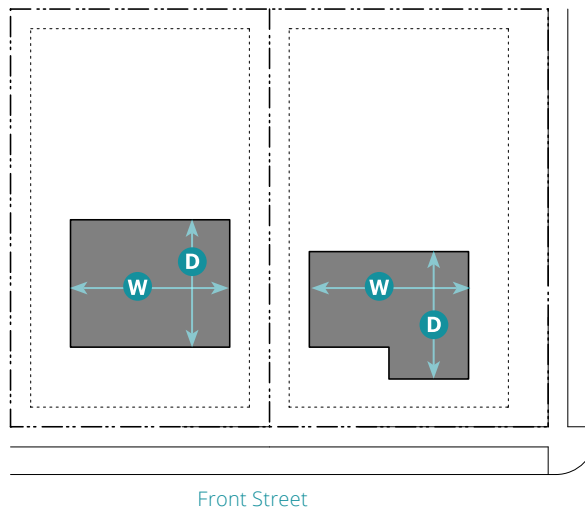
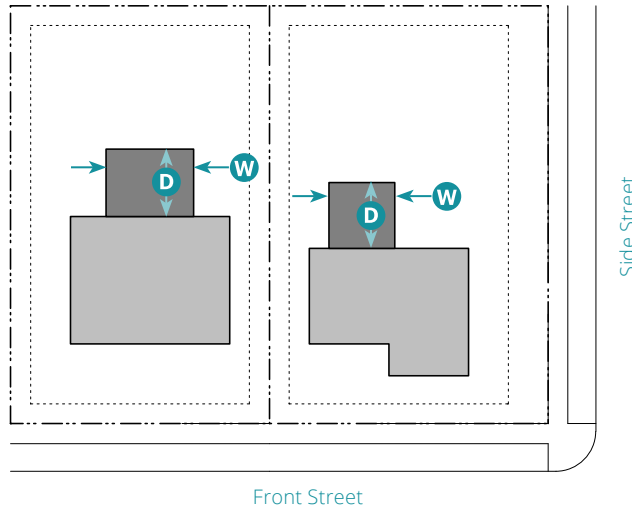


Figure 22.11.030.6: Main Body

- W Width
- D Depth



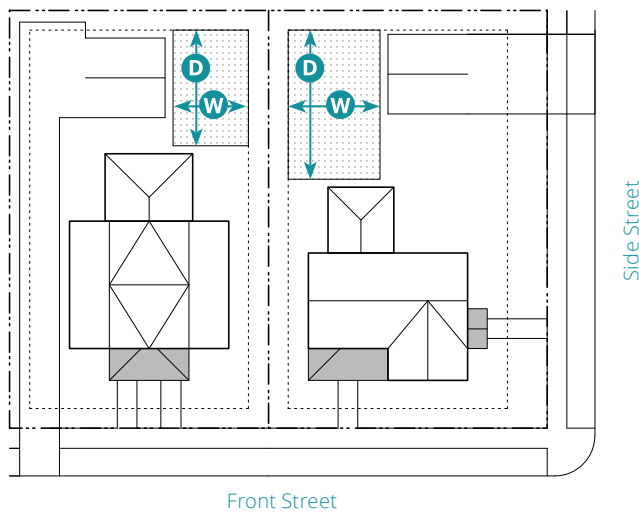
- (2) **Wings and Ancillary Structures.** The width and depth of wings and ancillary structures, shall be measured as follows:
- (a) The width shall be the greater of the two dimensions of the footprint.
  - (b) The depth shall be the lesser of the two dimensions of the footprint.



**Figure 22.11.030.7:**  
Wings and Ancillary Structures

- W** Width
- D** Depth

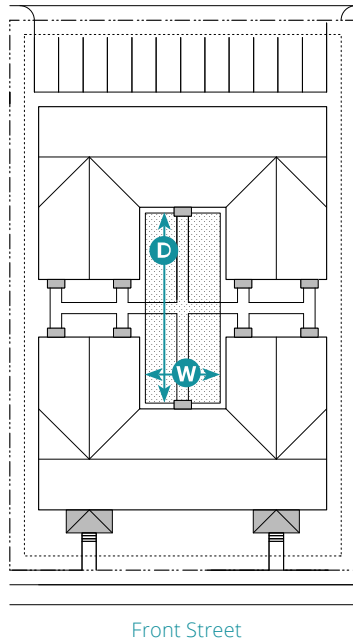
- (3) **Open Space(s).** The width and depth of open spaces shall be measured as follows:
- (a) The width shall be parallel to the front
  - (b) The depth shall be perpendicular to the front.



**Figure 22.11.030.8:**  
Open Space(s)

- W** Width
- D** Depth

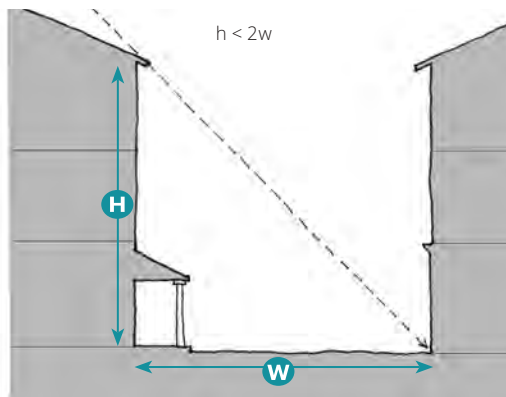
- (4) **Courtyard(s).** The width and depth of courtyards shall be measured as follows:
- (a) The width shall be parallel to the front; unless the courtyard is a secondary courtyard accessed directly from a side street.
  - (b) If a secondary courtyard is accessed directly from the side street, the width shall be parallel to the side street.
  - (c) The depth shall be perpendicular to the width.



**Figure 22.11.030.9:**  
**Courtyard(s)**

- W** Width
- D** Depth

- (5) **Width-to-Height Ratio.** Measurement of width-to-height ratio and depth-to-height ratio of forecourts.
- (a) The width and depth of forecourts shall be measured per Figure 10 (Width-to-Height Ratio).
  - (b) The height of forecourts shall be a measurement of the vertical plane of the building that defines the forecourt.



**Figure 22.11.030.10:**  
**Width-to-Height Ratio**

- W** Width
- H** Height

(6) **Highest Eave/Top of Parapet.**

- (a) **Height, Overall.** The vertical distance between adjacent existing grade and the highest part of the structure directly above.
- (b) **Height, Top of Parapet.** The vertical distance between adjacent existing grade and the top of the parapet of the primary building.
- (c) **Height, Highest Eave.** The vertical distance between adjacent existing grade and the highest eave of the primary building.
- (d) **Highest Eave Measurement.** The measurement is to bottom of the eave assembly.
- (e) **Eave.** The edge of the roof that overhangs the face of the adjoining wall. The bottom of the eave can range from exposed rafters to a finished horizontal surface.

Figure 22.11.030.11: Top of Parapet and Flat Roof

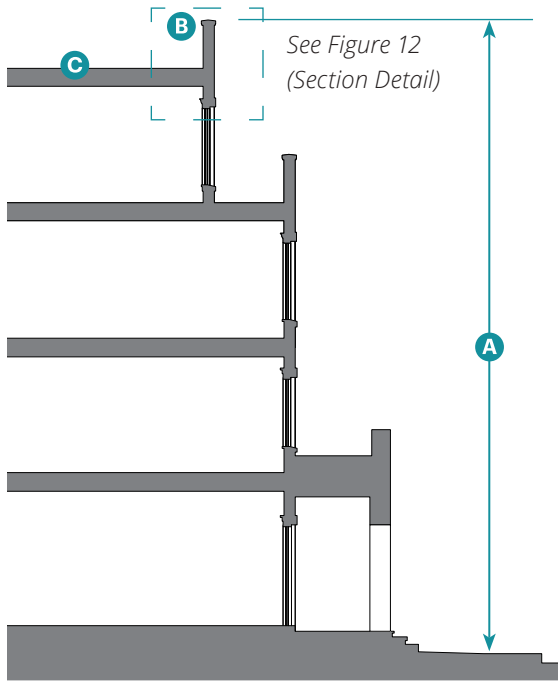


Figure 22.11.030.12: Section Detail of Top of Parapet and Flat Roof

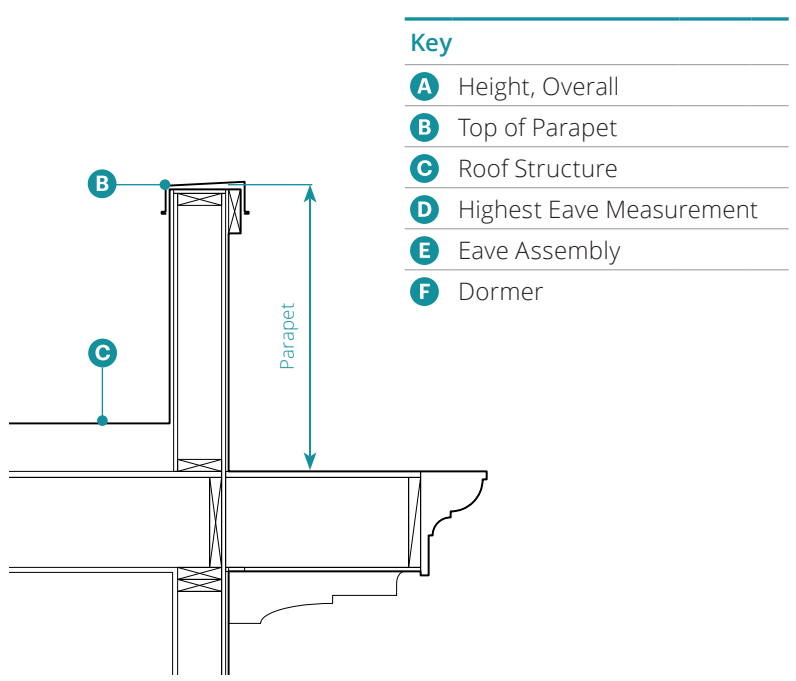


Figure 22.11.030.13: Highest Eave for Pitched Roof

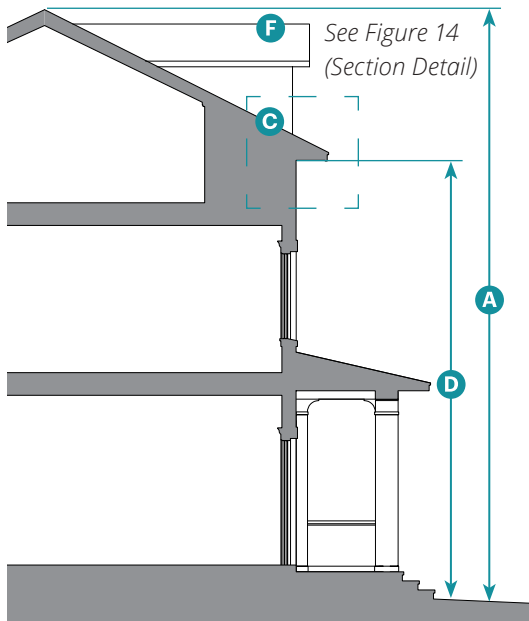
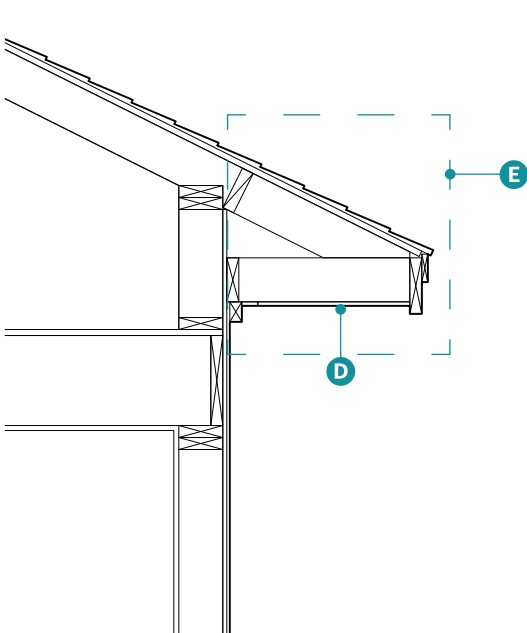


Figure 22.11.030.14: Section Detail of Highest Eave for Pitched Roof



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**PUBLIC HEARING**

**BELVEDERE CITY COUNCIL  
JUNE 13, 2022**

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To: Mayor and City Council

From: Craig Middleton, City Manager  
Helga Cotter, Administrative Services Director

**Subject: Consider resolution approving the City of Belvedere Annual Operating and Capital Budget for FY2022-23 and the Five-Year Capital Plan**

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**Recommended Motion/Item Description**

1. Conduct the Public Hearing.
2. Adopt the attached Resolution appropriating funds necessary for FY2022-23.

**Background**

In April of 2022, the Finance Committee reviewed a preliminary operating and capital budget for FY2022-23 and voted unanimously to recommend its adoption by the City Council. At its meeting of May 9, 2022, the City Council also reviewed the preliminary budget document. A revised budget document has been prepared for Council consideration following the scheduled public hearing.

**Revisions**

There have been a few minor revisions to the operating and capital budget for FY2022-23 since it was reviewed by the Finance Committee and City Council.

The anticipated fire tax revenue for the fiscal year was adjusted upward from \$1,035,808 to \$1,061,453, an increase of \$25,645. The fire tax revenue in the preliminary budget was prepared using best available estimates. Since that time, the price and population data were released by the State of California, resulting in a higher escalation rate for the fire tax assessment than previously estimated.

The new City Manager contract was finalized at the May 9, 2022, meeting and the resulting contract amount for FY2022-23 was integrated as part of the budget's salary and benefits, which results in a decrease in the Administrative personnel and fringe budget of \$21,635 as the prior draft budget reflected the City Manager position at the current City Manager's salary and full benefits.

**Findings**

The FY2022-23 budget presented for adoption utilizes a carryforward of prior year fund balance for the Capital and Equipment projects to offset the budget year deficit in the General Fund at 6/30/23 of \$641,264. The budget anticipates the following:

**General Fund Revenue**

- Property tax increase of 6%
- Other revenues to remain flat
- No large Construction Time Limit fines are incorporated
- Federal American Rescue Plan Act (ARPA) 2<sup>nd</sup> half of funding \$251K

**General Fund Expenditures**

- Provision of 2% COLA to staff
- Upgrade of office systems technology
- Purchase of Skid-steer Loader for Public Works
- Replacement of one police vehicle
- CalPERS required Unfunded Accrued Liability (UAL) payments are calculated at 4% rate of return
- Increased legal/consultant expenditures for housing element and Protect Belvedere project
- Transfers out to Section 115 Pension Trust and Critical Infrastructure Fund
- Continued deferral of one Police Officer position
- Continued deferral of Lanes Initiative

**FY2022-23 GENERAL FUND BUDGET SUMMARY**

**REVENUES**

Property taxes	6,750,871
Other Taxes	363,899
Licenses and Permits	515,547
Fines and Forfeitures	2,574
Charges for Services	438,766
Investment and Rental Income	49,354
Revenue from Other Agencies	424,022
Misc. Other	<u>37,000</u>
<b>Total General Fund Revenue</b>	<b>8,582,033</b>

**EXPENSES**

General Administration	1,182,298
Planning and Building Dept.	1,395,322
Police Dept.	1,702,188
Public Works Dept.	1,384,786
Recreation	64,592
Non-Departmental	<u>674,637</u>

<b>Total General Fund Expense</b>	<b>6,403,822</b>
<u>TRANSFERS TO OTHER FUNDS</u>	
Fire Protection	940,056
115 Pension Trust	300,000
Capital Improvement Fund	561,500
Critical Infrastructure Fund	600,000
Equipment Replacement Fund	156,000
Road Impact Fee Fund	19,250
Pension-related Debt Obligation Fund	<u>242,669</u>
<b>Total Transfers from General Fund</b>	<b>2,819,475</b>
 <b>Total General Fund Expense and Transfers</b>	 <b>9,223,297</b>
 <b>Net General Fund Surplus (Deficit)</b>	 <b>(641,264)</b>

**General Fund Reserve and Five-Year Forecast**

The City will start the upcoming fiscal year with an anticipated General Fund balance of \$4.74 million. If fiscal year activity (revenue and expenditures) occurs exactly as forecasted, the General Fund balance at the end of FY2022-23 will be \$4.10 million.

The Council has established a policy of maintaining a General Fund Reserve equal to 50% of projected General Fund expenditures plus the Fire Fund transfer, plus the amount for Pension-related Debt Service payments. If revenues are received and funds expended as anticipated in the FY2022-23 budget, the reserve policy goal of \$3,953,958 will be exceeded.

FY23/24 GF Expenses + Fire Transfer + Pension Debt		\$ 7,907,917
General Fund Reserve Policy 50%		3,953,958
Projected General Fund Balance 6/30/23	52%	4,102,346
Over/(Under) Policy		\$ 148,388

**Other Fund Activity**

***Fire Fund***

Revenue generated from the fire tax will be \$1,061,453. Payments to the Tiburon Fire Protection District, plus fire-related expenses are estimated to be \$2,001,509 in FY2022-23. A General Fund transfer of \$940,056 is included in the budget to fully fund the contract with TFPD.

***115 Pension Trust***



\$300,000 will be transferred in from the General Fund to set aside an appropriate level of funds to fully fund accrued pension obligations at a more prudential rate.

### ***Capital Improvement Projects***

Capital Improvement & Road Impact Fee expenditures in FY2022-23 total \$987,500. Of this total, \$355,000 has been allocated to repair and maintain City streets. Feasibility-level design work, environmental analysis and legal support, and other consultant assistance on the Beach Road/San Rafael Avenue Levee Stabilization amounts to \$145,000. Other infrastructure improvements include the evaluation of Beach Road retaining walls; enhancement of wooden retaining walls; emergency drainage repairs; and corrugated metal pipe replacement totaling \$82,000.

The Lanes projects include maintenance and minor repairs, lane design and engineering as well as work on the Park Lane Stairs and Hawthorn Lane Stairs for \$90,000 that also utilize Measure AA & Measure B Transportation funding.

Parks and Open Space projects include San Rafael Ave seawall mulch and the repair and refurbishment of the Community Park basketball courts for \$25,000.

The budget allocates \$22,000 toward Community Buildings for selected painting of City Hall/Community Center and City Hall ADA. Miscellaneous projects include funds for the Sidewalk Repair Program, Evacuation Assessment and Radio Purchase, San Rafael Ave and City Hall Safety Improvements, and other maintenance and improvements totaling \$268,500.

### ***Critical Infrastructure Fund***

\$600,000 will be transferred to the Critical Infrastructure Fund. These funds will be made available to provide resources for potential future seawall and levee maintenance projects at Beach Road and San Rafael Avenue – for both planned and emergency repair projects.

### ***Equipment Replacement Fund***

The FY2022-23 Equipment Replacement Fund includes \$30,000 for ongoing technology and other equipment needs at City Hall, plus \$37,000 for office system technology upgrades; \$30,000 for a Skid-steer Loader for Public Works and \$60,000 for the replacement of one police vehicle.

### ***Pension-Related Debt Obligation Fund***

\$242,669 will be transferred in from the General Fund to make the debt service payments for the 2017 restructuring of the City's unfunded pension liability.

### **Fiscal Impact**

Recommended revenues in all funds total \$10.05 million and expenditures from all funds total \$9.79 million, as the budget is currently proposed, it is anticipated the City will end FY2022-23 with total reserves in all funds of \$7.26 million, of which \$4.10 million is General Fund Reserve.

**Recommendation**

1. Conduct the Public Hearing.
2. Adopt the attached Resolution appropriating funds necessary for FY2022-23.

**Attachments**

1. Resolution
2. Proposed Annual Operating Budget

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
ADOPTING THE ANNUAL OPERATING BUDGET AND APPROPRIATING FUNDS  
FOR EXPENDITURE FOR THE FISCAL YEAR 2022-2023**

---

**WHEREAS**, an annual budget for the City of Belvedere has been fully prepared for Fiscal Year 2022-2023 as presented to the City Council pursuant to Section 2.04.170 of the Belvedere Municipal Code; and

**WHEREAS**, on June 13, 2022, the City Council of the City of Belvedere held a public hearing on the recommended Fiscal Year 2022-2023 budget as presented by the City Manager.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Belvedere as follows:

**SECTION 1.** The City Council hereby identifies and authorizes a total estimated operations and capital improvement budget of \$9,792,500 and appropriates said money from the various funds to each account set forth in said budget. The City Manager is authorized and empowered to expend such sum for the purpose of such account.

**SECTION 2.** The City Council finds and determines that the City’s proposed budget for Fiscal Year 2022-2023 is in compliance with the City’s appropriations limitation, and hereby approves this budget in its entirety, text and amounts, as the Annual Budget for the City of Belvedere for Fiscal Year 2022-2023, commencing July 1, 2022 and ending June 30, 2023.

**PASSED AND ADOPTED** at a regular meeting of the Belvedere City Council on June 13, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:** \_\_\_\_\_  
Sally Wilkinson, Mayor

**ATTEST:** \_\_\_\_\_  
Beth Haener, City Clerk



# City of Belvedere

## Annual Operating & Capital Budget Fiscal Year 2022-2023



# City of Belvedere

## Annual Operating & Capital Budget

### Fiscal Year 2022/2023

#### City Council

Sally Wilkinson, Mayor  
James Campbell, Councilmember  
Nancy Kemnitzer, Councilmember  
James Lynch, Councilmember  
Peter Mark, Councilmember

#### Prepared By

Craig Middleton, City Manager  
Helga Cotter, Administrative Services Director



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# Introduction

# CITY OF BELVEDERE

## Budget Message

### Fiscal Year 2022-2023



June 13, 2022

#### **TO THE HONORABLE MAYOR WILKINSON AND MEMBERS OF THE CITY COUNCIL**

I am pleased to present the budget for Fiscal Year 2022-23, the year beginning July 1, 2022. The budget includes an Operating Budget, a Capital Improvement Plan and Budget, and a Five-Year forecast of revenues and expenditures. In general, Management has taken a conservative approach to forecasting while still presenting a FY2022-23 budget that meets the City's operational needs and reserve policy.

To build up the City's reserves, particularly those related to critical infrastructure needs that are essential and imminent, significant funds are transferred to a Critical Infrastructure Reserve Fund. To ensure continued progress in reserving against future pension costs, an investment is being made over the current years to the Section 115 Pension Fund. The budget also meets the general reserve target that indicates a balanced budget, and projects balanced budgets for each of the next five years.

#### **PENSION IMPACTS**

As part of the FY2021-22 budget process the City evaluated and established a strategy to improve the fiscal situation of its pension obligations. The City ultimately decided to bolster its pension reserves by calculating an annual reserve amount based on a lower projected rate of return than is employed by CalPERS, and by establishing a Section 115 Trust into which annual payments will be made. These reserved funds are available for pension-related expenses only. Further, the City seeded the fund with \$1.5M. If adopted, this budget would allocate an additional \$300,000 in FY2022-23 to the Section 115 Trust for this purpose as well as the next three years. These actions will help to ensure that ever-growing pension-related expenses will not crowd out important City funding priorities in the future.

#### **KEY PRIORITIES:**

The budget is, in essence, a reflection of priorities. In addition to providing adequate funding for City operations and maintenance, the budget includes a number of significant capital projects that advance priorities established at City Council retreats and through the work of citizens' committees.

## Protecting our City - Our People and Our Community Assets

- Support a full-service police department, fire protection and emergency services.
- Increase our level of preparation for fire events by supporting additional Chipper Days; funding removal of flammable vegetation on city properties; and improving evacuation routes, procedures and related technology.
- Design project to enhance seawalls, levees and key utilities, and ensure emergency access. Complete Environmental Impact Report and permitting. Plan for a construction start in Fall 2023, assuming funding is available. Continue to fund a reserve for the project. (the budget allocates an additional \$600,000).
- Continue to invest in street upgrades and repairs. Improve pedestrian safety by completing sidewalk improvements at Lagoon Road and San Rafael Avenue and establishing safer crossings near City Hall.
- Increase support of the Richardson's Bay Regional Agency in its work to establish a well-regulated bay environment.

## Improving Quality of Life – Lanes, Parks, Traffic Reduction, Public Infrastructure

- Continue to support the “Yellow Bus” school bus program, which has proven successful in reducing traffic during certain peak periods throughout the school year.
- Improve public accessibility and functionality of City Hall and the Community Center.
- Enhance the capacity of the Community Center and Founder's Room to serve the public as a re-charging station, information hub, and gathering center during planned power shutoffs in fire season.

## Planning for Belvedere's Future

- Complete a new Housing Element to the General Plan and engage the community in its development.
- Guide the design process for redevelopment of Mallard Pointe.
- Adopt an updated Climate Action Plan.
- Complete planning, permitting and environmental analysis on Protect Belvedere project, which is intended to strengthen the City's infrastructure to protect it against the impacts of earthquake, storms and sea level rise.

## **DEPARTMENT GOALS**

In furtherance of the above priority initiatives, and to guide work during the year, City departments have established the following goals and objectives.

## ADMINISTRATION

- Prepare to administer real property transfer tax, if approved by voters, in order to develop funding for supporting critical infrastructure upgrades.
- Upgrade the City's computers and networks to provide the most up-to-date protection against cyber-crimes.
- Complete the process of regularizing the City's Citizens Committees and Commissions; ensure that committee charters are implemented.
- Perfect cost recovery system for Planning and Building department.
- Implement the goals and objectives of the City Council as cost effectively as possible.
- Encourage a strong sense of fiscal and ethical responsibility in the organization.
- Produce financial reporting that is transparent, accurate, and timely.
- Provide quality customer service to the community and continuously strive to improve public access, public information, and public communication.

## PLANNING AND BUILDING

- Finalize Climate Action Plan (CAP) and bring it to Council for consideration.
- Continue the process of updating the City of Belvedere Housing & Safety Element for adoption in early 2023.
- Complete for formal adoption the Objective Design & Development Standards (ODDS) for multi-family housing projects, utilizing funds awarded through the SB2 planning grant (awarded \$160,000).
- Complete for formal adoption the subdivision and zoning requirements for SB9 properties.
- Review and implement improvements to Design Review and Zoning Ordinances.
- Continue to work with the Public Works Department to develop administrative policies regarding work in the public right-of-way, such as sidewalk installation standards, utility equipment, ADA compliance, landscape maintenance and responsibility, view issues, driver and pedestrian sight line issues, roadway obstructions, and revocable license standards.
- Work on developing a process to examine/screen structures for potential historic resources when a building is at least 50 years of age and is proposed for a major remodel or demolition. Determine whether there are benefits in becoming a Certified Local Government (CLG).
- Work to enhance communication and permit processing timeline goals and explore opportunities for more efficient computer database information applications.
- Continue to provide permit applicants, contractors, architects, engineers and property owners with resource referrals and education on the California Building Standards Codes and other State and Local requirements.

- Continue work on information and application process for joining the Community Rating System (CRS) program administered by the Federal Emergency Management Agency (FEMA)
- Adopt new building code standards at the end of the year.
- Continue to implement and improve on policies and procedures for cost recovery.
- Work with the Construction Impacts Committee to review potential construction impacts from projects and determine whether additional mitigation measures can be put in place to lessen impacts from construction.
- Continue discussions with Belvedere Land Company for redevelopment of the structure that burned at the corner of Beach/Cove and Barn Roads. Continue discussions with the Belvedere Land Company and the Town of Tiburon on possible annexation at the Boardwalk Shopping Center and possible redevelopment of the area.

## POLICE

### Ongoing Goals:

- Maintain the city's very low crime rate with proactive patrol and citizen education.
- Work in concert with other city departments to meet overall goals and objectives.
- Strive to help improve the quality of life and safety within the city.
- Aggressively work to prepare the City and its citizens to be ready in case of a disaster.
- Participate in community events to enhance relationships with the citizens of Belvedere.

### Near-Term Goals:

- Continuous recruitment to fill vacant positions in the department.
- Stay abreast of current law enforcement trends by participating in the training of Police Department personnel. Local training with allied agencies will keep training costs down.
- Participate in the annual county-wide disaster exercise that includes working in conjunction with all Belvedere and Tiburon City staff to improve disaster response.
- Participate in Public Safety Fairs and School Events as the opportunity arises.
- Help to lead Block Captain training exercises that educate and prepare the community for response during a disaster.

## PUBLIC WORKS

- Plan, design, and engineer the Protect Belvedere Project.
- Through the Disaster Council, oversee development of a community-wide evacuation program, including staff and resident training events.

- Provide support to Construction Impacts Committee and implement Council-approved initiatives.
- Implement Fire Department and Public Works Annual Fire Risk Reduction Program focused on removal of hazardous trees and vegetation.
- Oversee an aggressive 5-year Pavement Management Program.
- Administer third and final phase of the Sidewalk Repair Program.

## **THE BUDGET**

The City's finances are segregated into a number of funds, as a way of ensuring that assets designated for a specific purpose are spent as intended. The Budget is constructed to mirror the financial reporting system.

In addition to current year activity, the Budget projects revenues and expenditures for each fund for the next five years and forecasts capital projects to be undertaken during that same time period.

## **GENERAL FUND**

The General Fund is the chief operating fund for the City, receiving and disbursing all revenue that is not required to be accounted for separately. The General Fund budget includes funding for departmental operations, as well as transfers to the Fire Fund, Capital Projects Fund, Equipment Replacement Fund and Pension Reserve and Pension-related Debt Fund.

### **General Fund Revenue Projections**

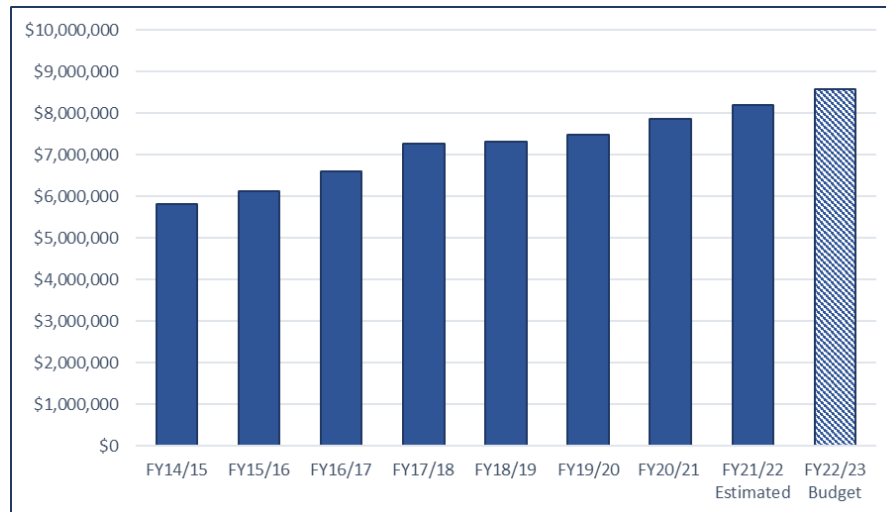
The City depends primarily on property tax revenue to fund department operations. Thanks to a robust real estate market and a steady stream of renovation projects, the assessed value of real property in Belvedere, and resultant property tax revenue, continues to rise. The Budget projects an increase in secured property tax revenue of 6% over the prior year actual amount, based on projections from the County of Marin Tax Assessor's Office. Other General Fund revenues are projected to achieve 98%-100% of the FY2021-22 estimated actual receipts.

The City received \$251,661 from the Federal American Rescue Plan Act (ARPA) funds to help mitigate the negative economic impacts from the COVID-19 pandemic in FY2020-21 and expects to receive another \$251,661 in FY2022-23. Qualified uses for the ARPA funds were identified at the November 8, 2021 Council meeting. The funds in FY2022-23 will be used to cover a portion of the Public Safety payroll.

The FY2022-23 General Fund budget anticipates total revenue in the amount of \$8,582,033, a 4.7% increase over what is projected for the current fiscal year. This increase

is primarily due to the projected 6.0% increase in property tax revenue, combined with relatively flat general fund revenues other than property tax.

### General Fund Revenue History



### General Fund Expenditures

In addition to anticipated increases in the cost of goods and services, memberships in various JPAs, and contracts for services, the budget incorporates the following:

- Continue deferral of one Police Officer position through FY2023-24 (approximately \$190,000 savings).
- Provide a 2% COLA to staff.
- CalPERS required Unfunded Accrued Liability (UAL) payments are calculated at 4% rate of return.
- Increase consultant/legal expenditures to support housing element and the Protect Belvedere project.
- Upgrade office system technology – cost of \$37,000. Includes server consolidation and updating; on-site data backup; and replacement of several staff computers. Updates are required to meet the new cyber security policy requirements; upgrades will reduce costs and increase the stability of the City’s technology.
- Purchase Skid-Steer Loader – cost of \$30,000. Will assist Public Works staff in slide cleanup/fence post install/forklift/general loading and unloading for various projects.
- Replace one police vehicle – cost of \$60,000. Replace oldest vehicle in fleet with an electric vehicle, which will reduce fuel cost and carbon footprint.
- Continue deferral of the Lanes Initiative. Prior to the pandemic, this program was designed to improve lanes by matching \$100,000 in annual City funds with \$200,000 in private fundraising.

- Contribute \$300,000 per year to the 115 Pension Trust Fund through a transfer from the General Fund for each of the next four years.
- Contribute \$600,000 to the Critical Infrastructure Reserve Fund from the General Fund.

### General Fund Transfers

In FY2022-23, \$940,056 will be transferred from the General Fund to the Fire Fund, combined with estimated Fire Tax revenue of \$1,061,453, and paid to Tiburon Fire Protection District to provide fire protection services in Belvedere. \$561,500 will be transferred to the Capital Improvement Fund to pay for a variety of important capital projects. \$156,000 will be transferred to the Equipment Replacement Fund for routine equipment needs, such as computers and other office equipment, plus the purchase of a Skid-Steer Loader for Public Works and the replacement of one police vehicle.

The FY2022-23 General Fund budget anticipates total expenses in the amount of \$6,403,822 as well as transfers out of \$2,819,474. The budget forecasts a deficit at year-end of \$641,264.

<b>Preliminary FY2022-23 General Fund (GF) Budget</b>			
Revenues			\$ 8,582,033
Expenses		(6,403,822)	
Transfers Out			
<i>Fire Fund</i>	(940,056)		
<i>Insurance Fund</i>	-		
<i>115 Pension Trust Fund</i>	(300,000)		
<i>Capital Projects</i>	(561,500)		
<i>Road Impact Fee Fund</i>	(19,250)		
<i>Equipment Replacement</i>	(156,000)		
<i>Pension-related Debt Obligation</i>	(242,669)		
<i>Critical Infrastructure Fund</i>	(600,000)		
Total Transfers Out		(2,819,474)	
Expenses plus Transfers Out			(9,223,297)
Surplus/(Deficit)			\$ (641,264)

### General Fund Reserve

The Council has established a policy of maintaining a General Fund Reserve equal to 50% of projected General Fund expenditures plus the Fire Fund transfer, plus the amount of Pension-related Debt Service payments. If revenues are received and funds expended as anticipated in the FY2022-23 budget, the reserve policy goal of \$3,953,958 will be exceeded.



FY23/24 GF Expenses + Fire Transfer + Pension-related Debt Service payment		\$ 7,907,917
General Fund Reserve Policy 50%		3,953,958
Projected General Fund Balance 6/30/23	52%	4,102,346
Over/(Under) Policy		\$ 148,388

## OTHER FUNDS

The City has other funds, including other operating funds, capital funds, debt service funds, and special reserve funds.

### Fire Fund – Other Operating (130)

This fund accounts for revenue levied by the City’s special fire tax, and expenditures by the City to provide fire protection and emergency medical services to the City’s residents. Funds from the General Fund are transferred to the Fire Fund annually to balance the fund.

### Capital Improvement Fund – Capital (900)

This is the primary Capital Fund for the City and is utilized to account for capital activities with one-time and multiple funding sources. Within the fund, each capital project is accounted for separately. Revenues are in the form of grants with specific expenditure requirements. General Fund transfers are made to this fund to provide local matching funds on grant-funded projects, and to fund capital projects without designated revenue sources.

### Road Impact Fee Fund – Capital (901)

This fund is part of the City’s Capital Funds group, and accounts for road impact fees collected on building permits and expended on capital activities related to improving the City’s roads.

### Measure A Parks Fund – Capital (902)

This fund is part of the City’s Capital Funds group and is used to track County of Marin Measure A Parks revenue and expenditures. Measure A helps cities, towns, and special districts maintain parks, open space, and recreational programming.

### Critical Infrastructure Fund – Capital (903)

The Critical Infrastructure Reserve is available to provide resources for a potential future seawall and levee maintenance projects at Beach Road and San Rafael Avenue – for both planned and emergency repair projects. The reserve is designed to reduce the City’s future needs for borrowing or bonding on these projects and could also be used as required grant matching funds. If these projects do not come to fruition, these funds would be returned to the General Fund.

#### Equipment Replacement Fund - Capital (210)

This fund is part of the City's Capital Funds group. The purpose of this fund is to provide vehicles and equipment for the City's operational needs. Equipment lease payments for large equipment are also tracked in this fund. Proceeds from the sale of surplus property are credited to this fund, with the remainder of the expenditures supported by a General Fund transfer.

#### Pension-Related Debt Fund – Debt Service (500)

This Fund accounts for debt service payments on the lease-leaseback arrangement on the City's Corporation Yard and adjacent property. This lease arrangement was entered into in August 2017 as a means of restructuring some of the City's unfunded pension liability with CalPERS. This is the City's only debt, and the debt service payments are funded by transfers from the General Fund.

#### Insurance Reserve Fund – Special Reserve (160)

This Fund is designed to cover claims and deductibles related to property and casualty insurance claims. Funds are transferred from the General Fund to ensure this fund continues to meet its target goal of \$50,000 to \$100,000.

#### 115 Pension Trust Fund – Special Reserve (115)

The purpose of the 115 Pension Trust is to set aside an appropriate level of funds to fully fund accrued pension obligations at a more prudential rate. City Council approval is required for use of accumulated funds in the 115 Pension Trust to CalPERS as an additional discretionary payment or to offset a portion of the actuarially determined contribution.

### CAPITAL PROJECTS

Capital expenditures are defined as projects that address the building, upgrade or replacement of the City's infrastructure. Maintaining and improving the infrastructure is a key component of the viability of the City. The Public Works Department manages all of the capital projects in the City. Capital projects often cross fiscal years due to the timing of design, bid, award and construction.

Each year, the City budgets for capital projects that improve existing infrastructure, repair and replace aging facilities, meet regulatory requirements, preserve property values, and enhance the quality of life for Belvedere residents. With limited resources and a long list of needs, projects must be chosen carefully. Large projects must be planned for over a period of years. It is worth noting that, in recent years, utility undergrounding projects have required extensive staff management and are funded primarily through assessments on residents. Some capital projects have been delayed because of limited project management capacity; most of these projects will commence this fiscal year and will be funded with unspent money that is carried into the coming fiscal year.

The primary focus of this year's capital budget is in two areas:

- Road maintenance: pavement repairs, crack sealing, traffic marking, slurry seal, and other road stabilization projects.
- Beach Road/San Rafael Ave Levee Stabilization: feasibility-level design work, environmental analysis and legal support, and other consultant assistance.

## FUTURE PROJECTS & FUNDING CONSTRAINTS

There are a number of projects and challenges that may need to be addressed during the course of FY2022-23 or within the next few years. In many cases, there are needs for which funding has not been identified.

The City is engaged in the development of a project to provide seismic protection, flood prevention, and assured emergency vehicle access to all parts of Belvedere. This project will require financial resources that are beyond what can be allocated through the City's budget. A financing strategy has been crafted to develop general funds that could be used to support this project but would require voter approval.

A noticeable shifting of the Beach Road seawall in 2019 caused the City to spend nearly \$500,000 to stabilize the wall by installing sheet piles to support a vulnerable portion of it. Given the time that may be needed to develop and fund the more comprehensive seawall/levee/utility protection project, the City may need to fund other such emergency fixes to the Beach Road seawall. The prior year budget established a Critical Infrastructure Reserve fund and set aside \$400,000, and an additional \$600,000 is being allocated to this reserve fund as part of the FY2022-23 budget that can be used to repair the seawall, or to reduce future borrowing on a larger project. It is possible that a more expensive fix could be needed, depending on conditions over the next few years.

Additional projects for which funding has not yet been identified include:

- Sustainability Plan implementation (Sustainable Fleet, LED lighting, etc.)
- Belvedere Island Emergency Evacuation Plan—possible roadway adjustments
- Utility Undergrounding along West Shore Road and Lagoon Road
- Retaining Walls and Hillside Stability Projects (Belvedere Island and Corinthian Island)
- Urban Tree Maintenance Program (to evaluate all public trees and budget for annual maintenance)
- Workforce Housing
- Police Department building upgrades
- Police Officer (deferred)
- Lanes Initiative projects (deferred)

## FIVE-YEAR FORECAST AND FUND BALANCE SUMMARY

The five-year forecast makes the following assumptions in years two through five: a gradual increase in property tax revenue from 4.5% to 5% over the period, an increase from 3.50% to 4.50% in overall in department operating expenses, a 6% annual increase in the cost of fire protection, and capital costs as outlined in the five-year capital improvement plan. It is projected that the 50% reserve policy goal will be met at the end of the forecast period.

## CONCLUSION

The FY2022-23 Budget maintains essential staffing levels and allocates resources necessary to ensure the health and safety of Belvedere residents, protect the City's assets, and provide the resources to operate and maintain the City. As with any financial planning tool, the Budget makes assumptions that may need to be adjusted over time, as new information becomes available or the Council adopts new priorities. Management will closely monitor revenues and manage resources throughout the year and will update the Council at regular intervals.

It has been my pleasure to work with a talented City staff to produce this Budget. In particular, I want to thank the City's Administrative Services Director, Helga Cotter, for her efforts. I look forward to working with the City Council in the coming year to ensure that Belvedere continues to thrive as a unique and beautiful place treasured by its residents.

Respectfully,

A handwritten signature in blue ink that reads "Craig Middleton". The signature is written in a cursive, flowing style.

Craig Middleton  
City Manager

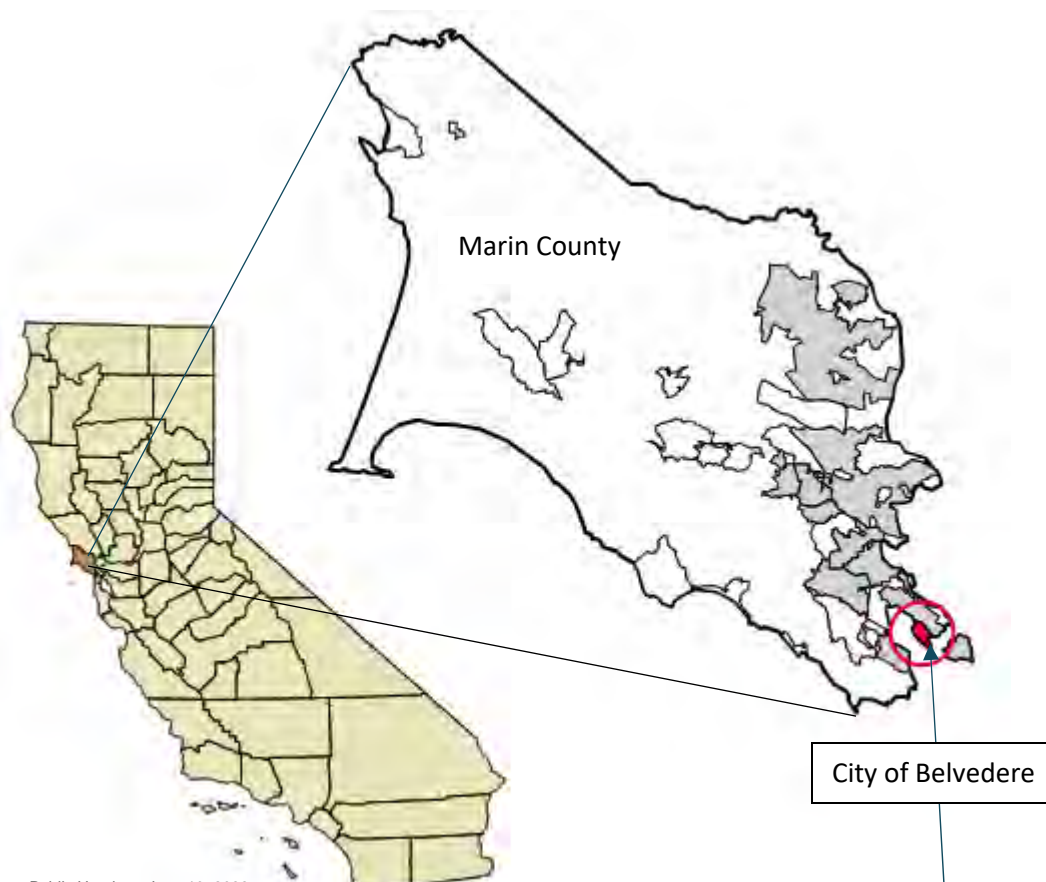
## City Overview

The City of Belvedere (the “City”) was incorporated in 1896. Belvedere is a General Law City, serving a population of just over 2,000. The City is approximately 4 miles north of San Francisco, in Marin County, California. Consisting of two islands and a lagoon, the City is connected to the Tiburon Peninsula by two causeways.

The City is completely built out with single-family homes and approximately 100 rental units. The terrain is predominantly hilly and lush. Some residences were designed by famous architects and are considered historically significant. There are spectacular views of San Francisco, Angel Island, the Golden Gate Bridge, Sausalito, and Mt. Tamalpais.

## Municipal Government

The City operates under a Council-Manager form of government, whereby policies of the City Council are administered by a City Manager who is appointed by the City Council. All municipal departments operate under the supervision of the City Manager. The Council consists of five members who are elected at large for 4-year overlapping terms. The Council elects one of the Council members to serve as Mayor each year. The City provides the following services: police, public works, planning and building, and general administration services. The City contracts with the Tiburon Fire Protection District to provide fire and emergency medical services. The City also shares library and recreation services with the neighboring town of Tiburon, with Joint Powers Agreements in place for both types of services.





