

**AGENDA – REULAR MEETING  
BELVEDERE CITY COUNCIL  
JULY 11, 2022, 6:30 P.M.  
TELECONFERENCE 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 teleconference 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: July 11, 2022, 6:30 P.M.**

**Join Zoom Meeting:**

**<https://us02web.zoom.us/j/84477983186?pwd=NHpSSGcrL1N6RHJBZGZDbTN4Um1MQT09>**

**Webinar ID: 844 7798 3186**

**Passcode: 429436**

**877 853 5247 US Toll-free**

**888 788 0099 US Toll-free**

**AGENDA – REGULAR MEETING  
BELVEDERE CITY COUNCIL  
JULY 11, 2022, 6:30 P.M.  
TELECONFERENCE MEETING**

---

**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.*

---

**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. Police Chief Quarterly report.
4. Interviews of the following applicants for appointment to the following Commissions and Committees.
  - Patrick Feder - Finance Committee
  - Larry Binkley - Marin County Commission on Aging
  - Kevin Burke - Planning Commission

**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.*

5. Approve minutes of the June 13, 2022, regular meeting.
6. Approve warrants for May 2022.
7. Adopt three Resolutions: (1) Designating signatories for the City of Belvedere’s Westamerica Bank Operating & Payroll Accounts; (2) Designating signatories for the City of Belvedere’s

Westamerica Bank Line of Credit of \$800,000; (3) Designating Authorized Users of the City's Local Agency Investment Fund.

8. Adopt an amended Resolution establishing the Fiscal Year 2022/2023 Fire Protection & Emergency Medical Services Assessment for the City.
9. Adopt a Resolution Approving a One-Time Salary Bonus for the Position of Planning and Building Services Director.
10. Adopt a Resolution ratifying Lexipol Police Department Policy Manual updates.
11. Adopt an Ordinance of the City Council of the City of Belvedere amending the Belvedere Municipal Code by adding a new Title, Title 22: Objective Design & Development Standards, to the City of Belvedere Municipal Code.
12. Adopt a Resolution Authorizing the Continuation of Remote Public Meetings pursuant to Assembly Bill 361.
13. 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

14. Consideration of and possible decision on an appeal of the City's assessment of financial penalties for violation of the Construction Time Limit Ordinance for construction at 339 Golden Gate Avenue, Belvedere CA 94920. Appellants & Owners: Julie & David Flaherty.  
*Staff recommendation: Hold the public hearing and affirm, reduce or deny the amount of assessed penalties.*
15. Introduction and first reading of an Ordinance of the City Council of the City of Belvedere amending the Belvedere Municipal Code by Amending Title 2, Chapter 2.28 "Planning Commission., and Adopt a Resolution approving amending Section 6.3 of the City of Belvedere Administrative Policy Manual regarding Planning Commission Operations.  
*Staff recommendation: Introduce and Approve the first reading of the Ordinance, and Adopt the Resolution.*

## OTHER SCHEDULED ITEMS

16. Adopt a Climate Emergency Resolution and direct the City Manager to address climate impacts in relevant reports and seek funding to support Belvedere's climate actions.  
*Staff recommendation: Adopt the Resolution.*
17. Discussion of and Possible Action to Appoint Members to the Finance Committee, Planning Committee, Belvedere-Tiburon Library Agency Board of Trustees, and Marin County Commission on Aging.  
*Staff recommendation: Make appointments to the open seats on the identified committees and commissions.*

## 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 7 8 2022

To: Mayor and City Council

From: Beth Haener, City Clerk

**Subject: Make Appointments to Various Volunteer Committees and Commissions**

---

---

**Recommended Motion/Item Description**

That the Council interview and make appointments to the various committees and commissions.  
Suggested motions:

**MOTION:** To reappoint the following incumbents to their respective committees: Ashley Johnson, Planning Commission; Claire Slaymaker, Planning Commission; Bob McCaskill, Finance Committee.

**MOTION:** To appoint applicants to fill the open seats on various volunteer committees and commissions.

**Background**

The following committees have members whose terms expired in June of 2022. There were also two unexpected vacancies from two committees. A matrix detailing the committee's vacancies and applications is included as **Attachment 1**.

***Belvedere-Tiburon Library Agency Board of Trustees***

Board member Thomas Cromwell's term expired on June 30, 2022. Dr. Cromwell has served on the board since December of 2015 and has respectfully declined reappointment. The open seat is a four-year term. One application has been received from Belvedere resident Anthony Hooker, who is not available an interview, but his letter of interest is included in **Attachment 2**.