# Belvedere Residents

## City Council

Sally Wilkinson, Mayor

City Councilors: James Campbell, Nancy Kemnitzer, James Lynch, Peter Mark

### City Attorney

Renne Public Law Group  
*Contract for Services*

### City Manager

Craig Middleton

#### Public Safety

##### Police Chief

Jason Wu

##### Tiburon Fire Protection District

*Contract for Services*

##### Police Sergeants

Tom Sabido  
Andrew Rosas

##### Police Officers

Jeremy Clark, Brandon Novotny,  
Caitlin Cullen  
(1 deferred vacancy)

#### Planning & Building

##### Director of Planning & Building

Irene Borba

##### Building Official

Brian Van Son

##### Building Inspector II

Genaro Muniz

##### Senior Planner

Vacant

##### Building & Planning Technician

Nancy Miller

#### Administration

##### Administrative Services Director

Helga Cotter

##### Mgmt Analyst/ City Clerk

Beth Haener

##### Office Coordinator

Christina Cook

##### IT Coordinator

SPTJ Consulting  
*Contract for Services*

#### Public Works

##### Director of Public Works/Emergency Services Manager

Robert Zadnik

##### Associate Engineer

Chris Barry

##### Maintenance Supervisor

Gerhard Laufer

##### Maintenance Workers II

Alberto Carranza  
Vacant

##### City Engineer

Moe Engineering  
*Contract for Services*

March	<ul style="list-style-type: none"> <li>➤ Finance Department distributes preliminary budget documents to Department Heads</li> </ul>
April	<ul style="list-style-type: none"> <li>➤ Operating &amp; Capital budgets due to Finance Department</li> <li>➤ City Manager review begins</li> <li>➤ Finance Committee meets to review and discuss Preliminary Budget</li> </ul>
May	<ul style="list-style-type: none"> <li>➤ Preliminary Operating &amp; Capital Budget presented to City Council</li> </ul>
June	<ul style="list-style-type: none"> <li>➤ Budget adopted following Public Hearing at City Council Meeting</li> <li>➤ Finance Department implements adopted Budget</li> </ul>
July	<ul style="list-style-type: none"> <li>➤ Budget is monitored internally through monthly financial statements to City Manager and Department Heads</li> </ul>
February	<ul style="list-style-type: none"> <li>➤ Mid-year budget review is presented to City Council</li> </ul>



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished  
Budget Presentation  
Award*

PRESENTED TO

**City of Belvedere  
California**

For the Fiscal Year Beginning

**July 01, 2021**

*Christopher P. Morill*

**Executive Director**

Government Finance Officers Association of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to the City of Belvedere, California, for its Annual Budget for the fiscal year beginning July 1, 2021. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as a financial plan, as an operations guide, and as a communications device.

This award is valid for a period of one year only. We believe our current budget continues to conform to program requirements, and we are submitting it to GFOA to determine its eligibility for another award.



# Budget Summaries

**OPERATING**

<b>Operating Revenues</b>	
General Fund Revenues	\$ 8,582,033
Fire Fund Revenues	\$ 1,061,453
<b>Total Operating Revenues</b>	<b>\$ 9,643,486</b>
<b>Operating Expenses</b>	
City Operations	\$ 6,403,822
Fire Contract	\$ 2,001,509
Debt Payments (Pension-related)	\$ 242,669
Legal Damages/Settlements	\$ -
<b>Total Operating Expenses</b>	<b>\$ 8,648,000</b>
<b>Other Deductions from Operating Funds</b>	
Contribution to 115 Pension Trust	\$ 300,000
Contribution to Critical Infrastructure Reserve	\$ 600,000
<b>Adjusted Net Operating Revenue</b>	<b>\$ 95,486</b>

**CAPITAL**

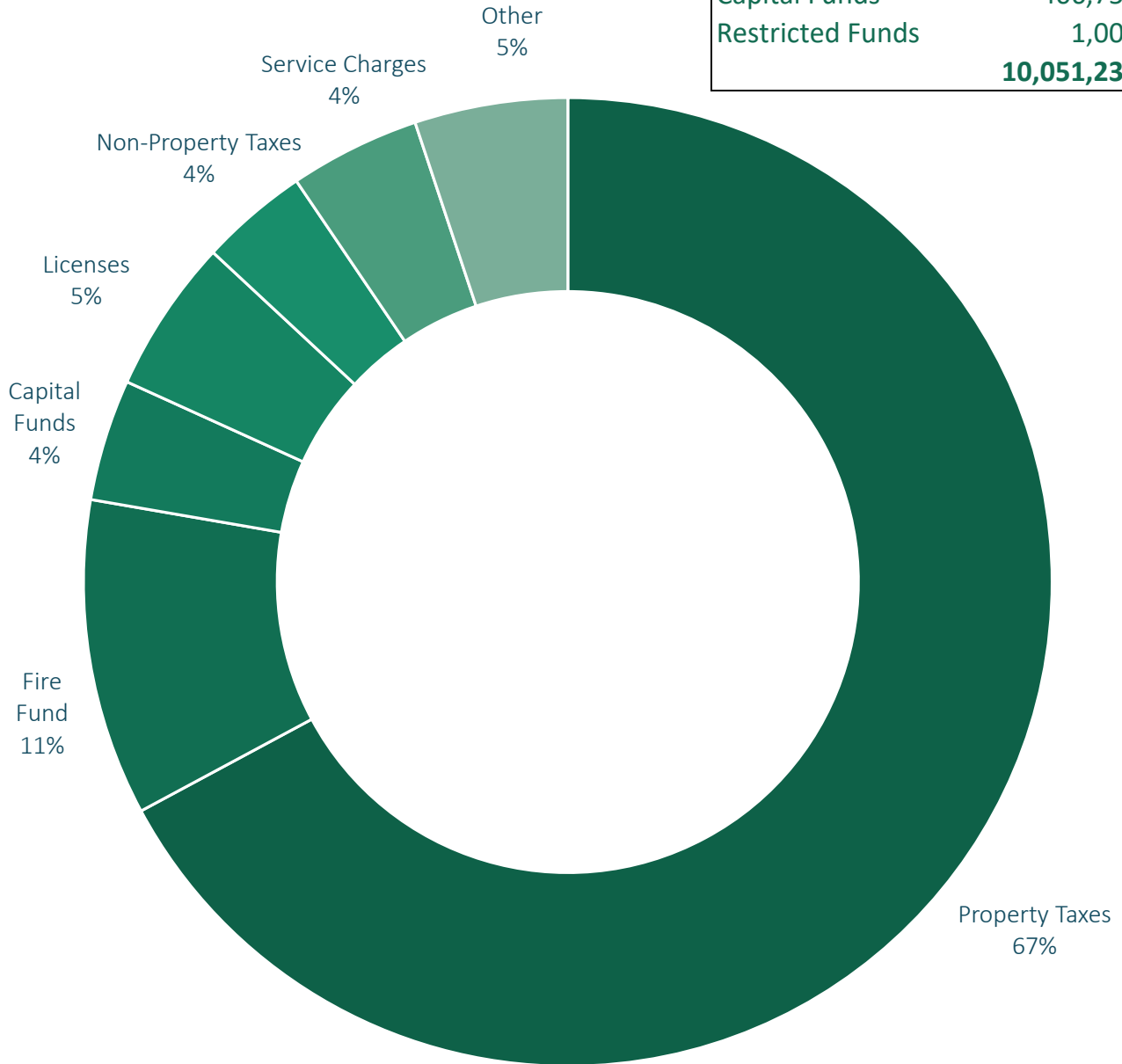
<b>Capital Revenues</b>	
Capital Funds Available for Current Year Projects	\$ 406,750
Restricted Funds	\$ 1,000
<b>Total Capital Revenues</b>	<b>\$ 407,750</b>
<b>Other Capital Funding Sources</b>	
From Net Operating Revenues	\$ -
Prior Year Excess Reserves	\$ 736,750
<b>Total Other Sources</b>	<b>\$ 736,750</b>
<b>Total Revenue to Support Capital Projects</b>	<b>\$ 1,144,500</b>
<b>Capital Project Expenditures</b>	
Capital Projects	\$ 987,500
Equipment Replacement	\$ 157,000
<b>Total Capital Project Expenditures</b>	<b>\$ 1,144,500</b>

**FUND RESERVES**

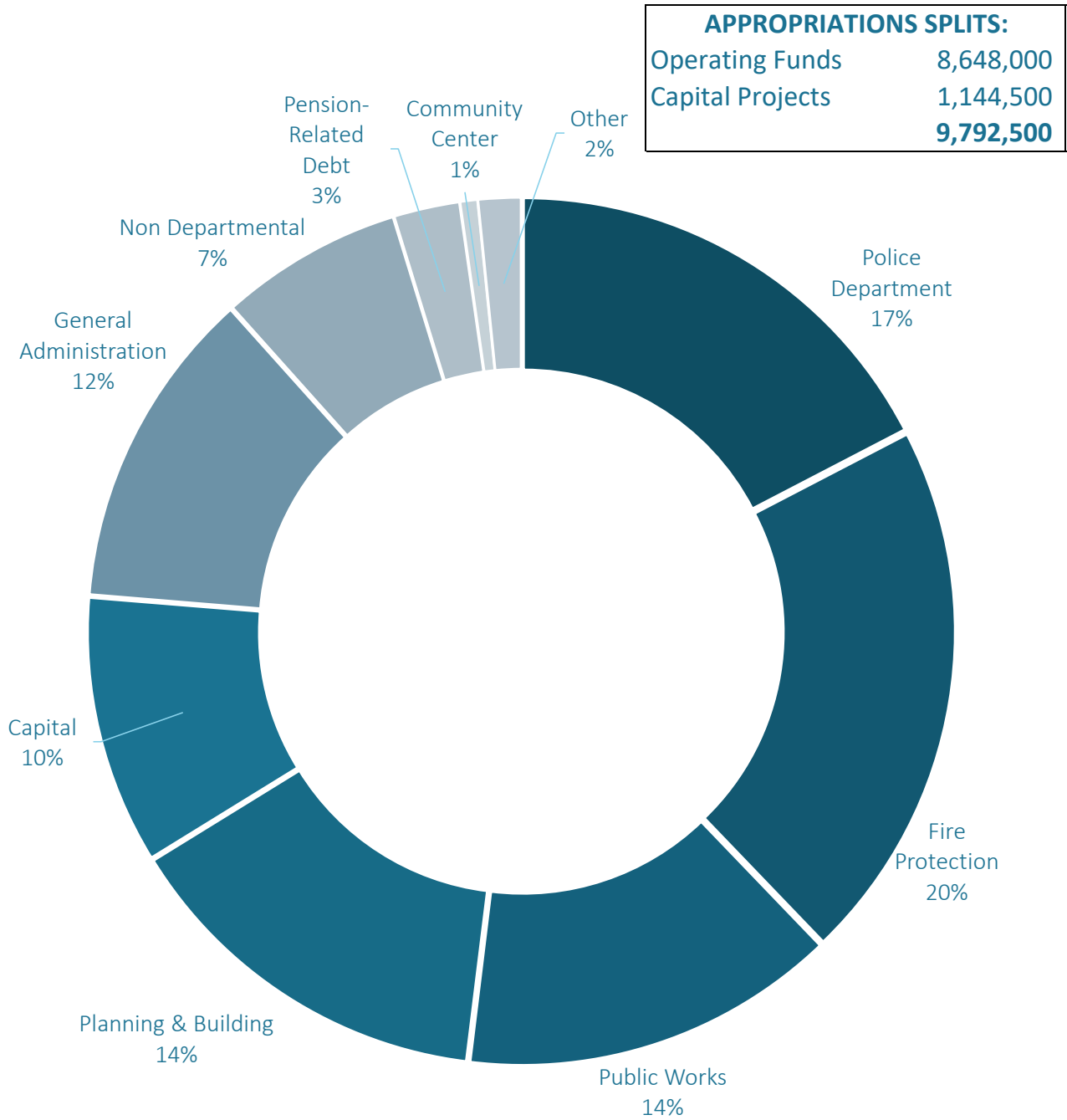
<b>Fund Balances - Projected at June 30, 2023</b>	
General Fund Reserve	\$ 4,102,346
Insurance Reserve Fund	\$ 57,329
115 Pension Trust	\$ 2,101,913
Road Impact Fund	\$ -
Critical Infrastructure Fund	\$ 1,000,000
<b>Total City Funds</b>	<b>\$ 7,261,588</b>
FY23/24 Projected GF Expense + Fire Transfer + Pension Debt	\$ 7,907,917
General Fund Reserve Policy Goal	\$ 3,953,958
Projected General Fund Balance	\$ 4,102,346
Reserve Funds Over/(Under) Policy	<b>\$ 148,388</b>

# Total Revenues \$10,051,235

REVENUE SPLITS:	
Operating Funds	9,643,485
Capital Funds	406,750
Restricted Funds	1,000
	<b>10,051,235</b>



## Total Appropriations \$9,792,500



# Schedule of Interfund Transfers

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND		TRANSFERS IN	TRANSFERS OUT
100	General Fund		\$ 940,056 <sup>1</sup>
100	General Fund		300,000 <sup>2</sup>
100	General Fund		242,669 <sup>3</sup>
100	General Fund		19,250
100	General Fund		561,500 <sup>4</sup>
100	General Fund		600,000 <sup>5</sup>
100	General Fund		156,000 <sup>6</sup>
130	Fire Fund	940,056	
100	115 Pension Trust	300,000	
500	Pension-related Debt Obligation Fund	242,669	
900	Capital Improvement Fund	561,500	
902	Road Impact Fee Fund	19,250	
903	Critical Infrastructure Fund	600,000	
210	Equipment Replacement Fund	156,000	
	Total	<u>\$ 2,819,474</u>	<u>\$ 2,819,474</u>

<sup>1</sup> Fire expenditures not funded by Parcel Tax.

<sup>2</sup> Annual transfer from General Fund to 115 Pension Trust Fund.

<sup>3</sup> Pension-related debt service payments.

<sup>4</sup> CIP expenditures not funded by other revenue sources.

<sup>5</sup> Planned transfer from General Fund to Critical Infrastructure Fund

<sup>6</sup> Equipment Replacement expenditures not funded by other sources.

# Revenue History - All Funds

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND/ACTIVITY	FY18/19 ACTUAL REVENUES	FY19/20 ACTUAL REVENUES	FY20/21 ACTUAL REVENUES	FY21/22 ESTIMATED REVENUES	FY22/23 RECOMMENDED BUDGET
<b>OPERATING REVENUE</b>					
<b>GENERAL FUND</b>					
<b>Property Taxes:</b>					
Current Secured	\$4,657,434	\$4,848,606	\$5,085,230	\$5,210,242	\$5,677,521
Supplemental Assessments	104,431	105,830	103,627	99,000	104,395
Unsecured	89,828	99,495	101,749	105,811	99,000
Excess ERAF	490,139	491,186	569,394	500,000	490,000
VLF Swap	259,935	277,014	288,627	303,372	297,305
Real Property Transfer	112,324	56,828	184,182	152,839	82,650
Subtotal	<u>\$5,714,091</u>	<u>\$5,878,959</u>	<u>\$6,332,809</u>	<u>\$6,371,264</u>	<u>\$6,750,871</u>
<i>% Change over prior year</i>	8.3%	2.9%	7.7%	0.6%	6.0%
<b>Local Non-Property Taxes:</b>					
Sales Taxes	\$106,363	\$70,565	\$77,606	\$98,969	\$98,969
Sales Taxes - SB509	19,663	19,319	20,029	23,685	23,685
Business Licenses	68,611	72,352	61,766	53,745	53,745
PG&E Franchise	29,451	32,803	35,322	38,131	35,000
CATV Franchise	61,000	66,904	54,725	67,500	67,500
Garbage Franchise	80,861	89,894	95,729	85,000	85,000
Subtotal	<u>\$365,949</u>	<u>\$351,837</u>	<u>\$345,177</u>	<u>\$367,030</u>	<u>\$363,899</u>
<i>% Change over prior year</i>	-5.8%	-3.9%	-1.9%	6.3%	-0.9%
<b>Licenses &amp; Permits:</b>					
Construction Permits	\$384,069	\$478,274	\$407,555	\$400,000	\$400,000
Encroachment Permits	61,114	45,667	62,449	96,140	96,140
Revocable Licenses	6,664	6,664	3,972	1,338	1,338
Parking Permits	5,360	7,260	1,750	2,775	2,775
Miscellaneous Licenses and Permits	1,666	1,261	7,605	15,294	15,294
Subtotal	<u>\$458,873</u>	<u>\$539,126</u>	<u>\$483,331</u>	<u>\$515,547</u>	<u>\$515,547</u>
<i>% Change over prior year</i>	-21.6%	17.5%	-10.3%	6.7%	0.0%

# Revenue History - All Funds

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND/ACTIVITY	FY18/19 ACTUAL REVENUES	FY19/20 ACTUAL REVENUES	FY20/21 ACTUAL REVENUES	FY21/22 ESTIMATED REVENUES	FY22/23 RECOMMENDED BUDGET
<b>Fines &amp; Forfeitures:</b>					
Vehicle Code Fines	\$8,582	\$7,416	\$764	\$1,074	\$1,074
Planning & Building Penalties	25,054	29,000	100	1,500	1,500
Subtotal	<u>\$33,636</u>	<u>\$36,416</u>	<u>\$864</u>	<u>\$2,574</u>	<u>\$2,574</u>
<i>% Change over prior year</i>	-78.0%	8.3%	-97.6%	197.9%	0.0%
<b>Investments &amp; Property:</b>					
Investments	\$98,805	\$91,816	\$31,984	\$25,000	\$30,000
Rent	14,561	43,517	72,084	19,354	19,354
Subtotal	<u>\$113,366</u>	<u>\$135,333</u>	<u>\$104,068</u>	<u>\$44,354</u>	<u>\$49,354</u>
<i>% Change over prior year</i>	34.7%	19.4%	-23.1%	-57.4%	11.3%
<b>Revenue From Other Agencies:</b>					
Motor Vehicle In Lieu	\$1,025	\$0	\$0	\$900	\$900
HOPTR	21,960	22,073	21,788	21,585	21,461
Supplemental Law Enforcement Funding	155,402	163,435	164,192	150,000	150,000
Coronavirus Relief Fund	\$0	\$0	\$50,000	\$0	\$0
ARPA Funds	\$0	\$0	\$0	\$251,661	\$251,661
Subtotal	<u>\$178,387</u>	<u>\$185,508</u>	<u>\$235,980</u>	<u>\$424,146</u>	<u>\$424,022</u>
<i>% Change over prior year</i>	6.1%	4.0%	27.2%	79.7%	0.0%
<b>Service Charges:</b>					
Road Closure Signs	\$26,065	\$19,666	\$25,918	\$18,483	\$18,483
Plan Reviews	228,811	204,809	155,728	180,000	180,000
Technology Fee	6,541	8,759	8,600	7,379	7,379
Variances and Use Permits	18,900	11,534	7,752	6,000	6,000
Design Review/Design Review Exceptions	79,973	42,041	68,579	151,620	151,620
Appeals	1,753	3,199	1,408	1,000	1,000
Residential Building Reports/Inspections	14,006	12,600	24,080	13,050	22,800
Financial Services	5,434	6,456	4,050	5,000	5,000
Special Police Services	1,317	2,000	8,360	1,761	0
Electric Vehicle Charging Fees	4,753	2,660	4,071	6,485	6,485
Miscellaneous Charges for Services	15,201	15,947	22,525	57,442	40,000
Subtotal	<u>\$402,754</u>	<u>\$329,671</u>	<u>\$331,071</u>	<u>\$448,219</u>	<u>\$438,766</u>
<i>% Change over prior year</i>	-24.4%	-18.1%	0.4%	35.4%	-2.1%

# Revenue History - All Funds

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND/ACTIVITY	FY18/19 ACTUAL REVENUES	FY19/20 ACTUAL REVENUES	FY20/21 ACTUAL REVENUES	FY21/22 ESTIMATED REVENUES	FY22/23 RECOMMENDED BUDGET
<b>Miscellaneous Other Revenue:</b>					
Concert-in-the-Park Series	\$32,047	\$32,420	\$27,195	\$8,866	\$32,000
Miscellaneous Other Revenue:	4,154	2,618	6,802	998	5,000
Grant Proceeds	0	0	6,723	0	0
Contributions/Private Grants	0	0	0	11,275	0
Subtotal	\$36,201	\$35,038	\$40,720	\$21,139	\$37,000
% Change over prior year	-60.2%	-3.2%	16.2%	-48.1%	75.0%
<b>Total General Fund Revenue</b>	<b>\$7,303,257</b>	<b>\$7,491,888</b>	<b>\$7,874,020</b>	<b>\$8,194,273</b>	<b>\$8,582,033</b>
% Change over prior year	0.3%	2.6%	5.1%	4.1%	4.7%
<b>FIRE FUND</b>					
Fire Tax Proceeds	\$886,256	\$919,435	\$946,945	\$997,888	\$1,061,453
% Change over prior year	3.9%	3.7%	3.0%	5.4%	6.4%
<b>TOTAL OPERATING REVENUE</b>	<b>\$8,189,513</b>	<b>\$8,411,323</b>	<b>\$8,820,965</b>	<b>\$9,192,161</b>	<b>\$9,643,486</b>
% Change over prior year	0.7%	2.7%	4.9%	4.2%	4.9%



# Revenue History - All Funds

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND/ACTIVITY	FY18/19 ACTUAL REVENUES	FY19/20 ACTUAL REVENUES	FY20/21 ACTUAL REVENUES	FY21/22 ESTIMATED REVENUES	FY22/23 RECOMMENDED BUDGET
<b>CAPITAL REVENUE</b>					
<b>CAPITAL IMPROVEMENT FUNDS</b>					
<b>General Capital Improvements</b>					
Contributions/Private Grants	\$31,329	\$0	\$82,527	\$251,850	\$0
Measure A/B Transportation Sales Tax	32,427	60,969	47,855	50,872	90,000
Gas Tax Revenue	85,219	98,154	85,968	60,000	60,000
State Planning Grant	0	0	0	70,863	0
DWR Grant	20,260	137,110	194,500	242,000	0
Prop 68 Park Bond	0	0	0	110,000	68,000
<b>Total Cap. Improvement Fund Revenue</b>	<b>\$169,235</b>	<b>\$296,233</b>	<b>\$410,850</b>	<b>\$785,585</b>	<b>\$218,000</b>
<i>% Change over prior year</i>	-26.3%	75.0%	38.7%	165.2%	-72.2%
<b>Road Impact Funds</b>					
Road Impact Fee	\$173,862	\$262,130	\$163,935	\$175,750	\$175,750
<i>% Change over prior year</i>	-21.9%	50.8%	-37.5%	-33.0%	0.0%
<b>Marin County Parks &amp; Open Space Fund</b>					
Measure A Parks Sales Tax	\$8,970	\$17,214	\$16,968	\$10,542	\$13,000
<i>% Change over prior year</i>	-63.1%	91.9%	-1.4%	-38.8%	23.3%
<b>SUBTOTAL CAPITAL IMPROVEMENT FUNDS</b>	<b>\$352,067</b>	<b>\$575,577</b>	<b>\$591,753</b>	<b>\$971,877</b>	<b>\$406,750</b>
<i>% Change over prior year</i>	-26.1%	63.5%	2.8%	68.9%	-58.1%
<b>EQUIPMENT REPLACEMENT FUND</b>					
Contribution	\$0	\$0	\$0	\$0	\$0
Grant	0	0	34,285	0	0
Sale of Property	409	40,251	10,807	382	1,000
<b>Total Equip. Repl. Fund Revenue</b>	<b>\$409</b>	<b>\$40,251</b>	<b>\$45,092</b>	<b>\$382</b>	<b>\$1,000</b>
<i>% Change over prior year</i>	-87.5%	9741.3%	12.0%	-99.1%	161.8%
<b>TOTAL CAPITAL REVENUE</b>	<b>\$352,476</b>	<b>\$615,828</b>	<b>\$636,845</b>	<b>\$972,259</b>	<b>\$407,750</b>
<i>% Change over prior year</i>	-26.5%	74.7%	3.4%	57.9%	-58.1%
<b>TOTAL REVENUES</b>	<b>\$8,541,989</b>	<b>\$9,027,151</b>	<b>\$9,457,810</b>	<b>\$10,164,420</b>	<b>\$10,051,235</b>
<i>% Change over prior year</i>	-0.8%	5.7%	4.8%	12.6%	-1.1%

# Expenditure History - All Funds

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND/ACTIVITY	FY18/19 ACTUAL EXPENSES	FY19/20 ACTUAL EXPENSES	FY20/21 ACTUAL EXPENSES	FY21/22 ESTIMATED EXPENSES	FY22/23 RECOMMENDED BUDGET
<b>OPERATING EXPENDITURES</b>					
<b>GENERAL FUND</b>					
General Administration	\$807,507	\$972,064	\$934,099	\$1,194,286	\$1,182,298
Planning and Building	1,084,628	934,615	1,173,664	1,228,858	1,395,322
Police	1,835,363	1,455,352	1,583,418	1,624,736	1,702,188
Public Works Operations & Maintenance	941,347	1,076,890	1,211,593	1,168,259	1,384,786
Recreation (The Ranch)	53,902	75,107	65,739	62,979	64,592
Non-Departmental	404,712	440,472	388,591	684,645	674,637
<b>TOTAL GENERAL FUND</b>	<b>\$5,127,459</b>	<b>\$4,954,500</b>	<b>\$5,357,104</b>	<b>\$5,963,763</b>	<b>\$6,403,822</b>
<i>% Change over prior year</i>	<i>6.2%</i>	<i>-3.4%</i>	<i>8.1%</i>	<i>11.3%</i>	<i>7.4%</i>
<b>FIRE FUND</b>					
Fire Protection	\$1,530,482	\$1,690,022	\$1,748,530	\$1,854,812	\$2,001,509
<i>% Change over prior year</i>	<i>5.3%</i>	<i>10.4%</i>	<i>3.5%</i>	<i>6.1%</i>	<i>7.9%</i>
<b>RESTRICTED FUNDS</b>					
Legal Damages and Settlements	3,500	11,458	0	0	0
Debt Service	254,176	238,044	246,521	250,169	242,669
<b>TOTAL RESTRICTED FUNDS</b>	<b>\$257,676</b>	<b>\$249,502</b>	<b>\$246,521</b>	<b>\$250,169</b>	<b>\$242,669</b>
<i>% Change over prior year</i>	<i>47.6%</i>	<i>-3.2%</i>	<i>-1.2%</i>	<i>1.5%</i>	<i>-3.0%</i>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>\$6,915,617</b>	<b>\$6,894,024</b>	<b>\$7,352,155</b>	<b>\$8,068,744</b>	<b>\$8,648,000</b>
<i>% Change over prior year</i>	<i>7.1%</i>	<i>-0.3%</i>	<i>6.6%</i>	<i>9.7%</i>	<i>7.2%</i>

# Expenditure History - All Funds

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

FUND/ACTIVITY	FY18/19 ACTUAL EXPENSES	FY19/20 ACTUAL EXPENSES	FY20/21 ACTUAL EXPENSES	FY21/22 ESTIMATED EXPENSES	FY22/23 RECOMMENDED BUDGET
<b>CAPITAL EXPENDITURES</b>					
<b>CAPITAL IMPROVEMENT FUNDS</b>					
<b>General Capital Improvements</b>					
Streets	\$26,172	\$58,866	\$100,762	\$649,622	\$355,000
Infrastructure	\$434,931	\$271,146	\$283,160	\$739,002	\$227,000
Lanes	135,326	442,846	16,964	70,000	90,000
Parks & Open Space	38,585	27,924	57,109	518,510	25,000
Community Buildings	82,990	69,065	111,721	300,460	22,000
Miscellaneous Other	114,507	14,607	109,519	131,747	268,500
Utility Underground Districts	60,539	4,010	0	143,490	0
<b>Total Capital Improvements</b>	<b>\$893,050</b>	<b>\$888,464</b>	<b>\$679,235</b>	<b>\$2,552,831</b>	<b>\$987,500</b>
<i>% Change over prior year</i>	58.8%	-0.5%	-23.5%	275.8%	-61.3%
<b>RESTRICTED FUNDS</b>					
Equipment Replacement	\$94,865	\$154,858	\$27,091	\$80,000	\$157,000
<i>% Change over prior year</i>	14.0%	63.2%	-82.5%	195.3%	96.3%
<b>TOTAL CAPITAL EXPENDITURES</b>	<b>\$987,915</b>	<b>\$1,043,322</b>	<b>\$706,326</b>	<b>\$2,632,831</b>	<b>\$1,144,500</b>
<i>% Change over prior year</i>	53.0%	5.6%	-32.3%	272.8%	-56.5%
<b>TOTAL EXPENDITURES</b>	<b>\$7,903,532</b>	<b>\$7,937,346</b>	<b>\$8,058,481</b>	<b>\$10,701,575</b>	<b>\$9,792,500</b>
<i>% Change over prior year</i>	11.3%	0.4%	1.5%	32.8%	-8.5%

# City-Wide Salary & Benefit Information

# Salary Chart with Position Allocations

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

Rates in effect as of 7/1/2021

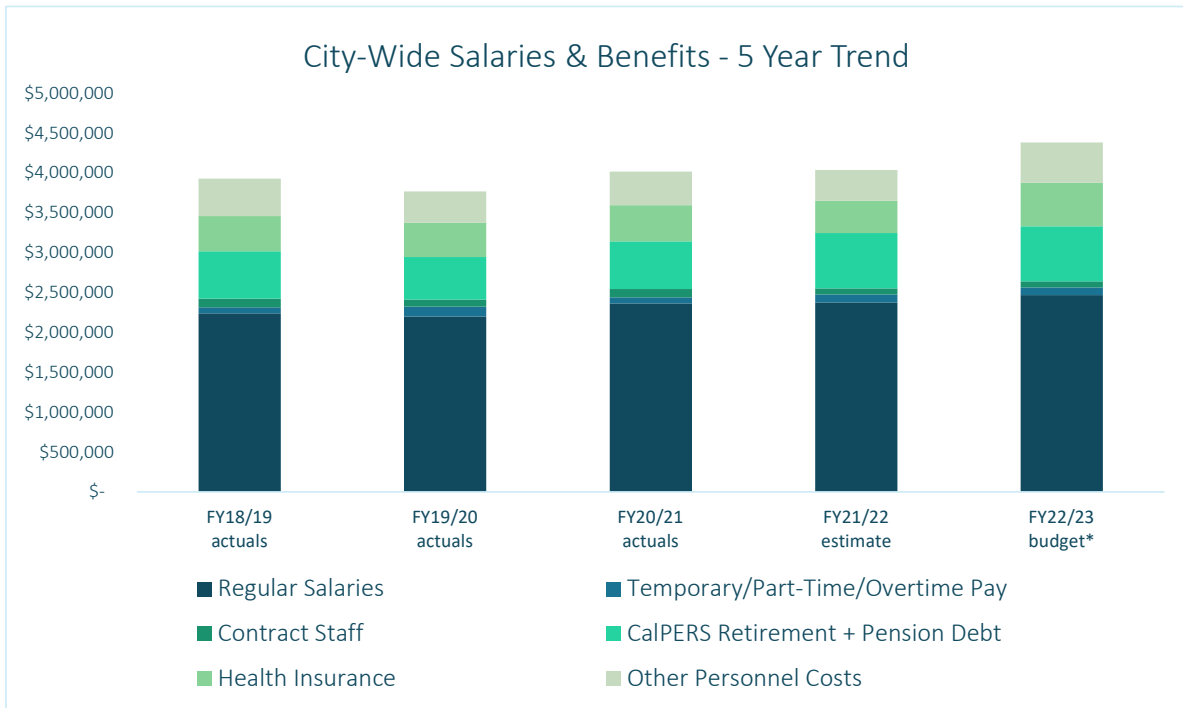
Department & Position	Step A	Step B	Step C	Step D	Step E	FTE
<b>General Administration</b>						
City Manager					16,250	1
Administrative Services Manager	11,556	12,134	12,740	13,378	14,046	1
City Clerk/Management Analyst	7,423	7,794	8,184	8,593	9,023	1
Office Coordinator	6,416	6,737	7,074	7,427	7,799	1
<b>Planning &amp; Building</b>						
Director of Planning and Building	11,374	11,943	12,540	13,167	13,825	1
Building Official	9,315	9,781	10,270	10,783	11,322	1
Senior Planner	8,222	8,633	9,065	9,518	9,994	1
Associate Planner	7,799	8,189	8,598	9,028	9,480	-
Building Inspector II	6,839	7,181	7,540	7,917	8,313	1
Building & Planning Technician	5,852	6,145	6,452	6,774	7,113	1
<b>Police</b>						
Police Chief	12,272	12,886	13,530	14,206	14,917	1
Police Sergeant	8,173	8,582	9,011	9,461	9,934	2
Police Officer	6,948	7,295	7,660	8,043	8,445	4*
<b>Public Works</b>						
Director of Public Works	11,497	12,072	12,675	13,309	13,975	1
Associate Engineer	7,799	8,189	8,598	9,028	9,480	1
Maintenance Supervisor	6,814	7,155	7,512	7,888	8,282	1
Maintenance Worker II	5,035	5,287	5,551	5,829	6,120	2
Maintenance Worker	4,496	4,721	4,957	5,205	5,465	-
<b>Total Employees</b>						<b>21</b>
<b>Contract Staff</b>						
City Attorney	Professional Services Contract with Renne Public Law Group					
City Engineer	Professional Services Contract with Moe Engineering					
Fire and Emergency Services	Contract for Services with Tiburon Fire Protection District					
IT Coordinator	Professional Services Contract with SPTJ Consulting					

# Citywide Salary and Benefit History

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

## Citywide Salary and Benefit Information Budget Year + Four Year History

Salary & Benefit Costs	FY18/19 actuals	FY19/20 actuals	FY20/21 actuals	FY21/22 estimate	FY22/23 budget*
Regular Salaries	\$ 2,235,839	\$ 2,196,397	\$ 2,362,199	\$ 2,372,932	\$ 2,467,848
Temporary/Part-Time/Overtime Pay	\$ 79,632	\$ 123,847	\$ 77,256	\$ 102,327	\$ 94,150
Contract Staff	\$ 106,888	\$ 89,140	\$ 103,774	\$ 73,369	\$ 77,883
CalPERS Retirement + Pension Debt	\$ 594,691	\$ 533,180	\$ 598,965	\$ 697,503	\$ 689,586
Health Insurance	\$ 438,780	\$ 430,667	\$ 450,886	\$ 405,279	\$ 545,972
Other Personnel Costs	\$ 470,157	\$ 393,764	\$ 422,834	\$ 384,610	\$ 505,471
<b>Total Salary &amp; Benefits</b>	<b>\$ 3,925,987</b>	<b>\$ 3,766,995</b>	<b>\$ 4,015,914</b>	<b>\$ 4,036,020</b>	<b>\$ 4,380,910</b>



Position Counts by Department	FY18/19 actuals	FY19/20 actuals	FY20/21 actuals	FY21/22 estimate	FY22/23 budget*
General Administration	4	4	4	4	4
Planning & Building	5	5	5	5	5
Police Department	6	5	6	6	7 **
Public Works	4	5	5	5	5
<b>TOTAL</b>	<b>19</b>	<b>19</b>	<b>20</b>	<b>20</b>	<b>21</b>

\* Budgeted amounts represent highest possible earnings in each position and category, therefore budgeted amounts appear to increase at a greater rate than actual amounts.

\*\* Including one deferred FTE position.

# Operating Expenditures

General Administration  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

Account	Item	FY22 Budget	FY22 Estimated Actuals	FY23 Recommended Budget
4000	Regular Salaries	585,189	548,404	576,724
4010	Temp & Part Time Employees	1,350	7,212	1,350
4030	Sick Leave Conversion	22,880	10,395	22,636
4090	Auto Allowance	8,400	6,223	8,604
4091	Deferred Comp	8,880	8,253	8,880
4092	Technology Allowance	0	0	0
4095	Longevity Pay	0	0	0
	<b>PERSONNEL</b>	<b>626,699</b>	<b>580,487</b>	<b>618,195</b>
4100	Insurance Benefits	55,556	43,893	84,306
4110	PERS	51,245	53,112	58,993
4114	PARS	1,800	1,649	0
4121	Workers' Comp	27,619	18,733	26,916
4130	FICA/Medicare	8,772	8,465	8,652
	<b>FRINGE BENEFITS</b>	<b>144,992</b>	<b>125,853</b>	<b>178,866</b>
5010	Financial Services	61,800	78,964	63,654
5012	Legal Services	45,000	153,041	125,000
5013	Interim	0	50,753	0
5015	IT Support	35,000	35,933	36,050
5016	Software Maintenance	15,000	27,642	15,450
5990	Other Contract/Outside Services	10,000	50,295	20,000
	<b>OUTSIDE SERVICES</b>	<b>166,800</b>	<b>396,627</b>	<b>260,154</b>
6000	Communications & Alarms	3,595	4,831	4,976
6020	Power - Gas & Electric	1,383	1,655	1,704
	<b>UTILITIES</b>	<b>4,978</b>	<b>6,485</b>	<b>6,680</b>
6125	Elections	3,404	0	3,404
6150	Membership & Dues	6,489	6,576	6,773
6160	Notices & Ads	5,934	5,943	6,121
6170	Confs, Meetings, Training	15,000	5,708	15,000
6180	Vehicle/Equipment Leases	4,393	4,216	4,342
6990	Other Operating Expenses	70,000	50,000	70,000
	<b>OPERATIONS</b>	<b>105,220</b>	<b>72,443</b>	<b>105,641</b>
7000	Office Supplies	5,956	11,191	11,526
7030	Printing & Reproduction	836	1,200	1,236
	<b>MATERIALS AND SUPPLIES</b>	<b>6,792</b>	<b>12,391</b>	<b>12,762</b>
	<b>TOTAL GENERAL ADMINISTRATION</b>	<b>1,055,481</b>	<b>1,194,286</b>	<b>1,182,298</b>



Planning Building  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<b>Account</b>	<b>Item</b>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
4000	Regular Salaries	606,819	609,101	618,965
4010	Temp & Part Time Employee	0	1,350	0
4020	Overtime	1,800	973	1,800
4030	Sick Leave Conversion	25,004	17,222	25,355
4090	Auto Allowance	7,200	7,015	7,200
4091	Deferred Comp	11,100	10,815	11,100
4095	Longevity Pay	16,401	15,644	16,730
	<b>PERSONNEL</b>	<b>668,324</b>	<b>662,120</b>	<b>681,149</b>
4100	Insurance Benefits	119,533	104,559	127,150
4110	PERS	75,892	93,250	80,076
4114	PARS	7,345	7,919	5,545
4121	Workers' Comp	28,640	14,585	28,887
4130	FICA/Medicare	9,331	9,841	9,514
	<b>FRINGE BENEFITS</b>	<b>240,741</b>	<b>230,154</b>	<b>251,172</b>
5012	Legal Services	70,000	66,671	75,000
5015	IT Support	25,000	24,729	25,750
5016	Software Maintenance	2,163	6,947	5,000
5101	Plan Review Services-Building Dept	27,071	23,369	27,883
5990	Other Contract/Outside Services	320,000	172,649	260,000
	<b>OUTSIDE SERVICES</b>	<b>444,234</b>	<b>294,365</b>	<b>393,633</b>
6000	Communications & Alarms	6,486	7,717	7,949
6020	Power - Gas & Electric	5,536	6,261	6,449
	<b>UTILITIES</b>	<b>12,022</b>	<b>13,979</b>	<b>14,398</b>
6150	Membership & Dues	293	980	1,009
6160	Notices & Ads	6,510	3,523	6,510
6170	Confs, Meetings, Training	20,000	0	20,000
6180	Vehicle/Equipment Leases	4,393	4,655	4,794
6190	Vehicle Maintenance - Corr	2,500	0	0
	<b>OPERATIONS</b>	<b>33,696</b>	<b>9,157</b>	<b>32,314</b>
7000	Office Supplies	6,602	9,088	12,361
7030	Printing & Reproduction	4,711	9,996	10,296
	<b>MATERIALS AND SUPPLIES</b>	<b>11,313</b>	<b>19,084</b>	<b>22,657</b>
	<b>TOTAL PLANNING &amp; BUILDING</b>	<b>1,410,330</b>	<b>1,228,858</b>	<b>1,395,322</b>

Police  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<u>Account</u>	<u>Item</u>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
4000	Regular Salaries	721,432	736,017	735,869
4010	Temp & Part Time Employees	51,500	8,459	30,000
4020	Overtime	83,333	83,333	60,000
4030	Sick Leave Conversion	29,811	8,532	30,227
4040	Holiday Pay	34,423	34,423	35,112
4060	Educational Incentive	22,054	28,599	22,496
4070	Graveyard Shift Pay	15,834	16,221	22,684
4080	Field Training Pay	1,000	0	1,000
4090	Auto Allowance	4,800	4,000	4,800
4091	Deferred Comp	13,320	12,352	13,320
4095	Longevity Pay	11,027	9,220	6,080
	<b>PERSONNEL</b>	<b>988,534</b>	<b>941,156</b>	<b>961,588</b>
4100	Insurance Benefits	124,985	110,757	134,373
4110	PERS	129,965	143,485	132,974
4111	Post Retirement Health Benefits	9,000	8,400	9,000
4114	PARS	7,346	8,161	2,773
4121	Workers' Comp	48,050	27,451	48,343
4130	FICA/Medicare	12,046	13,648	12,203
4140	Uniform Allowance	5,520	4,733	5,520
	<b>FRINGE BENEFITS</b>	<b>336,912</b>	<b>316,636</b>	<b>345,187</b>
5015	IT Support	25,000	32,894	25,750
5016	Software Maintenance	1,061	18,870	10,000
5080	Emergency Preparedness Services	33,976	33,976	34,995
5210	Police Dispatch	128,625	115,409	126,209
5220	Major Crimes Task Force	19,102	19,102	19,102
5242	Reports & Records Automation	24,721	21,541	22,188
5250	Marin Emergency Radio Authority	31,320	19,200	31,320
5266	Marin Information & Data Access S	3,621	1,828	1,883
5267	Mobile Data Maintenance Agreem	5,890	5,880	6,056
5990	Other Contract/Outside Services	27,810	27,810	27,810
	<b>OUTSIDE SERVICES</b>	<b>301,126</b>	<b>296,511</b>	<b>305,313</b>
6000	Communications & Alarms	12,394	13,167	13,562
6020	Power - Gas & Electric	2,307	2,520	2,596
	<b>UTILITIES</b>	<b>14,701</b>	<b>15,687</b>	<b>16,157</b>

Police  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<b>Account</b>	<b>Item</b>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
6130	Equipment Maintenance - Corr	729	0	0
6150	Membership & Dues	810	400	810
6170	Confs, Meetings, Training	15,000	15,000	15,000
6175	Training (POST) Reimb	10,000	10,000	10,000
6176	Interoperability Law Enforcement f	7,000	365	7,000
6180	Vehicle/Equipment Leases	2,747	2,047	2,747
6190	Vehicle Maintenance - Corr	11,139	443	11,139
	<b>OPERATIONS</b>	<b>47,425</b>	<b>28,254</b>	<b>46,696</b>
7000	Office Supplies	5,467	11,343	11,683
7050	Ammunition & Weapons	1,328	1,328	1,328
7080	Gas & Oil Supplies	7,645	11,880	12,236
7090	Protective Clothing/Safety	3,562	1,941	2,000
	<b>MATERIALS AND SUPPLIES</b>	<b>18,002</b>	<b>26,492</b>	<b>27,247</b>
<b>TOTAL POLICE</b>		<b>1,706,700</b>	<b>1,624,736</b>	<b>1,702,188</b>

Public Works  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<u>Account</u>	<u>Item</u>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
4000	Regular Salaries	527,729	479,409	536,290
4020	Overtime	1,000	1,000	1,000
4030	Sick Leave Conversion	35,223	9,823	35,470
4090	Auto Allowance	2,400	2,031	2,400
4091	Deferred Comp	11,100	9,277	11,100
4095	Longevity Pay	10,478	9,173	6,842
	<b>PERSONNEL</b>	<b>587,930</b>	<b>510,714</b>	<b>593,102</b>
4100	Insurance Benefits	141,146	110,409	161,987
4110	PERS	60,735	76,082	63,779
4114	PARS	7,345	7,069	2,773
4121	Workers' Comp	24,907	13,131	25,029
4130	FICA/Medicare	8,208	7,457	8,281
	<b>FRINGE BENEFITS</b>	<b>242,341</b>	<b>214,149</b>	<b>261,848</b>
5015	IT Support	15,000	21,659	22,309
5016	Software Maintenance	557	3,908	4,025
5250	Marin Emergency Radio Authority	9,925	5,966	9,925
5301	City Engineer	50,000	50,000	50,000
5320	Drainage Maintenance	19,923	22,209	22,875
5321	Silt Removal	10,609	10,609	10,927
5322	Videotaping	3,183	3,183	3,278
5335	Annual Vegetation Maintenance	46,350	64,440	66,373
5350	Street Trees (Outside)	70,000	70,000	70,000
5360	Poison Oak Control	1,591	1,591	1,639
5370	Marinmap Membership Fee	6,365	6,365	6,556
5980	Prior year excess reserves	15,336	13,737	14,149
5990	Other Contract/Outside Services	12,360	12,360	12,731
	<b>OUTSIDE SERVICES</b>	<b>261,199</b>	<b>286,027</b>	<b>294,788</b>
6000	Communications & Alarms	8,582	9,148	9,422
6020	Power - Gas & Electric	7,847	14,437	14,870
6030	Power - Street Lights	10,797	12,251	12,618
6040	Power - Traffic Signal	510	769	792
6050	Water	30,132	13,171	13,566
	<b>UTILITIES</b>	<b>57,868</b>	<b>49,776</b>	<b>51,269</b>

Public Works  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<u>Account</u>	<u>Item</u>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
6131	Equipment Maintenance	15,450	15,450	15,914
6150	Membership & Dues	1,529	7,187	7,403
6170	Confs, Meetings, Training	8,500	48	8,500
6180	Vehicle/Equipment Leases	5,047	5,024	5,175
6191	Vehcl Maint	6,850	65	7,056
6200	Building Maintenance	10,805	12,035	12,396
6210	Irrigation Sys Maintenance	2,652	13,692	14,103
6220	Street Light Maintenance	4,244	754	4,371
6230	Permits	15,450	15,450	15,914
6240	Street Sweep - In-House	51,265	5,452	51,265
	<b>OPERATIONS</b>	<b>121,792</b>	<b>75,157</b>	<b>142,095</b>
7000	Office Supplies	3,282	5,592	5,760
7080	Gas & Oil Supplies	4,752	7,108	7,321
7090	Protective Clothing/Safety	4,292	2,253	4,292
7100	Construction Supplies	1,107	1,107	1,107
7110	Janitorial Supplies	341	157	341
7120	Park & Landscape Supplies	7,636	1,293	7,636
7140	Small Tools	2,122	2,122	2,122
7150	Traffic Control Supplies	2,758	2,758	2,758
7190	Other Materials & Supplies	10,046	10,046	10,347
	<b>MATERIALS AND SUPPLIES</b>	<b>36,336</b>	<b>32,437</b>	<b>41,684</b>
<b>TOTAL PUBLIC WORKS</b>		<b>1,307,466</b>	<b>1,168,259</b>	<b>1,384,786</b>

Recreation (The Ranch)  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<b>Account</b>	<b>Item</b>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
5980	Janitorial Contract Services	8,638	6,728	6,930
5982	Recreation Facility Contribution	36,394	37,048	38,159
5990	Other Contract/Outside Services	1,061	1,061	1,093
	<b>OUTSIDE SERVICES</b>	<b>46,093</b>	<b>44,837</b>	<b>46,182</b>
6020	Power - Gas & Electric	4,505	4,920	5,068
	<b>UTILITIES</b>	<b>4,505</b>	<b>4,920</b>	<b>5,068</b>
6140	Insurance	3,623	3,993	4,113
6200	Building Maintenance	6,047	6,047	6,047
	<b>OPERATIONS</b>	<b>9,670</b>	<b>10,040</b>	<b>10,160</b>
7110	Janitorial Supplies	2,652	2,652	2,652
7190	Other Materials & Supplies	530	530	530
	<b>MATERIALS AND SUPPLIES</b>	<b>3,182</b>	<b>3,182</b>	<b>3,182</b>
<b>TOTAL RECREATION</b>		<b>63,450</b>	<b>62,979</b>	<b>64,592</b>

Non-Departmental  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

Account	Item	FY22 Budget	FY22 Estimated Actuals	FY23 Recommended Budget
4100	Insurance Benefits	43,710	35,660	38,156
4110	PERS*	82,804	84,551	111,096
4114	PARS	20,000	14,148	20,000
	<b>RETIREE FRINGE BENEFITS</b>	<b>146,514</b>	<b>134,359</b>	<b>169,252</b>
5020	Richardson Bay Reg Agency	67,942	67,409	125,000
5030	Hazardous Material Response	876	876	902
5040	Animal Control JPA	23,885	23,885	23,885
5050	Congestion Mgmt Plan	5,655	5,655	5,825
5061	Homeward Bound of Marin	2,000	2,000	2,000
5062	Countywide Community Homeless	9,186	9,186	9,186
5071	Marin General Services Agency	5,415	8,254	8,254
5082	MCCMC Lobbyist	4,000	4,000	4,000
5083	Tiburon Peninsula Traffic Relief JPA	43,724	42,446	45,910
5091	LAFCO	4,303	3,472	3,576
5985	Library Expansion Contribution	0	150,000	0
5990	Other Contract/Outside Services	0	9,309	0
	<b>OUTSIDE SERVICES</b>	<b>166,986</b>	<b>326,492</b>	<b>228,538</b>
6120	Community Activities	35,000	20,000	35,000
6122	Concerts in the Park	42,000	18,840	42,000
6140	Insurance	187,000	184,954	199,846
	<b>OPERATIONS</b>	<b>264,000</b>	<b>223,794</b>	<b>276,846</b>
<b>TOTAL NON DEPARTMENTAL</b>		<b>577,500</b>	<b>684,645</b>	<b>674,637</b>

Restricted Funds - Operating  
Expenditure Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<b>Account</b>	<b>Item</b>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
5400	TFPD Contact	1,849,854	1,852,212	1,998,909
5410	Fire System Parts & Supplies	2,600	2,600	2,600
	<b>FIRE FUND EXPENSES</b>	<b>1,852,454</b>	<b>1,854,812</b>	<b>2,001,509</b>
2410	Pension-Related Debt	249,603	250,169	242,669
8040	Legal Damages/Settlements	0	0	0
	<b>OTHER RESTRICTED FUNDS</b>	<b>249,603</b>	<b>250,169</b>	<b>242,669</b>



# Capital Expenditures

Capital Improvements  
Sources of Funds

		Source of Funds							
		General Fund Transfer	DWR Grant	Prop 68 Grant*	Road Impact	Gas Tax	Co Transp	Co Parks	Equipment
Capital Funds Beginning Balances								48,557	-
Current Year Capital Revenue	406,750		-	68,000	175,750	60,000	90,000	13,000	1,000
<b>PROJECTS:</b>	<b>Total Project \$</b>								
<b>CAPITAL PROJECTS:</b>									
Spot Surface Repairs	45,000	5,000				40,000			
Paving	310,000	114,250			175,750	20,000			
Corrugated Metal Pipe Replacement	30,000	30,000							
Emergency Drainage Repairs	10,000	10,000							
Wooden Retaining Wall	17,000	17,000							
Evaluation of Beach Road Retaining Walls	25,000	12,000						13,000	
Levee Evaluation	145,000	145,000	-						
Hawthorn Lane Stair Rebuild	20,000	-					20,000		
Park Lane Stair and Seating Area	20,000	-					20,000		
Lane Maintenance/Minor Repairs	25,000	-					25,000		
Lane Design & Engineering	25,000	-					25,000		
San Rafael Ave Seawall Landscape Mulch	9,000	9,000							
Repair and Refurbish Community Park Basketball Courts	16,000	16,000							
City Hall ADA	12,000	12,000							
Selected Painting of City Hall and Community Center	10,000	10,000							
San Rafael Ave and City Hall Safety Improvements	185,000	185,000							
Evacuation Assessment and Radio Purchase	31,000	31,000						-	
Miscellaneous Maintenance & Improvements	30,000	30,000							
Sidewalk Repair Program	22,500	22,500					-		
<b>EQUIPMENT REPLACEMENTS:</b>									
Equipment Replacements	157,000	156,000							1,000
<b>Total Project Expenses</b>	<b>1,144,500</b>	<b>804,750</b>	<b>-</b>	<b>-</b>	<b>175,750</b>	<b>60,000</b>	<b>90,000</b>	<b>13,000</b>	<b>1,000</b>
<b>Remaining Capital Fund Balance Carry-forward</b>	<b>68,000</b>		<b>-</b>	<b>68,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Note: \*Prop 68 Grant Funds are for the Beach Road Park project. The remaining funds will be carried over from FY2021-22.

Capital  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

Account	Item	FY22 Budget	FY22 Estimated Actuals	FY23 Recommended Budget
9000	Spot Surface Repairs	52,879	52,879	45,000
9001	Paving	596,743	596,743	310,000
	<b>STREET IMPROVEMENTS</b>	<b>649,622</b>	<b>649,622</b>	<b>355,000</b>
9050	Guardrail Installation and Repairs	15,000	15,000	0
xxxx	Evaluation of Beach Road Retaining Walls	0	0	25,000
9055	Wooden Retaining Walls	0	0	17,000
9084	Retaining Wall	0	0	0
9100	Emergency Drainage Repairs	10,000	10,000	10,000
9099	Corrugated Metal Pipe Replacement	0	0	30,000
9511	Lagoon Rd	137,891	137,891	0
9513	Levee Evaluation	576,111	576,111	145,000
	<b>INFRASTRUCTURE</b>	<b>739,002</b>	<b>739,002</b>	<b>227,000</b>
9201	Lanes Initiative Program	0	0	0
9227	Eucalyptus Lane	0	0	0
9216	Park Lane Stair and Seating Area	20,000	20,000	20,000
9217	Hawthorn Lane Stair Rebuild	25,000	25,000	20,000
9228	Lane Maintenance/Minor Repairs	5,000	5,000	25,000
9229	Lane Design & Engineering	20,000	20,000	25,000
	<b>LANES</b>	<b>70,000</b>	<b>70,000</b>	<b>90,000</b>
9527	Community Park Water Well	19,000	19,000	0
9357	Playground Renovation	405,510	405,510	0
9358	San Rafael Ave Seawall Landscape Mulch	9,000	9,000	9,000
9359	Refurbish Steel Railings	0	0	0
9360	Beach Road Park	85,000	85,000	0
xxxx	Repair and Refurbish Community Park Basketball Courts	0	0	16,000
	<b>PARKS AND OPEN SPACE</b>	<b>518,510</b>	<b>518,510</b>	<b>25,000</b>
9434	Install EV Charging Station at City Hall	105,348	105,348	0
9436	Solar Electric and EV Charging Stations near Corp Yard	120,556	120,556	0
9492	City Hall Renovations	0	0	0
9494	Refurbish Council Chamber Audience Chairs	13,000	13,000	0
9495	City Hall Security Upgrade	0	0	0
9435	City Hall Foundation Drainage Repairs	25,000	25,000	0
9509	City Hall ADA	26,956	26,956	12,000
xxxx	Selected Painting of City Hall and Community Center	0	0	10,000
9451	Misc. Exterior Painting-Corp Yard Building	9,600	9,600	0
	<b>COMMUNITY BUILDINGS</b>	<b>300,460</b>	<b>300,460</b>	<b>22,000</b>

Capital  
Department Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<b>Account</b>	<b>Item</b>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
9585	Sidewalk Repair Program	37,953	37,953	22,500
9586	Retaining Curbs	0	0	0
9587	San Rafael Ave and City Hall Safety Improvements	40,629	40,629	185,000
9588	Evacuation Assessment and Radio Purchase	23,165	23,165	31,000
9582	Miscellaneous Maintenance & Improvements	30,000	30,000	30,000
	<b>MISCELLANEOUS</b>	<b>131,747</b>	<b>131,747</b>	<b>268,500</b>
9583	Golden Gate/Belvedere Utility Underground District	0	0	0
9584	Lower Golden Gate Utility Underground Redesign	0	0	0
9591	Lower Golden Gate UUD20A Credit Option	0	0	0
9590	Undergrounding - Other Expenses	143,490	143,490	0
	<b>UTILITY UNDERGROUNDING</b>	<b>143,490</b>	<b>143,490</b>	<b>0</b>
<b>TOTAL CAPITAL</b>		<b>2,552,831</b>	<b>2,552,831</b>	<b>987,500</b>

Restricted Funds - Capital  
Expenditure Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

<b>Account</b>	<b>Item</b>	<b>FY22 Budget</b>	<b>FY22 Estimated Actuals</b>	<b>FY23 Recommended Budget</b>
8090	Equipment Replacements	80,000	80,000	157,000
	<b>OTHER RESTRICTED FUNDS</b>	<b>80,000</b>	<b>80,000</b>	<b>157,000</b>

# Five Year Capital Expenditure Plan

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

BUDGET ITEM	Year 1 FY22/23	Year 2 FY23/24	Year 3 FY24/25	Year 4 FY25/26	Year 5 FY26/27
<b>STREET IMPROVEMENTS</b>					
Pavement Spot Repairs	45,000	45,000	45,000	40,000	45,000
Street Improvement Program	310,000	310,000	400,000	400,000	320,000
<b>Total Street Improvements</b>	<b>355,000</b>	<b>355,000</b>	<b>445,000</b>	<b>440,000</b>	<b>365,000</b>
<b>INFRASTRUCTURE</b>					
<b>Evaluation of Beach Road Retaining Walls</b>	25,000	0	0	0	200,000
Guardrail Installation and Repairs	0	15,000	0	17,000	0
Wooden Retaining Walls	17,000	20,000	10,000	0	30,000
Emergency Drainage Repairs (CA State Requirement)	10,000	10,000	10,000	10,000	10,000
Corrugated Metal Pipe Replacement	30,000	25,000	0	0	25,000
Levee Evaluation & Stabilization	145,000	0	0	0	0
<b>Total Infrastructure</b>	<b>227,000</b>	<b>70,000</b>	<b>20,000</b>	<b>27,000</b>	<b>265,000</b>
<b>LANES</b>					
Lanes Initiative Program	0	0	0	0	0
Artist View Project	0	0	0	0	150,000
Park Lane Stair and Seating Area Project	20,000	0	0	0	0
Hawthorn Lane (Centennial Park) Stair Rebuild	20,000	0	0	0	0
Lane Maintenance/ Minor Repairs	25,000	20,000	20,000	20,000	20,000
Lane Design and Engineering	25,000	20,000	0	20,000	20,000
<b>Total Lanes</b>	<b>90,000</b>	<b>40,000</b>	<b>20,000</b>	<b>40,000</b>	<b>190,000</b>

# Five Year Capital Expenditure Plan

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

BUDGET ITEM	Year 1 FY22/23	Year 2 FY23/24	Year 3 FY24/25	Year 4 FY25/26	Year 5 FY26/27
<b>PARKS AND OPEN SPACE</b>					
San Rafael Avenue Seawall Landscape Mulch	9,000	0	10,000	0	10,000
Playground Renovation	0	0	0	0	0
Repair & Refurbish Community Park Basketball Courts	16,000	0	0	0	19,000
Refurbish Steel Railings	0	0	0	10,000	0
Beach Road Park	0	0	0	0	0
<b>Total Parks &amp; Open Space</b>	<b>25,000</b>	<b>0</b>	<b>10,000</b>	<b>10,000</b>	<b>29,000</b>
<b>COMMUNITY BUILDINGS</b>					
Selected Painting of City Hall and Community Center	10,000	0	10,000	10,000	0
Refinish Wood Floors in Council Chambers	0	0	5,000	0	0
Misc. Exterior Painting-Corp Yard Building	0	10,000	0	0	0
Police Department Office Renovations	0	0	0	0	110,000
City Hall ADA	12,000	0	0	12,000	0
CC. Kitchen Remodel	0	0	65,000	0	0
CC. Founder's Room Furniture Replacement	0	30,000	0	0	0
<b>Total Community Buildings</b>	<b>22,000</b>	<b>40,000</b>	<b>80,000</b>	<b>22,000</b>	<b>110,000</b>
<b>MISCELLANEOUS</b>					
Sidewalk Repair Program	22,500	0	0	25,000	0
Traffic Engineer Study	0	0	18,000	0	0
Survey Monuments	0	10,000	0	0	0
San Rafael Avenue and City Hall Safety Improvements	185,000	0	0	0	0
Evacuation Assessment and Radio Purchase	31,000	0	0	0	0
Misc. Maintenance & Improvements	30,000	30,000	30,000	30,000	35,000
<b>Total Miscellaneous</b>	<b>268,500</b>	<b>40,000</b>	<b>48,000</b>	<b>55,000</b>	<b>35,000</b>
<b>TOTALS</b>	<b>987,500</b>	<b>545,000</b>	<b>623,000</b>	<b>594,000</b>	<b>994,000</b>





**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** STREETS  
**Project:** Street Improvement Program  
**Description:** Fees collected from Road Impact are used to repair large areas of distressed asphalt and maintain Belvedere roads. Crack sealing, traffic marking, roadway shoulder berms, slurry seal and other road stabilization projects fall under this program.



**Projected Timing:** Future Projects  
**Start Date:** Spring 2020 TBD  
**End Date (Estimated):** Fall 2022 TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Planning & Design:	\$ 16,284	\$ 15,000	\$ 15,000	\$ 20,000	\$ 20,000	\$ 25,000	\$ 111,284
Insp & Admin:	\$ -	STAFF	STAFF	STAFF	STAFF	STAFF	\$ -
Construction:	\$ 524,485	\$ 295,000	\$ 295,000	\$ 380,000	\$ 380,000	\$ 295,000	\$ 2,169,485
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 540,769	\$ 310,000	\$ 310,000	\$ 400,000	\$ 400,000	\$ 320,000	\$ 2,280,769

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Gas Tax	\$ -	\$ 20,000
Road Impact Fees	\$ 540,769	\$ 290,000
<b>Total</b>	\$ 540,769	\$ 310,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** INFRASTRUCTURE  
**Project:** Guardrail Installation and Repairs  
**Description:** Vehicle barriers are sometimes needed in steep areas to prevent injury and property damage. Funding is reserved for maintenance and new installations.



**Projected Timing:** Future Projects  
**Start Date:** Spring 2024 TBD  
**End Date (Estimated):** Spring 2024 TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	STAFF	\$ -		\$ -		
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ 15,000	\$ -	\$ 17,000	\$ -	\$ 32,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ -	\$ 15,000	\$ -	\$ 17,000	\$ -	\$ 32,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Not Applicable	\$ -	\$ -
<b>Total</b>	\$ -	\$ -



**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** INFRASTRUCTURE  
**Project:** Emergency Drainage Repairs (CA State Requirement)  
**Description:** This line item is a requirement for the City's annual storm drain discharge permit through the State of California. Funds are earmarked for repair of storm drain system failures that are detected during yearly preventative maintenance activities.

**Projected Timing:** Beach Rd Future Projects  
**Start Date:** Continuous TBD  
**End Date (Estimated):** TBD

Total Budgeted Cost:	Est. Actuals		Budgeted FY 22/23	Projected				Total
	Prior			FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -		STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -		STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ 9,128		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 59,128
Equipment:	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	<b>\$ 9,128</b>		<b>\$ 10,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>	<b>\$ 59,128</b>

Expenditures by Funding Source:	Est. Actuals		Budgeted FY 22/23
	Prior		
General Fund Transfer	\$ 9,128		\$ 10,000
<b>Total</b>	<b>\$ 9,128</b>		<b>\$ 10,000</b>

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** INFRASTRUCTURE  
**Project:** Corrugated Metal Pipe Replacement  
**Description:** CMP has an average lifespan of 50 years. City-owned pipes must be replaced periodically to prevent landslides.



**Projected Timing:**

**Start Date:** Spring 2023  
**End Date (Estimated):** Summer 2023

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ 1,500	\$ -	\$ -	\$ 1,500	\$ 3,000
Insp & Admin:	\$ -	\$ -	STAFF	\$ -	\$ -	STAFF	\$ -
Construction:	\$ 16,572	\$ 30,000	\$ 23,500	\$ -	\$ -	\$ 23,500	\$ 93,572
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 16,572	\$ 30,000	\$ 25,000	\$ -	\$ -	\$ 25,000	\$ 96,572

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ 16,572	\$ 30,000
<b>Total</b>	\$ 16,572	\$ 30,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** INFRASTRUCTURE  
**Project:** Evaluation of Beach Road (Belvedere Island) Retaining Walls  
**Description:** The scope of this work will be to evaluate the various retaining wall structures on Belvedere Island, specifically on Beach Road. A master plan will be developed to guide staff and council in decision making and long-term budgeting.

**Projected Timing:**

**Start Date:** Summer 2022  
**End Date (Estimated):** Fall 2022

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Planning & Design:	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ 200,000	\$ 225,000
Engineering & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ 200,000	\$ 225,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ -	\$ 25,000
<b>Total</b>	\$ -	\$ 25,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** INFRASTRUCTURE  
**Project:** Levee Evaluation & Stabilization  
**Description:** This is a multi-year project using carryforward funds that were unspent in the prior budget cycle, along with new budget funds, to fortify the levees for seismic events, along with other resiliency modifications. This project is partially funded with Department of Water Resources grant funds. Additional new funds are included for FY 22/23 to cover unknown expenses related to the EIR.



**Projected Timing:**

**Start Date:** July 2019  
**End Date (Estimated):** Summer 2022

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Planning & Design:	\$ 667,297	\$ 145,000	\$ -	\$ -	\$ -	\$ -	\$ 812,297
Engineering & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 667,297	\$ 145,000	\$ -	\$ -	\$ -	\$ -	\$ 812,297

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
DWR Grant	\$ 367,013	\$ 79,750
General Fund Transfer	\$ 300,283	\$ 65,250
<b>Total</b>	\$ 667,297	\$ 145,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** LANES  
**Project:** Hawthorn Lane (Centennial Park) Stair  
**Description:** The upper portion of the Hawthorn Lane stairs are constructed in wood and need replacement. Staff and the POSC will consider other more durable alternatives prior to replacement.



**Projected Timing:**

**Start Date:** Spring 2022  
**End Date (Estimated):** Spring 2023

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Measure A Transportation	\$ -	\$ 20,000
<b>Total</b>	\$ -	\$ 20,000



**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** LANES  
**Project:** Lane Maintenance/ Minor Repairs  
**Description:** Replace and repair smaller segments of existing lanes, such as hand rails and concrete spot repairs. The POSC and Staff work together to establish priorities.

**Projected Timing:**

**Start Date:** Ongoing  
**End Date (Estimated):**

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	STAFF					
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ 18,447	\$ 25,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 123,447
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	<b>\$ 18,447</b>	<b>\$ 25,000</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>	<b>\$ 123,447</b>

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Measure A Transportation	\$ 18,447	\$ 25,000
<b>Total</b>	<b>\$ 18,447</b>	<b>\$ 25,000</b>

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** LANES  
**Project:** Lane Design & Engineering  
**Description:** Funds in this category are earmarked for planning tasks related to establishing new public lanes. Priorities are identified through collaboration with the Parks and Open Space Committee and residents.

**Projected Timing:**

**Start Date:** Ongoing  
**End Date (Estimated):**

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ 38,576	\$ 25,000	\$ 20,000	\$ -	\$ 20,000	\$ 20,000	\$ 123,576
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 38,576	\$ 25,000	\$ 20,000	\$ -	\$ 20,000	\$ 20,000	\$ 123,576

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Measure A Transportation	\$ 38,576	\$ 25,000
<b>Total</b>	\$ 38,576	\$ 25,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** LANES  
**Project:** Park Lane Stair  
**Description:** The lower segment of the Park Lane stairs must be rebuilt. This work will include the installation of a bench and seating area in a portion of City Right-of-Way near the staircase.

**Projected Timing:**

**Start Date:** Summer 2022  
**End Date (Estimated):** Fall 2022

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ 238	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,238
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 238	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,238

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Measure A Transportation	\$ 238	\$ 20,000
Prop 68 Grant	\$ -	\$ -
<b>Total</b>	\$ 238	\$ 20,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** PARKS AND OPEN SPACE  
**Project:** San Rafael Avenue Seawall Landscape Mulch  
**Description:** This is a periodic maintenance item for weed management and aesthetic improvement of the San Rafael Ave seawall. Work is typically done in the early spring months.

**Projected Timing:** Future Projects  
**Start Date:** Spring 2023 TBD  
**End Date (Estimated):** Spring 2023 TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	STAFF	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	STAFF	\$ -	\$ -	\$ -
Construction:	\$ 9,779	\$ 9,000	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 38,779
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 9,779	\$ 9,000	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 38,779

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Measure A Parks	\$ 1,089	\$ -
General Fund Transfer	\$ 8,690	\$ 9,000
<b>Total</b>	\$ 9,779	\$ 9,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** PARKS AND OPEN SPACE  
**Project:** Artist's View Lane  
**Description:** Improvements to the Artist's View lot have been proposed and limited funds have been earmarked for the development of design concepts and estimation of project costs. Pursuing construction has been delayed until other larger capital projects are well underway or completed. The POSLC has requested this project remain in the 5-year capital plan.

**Projected Timing:** Future Projects  
**Start Date:** July 2026 TBD  
**End Date (Estimated):** June 2027 TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected					Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27		
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Not Applicable	\$ -	\$ -
<b>Total</b>	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** PARKS AND OPEN SPACE  
**Project:** Repair & Refurbish Community Park Basketball Courts  
**Description:** This work is undertaken approximately every four years. Work includes resurfacing and restriping the outdoor court.



**Projected Timing:**

**Start Date:** Spring 2023  
**End Date (Estimated):** Spring 2023

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	STAFF	\$ -
Construction:	\$ -	\$ 16,000	\$ -	\$ -	\$ -	\$ 19,000	\$ 35,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ 16,000	\$ -	\$ -	\$ -	\$ 19,000	\$ 35,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ -	\$ -
<b>Total</b>	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** PARKS AND OPEN SPACE  
**Project:** Refurbish Steel Railings  
**Description:** This work includes sanding, repainting, and weld repair of steel decorative railings throughout the City. These railings are primarily found on Bella Vista Ave. and Corinthian Island.



**Projected Timing:** Future Projects  
**Start Date:** Summer 2025 TBD  
**End Date (Estimated):** Summer 2026 TBD

Total Budgeted Cost:	Est. Actuals		Projected					Total
	Prior	Budgeted FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27		
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Construction:	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	

Expenditures by Funding Source:	Est. Actuals		Budgeted	
	Prior	FY 22/23	FY 22/23	FY 22/23
Not Applicable	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	\$ -	\$ -	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** PARKS AND OPEN SPACE  
**Project:** Beach Road Park  
**Description:** Design work related to development of landscape and pedestrian improvements within the Beach Road seawall improvement area (Levee Improvement Project). Funds provided by CA Parks Prop 68 (with 20% matching requirement).

**Projected Timing:**

**Start Date:** Summer 2022  
**End Date (Estimated):** Fall 2022

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 85,000
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 85,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Prop 68 Grant	\$ -	\$ 68,000
Measure A Parks	\$ -	\$ 13,000
General Fund Transfer	\$ -	\$ 4,000
<b>Total</b>	\$ -	\$ 85,000



**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** PARKS AND OPEN SPACE  
**Project:** Community Park Water Well  
**Description:** During the past few watering seasons, the current water well has been unable to provide adequate flows for irrigation of the turf and landscape at Community Park during peak watering season. Exploration of a new water well should be considered near the park. This project will also be considered in tandem with purchase of an additional water meter from MMWD.

**Projected Timing:**

**Start Date:** Spring 2022  
**End Date (Estimated):** Fall 2022

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ 19,000	\$ -	\$ -	\$ -	\$ -	\$ 19,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ 19,000	\$ -	\$ -	\$ -	\$ -	\$ 19,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Measure A Parks	\$ -	\$ 19,000
<b>Total</b>	\$ -	\$ 19,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS  
**Project:** Selected Painting of City Hall and Community Center  
**Description:** Regular painting prolongs the life of wood and maintains visual appeal for the City Hall and Community Center building.

**Projected Timing:**

		<u>Future Projects</u>
<b>Start Date:</b>	Summer 2022	TBD
<b>End Date (Estimated):</b>	Fall 2022	TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ 30,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	<b>\$ 10,000</b>	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ 30,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ -	\$ 10,000
<b>Total</b>	\$ -	<b>\$ 10,000</b>

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS  
**Project:** Refinish Wood Floors in Council Chambers  
**Description:** Refinishing wood floors provides an attractive wear surface for the hardwood. It is anticipated that this work will be necessary in FY 24/25.

**Projected Timing:**

**Start Date:** Spring 2025  
**End Date (Estimated):** Spring 2025

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	STAFF	\$ -	\$ -	\$ -
Construction:	\$ 2,840	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ 7,840
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	<b>\$ 2,840</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,840</b>

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ 2,840	\$ -
<b>Total</b>	<b>\$ 2,840</b>	<b>\$ -</b>

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS  
**Project:** Misc. Exterior Painting-Corp Yard Building  
**Description:** Regular painting prolongs the life of wood and maintains visual appeal.

**Projected Timing:** Future Projects  
**Start Date:** Fall 2023 TBD  
**End Date (Estimated):** Fall 2023 TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	N//A		\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ -	\$ -
<b>Total</b>	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS  
**Project:** City Hall ADA  
**Description:** This fund will address improvements to accessibility within the City Hall and Community Center building.

**Projected Timing:**

		<u>Future Projects</u>
<b>Start Date:</b>	Summer 2022	TBD
<b>End Date (Estimated):</b>	Fall 2022	TBD

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected					Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27		
Engineering & Design:	\$ -	STAFF						
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -	
Construction:	\$ 49,283	\$ 12,000	\$ -	\$ -	\$ 12,000	\$ -	\$ 73,283	
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Total:</b>	<b>\$ 49,283</b>	<b>\$ 12,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 12,000</b>	<b>\$ -</b>	<b>\$ 73,283</b>	

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ 49,283	\$ 12,000
<b>Total</b>	<b>\$ 49,283</b>	<b>\$ 12,000</b>

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS

**Project:** CC. Kitchen Remodel

**Description:** To support the community's ongoing recreation and emergency shelter needs, the kitchen in the Community Center will require updating. Cabinetry will be replaced or refurbished and appliances, specifically the refrigerator and oven range, will be replaced with modern equipment.

**Projected Timing:** Future Projects  
**Start Date:** Spring 2025 TBD  
**End Date (Estimated):** Summer 2025 TBD

Total Budgeted Cost:	Est. Actuals		Projected				Total
	Prior	Budgeted FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	STAFF	\$ -	\$ -	
Insp & Admin:	\$ -	\$ -	\$ -	STAFF	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ 35,000	\$ -	\$ -	\$ 35,000
Equipment:	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ 30,000
<b>Total:</b>	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ 65,000

Expenditures by Funding Source:	Est. Actuals		Budgeted
	Prior	FY 22/23	FY 22/23
Not Applicable	\$ -	\$ -	\$ -
<b>Total</b>	\$ -	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS  
**Project:** CC. Founder's Room Furniture Replacement  
**Description:** To support the community's ongoing recreation and emergency shelter needs, the Founder's Room will require updating. This work will include replacing tables, chairs, couches and other necessary furniture. Additional effort will be directed towards optimizing the room as a warming/cooling center. This will be accomplished by improving access to electrical outlets for sharing devices. The wood-burning fireplace will be plumbed for natural gas. Ceiling and floor fans will also be added.

**Projected Timing:**

**Start Date:** Fall 2023  
**End Date (Estimated):** Fall 2023

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000
<b>Total:</b>	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Not Applicable	\$ -	\$ -
<b>Total</b>	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** COMMUNITY BUILDINGS  
**Project:** Police Department Office Renovations  
**Description:** The Police Department Offices are on the lower floor of City Hall. Modifications will be needed for weatherproofing, use of space, and general updating of fixtures and appliances.

**Projected Timing:**  
**Start Date:** Summer 2026  
**End Date (Estimated):** Summer 2026

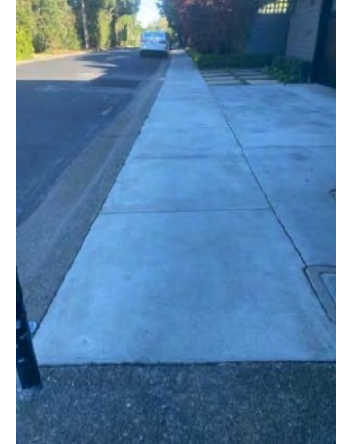
Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 110,000	\$ 110,000
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 110,000	\$ 110,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Not Applicable	\$ -	\$ -
<b>Total</b>	\$ -	\$ -



**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** MISCELLANEOUS  
**Project:** Sidewalk Repair Program  
**Description:** Funds maintenance of sidewalk improvements; majority of costs are passed through to property owners once work is completed. Budgeted amounts represent the City's share of these costs. The city will be entering the second year of a three year repair cycle.



**Projected Timing:** Future Projects  
**Start Date:** Winter 2023 TBD  
**End Date (Estimated):** Spring 2023 TBD

<b>Total Budgeted Cost:</b>	<b>Est. Actuals</b>	<b>Budgeted</b>	<b>Projected</b>				<b>Total</b>
	<b>Prior</b>	<b>FY 22/23</b>	<b>FY 23/24</b>	<b>FY 24/25</b>	<b>FY 25/26</b>	<b>FY 26/27</b>	
<b>Engineering &amp; Design:</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Insp &amp; Admin:</b>	\$ -	\$ 10,000	\$ -	\$ -	\$ 12,000	\$ -	\$ 22,000
<b>Construction:</b>	\$ 11,997	\$ 12,500	\$ -	\$ -	\$ 13,000	\$ -	\$ 37,497
<b>Equipment:</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 11,997	\$ 22,500	\$ -	\$ -	\$ 25,000	\$ -	\$ 59,497

<b>Expenditures by Funding Source:</b>	<b>Est. Actuals</b>	<b>Budgeted</b>
	<b>Prior</b>	<b>FY 22/23</b>
<b>General Fund Transfer</b>	\$ 11,997	\$ 22,500
<b>Total</b>	\$ 11,997	\$ 22,500

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** MISCELLANEOUS  
**Project:** Traffic Engineer Study  
**Description:** For successful prosecution of traffic citations issued by the PD, it is necessary to have a licensed Traffic Engineer prepare a survey and file a report with the Marin Municipal Court. Work is undertaken every 5 years.

**Projected Timing:**

**Start Date:** Spring 2024  
**End Date (Estimated):** Summer 2024

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ 11,972	\$ -	\$ -	16,000	-	\$ -	\$ 27,972
Insp & Admin:	\$ -	\$ -	\$ -	\$ 2,000	\$ -	\$ -	\$ 2,000
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 11,972	\$ -	\$ -	\$ 18,000	\$ -	\$ -	\$ 29,972

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Not Applicable	\$ -	\$ -
<b>Total</b>	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** MISCELLANEOUS  
**Project:** Survey Monuments  
**Description:** When funds are available the City moves forward with its program to establish horizontal survey control monuments city-wide.

**Projected Timing:**

**Start Date:** Spring 2024  
**End Date (Estimated):** Spring 2024

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
Not Applicable	\$ -	\$ -
<b>Total</b>	\$ -	\$ -

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** MISCELLANEOUS  
**Project:** Misc. Maintenance & Improvements  
**Description:** This item reserves funding for major drainage, park, landscape, building, lane, retaining wall and miscellaneous other projects. These are unexpected projects that arise and are brought to the attention of staff during each fiscal year.

**Projected Timing:**

**Start Date:**  
**End Date (Estimated):** Continuous

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected					Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27		
Engineering & Design:	\$ -	STAFF						
Insp & Admin:	\$ -	STAFF	\$ -	\$ -	\$ -	\$ -	\$ -	
Construction:	\$ 109,116	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 35,000	\$ 264,116	
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Total:</b>	\$ 109,116	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 35,000	\$ 264,116	

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ -	\$ 30,000
<b>Total</b>	\$ -	\$ 30,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** MISCELLANEOUS  
**Project:** San Rafael Ave and City Hall Safety Improvements  
**Description:** Council identified pedestrian pathways and intersection improvements to the frontage of City Hall and on Lagoon Road as priorities. Project plans are in development. The total budget for this work, particularly the City Hall frontage, is still unknown and will be dependent on the City Council's selection of a preferred alternative. Solutions for the Lagoon Road site are near completion. The budget recommendation for FY 22/23 will fund improvements to visibility and safety near the Lagoon Road & Tiburon Multipurpose Trail connector, along with establishing a sidewalk from San Rafael Ave. & Lagoon Rd. to this point. Additional funds for City Hall frontage improvements in FY 22/23 will be allocated in next budget cycle following City Council Approval of a preferred design plan.

**Projected Timing:**

**Start Date:** Summer 2022  
**End Date (Estimated):** Fall 2023

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ 9,371	\$ 185,000	\$ -	\$ -	\$ -	\$ -	\$ 194,371
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 9,371	\$ 185,000	\$ -	\$ -	\$ -	\$ -	\$ 194,371

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ 9,371	\$ 185,000
<b>Total</b>	\$ 9,371	\$ 185,000

**City of Belvedere**  
**Capital Improvement Projects**  
**Fiscal Year 2022-23**

**Category:** MISCELLANEOUS  
**Project:** Evacuation Assessment and Radio Purchase  
**Description:** To better prepare the City for fire and other natural disasters, this line item will fund a consultant’s assessment of current evacuation strengths and vulnerabilities for Belvedere residents. This report will be presented to City Council along with recommended actions. This is a carryover item. A delay in this effort was necessary to allow for the city's setup and configuration of Zone Haven, a County-wide evacuation software application that was implemented throughout FY 2021-2022. Previous-year funds were allocated to partially fund the purchase of new 2-way radio equipment for the city’s Block Captain Program. This work has been completed.

**Projected Timing:**

**Start Date:** Summer 2022  
**End Date (Estimated):** Fall 2022

Total Budgeted Cost:	Est. Actuals	Budgeted	Projected				Total
	Prior	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	
Engineering & Design:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Insp & Admin:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction:	\$ 41,835	\$ 31,000	\$ -	\$ -	\$ -	\$ -	\$ 72,835
Equipment:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total:</b>	\$ 41,835	\$ 31,000	\$ -	\$ -	\$ -	\$ -	\$ 72,835

Expenditures by Funding Source:	Est. Actuals	Budgeted
	Prior	FY 22/23
General Fund Transfer	\$ 41,835	\$ 31,000
<b>Total</b>	\$ 41,835	\$ 31,000

# Five Year Forecast

Five Year Revenue and Expenditure Projections  
 FY22/23 to FY26/27

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

REVENUES					
	FY22/23	FY23/24	FY24/25	FY25/26	FY26/27
FUND/ACTIVITY	PROPOSED BUDGET	Projections	Projections	Projections	Projections
<b>GENERAL FUND</b>					
Property Taxes:	\$6,750,871	\$7,054,660	\$7,407,393	\$7,777,763	\$8,166,651
Local Non-Property Taxes:	363,899	380,275	399,289	419,253	440,216
Licenses & Permits:	515,547	538,746	562,990	591,139	620,696
Fines & Forfeitures:	2,574	2,574	2,574	2,574	2,574
Investments & Property:	49,354	49,354	49,354	49,354	49,354
Revenue From Other Agencies:	424,022	189,983	198,532	208,459	218,882
Service Charges:	438,766	458,510	479,143	503,101	528,256
Miscellaneous Other Revenue:	37,000	38,480	40,212	42,222	44,333
<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$8,582,033</b>	<b>\$8,712,582</b>	<b>\$9,139,486</b>	<b>\$9,593,864</b>	<b>\$10,070,961</b>
<i>% Change over prior year</i>	<i>12.6%</i>	<i>1.5%</i>	<i>4.9%</i>	<i>5.0%</i>	<i>5.0%</i>
<b>FIRE FUND</b>	<b>1,061,453</b>	<b>1,101,789</b>	<b>1,143,657</b>	<b>1,187,116</b>	<b>1,232,226</b>
<i>% Change over prior year</i>	<i>6.4%</i>	<i>3.8%</i>	<i>3.8%</i>	<i>3.8%</i>	<i>3.8%</i>
<b>CAPITAL IMPROVEMENT FUND</b>	<b>218,000</b>	<b>156,000</b>	<b>163,020</b>	<b>171,171</b>	<b>179,730</b>
<i>% Change over prior year</i>	<i>-65.7%</i>	<i>-28.4%</i>	<i>4.5%</i>	<i>5.0%</i>	<i>5.0%</i>
<b>ROAD IMPACT FEE FUND</b>	<b>175,750</b>	<b>183,659</b>	<b>191,923</b>	<b>201,520</b>	<b>211,596</b>
<i>% Change over prior year</i>	<i>0.0%</i>	<i>4.5%</i>	<i>4.5%</i>	<i>5.0%</i>	<i>5.0%</i>
<b>EQUIPMENT REPLACEMENT FUND</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>
<i>% Change over prior year</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>
<b>MEASURE A (Parks) FUND</b>	<b>13,000</b>	<b>13,520</b>	<b>14,128</b>	<b>14,835</b>	<b>15,577</b>
<i>% Change over prior year</i>	<i>0.0%</i>	<i>4.0%</i>	<i>4.5%</i>	<i>5.0%</i>	<i>5.0%</i>
<b>TOTAL REVENUE - ALL FUNDS</b>	<b>10,051,235</b>	<b>10,168,550</b>	<b>10,653,215</b>	<b>11,169,505</b>	<b>11,711,089</b>
<i>% Change over prior year</i>	<i>6.4%</i>	<i>1.2%</i>	<i>4.8%</i>	<i>4.8%</i>	<i>4.8%</i>



Five Year Revenue and Expenditure Projections  
 FY22/23 to FY26/27

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

EXPENDITURES					
FUND/ACTIVITY	FY22/23 PROPOSED BUDGET	FY23/24 Projections	FY24/25 Projections	FY25/26 Projections	FY26/27 Projections
<b>GENERAL FUND</b>					
General Administration	\$1,182,298	\$1,229,096	\$1,277,308	\$1,322,119	\$1,381,312
Planning & Building	\$1,395,322	\$1,451,080	\$1,509,662	\$1,559,567	\$1,629,944
Police	\$1,702,188	\$1,768,393	\$1,840,725	\$2,101,459	\$2,194,774
Public Works	\$1,384,786	\$1,424,750	\$1,482,349	\$1,530,576	\$1,599,866
Recreation (The Ranch)	\$64,592	\$64,592	\$64,072	\$63,531	\$62,969
Non-Departmental	\$674,637	\$709,230	\$758,044	\$807,750	\$868,631
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>6,403,822</b>	<b>6,647,141</b>	<b>6,932,160</b>	<b>7,385,001</b>	<b>7,737,496</b>
<i>% Change over prior year</i>	<i>4.6%</i>	<i>3.8%</i>	<i>4.3%</i>	<i>6.5%</i>	<i>4.8%</i>
<b>FIRE FUND</b>	<b>2,001,509</b>	<b>2,121,844</b>	<b>2,248,974</b>	<b>2,383,733</b>	<b>2,526,577</b>
<i>% Change over prior year</i>	<i>8.0%</i>	<i>6.0%</i>	<i>6.0%</i>	<i>6.0%</i>	<i>6.0%</i>
<b>CAPITAL IMPROVEMENT FUND</b>	<b>679,500</b>	<b>338,880</b>	<b>334,080</b>	<b>207,634</b>	<b>620,315</b>
<i>% Change over prior year</i>	<i>-64.3%</i>	<i>-50.1%</i>	<i>-1.4%</i>	<i>-37.8%</i>	<i>198.8%</i>
<b>ROAD IMPACT FEE FUND</b>	<b>295,000</b>	<b>192,600</b>	<b>274,792</b>	<b>371,532</b>	<b>358,108</b>
<i>% Change over prior year</i>	<i>-50.0%</i>	<i>-34.7%</i>	<i>42.7%</i>	<i>35.2%</i>	<i>-3.6%</i>
<b>MEASURE A (parks) FUND</b>	<b>13,000</b>	<b>13,520</b>	<b>14,128</b>	<b>14,835</b>	<b>15,577</b>
<i>% Change over prior year</i>	<i>-78.9%</i>	<i>4.0%</i>	<i>4.5%</i>	<i>5.0%</i>	<i>5.0%</i>
<b>EQUIPMENT REPLACEMENT FUND</b>	<b>157,000</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>
<i>% Change over prior year</i>	<i>96.3%</i>	<i>-80.9%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>
<b>PENSION-RELATED DEBT OBLIGATION FUND</b>	<b>242,669</b>	<b>240,722</b>	<b>247,711</b>	<b>240,445</b>	<b>237,167</b>
<i>% Change over prior year</i>	<i>-2.8%</i>	<i>-0.8%</i>	<i>2.9%</i>	<i>-2.9%</i>	<i>-1.4%</i>
<b>TOTAL EXPENDITURES - ALL FUNDS</b>	<b>9,792,500</b>	<b>9,584,706</b>	<b>10,081,845</b>	<b>10,633,179</b>	<b>11,525,240</b>
<i>% Change over prior year</i>	<i>-8.5%</i>	<i>-2.1%</i>	<i>5.2%</i>	<i>5.5%</i>	<i>8.4%</i>

Five Year Revenue and Expenditure Projections  
 FY22/23 to FY26/27

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

GENERAL FUND RESERVE PROJECTIONS					
	FY22/23	FY23/24	FY24/25	FY25/26	FY26/27
	PROPOSED BUDGET	Projections	Projections	Projections	Projections
<b>Prior Year General Fund Balance</b>	\$ 4,743,611	\$ 4,102,346	\$ 4,386,190	\$ 4,657,560	\$ 4,893,887
General Fund Revenues	8,582,033	8,712,582	9,139,486	9,593,864	10,070,961
General Fund Expenditures	(6,403,822)	(6,647,141)	(6,932,160)	(7,385,001)	(7,737,496)
Transfers out of General Fund	(2,819,474)	(1,781,598)	(1,935,956)	(1,972,537)	(2,147,615)
<b>Projected General Fund Balance</b>	<b>4,102,346</b>	<b>4,386,190</b>	<b>4,657,560</b>	<b>4,893,887</b>	<b>5,079,736</b>
<b>General Fund Reserve Calculations</b>					
Projected GF Expenses + Fire Tfr + Debt Svc	7,907,917	8,285,188	8,822,063	9,269,014	9,769,227
Reserve (50% of Proj GF + Fire + Debt Svc)	3,953,958	4,142,594	4,411,032	4,634,507	4,884,613
<b>Over (Under) Reserve Policy</b>	<b>148,388</b>	<b>243,596</b>	<b>246,529</b>	<b>259,380</b>	<b>195,122</b>
GF balance as % of Operating Expenses	52%	53%	53%	53%	52%

# Fund Balance Summaries

## FY22/23 Budget

City of Belvedere  
Operating and Capital Budget  
Fiscal Year 2022/2023

Fund #	Fund Name	Fund Balance 7/1/2022	Revenues	Expenditures	Transfers in/(out)	Fund Balance 6/30/2023
100	General Fund	4,743,610	8,582,033	(6,403,822)	(2,819,474)	4,102,346
130	Fire Fund	0	1,061,453	(2,001,509)	940,056	0
160	Insurance Reserve Fund	57,329	0	0	0	57,329
115	Pension 115 Trust Fund	1,801,913	0	0	300,000	2,101,913
500	Pension-related Debt Obligation Fund	0	0	(242,669)	242,669	0
900	Capital Improvement Fund	0	218,000	(779,500)	561,500	0
901	Road Impact Fee Fund	0	175,750	(195,000)	19,250	0
902	Measure A Parks Fund	0	13,000	(13,000)		0
903	Critical Infrastructure Fund	400,000	0	0	600,000	1,000,000
210	Equipment Replacement Fund	0	1,000	(157,000)	156,000	0
<b>Total City Funds</b>		<b>7,002,853</b>	<b>10,051,236</b>	<b>(9,792,500)</b>	<b>0</b>	<b>7,261,589</b>

FY23/24 General Fund Expenses + Fire Transfer + Pension Debt	7,907,917
General Fund Reserve Policy 50%	3,953,958
Projected General Fund Balance 6/30/23	52% 4,102,346
Over (Under) Policy	148,388

Fund Balance Summaries  
 FY23/24 Projection (Year 2)

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

Fund #	Fund Name	Fund Balance 7/1/2023	Revenues	Expenditures	Transfers in/(out)	Fund Balance 6/30/2024
100	General Fund	4,102,346	8,712,582	(6,647,141)	(1,781,598)	4,386,190
130	Fire Fund	0	1,101,789	(2,121,844)	1,020,055	0
160	Insurance Reserve Fund	57,329	0	0	0	57,329
115	Pension 115 Trust Fund	2,101,913	0	0	300,000	2,401,913
500	Pension-related Debt Obligation Fund	0	0	(240,722)	240,722	0
900	Capital Improvement Fund	0	156,000	(338,880)	182,880	0
901	Road Impact Fee Fund	0	183,659	(192,600)	8,941	0
902	Measure A Parks Fund	0	13,520	(13,520)		0
903	Critical Infrastructure Fund	1,000,000	0	0	0	1,000,000
210	Equipment Replacement Fund	0	1,000	(30,000)	29,000	0
Total City Funds		7,261,589	10,168,550	(9,584,706)	0	7,845,433

FY24/25 General Fund Expenses + Fire Transfer + Pension Debt	8,285,188
General Fund Reserve Policy 50%	4,142,594
Projected General Fund Balance 6/30/24	53% 4,386,190
Over (Under) Policy	243,596

Fund Balance Summaries  
 FY24/25 Projection (Year 3)

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

Fund #	Fund Name	Fund Balance 7/1/2024	Revenues	Expenditures	Transfers in/(out)	Fund Balance 6/30/2025
100	General Fund	4,386,190	9,139,486	(6,932,160)	(1,935,956)	4,657,560
130	Fire Fund	0	1,143,657	(2,248,974)	1,105,318	0
160	Insurance Reserve Fund	57,329	0	0	0	57,329
115	Pension 115 Trust Fund	2,401,913	0	0	300,000	2,701,913
500	Pension-related Debt Obligation Fund	0	0	(247,711)	247,711	0
900	Capital Improvement Fund	0	163,020	(334,080)	171,060	0
901	Road Impact Fee Fund	0	191,923	(274,792)	82,869	0
902	Measure A Parks Fund	0	14,128	(14,128)		0
903	Critical Infrastructure Fund	1,000,000	0	0	0	1,000,000
210	Equipment Replacement Fund	0	1,000	(30,000)	29,000	0
Total City Funds		7,845,433	10,653,215	(10,081,845)	0	8,416,803

FY25/26 General Fund Expenses + Fire Transfer + Pension Debt	8,822,063
General Fund Reserve Policy 50%	4,411,032
Projected General Fund Balance 6/30/25	53% 4,657,560
Over (Under) Policy	246,529

Fund Balance Summaries  
 FY25/26 Projection (Year 4)

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

Fund #	Fund Name	Fund Balance 7/1/2025	Revenues	Expenditures	Transfers in/(out)	Fund Balance 6/30/2026
100	General Fund	4,657,560	9,593,864	(7,385,001)	(1,972,537)	4,893,887
130	Fire Fund	0	1,187,116	(2,383,733)	1,196,617	0
160	Insurance Reserve Fund	57,329	0	0	0	57,329
115	Pension 115 Trust Fund	2,701,913	0	0	300,000	3,001,913
500	Pension-related Debt Obligation Fund	0	0	(240,445)	240,445	0
900	Capital Improvement Fund	0	171,171	(207,634)	36,463	0
901	Road Impact Fee Fund	0	201,520	(371,532)	170,012	0
902	Measure A Parks Fund	0	14,835	(14,835)		0
903	Critical Infrastructure Fund	1,000,000	0	0	0	1,000,000
210	Equipment Replacement Fund	0	1,000	(30,000)	29,000	0
Total City Funds		8,416,803	11,169,505	(10,633,179)	(0)	8,953,129

FY26/27 General Fund Expenses + Fire Transfer + Pension Debt	9,269,014
General Fund Reserve Policy 50%	4,634,507
Projected General Fund Balance 6/30/25	53% 4,893,887
Over (Under) Policy	259,380

Fund Balance Summaries  
 FY26/27 Projection (Year 5)

City of Belvedere  
 Operating and Capital Budget  
 Fiscal Year 2022/2023

Fund #	Fund Name	Fund Balance 7/1/2026	Revenues	Expenditures	Transfers in/(out)	Fund Balance 6/30/2027
100	General Fund	4,893,887	10,070,961	(7,737,496)	(2,147,615)	5,079,736
130	Fire Fund	0	1,232,226	(2,526,577)	1,294,351	0
160	Insurance Reserve Fund	57,329	0	0	0	57,329
115	Pension 115 Trust Fund	3,001,913	0	0	0	3,001,913
500	Pension-related Debt Obligation Fund	0	0	(237,167)	237,167	0
900	Capital Improvement Fund	0	179,730	(620,315)	440,586	0
901	Road Impact Fee Fund	0	211,596	(358,108)	146,513	0
902	Measure A Parks Fund	0	15,577	(15,577)		0
903	Critical Infrastructure Fund	1,000,000	0	0	0	1,000,000
210	Equipment Replacement Fund	0	1,000	(30,000)	29,000	0
Total City Funds		8,953,129	11,711,089	(11,525,240)	0	9,138,978

FY27/28 General Fund Expenses + Fire Transfer + Pension Debt	9,769,227
General Fund Reserve Policy 50%	4,884,613
Projected General Fund Balance 6/30/25	52% 5,079,736
Over (Under) Policy	195,122

# Appendix



In 1979, California voters approved Proposition 4 (Article XIII-B of the California State Constitution). Informally known as the “Gann Initiative,” Article XIII-B provides limits to the amount of tax proceeds state and local governments can spend each year. In 1980, the State Legislature added Section 9710 of the Government Code stating that the governing body of each City must establish, by resolution, an appropriations limit for the following year. The limit for any fiscal year is equal to the previous year’s limit, adjusted for population changes and the change in the U.S. Consumer Price Index (or California per capital personal income, if smaller). The necessary statistical information is provided by the California Department of Finance.