***Finance Committee***

Two Committee members (Bob McCaskill and Greg Ostroff) terms expired on June 30, 2022. Incumbent Mr. McCaskill has asked to be reappointed. Mr. Ostroff has respectfully declined reappointment. There is also a vacancy due to the departure of committee member Justin Faggioli in April, 2022. This vacant seat expires on June 30, 2024. There are no recommended term limits for members of the Finance Committee.

One application has been received from Belvedere resident Patrick Feder, who is here this evening to be interviewed by Council.

***Marin County Commission on Aging***

The term for the Belvedere representative to the Marin County Commission on Aging, currently held by Diana Bradley, expired on June 30, 2022. Ms. Bradley has served as the Belvedere representative since 2017 and is seeking reappointment. One application has been received from Belvedere resident Larry Binkley, who is here this evening to be interviewed by Council.

***Planning Commission***

Two Commissioners, Ashley Johnson and Claire Slaymaker terms expired on June 30, 2022. Per City Council adopted soft policy, appointees to the Planning Commission should serve no more than three consecutive 4-year terms before taking a hiatus. Claire Slaymaker was appointed to the Planning Commission in 2018 and has served one term. Ashley Johnson was appointed in 2020 to fill a vacancy on the Commission. Both incumbents wish to be reappointed. One application has been received from Belvedere resident Kevin Burke who is here this evening to be interviewed by Council.

There has also been a vacancy on the Planning Commission due to the departure of Commissioner Peter Mark, who was appointed to City Council and sworn-in on June 6, 2022. The vacant seat expires on June 30, 2024. Claire Slaymaker has requested to be reappointed to this partial term.

**Recruitment Efforts and Interviews**

Recruitment advertisements for the various committee term expirations were run in *The Ark* throughout June and the beginning of July. Information was also posted on the City's website and sent out through the City's monthly e-newsletter. Incumbents eligible to serve another term were contacted in writing regarding their desire for reappointment. All correspondence received regarding the open positions has been included in the attachments.

Per established policy, the Council does not require incumbents to reinterview for their position.

**Recommendation**

That the Council make appointments to the various committees and commissions. Suggested motions:

**MOTION:** To reappoint the following incumbents to their respective committees: Ashley Johnson, Planning Commission; Claire Slaymaker, Planning Commission; Bob McCaskill, Finance Committee.

**MOTION:** To appoint applicants to fill the open seats on various volunteer committees and commissions.

**Attachments**

1. Matrix of appointments to be made.
2. Belvedere-Tiburon Library Agency Board of Trustees correspondence.
3. Finance Committee correspondence.
4. Marin County Commission on Aging correspondence.
5. Planning Commission correspondence.

## APPOINTMENTS TO BE MADE

<b>BEL-TIB LIBRARY AGENCY BOARD OF TRUSTEES</b>		<b>One Seat to Appoint</b>
<b>4-year term: 7/1/2022 – 6/30/2026</b>		
Incumbent – Not reapplying	Thomas Cromwell	
Applicants	Anthony Hooker	

<b>FINANCE COMMITTEE</b>		<b>Three Seats to Appoint</b>
<b>Two 4-year terms: 7/1/2022 - 6/30/2026</b>		
<b>One 2-year term: 7/1/2022 - 6/30/2024</b>		
Incumbent – Seeking reappointment	Bob McCaskill	
Incumbent – Not reapplying	Greg Ostroff	
Vacancy	Justin Faggioli	
Applicants	Patrick Feder	

<b>MARIN COUNTY COMMISSION ON AGING</b>		<b>One Seat to Appoint</b>
<b>3-year term: 7/1/2022 – 6/30/2025</b>		
Incumbent – Seeking reappointment	Diana Bradley	
Applicants	Larry Binkley	

<b>PLANNING COMMISSION</b>		<b>Three Seats to Appoint</b>
<b>Two 4-year terms: 7/1/2022 – 6/30/2026</b>		
<b>One 2-year term: 7/1/2022 – 6/30/2024</b>		
Incumbent – Seeking reappointment	Claire Slaymaker	
Incumbent – Seeking reappointment	Ashley Johnson	
Vacancy	Peter Mark	
Applicants	Kevin Burke	



**From:** [Thomas Cromwell](#)  
**To:** [Beth Haener - City Clerk](#)  
**Subject:** Re: The Belvedere Tiburon Library Agency Board of Trustees: Term Expires June 30, 2022  
**Date:** Tuesday, May 31, 2022 12:56:02 PM

---

Beth: I think 8 years is sufficient, especially in view of the fact that the expansion is all but complete. Whitney Lee would be a perfect replacement but I talked to her and she seems to have too much on her plate. Tony Hooker approached me about the position and he was going to call Jeff Slavitz for more information so he may be interested.