In 1990, Proposition 111 modified Article XIII-B. A city may choose which annual adjustments to use. The adjustment factors include the growth in the California Per Capita Income or the growth in the nonresidential assessed valuation due to construction within the city, and the population growth within the city or county. The table below illustrates the computation used to derive the FY 2022-23 appropriation limits.

	AMOUNT	SOURCE
A. PRIOR YEAR LIMIT	\$ 3,503,701	
B. ADJUSTMENT FACTORS		Greater of City <i>or</i> County
1. Population %	0.9891	population percent increase
2. Inflation%	1.0755	State Finance/Assessor
3. Total Adjustment %	1.0637	(B1*B2)
C. THIS YEAR'S LIMIT		
1. Current year limit calculation	3,726,887	(A*B3)
2. Voter approved additional amt	1,061,453	Fire Tax Assessment
D. TOTAL CURRENT YEAR LIMIT	<b>\$ 4,788,340</b>	(C1+C2)

RESOURCES SUBJECT TO LIMITATION:

PROCEEDS OF TAXES

Property Taxes	\$ 6,750,871
Sales Taxes	122,654
Business Licenses	53,745
HOPTR	21,461
Interest Income Earned from Taxes	13,040
TOTAL SUBJECT TO LIMITATIONS	\$ 6,961,771

EXCLUSIONS \$ (2,592,689)

APPROPRIATIONS SUBJECT TO LIMITATION **\$ 4,369,082**

Maximum allowable appropriation subject to limitations 2022-2023 fiscal year:	\$ 4,788,340
Less: Total appropriation subject to limitation for 2022-2023 fiscal year:	(4,369,082)
BALANCE UNDER ARTICLE XIIB LIMIT:	<b>\$ 419,258</b>



## **POLICY 2.1 – FINANCIAL STRUCTURE**

### **2.1.1 ACCOUNTING SYSTEM AND BUDGETARY CONTROL**

In developing and evaluating the City’s accounting systems, consideration is given to the adequacy of internal accounting controls. Internal accounting controls are designed to provide reasonable, but not absolute, assurance regarding: 1) the safeguarding of assets against loss from unauthorized use or disposition; and 2) the reliability of financial records for preparing financial statements and maintaining accountability for assets.

The concept of reasonable assurance recognizes that: 1) the cost of a specific control should not exceed the benefits likely to be derived; and 2) the evaluation of costs and benefits require estimates and judgments by management. All evaluations of the City’s system of internal control will continue to occur within the above framework. The City’s internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.

### **2.1.2 FUND DESCRIPTIONS**

The City’s accounting records are organized and operate on a “fund” basis, which is the basic fiscal accounting entity in governmental accounting. Each fund is designated by fund type and classification:

- Governmental Funds - General, Special Revenue, and Capital Projects
- Proprietary Fund - Internal Service
- Fiduciary Funds - Trust and Agency
- Account Groups - General Fixed Assets and General Long-Term Debt

### **2.1.3 GOVERNMENTAL FUNDS**

Governmental Funds are used to account for the City’s expendable financial resources and related current liabilities, except for those accounted for in proprietary funds. The basic financial statements necessary to fairly present financial position and operating results for governmental funds are the balance sheet and the statement of revenues, expenditures, and changes in fund balance. Governmental funds are maintained using the modified accrual basis of accounting.

- General Fund – The General Fund is the general operating fund of the City. All general tax revenues and other receipts that are not allocated by law or contractual agreement to some other fund are accounted for in this fund. Expenditures of this fund include the general operating expenses and capital improvement costs which are not paid through other funds.
- Special Revenue Fund – The Special Revenue Funds are used to account for revenues derived from specific sources, which are usually required by law or administrative regulation to be accounted for in a separate fund.
- Capital Improvement Fund – The Capital Improvement Fund is used to account for financial resources used for the acquisition or construction of major capital facilities.

#### 2.1.4 PROPRIETARY FUNDS

Generally accepted accounting principles applicable to a private commercial business are applicable to proprietary funds of a governmental entity. The accrual basis of accounting is utilized. The measurement focus is based upon a determination of net income, financial position and cash flows. Accordingly, basic financial statements are required, such as balance sheet, statement of revenues, expenses and changes in retained earnings (deficit), and the statement of cash flows. The City does not have any proprietary funds.

#### 2.1.5 FIDUCIARY FUNDS

Fiduciary Funds are used to account for money and property held by the City as trustee or custodian for individuals, organizations and other governmental units. Fiduciary funds are not incorporated in the City's budget.

#### 2.1.6 ACCOUNT GROUPS

Account Groups are used to establish accounting control and accountability for the City's general fixed assets and general long-term debt.

- a. General Fixed Assets Account Group – this account group is used to maintain control and cost information on capital assets owned by the City.
- b. General Long-Term Account Group – this account group is used to account for all long-term debt of the City.

**POLICY 2.2 – FUND BALANCE AND RESERVE POLICIES**

**2.2.1 FUND BALANCE – CLASSIFICATIONS**

The City has adopted the provisions of GASB Statement No. 54, Fund Balance and Governmental Fund Type Definitions. GASB 54 establishes Fund Balance classifications based largely upon the extent to which a government is bound to observe constraints imposed upon the use of the resources reported in governmental funds. The Governmental Fund statements conform to this new classification.

The Fund Financial Statements consist of Nonspendable, Restricted, Committed, Assigned and Unassigned amounts as described below:

**Nonspendable:**

Items that cannot be spent because they are not in spendable form, such as prepaid items, or items that are legally or contractually required to be maintained intact, such as principal of an endowment or revolving loan fund.

**Restricted:**

Restricted fund balances encompass the portion of net fund resources subject to externally enforceable legal restrictions. This includes externally imposed restrictions by creditors (such as through debt covenants), grantors, contributors, laws or regulations of other governments, as well as restrictions imposed by law through constitutional provisions or enabling legislation.

**Committed:**

Committed fund balances encompass the portion of net fund resources, the use of which is constrained by limitations that the government imposes upon itself at its highest level of decision making (normally the governing body) and that remain binding unless removed in the same manner. The City Council is considered the highest authority for the City and can commit funds through resolutions.

**Assigned:**

Assigned fund balances encompass the portion of net fund resources reflecting the government's intended use of resources. Assignment of resources can be done by the highest level of decision making or by a committee or official designated for that purpose. The City Council has the authority to assign funds in Belvedere and can assign funds through the budgetary process.

### Unassigned:

This category is for any balances that have no restrictions placed upon them. The general fund is the only fund that reports a positive unassigned fund balance amount. In other governmental funds it is not appropriate to report a positive unassigned fund balance amount. However, in governmental funds other than the general fund, if expenditures incurred for specific purposes exceed the amounts that are restricted, committed, or assigned to those purposes, it may be necessary to report a negative unassigned fund balance in that fund.

## 2.2.2 FUND RESERVES

The City Council may elect to establish General Fund Reserve Policy/Guidelines. These Policy/Guidelines may be updated, modified and revised as determined by the Council. At the time of adoption of this Finance Policy, there are three such Policies/Guidelines: General Fund Reserve, 115 Pension Trust Reserve, and Insurance Reserve.

### A. General Fund Reserve:

- Target: The City shall endeavor to achieve at year end a General Fund Reserve that totals six months of the projected fiscal year's General Fund expenditures, plus one half of the current fiscal year's General Fund transfer to the Fire Fund, plus one half of the current fiscal year's debt service payments. In calculating the six months of the current fiscal year's expenditures, transfers to the City's 115 Pension Trust and/or any additional discretionary payments made to CalPERS will not be included because they are discretionary in nature.
- Purpose: Funds reserved under this category shall be used in case of catastrophic events, for budget stabilization purposes, or for capital and special projects:
  - Catastrophic events: Funds reserved shall be used to mitigate costs associated with unforeseen emergencies, including natural disasters or catastrophic events. Should unforeseen and unavoidable events occur that require the expenditure of City resources beyond those provided for in the annual budget, the City Manager or designee shall have authority to approve Catastrophic General Fund Reserve appropriations. The City Manager or designee shall then present to the City Council a budget amendment confirming the nature of the emergency and authorizing the appropriation of reserve funds.
  - Budget stabilization: Funds reserved shall be used to mitigate, should they occur, annual budget revenue shortfalls (actual revenues less than projected revenues) due to changes in the economic environment and/or one-time expenditures that will result in future efficiencies and/or budgetary savings. Examples of "economic triggers" and one-time uses include, but are not limited to:
    - Significant decrease in property tax, or other economically sensitive revenues;
    - Reductions in revenue due to actions by the state/federal government;
    - Workflow/technical system improvements to reduce ongoing, personnel costs and enhance customer service;

- One-time maintenance of service levels due to significant economic/budget constraints; and
- One-time transitional costs associated with organizational restructuring to secure long-term personnel cost savings.
- Capital and Special Projects: Funds reserved may be designated by the City Council for key infrastructure and capital/special projects as identified in the City 5-year Capital Improvement Plan, as there is no ongoing funding source to support the City's capital needs.
- Classification: The General Fund Reserve is classified as "Assigned" in the City's financial statements.

B. 115 Pension Trust Reserve:

- Target: An annual amount as determined by the funding calculation prescribed in Policy 2.3.1.5.
- Purpose: The purpose of the 115 Pension Trust is to set aside an appropriate level of funds to fully fund accrued pension obligations at a more prudential rate. City Council approval is required to transfer accumulated funds in the 115 Pension Trust to CalPERS as an additional discretionary payment or to offset a portion of the actuarially determined contribution.
- Classification: The 115 Pension Trust Reserve Fund is classified as "Restricted" in the City's financial statements.

C. Insurance Reserve:

- Target: Reserves shall be maintained between \$50,000 and \$100,000 to allow for emergencies and numerous or large claims. Reserves shall be replenished through subsequent charges to the appropriate user departments.
- Purpose: This Fund is designed to cover claims and deductibles related to property and casualty insurance claims.
- Classification: The Insurance Reserve Fund is classified as "Assigned" in the City's financial statements.

D. Critical Infrastructure Reserve:

- Target: This reserve does not have a specific dollar target.
- Purpose: The Critical Infrastructure Reserve is available to provide resources for potential future seawall and levee maintenance projects at Beach Road and San Rafael Avenue; both planned and emergency repair projects. The reserve is designed to reduce the City's future needs for borrowing or bonding on these projects and could also be used as required grant matching funds. If these projects do not come to fruition, these funds would be returned to the general fund.
- Classification: The Seawall Reserve Fund is classified as "Assigned" in the City's financial statements.

## **POLICY 2.3 – PENSION/OPEB FUNDING**

### 2.3.1 PENSIONS

#### 2.3.1.1 Purpose and Goals

The City of Belvedere is committed to fiscal sustainability. In keeping with this principle, it maintains minimal debt and generous reserves to cope with exogenous shocks. The City is also committed to honoring its pension obligations. One of the biggest threats to the City's ongoing fiscal sustainability is its rising pension costs. The overarching goal of this Policy is to avoid the risk of crowding out vital public services in future years, and to provide balance sheet space to finance essential infrastructure projects in the years ahead, by funding its accrued pension obligations at a more prudential rate. This Policy also formalizes a past practice of using excess reserves to make discretionary payments to CalPERS whenever affordable.

Development of the City's Pension Funding Policy was guided by the following five tenets:

- The cost of employee benefits should be paid by the generation of taxpayers who receives services.
- Actuarial assumptions should be prudential to ensure that promised benefits can be paid.
- Funding shortfalls should be closed expeditiously. The goal is full funding.
- Large swings in employer contribution rates are undesirable. Smoothing is desirable.
- Funding policies and underlying assumptions should be clearly delineated and regularly reviewed.

#### 2.3.1.2 Policy

The City shall seek to achieve full funding, over twenty years, of its pension obligations. This means that the City shall seek to have assets to cover 100% of accrued pension liabilities valued at a prudential discount rate (CalPERS discount rate adjusted to reflect real anticipated performance) by 2031 and beyond. This calibrates with CalPERS own amortization rules, which allow losses (or gains) to be amortized over 20 years.

#### 2.3.1.3 Establishing and Funding a Section 115 Trust

The City shall establish a Section 115 Trust ("Trust") into which it will invest funds reserved for future pension-related expenses. The City has elected to participate in the California Employers' Pension Prefunding Trust (CEPPT) Fund 115 Trust program. The City will provide an initial investment using a dollar average formula into this Trust during a fifteen-month period beginning in Fiscal Year 20/21 and will make annual contributions to the Trust in amounts determined by the Finance Committee and approved by the City Council beginning in Fiscal Year 21/22. Funds set aside by the City for this purpose will be transmitted to the Trust no less than annually. The assets will be managed conservatively; the City has selected CEPPT investment Strategy 1 which reflects the City's general risk aversion and pension plan maturity.

#### 2.3.1.4 Role of the Finance Committee

The City's Finance Committee will conduct a standing pension funding review at least every five years to reset the discount rate (adjusting for CalPERS' discount rate based on latest available



evidence), set annual funding costs, and fix payments until the next review. The Finance Committee will also review the investment strategy utilized in the 115 Pension Trust and recommend changes if deemed appropriate. It may also recommend transferring money from the Trust to CalPERS or making a discretionary payment to the Trust or CalPERS from excess reserves if any exist at that time. The Finance Committee will send its recommendations to the City Council for its consideration.

#### 2.3.1.5 Determination of Funding Amounts

In developing its recommendations to the City Council, the Finance Committee will review CalPERS' current discount rate (i.e., expected rate of return on its investments), CalPERS' actual investment performance during the review period, and other relevant factors. The Committee will set an adjusted discount rate (or putative rate) that it believes to be more realistic than the discount rate set by CalPERS and will determine the amounts that should be set aside in the Trust to ensure full funding over the requisite period. These amounts will be determined by using the CalPERS Pension Outlook Tool or substantially similar methodology. Should CalPERS require additional payments from the City due to a reduction in CalPERS' discount rate, the City may elect to reduce its transfers to the 115 Trust by an equal amount.

#### 2.3.1.6 Financial Reporting

The City recognizes the importance of ensuring that pension obligations included in the City's financial statements, particularly its Comprehensive Annual Financial Report, are consistent with CalPERS, and will continue to use CalPERS' discount rate for these purposes. This facilitates easy comparison with other agencies and avoids possible negative impacts on perceived credit quality. The City equally recognizes the importance of communicating its pension stewardship. It will therefore include an annual pension update, describing its pension funding policy, Trust assets and adjusted funded status in its annual budget report. Appropriate disclosures of the 115 Trust investments will be reported in the City's financial statements, consistent with GASB required standards.

#### 2.3.1.7 Effect on Reserve Requirements

The City maintains a robust minimum reserve policy, with reserves required to equal no less than six months of general fund operating expenses, debt financing costs and fire contract costs net of fire tax revenues. Transfers to the Trust and additional discretionary payments made to CalPERS will be excluded from the reserve requirement calculation (denominator) because they are discretionary in nature. This is consistent with the City's existing treatment of discretionary payments to CalPERS and internal money transfers.

#### 2.3.1.8 Employee Contributions

In accordance with PEPRA guidelines and compatible with other local agencies, the City will work over time to increase Classic employee contribution rates to 8.0% of salary for Miscellaneous employees and to 12.0% of salary for Safety workers.

### 2.3.2 OTHER POST EMPLOYMENT BENEFIT (OPEB)

The City offers OPEB health benefits to employees who meet CalPERS vesting requirements. The benefit provided to City retirees is the minimum amount allowable under the CalPERS health plan, with the exception of two former City Manager retirees, who receive a more generous benefit. This benefit is funded on a pay-go method, with no funds set aside in a trust for this purpose.

## **POLICY 2.4 – BUDGET AND LONG-TERM PLANNING**

### 2.4.1 POLICY

The budget shall serve as a principal management tool for the City administration and be used to allocate the City's resources. The budget document should also serve as a helpful tool for citizens in understanding the operations and costs of City services. In general, ongoing appropriations should be supported by ongoing revenues, and the City should maintain healthy reserves.

Each year, the City Manager develops and presents an annual budget to the City Council for its consideration. The development of the budget is a cooperative effort involving the participation of each department head. Each department head is then accountable to the budget, as enacted by the City Council, meaning that he/she must ensure that departmental spending is in accordance with the budget. Department heads may seek approval from the City Manager to adjust departmental spending, and the City Manager is authorized to transfer appropriations within each fund.

### 2.4.2 BUDGET BASIS

The budgets of general government-type funds (for example, the general fund, and gas tax funds) are prepared on a spending measurement focus. Briefly, this means that only current assets and current liabilities are included on the balance sheets. The modified accrual basis of accounting is followed. Under the modified accrual basis of accounting, revenues are susceptible to accrual when they become both measurable and available. Expenditures, other than interest on long-term debt, are recorded when a current liability is incurred.

The Comprehensive Annual Financial Report (CAFR) shows the status of the City's finances on the basis of "generally accepted accounting principles" (GAAP). In most cases, this conforms to the way the City prepares the budget. One exception is the treatment of compensated absences. Compensated absences, including accrued but unused administrative leave, compensatory time and vacation leave, are treated slightly different in the budget than in the CAFR.

### 2.4.3 RESPONSIBILITY

The City Manager is responsible for preparing an annual budget for consideration by the City Council.

### 2.4.4 BUDGET PREPARATION AND TIMELINE

The process of developing the operating budget begins in March of each year. The budget preparation process provides department heads an opportunity to examine programs; propose changes in current services; recommend revisions in organizations and methods; and outline requirements for capital outlay items. The City's executive team reviews departmental budget proposals and recommends adjustments to the City Manager.

During budget review, the City Manager assesses requests for new positions, and prioritizes operating and capital budget requirements. The Finance Committee, which consists of five members chosen by the City Council, the Mayor, the Vice-Mayor and the City Manager, then reviews the draft budget and makes a recommendation to the City Council.

In May of each year, the City Manager presents the draft budget and 5-year projection to the City Council for its consideration, along with the recommendation of the Finance Committee. Generally, a final budget is adopted, by resolution, in June. Each fiscal year begins on July 1.

#### 2.4.5 OPERATING BUDGET OBJECTIVES

In general, ongoing operating costs should be supported by ongoing stable revenue sources. This protects the City from fluctuating services levels and avoids crises when one-time revenues are reduced or removed. Listed below are some additional considerations:

- End of year fund balances or contingency accounts should only be used for one-time expenditures, such as capital equipment and capital improvements.
- Ongoing maintenance costs, such as street resurfacing and parks maintenance, should be financed through recurring operating revenues rather than through bond issuance.
- One-time federal grants should not be used to fund ongoing programs.

#### 2.4.6 REVENUE OBJECTIVES

The City will seek to maintain a diversified and stable revenue system to ensure ongoing fiscal health and the capacity for absorbing short-run fluctuations in any single revenue source.

The City Manager shall review the encumbrances and continuing appropriations to be submitted to the City Council for approval from one fiscal year to the next fiscal year. These encumbrances and continuing appropriations shall become a part of the City's budget.

#### 2.4.7 CAPITAL BUDGET

The Budget shall include a Capital Improvement Plan (CIP) with a discussion of capital projects that are to be funded over a five-year period. Consistent with the CIP, the Budget shall also include a one-year Capital Improvement Budget, which details capital expenditures for the upcoming fiscal year. Although the CIP may identify "unfunded" projects that carry out the City's strategic and general plans, the Capital Improvement Budget must be fully funded with funds projected to be available during the fiscal year. Management should assess the ongoing impact that any given capital project may have on current and future operating budgets when considering whether to include the project in the budget.

#### 2.4.8 BUDGET IMPLEMENTATION

A budgetary control system is maintained to ensure compliance with the budget. The Administrative Services Manager is responsible for setting up the budget for tracking purposes,

# APPENDIX

## Finance Policies

and is charged with ensuring that funds remain available during the year to cover expenditures and appropriations. Reports comparing the budget with expenditures are generated on a monthly basis and are provided to department heads and the City Manager.

### 2.4.9 BALANCED BUDGET

A balanced budget is achieved when the General Fund Reserve Policy (Policy 2.2.2.A) is met.

### 2.4.10 BUDGET REVISION

The City Manager is authorized to transfer budget appropriations within the same fund. Additional appropriations, or inter-fund transfers not included in the original budget resolution, require approval by the City Council. Use of unappropriated reserves must be approved by the City Council.

### 2.4.11 LONG-TERM PLANNING

Each annual budget will be accompanied by a five-year financial forecast. This forecast will be integrated with the City's General Plan and Strategic Plan. The forecast will also be reviewed with respect to the City's long-term financial goals and policies.

## **POLICY 2.6 – DEBT**

### 2.6.1 PURPOSE

This Debt Policy is intended to comply with Government Code Section 8855(i), effective on January 1, 2017, and may be amended by the City Council as it deems appropriate from time to time in the prudent management of the debt of the City. This Debt Policy shall govern all debt undertaken by the City, the Authority (defined below), and any other subordinate entities of the City for which the City Council serves as the governing board.

### 2.6.2 BELVEDERE PUBLIC FINANCING AUTHORITY

The Belvedere Public Financing Authority (the “Authority”) was formed in May 2016 and is a joint exercise of powers authority organized and existing under and by virtue of Articles 1 through 4 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code. The Authority is authorized to issue its revenue bonds pursuant to the Marks-Roos Local Bond Pooling Act of 1985, being Article 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code. As the legislative body of the City, the Belvedere Council acts as the Governing Board of the Authority.

### 2.6.3 IN GENERAL

The City recognizes that a fiscally-prudent debt policy is required in order to:

- Maintain the City’s sound financial position;
- Ensure that the City has the flexibility to respond to changes in future service priorities, revenue levels and operation expenses;
- Protect the City’s creditworthiness;
- Ensure that debt is structured in order to protect both current and future taxpayers, ratepayers and constituents of the City;
- Ensure that the City’s debt profile is consistent with the City’s planning goals and capital improvement needs.

### 2.6.4 PURPOSES FOR WHICH DEBT MAY BE ISSUED

#### Long-Term Debt

Long-term debt may be issued to finance the construction, acquisition and rehabilitation of capital improvements and facilities, equipment and land to be owned and operation by the City.

Long-term debt financings are appropriate when the following conditions exist:

- The project to be financed is necessary for providing basic services;
- The project to be financed will provide benefit to constituents over multiple years;
- Total debt does not constitute an unreasonable burden on the City and its taxpayers;
- The new debt is used to refinance outstanding debt in order to produce debt service savings or realize the benefits of a debt restructuring – for example, in the case of using

pension obligation bonds to  
restructure obligations associated with defined-benefit pensions.

Long-term debt will not generally be considered appropriate for current operation expenses or routine maintenance expenses.

The City may use long-term debt financings subject to the following conditions:

- The project to be financed must be approved by the City Council;
- The weighted average maturity of the debt (or the portion of the debt allocated to the project) will not exceed 120% of the average reasonably expected economic life of the project to be financed.
- The City estimates that sufficient revenues will be available to service the debt through its maturity;
- The City determines that the issuance of the debt will comply with applicable state and federal law.

### Short-Term Debt

Short-term debt may be issued to provide financing for the City's operational cash flows in order to maintain a steady and even cash flow balance. Short-term debt may also be used to finance short-lived capital projects; for example, the City may undertake a lease-purchase financing for equipment.

### Financings on Behalf of Other Entities

The City may also find it beneficial to issue debt on behalf of other governmental agencies in order to further the public purposes of the City. In such cases, the City shall take reasonable steps to confirm the financial feasibility of the project to be financed and the financial solvency of any borrower and that the issuance of such debt is consistent with the policies set forth herein.

## 2.6.5 TYPES OF DEBT

The following types of debt are allowable:

- General Obligation bonds (GO Bonds)
- Bond or grant anticipation notes (BANs)
- Lease revenue bonds, certificates of participation (COPs) and lease-purchase transactions
- Other revenue bonds and COPs
- Tax and revenue anticipation notes (TRANS)
- Land-secured financings, such as special tax bonds issued under the Mello-Roos Community Facilities Act of 1982, and limited obligation bonds issued under applicable assessment statutes
- Tax-increment financing to the extent permitted by State law

Debt shall be issued as fixed rate debt unless the City makes a specific determination as to why a variable rate issue would be beneficial to the City in a specific circumstance.

### 2.6.6 RELATIONSHIP OF DEBT TO CAPITAL IMPROVEMENT PROGRAM AND BUDGET

The City is committed to long-term capital planning. The City could issue debt for the purposes stated in this Debt Policy and to implement policy decisions incorporated in the City's capital budget and capital improvement plan.

The City shall strive to fund the upkeep and maintenance of its infrastructure and facilities due to normal wear and tear through the expenditure of available operating revenues. The City shall seek to avoid the use of debt to fund infrastructure and facilities improvements that are the result of normal wear and tear.

The City shall integrate its debt issuances with the goals of its capital improvement program by timing the issuance of debt to ensure that projects are available when needed in furtherance of the City's public purposes.

The City shall seek to avoid the use of debt to fund infrastructure and facilities improvements in circumstances when the sole purpose of such debt financing is to reduce annual budgetary expenditures.

The City shall seek to issue debt in a timely manner to avoid having to make unplanned expenditures for capital improvements or equipment from its general fund.

### 2.6.7 POLICY GOALS RELATED TO PLANNING GOALS AND OBJECTIVES

The City is committed to long-term financial planning, maintaining appropriate reserve levels and employing prudent practices in governance, management and budget administration. The City would issue debt for the purposes stated in this Debt Policy and in order to implement policy decisions incorporated in the City's annual operations budget.

It is a policy goal of the City to protect taxpayers, ratepayers (if applicable), and constituents by utilizing conservative financing methods and techniques so as to obtain the highest practical credit ratings (if applicable) and the lowest practical borrowing costs.

The City will comply with applicable state and federal law as it pertains to the maximum term of debt and the procedures for levying and imposing any related taxes, assessments, rates, or charges.

When refinancing debt, it shall be a policy goal of the City to realize, whenever possible, and subject to any overriding non-financial policy considerations, (i) minimum net present value debt service savings equal to or greater than 3.0% of the refunded principal amount, and (ii) present value debt service savings equal to or greater than 100% of any escrow fund negative arbitrage.



## 2.6.8 INTERNAL CONTROL

### PROCEDURES

When issuing debt, in addition to complying with the terms of this Debt Policy, the City shall comply with any other applicable policies regarding initial bond disclosure, continuing disclosure, post-issuance compliance, and investment of bond proceeds.

Without limiting the foregoing, the City will periodically review the requirements of and will remain in compliance with the following:

- Any continuing disclosure undertakings entered into by the City in accordance with SEC Rule 15c2-12;
- Annual debt transparency report obligations under Government Code section 8855(k);
- Any federal tax compliance requirements, including, without limitation, arbitrage and rebate compliance;
- The City's investment policies as they relate to the use and investment of bond proceeds.

Proceeds of debt will be held either (a) by a third-party trustee or fiscal agent, which will disburse such proceeds to or upon the order of the City upon the submission of one or more written requisitions by the Administrative Services Manager, or (b) by the City, to be held and accounted for in a separate fund account, the expenditure of which will be carefully documented by the City.

## 2.6.9 BOND DISCLOSURE

### Official Statements

The City's chief financial officer, city manager and other appropriate City staff members shall review any Official Statement prepared in connection with any debt issuance by the City in order to ensure there are no misstatements or omissions of material information in any sections that contain descriptions of information prepared by the City.

In connection with its review of the Official Statement, the appropriate City staff members shall consult with third parties, including outside professionals assisting the City, and all members of City staff, to the extent needed to ensure that the Official Statement will include all "material" information (as defined for purposes of federal securities law).

All Official Statements shall be submitted to the City Council for approval as a new business matter and not as a consent item. The City Council shall undertake such review as deemed necessary by the City Council, following consultation with appropriate City staff members, to fulfill the City Council's responsibilities under applicable securities laws.

### Continuing Disclosure Filings

Under the continuing disclosure undertakings that the City has entered into in connection with its debt offerings, the City is required each year to file annual reports with the Municipal

## APPENDIX Finance Policies

City of Belvedere  
Operating & Capital Budget  
Fiscal Year 2022/2023

### Securities Rulemaking Board's

Electronic Municipal Market Access ("EMMA") system in accordance with such undertakings. Such annual reports are required to include certain updated financial and operating information, and the City's audited financial statements. The City is also required under its continuing disclosure undertakings to file notices of certain events with EMMA.

The City's Chief Financial Officer shall establish a system (which may involve the retention or one or more consultants) by which the City will:

- Make the annual filings required by its continuing disclosure undertakings on a complete and timely basis, and
- File notices of enumerated events on a timely basis.

### Public Statements

Whenever the City makes statements or releases information relating to its finances to the public that are reasonably expected to reach investors and the trading markets, the City is obligated to ensure that such statements and information are complete, true, and accurate in all material respects.

### Training

The members of the City staff involved in the initial or continuing disclosure process shall be properly trained to understand and perform their responsibilities.

**PUBLIC HEARING**

**BELVEDERE CITY COUNCIL  
JUNE 13, 2022**

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To: Mayor and City Council

From: Helga Cotter, Administrative Services Director

**Subject: Adopt resolution levying previously-approved special tax for Fire & Emergency Medical Services and fixing the rates thereof for the FY2022/2023**

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**Recommended Motion/Item Description**

That the City Council conduct the public hearing and thereafter adopt the attached resolution establishing the Fiscal Year 2022/2023 Fire Protection & Emergency Medical Services Assessment for the City.

**Background**

In 2000, Belvedere voters adopted a fire and emergency services tax. Each year, the City Council must adopt a resolution in order to levy the special property tax assessment for fire protection and emergency medical services. The resolution authorizes the County Tax Collector to collect the property tax override. The City Council declared by resolution on June 6, 2022, that the cost of providing the services in Fiscal Year 2022/2023 will exceed \$450,000. The amount that the City will pay to the Tiburon Fire Protection District for those services is estimated to be \$1,998,909, plus \$2,600 for fire system parts and supplies, for a total of \$2,001,509 in Fire Fund expenses.

With the application of the appropriations limit factor which allows increases each year based on the annual percentage change in population in conjunction with the change in the statewide per capita cost of living, the flat fees per parcel for Fiscal Year 2022/2023 will increase to \$961 for residential dwelling units, \$1,082 for commercial occupancies, and \$191 for vacant parcels. The revenue generated by this special property tax in Fiscal Year 2022/2023 will be \$1,061,453 and the difference between what the tax assessment will raise and what will be expended for fire services will be the subject of a General Fund transfer of \$940,056.

**Attachment**

- Resolution

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
LEVYING A SPECIAL TAX FOR FIRE AND EMERGENCY MEDICAL SERVICES  
AND FIXING THE RATES THEREOF FOR THE FISCAL YEAR 2022/2023**

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**WHEREAS**, Chapter 3.28 of the Belvedere Municipal Code requires the City to make a determination that the cost in the upcoming fiscal year to provide adequate fire services will exceed \$450,000, and to conduct a public hearing to consider the amount of charges proposed to be raised thereunder; and

**WHEREAS**, the City Council made such a determination by the passage of a Resolution on June 6, 2022 and conducted a duly noticed public hearing on the proposed tax at its June 13, 2022 regular meeting.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Belvedere that:

1. The City Council of the City of Belvedere has determined that the cost to provide fire and emergency medical services will exceed \$450,000 for the 2022/2023 fiscal year and that a special tax shall be levied; and
2. The maximum amount to be derived by this tax in the fiscal year commencing July 1, 2022 shall be \$1,061,453 as provided in Municipal Code sections 3.28.050 and 3.28.070. The tax rate structure shall be \$961 per dwelling unit; \$1,082 per occupancy in commercial structures; and \$191 per vacant parcel; and
3. Election is hereby made to collect such fire assessment on the general tax rolls, for which the County of Marin may impose an additional fee up to \$2 for each lot or parcel of land assessed. This fee shall be attached to the fire assessment but shall not be considered a part thereof.

**PASSED AND ADOPTED** at a public hearing of the City Council of the City of Belvedere on June 13, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:** \_\_\_\_\_

Sally Wilkinson, Mayor

**ATTEST:** \_\_\_\_\_

Beth Haener, City Clerk

**To:** Mayor and City Council

**From:** Christine O'Rourke, MCEP Sustainability Coordinator  
Irene Borba, Director of Planning and Building

**Reviewed by:** Craig Middleton, City Manager  
Amy Ackerman, City Attorney

**Subject:** **A Resolution of the City Council of the City of Belvedere Updating  
The City's Climate Action Plan and Adopting The Belvedere Climate  
Action Plan 2030**

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**RECOMMENDATION.**

Adopt the resolution establishing the City's Climate Action Plan 2030.

**SUMMARY&BACKGROUND.**

There is broad scientific agreement that to stave off the worst effects of climate change, communities will need to draw down climate warming greenhouse gas (GHG) emissions such as carbon dioxide from the atmosphere to achieve carbon neutrality by 2045 and significantly reduce their GHG emissions 80% below 1990 levels by the year 2050. In 2010, the City of Belvedere approved Belvedere's first Greenhouse Gas Emissions Inventory for year 2005 and adopted a goal to reduce GHG emissions 15% below 2005 levels by 2020. On April 11, 2011, the City of Belvedere adopted a Climate Action Plan with greenhouse gas emissions reduction programs designed to meet the adopted 2020 goal.

The Climate Action Plan (CAP) is a document that contains strategies and actions to reduce greenhouse gas emissions. Over the past decade, the City has developed and implemented many CAP projects and programs and has reduced emissions 26% below 2005 levels, significantly beyond its 2020 target. The City is now endeavoring to adopt an updated Climate Action Plan for the next ten years to address GHG target reductions of no less than 40% below 1990 levels by 2030. In collaboration with the Marin Climate and Energy Partnership (MCEP), staff has prepared a Draft Climate Action Plan to meet this ambitious goal. The Draft Plan is modeled upon best practices and the most up-to-date measures and policies that have been recently adopted, or are otherwise under consideration, by other jurisdictions within MCEP.

The Draft CAP 2030 is available for review on the City website [here](#).

### **DISCUSSION**

The Belvedere CAP incorporates the City's 2019 Greenhouse Gas (GHG) Emissions Inventory, which identifies the sources of greenhouse gas emissions generated by the community. The inventory shows that nearly half of Belvedere's emissions come from the combustion of natural gas. The CAP states that encouraging energy efficiency upgrades and adopting more green building standards, including electrifying all commercial and residential appliances and heating systems for new construction and remodels, will help the City meet its reduction target.

The inventory also shows that the second highest source of community emissions come from passenger vehicles. The CAP identifies building out the public and private electric vehicle charging infrastructure and encouraging electric vehicle ownership as the most impactful way to reduce transportation emissions.

The Belvedere CAP contains the following:

- An estimate of how emissions will change over time under a business-as-usual forecast which utilizes regional projections and incorporates the City's 2022-2030 Regional Housing Needs Allocation.
- Specific actions in the areas of energy use, transportation, waste, and water strategies that substantial evidence demonstrates, if fully implemented, will collectively achieve the targeted emissions level for the year 2030.
- Both state and local strategies to reduce emissions 41% below 1990 emissions in 2030, which exceeds the State's 2030 goal.
- Actions to sequester emissions in natural lands and the urban forest and to utilize carbon offsets in support of the State's goal to achieve carbon neutrality by 2045.
- Actions to assist community members and businesses to address climate change through their own behaviors and purchases, and to advocate for additional regional, state, and federal actions to achieve long-term GHG reduction goals.
- Actions to monitor progress and set annual priorities for CAP implementation.

It should be noted that the CAP targets represent minimum goals based on practicable application of the measures and metrics to meet the overall GHG reduction goal. Many of the actions rely upon coordination and collaboration with other agencies, including adoption of standards to assure an effective and consistent approach across the jurisdictions. The document reflects what is achievable in the timeframes involved, utilizing coordination of anticipated programs and funding sources that are available to the City.

Adopting a CAP demonstrates a municipality's commitment to reducing GHG emissions on the local level and establishes consistency with State reduction targets. Staff recommends that the City Council adopt this CAP to demonstrate a further commitment to sustainability.

**PUBLIC COMMENTS/NOTICE**

A notice of the proposed ordinance amendments was published in *The ARK* newspaper. As of the writing of this report, no correspondence has been received regarding the Climate Action Plan.

**FISCAL IMPACT**

Uncertain. The City may incur costs for implementing programs and projects that reduce GHG emissions. However, many such projects result in cost savings over time and cost-benefit analyses generally occur in conjunction with specific project proposals and budget review.

**ENVIRONMENTAL REVIEW**

Exempt from environmental review under section 15307 of the California Environmental Quality Act (CEQA Guidelines, which exempts "Actions by regulatory agencies for protection of natural resources." In addition, adoption of the CAP is exempt under the under CEQA Guidelines section 15061(b) (3), because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

**STAFF RECOMMENDATION**

Staff recommends that Council hear the presentation, take public comments, and adopt the resolution.

**ATTACHMENTS**

1. Resolution & Exhibit A: Belvedere Climate Action Plan 2030

**CITY OF BELVEDERE  
RESOLUTION 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
UPDATING THE CITY'S CLIMATE ACTION PLAN AND ADOPTING THE  
BELVEDERE CLIMATE ACTION PLAN 2030**

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**WHEREAS**, there is broad scientific agreement that to stave off the worst effects of climate change, communities will need to reduce their greenhouse gas (GHG) emissions by 80% below 1990 levels by the year 2050 and draw down climate warming GHG emissions such as carbon dioxide from the atmosphere to secure a safe future for us all; and

**WHEREAS**, the City of Belvedere recognizes that local governments play an important role in reducing greenhouse gas emissions in their municipal operations and communities, and mitigating the future impacts of climate change; and

**WHEREAS**, on December 3, 2007, the City of Belvedere adopted Resolution No.2007-06 resolving to participate in the Cities for Climate Protection Campaign and, as a participant, pledges to take a leadership role in promoting public awareness about the causes and impacts of climate change; and

**WHEREAS**, on November 8, 2010, the City of Belvedere approved Belvedere's 2005 Greenhouse Gas Emissions Inventory and adopted a goal to reduce GHG emissions 15% below 2005 levels by 2020; and

**WHEREAS**, on April 11, 2011, the City of Belvedere adopted a Climate Action Plan (CAP) with greenhouse gas emissions reduction programs designed to meet the adopted 2020 goal; and

**WHEREAS**, a CAP is a document that contains goals, policies, and actions to reduce greenhouse gas emissions and identifies performance metrics to track progress; and

**WHEREAS**, over the past decade, the City has developed and implemented CAP projects and programs and has reduced its GHG emissions 26% below 2005 levels, significantly beyond its 2020 target; and

**WHEREAS**, Assembly Bill 32, the Global Warming Solutions Act set a goal of reducing GHG emissions to 1990 levels by 2020 and Senate Bill 375, the Sustainable Communities and Climate Protection Act, established Statewide GHG emissions reduction targets of 40% below 1990 levels by 2030; and

**WHEREAS**, Executive Order B-55-18 establishes a statewide goal to achieve carbon neutrality by 2045; and



**WHEREAS**, the Belvedere CAP incorporates the City's 2019 Greenhouse Gas (GHG) Emissions Inventory, which identifies the sources of greenhouse gas emissions generated by the community, and the Belvedere CAP estimates how these emissions might change over time under a business-as-usual forecast that utilizes regional forecasts and accommodates the City's 2022-2030 Regional Housing Needs Allocation; and

**WHEREAS**, the Belvedere 2019 GHG Emissions Inventory shows that nearly half of Belvedere's emissions come from the combustion of natural gas, and the CAP states that encouraging energy efficiency upgrades and adopting more green building standards, including electrifying all commercial and residential appliances and heating systems for new construction and remodels, will help the City meet its reduction target; and

**WHEREAS**, the Belvedere 2019 GHG Emissions Inventory shows that the second highest source of community emissions come from passenger vehicles, and the CAP identifies building out the public and private electric vehicle charging infrastructure and encouraging electric vehicle ownership as the most impactful way to reduce transportation emissions; and

**WHEREAS**, the Belvedere CAP focuses on the efforts Belvedere can make to reduce its greenhouse gas emissions and mitigate, to the extent feasible at the local level, the impacts of climate change; and

**WHEREAS**, the Belvedere CAP provides strategies and specific actions for energy use, transportation, waste, water, and natural systems that substantial evidence demonstrates, if fully implemented, will collectively achieve the targeted emissions level for the year 2030; and

**WHEREAS**, the strategies and specific actions of the Belvedere CAP are developed in collaboration with the Marin Climate and Energy Partnership and are based upon the best practices and state-of-art approaches implemented and adopted by communities throughout the region to address GHG reduction, including Larkspur, San Rafael, San Anselmo, Fairfax, and the County of Marin; and

**WHEREAS**, the Belvedere CAP identifies state and local strategies to reduce emissions over 41% below 1990 emissions in 2030, which exceeds the State's 2030 goal; and

**WHEREAS**, the Belvedere CAP identifies local strategies to sequester emissions in natural lands and the urban forest and through the use of carbon offsets in support of the statewide goal to achieve carbon neutrality by 2045; and

**WHEREAS**, a Draft CAP was presented to the City Council on June 13, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Belvedere hereby resolve, declare, determine and order as follows:

1. The recitals above are found to be true and correct and constitute the findings of the City Council made in support of this resolution.
2. Approves the Belvedere Climate Action Plan 2030 as referenced in this resolution; and
3. Declares that adoption of the Belvedere Climate Action Plan 2030 (CAP) is exempt from environmental review under section 15307 of the California Environmental Quality Act (CEQA Guidelines, which exempts "Actions by regulatory agencies for protection of natural resources." In addition, adoption of the CAP is exempt under the under CEQA Guidelines section 15061(b) (3), because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

**IT IS HEREBY CERTIFIED** that the City Council of the City of Belvedere duly introduced and regularly adopted the foregoing resolution at a regular meeting held on June 13, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Sally Wilkinson, Mayor

ATTEST:

\_\_\_\_\_  
Beth Haener, City Clerk



City of Belvedere

# CLIMATE ACTION PLAN 2030

*Public Review Draft*









April 8, 2022



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# WHAT YOU CAN DO

<b>LOW CARBON TRANSPORTATION</b>	
	<ul style="list-style-type: none"> <li>• Drive an all-electric or plug-in hybrid vehicle.</li> <li>• Bike, walk, or take transit whenever possible.</li> <li>• Shut your car off when you are sitting idle.</li> <li>• Use electric tools, including leaf blowers and lawn mowers, wherever possible.</li> </ul>
<b>RENEWABLE ENERGY &amp; ELECTRIFICATION</b>	
	<ul style="list-style-type: none"> <li>• Switch to MCE Deep Green or PG&amp;E Solar Choice 100% renewable electricity.</li> <li>• Install a solar energy system on your home or business and consider battery storage.</li> <li>• Replace appliances that use natural gas for ones that use electricity.</li> <li>• Investigate heat pump technology so you can swap out water heaters and furnaces that use natural gas when it is time to replace them.</li> </ul>
<b>ENERGY EFFICIENCY</b>	
	<ul style="list-style-type: none"> <li>• Replace indoor and outdoor lights with LED bulbs and turn them off when not in use.</li> <li>• Have an energy assessment done for your home or business.</li> <li>• Upgrade insulation, seal leaks, and install a programmable thermostat.</li> <li>• Purchase Energy Star appliances and equipment.</li> <li>• Unplug electronic appliances when not in use and set the thermostat to use less heat and air conditioning.</li> </ul>
<b>WASTE REDUCTION</b>	
	<ul style="list-style-type: none"> <li>• Buy only as much as you need.</li> <li>• Buy locally grown food and eat less meat.</li> <li>• Put your food scraps in the green can and/or compost them at home.</li> <li>• Donate extra food and used clothing and housewares.</li> <li>• Consult the waste hauler's website to understand what to recycle and compost.</li> </ul>
<b>WATER CONSERVATION</b>	
	<ul style="list-style-type: none"> <li>• Replace your lawn with a drought-tolerant garden.</li> <li>• Install a drip irrigation system and check it regularly for leaks.</li> <li>• Install low water flow faucets, showerheads, and toilets.</li> <li>• Buy water-efficient dishwashers and clothes washers when it is time to replace them.</li> </ul>
<b>SEQUESTRATION AND ADAPTATION</b>	
	<ul style="list-style-type: none"> <li>• Plant trees appropriate to you situation.</li> <li>• Add compost to your soil</li> <li>• Purchase carbon offsets for airplane flights and other emissions that are difficult to mitigate.</li> <li>• Find out if your home or business is vulnerable to sea level rise at <a href="#">Our Coast Our Future</a>.</li> <li>• Prepare for more wildfires. Join a Firewise Community, create a defensible space, harden your home, and have an emergency evacuation plan. Learn how at <a href="http://www.firesafemarin.org">www.firesafemarin.org</a></li> <li>• Install solar with battery storage to get through power outages.</li> </ul>
<b>COMMUNITY ENGAGEMENT</b>	
	<ul style="list-style-type: none"> <li>• Sign up for Resilient Neighborhoods and join a Climate Action Team.</li> <li>• Commit to reducing your carbon <a href="#">footprint</a> by taking the actions identified in this Plan.</li> <li>• Spread the word – advocate to your neighbors, employees, co-workers, etc.</li> </ul>
<b>IMPLEMENTATION AND MONITORING</b>	
	<ul style="list-style-type: none"> <li>• Get involved! Attend City Council meetings, Climate Action Plan implementation forums, and other public forums to voice your support for actions contained in this Plan.</li> </ul>

# SECTION 1: INTRODUCTION

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## What is a Climate Action Plan?