On May 31, 2022, at 12:03 PM, Beth Haener - City Clerk  
<[bhaener@cityofbelvedere.org](mailto:bhaener@cityofbelvedere.org)> wrote:

Dear Mr. Cromwell,

The City Council and City Staff, as always, convey to you their appreciation for your service on the Belvedere Tiburon Library Agency Board of Trustees.

As you know, your term on the Committee will expire on June 30 of this year. Please let us know in writing, by **June 30th**, if you would like to serve another four-year term. Please send your communication by email to me and I will forward it to the Mayor.

The City Council policy regarding reappointments is that expiring committee terms are advertised in *The Ark* and recruited for, whether the incumbent requests reappointment or not, and all applicants who have not previously been interviewed by the City Council for that particular post are invited to interview.

Once again, thank you so much for your volunteer spirit and your service to the community in this important position.

Thank you,  
Beth Haener  
City Clerk

cc: Craig Middleton

**PUBLIC DISCLOSURE NOTICE:**

*This email and any attached files were sent from an email account assigned to a public official for the City of Belvedere. This email, replies to this email, or emails sent directly to this email account may constitute a public record and, if retained during the normal course of business, may be subject to disclosure to any person upon request.*

RECEIVED  
JUN 30 2022  
City of Belvedere

Anthony Hooker  
Belvedere, CA  
94920-2326

June 28 2022

By Mail: City Clerk Beth Haener  
Belvedere City Hall  
450 San Rafael Avenue  
Belvedere, CA 94920-2336

Dear Mayor Wilkinson and City Council Members,

It is my understanding that there will be a vacancy in the Belvedere-Tiburon Library Agency Board as of June 30.

I am interested in applying for that Vacancy.

I lived in Tiburon for some 46 years before moving to Belvedere three years ago. The library has been a part of my family's life ever since the old days in the Post Office and through its many iterations since. We availed ourselves of its many services, children's readings, multi-library book lending, research, and an art show in the Founder's Room. I was somewhat involved in the very early fund-raising efforts for the latest expansion.

After a ten-year stint in the Navy, I worked mostly in the financial world as a financial advisor and portfolio manager. In 1995 (while still working) I returned to school and received a Master of Art (Photography) from the San Francisco Art Institute. During this time, I also served on a number of private school and art organization boards. I was president of two of the boards and my experiences in such positions have given me a good understanding of how such boards work and how I can best contribute to their success. Capital campaigns, curriculum review, building plans, admissions, periodic crisis management and budgets were the order of the day.

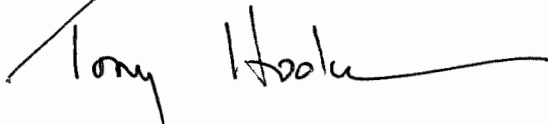
The new Belvedere-Tiburon Library is at a very exciting point in its history. Updated, expanded, and remodeled the library offers the community not only a repository of the latest best-sellers, but also offers a wonderful community center, a technology learning center, a fun spot for children, and endless sources for research.

The challenge going forward is to inform the community of all these opportunities and to encourage use by all ages. I look forward to supporting this effort. Too many here are not aware of what a wonderful resource they have at their doorstep.

I also want to make it clear that I am seeking this vacancy because of my interest in the future of the library and seeing it become a "Gem". I feel my experience and leadership would contribute significantly to the success of the library's future.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Tony Hooker". The signature is written in a cursive style with a long horizontal flourish at the end.

Tony Hooker

P.S. In the interest of full disclosure, I am currently working with the Library Foundation to establish a memorial garden for my late wife, l'Lee Hooker. A number of local residents in both Tiburon and Belvedere have contributed to this and the funds turned over to the Foundation. The exact form of this garden memorial will be determined when construction is finished. My family considers a memorial garden a great honor. I feel this endeavor poses no conflict should I be appointed to the Agency Board.

***Robert McCaskill***  
***Belvedere, CA 94920***

June 9, 2022

Mayor Sally Wilkinson  
City of Belvedere  
450 San Rafael Ave.  
Belvedere, CA 94920

RE: Belvedere Finance Committee

Dear Sally –

I would like to be considered for appointment for another four-year term on the Belvedere Finance Committee.

Sincerely,

*Bob*

Bob McCaskill

**From:** Greg Ostroff

**Sent:** Tuesday, June 21, 2022 3:21 PM

**To:** Beth Haener - City Clerk <bhaener@cityofbelvedere.org>

**Subject:** Re: Finance Committee: Term Expires June 30th, 2022

Thanks Beth, I hope you're well.

While it has been an honor to serve on the Belvedere Finance Committee the last two years, I do not wish to be reappointed for a new term at the end of the month.

Very best regards,

Greg

**JUSTIN FAGGIOLI**  
**BELVEDERE, CA 94920**

---

April 19, 2022

Mayor Sally Wilkinson  
Finance Committee Chair, Bob McCaskill  
City of Belvedere  
450 San Rafael Ave.  
Belvedere, CA 94920

RE: Resignation from the Finance Committee

VIA Email

Dear Sally and Bob:

It is with mixed emotions that I formally resign from Belvedere's Finance Committee. I have truly enjoyed serving on the Committee for almost 22 years. During this time, I have had the good fortune to work with many incredible volunteers and talented city staff.

At the same time, I am trying to simplify my obligations in order to spend more time with family and on our ranches. My life's runway is getting shorter, and I have a lot to do. Consequently, I am resigning from a number of boards and committees.

I know you will find a far superior replacement to complement the outstanding current members.

Best Regards,

*JUSTIN*

Justin M. Faggioli

cc: Craig Middleton

Dear Mayor and City Council Members,

I wish to express my interest in volunteering for the Belvedere Finance Committee.

Sound finances are the bedrock of any organization - public or private, profit or nonprofit - and Belvedere sets an example for cities all across the state and country. I want to volunteer my time and skills and help the city continue on that path through the more unusual times that lie ahead. High inflation, economic uncertainties, and once-in-a-lifetime infrastructure investments mean the next few years will not be business as usual.

I have a Master of Science in Industrial Engineering and 25+ years of experience in financial services consulting institutions working on complex technology problems. To this day I personally build the financial models underlying multi-year business cases and global transformation programs often requiring client expenditures of over \$100m. I work with my teams to plan and monitor project budgets and frequently dig into the underlying numbers to confirm accuracy.

Additionally, I am a member of SPUR, the Bay Area civic organization researching urban issues and bringing people together to develop solutions, serve on the business engagement team of the San Francisco Climate Reality Project chapter, and co-lead the Green Team at my employer's local office.

I believe this professional experience, personal interest in sustainability, and my attention to detail will help serve the Finance Committee and the City well.

Thank you for your consideration.

Sincerely, your neighbor  
Patrick C. Feder,

June 27, 2022

Mayor Sally Wilkinson

This letter is to let you know

of my continuing interest in  
representing our Belvedere City  
on the Marin County Commission  
on Aging. I have been an  
active member on the Commission's  
Housing and Transportation committees.

I have lived in Belvedere since  
1967 and always take an active  
interest.

Sincerely,  
Liane Bradley, Commissioner



**From:** Larry Binkley <  
**Sent:** Tuesday, June 21, 2022 2:57 AM  
**To:** Beth Haener - City Clerk  
**Subject:** MCCA

Hi Beth,  
I'm interested in applying for the MCCA vacancy. I'm on the AFB committee and Nancy Kemnitzer supports my application. I'm happy to send a brief letter of qualifications but am traveling in France through July 4th. I can send one when I return.  
Thank you,  
Larry

Larry Binkley

Larry Binkley  
Experience Profile

With over 40 years of experience in retail design and project management, and as the Principal of a design-build firm and 2 design studios, Mr. Binkley has created more than 300 retail stores and restaurants and over 100 point-of-sales systems, exhibits and corporate display environments during his career.

He has won awards in every category of design in which he has participated, including numerous 'Best of ' retail and restaurant design awards, 'Top 10 new stores in Northern California' award, and many more. He has been credited with designing some of Northern California's most successful retail boutiques and has worked nationwide, as well as 5 years in Asia.

Mr. Binkley is a patron of the arts and served 5 years on the Board of Directors for the Palo Alto Cultural Center and Art Center, 8 years with the Palo Alto Black and White Ball Committee and 15 years with the Downtown Merchants Association. He studied design at Stanford University and developed the mascot and Downtown Palo Alto promotion for the Stanford University Centennial.

Mr. Binkley lived in Palo Alto for 21 years where he raised his 2 daughters, then moved to San Francisco for 15 years where he served 5 years on the St. Francis Wood Homeowner's Association Board. In 2015 he moved with his wife Kathy, to Belvedere where he currently resides.

He most recently served 3 years as a Steering Committee and Board member of the Retail Design Institute, Northern California Chapter and was Chapter President from 2015 to 2017. He has since retired from retail architectural design and is focusing his time and energy on the Belvedere community where he has served as a member of the Traffic Safety and Circulation Committee, Age Friendly Belvedere, and is currently Block Captain for West Shore Road.

To: Beth Haener - City Clerk

Tue 5/31/2022 4:00 PM

Hi Beth,

Thank you so much for the email. I have so enjoyed being on the Planning Commission.

I would be happy to stay on for one more year if you are unable to fill the post right away as I know Peter Mark is moving on.