A Climate Action Plan (CAP) is a tool that any organization can use to develop the programs and actions needed to reduce greenhouse gas emissions (GHGs), which are the pollutants that cause climate change, and other negative impacts to the environment. Generally, these CAPs are focused on this *'mitigation'* aspect of climate change, but some also lay out a strategy for *'adaptation'*, or how the organization will plan to deal with the effects of climate change such as sea level rise, or increased flooding, heat waves, and wildfires. Belvedere's CAP is primarily focused on mitigation measures, but in addition it sets out a proposed adaptation plan for improvement of levees that house critical infrastructure, ingress and egress routes for the entire City while protecting houses located in the flood plain.

## Background

The City of Belvedere understands that climate change has the potential to significantly affect Belvedere's residents and businesses, as well as other communities around the world. The City also recognizes that local governments play a strong role in reducing greenhouse gas emissions and mitigating the potential impacts of climate change.

The purpose of this Climate Action Plan (CAP) is to update the Belvedere Climate Action Plan 2011, report on existing actions, and recommend future potential strategies that the City take to address the local consequences of climate change. The CAP briefly defines climate change and its potential impacts. It focuses on policies and practices Belvedere can employ to reduce its greenhouse gas emissions and locally mitigate detrimental impacts of climate change. Through actions described in this Plan, the community can experience lower energy bills, improved air quality, reduced emissions, less risk of flooding, greater resiliency, and an enhanced quality of life. This updated plan acknowledges that climate action planning is an ongoing planning process that includes assessing, planning, mitigating, and adapting to climate change.

In 2021, the Intergovernmental Panel on Climate Change, a scientific body convened by the United Nations, released a major new report concluding that the world cannot avoid some devastating impacts of climate change, but there is still a narrow window to keep the devastation from getting even worse. There is broad scientific agreement that to stave off the worst effects of climate change, communities will need to reduce their greenhouse gas emissions 80% below 1990 levels by the year 2050. We are already seeing the effects of climate change locally and throughout the world with record-breaking heat, rising tides, more frequent catastrophic storms, and more unpredictable weather.

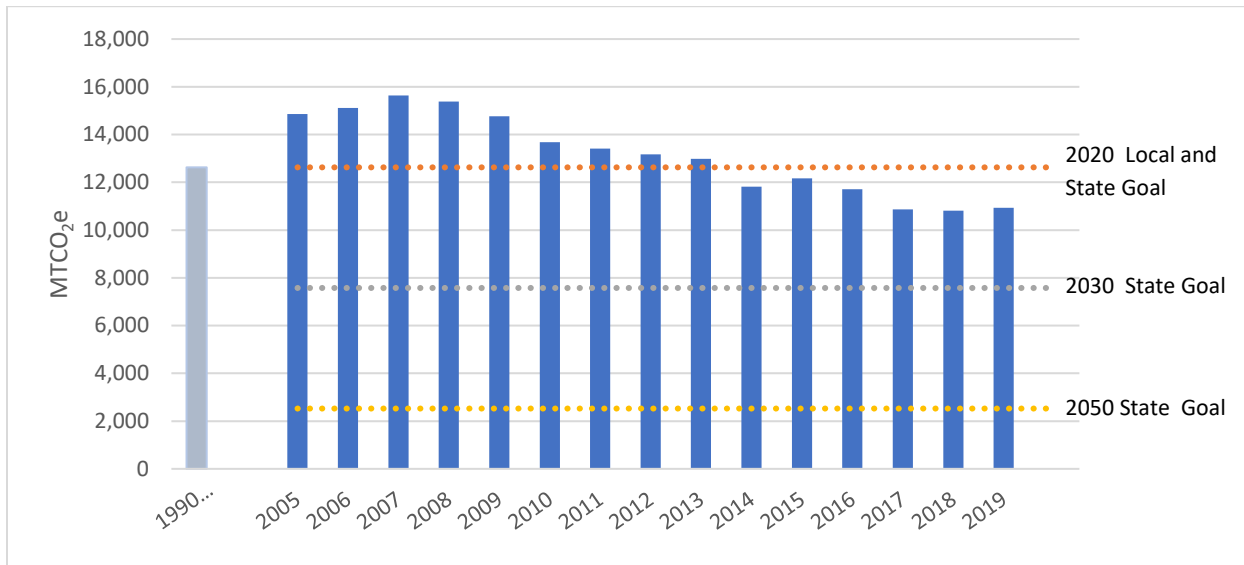
Since the City's initial preparation of the 2005 Greenhouse Gas Emissions Inventory and the 2011 Climate Action Plan, Belvedere has met its 2020 emissions reduction goal. Belvedere's emissions primarily come from residential use of energy and transportation, with approximately 1% coming from

government operations and facilities. In 2016, the State of California adopted an interim reduction target of 40% below 1990 levels by 2030 to stay on track. This updated plan sets out a road map to do just that.

Belvedere works with the Marin Climate & Energy Partnership (MCEP) to build upon best practices learned from other similar communities in the region. Belvedere publishes annual community greenhouse gas (GHG) emissions estimates through the MCEP. Annual inventories help the City to monitor its progress more closely in meeting its local goal to reduce community emissions 15% below 2005 emissions by 2020 and to meet the statewide goal to reduce emissions 40% below 1990 levels by 2030. In addition to the community inventories, MCEP periodically prepares inventories for government operations emissions.

This plan reviews emissions generated from the community from 2005 through 2019. The inventory shows that the Belvedere community has reduced emissions 26% since 2005, meeting its 2020 goal five years early, in 2015. Emissions dropped from about 14,855 metric tons carbon dioxide equivalents (MTCO<sub>2</sub>e) in 2005 to 10,935 MTCO<sub>2</sub>e in 2019. The community emissions trend and targets are shown in Figure 1. Belvedere needs to reduce emissions another 3,360 MTCO<sub>2</sub>e to meet the State target for 2030 and another 8,410 MTCO<sub>2</sub>e to meet the State target for 2050, which is 80% below 1990 levels.

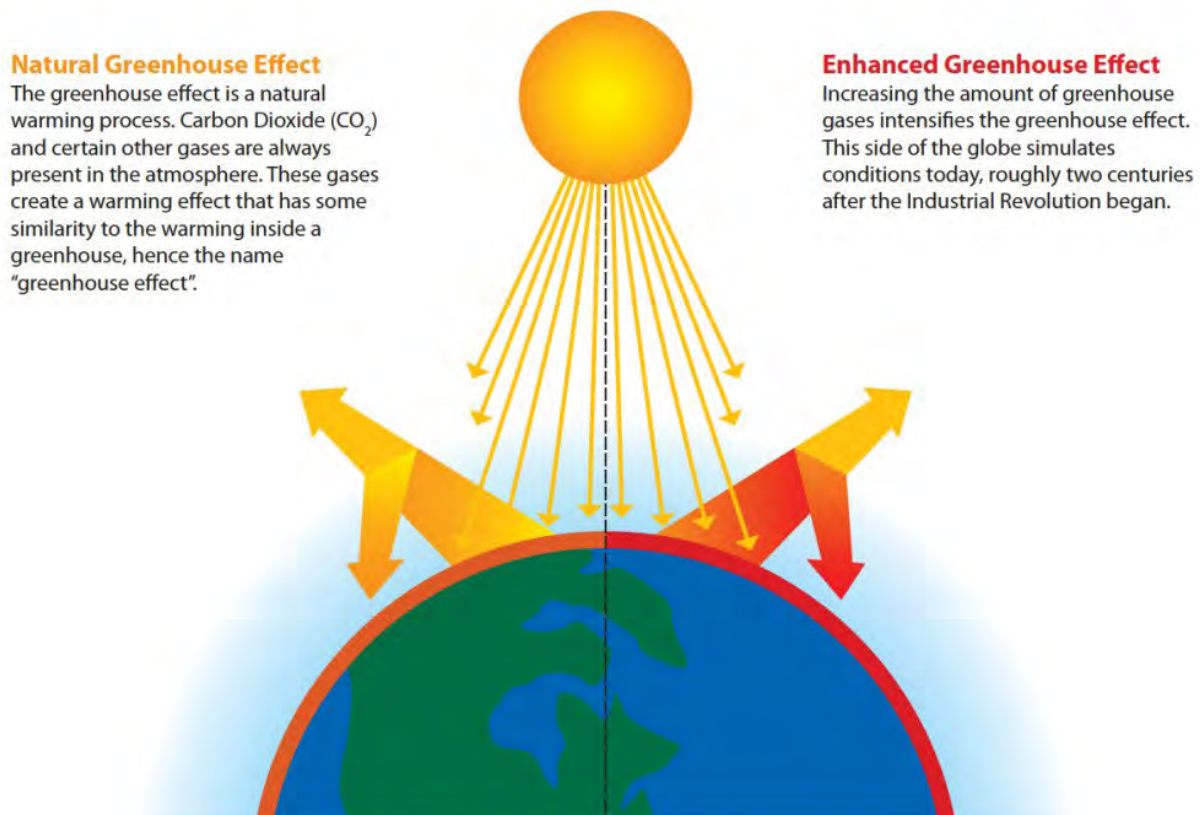
**FIGURE 1: BELVEDERE COMMUNITY EMISSIONS TREND, 2005-2019**



## What are Greenhouse Gas Emissions and How Do They Contribute to Climate Change?

Greenhouse gases (GHGs) are gases in Earth's atmosphere that allow the sun's rays to enter our atmosphere and trap the resulting heat generated by the rays. These gases are naturally occurring and make Earth suitable for life. While we depend a certain level on these gases to keep our earth habitable, certain human activities have been shown to emit GHGs, increasing their concentration in the atmosphere to unsustainable levels and trapping more heat, resulting in an increase in Earth's average temperature (Figure 2). This intensification of the natural greenhouse effect affects local and global climate patterns, and which in turn amplifies many hazards including flooding, wildfire, drought, and storms.

**FIGURE 1: THE GREENHOUSE EFFECT**



*Source: California Waterboard/Marion Koshland Science Museum Of The National Academy Of Sciences*



These GHGs include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Table 1)<sup>1</sup>. Each one has a different degree of impact on climate change. To facilitate comparison across different emission sources with mixed and varied compositions of several GHGs, the term “carbon dioxide equivalent” or CO<sub>2</sub>e is used across this CAP. One metric ton of CO<sub>2</sub>e may consist of any combination of GHGs and has the equivalent Global Warming Potential (GWP) as one metric ton of carbon dioxide (CO<sub>2</sub>). As gathering data and quantifying emissions can be quite difficult for some sources, community inventories at the local government level typically concentrate on the three primary GHGs: CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.

**TABLE 1: GREENHOUSE GASES**

Gas	Chemical Formula	Emission Source	Global Warming Potential
<b>Carbon Dioxide</b>	CO <sub>2</sub>	Combustion of natural gas, gasoline, diesel, and other fuels	1
<b>Methane</b>	CH <sub>4</sub>	Combustion, anaerobic decomposition of organic waste in landfills, wastewater, and livestock	28
<b>Nitrous Oxide</b>	N <sub>2</sub> O	Combustion, wastewater treatment	265
<b>Hydrofluorocarbons</b>	Various	Leaked refrigerants, fire suppressants	4 to 12,400
<b>Perfluorocarbons</b>	Various	Aluminum production, semiconductor manufacturing, HVAC equipment manufacturing	6,630 to 11,100
<b>Sulfur Hexafluoride</b>	SF <sub>6</sub>	Transmission and distribution of power	23,500

Source: International Panel on Climate Change (IPCC) Fifth Assessment Report, 100-year values, 2014

According to the U.S. Environmental Protection Agency’s 2019 “Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2018,” the majority of GHG emissions comes from fossil fuel combustion which in turn is used for electricity, transportation, industry, heating, etc. The burning of fossil fuels occurs across nearly every sector of the global economy, in ways that have become foundational to the ways that most people move, eat, and live.

It is the charge of this plan to diminish our community’s dependence on fossil fuels and drastically decrease our associated GHG emissions.

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<sup>1</sup> Water vapor is the most dominant greenhouse gas, but it is not measured as a part of a greenhouse gas inventory and for that reason is not included in this discussion.

## How will Climate Change Impact California and Marin?

As described above, the Earth's climate is warming, mostly due to human activities such as changes in land cover and emissions of certain pollutants. GHGs are the major human-induced drivers of climate change. These gases warm the Earth's surface by trapping heat in the atmosphere.

California is already experiencing climate change impacts. Sea levels along the coast of southern and central California have risen about 6 inches over the past century and even moderate tides and storms are now producing extremely high sea levels.<sup>2</sup> Since 1950, the areas burned by wildfire each year has been increasing, as warming temperatures extend the fire season and low precipitation and snowpack create conditions for extreme, high severity wildfires to spread rapidly. Seventeen of the state's twenty largest fires have occurred since 2003, and the five largest fires have occurred since 2017.<sup>3</sup> The megafires of 2020, sparked in many cases by lightning strikes, have so far burned over 3.75 million acres across California.

As temperatures continue to rise, California faces serious climate impacts, including:

- More intense and frequent heat waves
- More intense and frequent drought
- More severe and frequent wildfires
- More severe storms and extreme weather events
- Greater riverine flows
- Shrinking snowpack and less overall precipitation
- Accelerating sea level rise
- Ocean acidification, hypoxia, and warming
- Increase in vector-borne diseases and heat-related deaths and illnesses
- Increase in harmful impacts to vegetation and wildlife, including algal blooms in marine and freshwater environments, spread of disease-causing pathogens and insects in forests, and invasive agricultural pests.

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<sup>2</sup> Louise Bedsworth, Dan Cayan, Guido Franco, Leah Fisher, Sonya Ziaja, "Statewide Summary Report," in California's Fourth Climate Change Assessment, publication number: SUMCCCA4-2018-013, 2018, p. 31.

<sup>3</sup> Cal Fire, "Top 20 Largest Wildfires," 9/4/2020.

Overall temperatures are projected to rise substantially throughout this century. In Marin County, temperatures are expected to rise about 4°F by 2100 if global emissions peak around 2040 and then decline, the so-called “low emissions” scenario. If the world fails to act and we continue the path we are on, temperatures are projected to rise 10°F by the end of the century (the “high emissions” scenario).

As the climate changes, some of the more serious threats to public health will stem from more frequent and intense extreme heat days and longer heat waves. Extreme heat events are likely to increase the risk of heat-related illness, such as heat stroke and dehydration, and exacerbate existing chronic health conditions. Extreme heat days in Marin are expected to increase from 4 days to 9 days under the low emissions scenario and to as many as 25 days under the high emissions scenario.

Higher temperatures will make Marin more vulnerable to wildfire and sea level rise. By the end of the century, sea level is projected to rise 2.4 to 3.4 feet, and possibly as much as 10 feet. At 5 feet of sea level rise, flooding may inundate downtown San Rafael, Redwood High School in Larkspur, Town Center in Corte Madera, Mill Valley Middle School, the Cove Shopping Center in Tiburon, and thousands of homes and businesses located near Marin’s shorelines and creeks. Flooding will be even worse during storms, which are expected to increase in frequency and intensity.

## What Role Does Government Play?

International, national, and statewide GHG reduction goals and policies affect the County’s own goals and policies. Whether trying to meet or exceed those goals, California and Marin are known for their environmental stewardship and willingness to be leaders on the international and national stage.

<b>International</b>	<ul style="list-style-type: none"> <li>• The United Nations coordinates global commitments and targets to reduce emissions (such as the Paris Climate Accord) .</li> <li>• The United Nations also supports the advancement of climate science through the Intergovernmental Panel of Climate Change (IPCC). The IPCC coordinates the work of scientists across the world to continually update models and assess the science related to climate change. This work in turn informs the way that national, state, and local governments understand and address the human activities that contribute to climate change and the ways that climate change might impact earth’s environment.</li> </ul>
<b>National</b>	<ul style="list-style-type: none"> <li>• Currently, there is no federal legislation mandating comprehensive GHG emissions reporting or reduction in the United States.</li> </ul>
<b>State</b>	<ul style="list-style-type: none"> <li>• California first established statewide GHG emission reduction targets in 2005.</li> <li>• California has used its climate goals to develop regulations to reduce emissions across a variety of sectors, including:             <ul style="list-style-type: none"> <li>○ Setting more strict fuel economy standards for vehicle manufacturers that would like to sell cars in the state.</li> <li>○ Establishing zero-net energy building targets for new development.</li> <li>○ Direct management of emissions from power plants and other stationary sources.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>California has also used SB 375, which was passed in 2008, to reduce emissions from cars and light trucks by promoting compact mixed-use, commercial, and residential development. SB 375 required local governments in California to consider GHG emissions, leading to successful proliferation of climate action plan development throughout the state.</li> </ul>
Local	<ul style="list-style-type: none"> <li>Looks at GHG emissions generated by their communities.</li> <li>Sets long term GHG emission reduction targets that align meet or exceed statewide goals through local Climate Action Plans.</li> <li>Develops policies and programs to achieve CAP GHG emission reduction goals.</li> </ul>

## Belvedere’s Actions to Date

Belvedere is a small city with a land area of 0.54 square miles and a population of 2,089. The city is in Marin County at the tip of the Tiburon Peninsula, surrounded by water on three sides. Most of its residents live on two former islands connected by two levees that enclose a residential lagoon. It is served by a single public bus stop and a ferry terminal in the adjacent town of Tiburon. Belvedere is primarily residential, with little commercial activity.

Belvedere city staff, agencies, government, and residents have been at the forefront of mitigation efforts such as renewable energy, low-carbon transportation, and water conservation. In 2010, Marin Clean Energy was adopted by the City of Belvedere and most electricity users went immediately to purchasing 50% carbon-free electricity for their homes and businesses. Belvedere was one of the first communities to participate in curbside recycling thanks to Mill Valley Refuse vendor agreements, moving to dual-stream recycling in 2019 at the insistence of the City Council. By 2019, Belvedere water users reduced their water consumption by an average of approximately 25% (based on Marin Municipal Water District district-wide data). And in 2017, Marin Municipal Water District began purchasing 100% renewable Deep Green electricity from MCE Clean Energy, which reduced Belvedere resident and businesses’ water-related greenhouse gas emissions dramatically. Most significantly, Belvedere obtained a 55%/45% matching grant in the amount of \$1.1 million from the California Department of Water Resources to study and design improvements to the two levees which provide all ingress and egress to most of the city, while housing nearly all utility infrastructure required by the community. The project is currently going through environmental review and a period of public engagement regarding funding possibilities.

## Belvedere’s Current Emissions and Trend

Understanding the nature of harmful emissions, identifying their sources, and establishing local baseline measurement constitute the first step toward developing a climate action plan. Belvedere’s 2011 Climate Action Plan aptly recognized that this information can then inform the selection of a reduction target and action measures. Since then, staff has updated the City’s emission status to the City Council and public on a regular basis.

Residential emissions come primarily from the on-site combustion of natural gas and the off-site generation of electricity for heating, cooling, lighting, cooking, and the operation of appliances and

electrical devices. Transportation emissions result from the combustion of gasoline and diesel from trips generated from and to the city. Waste emissions come from the decomposition of organic waste generated within the city but subsequently located in landfills outside city limits.

In January 2022, the Marin Climate & Energy Partnership prepared an updated Greenhouse Gas Emissions Inventory for community emissions for the years 2005 through 2019. The inventory quantifies GHG emissions from a wide variety of sources, from the energy used to power, heat, and cool buildings, to the fuel used to move vehicles and power off-road equipment, to the decomposition of solid waste and treatment of wastewater. Emissions are quantified according to methodologies established by the U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions (v. 1.2). The inventory provides a detailed understanding of where the highest emissions are coming from, and, therefore, where the greatest opportunities for emissions reductions lie. The inventory also establishes a baseline emission inventory against which to measure future progress.

Community emissions are quantified according to these seven sectors:

- The **Built Environment – Electricity** sector represents emissions generated from the use of electricity in Belvedere homes and commercial and governmental buildings and facilities.
- The **Built Environment – Natural Gas** sector represents emissions generated from the use of natural gas in Belvedere homes and commercial and governmental buildings and facilities. Propane used as a primary heating source is also included, although it represents less than 1% of emissions in this sector.
- The **Transportation** sector includes tailpipe emissions from passenger vehicle trips originating and ending in Belvedere, as well as a share of tailpipe emissions generated by medium and heavy-duty vehicles travelling on Marin County roads. The sector also includes emissions from Marin Transit buses as these vehicles travel within Belvedere’s boundaries. Electricity used to power electric vehicles is embedded in electricity consumption reported in the Built Environment - Electricity sector.
- The **Waste** sector represents fugitive methane emissions that are generated over time as organic material decomposes in the landfill. Although most methane is captured or flared off at the landfill, approximately 25% escapes into the atmosphere.
- The **Off-Road** sector represents emissions from the combustion of gasoline and diesel fuel from the operation of off-road vehicles and equipment used for construction and landscape maintenance.
- The **Water** sector represents emissions from energy used to pump, treat, and convey potable water from the water source to Belvedere water users.
- The **Wastewater** sector represents greenhouse gases that are created during the treatment of wastewater generated by the community as well as emissions created from electricity used to convey and treat wastewater.

Community emissions totaled 14,855 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e) in 2005. By 2019, emissions had dropped to 10,935 MTCO<sub>2</sub>e, a 26% reduction. This is well below the State target for Belvedere, which is 15% below baseline (2005) emissions by 2020. While emissions declined in almost all sectors, the largest reductions were due to reduction in the carbon intensity of electricity,

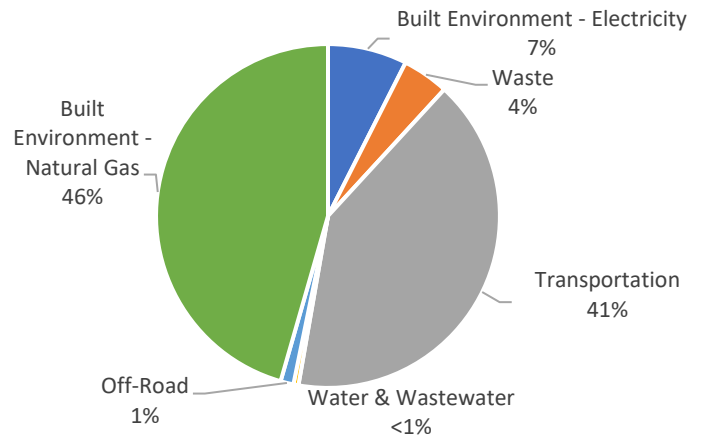
improvements in energy conservation and efficiency, and improvements to vehicle fuel efficiency. Emissions from City operations, which make up approximately 1% of community-wide emissions, fell 27% between 2005 and 2015. For more details, see the City’s most recent Greenhouse Gas Emissions Inventory (Appendix B).

**TABLE 2: EMISSIONS SUMMARY BY SECTOR (MTCO<sub>2</sub>e)**

Year	Built Environment - Electricity	Built Environment - Natural Gas	Transportation	Waste	Off-Road	Water	Wastewater	Total	% Change from 2005
1990 (est.) <sup>1</sup>								12,627	
2005	2,512	5,559	5,707	699	212	87	79	14,855	
2006	2,388	5,787	5,877	689	220	76	77	15,114	2%
2007	3,204	5,440	5,922	617	259	101	89	15,631	5%
2008	3,235	5,450	5,792	512	212	93	90	15,383	4%
2009	3,033	5,425	5,509	440	178	93	83	14,762	-1%
2010	2,133	5,518	5,315	430	159	53	73	13,681	-8%
2011	1,975	5,573	5,186	420	154	38	70	13,416	-10%
2012	2,083	5,204	5,178	435	151	40	75	13,167	-11%
2013	2,012	5,161	5,095	441	148	47	77	12,981	-13%
2014	1,830	4,412	4,877	440	147	42	72	11,821	-20%
2015	1,776	4,614	5,068	461	145	33	71	12,168	-18%
2016	1,449	4,839	4,657	536	143	24	63	11,711	-21%
2017	649	4,824	4,630	559	140	7	59	10,868	-27%
2018	701	4,883	4,543	494	136	3	59	10,817	-27%
2019	817	4,987	4,480	469	131	3	48	10,935	-26%
Change from 2005	-1,696	-572	-1,226	-230	-80	-84	-31	-3,920	
% Change from 2005	-68%	-10%	-21%	-33%	-38%	-97%	-39%	-26%	

As shown in Figure 3, most emissions come from natural gas used in Belvedere homes and non-residential buildings and facilities. The second greatest source of emissions is from passenger vehicle trips generated by Belvedere residents, employees, and visitors.

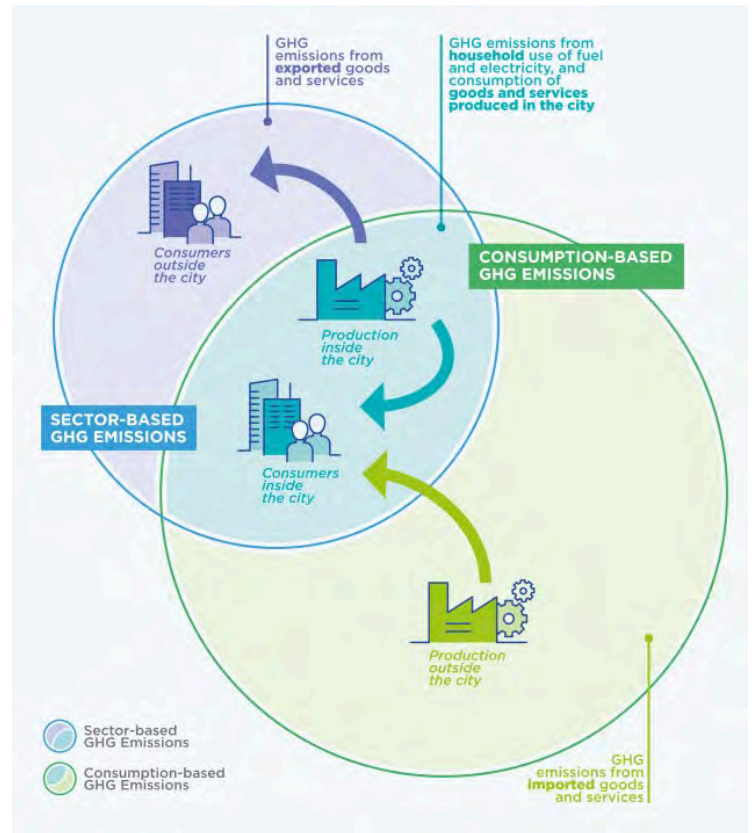
FIGURE 3: COMMUNITY EMISSIONS BY SOURCE, 2019



## Consumption-Based Inventory

In addition to the sectors outlined above, which measures the emissions that are generated within the City’s borders, there are also emissions associated with the goods and services that residents in Marin consume. These are referred to as “consumption-based emissions” or “embodied emissions” (both terms are used interchangeably in this document). Rather than assessing emissions that are generated within a jurisdictional boundary, consumption-based inventories estimate the emissions based on the goods and services consumed within a place. This includes emissions from raw material extraction, manufacturing, distribution, retail, and disposal. Historically, local governments have only included emissions that occur within their boundaries, including emissions associated with goods that will eventually be exported. However, in communities like Marin County (as in many other communities in the United States) where goods are more often imported than exported, consumption emissions can be up to 800% higher than their sector-based emissions inventory. Consumption emissions are harder to track and have fewer defined pathways for policy intervention from local governments, so the City continues to follow ICLEI’s Community Protocol and focus on actionable programs and policies to address local emissions. This CAP, wherever possible, seeks to take into account the whole picture of

FIGURE 4: SECTOR-BASED VS. CONSUMPTION-BASED GHG EMISSIONS

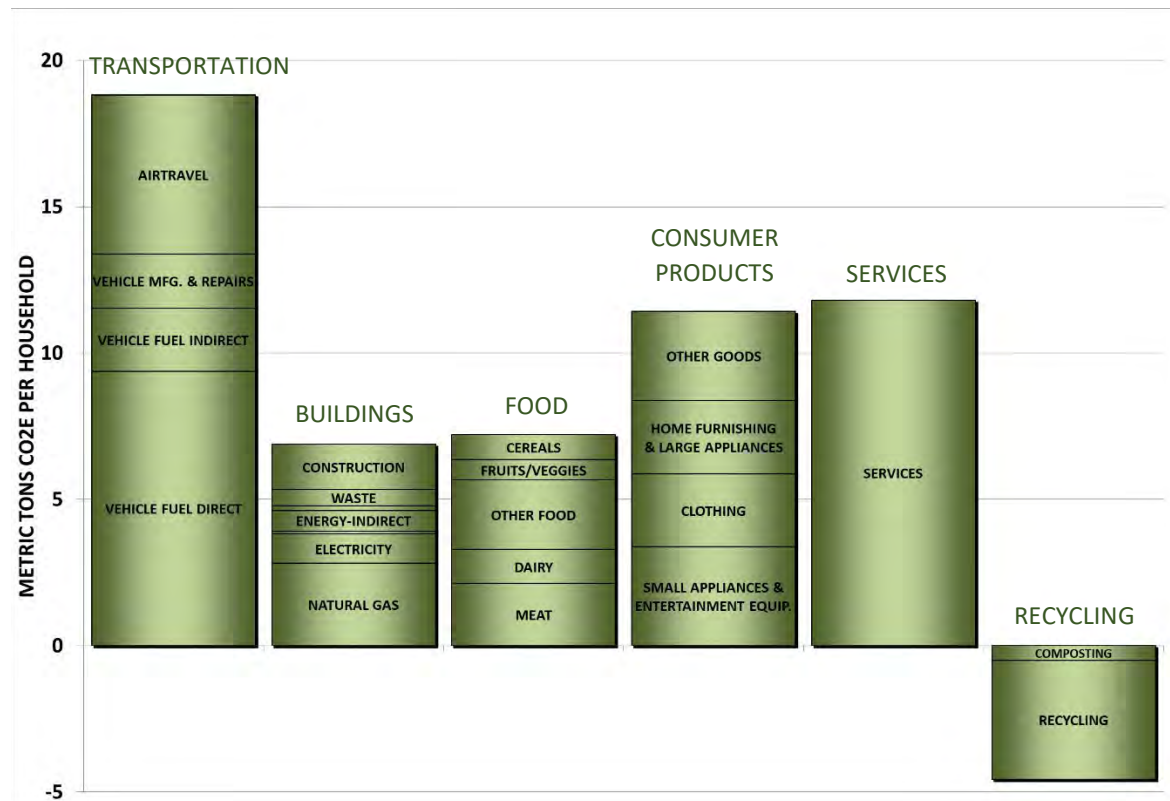


Source: C40 Cities, “Consumption-Based GHG Emissions of the C40 Cities”

local contributions to climate change and includes measures to address these emissions in the built environment.

In 2016, the Bay Area Air Quality Management District (BAAQMD) and U.C. Berkeley developed a [Consumption-Based Inventory](#) to better understand how purchasing habits contribute to global climate change. This consumption-based inventory includes emission sources that do not get counted in the typical “sector-based” GHG inventory, as well as other items that are difficult to quantify like airplane travel and upstream emissions from the production, transport and distribution of food and household goods. Figure 5 shows the results of the consumption-based inventory for Belvedere households. According to this inventory, the average Belvedere household generates 55.6 MTCO<sub>2</sub>e per year. As a comparison, the City’s community-wide emissions of 10,935 MTCO<sub>2</sub>e works out to about 11.9 MTCO<sub>2</sub>e per household.

**FIGURE 5: AVERAGE BELVEDERE HOUSEHOLD CARBON FOOTPRINT**



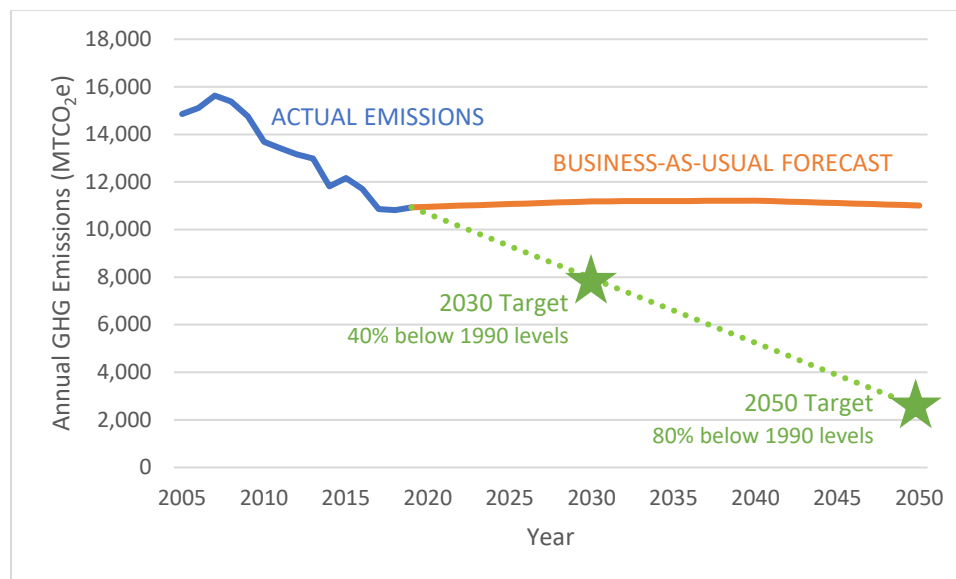
This graph shows the relative impact of all the sources of emissions that make up a household carbon footprint. *Source: CoolClimate Network*



## Emissions Forecast and Reduction Targets

The Climate Action Plan includes a “business-as-usual” (BAU) forecast in which emissions are projected in the absence of any policies or actions that would occur beyond the base year to reduce emissions. The forecasts are derived by “growing” (increasing) 2019 emissions using forecasted changes in population, number of households, and jobs according to projections developed by the Association of Bay Area Governments. Transportation emissions are projected utilizing data provided by the Metropolitan Transportation Commission, which incorporate the vehicle miles traveled (VMT) reductions expected from the implementation of Plan Bay Area 2040. Emissions are expected to rise about 2.3% by 2030 and 0.3% by 2040. Because ABAG and MTC have not developed projections for 2050, the rate of population growth forecasted by the California Department of Finance for Marin County was used to project population, household, jobs, and VMT for 2050. The Department of Finance projects that Marin’s population will decrease 3.8% between 2040 and 2050. As a result, emissions would be approximately 11,011 MTCO<sub>2e</sub> by 2050 under the BAU forecast, a decrease of 1.8% from 2019 levels. The Climate Action Plan establishes targets that meet the State’s goals to reduce emissions to 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. In Belvedere, that means emissions would need to drop to 7,576 MTCO<sub>2e</sub> by 2030 and 2,525 MTCO<sub>2e</sub> by 2050. The Plan lays out measures that will meet the 2030 target and put the City on a trajectory to meet the 2050 goal. The community emissions trend, forecast and targets are shown in Figure 6 below. While State actions will secure to meet a significant portion of reductions, continued reductions through community efforts are needed to meet these goals.

**FIGURE 6: EMISSIONS TREND, FORECAST AND TARGETS**

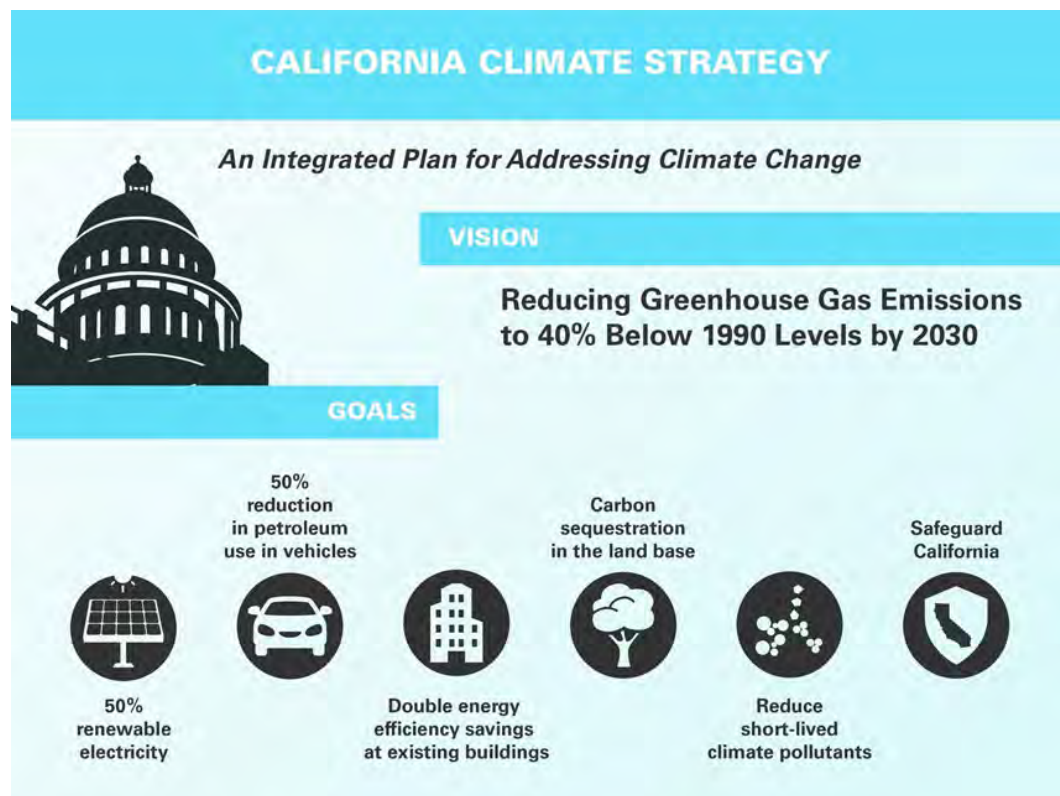


## State Pillars

Belvedere does not exist in a vacuum, and we are leveraging or trying to combat regional, state-wide, national, and even international actions and trends, we also have the ability and responsibility to collaborate with other efforts and campaigns. Belvedere is already working collaboratively with other local agencies (through MCEP) and building upon best practices learned from other similar communities in the region.

To meet greenhouse gas reduction and climate change goals, the State of California established the [Six Pillars](#) framework in 2015 when Governor Jerry Brown was inaugurated for his second term as governor. These include (1) reducing today's petroleum use in cars and trucks by up to 50%; (2) increasing from one-third to 50% our electricity derived from renewable sources; (3) doubling the energy efficiency savings achieved at existing buildings and making heating fuels cleaner; (4) reducing the release of methane, black carbon, and other short-lived climate pollutants; (5) managing farm and rangelands, forests and wetlands so they can store carbon; and (6) periodically updating the state's climate adaptation strategy. The measures contained in this Climate Change Action Plan are designed to support and implement the Six Pillars and the goals of [California's 2017 Climate Change Scoping Plan](#) on a local level.

FIGURE 7: CALIFORNIA'S 6 PILLARS CLIMATE STRATEGY

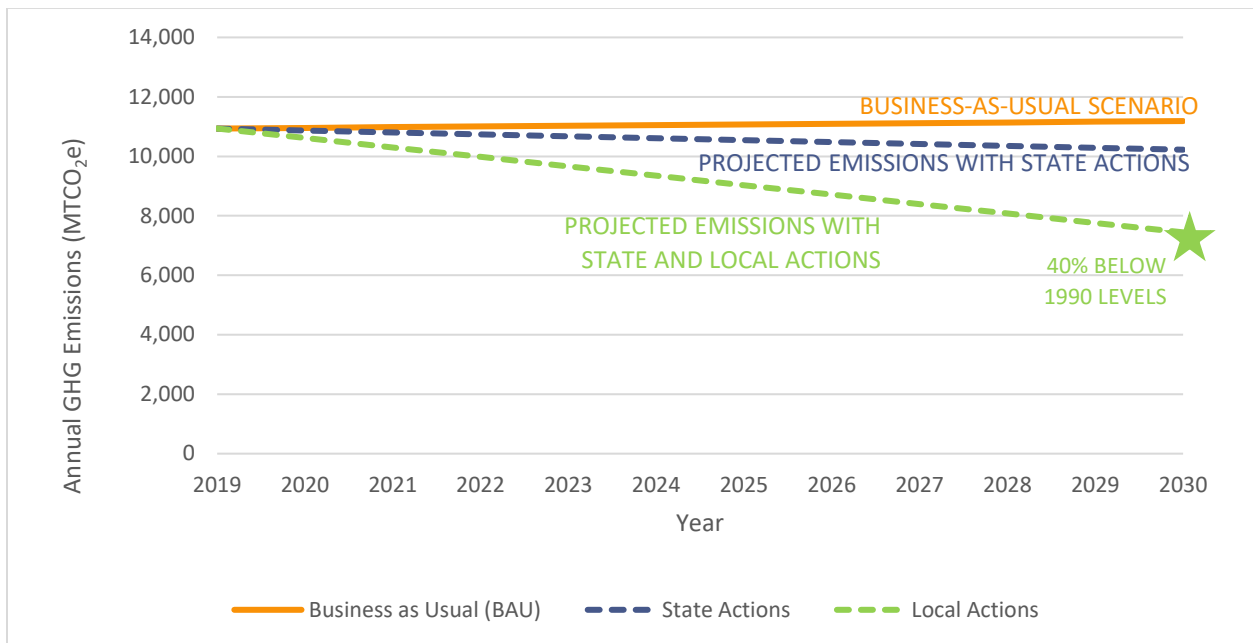


## Actions to Reduce Greenhouse Gas Emissions

The Climate Action Plan includes a variety of regulatory, incentive-based, and voluntary strategies that are expected to reduce emissions from both existing and new development in Belvedere. Several of the strategies build on existing programs while others provide new opportunities to address climate change. State actions will have a substantial impact on future emissions. Local strategies will supplement these State actions and achieve additional GHG emissions reductions. Successful implementation will rely largely on the combined participation of Belvedere residents, city staff, and community leaders.

The following sections identify the State and local strategies included in the Climate Action Plan to reduce emissions in community and government operations. Emissions reductions are estimated for each strategy; combined, they show that the City could reduce emissions 41% below 1990 levels by 2030, which is enough to meet the State goal. Community emissions are projected to be 7,444 MTCO<sub>2</sub>e in 2030 with all State and local actions implemented, while the reduction target is 7,576 MTCO<sub>2</sub>e. As shown in Figure 8, State actions represent about 26% of the reduction expected through implementation of the Climate Action Plan while local actions represent about 74%.

**FIGURE 8: CUMULATIVE IMPACT OF REDUCTION STRATEGIES**



## Summary of State Actions

The Climate Action Plan incorporates State reduction strategies that have been approved, programmed and/or adopted and will reduce local community emissions from 2019 levels. These programs require no local actions. As such, the State actions are first quantified and deducted from projected community

emissions to provide a better picture of what still needs to be reduced at the local level to get to the overall reduction targets. State actions and emissions reductions are shown in Table 3 and detailed in the appendix.

**TABLE 3: EMISSIONS REDUCTIONS FROM STATE ACTIONS**

State Action	Emissions Reductions by 2030 (MTO <sub>2e</sub> )
Light and Heavy-Duty Vehicle Regulations	699
Renewable Portfolio Standard	36
Title 24 Energy Efficiency Standards	228
Small Off-Road Equipment	58
<b>Total</b>	<b>963</b>

*Note: Numbers may not total due to rounding.*

## Summary of Local Strategies

The local mitigation measures presented in the following sections, and as summarized in Table 4 below, achieve greenhouse gas emissions reductions in the community of approximately and 18,770 MTCO<sub>2e</sub> by 2030.