I totally understand if the City Council would like to get someone now that will fill out the entire 4 years.

Thanks so much.

Best,  
Claire Slaymaker

Ashley Johnson- Planning Commissioner

To: Beth Haener - City Clerk

Cc: Irene Borba - Planning Director.

Craig Middleton - City Manager

Sun 6/5/2022 10:09 PM

Hi Beth,

Thanks for the email.

I have enjoyed my time serving on planning and would like to serve an additional four-year term.

Let me know if you need anything else from me.

Thank you,

Ashley



June 30, 2022

Ms. Sally Wilkinson  
Mayor  
City of Belvedere  
450 San Rafael Avenue  
Belvedere, CA 94920

Dear Mayor Wilkinson,

I'd like to apply for the open position on the Planning Commission of the City of Belvedere. As a resident of Belvedere, I would welcome the chance to give back to this beautiful community that my husband, Jeff Ferguson, and I are grateful to call home.

A bit of background on me. I'm originally from the Boston area. I moved to the Bay Area in 1988 which is where I met my husband 20 years ago. We decided to move to Belvedere in 2017 after exploring a number of different communities in Marin. We chose Belvedere for a variety of reasons including its size, uniqueness, beauty and proximity to the water. However, it was the incredible feeling of community we experienced whenever we visited Belvedere that really sealed the deal for us. We couldn't be happier with our decision.

I'm semi-retired after 35+ years in the corporate world having served in leadership roles for companies, large and small. My most recent role was at Square where I led marketing, sales, partnerships as well as international markets. Prior to Square, I led global consumer marketing at Visa. Before Visa, I ran my own company as well as worked in advertising and communications agencies. Today, I advise early stage companies. In addition, I serve on boards including Hawaiian Electric and GLAAD.

In terms of qualifications, I have a lifelong passion for architecture and design. I've managed several remodeling projects over the course of my adult life including two extensive remodels – one in San Francisco and one here in Belvedere. The home in San Francisco was a near tear-down given the house was in such disrepair having been vacant for several years. I designed the concept of the home myself including schematics, floor plans and elevations that were then turned over to an architect to detail. It was a three year project from planning to permitting to construction. It was an incredible experience where I learned how to read plans, interpret and apply city codes, work with site experts (e.g., soil and structural engineers), manage a diverse set of stakeholders (e.g., architect, general contractor, subcontractors, neighbors) and deliver a complex project within budget and timing considerations.

This experience was put to use more recently when we completed a major interior remodel of our Belvedere home. Here again, I had to study plans and codes to devise an approach,

Kevin Burke



together with our architect and contractor, that would deliver the end result we wanted, within a budget and timeframe, while meeting the requirements of the city and the interests of our neighbors. Given the pandemic, this project was even more complicated to manage as I had to work through timing and sequencing of subs, issues with supply chain as well as volatility of material costs.

I believe this experience will be very helpful as a Planning Commissioner from a practical standpoint in terms of understanding how to work with architectural, construction and landscaping plans, budgets and timelines. I think this experience will also be helpful from the perspective of having had to work to balance the needs of a diverse set of stakeholders with the requirements of planning codes and design standards all while charting a successful path forward for a project.

In terms of the specifics of the Planning Commissioner role, I have spent time with a number of current and former Planning Commissioners to understand what is required and expected of a Commissioner. I have also talked to members of the community who have gone through the planning process as well as attended Planning Commission meetings. Based on this together with my background, I believe I have the understanding, commitment and experience to be a successful contributor on the Planning Commission.

Thank you for your consideration. If you have questions or need any additional information, please feel free to reach out to me.

Best,

Kevin Burke

Kevin Burke

**CONSENT CALENDAR**

**BELVEDERE CITY COUNCIL  
JULY 11, 2022**

---

To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: **Approve minutes of the June 13, 2022, regular City Council meetings**

---

**Recommended Motion/Item Description**

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

**Attachments**

Minutes.

**REGULAR MEETING  
BELVEDERE CITY COUNCIL  
JUNE 13, 2022, 6:30 PM  
REMOTE VIA ZOOM**

**MINUTES**

---

**COUNCIL PRESENT:** James Campbell, Nancy Kemnitzer, James Lynch, Peter Mark, 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 Jerome Bellach ceded his time to William Rothman.

Belvedere resident William Rothman stated his concerns for both the Community Playground Renovation project and the timeframe of the environmental impact results for the Protect Belvedere Project.

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

**REPORTS & PRESENTATION**

**1. City Council Reports**

There were no City Council reports.

**2. City Manager Report**

City Manager Middleton reported on the Protect Belvedere Project.