**TABLE 4: LOCAL EMISSIONS REDUCTION STRATEGIES**

Strategy	GHG Reductions by 2030 (MTCO <sub>2e</sub> )	Percent of Reductions
Low Carbon Transportation	923	33%
Renewable Energy and Electrification	1,100	40%
Energy Efficiency	399	13%
Waste Reduction	359	13%
Water Conservation <sup>4</sup>	>1	0%
Sequestration and Adaptation	n/a	-
Community Engagement	n/a	-
Implementation and Monitoring	n/a	-
<b>Total</b>	<b>2,780</b>	<b>100%</b>

*Note: Percentages may not total 100% due to rounding.*

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<sup>4</sup> Actions that reduce emissions from energy used to heat water are reflected in the Renewable Energy and Electrification and Energy Efficiency sections. See the Water Conservation section beginning on page 34 for more information.

These local strategies will be detailed in the following sections. Together, the projected reductions from State and local actions total 3,743 MTCO<sub>2</sub>e by 2030. Community emissions are projected to be 7,444 MTCO<sub>2</sub>e in 2030 with the full implementation of the CCAP. This is 41% below estimated 1990 levels and meets the reduction target set by the State.

## Social Equity

Climate change and equity are interconnected. Often, the communities who have contributed the least to global warming, including low-income communities, communities of color, indigenous peoples, and developing nations, suffer first and most from climate change. The City acknowledges disadvantaged communities have existed and still exist in Marin County and seeks to design and implement solutions with them. This requires internal and external on-going work to normalize, organize, and internalize equity principles and approaches.

One definition of social equity is the “just and fair inclusion into a society in which all can participate, prosper, and reach their full potential.”<sup>5</sup> Equity is the means to ensure equality for all. An example of how that might work with climate action measures is with energy efficiency. Giving rebates to homeowners to swap out natural gas appliances helps reduce to GHG emissions by switching to low carbon electricity. But if financial incentives are only available to those with means to purchase new appliances it leaves out a section of the community without means. Programs that acknowledge this disparity might offer bigger discounts to low-income households. Additionally, the City acknowledges that appliance upgrades may not be a high priority for all residents. Part of the City’s on-going work is to build and nurture relationships with diverse community groups so that they can share what are their priorities and the City can attempt to integrate those priorities into its climate action efforts.

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<sup>5</sup> PolicyLink, “The Equity Manifesto.”

## SECTION 2: MEASURES

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### Local Measures to Reduce Greenhouse Gas Emissions

Each of the following sections provide a summary table of local measures and associated GHG reductions, followed by a description of the specific actions the City of Belvedere will undertake to implement each measure. The methodologies and implementation targets used to calculate emissions reductions are described in the appendix. Sometimes, there is no direct or reliable way to estimate GHG savings for a particular measure or the savings are embedded in another measure. In this case, the GHG reduction is identified as “not applicable” or “n/a.” For example: Community Engagement is essential for success in many of the measures set forth throughout the Plan but counting savings in this section would then be double-counting savings from other measures such as those in Low Carbon Transportation or Energy Efficiency. People need to know about a program to take advantage of it, but the actual emissions reductions will come from participating in the program itself. Therefore, the savings are counted for that program.



## LOW CARBON TRANSPORTATION

*33% of potential reductions*

Over 40% of Belvedere community emissions comes from transportation, and until the recent commercial success of electric vehicles, it has been hard to see how we were going to reduce transportation emissions. Improvements in fuel efficiency have driven emissions down – the passenger vehicle fleet in Marin County is about 14% more fuel-efficient than it was ten years ago. Miles traveled by passenger vehicle trips starting and/or ending in Belvedere have gone down 5% over the same period. Surveys show that “green” transportation rates have improved over the years, from about 33% to 40% of workers between 2010 and 2019, thanks in part to improvements in the bicycle and pedestrian network and public information campaigns to get people to carpool, bicycle, walk and take transit. But we will not reduce emissions significantly more at this rate.

All of that is now changing with the viability of zero emission vehicles (ZEVs), especially here in Belvedere where electricity is fairly clean and expected to get cleaner. ZEVs include all-battery as well as plug-in hybrid vehicles. Marin County is a leader in ZEV adoption rates – second only to Santa Clara County – and ZEVs already comprise about 4.7% of all registered light-duty vehicles in Marin and an estimated 8.3% in Belvedere. Our plan is to increase that rate to 35% by 2030 by building out the EV charging infrastructure and encouraging ZEV ownership through incentives, public education, and development requirements. This is an aggressive target, but one that complements the State’s goal to put 5 million ZEVs on the road by 2030. Improvements in battery and charging technology, expected cost reductions, and automakers’ commitments to significantly expand ZEV offerings point to an all-electric future.

That said, we cannot rely on ZEVs alone to meet our transportation reductions; reducing congestion, enhancing biking and walking opportunities, and incentivizing public transit carry co-benefits and can be enjoyed by all. To ensure Belvedere is a safe and walkable community for all ages, the City can prioritize sidewalk maintenance and mark crosswalks near bus stops and intersections.

The City will take the following actions to reduce emissions from transportation sources.

### Things You Can Do

- #1 Drive an all-electric or plug-in hybrid vehicle.
- #2 Bike, walk or take transit whenever possible.
- #3 Shut your car off when you are sitting idle.
- #4 Walk or bike to school.
- #5 Use electric tools, including leaf blowers and lawn mowers, wherever possible.

**TABLE 5: LOW CARBON TRANSPORTATION MEASURES**

ID	Measure	GHG Reduction by 2030 (MTCO <sub>2</sub> e)	Share of Reductions
LCT-1	Zero Emission Vehicles	837	91%
LCT-2	Bicycling and Micromobility	n/a	-
LCT-3	Walking	<1	<1%
LCT-4	Safe Routes to School	8	1%
LCT-5	Public Transit	3	0%
LCT-6	Employee Trip Reduction	30	3%
LCT-7	Vehicle Idling	n/a	-
LCT-8	Smart Growth Development	n/a*	-
LCT-9	Electric Landscape Equipment	8	1%
LCT-10	Zero and Low Emission City Vehicles	30	1%
LCT-11	Low Carbon Fuels for City Vehicles	3	<1%
LCT-12	City Employee Commute	4	<1%
<b>TOTAL</b>		<b>923</b>	<b>100%</b>

*\*Emissions reductions due to smart growth development are embedded in vehicle miles traveled projections utilized in the development of the emissions forecast. To avoid double-counting, they are not included here.*

**LCT-1: Zero Emission Vehicles**

Develop a Zero Emission Vehicle Plan that will result in at least 35% of passenger vehicles in Belvedere to be zero emission vehicles (ZEVs), including plug-in electric vehicles (EVs) and hydrogen fuel cell electric vehicles, by 2030. Incorporate the following actions in the plan as feasible:

- a. Work with MCE, PG&E and other entities to identify multifamily and workplace charging sites appropriate for available incentive programs.
- b. Participate in a countywide effort by MCE, PG&E, and others to provide rebates for new or used electric vehicles and/or charging stations.
- c. Pursue opportunities to expand the City’s EV charging network through innovative programs.
- d. Require new and remodeled commercial and multifamily projects to install a minimum number of electric vehicle chargers for use by employees and residents.
- e. Require new and remodeled single-family and multifamily projects to install electrical service, conduit and wiring for potential electric vehicle use, taking into consideration the cost to property owners.
- f. Participate in regional efforts and grant programs to encourage widespread availability of EV charging stations.
- g. Participate in programs to promote EV adoption, including media and outreach campaigns.
- h. Encourage or require, as practicable, ride hailing and delivery service companies to utilize zero emission vehicles.
- i. Promote adoption of electric bicycles, scooters, and motorcycles.



## **LCT-2: Bicycling and Micromobility**

- a. Encourage bicycling and micromobility as an alternative to vehicular travel for recreational and non-recreational travel. Promote safe bicycling, including e-bikes, through outreach channels and partner agencies.
- b. Establish and maintain a system of bicycle facilities that are consistent with the Transportation and Circulation Element of the City's General Plan and Complete Streets policies.
- c. Encourage the local police force to use e-bikes where and when appropriate.
- d. Implement the policies and programs of the Transportation and Circulation Element of the City's General Plan that support and expand bicycling and micromobility.
- e. Update the Capital Improvement Program to maintain and improve the system of multiuse pathways and bicycling facilities that are consistent with the Transportation and Circulation Element of the City's General Plan.
- f. Support regional efforts to establish a bike and/or scooter share program.
- g. Create walking paths where feasible that are directed at destination points.

### **Micromobility**

Micromobility refers to forms of transportation, human-powered or electric, that can occupy space alongside bicycles. It includes electric scooters and skateboards, docked and dockless shared bikes, and other forms of small, lightweight devices operating at speeds typically below 20 mph. Micromobility devices do not have an internal combustion engine.

## **LCT-3: Walking**

Encourage walking as an alternative to vehicular travel through outreach channels and partner agencies.

- a. Establish and maintain a system of pedestrian facilities that are consistent with the Transportation and Circulation Element of the City's General Plan and Complete Streets policies to facilitate pedestrian access throughout the City and particularly to and from transportation facilities.
- b. Update and implement the Capital Improvement Program as necessary to construct and maintain this pedestrian system.
- c. Encourage pedestrian activity and reduction in auto use by further improving the public steps and lanes for safe pedestrian use. Protect and, when possible, expand the locations of lanes.

## **LCT-4: Safe Routes to School**

Continue to support the Safe Routes to School Program and strive to increase bicycling, walking, carpooling, and taking public transit to school.

- a. Work with school districts, the Transportation Authority of Marin (TAM) and other organizations to promote school and student participation.
- b. Identify issues associated with unsafe bicycle and pedestrian facilities between neighborhoods and schools, apply for Safe Routes to School grants, and execute plans to improve pedestrian and bicycle facilities.

- c. Encourage residents to participate in the “Yellow School Bus” program and student use of regular transit to reduce school traffic.

#### **LCT-5: Public Transit**

Support and promote public transit by taking the following actions:

- a. Work with Marin Transit and Golden Gate Transit to maximize ridership through expansion and/or improvement of transit routes, schedules, and bus shelters.
- b. Work with TAM, employers, and others to provide first and last mile programs to maximize utilization of public transit.
- c. Provide safe routes to the ferry landing and other transit facilities that encourage bicycle and pedestrian connections.
- d. Encourage transit providers, including school buses, to use renewable diesel as a transition fuel and to purchase electric buses whenever replacing existing buses.

#### **LCT-6: Employee and Construction Trip Reduction**

Reduce vehicle miles traveled commuting to work through the following actions:

- a. Work with the Transportation Authority of Marin (TAM), the Metropolitan Transportation Commission (MTC), and the Bay Area Air Quality Management District (BAAQMD) to promote transportation demand programs to local employers, including rideshare matching programs, vanpool incentive programs, emergency ride home programs, telecommuting, transit use discounts and subsidies, showers and changing facilities, bicycle racks and lockers, and other incentives to use transportation other than single occupant vehicles.
- b. Work with MTC to identify and notify non-compliant businesses in Belvedere and encourage their participation in providing transportation demand management programs.
- c. Work with TAM on developing a countywide Transportation Demand Management Program to encourage trip reduction throughout County.
- d. Encourage large construction projects to provide off-site parking and vanpool incentives as part of the building process to reduce congestion on roadways.

#### **LCT-8: Vehicle Idling**

- a. Encourage drivers and autonomous vehicles to limit vehicle idling through public outreach and engagement campaigns.
- b. Investigate adopting policies for public employees to minimize idling.

#### **LCT-9: Smart Growth Development**

Promote land use and development policies that prioritize infill housing and mixed-use development near commercial services and transit facilities, as opposed to development in peripheral areas that require use of vehicles to access transit and services.

**LCT-10: Electric Landscape Equipment.** Encourage the use of electric landscape equipment instead of gasoline-powered equipment through engagement campaigns and strict enforcement of local ordinances. Advocate for a countywide ban on gas-powered equipment.

**LCT-11: Zero and Low Emission City Vehicles**

Purchase or lease zero-emission vehicles for the City fleet whenever feasible, and when not, the most fuel-efficient models available. Promote City adoption and procurement of zero-emission vehicles and electric vehicles charging infrastructure.

**LCT-12: Low Carbon Fuels for City Vehicles**

Use low-carbon fuel such as renewable diesel as a transition fuel in the City's fleet and encourage the City's service providers and joint powers agencies to do the same, until vehicles are replaced with zero-emissions vehicles.

**LCT-13: City Employee Commute**

Continue to provide City employees with incentives and/or reduce barriers to use alternatives to single occupant auto commuting, such as transit use discounts and subsidies, bicycle facilities, showers and changing facilities, ridesharing services, vanpools, emergency ride home service, flexible schedules, and remote working when practicable.



## RENEWABLE ENERGY AND ELECTRIFICATION

*40% of potential reductions*

Energy that comes from renewable sources, including solar, wind, geothermal, and small hydroelectric, are the cleanest and most-environmentally friendly energy sources. Here in Belvedere, where there is an abundance of sunny days, solar energy is a particularly good energy source. According to [Project Sunroof](#), 82% of Belvedere buildings have roofs that are solar-viable<sup>6</sup>. These 800 roofs could generate over 14 million kWh per year, which is more than the total electricity usage in Belvedere in 2019. Our Climate Action Plan projects that we can get about 24% of our electricity from locally produced solar energy systems by 2030, up from about 7% currently, just by maintaining the current growth rate.

When transitioning to solar or when solar is not an option due to a shady roof or a reluctant landlord, residents and business owners can purchase 100% renewable electricity from MCE Clean Energy and PG&E. MCE and PG&E electricity have a high percentage of renewable and GHG-free content, which means it is some of the cleanest electricity in the country. MCE's goal is to provide a minimum 95% GHG-free electricity to all its customers by 2022. Considering that MCE currently carries about two-thirds of the total electricity load in Belvedere, that action will significantly reduce emissions.

Since Marin's electricity is very clean, and getting cleaner, swapping out appliances and heating and cooling systems that use natural gas for ones that use electricity is ultimately cleaner than relying on natural gas. Rebates are currently available from [Electrify Marin](#) and [BayREN and TECH Clean California](#). If you are constructing a new home or building, consider going all-electric. Battery prices are falling, and will soon be a cost-effective option, too. Eventually, we will need to replace the majority of natural gas appliances and equipment if we are going to hit our long-term goals. Utilities will need to expand grid capacity, develop electricity storage, and ensure system reliability. Fortunately, ongoing research and development of energy storage

### Things You Can Do

#1 Switch to MCE Deep Green or PG&E Solar Choice 100% renewable electricity option.

#2 Install a solar energy system on your home or business and consider battery storage.

#3 Replace appliances that use natural gas for ones that use electricity.

#4 Investigate heat pump technology so you can swap out hot water and space heaters that use natural gas when it is time to replace them.

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<sup>6</sup> Project Sunroof data explorer (January 2022). Technical potential is based on electricity generation by the rooftop area suitable for solar panels assuming economics and grid integration are not a constraint. Every included panel receives at least 75% of the maximum annual sun in the county. Every included roof has a total potential installation size of at least 2kW. Only areas of the roof with enough space to install four adjacent solar panels are included.

systems are creating new business opportunities and making an all-electric, 100% renewable future possible.

The City will take the following actions to reduce emissions from energy use.

**TABLE 6: RENEWABLE ENERGY AND ELECTRIFICATION MEASURES**

ID	Measure	GHG Reduction by 2030 (MTCO <sub>2</sub> e)	Share of Reductions
RE-1	Renewable Energy Generation and Storage	157	14%
RE-2	MCE Electricity	374	34%
RE-3	Building and Appliance Electrification	568	52%
RE-4	Innovative Technologies	n/a	n/a
RE-5	Solar Energy Systems for Municipal Buildings	n/a	n/a
RE-6	Deep Green Electricity	n/a	n/a
<b>TOTAL</b>		<b>1,100</b>	<b>100%</b>

*Note: There are no GHG savings attributed to measures RE-5 and RE-6 because the City was purchasing 100% renewable electricity in 2019.*

**RE-1: Renewable Energy Generation and Storage**

Accelerate installation of residential and commercial solar and energy storage systems.

- a. Provide permit streamlining and reduce or eliminate fees, as feasible.
- b. Update building codes, development codes, design guidelines, and zoning ordinances, as necessary, to further facilitate small, medium, and large-scale installations, where appropriate.
- c. Encourage installation of solar panels over parking areas on commercial projects and large-scale residential developments through ordinance, engagement campaigns, or agency incentives.
- d. Identify and promote financing and loan programs for residential and non-residential projects.
- e. Encourage battery storage in conjunction with renewable energy generation projects through engagement campaigns and partner agency incentives.

**RE-2: GHG-Free Electricity**

Encourage residents and businesses to switch to 100 percent renewable electricity (MCE Deep Green, MCE Local Sol, and PG&E Solar Choice) through engagement campaigns and partner agency incentives and work with MCE Clean Energy to assure that it reaches its goal to provide electricity that is 95 percent GHG-free by 2022.

**RE-3: Building and Appliance Electrification**

Accelerate electrification of building systems and appliances that currently use natural gas, including heating systems, hot water heaters, stoves, and clothes dryers.

- a. Promote available rebate programs such as Electrify Marin, BayRen, and TECH Clean California.
- b. Consider adopting an ordinance that requires homeowners to replace natural gas appliances, such as water heaters, stoves, cooktops, clothes dryers, and heating systems with high-efficiency electric appliances and heat pumps at time of replacement, where feasible.
- c. Prohibit the use of natural gas end uses in new residential, multifamily, and buildings in the City's green building ordinance that aligns with the 2022 California Building Standards code update. Extend the same prohibition to new nonresidential buildings in the 2025 code cycle, if not sooner.

**RE-4: Innovative Technologies**

Investigate and pursue innovative technologies such as micro-grids, battery storage, and demand-response programs that will improve the electric grid's resiliency and help to balance demand and renewable energy production.

**RE-5: Solar Energy Systems for Municipal Buildings**

Install solar energy systems at municipal buildings and facilities where feasible and investigate and pursue innovative technologies such as battery storage and demand response programs.

**RE-6: Municipal Deep Green Electricity**

Continue to purchase 100% renewable energy through programs such as MCE Deep Green.



## ENERGY EFFICIENCY

*14% of potential reductions*

Increasing the efficiency of buildings is often the most cost-effective approach for reducing greenhouse gas emissions. Energy efficiency upgrades, such as adding insulation and sealing heating ducts, have demonstrated energy savings of up to 20 percent, while more aggressive “whole house” retrofits can result in even greater energy savings. Many “low-hanging fruit” improvements can be made inexpensively and without remodeling yet can be extremely cost-efficient, such as swapping out incandescent bulbs to LED bulbs, sealing air leaks, and installing a programmable thermostat. Energy Star-certified appliances and office equipment, high-efficiency heating and air conditioning systems, and high-efficiency windows not only save energy but reduce operating costs in the long run.

New construction techniques and building materials, known collectively as “green building,” can significantly reduce the use of resources and energy in homes and commercial buildings. Green construction methods can be integrated into buildings at any stage, from design and construction to renovation and deconstruction. The State of California requires green building energy-efficiency through the Title 24 Building codes. The State updates these codes approximately every three years, with increasing energy efficiency requirements since 2001. The State’s energy efficiency goals are to have all new residential and commercial construction to be zero net energy by 2030. Local governments can accelerate this target by adopting energy efficiency standards for new construction and remodels that exceed existing State mandates, or by providing incentives, technical assistance, and streamlined permit processes to enable quicker adoption.

The City will take the following actions to reduce emissions in the built environment.

### Things You Can Do

#1 Replace indoor and outdoor lights with LED bulbs and turn them off when not in use.

#2 Have an energy assessment done for your home or business.

#3 Upgrade insulation, seal leaks, and install a programmable thermostat.

#4 Purchase Energy Star appliances and equipment.

#5 Unplug electronic appliances when not in use and set the thermostat to use less heat and air conditioning.

**TABLE 7: ENERGY EFFICIENCY MEASURES**

ID	Measure	GHG Reduction by 2030 (MTCO <sub>2</sub> e)	Share of Reductions
EE-1	Energy Efficiency Programs	382	96%
EE-2	Energy Audits	16	4%
EE-3	Green Building Reach Code	n/a	n/a
EE-4	Streamline Permit Process and Provide Technical Assistance	n/a	n/a
EE-5	Municipal Energy Efficiency Audit and Retrofits	n/a	n/a
EE-6	Municipal Energy Conservation	0.03	<1%
<b>TOTAL</b>		<b>399</b>	<b>100%</b>

*Notes: Emissions reductions from a Green Building Reach Code are included in Measure RE-C3.*

*There are no GHG savings attributed to measures EE-5 and EE-6 reducing electricity consumption because the City was purchasing 100% renewable electricity in 2019.*

**EE-1: Energy Efficiency Programs**

Promote and expand participation in residential and commercial energy efficiency programs.

- a. Work with organizations and agencies such as the Marin Energy Watch Partnership, the Bay Area Regional Network, Resilient Neighborhoods, and the Marin Climate & Energy Partnership to promote and implement energy efficiency programs and actions.
- b. Continue and expand participation in energy efficiency programs such as Energy Upgrade California, California Energy Youth Services, and Smart Lights.
- c. Promote utility, state, and federal rebate and incentive programs.
- d. Participate and promote financing and loan programs for residential and non-residential projects such as Property Assessed Clean Energy (PACE) programs, PG&E on-bill repayment, and California Hub for Energy Efficiency Financing (CHEEF) programs.

**EE-2: Energy Audits**

Investigate requiring energy audits for residential and commercial buildings prior to completion of sale, including identification of cost savings from energy efficiency measures and potential rebates and financing options.

**EE-3: Green Building Reach Code**

- a. Adopt green building requirements for new and remodeled commercial and residential projects above the State building code.
- b. Consider adopting low embodied-carbon concrete standards similar to those adopted by the County of Marin.

**EE-4: Streamline Permit Process and Provide Technical Assistance**

Analyze current green building permit and inspection process to eliminate barriers and provide technical assistance to ensure successful implementation of green building requirements. Coordinate with other



Marin County agencies to adopt consistent application requirements, where practicable. Work county-wide to identify incentives and make it easier for contractors and building counter staff to expedite.

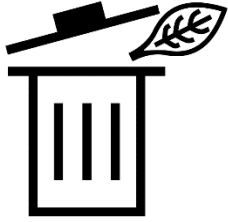
**EE-5: Municipal Energy Efficiency Audit and Retrofits**

Work with the Marin Energy Management Team to identify and implement energy efficiency projects in municipal buildings and facilities and electrification of existing building systems and equipment that use natural gas.

**EE-6: Municipal Energy Conservation**

Reduce energy consumption through behavioral and operational changes.

- a. Establish energy efficiency protocols for building custodial and cleaning services and other employees, including efficient use of facilities, such as turning off lights and computers, thermostat use, etc.
- b. Incorporate energy management software, electricity monitors, or other methods to monitor energy use in municipal buildings, where feasible.



## WASTE REDUCTION

*13% of potential reductions*

The things we buy, consume, and throw away generate a lot of greenhouse gas emissions during manufacturing, transport, distribution, and disposal. The best way to reduce emissions is to purchase and consume less in the first place and attempt to gift or donate items to someone who can reuse whatever you no longer need before considering recycling or disposal.

Due to the way we account for community emissions, our Climate Change Action Plan does not take credit for reducing upstream emissions. Instead, our GHG accounting is directly concerned with emissions that are created from the anaerobic decomposition of organic waste in the landfill. The decomposition process creates methane, which is 28 times more potent as a greenhouse gas than carbon dioxide.<sup>7</sup> Some landfills such as Redwood Landfill capture the methane use it to create biogas or electricity. However, about one-quarter of it escapes into the atmosphere.

Diverting organic material from the landfill is a clear and viable option for reducing these emissions. Paper and cardboard can be recycled. Food scraps, some paper (like napkins, paper towels, and greasy pizza boxes), and yard waste can be composted, either at home or by putting it in the green bin, which is then taken to a composting facility. Surplus food can be donated to non-profits that distribute it to those in need.

The measures below are designed to maximize diversion of organic waste from the landfill by 2025 and further conform with the letter and intent of SB 1383 discussed below. Such measures include encouraging residents and businesses to recycle and compost organic waste. To meet our diversion target, the City will favor trash collection practices that make recycling and composting cost-effective and efficient. The City will also work

### Things You Can Do

- #1 Buy only as much as you need.
- #2 Buy locally grown food and eat less meat.
- #3 Put your food scraps in the green can and/or compost them at home.
- #4 Donate extra food and used clothing and housewares.
- #5 Consult the waste hauler's website to understand what to recycle and compost.
- #6 Conserve paper by implementing digital practices at home such as paperless billing, online banking, an online document storage and remove yourself from junk mailing lists.
- #7 Use refillable water bottles and coffee cups and take your reusable bags to the store.
- #8 Avoid single-use plastics, utensil, and straws and products that contain bioplastics.
- #9 Dispose of electronics at locations where they can be refurbished.

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<sup>7</sup> Environmental Protection Agency, <https://www.epa.gov/lmop/basic-information-about-landfill-gas>, accessed January 13, 2022.

with the local waste hauler to develop programs that incentivize residents and businesses about these practices.

These local measures also support state legislation to significantly reduce emissions from organic waste disposal. [Senate Bill \(SB\) 1383](#) establishes targets to achieve a 50% reduction statewide in organic waste disposal from the 2014 level by 2020 and a 75% reduction by 2025. The law also establishes a target for at least 20% of currently disposed edible food to be recovered for human consumption by 2025. In 2022, CalRecycle may begin to issue penalties for non-compliance. On January 1, 2024, the regulations may require local jurisdictions to impose penalties for non-compliance on regulated entities subject to their authority.

In addition, [Assembly Bill \(AB\) 1826](#) requires businesses to recycle their organic waste, depending on the amount of waste they generate per week. The law phases in mandatory recycling of commercial organics over time. As of January 2019, businesses that generate 4 or more cubic yards of commercial solid waste per week are required to arrange for organic waste recycling services. In 2020, the law was extended to cover businesses that generate 2 cubic yards or more of commercial solid waste.<sup>8</sup>

Belvedere supports the Waste Hierarchy, as set of practices that should be the basis of all waste management. Waste prevention through buying less is the most preferred method waste management and offers the greatest environmental benefits. This is followed by the reuse of products, which prolongs the life of the materials; donations are a great way to reuse products. Recycling and composting are next in the hierarchy as their processes turn waste material into new products, thereby conserving virgin resources. Safe disposal should be the last choice as it is typically landfilled or incinerate, releasing greenhouse gasses and harmful pollutants into the atmosphere.<sup>9</sup>

**FIGURE 8 : THE WASTE HEIRARCHY**



<sup>8</sup> CalRecycle, <https://www.calrecycle.ca.gov/recycle/commercial/organics>, accessed January 13, 2022.

<sup>9</sup> Environmental Protection Agency, <https://www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy>, accessed January 13, 2022.

Plastics are one of the materials that can often be recycled, but single use plastics such as such as straws and cutlery, end up in the landfill because their small size allows them to fall through the machinery openings. Many products are labeled as compostable, but also end up in the landfill because their materials contain bioplastics. Plastics are harmful to our marine life, fish, and birds, and they release greenhouse gas emissions during their manufacturing process. Belvedere supports Marin County’s proposed Reusable Foodware Ordinance for the local food service industry that prioritizes the use of reusables, prohibits the use of single use plastics, and encourages residents not to purchase single use plastics or products made with bioplastics.<sup>10</sup>

The City will take the following actions to reduce emissions from waste.

**TABLE 8: WASTE REDUCTION MEASURES**

ID	Measure	GHG Reduction by 2030 (MTCO <sub>2e</sub> )	Share of Reductions
WR-1	Commercial Organic Waste	345	96%
WR-2	Residential Organic Waste		
WR-3	C&D Debris and Self-Haul Waste		
WR-5	Waste Hauler Agreement		
WR-6	Extended Producer Responsibility	n/a	n/a
WR-7	Inorganic Waste	n/a	n/a
WR-8	Waste from Public Containers and City Operations	14	4%
<b>TOTAL</b>		<b>359</b>	<b>100%</b>

**WR-1: Commercial Organic Waste**

Work with Zero Waste Marin, the local waste hauler, and non-profits such as Extra Food to divert commercial organic waste from the landfill through recycling, composting, and participation in waste-to-energy and food recovery programs.

- a. In compliance with SB 1383, adopt an ordinance requiring mandatory subscription to organics collection provided by the local waste hauler for all business, including multifamily residential dwellings, that produce 2 cubic yards or more of organic waste.
- b. Conduct outreach and education to businesses and private social clubs subject to State organic waste recycling mandates (AB 1826 and SB 1383) and encourage and enforce compliance with the law.
- c. Refer new and major remodel commercial and multi-family residential project proposals to the City's waste hauler for review and comment and require projects to provide adequate waste and recycling facilities and access as feasible.

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<sup>10</sup> County of Marin, <https://www.marincounty.org/depts/cd/divisions/environmental-health-services/reusable-foodware-ordinanc>, accessed January 13, 2022.

- d. Encourage and facilitate commercial and multi-family property owners to require responsible use of on-site recycling facilities in lease and rental agreements and to train and regularly evaluate janitorial, landscape, and other property management services.
- e. Assess capacity of existing food recovery programs, expand existing food recovery infrastructure if needed, monitor commercial generators for compliance, and conduct education and outreach.

**WR-2: Residential Organic Waste**

- a. Work with Zero Waste Marin, the local waste hauler, and other organizations to provide free educational resources that motivate residents to utilize curbside collection services (green bins) and home composting for food waste.

**WR-3: Construction & Demolition Debris and Self-Haul Waste**

- a. Require all loads of construction & demolition debris and self-haul waste to be processed for recovery of materials as feasible.
- b. Investigate creation of an ordinance requiring deconstruction of buildings proposed for demolition or remodeling to salvage materials of significant historical, cultural, aesthetic, functional or reuse value.
- c. Wherever feasible, keep soil on site and discourage “cut and fill.”

**WR-4: Waste Hauler Services**

- a. Review and revise the City’s franchise agreement with the waste hauler to ensure waste reduction and diversion targets are met.
- b. Ensure organic waste collection service (including green waste, food waste, fibers, and manure) that complies with SB 1383 regulations is provided to all residents and businesses.
- c. Conduct a feasibility study and encourage the waste hauler to consider investing in new solid waste processing infrastructure to remove recoverable materials (recycling and organics) from the waste stream and reduce contamination.
- d. Require regular residential and commercial waste audits and waste characterization studies to identify opportunities for increased diversion and to track progress in meeting targets.
- e. Embark on an education and social marketing campaign to increase waste reduction, reuse, recycling, and composting by residents and businesses.

**WR-5: Extended Producer Responsibility**

- a. Encourage the State to regulate the production and packaging of consumer goods and take-back programs.
- b. Encourage on-demand product and food delivery services to reduce packaging waste and investigate requirements and incentives for the same through ordinance and/or engagement campaigns.

**WR-6: Inorganic Waste**

- a. Promote reuse, repair, and recycling of inorganic materials, and encourage reduced use of packaging and single use items, including plastics and products with bioplastics, through engagement campaigns.
- b. Establish best practices to dispose of paint, electronics, and other hazardous waste materials in a socially responsible manner.
- c. Consider adopting a Reusable Foodware Ordinance for local businesses.

**WR-7: Waste from Public Containers and City Operations**

- a. Embark on an educational and social marketing-based campaign to increase waste reduction, reuse, recycling, and composting within municipal operations at public facilities.
- b. Conduct periodic waste audits of City facilities to understand where opportunities for increased diversion lie and to track progress.
- c. Provide attractively designed containers in public areas for food waste collection.



## WATER CONSERVATION

*<1% of potential reductions*

Belvedere is no stranger to periodic droughts and the need to conserve water, and the community has responded by reducing per capita water use by about 25%, from 142 gallons per person per day (gpcd) in 2005 to 107 gpcd in 2019 (based on district-wide data). In addition to installing low-flow fixtures (showerheads, faucets, and toilets) and water-efficient appliances (clothes washers and dishwashers), residents and businesses are planting native, drought-tolerant species and even replacing lawns with attractive, low-water use gardens. Good thing, because as temperatures continue to rise, we will experience more droughts and more intense heat waves than before.

Our Greenhouse Gas Inventory counts emissions that are generated from the energy used to pump, treat, and convey water from the water source to Belvedere water users. Far more emissions are created from the energy that is used to heat water, but those emissions are counted in the Built Environment sectors. Therefore, the water sector comprises a much smaller share of community emissions than one might expect.

The water agencies that supply Belvedere's water are committed to using 100% renewable energy in their operations. Marin Municipal Water District (MMWD) began purchasing Deep Green electricity from MCE in 2017, and Sonoma County Water Agency, which provides 20-25% of MMWD's water, started purchasing 100% renewable electricity in 2015. As a result, emissions from the water sector are very small.

It is important to remember, however, that energy used to heat water contributes significantly to a household's carbon footprint, especially if the hot water heater uses natural gas. A hot water heater using natural gas generates approximately 1.5 MTCO<sub>2</sub>e per year, or about one-quarter of the average household's energy emissions in Belvedere. Switching to an electric heat pump water heater can reduce emissions from heating water up to 90%.

In addition, water conservation reduces the amount of wastewater and the greenhouse gas emissions that are created from the wastewater treatment process.

The City will take the following actions to reduce emissions from water use.

### Things You Can Do

- #1 Replace your lawn with a drought-tolerant garden.
- #2 Install a drip irrigation system and check it regularly for leaks.
- #3 Install low water flow faucets, showerheads, and toilets.
- #4 Buy water-efficient dishwashers and clothes washers when it is time to replace them.
- #5 Replace your natural gas hot water heater with an electric heat pump water heater.

**TABLE 9: WATER CONSERVATION MEASURES**

ID	Measure	GHG Reduction by 2030 (MTCO <sub>2</sub> e)	Share of Reductions
WC-1	Community Water Use	0.3	100%
WC-2	Municipal Water Use	Included in WC-1	

**WC-C1: Community Water Use**

Reduce indoor and outdoor water use in residential and commercial buildings and landscaping.

- a. Work with Marin Municipal Water District (MMWD) and other organizations to promote water conservation programs and incentives.
- b. Educate residents and businesses about local and State laws requiring retrofit of non-compliant plumbing fixtures during remodeling and at resale.
- c. Ensure all projects requiring building permits, plan check, or design review use water-efficient landscaping in compliance with State and MMWD regulations.
- d. Encourage the installation of greywater and rainwater collection systems and the use of recycled water where available through ordinance or engagement campaigns.

**WC-2: Municipal Water Use**

Reduce indoor and outdoor water use in municipal facilities and operations.

- a. Replace high water use plants and inefficient irrigation systems with water-efficient landscaping.
- b. Replace inefficient plumbing fixtures with high-efficiency fixtures.
- c. Use recycled water as available and practicable for parks and outdoor landscaping.





## SEQUESTRATION AND ADAPTATION

California is already experiencing the effects of climate change. Every year, it seems like the news gets grimmer: more wildfires, more heat waves, longer droughts, more intense storms, less snowpack, and less fresh water. Annual average air temperatures have already increased by about 1.8 °F in California, and that number will likely double even if the world can reduce emissions 80% by 2050. Belvedere needs to be prepared for the likely impacts of climate change, including flooding from more intense storms and sea level rise, health impacts from heat exposure and poor air quality, and safety risks from the increased likelihood of wildfires and landslides.

Sea level rise is a particular concern to Belvedere, where many homes, businesses, and industrial and recreational facilities are at risk for flooding. Sea level has already risen 8” in San Francisco Bay and is expected to rise another 10 inches by 2040. Within this short period, homes in the flat areas and around the lagoon could be flooded if levees are overtopped and would be vulnerable to worsening subsidence. Shoreline homes West Shore and Beach Roads would be vulnerable, especially during storms.

By the end of the century, sea level is projected to rise 2.4 to 3.4 feet, and possibly as much as 5 feet. At the higher end, 470 buildings, or 27% of all Belvedere’s buildings, could face some level of tidal flooding. A comprehensive assessment of Belvedere’s vulnerable assets was completed in 2017. For more information, see the [Marin Shoreline Sea Level Rise Assessment](#). While the Climate Action Plan contains some measures that address adaptation, a more complete set of goals, policies and programs are contained in the 2018 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan.

In addition to adaptation strategies, this section contains measures to sequester carbon dioxide through planting and preservation of trees and other vegetation and the development of carbon-rich soils. Carbon offsets are often used to fund these types of carbon sequestration projects and can be purchased to offset emissions that are difficult to otherwise mitigate, such as airplane flights. We have not credited emission reductions for these actions because we do not count sequestered carbon in the community greenhouse gas inventory, but we recognize that sequestration is a critical component to meeting our carbon reduction goals.

The City will take the following actions to sequester carbon dioxide and adapt to climate change.

### What You Can Do

#1 Plant trees appropriate to your situation.

#2 Add compost to your soil.

#3 Purchase carbon offsets for airplane flights and other emissions that are difficult to mitigate.

#4 Find out if your home or business is vulnerable to sea level rise at [Our Coast Our Future](#).

**TABLE 10: SEQUESTRATION AND ADAPTATION MEASURES TO REDUCE COMMUNITY EMISSIONS**

ID	Measure
SA-1	Urban Forest
SA-2	Carbon Sequestration
SA-3	Carbon Offsets
SA-4	Climate Change and Sea Level Rise Adaptation

**SA-1: Urban Forest**

Increase carbon sequestration and improve air quality and natural cooling through increasing tree cover in Belvedere. Preserving Belvedere’s vegetation is an essential adaptation to climate change, even as we balance these assets against the desire to protect view corridors, both public and private, which are important characteristics of the aesthetic life in Belvedere.

- a. Plant additional trees on City-owned land, including public parks and open space, where feasible.
- b. Review parking lot landscape standards to maximize tree cover, size, growth, and sequestration potential.
- c. Continue to regulate and minimize removal of large (heritage) trees and require planting of replacement trees and/or fees to support mitigation planting in Belvedere parks and open space areas.
- d. Require that the site planning, construction, and maintenance of new development preserve existing healthy trees and native vegetation on site to the maximum extent feasible. Replace trees and vegetation not able to be saved per subsection (c) above.
- e. Encourage community members to plant trees on private land.
- f. Permit reasonable maintenance of bees on private land.
- g. Require permeable pavement to capture surface run-off to support landscaping in all parks, open space, and common areas.
- h. Provide information to the public, including landscape companies, gardeners, and nurseries, on carbon sequestration rates, drought tolerance, and fire resistance of different tree species.
- i. Collaborate with fire agencies and Marin County Open Space District, Marin Municipal Water District, and private property owners, to manage fire-prone trees and invasive species in the open space for forest health and reduction of fuel load.
- j. Require new development, redevelopment, and infrastructure projects to implement best management practices, e.g., promoting low-impact construction and development techniques, avoiding non-pervious surfaces in landscape design, and integrating natural features into the project design, to naturally filter and biodegrade contaminants and to minimize surface runoff.
- k. Remove redwood trees from the City’s list of undesirable trees due to their extremely high sequestration rate.

**SA-2: Carbon Sequestration**

Increase carbon sequestration in the built environment, developed landscapes, and natural areas.

- a. Where appropriate, encourage the use of building materials that store carbon through agency partnerships and engagement campaigns.
- b. Encourage and support composting to develop healthy, carbon-rich soils.
- c. Manage parks and open spaces to steadily increase carbon in vegetation and soil.

**SA-3: Carbon Offsets**

Reduce the impact of greenhouse gas emissions through the purchase of carbon offsets.

- a. Encourage community members to purchase carbon offsets to reduce their carbon footprint through engagement campaigns.
- b. Consider partnering with a local non-profit organization to promote an effective carbon offset program.
- c. Educate community members as to means for offsetting emissions that are difficult to mitigate otherwise, such as airplane travel.

**SA-4: Climate Change and Sea Level Rise Adaptation**

Prepare for and adapt to a rising sea level.

- a. Support and integrate Climate Action Planning and implementation with the ongoing adaptation efforts of BayWAVE.
- b. Coordinate and integrate climate adaptation planning consistently throughout related City plans, including but not limited to the General Plan and its Safety Element, Local Hazard Mitigation Plan (LHMP), sea level rise adaptation plans, Community Wildfire Protection Plan, and emergency and capital improvement plans.
- c. Promote fair and robust inclusion of lower-income households, regardless of home ownership, in the planning and response to climate change impacts, including sea level rise, flood risk, fire, public health, and emergency preparedness.
- d. Collaborate with Marin cities and towns, the County of Marin, special districts, JPAs, and regional bodies to coordinate and integrate planning.



## COMMUNITY ENGAGEMENT

The Climate Action Plan contains actions that the City can undertake to reduce its own emissions by about 51 MTCO<sub>2</sub>e, bringing the emissions from municipal operations down to 50% below 2005 levels. However, since emissions from governmental operations make up only about 1% of community-wide emissions, that is just a drop in the bucket.

Our residents, businesses, workers, and visitors will have to do their part to ensure we meet our reduction targets. The City can compel some of these actions by adopting ordinances and building regulations, but much of the success of our plan will depend on informing our community members and encouraging them to act on their own. This section details the ways in which the City will seek public engagement and work with local businesses and community groups to achieve the emissions reductions identified for measures in other sections of the Plan.

The City promotes [Resilient Neighborhoods](#) to educate Belvedere residents on ways they can reduce their carbon footprint. The program organizes Climate Action Teams that meet five times over two months to learn about strategies and resources to improve home energy efficiency, shift to renewable energy, use low-carbon transportation, conserve water, reduce waste, and adapt to a changing climate. To start, participants calculate their household carbon footprint and then take actions to reduce their greenhouse gas emissions by at least 5,000 pounds or 25%. Studies show that Resilient Neighborhoods' graduates not only continue to fulfill pledges and further reduce household emissions after the program ends, they also inspire friends and families to take action.

### Things You Can Do

- #1 Sign up for Resilient Neighborhoods and join a Climate Action Team.
- #2 Commit to reducing your carbon footprint by taking the actions identified in this Plan.
- #3. Spread the word - advocate to your neighbors, employees, co-workers, etc.

The City will take the following actions to engage the community to reduce emissions.

**TABLE 11: COMMUNITY ENGAGEMENT MEASURES TO REDUCE COMMUNITY EMISSIONS**

ID	Measure
CE-1	Community Education
CE-2	Community Engagement
CE-3	Advocacy
CE-4	Green Businesses

### **CE-1: Community Education**

Work with community-based outreach organizations, such as Resilient Neighborhoods, to educate and motivate community members on ways to reduce greenhouse gas emissions in their homes, businesses, transportation modes, and other activities.

### **CE-2: Community Engagement**

Implement a communitywide public outreach and behavior change campaign to engage residents, businesses, and consumers around the impacts of climate change and the ways individuals and organizations can reduce their GHG emissions and create a more sustainable, resilient, and healthier community. Create an overarching theme to articulate a long-term goal, motivate community members, and brand a comprehensive suite of GHG-reduction programs. Prioritize promotion of programs that have the greatest greenhouse gas reduction potential while utilizing the best practices for public outreach and education. Emphasize and encourage citizens' involvement in reaching the community's climate goals, including innovative means of tracking milestones and comparing Belvedere's performance with other communities and with state, national and global benchmarks.

- a. Conduct outreach to a wide variety of neighborhood, business, educational, faith, service, and social organizations.
- b. Inform the public about the benefits of installing energy and water-efficient appliances and fixtures, electrifying their homes and commercial buildings, installing solar energy systems, and purchasing 100% renewable electricity.
- c. Inform the public about the benefits of using carbon-free and low-carbon transportation modes, such as driving electric vehicles, walking, bicycling, taking public transportation, and ridesharing.
- d. Utilize and tailor existing marketing materials when available.
- e. Work with Marin County health and environmental services and other Marin agencies to promote the environmental (and health) benefits of a more plant-based diet, including growing food at home and purchasing locally produced food.
- f. Partner with MCE, PG&E, MMWD, Marin Sanitary Service, Transportation Authority of Marin, Marin Transit, Golden Gate Transit, SMART, and other entities to provide and promote equitable financing, audits, rebates, incentives, and services to the Belvedere community.
- g. Utilize the City's website, newsletters, social media, bill inserts, public service announcements and advertisements, recognition programs, and other forms of public outreach.
- h. Create stories and "shareable content" that can be used by residents, businesses, non-profits, in both the social media and the traditional media context.
- i. Use creative methods to engage the public, such as games, giveaways, prizes, contests, simple surveys, digital tools, and "pop-up" events.
- j. Develop pilot programs using community-based social marketing and other community outreach and incentive programs to encourage positive changes in local consumer habits.
- k. Participate in countywide outreach and education efforts.

### **CE-3: Advocacy**

Advocate at the regional, state, and federal levels for policies and actions that support the rapid transition to GHG-free energy sources, electrification of buildings and the transportation fleet, and other impactful measures to rapidly reduce greenhouse gas emissions.

**CE-4: Green Businesses**

Encourage local businesses to participate in the Marin County Green Business Program through partnerships with the County, Chamber, and other business groups.



## IMPLEMENTATION AND MONITORING

Plans are only effective if they are implemented, and results are carefully evaluated. The City will prepare an annual assessment of the progress it is making on implementing the measures contained in this Climate Action Plan and continue to quantify community and greenhouse gas emissions to determine if we are on track to meet our reduction targets.

The City will take the following actions to implement and monitor the Climate Action Plan.

### Things You Can Do

#1 Get involved! Attend City Council meetings, Climate Action Plan implementation forums, and other public forums to voice your support for actions contained in this Plan.

TABLE 12: IMPLEMENTATION AND MONITORING MEASURES TO REDUCE COMMUNITY EMISSIONS

ID	Measure
IM-1	Annual Monitoring
IM-2	Update GHG Emissions Inventories
IM-3	Funding Sources
IM-4	Update the Climate Change Action Plan

### IM-1: Annual Monitoring

Monitor and report on the City’s progress annually. Track and report on key metrics such as number of ZEV registrations, natural gas appliance conversions, and EV chargers installed. Create an annual priorities list for implementation.

### IM-2: Update GHG Emissions Inventories

Update and report the greenhouse gas emissions inventory for community emissions annually and every five years for government operations.

### IM-3: Funding Sources

Identify funding sources for recommended actions, and pursue local, regional, State, and federal grants as appropriate. Investigate creation of a local carbon fund or other permanent source of revenue to implement the Climate Action Plan.

### IM-4: Update the Climate Action Plan

Update the Climate Action Plan regularly to incorporate new long-term reduction targets and strategies to meet those targets.