City Manager Middleton announced that he was very pleased to be swearing in the City's new Police Officer Caitlin Cullen that evening.

Mayor Wilkinson called for public comment.

Belvedere resident William Rothman stated his concerns with the City Manager's statements on the Protect Belvedere Project.

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



### **3. Swearing in of new Police Officer Caitlin Cullen by Police Chief Jason Wu.**

Police Chief Jason Wu administered the Oath of Office, swearing in new Police Officer Caitlin Cullen.

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

### **CONSENT CALENDAR**

Councilmember Mark recused himself from item 4, as he was not a Councilmember for the May 9, 2022 regular Council meeting.

**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:

- 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.**

City Manager Middleton introduced Sky Woodruff of Meyers Nave, Brian Forbath of Stradling Law, and Un Chu Reardon of Fieldman, Rolapp and Associates; the City's consultants on the item. City Manager Middleton presented the staff report. City Manager Middleton, Woodruff, Forbath, and Reardon took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere resident David Flaherty stated his opposition to changing Belvedere into a charter city and his opposition to a real property transfer tax.

Belvedere resident Claire McAuliffe expressed her gratitude to City Council and staff for their work on this project and commented that the project is overdue.

Belvedere resident Roger Cukras requested information on how the real property transfer tax would be imposed. City Manager Middleton stated that the tax can be paid by either the buyer or the seller, or it can be split. This decision can be negotiated by the seller and buyer.

Belvedere resident Suzanne Baird asked what other revenue options were considered before deciding on the real property transfer tax. City Manager Middleton responded with a review of the other options Council had considered. City Manager Middleton also discussed the City's applications for outside money through a series of grant requests and discussed the City's

budget which included a reserve for Critical Infrastructure.

Belvedere resident Jerome Bellach ceded his time to William Rothman. William Rothman stated his concern with the Environmental Impact Report (EIR) draft not being currently available and stated that Council should wait to bring this measure to the voters.

Belvedere resident Andrew Barnett asked who will be the responsible party (City or Contractor) if there is potential damage from the seawall. Public Works Director Zadnik stated that there are contract principles and construction practices in place to mitigate this risk and provided examples.

Belvedere resident Jane Cooper stated that she supports this project and expressed her confusion regarding why people think this is being voted on now rather than during the election in November. City Manager Middleton reiterated that Council is not voting on the measure tonight but determining whether or not to place the item on the November ballot so the voters of Belvedere can make that decision.

Belvedere resident Sandy Donnell applauded Council's work and stated she hopes Council will bring this item to the voters.

Belvedere resident Thomas Cromwell stated he is discouraged by the many remarks focusing on economics and not on the risks and damage that will occur to Belvedere if this project fails to be approved.

Belvedere resident Greg Wood stated that there should be a tax that is fair to everybody. He continued by questioning why the Belvedere Land Company is exempt from this tax. Mr. Wood concluded by stating that he supports the work to keep the City safe but not the way it will be paid for.

Belvedere resident Justin Faggioli indicated his support for the ballot measure and thanked Council and staff for their work.

Belvedere resident Stuart Emery stated that something needs to be done about the City's infrastructure and acknowledged that taxes will have to be raised for this to happen. He concluded by stating that the project feels rushed to him.

Belvedere resident Jenna Watson stated her support for this project and discussed the scope of a Draft Environmental Impact Report.

Belvedere resident Suzanne Du Molin stated her opposition to the ballot measure, indicating a lack of congruence with what Council and Staff have been saying and with what is written in the ordinance.

Belvedere resident Claus Lund stated his concern about the real property transfer tax.

Belvedere resident and Finance Committee Chair Bob McCaskill commented that this infrastructure project has been under consideration for many years under many prior City Councils. He continued by stating that the Finance Committee, which has five voting members who are not on the Council, agreed unanimously that a real property transfer tax would be the fairest and most equitable tax for Belvedere residents.

Belvedere resident Patricia Carapiet stated her support for this project and her support for bringing this measure to the voters.

Belvedere resident Burt Richards stated his support for bringing this measure to the voters.

Belvedere resident Ken Johnson stated his support for bringing this measure to the voters.

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

**MOTION:** 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.

**MOVED:** By Mayor Wilkinson, seconded by James Campbell. Approval was unanimous

**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.**

Planning Director Irene Borba was absent from the meeting due to illness. Public Works Director Robert Zadnik presented the staff report on her behalf, and Councilmember Peter Mark took questions, given his position on the Planning Commission during the development of this ordinance.

Mayor Wilkinson called for Public comment.

Belvedere resident Jane Cooper stated her support for the ordinance.

Seeing no one else wishing to speak, Mayor Wilkinson brought the item back to Council for discussion.

**MOTION:** Motion to approve the first reading of the ordinance and waive future readings of the Ordinance in its entirety.

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

**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.**

Administrative Services Director Helga Cotter presented the report, and there were no questions from Council.

Mayor Wilkinson called for Public comment.

Belvedere resident William Rothman wished to speak and stated the City should allocate money from the budget to purchase what is necessary to run hybrid meetings once in-person meetings resume.

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

**MOTION:** Approve the City of Belvedere Annual Operating and Capital Budget for FY2022-23 and the Five-Year Capital Plan.

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

**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.**

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

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

**MOTION:** Adopt resolution levying previously approved special tax for Fire & Emergency Medical Services and fixing the rates thereof for the FY2022/2023.

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

**OTHER SCHEDULED ITEMS**

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

City Manager Middleton presented the staff report and introduced Marin Climate and Energy Partnership Sustainability Coordinator Christine O’Rourke, who provided a comprehensive presentation on the item. Christine O’Rourke took questions from Council.

Mayor Wilkinson called for public comment, seeing none, she closed public comment and brought the item back to Council for discussion. Mayor Wilkinson thanked Councilmember Kemnitzer for her outstanding and thorough work on the Climate Action Plan.

**MOTION:** Adopt the resolution establishing the City’s Climate Action Plan 2030.

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

**ADJOURN**

The meeting was adjourned at 9:56 P.M.

**THE FOREGOING MINUTES** were approved at a regular meeting of the Belvedere City Council on July 11, 2022, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**RECUSED:**

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

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

**CONSENT CALENDAR**

**BELVEDERE CITY COUNCIL  
JULY 11, 2022**

---

---

To: Mayor and City Council  
From: Helga Cotter, Administrative Services Director  
Subject: **Approve Warrants of May 2022**

---

---

**Recommended Motion/Item Description**

That the City Council approve the May 2022 warrants as part of the Consent Calendar.

**Attachments**

Warrants.