# ACKNOWLEDGMENTS

## **City Council**

Sally Wilkinson, Mayor  
Steve Block, Vice Mayor  
James Campbell  
Nancy Kemnitzer  
James Lynch

## **City Staff**

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## **Marin Climate & Energy Partnership**

Christine O'Rourke, Sustainability Coordinator

Funded by the Marin Climate & Energy Partnership and the Marin Energy Watch Partnership.



## Appendix A: Program Calculations

GHG EMISSIONS REDUCTION SUMMARY City of Belvedere		
	Measure	2030 GHG Emissions Reductions (MTCO <sub>2</sub> e/yr)
<b>Local Actions</b>		
LCT-1	Zero Emission Vehicles	-837
LCT-3	Walking	-0.5
LCT-4	Safe Routes to School	-8
LCT-5	Public Transit	-3
LCT-6	Employee Trip Reduction	-30
LCT-10	Electric Landscape Equipment	-8
LCT-11	Zero and Low Emission City Vehicles	-30
LCT-12	Low Carbon Fuels for City Vehicles	-3
LCT-13	City Employee Commute	-4
RE-1	Renewable Energy Generation and Storage	-157
RE-2	MCE Electricity	-374
RE-3	Building and Appliance Electrification	-568
EE-1	Energy Efficiency Programs	-382
EE-2	Energy Audits	-16
EE-4	Municipal Energy Conservation	-0.3
WR 1-5	Waste Diversion Measures	-345
WR-8	Municipal Waste Diversion	-14
WC-1	Community Water Use	0
WC-2	Municipal Water Use	0
TOTAL - LOCAL ACTIONS		-2,780
<b>State Actions</b>		
RPS		-36
TITLE 24		-228
Light and Heavy-Duty Fleet Regulations		-699
Small Off-Road Equipment		-58
TOTAL - STATE ACTIONS		-963

<b><i>Projected Emissions</i></b>	
Projected BAU Community GHG Emissions	11,186
Emissions Reduction from Local and State Actions	-3,743
Projected Community Emissions with Local and State Actions Implemented	7,444
2030 GHG Target to Meet State Goals	7,576
<b><i>Reduction from 2005 Baseline Emissions</i></b>	
2005 Community GHG Emissions	14,855
Community Emissions with Local and State Actions Implemented	7,444
% Reduction from 2005 Emissions	50%
<b><i>Reduction from Estimated 1990 Emissions</i></b>	
Estimated 1990 GHG Level	12,627
% Below 1990 Levels	41%

ZERO EMISSION VEHICLES <i>LCT-1</i>	
Reductions (MTCO <sub>2</sub> e)  -837	2030
Targets	35% of passenger vehicles in Marin are ZEVs in 2030 (approximately 70,000 ZEVs). 21% annual growth rate of registered ZEVs in Marin.
Methodology and Assumptions	<p>Marin has approximately 1.5% of all ZEVs in California (DMV, 1-1-19) and 197,609 automobiles registered in the County (DMV, 2019). CARB's proposed strategy is to put 4.2 million ZEVs on the road by 2030, which is approximately 14% of light duty vehicles in California in 2030. In January 2018, Governor Jerry Brown issued Executive Order B-48-18 set a new goal of having a total of 5 million ZEVs in California in 2030. In September 2020, Governor Gavin Newsom issued Executive Order N-79-20 which sets a goal for 100 percent of in-state sales of new passenger cars and light trucks to be zero-emission by 2035.</p> <p>By the end of 2019, the CEC reports there were 5,362 battery EVs (BEV), 3,076 Plug-in hybrids (PHEV), and 60 fuel cell vehicles, for a total of 8,498 ZEVs. By the end of 2020, the CEC reports there were 6,377 BEVs, 3,280 PHEVs, and 52 fuel cell vehicles, for a total of 9,709 ZEVs. This represents an annual growth rate of 14.25%. We conservatively assume the same percentage of EVs in 2030 as in 2020: 66% battery EVs and 34% plug-in hybrids.</p> <p>74% of the distance PHEVs drive is electric (Smart et al, 2014).</p> <p>EV kWh/mile is 0.32 (US Dept of Energy).</p> <p>Assuming the same share of ZEV ownership in 2030 as in 2019 (1.5%) means there would be approximately 75,000 ZEVs registered in Marin by 2030, or approximately 37% of existing automobile registrations. We assume 69,699 ZEVs in Marin in 2030, or 35% of ZEVs registered in Marin. This would require an average annual growth rate of 21%. Electric vehicle sales in Marin grew by 26% in 2018 and 28% in 2019 (ICCT, 2018). This data suggests that an annual growth rate of 21% is reasonable, especially as the number of models expands and battery technology and charging improves.</p> <p>Passenger VMT is adjusted to reflect the fact that approximately 35% of countywide commute VMT originates in workers who live outside Marin County (TAM). Measure does not apply to VMT generated by Belvedere workers and visitors who do not live in Marin.</p> <p>According to the Department of Energy, towns (population 2,500 to 50,000) need 54 public EV plugs per 1,000 PEVs, which would equal about 3,549 public EV plugs countywide for 65,717 ZEVs. The analysis assumes 88% of EV charging is done at home.</p>

Sources	<p>California Air Resources Board, 2017 Scoping Plan.</p> <p>Smart, J., Bradley, T., and Salisbury, S., "Actual Versus Estimated Utility Factor of a Large Set of Privately Owned Chevrolet Volts," SAE Int. J. Alt. Power. 3(1):2014, doi:10.4271/2014-01-1803.</p> <p>U.S. Department of Energy, Alternative Fuels Data Center, <a href="https://www.afdc.energy.gov/vehicles/electric_emissions_sources.html">https://www.afdc.energy.gov/vehicles/electric_emissions_sources.html</a>. Sales weighted average of 2016 model year vehicles with sales in 2015: 2015 sales from "U.S. Plug-in Electric Vehicle Sales by Model" (<a href="https://www.afdc.energy.gov/data/vehicles.html">https://www.afdc.energy.gov/data/vehicles.html</a>); MPGs from 2016 Fuel Economy Guide (<a href="https://www.fueleconomy.gov/feg/">https://www.fueleconomy.gov/feg/</a>)</p> <p>The International Council on Clean Transportation, "California's continued electric vehicle market development," May 2018, <a href="https://www.theicct.org/sites/default/files/publications/CA-cityEV-Briefing-20180507.pdf">https://www.theicct.org/sites/default/files/publications/CA-cityEV-Briefing-20180507.pdf</a>.</p> <p>US Department of Energy, "National Plug-In Electric Vehicle Infrastructure Analysis," September 2017. <a href="https://www.nrel.gov/docs/fy17osti/69031.pdf">https://www.nrel.gov/docs/fy17osti/69031.pdf</a></p> <p>Bay Area Air Quality Management District, Vehicle Miles Dataportal, <a href="http://capvmt.us-west-2.elasticbeanstalk.com/">http://capvmt.us-west-2.elasticbeanstalk.com/</a>, accessed 1/19/22.</p> <p>California Department of Transportation, "California County-Level Economic Forecast 2018-2050," September 2018.</p> <p>California Energy Commission, "Zero Emission Vehicle and Infrastructure Statistics," <a href="https://www.energy.ca.gov/data-reports/energy-insights/zero-emission-vehicle-and-charger-statistics">https://www.energy.ca.gov/data-reports/energy-insights/zero-emission-vehicle-and-charger-statistics</a>, accessed January 19, 2022.</p> <p>Personal communication with Derek McGill, Planning Manager, Transportation Authority of Marin, <a href="mailto:dmcgill@tam.ca.gov">dmcgill@tam.ca.gov</a>, August 22, 2018.</p>
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*Calculation*

	2030
Number of registered Marin ZEVs by end of 2019	8,498
% of total light-duty vehicles in 2019	4.2%
Projected number of registered passenger vehicles in Marin in 2030	199,141
Percent of Marin ZEVs in target year	35%
Number of Marin ZEVs in target year	69,699
Percent of ZEVs in Marin assumed by EMFAC2021	8.2%
Increase in ZEVs	61,201
Additional ZEVs as a percent of Marin vehicles from this measure	26.8%
Belvedere passenger VMT	11,592,967 miles
VMT from non-Marin workers and visitors	1,099,191 miles
Belvedere passenger VMT from Marin-based vehicles	10,493,776 miles
VMT from additional ZEVs	2,815,062 miles
VMT driven with electricity	2,566,210 miles
Emissions without EV program	991 MTCO <sub>2e</sub>

Tailpipe emissions reduction with EV program	903	MTCO <sub>2</sub> e
Electricity used by ZEVs	821,187	kWh
Electricity emissions from ZEVs	66	MTCO <sub>2</sub> e
Emissions reduction	837	MTCO <sub>2</sub> e

WALKING <i>LCT-3</i>	
Reductions (MTCO <sub>2e</sub> ) 0.5	2030
Targets	2% reduction in VMT for vehicle trips that start and end in Belvedere by 2030
Methodology and Assumptions	Studies cited by CAPCOA show pedestrian network improvements can reduce VMT 1-2% (CAPCOA SDT-1). We apply this to passenger vehicle trips that start and end Belvedere and assume a 1% reduction for 2030.
Sources	California Air Pollution Control Officers Association, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures," August, 2010.  Bay Area Air Quality Management District Vehicle Miles Traveled Data Portal, <a href="http://capvmt.us-west-2.elasticbeanstalk.com/data">http://capvmt.us-west-2.elasticbeanstalk.com/data</a>

*Calculation*

	2030
Passenger vehicle trips starting and ending in Belvedere	67,149 VMT
% decrease in VMT due to pedestrian improvements	2.0%
Annual decrease in VMT	1,343 VMT
GHG emissions reductions	0.5 MTCO <sub>2e</sub>

SAFE ROUTES TO SCHOOL <i>LCT-4</i>	
Reductions (MTCO <sub>2</sub> e) -8	2030
Targets	Reduce school trips in family vehicle by 29%, from an average of 45% to 32%.
Methodology and Assumptions	<p>To demonstrate the benefits of providing Safe Routes to Schools, the Marin County Bicycle Coalition recruited nine pilot schools in four different geographic locations. Initial surveys reported that 62% of the students were arriving by car, with only 14% walking, 7% biking to school, 11% carpool, and 6% arriving by bus. Every school in the pilot program held periodic Walk and Bike to School Days and participated in the Frequent Rider Miles contest, which rewarded children who came to school walking, biking, by carpool or bus.</p> <p>At the end of the pilot program, the participating schools experienced a 57% increase in the number of children walking and biking and a 29% decrease in the number of children arriving alone in a car.</p> <p>We assume an elementary school and middle school population (K-8) population of 301 with an average trip length of 1.7 mile, 180 school days, and an existing share of school trips completed in a family vehicle of 41% according to recent Safe Routes to School surveys taken at participating schools in Tiburon serving the Belvedere community.</p>
Sources	<p>US Census Bureau, American Community Survey 5-Year Estimates 2019, Table B14001.</p> <p>Safe Routes to School Marin County, <a href="http://www.saferoutestoschools.org/sr2s_reed_union.html">http://www.saferoutestoschools.org/sr2s_reed_union.html</a></p> <p>Safe Routes to School Marin County, <a href="http://www.saferoutestoschools.org/history.html#success">http://www.saferoutestoschools.org/history.html#success</a></p>

*Calculation*

	2030
School population miles travelled	191,485 miles
Percent of miles driven in a family vehicle	41%
Potential percent decrease in students driving to school	29 %
VMT avoided	22,768 VMT
Emissions reductions	8 MTCO <sub>2</sub> e

**PUBLIC TRANSIT**  
*LCT-5*

GHG Reductions (MTCO <sub>2e</sub> )	-3	2030
Targets	33% of Marin Transit and Golden Gate Transit buses will be electric by 2030 and the remaining use renewable diesel.	
Methodology and Assumptions	<p>Marin Transit reports 3,674,440 revenue miles in FY 2019 and 0.1% of those are within Belvedere for a total of 4,757 revenue miles attributed to Belvedere. Marin Transit's Draft Fixed Route Vehicle Replacement Plan indicates 33% of its fleet will be zero emission by 2030. In 2019, 72% of its buses were using renewable diesel and 3% of the fixed route buses were zero emission. Marin Transit has been using renewable diesel since 2016. We assume 33% will be driven by electric buses utilizing MCE electricity by 2030.</p> <p>CARB adopted the Innovative Clean Transit (ICT) Rule in December 2018. This rule outlines a transition of California transit agencies to a zero emission fleet by 2040. 100% of transit agencies' bus purchases must be zero emission beginning in 2029. Marin Transit's Draft Fixed Route Vehicle Replacement Plan (2019) identifies purchases that will achieve the ICT zero emission fleet mandate in 2040.</p>	
Sources	<p>Marin Transit Board of Directors Staff Report, April 1, 2019</p> <p>Personal communication with Keith Nunn, Director of Maintenance, Golden Gate Transit, Oct. 22, 2019.</p> <p>Personal communication with Anna Penoyar, Senior Capital Analyst, Marin Transit, Oct. 22, 2019.</p>	

*Calculation*

	<b>2030</b>
Belvedere's share of passenger revenue miles	4,757 miles
Emissions, BAU	6 MTCO <sub>2e</sub>
Renewable diesel VMT	67%
Electric bus VMT	33%
Emissions	3 MTCO <sub>2e</sub>
GHG emissions reductions	3 MTCO <sub>2e</sub>



EMPLOYEE TRIP REDUCTION <i>LCT-6</i>	
Reductions (MTCO <sub>2e</sub> )	-30 2030
Targets	100% of covered employers provide an employee trip reduction program.
Methodology and Assumptions	CAPCOA TRT-1 indicates VMT reduction of 5.4% for suburban center location. Employer programs include: carpooling, ride matching, preferential carpool parking, flexible work schedules for carpools, a half-time transportation coordinator, vanpool assistance, bicycle parking, showers, and locker facilities. This measure assumes voluntary employee participation. BAAQMD Transportation Fund for Clean Air guidance indicates a reduction of 0.2% of commute VMT for Guaranteed Ride Home Programs. MTC identifies 11 unregistered businesses with 50 or more employees in Belvedere with a total of 474 employees. We assume all participate by 2030. We assume 240 workdays per year.
Sources	California Air Pollution Control Officers Association, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures," August 2010. BAAQMD Transportation Fund for Clean Air Guidance FYE 2018. Personal communication with Corey Dodge, Program Coordinator, Bay Area Metro, cdodge@bayareametro.gov, 10/2/19.

*Calculation*

	2030
Number of unregistered employees working in companies with 50 or more employees	474
Number of employees targeted for program	474
Average daily VMT for Belvedere worker	13.3
Estimated annual VMT	1,513,527
VMT reduction	5.6%
Annual decrease in VMT	84,758
GHG emissions reductions	30

ELECTRIC LANDSCAPE EQUIPMENT <i>LCT-10</i>	
Reductions (MTCO <sub>2e</sub> )	-8 2030
Target	80% of landscape equipment is electric by 2030.
Methodology and Assumptions	<p>In October 2021, the state passed AB 1346, which states, “By July 1, 2022, the state board shall, consistent with federal law, adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. Those regulations shall apply to engines produced on or after January 1, 2024.”</p> <p>In December 2021, CARB adopted small off-road engines (SORE) regulations that require most newly manufactured small off-road engines to be zero emission starting in 2024. SORE are spark-ignition engines rated at or below 19 kilowatts. Engines in this category are primarily used for lawn, garden, and other outdoor power equipment. An emissions reduction of 70% due to the implementation of AB 1346 is quantified separately as a State Action.</p> <p>For this action SORE subject to the 2024 ban includes lawn mowers, leaf blowers, trimmers, edgers, chainsaws &lt;45 cc, riding mowers, and log splitters. This equipment consumed 1,171,773 gallons of gasoline in 2019 (OFFROAD 2021). Similar to the off-road emissions inventory, we assume 0.8% of emissions are attributable to Belvedere based on its share of countywide households in 2019. We assume an additional 10% reduction in emissions due to City action.</p>
Sources	OFFROAD2021 (v1.0.1) Emissions Inventory

*Calculation*

	2030
Portable landscape equipment gasoline consumption, BAU	9,375 gallons
Emissions from potable landscape equipment, BAU	83 MTCO <sub>2e</sub>
Reduction due to City action	10%
Emissions reductions	8 MTCO <sub>2e</sub>

ZERO AND LOW EMISSION CITY VEHICLES <i>LCT-11</i>	
Reductions (MTCO <sub>2e</sub> ) -30	2030
Targets	50% improvement in fuel efficiency of City vehicles that use gasoline by 2030.
Methodology and Assumptions	As vehicles are replaced, there will be opportunities to purchase/lease electric vehicles or improve vehicle fuel efficiency with similar models.  For City electric vehicles, we assume EVs are replacing vehicles with an average 22 MPG, and .32 kWh/mile and that the City continues to purchase 100% GHG-free electricity for municipal operations.
Sources	City of Belvedere 2015 Greenhouse Gas Inventory for Government Operations

*Calculation*

	2030
City vehicle fleet tailpipe emissions, 2016 (gasoline)	60 MTCO <sub>2e</sub>
Fuel efficiency improvement for fleet	50 %
Electricity for EVs	23,806 kWh
Electricity emissions	0 MTCO <sub>2e</sub>
Emissions reductions	30 MTCO <sub>2e</sub>

LOW CARBON FUELS FOR CITY VEHICLES  
*LCT-12*

Reductions (MTCO <sub>2e</sub> )	-3	2030
Targets	100% of diesel use is replaced with renewable diesel by 2030.	
Methodology and Assumptions	Emission factor for renewable diesel derived from data from Nexgen Fuel.	
Sources	City of Belvedere 2015 Greenhouse Gas Emissions Inventory for Government Operations <a href="http://www.nexgenfuel.com/fleets-commercial-use/">http://www.nexgenfuel.com/fleets-commercial-use/</a>	

*Calculation*

	2030
Diesel use, BAU	497 gallons
Renewable diesel percentage	100%
Emissions from diesel fuel	5 MTCO <sub>2e</sub>
Emissions from renewable diesel fuel	2 MTCO <sub>2e</sub>
Emissions reductions	3 MTCO <sub>2e</sub>

CITY EMPLOYEE COMMUTE <i>LCT-13</i>	
Reductions (MTCO <sub>2e</sub> ) -4	2030
Targets	5.6% reduction in employee commute VMT by 2030.
Methodology and Assumptions	CAPCOA Measure TRT-1. VMT reduction is 5.4% for a suburban center location. BAAQMD Transportation Fund for Clean Air guidance indicates a reduction of 0.2% of commute VMT for Guaranteed Ride Home Programs.
Sources	California Air Pollution Control Officers Association, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures," August 2010. BAAQMD Transportation Fund for Clean Air Guidance FYE 2018.

*Calculation*

	2030
Employee commute VMT, BAU	191,309 VMT
Reduction in VMT	5.6%
VMT avoided	10,713 VMT
Emissions reduction	4 MTCO <sub>2e</sub>

## RENEWABLE ENERGY GENERATION AND STORAGE

### RE-1

Reductions (MTCO <sub>2</sub> e)  -157	2030
Targets	Solar energy installations continue to grow by an average of 108 KW DC each year through 2030.
Methodology and Assumptions	<p>According to Project Sunroof, 82% of Belvedere buildings have roofs that are solar-viable. These 813 roofs have the capacity for 10.8 MW DC and could generate 14,800,000 kWh per year, which is more than the 10,121,000 kWh consumed in Belvedere in 2019. Project Sunroof estimates there are 92 existing solar installations in Belvedere.</p> <p>By 2019, approximately 550 KW of solar capacity had been installed in Belvedere, producing an estimated 797,000 kWh of electricity. 86 KW was installed in 2020 and 108 KW had been installed in 2021.</p> <p>The analysis assumes new distributed solar capacity will be added at annual rate of rate of 108 KW DC each year, similar to the amount installed in 2021.</p>
Sources	Project Sunroof, <a href="https://www.google.com/get/sunroof/data-explorer/place/ChIJRf47R3CahYARV2ndbPAFwMk/">https://www.google.com/get/sunroof/data-explorer/place/ChIJRf47R3CahYARV2ndbPAFwMk/</a> , accessed January 28, 2022.  California Distributed Generation Statistics, "NEM Currently Interconnected Data Set," <a href="https://www.californiadgstats.ca.gov/downloads/">https://www.californiadgstats.ca.gov/downloads/</a> , November 2021.

### Calculation

	2030
Solar capacity added 2019 within City limits	550 KW DC
Estimated solar capacity added each year	108 KW DC
Additional solar through 2030	1,279 KW DC
kWh generated by 1 KW solar energy system	1,450 kWh
Additional electricity produced by distributed PV	1,854,889 kWh
GHG emissions reductions, inc. grid loss	157 MTCO <sub>2</sub> e

MCE ELECTRICITY <i>RE-2</i>	
Reductions (MTCO <sub>2e</sub> ) -374	2030
Targets	MCE Light Green electricity is 95% GHG-free by 2030 and MCE continues to provide a Deep Green 100% GHG-free alternative.
Methodology and Assumptions	<p>The MCE Operational Integrated Resource Plan 2021-2030 states that MCE Light Green electricity is projected to be 95% GHG-free by 2022 and beyond. We have conservatively estimated a future GHG emission factor by assuming the remainder will be system power using the current emission factor set by CARB of 967.6 lbs CO<sub>2</sub>/MWh (eGrid 2019).</p> <p>72.3% of the community electricity load was supplied with MCE Light Green electricity in 2019 and 2.72% with Deep Green electricity. The analysis assumes same percentage of Deep Green and Light Green electricity as in 2019.</p>
Sources	<p>MCE Operational Integrated Resource Plan 2021-2030 (October 5, 2020), p.21. <a href="https://www.mcecleanenergy.org/wp-content/uploads/2020/10/MCE-Operational-Integrated-Resource-Plan_2021.pdf">https://www.mcecleanenergy.org/wp-content/uploads/2020/10/MCE-Operational-Integrated-Resource-Plan_2021.pdf</a></p> <p>Personal communication, Justin Kudo, MCE Manager of Account Services, <a href="mailto:jkudo@marinenergyauthority.org">jkudo@marinenergyauthority.org</a>, July 14 and 15, 2016.</p>

*Calculation*

	2030
Electricity use, BAU	10,489,877 kWh
Electricity saved through State actions	197,973 kWh
Less electricity saved through energy efficiency and renewable energy actions	2,609,921 kWh
Net electricity use	7,681,983 kWh
Projected MCE Light Green electricity use (72.31% of total)	5,554,989 kWh
Projected MCE Deep Green electricity use (2.72% of total)	208,800 kWh
Electricity emissions w/MCE BAU	496 MTCO <sub>2e</sub>
Electricity emissions w/MCE	122 MTCO <sub>2e</sub>
GHG emission reductions	374 MTCO <sub>2e</sub>

## BUILDING AND APPLIANCE ELECTRIFICATION

### *RE-3.a*

Reductions (MTCO <sub>2</sub> e)	-19.5	2030
Targets	3 cooktops, 5 water heaters and 10 heating systems are replaced with electric versions by 2030 through a Building Decarbonization incentive program.	
Methodology and Assumptions	Potential number of appliance replacements is based on the County's Electrify Marin program which provides cash rebates for natural gas appliance swap-outs. During the first three years of the program (January 2019 - January 2022), the program has provided rebates for 39 stoves cooktops/ranges, 67 water heaters, and 141 heating systems. We assume 0.8% of the replacements will take place in Belvedere homes based on Belvedere's share of countywide households in 2019. With continued funding, outreach, and education, we assume a Building Decarbonization incentive program can produce these results on an annual basis. As of January 2022, no rebates had been issued to Belvedere residents.	
Sources	2019 California Residential Appliance Saturation Study, Volume 2. <a href="https://www.energy.ca.gov/data-reports/surveys/2019-residential-appliance-saturation-study">https://www.energy.ca.gov/data-reports/surveys/2019-residential-appliance-saturation-study</a>  Personal communication with Dana Armanino, County of Marin, January 31, 2022.	

### *Calculation*

	2030
Estimated annual natural gas use for stoves and cooktops	25 therms
Estimated annual natural gas use for water heaters	278 therms
Estimated annual natural gas use for space heating and cooling	261 therms
Estimated annual electricity use for stoves and cooktops	71 kWh
Estimated annual electricity use for water heaters	1,794 kWh
Estimated annual electricity use for space heating and cooling	1,589 kWh
Number of cooktops/ranges replaced countywide, annually	39 units
Number of units water heaters replaced countywide, annually	67 units
Number of heating systems replaced countywide, annually	141 units
% share of county-wide replacements	0.8%
Number of cooktops/ranges replaced	2.8 units
Number of units water heaters replaced	4.8 units
Number of heating systems replaced	10.2 units
Natural gas savings	4,061 therms
Electricity consumption	24,985 kWh
GHG emissions reduction	19.5 MTCO <sub>2</sub> e



BUILDING AND APPLIANCE ELECTRIFICATION	
<i>RE-3.b</i>	
Targets	24% of residential water heaters, 19% of residential cooktops, and 12% of residential dryers are replaced with high efficiency electric appliances.
Reductions (MTCO <sub>2e</sub> )	-312 2030
Methodology and Assumptions	We assume the ordinance applies to water heaters, stoves, cooktops, and clothes dryers in January 2025. We assume the high end of average life expectancies for these appliances. We further assume one-third of potential water heater replacements will be deemed infeasible due to interior location of the water heater.
Sources	2019 California Residential Appliance Saturation Study, Volume 2, Table 11 (single family for dryer) and Table 33 (single family for water heater, dryer, and range/oven). <a href="https://www.energy.ca.gov/data-reports/surveys/2019-residential-appliance-saturation-study">https://www.energy.ca.gov/data-reports/surveys/2019-residential-appliance-saturation-study</a>  California Department of Finance, E-5 Population and Housing Estimates for 2010-2020 with 2010 Census Benchmark

*Calculation*

	2030
Number of single-family homes in Belvedere in 2020	881 units
Estimated annual natural gas use for stove or cooktop	25 therms
Estimated annual electricity use for induction stove or cooktop	71 kWh
% stoves and cooktops replaced	19%
Estimated annual natural gas use for water heater	278 therms
Estimated annual electricity use for heat pump water heater	1,441 kWh
% water heaters replaced	24%
Estimated natural gas use for clothes dryer	12 therms
Estimated electricity use for clothes dryer	552 kWh
% clothes dryers replaced	12%
Natural gas use eliminated	64,707 therms
Additional electricity use	376,877 kWh
GHG emissions reductions	312 MTCO <sub>2e</sub>

## BUILDING AND APPLIANCE ELECTRIFICATION

### RE-3.c

Action	Prohibit the use of natural gas end uses in new residential buildings in the City's green building ordinance that aligns with the 2022 California Building Standards code update. Extend the same prohibition to new nonresidential buildings in the 2025 code cycle.
Reductions (MTCO <sub>2</sub> e) -237	2030
Methodology and Assumptions	<p>We assume adoption of an ordinance in that bans natural gas use in new residential buildings beginning in 2023 and new non-residential buildings in 2026.</p> <p>Replacing residential space heating systems in Climate Forecast Zone 2 that use natural gas with systems that use heat pumps and electricity reduces emissions by an average of approximately 91% (derived from CRASS). We assume the same emissions reduction for electrifying non-residential space heating systems.</p> <p>An estimated 91% of new homes use natural gas for ranges and ovens and 48% use natural gas for dryers (CRASS, Table 34). We assume the ordinance reduces these numbers 100%.</p> <p>We assume all new homes use natural gas for primary space heating and water heating. We assume the ordinance reduces these numbers by 100%. Electricity used to power these systems is regulated under Title 24, which requires solar energy to supply energy requirements.</p> <p>We assume a total of 112 new housing units between 2023 and 2030.</p>
Sources	<p>2019 California Residential Appliance Saturation Study, Volume 2, Table 11 (single family for dryer and range/oven), Table 15 (Forecast Zone 2 for water heating), Table 18 (Forecast Zone 2 for heat pump space conditioning), Table 33 (single family for water heater, dryer, and range/oven), and Table 37 (Forecast Zone 2 for primary heat and hot water heating).  <a href="https://www.energy.ca.gov/data-reports/surveys/2019-residential-appliance-saturation-study">https://www.energy.ca.gov/data-reports/surveys/2019-residential-appliance-saturation-study</a></p> <p>California Energy Commission, California Commercial End-Use Survey (March 2006),  <a href="https://ww2.energy.ca.gov/2006publications/CEC-400-2006-005/CEC-400-2006-005.PDF">https://ww2.energy.ca.gov/2006publications/CEC-400-2006-005/CEC-400-2006-005.PDF</a></p> <p>California Air Pollution Control Officers Association, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures," August 2010.</p>

*Calculation*

<b>Residential</b>	<b>2030</b>
New housing units, 2023-2030	158 units
Estimated natural gas use for space heating, per housing unit	261 therms
Estimated natural gas use for water heating, per housing unit	278 therms
Natural gas reduced beyond Title 24 requirements for heating systems	37,051 therms
Estimated annual natural gas use for range/oven	25 therms
Estimated natural gas use for clothes dryer	12 therms
Total natural gas reduced for appliances	4,505 therms
Estimated electricity use for range/oven	404 kWh
Estimated electricity use for clothes dryer	552 kWh
Total electricity used for electrified appliances	99,951 kWh
GHG emissions reductions	229 MTCO <sub>2</sub> e

<b>Commercial</b>	<b>2030</b>
Natural gas reduced beyond Title 24 requirements	1,468 therms
GHG emissions reductions	7 MTCO <sub>2</sub> e

ENERGY EFFICIENCY PROGRAMS	
<i>EE-1</i>	
Reductions (MTCO <sub>2</sub> e)	-382 2030
Targets	Natural gas consumption is reduced an average of 0.7% per year between 2020 and 2030.
Methodology and Assumptions	<p>We are forecasting an annual natural gas savings of 0.7% based on the following:</p> <p>The National Action Plan for Energy Efficiency states among its key findings "consistently funded, well-designed programs are cutting annual savings for a given program year of 0.15 to 1 percent of energy sales."</p> <p>The American Council for an Energy-Efficiency Economy (ACEE) reports for states already operating substantial energy efficiency programs, energy efficiency goals of one percent, as a percentage of energy sales, is a reasonable level to target.</p> <p>Natural gas consumption in Belvedere declined an average of 0.7% per year between 2005 and 2019. Although electricity use declined an average of 0.3% per year in Belvedere between 2005 and 2019, this was offset by solar production. Therefore, there were no net electricity consumption savings, and no electricity reductions are forecasted.</p>
Sources	<p>National Action Plan for Energy Efficiency, July 2006, Section 6: Energy Efficiency Program Best Practices (pages 5-6).</p> <p>Energy Efficiency Resource Standards: Experience and Recommendations, Steve Nadel, March 2006 ACEEE Report E063 (pages 28-30).</p>

*Calculation*

	2030
Community natural gas use, 2019	933,420 therms
Natural gas savings	71,873 therms
GHG emissions reductions	382 MTCO <sub>2</sub> e

ENERGY AUDITS  
*EE-C2*

Reductions (MTCO <sub>2</sub> e) -16	2030
Targets	9 housing units implement energy efficiency projects between 2025 and 2030 due to ordinance requiring energy audits at time of sale.
Methodology and Assumptions	Assumes program will be implemented in 2025 and program will require audits at time of sale but energy efficiency projects will be voluntary. Assumes 5% of audited housing units will implement energy efficiency upgrades based on findings from the City of Berkeley's Building Energy Saving Ordinance. Assume 31% Btu energy use reduction based on demonstrated Energy Upgrade California projects completed in Marin County between June 2010 and May 2012.  36 housing units sold annually, based on 2005-2020 average (Marin County Assessor).
Sources	Marin County Assessor, <a href="http://www.marincounty.org/depts/ar/divisions/assessor/sales">http://www.marincounty.org/depts/ar/divisions/assessor/sales</a>  City of Berkeley, "Building Energy Savings Ordinance (BESO) Findings through Nov. 2016," December 7, 2016, <a href="https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Energy_and_Sustainable_Development/Energy%20Commission%20Presentation%20Berkeley.pdf">https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Energy_and_Sustainable_Development/Energy%20Commission%20Presentation%20Berkeley.pdf</a>  Marin County Energy Watch Partnership, Dana Armanino, Sustainability Planner, County of Marin, <a href="mailto:darmanino@marincounty.org">darmanino@marincounty.org</a>

*Calculation*

	2030
Average household electricity use, 2019	9,037 kWh
Average household natural gas use, 2019	938 therms
Number of housing units sold annually	36 units
Number of housing units provided energy audits	180 units
Percent of participating housing units	5%
Number of housing units implementing energy efficiency projects	9 units
Electricity reduction	31%
Natural gas reduction	31%
Annual electricity savings	25,170 kWh
Natural gas savings	2,612 therms
Electricity emissions reduction, inc. grid loss	2 MTCO <sub>2</sub> e
Natural gas emissions reduction	14 MTCO <sub>2</sub> e
Total GHG emissions reduction	16 MTCO <sub>2</sub> e

MUNICIPAL ENERGY CONSERVATION  
*EE-6*

Reductions (MTCO <sub>2</sub> e)	-0.3	2030
Targets	Reduce energy use in municipal buildings by 5%.	
Methodology and Assumptions	Energy management software is proven to reduce energy consumption by 10% through identifying inefficiencies within operations. A 5% reduction in energy use for miscellaneous behavioral changes by staff and mechanical operations and upgrading to Energy Star equipment were assumed. There are no GHG savings attributed to electricity savings in this measure because the City was purchasing 100% renewable electricity in 2018.	
Sources	Belvedere 2015 GHG Inventory for Government Operations	

*Calculation*

	2030
Electricity consumption in municipal buildings	84,364 kWh
Electricity emissions from municipal buildings	0 MTCO <sub>2</sub> e
Natural gas emissions from municipal buildings	7 MTCO <sub>2</sub> e
Percent reduction in energy use	5%
Reduction in electricity consumption	4,218 kWh
GHG emissions reductions	0.3 MTCO <sub>2</sub> e

WASTE DIVERSION MEASURES <i>WR-1 THROUGH 5</i>	
Reductions (MTCO <sub>2</sub> e) -345	2030
Targets	A 75% reduction in organic waste from 2014 level by 2030
Methodology and Assumptions	<p>Passed in 2014, AB 1826 requires businesses to recycle their organic waste, depending on the amount of waste they generate per week. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. The law phases in mandatory recycling of commercial organics over time. In 2017, businesses that generate 4 cubic yards of organic waste per week were required to arrange for organic waste recycling services and divert all organic waste they produce. In 2019, the law extended to businesses that generate 4 cubic yards or more of commercial solid waste. The State law is intended to reduce statewide disposal of organic waste by 50% by 2020. If that target is not met, the law will be extended to cover businesses that generate 2 cubic yards or more of commercial solid waste.</p> <p>Passed in 2016, SB 1383 establishes targets to achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20% of currently disposed edible food is recovered for human consumption by 2025. In 2022, CalRecycle may begin to issue penalties for non-compliance. On January 1, 2024, the regulations may require local jurisdictions to impose penalties for noncompliance on regulated entities subject to their authority.</p> <p>The State's Green Building Code (CALGreen) requires residential and non-residential development projects to recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste</p>
Sources	City of Belvedere 2019 Communitywide GHG Inventory

*Calculation*

	2030
Waste emissions less government operations, 2014	421.5 MTCO <sub>2</sub> e
Reduction in waste emissions	75%
Targeted GHG emissions	105 MTCO <sub>2</sub> e
Waste emissions less government operations, 2019	451 MTCO <sub>2</sub> e
GHG emissions reduction	345 MTCO <sub>2</sub> e

MUNICIPAL WASTE DIVERSION <i>WR-8</i>	
Reductions (MTCO <sub>2</sub> e)  -14	2030
Targets	A 75% reduction in organic waste from 2014 level by 2030
Methodology and Assumptions	<p>Passed in 2014, AB 1826 requires businesses to recycle their organic waste, depending on the amount of waste they generate per week. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. The law phases in mandatory recycling of commercial organics over time. In 2017, businesses that generate 4 cubic yards of organic waste per week were required to arrange for organic waste recycling services and divert all organic waste they produce. In 2019, the law extended to businesses that generate 4 cubic yards or more of commercial solid waste. The State law is intended to reduce statewide disposal of organic waste by 50% by 2020. If that target is not met, the law will be extended to cover businesses that generate 2 cubic yards or more of commercial solid waste.</p> <p>Passed in 2016, SB 1383 establishes targets to achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20% of currently disposed edible food is recovered for human consumption by 2025. In 2022, CalRecycle may begin to issue penalties for non-compliance. On January 1, 2024, the regulations may require local jurisdictions to impose penalties for noncompliance on regulated entities subject to their authority.</p> <p>The State's Green Building Code (CALGreen) requires residential and non-residential development projects to recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste</p>
Sources	City of Belvedere 2015 Local Government Operations GHG Inventory

*Calculation*

	2030
Waste emissions, 2014	18.5 MTCO <sub>2</sub> e
Reduction in waste emissions	75%
Targeted GHG emissions	5 MTCO <sub>2</sub> e
Waste emissions, 2019	18 MTCO <sub>2</sub> e
GHG emissions reduction	14 MTCO <sub>2</sub> e



COMMUNITY WATER USE <i>WC-1</i>	
Reductions (MTCO <sub>2</sub> e) 0	2030
Targets	1% annual water consumption reduction.
Methodology and Assumptions	<p>Water consumption in Belvedere fell 24% between 2005 and 2019, or approximately 1.7% per year. We conservatively assume water consumption will continue to fall an average of 1% per year based on the following legislation and water conservation programs:</p> <ul style="list-style-type: none"> <li>-MMWD's regulations meet or exceed State law that requires single family homes and commercial and multi-family buildings to replace all non-compliant plumbing fixtures when remodeling and upon resale (resale requirement for commercial and multi-family buildings will be in effect on January 1, 2019).</li> <li>-MMWD provides rebates for water-efficient toilets, clothes washers, hot water recirculation systems, turf replacement, pool covers, mulch, graywater systems, and rain barrels.</li> <li>-MMWD provides residential and commercial building and landscape water audits and free-water saving devices (faucet aerators, showerheads, toilet leak test dye tablets, hose nozzles, etc.).</li> <li>-MMWD provides residential and commercial building and landscape water audits and free-water saving devices (faucet aerators, showerheads, toilet leak test dye tablets, hose nozzles, etc.).</li> <li>-MMWD has adopted a landscape water conservation ordinance which applies to all new construction and rehabilitated landscape projects requiring a building permit, plan check, or design review. Irrigation controllers are required under CALGreen.</li> <li>-New commercial and multi-family construction is required to meet CALGreen code. MMWD requires all plumbing installed, replaced, or moved on any new or existing service to have high efficiency fixtures and meet minimum requirements.</li> <li>-MMWD has adopted a Water Waste Ordinance and requires drinking water and linen washing upon request at restaurants and hotels.</li> <li>-MMWD requires applicants for new water service and applicants requesting an enlarged water service for substantial residential or commercial remodels to install a graywater recycling system to reuse the maximum practicable amount of graywater on site.</li> <li>-MMWD conducts outreach and provides water conservation information to water users on its website.</li> <li>-MMWD provides virtual water-friendly garden tours on its website.</li> </ul>
	<p>GHG reduction calculations are based upon the following:</p> <ul style="list-style-type: none"> <li>-The California Energy Commission estimates that it takes 3,500 kWh of electricity per million gallons to convey, treat and distribute water from the water source to the customer in northern California.</li> <li>-MMWD began purchasing 100% renewable electricity in 2017 and Sonoma County Water agency, which provides approximately 25% of water, began purchasing 100% renewable electricity in 2015. We assume the water agencies will continue this practice.</li> </ul>
Sources	<p>Personal communication with Carrie Pollard, Sonoma Marin Water Saving Partnership</p> <p>The Climate Registry for Sonoma County Water Agency emission factors Refining Estimates of Water-Related Energy Use in California, California Energy Commission, Dec. 2006</p>

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*Calculation*

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	2030
Water consumption, BAU	85 MG
Annual water consumption reduction	1 %
Potential annual water savings	9 MG
GHG emissions reduction	0.3 MTCO <sub>2</sub> e

## LIGHT AND HEAVY DUTY FLEET REGULATIONS

### *State Action*

Program Description	Current federal and State regulations and standards will reduce transportation emissions from the light and heavy duty fleet. Regulations and policies covered in EMFAC 2021 are identified in the EMFAC 2021 Technical Document.
Reductions (MTCO <sub>2</sub> e) -699	2030
Methodology and Assumptions	Transportation emissions estimated using EMFAC 2021.
Sources	California Air Resources Board, EMFAC2021 v.1.0.1. California Air Resources Board, EMFAC2021 Volume III Technical Document v.1.0.1, April 2021. <a href="https://ww2.arb.ca.gov/sites/default/files/2021-08/emfac2021_technical_documentation_april2021.pdf">https://ww2.arb.ca.gov/sites/default/files/2021-08/emfac2021_technical_documentation_april2021.pdf</a>

### *Calculation*

	2030
Passenger VMT BAU	11,592,967 VMT
Passenger VMT, net reductions from other measures	8,658,324 VMT
Commercial VMT BAU	346,303 VMT
Emissions, BAU	3,457 MTCO <sub>2</sub> e
Emissions with regulations	2,759 MTCO <sub>2</sub> e
Reduction in emissions	699 MTCO <sub>2</sub> e

## RENEWABLE PORTFOLIO STANDARD

### *State Action*

Program Description	Established in 2002 in Senate Bill 1078, the Renewable Portfolio Standard program requires electricity providers to increase the portion of energy that comes from eligible renewable sources, including solar, wind, small hydroelectric, geothermal, biomass and biowaste, to 20 percent by 2010 and to 33 percent by 2020. Senate Bill 350, passed in September of 2015, increases the renewable requirement to 50 percent by the end of 2030. Senate Bill 100, passed in September 2018, accelerated the RPS standard to 60 percent by 2030 and zero-carbon by 2045.
Reductions (MTCO <sub>2</sub> e) -36	2030
Methodology and Assumptions	<p>This State Action assumes PG&amp;E and Direct Access entities will meet the Renewable Portfolio Standard requirements and that these entities will carry the same share of the community's electricity load as in 2019. GHG reductions related to MCE's GHG reduction policies are quantified separately as a local action.</p> <p>California Public Utilities Code Section 454.52 requires each load-serving entity to procure at least 50 percent eligible renewable energy resources by 2030 and to meet the economywide reductions of 40% below 1990 levels by 2030.</p> <p>For 2030, the CPUC has set electric sector GHG reductions at a level that represents a 50% reduction from 2015 levels. We therefore apply a 50% reduction the DA 2015 CO<sub>2</sub> emission factor to forecast the 2030 emission factor. Since the PG&amp;E 2019 emission factor was lower than the legislated threshold, we assume the 2019 emission factor for 2030. CH<sub>4</sub> and N<sub>2</sub>O factors are kept constant at 2019 levels.</p>
Sources	<p>PG&amp;E, "Greenhouse Gas Emission Factors: Guidance for PG&amp;E Customers," November 2015, <a href="https://www.pge.com/includes/docs/pdfs/shared/environment/calculator/pge_ghg_emission_factor_info_sheet.pdf">https://www.pge.com/includes/docs/pdfs/shared/environment/calculator/pge_ghg_emission_factor_info_sheet.pdf</a></p> <p>California Public Utilities Commission "CPUC Adopts Groundbreaking Path to Reduce Greenhouse Gases in Electric Sector," Press Release Docket #: R.16-02-007, Feb. 8, 2018.</p>

### *Calculation*

	2030
Electricity use, BAU	10,489,877 kWh
Electricity saved through other State actions	197,973 kWh
Electricity saved through local actions	2,411,948 kWh
Net electricity use (PG&E)	1,519,647 kWh
Net electricity use (DA)	447,981 kWh
Electricity emissions, BAU	101 MTCO <sub>2</sub> e
Electricity emissions w/RPS	65 MTCO <sub>2</sub> e
GHG emission reductions	36 MTCO <sub>2</sub> e

## TITLE 24 ENERGY EFFICIENCY STANDARDS

### *State Action*

Program Description	The California Energy Commission (CEC) promotes energy efficiency and conservation by setting the State's building efficiency standards. Title 24 of the California Code of Regulations consists of regulations that cover the structural, electrical, mechanical, and plumbing system of every building constructed or altered after 1978. The building energy efficiency standards are updated on an approximate three-year cycle, and each cycle imposes increasingly higher demands on energy efficiency and decarbonization.
Reductions (MTCO <sub>2</sub> e) -228	2030
Methodology	<p>Estimated residential energy use assumes homes use natural gas for primary space heating and water heating. The analysis assumes all new homes install central air conditioning and outdoor lighting. Only end uses covered by Title 24 are included in the analysis. Housing development projections provided by Belvedere staff. New units include teardown/rebuilds and major remodels that trigger an equivalent new construction requirement.</p> <p>Estimated energy reductions for the 2019 building codes based on information provided by the California Energy Commission. CAPCOA Measure BE-1 used for estimating building energy savings. The analysis assumes all residential electricity use subject to Title 24 is offset by mandatory solar installation beginning with the 2019 building code.</p> <p>The 2022 Building Code increases establishes an energy budget based on efficient heat pumps or water heaters to encourage installation of heat pumps over gas-fueled HVAC units and requires homes to be electric-ready, with dedicated 240-volt outlets and space so electric appliances can eventually replace installed gas appliances. We assume the State Building Code will require net zero energy residential buildings beginning in 2026 and net zero energy non-residential beginning in 2029.</p>
Sources	<p>California Energy Commission, <a href="https://ww2.energy.ca.gov/title24/2019standards/documents/2018_Title_24_2019_Building_Standards_FAQ.pdf">https://ww2.energy.ca.gov/title24/2019standards/documents/2018_Title_24_2019_Building_Standards_FAQ.pdf</a></p> <p>California Energy Commission, California Commercial End-Use Survey (March 2006), <a href="https://ww2.energy.ca.gov/2006publications/CEC-400-2006-005/CEC-400-2006-005.PDF">https://ww2.energy.ca.gov/2006publications/CEC-400-2006-005/CEC-400-2006-005.PDF</a></p> <p>2009 California Residential Appliance Saturation Study (CRASS), Volume 2. <a href="http://www.energy.ca.gov/2010publications/CEC-200-2010-004/CEC-200-2010-004-V2.PDF">http://www.energy.ca.gov/2010publications/CEC-200-2010-004/CEC-200-2010-004-V2.PDF</a></p> <p>California Air Pollution Control Officers Association, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures," August, 2010.</p> <p>Personal communication with Rebecca Markwick, Senior Planner, City of Belvedere.</p>

**Calculation**

<b>Reductions from Title 24 Upgrades</b>	Energy Savings for 2019 Code (assumed for development 2020-2022)		Projected average reduction 2023-2030 from 2019 baseline	
	Electricity Savings	Natural Gas Savings	Electricity Savings	Natural Gas Savings
Residential New Construction	100.00%	7%	100%	50%
Non-residential New Construction	30%	30%	50%	50%

**Projected Residential Development with Title 24 Energy Reductions**

	2020- 2022	2023-2030	TOTAL through 2030	GHG Reductions through 2030
New Residential (units)	2	158	160	
Electricity Use BAU, subject to Title 24	1,902	1,427,892	1,429,794	
Electricity Use Savings	1,902	99,952	101,854	9
Natural Gas Use BAU	938	74,102	75,040	
Natural Gas Use Savings	66	37,051	37,117	197

**Projected Non-Residential Development with Title 24 Energy Reductions**

	2020- 2022	2023-2030	TOTAL through 2030	GHG Reductions through 2030
New/remodeled commercial sq. ft.	0	24,120	24,120	
Electricity Use BAU, subject to Title 24	0	192,236	192,236	
Electricity Use Savings	0	96,118	96,118	8
Natural Gas Use BAU	0	5,138	5,138	
Natural Gas Use Savings	0	2,569	2,569	14

SMALL OFF-ROAD EQUIPMENT <i>State Action</i>	
Reductions (MTCO <sub>2</sub> e) -58	2030
Action	Implementation of AB 1346
Methodology and Assumptions	<p>In October 2021, the state passed AB 1346, which states, “By July 1, 2022, the state board shall, consistent with federal law, adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. Those regulations shall apply to engines produced on or after January 1, 2024.”</p> <p>In December 2021, CARB adopted small off-road engines (SORE) regulations that require most newly manufactured small off-road engines to be zero emission starting in 2024. Portable generators, including those in recreational vehicles, and large pressure washers will be required to meet more stringent standards in 2024 and meet zero-emission standards starting in 2028.</p> <p>SORE are spark-ignition engines rated at or below 19 kilowatts. Engines in this category are primarily used for lawn, garden, and other outdoor power equipment. Engines that use diesel fuel and engines that are used in stationary equipment, including standby generators, are not subject to the SORE regulations. Federal law also preempts states from regulating new engines which are used in construction equipment or vehicles or used in farm equipment or vehicles, and which are smaller than 175 horsepower.</p> <p>For this action SORE subject to the 2024 ban includes lawn mowers, leaf blowers, trimmers, edgers, chainsaws &lt;45 cc, riding mowers, and log splitters. This equipment consumed 1,171,773 gallons of gasoline in 2019 (OFFROAD 2021). Similar to the off-road emissions inventory, we assume 0.8% of emissions are attributable to Belvedere based on its share of countywide households in 2019. Generators and pressure washers are not included because they are not included in the City's GHG inventory. We assume an average lifespan of 10 years.</p>
Sources	OFFROAD 2021 (v1.0.1)

*Calculation*

	2030
Regulated SORE gasoline consumption subject to 2024 ban	9,375 gallons
Emissions from regulated SORE, BAU	83 MTCO <sub>2</sub> e
Reduction (7 years at 10% each year)	70%
Emissions reductions	58 MTCO <sub>2</sub> e

## Appendix B: 2019 Greenhouse Gas Inventory Report for Communitywide Emissions

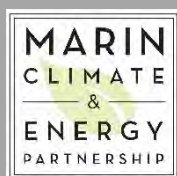


# CITY OF BELVEDERE

## COMMUNITY GREENHOUSE GAS EMISSIONS INVENTORY FOR THE YEAR 2019

January 2022

Prepared by the  
Marin Climate & Energy Partnership



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# EXECUTIVE SUMMARY

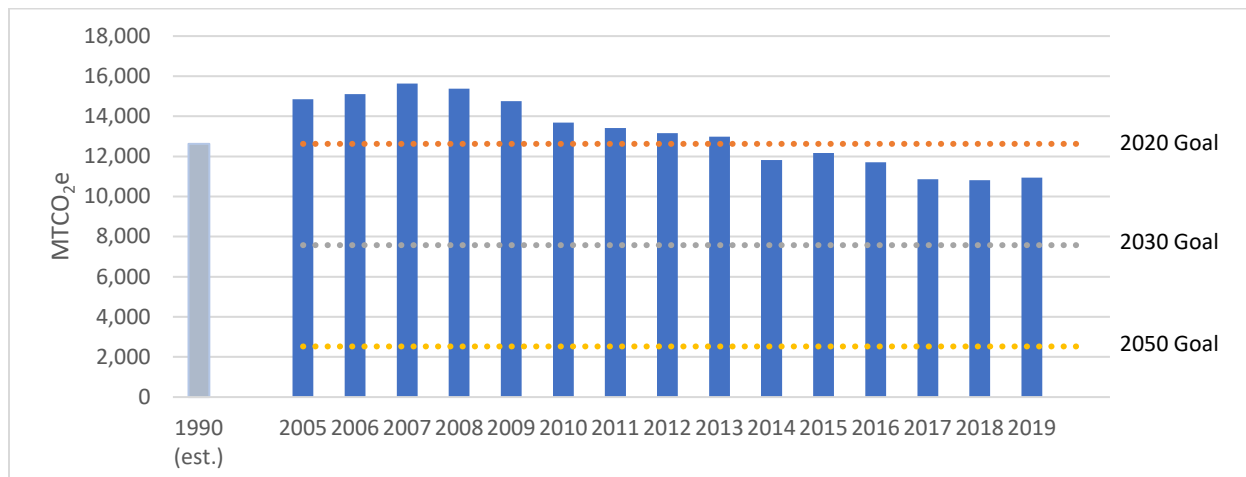
**THE TAKEAWAY:**

**COMMUNITY EMISSIONS ARE  
DOWN 26% SINCE 2005**

Belvedere publishes annual community greenhouse gas (GHG) emissions estimates through the Marin Climate & Energy Partnership (MCEP). Annual inventories help the City to more closely monitor its progress in meeting its goal to reduce community emissions. The City also publishes GHG emissions inventories for municipal operations approximately every five years. Municipal emissions accounted for approximately 1% of community emissions when the municipal inventory was last conducted for year 2015.

This report reviews emissions generated from the community from 2005 through 2019, the most recent year data is available. The inventory shows that the Belvedere community has reduced emissions 26% since 2005. Emissions dropped from about 14,855 metric tons carbon dioxide equivalents (MTCO<sub>2e</sub>) in 2005 to 10,935 MTCO<sub>2e</sub> in 2019. The community emissions trend and targets are shown below. Belvedere has met its goal to reduce emissions 15% below 2005 levels by 2020. The community needs to reduce emissions another 3,360 MTCO<sub>2e</sub> to meet the statewide target for 2030, which is 40% below 1990 levels, and another 8,410 MTCO<sub>2e</sub> to meet the statewide target for 2050, which is 80% below 1990 levels.

FIGURE 1: BELVEDERE GHG EMISSIONS AND TARGETS



Recognizing the need for a collaborative approach to greenhouse gas reductions, city, town, and county leaders launched the Marin Climate and Energy Partnership (MCEP) in 2007. The City of Belvedere is a member of MCEP and works with representatives from the County of Marin and the other Marin cities and towns to address and streamline the implementation of a variety of greenhouse gas reduction measures. Funding for this inventory was provided by the Marin County Energy Watch Partnership, which administers public goods charges collected by PG&E. Community inventories are available on the MCEP website at [marinclimate.org](http://marinclimate.org) and are used to update the [Marin Sustainability Tracker](#).

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# INTRODUCTION

## PURPOSE OF INVENTORY

The objective of this greenhouse gas emissions inventory is to identify the sources and quantify the amounts of greenhouse gas emissions generated by the activities of the Belvedere community in 2019. This inventory provides a comparison to 2005 and estimated 1990 emissions and identifies the sectors where significant reductions in greenhouse gas emissions have occurred. In some instances, previous year emissions were updated with new data and/or recalculated to ensure the same methodology was employed for all inventory years.

## GENERAL METHODOLOGY

This inventory uses the national standard for the accounting and reporting of community-wide greenhouse gas emissions, the [U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions, version 1.2 \(July 2019\)](#). Quantification methodologies, emission factors, and activity and source data are detailed in the appendix.

Community emissions are categorized according to seven sectors:

- Built Environment - Electricity
- Built Environment – Natural Gas
- Transportation
- Off-Road Vehicles and Equipment
- Waste
- Water
- Wastewater

## CALCULATING EMISSIONS

Emissions are quantified by multiplying the measurable activity data – e.g., kilowatt hours of electricity, therms of natural gas, gallons of diesel or gasoline, etc. – by emissions factors specific to the greenhouse gas-generating source. Most emissions factors are the same from year to year. Emission factors for electricity, however, change from year to year due to the specific sources that are used to produce electricity. For example, electricity that is produced from coal generates more greenhouse gases than electricity that is generated from natural gas and therefore has a higher emissions factor. Electricity that is produced solely from renewable energy sources such as solar and wind has an emissions factor of zero.

This inventory calculates individual greenhouse gases – i.e., carbon dioxide, methane and nitrous oxide – and converts each greenhouse gas emission to a standard metric, known as “carbon dioxide equivalents” or CO<sub>2</sub>e, to provide an apple-to-apples comparison among the various emissions. Table 1 shows the greenhouse gases identified in this inventory and their global warming potential (GWP), a measure of the amount of warming each gas causes when compared to a similar amount of carbon dioxide over 100 years. Methane, for example, is 28 times as potent as carbon dioxide over 100 years; therefore, one metric ton of methane is equivalent to 28 metric tons of carbon dioxide. Greenhouse gas emissions are reported in this inventory as metric tons of carbon dioxide equivalents, or MTCO<sub>2</sub>e.

TABLE 1: GREENHOUSE GASES

Gas	Chemical Formula	Emission Source	Global Warming Potential
Carbon Dioxide	CO <sub>2</sub>	Combustion of natural gas, gasoline, diesel, and other fuels	1
Methane	CH <sub>4</sub>	Combustion, anaerobic decomposition of organic waste in landfills and wastewater	28
Nitrous Oxide	N <sub>2</sub> O	Combustion, wastewater treatment	265

Source: IPCC Fifth Assessment Report (2014), 100-year values

### TYPES OF EMISSIONS

Emissions from each of the greenhouse gases can come in a number of forms:

- **Stationary or mobile combustion** resulting from the on-site combustion of fuels (natural gas, diesel, gasoline, etc.) to generate heat or electricity, or to power vehicles and equipment.
- **Purchased electricity** resulting from the generation of power from utilities outside the jurisdictional boundary.
- **Fugitive emissions** resulting from the unintentional release of greenhouse gases into the atmosphere, such as methane from waste decomposition.
- **Process emissions** from physical or chemical processing of a material, such as wastewater treatment.

### UNDERSTANDING TOTALS

The totals listed in the tables and discussed in the report are a summation of emissions using available estimation methods. Each inventoried sector may have additional emissions sources associated with them that were unaccounted for due to a lack of data or robust quantification methods. For example, greenhouse gas emissions associated with air travel and the production of goods outside the community's boundary are not included in the inventory. Additionally, the community inventory does not include refrigerants released into the atmosphere from the use of air conditioning in cars and buildings.

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# COMMUNITY INVENTORY

## COMMUNITY INVENTORY SUMMARY

In 2005, the activities taking place by the Belvedere community resulted in approximately 14,855 metric tons of CO<sub>2</sub>e.<sup>1</sup> In 2019, those activities resulted in approximately 10,935 metric tons of CO<sub>2</sub>e, a reduction of 26% from 2005 levels, which is equivalent to 13% below 1990 levels.

The community inventory tracks emissions in seven sectors:

- The **Built Environment – Electricity** sector represents emissions generated from the use of electricity in Belvedere homes and commercial and governmental buildings and facilities<sup>2</sup>.
- The **Built Environment – Natural Gas** sector represents emissions generated from the use of natural gas in Belvedere homes and commercial, industrial, and governmental buildings and facilities. Propane used as a primary heating source is also included, although it represents less than 1% of emissions in this sector.
- The **Transportation** sector includes tailpipe emissions from passenger vehicle trips originating and ending in Belvedere, as well as a share of tailpipe emissions generated by medium and heavy-duty vehicles travelling on Marin County roads. The sector also includes emissions from Marin Transit buses as these vehicles travel within Belvedere’s boundaries. Electricity used to power electric vehicles is embedded in electricity consumption reported in the Built Environment - Electricity sector.
- The **Waste** sector represents fugitive methane emissions that are generated over time as organic material decomposes in the landfill. Although most methane is captured or flared off at the landfill, approximately 25% escapes into the atmosphere.
- The **Off-Road** sector represents emissions from the combustion of gasoline and diesel fuel from the operation of off-road vehicles and equipment used for construction and landscape maintenance.
- The **Water** sector represents emissions from energy used to pump, treat, and convey potable water from the water source to Belvedere water users.
- The **Wastewater** sector represents stationary, process and fugitive greenhouse gases that are created during the treatment of wastewater generated by the community as well as emissions created from electricity used to convey and treat wastewater.

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<sup>1</sup> Baseline and historical emissions are recalculated in the annual inventory to integrate new data and improved calculation methodologies and to ensure consistent comparison across each year. For this reason, emission levels may differ from levels reported in previous inventories.

<sup>2</sup> Previous inventories categorized emissions from electricity, natural gas, and propane in the built environment according to the Residential and Non-Residential sectors. Beginning with this inventory, we are categorizing emissions in the built environment as Electricity and Natural Gas in order to align and better track with the Climate Action Plan’s goals to electrify the built environment.

Figure 2 shows the relative contribution of emissions from these sectors in 2019. The use of natural gas and propane in the Built Environment represent the largest share of communitywide emissions (46%), while the Transportation sector accounts for 41% of emissions.

FIGURE 2: EMISSIONS BY SECTOR, 2019

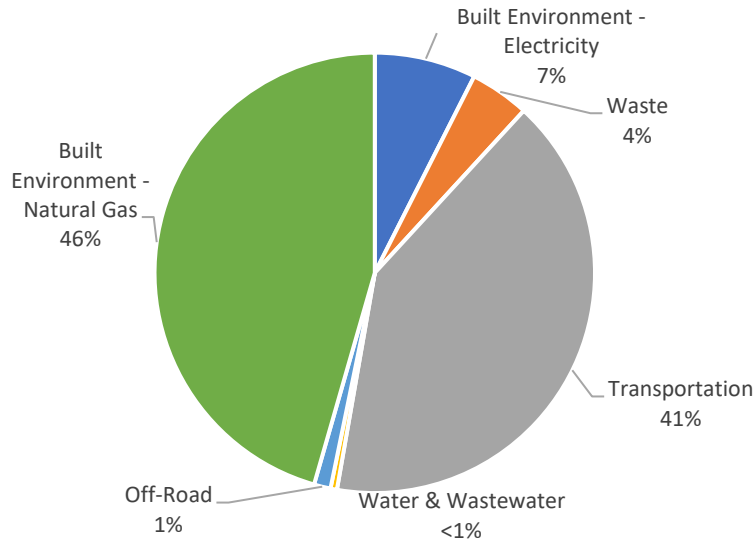


Table 2 shows how emissions in each sector have changed since 2005. The greatest reductions have occurred in the Built Environment – Electricity sector (1,696 MTCO<sub>2</sub>e), followed by the Transportation sector (1,226 MTCO<sub>2</sub>e) and the Built Environment – Natural Gas sector (572 MTCO<sub>2</sub>e). The likely reasons for the largest emissions decreases are described in the remainder of this report.

TABLE 2: EMISSIONS SUMMARY BY SECTOR (MTCO<sub>2</sub>E), 2005 THROUGH 2019

Year	Built Environment - Electricity	Built Environment - Natural Gas	Transportation	Waste	Off-Road	Water	Wastewater	Total	% Change from 2005
1990 (est.) <sup>1</sup>								12,627	
2005	2,512	5,559	5,707	699	212	87	79	14,855	
2006	2,388	5,787	5,877	689	220	76	77	15,114	2%
2007	3,204	5,440	5,922	617	259	101	89	15,631	5%
2008	3,235	5,450	5,792	512	212	93	90	15,383	4%
2009	3,033	5,425	5,509	440	178	93	83	14,762	-1%
2010	2,133	5,518	5,315	430	159	53	73	13,681	-8%
2011	1,975	5,573	5,186	420	154	38	70	13,416	-10%
2012	2,083	5,204	5,178	435	151	40	75	13,167	-11%
2013	2,012	5,161	5,095	441	148	47	77	12,981	-13%
2014	1,830	4,412	4,877	440	147	42	72	11,821	-20%
2015	1,776	4,614	5,068	461	145	33	71	12,168	-18%
2016	1,449	4,839	4,657	536	143	24	63	11,711	-21%
2017	649	4,824	4,630	559	140	7	59	10,868	-27%
2018	701	4,883	4,543	494	136	3	59	10,817	-27%
2019	817	4,987	4,480	469	131	3	48	10,935	-26%
Change from 2005	-1,696	-572	-1,226	-230	-80	-84	-31	-3,920	
% Change from 2005	-68%	-10%	-21%	-33%	-38%	-97%	-39%	-26%	

<sup>1</sup> Per California Air Resources Board guidance, 1990 levels are estimated at 15% below 2005 levels.

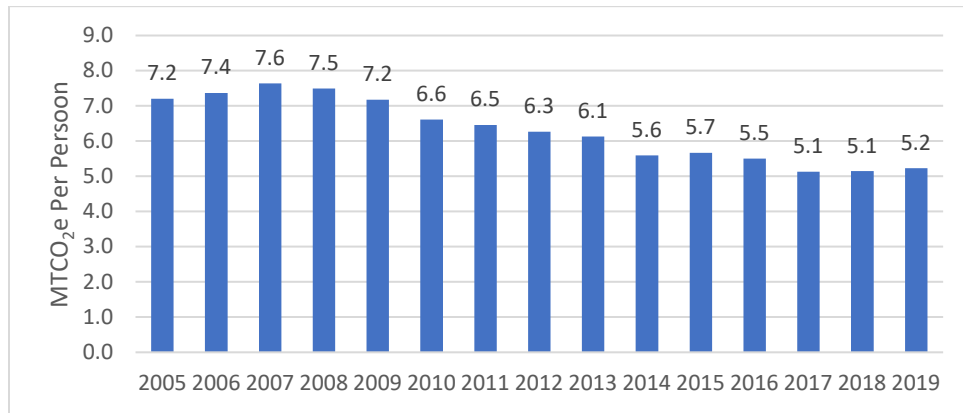
### PER CAPITA EMISSIONS

Per capita emissions can be a useful metric for measuring progress in reducing greenhouse gases and for comparing one community's emissions with neighboring cities and against regional and national averages. That said, due to differences in emission inventory methods, it can be difficult to produce directly comparable per capita emissions numbers. Per capita emission rates may be compared among Marin jurisdictions, although some jurisdictions may have higher rates due to the presence of commercial and industrial uses.

Dividing the total communitywide GHG emissions by residents yields a result of 7.2 metric tons CO<sub>2</sub>e per capita in 2005. Per capita emissions decreased 30% between 2005 and 2019, falling to 5.2 metric tons per person. Figure 3 shows the trend in per capita emissions over time. It is important to understand that this number is not the same as the carbon footprint of the average individual living in Belvedere, which would include lifecycle emissions, emissions resulting from air travel, etc.



FIGURE 3: EMISSIONS PER CAPITA



## MAJOR SOURCES OF EMISSIONS

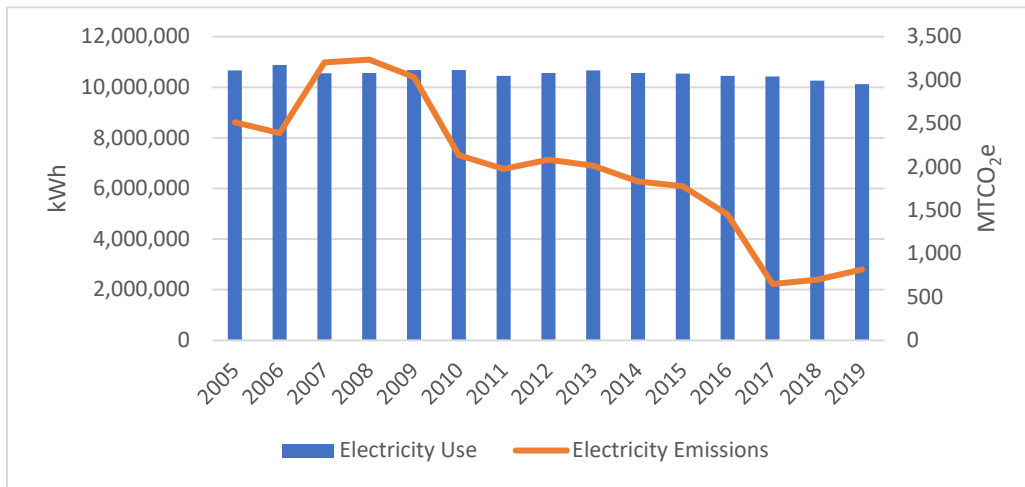
The following sections provide a year-by-year analysis of the changes in source GHG emissions in the Built Environment, Transportation, Waste and Water sectors. Whenever possible, each section discusses the change in emissions from previous years and the likely influence of state and local programs or policies and external factors on reducing emissions.

### BUILT ENVIRONMENT - ELECTRICITY

Electricity use in homes and businesses in Belvedere decreased about 5% between 2005 and 2019. Greenhouse gas emissions from electricity consumption decreased 68% since 2005, as shown in Figure 3. This is primarily due to the lower carbon intensity of electricity. PG&E has been steadily increasing the amount of renewable energy in its electricity mix. In 2019, PG&E electricity came from a mix of renewable (29%), large hydroelectric (27%), and nuclear (44%) energy sources and was virtually GHG-free.<sup>3</sup> The carbon intensity of MCE Light Green electricity was more carbon intensive in 2019 than the previous two years but was still below the 10-year average. In 2019, about 3.6% of MCE electricity purchased by Belvedere customers was 100% renewable Deep Green electricity, including electricity purchased by the City government.

<sup>3</sup> PG&E, 2019 Power Mix, [https://www.pge.com/pge\\_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2020/1220-PowerContent-ADA.pdf](https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2020/1220-PowerContent-ADA.pdf)

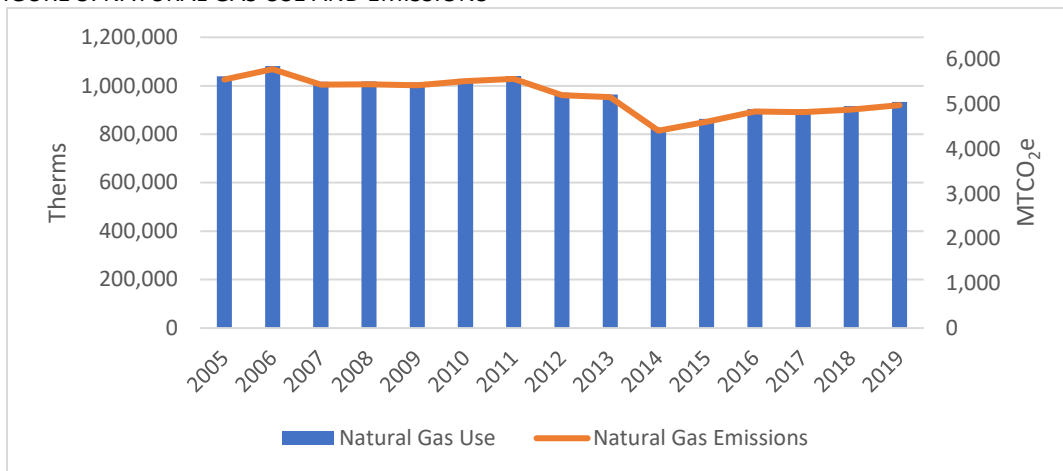
FIGURE 4: ELECTRICITY USE AND EMISSIONS



**BUILT ENVIRONMENT - NATURAL GAS**

Natural gas is used in residential and commercial buildings to provide space and water heating and power appliances. Use of natural gas is highly variable depending on the weather conditions. This variability has led natural gas use consumption in Belvedere to fluctuate from year to year, from a high of 1.04 million therms in 2011 to a low of 0.83 million therms in 2014. Estimated natural gas consumption rose 2% between 2018 and 2019 and was 10% below the 2005 level.

FIGURE 5: NATURAL GAS USE AND EMISSIONS



Reduction in energy use may be attributed to energy efficiency programs and rebates, local green building ordinances, and State building codes. California’s goal is to require all new residential and commercial buildings to be zero net energy by 2030.

## TRANSPORTATION

Transportation activities accounted for approximately 41% of Belvedere’s emissions in 2019. Vehicle miles traveled (VMT) have decreased approximately 5% since 2005, and transportation emissions have decreased even more – by 21% – due to more fuel-efficient and alternatively fueled cars (Figure 6). As shown in Figure 7, most transportation emissions come from passenger vehicles, accounting for 91% of transportation emissions in 2019. Marin County continues to be a leader in zero emission vehicles (ZEVs) – second only to Santa Clara County – with 8,600 ZEVs in Marin at the end of 2019, or about 4% of registered automobiles. ZEVs include battery electric cars, plug-in hybrid electric cars, hydrogen fuel cell cars, and zero-emission motorcycles. Belvedere had over 140 ZEVs by the end of 2019, approximately one for every six households.

While it is difficult to pinpoint exactly how each land use and transportation policy affects emissions, the City has undertaken efforts to reduce transportation emissions. The City encourages workforce housing and has made it easier for residents to use carbon-free modes of transportation, such as bicycling and walking, through improvements to the transportation network. The City has also encouraged electric vehicle adoption by installing chargers at City Hall.

FIGURE 6: TRANSPORTATION VMT AND EMISSIONS

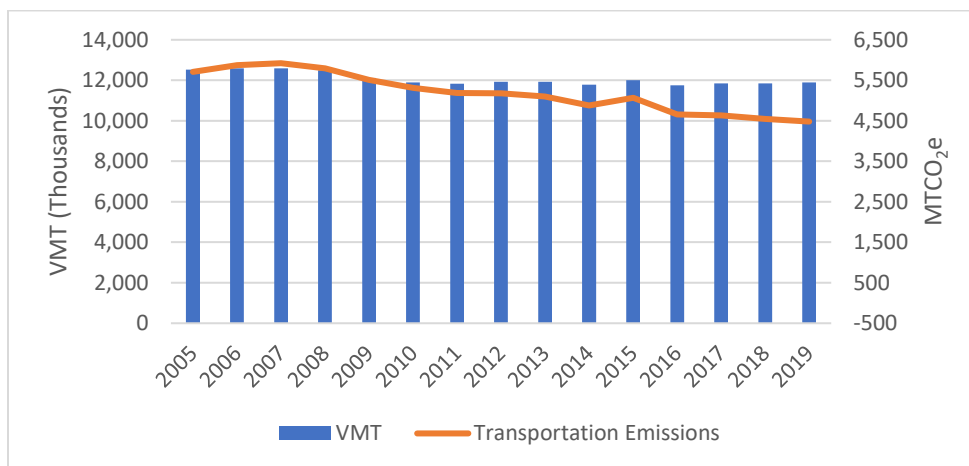
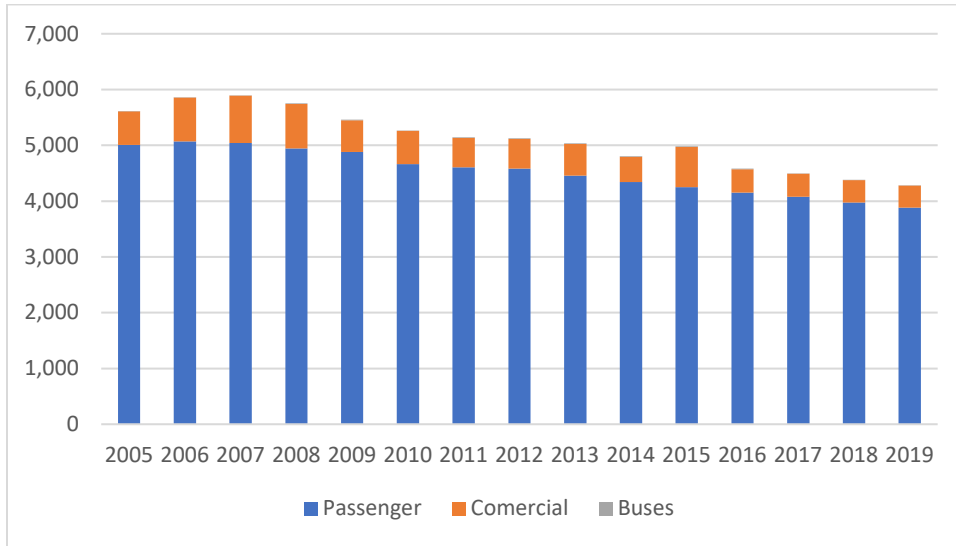


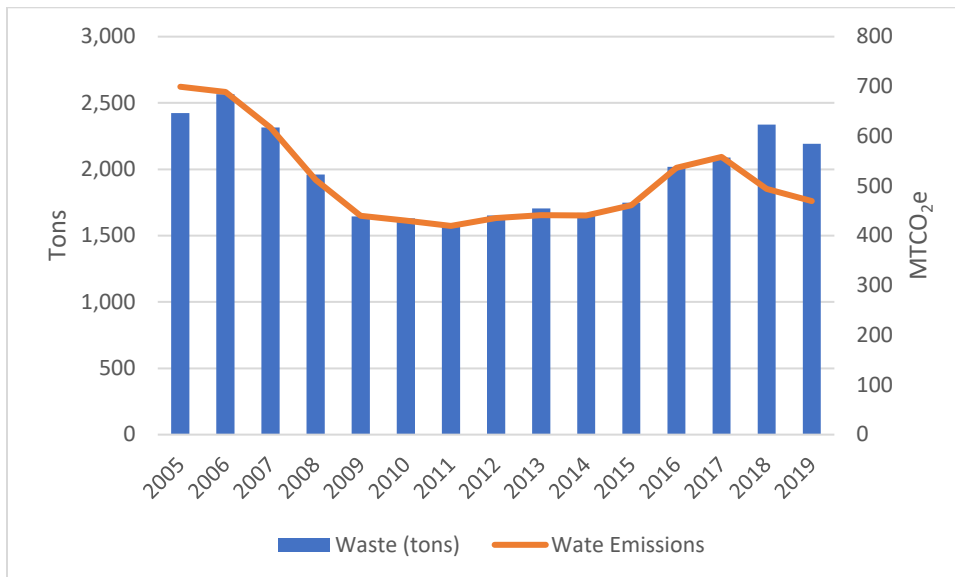
FIGURE 7: TRANSPORTATION EMISSIONS BY VEHICLE TYPE



WASTE DISPOSAL

Waste generated by the community hit a low in 2011 but has since increased as shown in Figure 8 (based on countywide disposal data). Total landfilled waste (including alternative daily cover)<sup>4</sup> decreased 6% between 2018 and 2019 and was 10% below the 2005 baseline. Emissions from waste disposal decreased 33% due to the lower organic content of material used for alternative daily cover.

FIGURE 8: DISPOSED WASTE AND EMISSIONS



<sup>4</sup> Alternative daily cover is cover material other than earthen material placed on the surface of the active face of a municipal solid waste landfill at the end of each operating day to control vectors, fires, odors, blowing litter, and scavenging.

## WATER USE

District-wide, per capita water use declined 25% since 2005. Emissions, which are based on an estimate of energy used to pump, treat, and convey water from the water source to the City limits, dropped 97% between 2005 and 2019. The reduction is primarily due to the lower carbon intensity of electricity. The Marin Municipal Water District (MMWD) began purchasing MCE Deep Green electricity in mid-2017. The Sonoma County Water Agency (SCWA), which supplies approximately 24% of MMWD’s water in 2019, uses renewable and carbon-free sources for its electricity needs; a small amount of emissions comes from stationary and mobile combustion of fuels used in SCWA’s operations.

FIGURE 9: WATER CONSUMPTION AND EMISSIONS

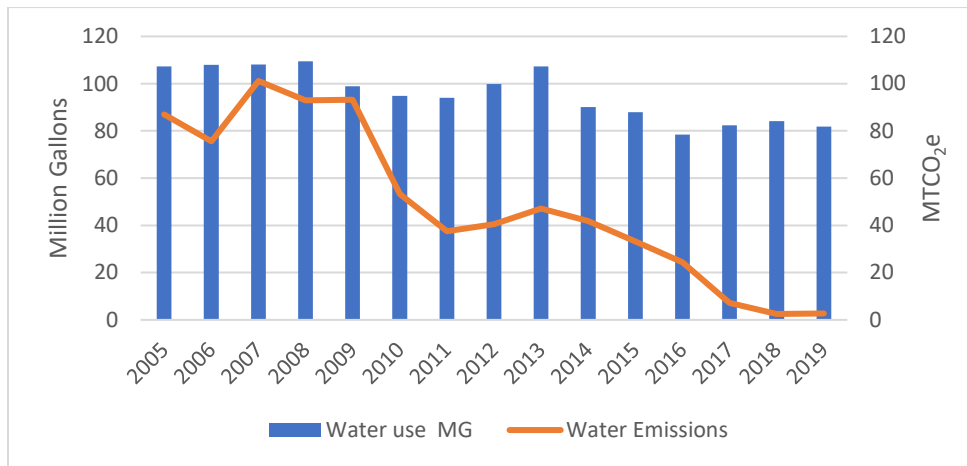
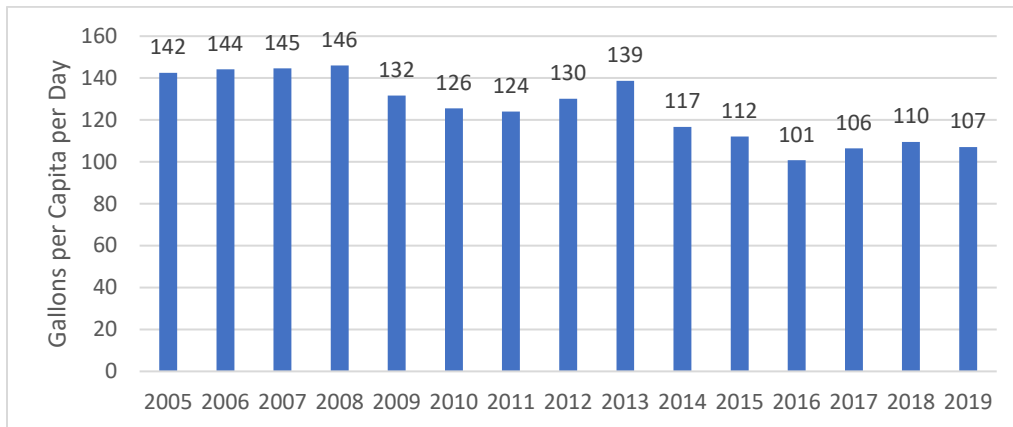


FIGURE 10: PER CAPITA WATER USE



Source: Marin Municipal Water District

MMWD provides rebates and programs to reduce water use. Rebates are available to replace fixtures with high-efficiency clothes washers and to purchase cisterns and rain barrels. MMWD provides free home and landscape water-use evaluations as well as free high-efficiency showerheads and faucet aerators.

# APPENDIX: COMMUNITY INVENTORY

## Community GHG Emissions Summary Table

Jurisdiction: City of Belvedere

Population: 2,092 (CA Department of Finance, May 2021)

Number of Households: 919 (CA Department of Finance, May 2021)

Inventory Year: 2019

Date Prepared: January 18, 2022

Reporting Framework: Communitywide Activities

ID	Emissions Type	Source or Activity	Included, Required Activities	Included, Optional Activities	Excluded (IE, NA, NO or NE)	Notes	Emissions (MTCO <sub>2</sub> e)
1.0	<b>Built Environment</b>						
1.1	Use of fuel in residential and commercial stationary combustion equipment	Both	•				4,987
1.2	Industrial stationary sources	Source			NE		
1.3	Power generation in the community	Source			NO		
1.4	Use of electricity in the community	Activity	•			Includes transmission and distribution losses	817
1.5	District heating/cooling facilities in the community	Source			NE		
1.6	Use of district heating/cooling facilities in the community	Activity			NE		
1.7	Industrial process emissions in the community	Source			NO		
1.8	Refrigerant leakage in the community	Source			NE		
2.0	<b>Transportation and Other Mobile Sources</b>						
2.1	On-road passenger vehicles operating within the community boundary	Source			IE	Obtained data for preferred activity-based method instead	
2.2	On-road passenger vehicles associated with community land uses	Activity	•				4,062
2.3	On-road freight and service vehicles operating within the community boundary	Source			IE	Obtained data for preferred activity-based method instead	
2.4	On-road freight and service vehicles associated with community land uses	Activity	•				413
2.5	On-road transit vehicles associated with community land uses	Activity		•			6
2.6	Transit rail vehicles operating with the community boundary	Source			NO		
2.7	Use of transit rail travel by the community	Activity			NE		

2.8	Inter-city passenger rail vehicles operating within the community boundary	Source			NO		
2.9	Freight rail vehicles operating within the community boundary	Source			NO		
2.10	Marine vessels operating within the community boundary	Source			NE		
2.11	Use of ferries by the community	Activity			NE		
2.12	Off-road surface vehicles and other mobile equipment operating within the community boundary	Source		•			131
2.13	Use of air travel by the community	Activity			NE		
3.0	Solid Waste						
3.1	Operation of solid waste disposal facilities in the community	Source			NE		
3.2	Generation and disposal of solid waste by the community	Activity	•			Includes alternative daily cover	469
4.0	Water and Wastewater						
4.1	Operation of water delivery facilities in the community	Source			IE	Energy use is included in 1.1 and 1.4	
4.2	Use of energy associated with use of potable water by the community	Activity	•				3
4.3	Use of energy associated with generation of wastewater by the community	Activity	•				0
4.4	Process emissions from operation of wastewater treatment facilities located in the community	Source			NO		
4.5	Process emissions associated with generation of wastewater by the community	Activity	•				48
4.6	Use of septic systems in the community	Source			NE		
5.0	Agriculture						
5.1	Domesticated animal production	Source			NE		
5.2	Manure decomposition and treatment	Source			NE		
6.0	Upstream Impacts of Communitywide Activities						
6.1	Upstream impacts of fuels used in stationary applications by the community	Activity			NE		
6.2	Upstream and transmission and distribution (T&D) impacts of purchased electricity used by the community	Activity			IE	Transmission and distribution losses included in 1.4	
6.3	Upstream impacts of fuels used by water and wastewater facilities for water used and wastewater generated within the community boundary	Activity			IE		
6.4	Upstream impacts of select materials (concrete, food, paper, carpets, etc.) used by the whole community.	Activity			NE		

Legend

IE – Included Elsewhere: Emissions for this activity are estimated and presented in another category of the inventory. The category where these emissions are included should be noted in the explanation.

NE – Not Estimated: Emissions occur but have not been estimate or reported (e.g., data unavailable, effort required not justifiable).

NA – Not Applicable: The activity occurs but does not cause emissions; explanation should be provided.

NO – Not Occurring: The source or activity does not occur or exist within the community.



## Community Emissions Data Sources and Calculation Methodologies

Sector/ID	Emissions Source	Source and/or Activity Data	Emission Factor and Methodology
<b>1.0 Built Environment</b>			
1.1 Stationary Combustion	Stationary Combustion (CO <sub>2</sub> , CH <sub>4</sub> & N <sub>2</sub> O)	Known fuel use (meter readings by PG&E) and estimated fuel use (American Community Survey 5-Year Estimates, and U.S. Energy Information Administration Household Site Fuel Consumption data).	Default CO <sub>2</sub> , CH <sub>4</sub> & N <sub>2</sub> O emission factors by fuel type (U.S. Community Protocol v. 1.1 Tables B.1 and B.3). U.S. Community Protocol v. 1.1, Appendix C, Method BE.1.1 and BE.1.2.
1.4 Electricity Use	Electricity Use (CO <sub>2</sub> , CH <sub>4</sub> & N <sub>2</sub> O)	Known electricity use (meter readings by PG&E and MCE) and estimated direct access electricity consumption.	Verified utility-specific emission factors (PG&E and MCE) and eGrid subregion default emission factors. U.S. Community Protocol v. 1.1, Appendix C, Method BE.2.1.
	Electric Power Transmission and Distribution Losses (CO <sub>2</sub> , CH <sub>4</sub> & N <sub>2</sub> O)	Estimated electricity grid loss for Western region from eGrid.	U.S. Community Protocol v. 1.1, Appendix C, Method BE.4.1.
<b>2.0 Transportation and Other Mobile Sources</b>			
2.2 On-Road Passenger Vehicle Operation	On-Road Mobile Combustion (CO <sub>2</sub> )	Estimated passenger vehicle miles traveled associated with origin and destination land uses (Metropolitan Transportation Commission, <a href="http://capvmt.us-west-2.elasticbeanstalk.com/data">http://capvmt.us-west-2.elasticbeanstalk.com/data</a> ).	CO <sub>2</sub> for on-road passenger vehicles quantified in the EMFAC2021 v.1.0.1 model. Passenger vehicle emissions calculated according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.1.A.
	On-Road Mobile Combustion (CH <sub>4</sub> & N <sub>2</sub> O)	Estimated vehicle miles traveled associated with origin and destination land uses (Metropolitan Transportation Commission, <a href="http://capvmt.us-west-2.elasticbeanstalk.com/data">http://capvmt.us-west-2.elasticbeanstalk.com/data</a> ).	CH <sub>4</sub> and N <sub>2</sub> O for on-road passenger vehicles quantified in the EMFAC2017 model and adjusted for IPCC AR5 100-year values. Passenger vehicle emissions calculated according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.1.A.
2.4 On-Road Freight and Service Truck Freight Operation	On-Road Mobile Combustion (CO <sub>2</sub> )	Estimated commercial vehicle miles traveled within the boundary (Metropolitan Transportation Commission utilizing the 2017 Regional Transportation Plan).	CO <sub>2</sub> for on-road commercial vehicles quantified in the EMFAC2021 v.1.0.1 model. Emissions allocated utilizing LEHD data according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.2.A.
	On-Road Mobile Combustion (CH <sub>4</sub> & N <sub>2</sub> O)	Estimated commercial vehicle miles traveled within the boundary (Metropolitan Transportation Commission utilizing Plan Bay Area 2040 and the 2017 Regional Transportation Plan).	CH <sub>4</sub> and N <sub>2</sub> O for on-road commercial vehicles quantified in the EMFAC2017 model and adjusted for IPCC AR5 100-year values. Emissions allocated utilizing LEHD data according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.2.A.
2.5 On-Road Transit Operation	On-Road Mobile Combustion (CO <sub>2</sub> )	Estimated vehicle miles traveled within the boundary (Marin Transit and Golden Gate Transit) and estimated diesel fuel efficiency for transit fleet (Golden Gate Transit). Fuel type provided by Marin Transit and Golden Gate Transit.	Renewable diesel emission factor provided by <a href="#">NEXGEN</a> . U.S. Community Protocol v. 1.1, Appendix D, Method TR.4.A.
	On-Road Mobile Combustion (CH <sub>4</sub> & N <sub>2</sub> O)	Estimated vehicle miles traveled within the boundary (Marin Transit and Golden Gate Transit) and estimated diesel fuel	Renewable diesel emission factor provided by <a href="#">NEXGEN</a> . U.S. Community Protocol v. 1.1, Appendix D, Method TR.4.B.

		efficiency for transit fleet (Golden Gate Transit). Fuel type provided by Marin Transit and Golden Gate Transit.	
2.12 Off-Road Vehicles and Equipment	Off-Road Mobile Combustion (CO <sub>2</sub> )	Estimated fuel use from OFFROAD 2021 v.1.0.1 for Lawn and Garden and Construction categories. All categories are allocated by share of countywide households.	CO <sub>2</sub> emissions calculated according U.S. Community Protocol v. 1.1, Appendix D, Method TR.8. Emission factors provided in Table TR.1.6.
	Off-Road Mobile Combustion (CH <sub>4</sub> & N <sub>2</sub> O)	Estimated fuel use from OFFROAD 2021 v.1.0.1 for Lawn and Garden and from OFFROAD2017 for Construction equipment. All categories are allocated by share of countywide households.	CH <sub>4</sub> and N <sub>2</sub> O emissions calculated according to U.S. Community Protocol v. 1.1, Appendix D, Method TR.8. Emission factors provided in the Local Government Operations Protocol Table G.11 and G.14.
3.0 Solid Waste			
3.2 Solid Waste Generation and Disposal	Fugitive Emissions from Landfilled Waste (CH <sub>4</sub> )	Estimated landfilled tons based on reporting to CalRecycle by Marin County Solid and Hazardous Waste JPA and allocated to jurisdiction based on share of countywide population. Waste characterization based on the Statewide Waste Characterization Study (2008, 2014 and 2018) and Alternative Daily Cover by Jurisdiction of Origin and Material Type as reported to CalRecycle.	Emission factors calculated utilizing U.S. Community Protocol for Accounting and Report of Greenhouse Gas Emissions, Version 1.1, July 2013, Appendix E, Method SW.4.
4.0 Water and Wastewater			
4.2 Water Supply & Conveyance, Treatment and Distribution	Electricity Use (CO <sub>2</sub> )	Water consumption (district-wide gpcd) and electricity usage provided by Marin Municipal Water District (MMWD). Sonoma County Water Agency (SCWA) water delivery amount provided by <a href="#">SCWA</a> .	Verified utility-specific emission factors (PG&E, MCE and SCWA). Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.14.
	Electricity Use (CH <sub>4</sub> & N <sub>2</sub> O)	Water consumption (district-wide gpcd) and electricity usage provided by Marin Municipal Water District (MMWD).	eGrid subregion default emission factors. Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.14.
4.5 Treatment of Wastewater	Stationary Emissions from Combustion of Digester Gas (CH <sub>4</sub> )	Estimated service population and percent of methane in digester gas provided by Sanitary District No. 5.	Sanitary District No.5 emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.1.(alt).
	Stationary Emissions from Combustion of Digester Gas (N <sub>2</sub> O)	Estimated service population and percent of methane in digester gas provided by Sanitary District No. 5.	Sanitary District No.5 emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.2.(alt).
	Process Emissions from Wastewater Treatment Plant with Nitrification or Denitrification	Estimated population served by wastewater treatment plant provided by Sanitary District No. 5.	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.7.

	Fugitive Emissions from Effluent Discharge (N <sub>2</sub> O)	Estimated population served by wastewater treatment plant provided by Sanitary District No.5. Assumed significant industrial or commercial input.	Emissions calculated according to U.S. Community Protocol v. 1.1, Appendix F, Method WW.12(alt).
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