CITY OF BELVEDERE  
WARRANTS REPORT  
MAY 2022  
**BANK ACCOUNT 1000**  
**OPERATING CHECKING ACCOUNT**

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
27431	5/17/2022	AMMI PUBLISHING COMP. INC	592.00	Automatic Generated Check
27432	5/17/2022	AT&T MOBILITY	216.15	Automatic Generated Check
27433	5/17/2022	AUSTIN BYRNE CONLEY	171.36	Automatic Generated Check
27434	5/17/2022	BERKELEY 1 LLC	8,088.07	Automatic Generated Check
27435	5/17/2022	BLASEN LANDSCAPE ARCHITECTURE	2,986.50	Automatic Generated Check
27436	5/17/2022	CIRA	2,060.89	Automatic Generated Check
27437	5/17/2022	CITY OF FOSTER CITY	520.00	Automatic Generated Check
27438	5/17/2022	CODE PUBLISHING LLC	2,967.00	Automatic Generated Check
27439	5/17/2022	CODE SOURCE	8,200.00	Automatic Generated Check
27440	5/17/2022	CPCA	200.00	Automatic Generated Check
27441	5/17/2022	DATA TICKET	109.65	Automatic Generated Check
27442	5/17/2022	DAVIS SIGN COMPANY INC	327.00	Automatic Generated Check
27443	5/17/2022	DIGITECH REPROGRAPHICS	1,846.93	Automatic Generated Check
27444	5/17/2022	ENCORE EVENTS RENTALS INC.	684.53	Automatic Generated Check
27445	5/17/2022	ERICKSON SOUND PRODUCTION	2,812.50	Automatic Generated Check
27446	5/17/2022	ERICKSON SOUND PRODUCTION	2,812.50	Automatic Generated Check
27447	5/17/2022	ERICKSON SOUND PRODUCTION	2,812.50	Automatic Generated Check
27448	5/17/2022	ERICKSON SOUND PRODUCTION	2,812.50	Automatic Generated Check
27449	5/17/2022	ERICKSON SOUND PRODUCTION	2,500.00	Automatic Generated Check
27450	5/17/2022	ERICKSON SOUND PRODUCTION	2,812.50	Automatic Generated Check
27451	5/17/2022	FIELDMAN, ROLAPP & ASSOCIATES	237.00	Automatic Generated Check
27452	5/17/2022	FLYERS ENERGY, LLC	1,109.31	Automatic Generated Check
27453	5/17/2022	FOUR WATERS MEDIA INC.	16,254.94	Automatic Generated Check
27454	5/17/2022	GOODMAN BUILDING SUPPLY	42.83	Automatic Generated Check
27455	5/17/2022	IWORQ	4,500.00	Automatic Generated Check
27456	5/17/2022	KYOCERA DOCUMENT SOLUIIONS NO. CAL	2,459.30	Automatic Generated Check
27457	5/17/2022	LIEBERT CASSIDY WHITMORE	1,018.00	Automatic Generated Check
27458	5/17/2022	MAD DOG PRODUCTIONS	42.50	Automatic Generated Check
27459	5/17/2022	MALLARI ADVISORY SERVICES	500.00	Automatic Generated Check
27460	5/17/2022	MARIN COUNTY HAZARDOUS MA	850.00	Automatic Generated Check
27461	5/17/2022	MARIN INDEPENDENT JOURNAL	104.12	Automatic Generated Check
27462	5/17/2022	MIG	8,623.75	Automatic Generated Check
27463	5/17/2022	NERVIANI'S BACKFLOW TESTING AND REPAIR	747.00	Automatic Generated Check
27464	5/17/2022	PACIFIC COAST CUTTERS INC	160.00	Automatic Generated Check
27465	5/17/2022	RAM PRINT	190.09	Automatic Generated Check
27466	5/17/2022	RHAA	7,845.00	Automatic Generated Check
27467	5/17/2022	RHAA	1,043.75	Automatic Generated Check
27468	5/17/2022	STERICYCLE INC	133.68	Automatic Generated Check
27469	5/17/2022	STETSON ENGINEERS, INC.	35,429.25	Automatic Generated Check
27470	5/17/2022	STEVEN ENZENSPERGER	1,273.35	Automatic Generated Check
27471	5/17/2022	TOWN OF TIBURON	11,088.91	Automatic Generated Check
27472	5/17/2022	TPX COMMUNICATIONS	892.87	Automatic Generated Check
27473	5/17/2022	U.S. BANK COPIER	916.23	Automatic Generated Check
27474	5/17/2022	U.S. BANK CORPORATE PAYME	6,695.93	Automatic Generated Check
27475	5/17/2022	VERIZON	45.80	Automatic Generated Check
27476	5/17/2022	VERIZON	551.20	Automatic Generated Check
27477	5/17/2022	VERIZON	129.45	Automatic Generated Check
27478	5/17/2022	WAGeworks INC.	100.00	Automatic Generated Check
27479	5/17/2022	WELLS FARGO VENDOR FINANCIAL SERVICES LLC	147.95	Automatic Generated Check
27480	5/17/2022	WIGT	2,062.26	Automatic Generated Check
27481	5/17/2022	WILLIAM VANCE	1,500.00	Automatic Generated Check
27482	5/17/2022	WOLFECOMMUNICATIONS, INC.	1,743.75	Automatic Generated Check
27491	5/31/2022	DEPARTMENT OF INDUSTRIAL	225.00	Automatic Generated Check
27492	5/31/2022	DEPT. OF JUSTICE	79.00	Automatic Generated Check
27493	5/31/2022	GREG LAMBOY	150.00	Automatic Generated Check
27494	5/31/2022	KAISER FOUNDATION HEALTH	794.00	Automatic Generated Check
27495	5/31/2022	PIAZZA CONSTRUCTION	3,051.96	Automatic Generated Check
27496	5/31/2022	REMY MOOSE MANLEY LLP	935.00	Automatic Generated Check
27497	5/31/2022	SAN FRANCISCO YACHT CLUB	194.22	Automatic Generated Check
27498	5/31/2022	SOFTWARE SIMPLIFIED, INC.	175.00	Automatic Generated Check
27499	5/31/2022	STETSON ENGINEERS, INC.	26,739.25	Automatic Generated Check
27500	5/31/2022	VERIZON	601.54	Automatic Generated Check
27501	5/31/2022	WELLS FARGO VENDOR FINANCIAL SERVICES LLC	147.95	Automatic Generated Check
27502	5/31/2022	AMMI PUBLISHING COMP. INC	695.00	Automatic Generated Check

CITY OF BELVEDERE  
WARRANTS REPORT  
MAY 2022  
**BANK ACCOUNT 1000**  
**OPERATING CHECKING ACCOUNT**

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
27503	5/31/2022	AT&T	521.81	Automatic Generated Check
27504	5/31/2022	BARTEL ASSOCIATES LLC	4,200.00	Automatic Generated Check
27505	5/31/2022	BERTRAND, FOX, ELLIOT, OSMAN & WENZEL	2,190.75	Automatic Generated Check
27506	5/31/2022	CHRISTINA COOK	366.10	Automatic Generated Check
27507	5/31/2022	CINTAS CORPORATION #626	437.74	Automatic Generated Check
27508	5/31/2022	CITY OF FOSTER CITY	520.00	Automatic Generated Check
27509	5/31/2022	COMCAST	135.67	Automatic Generated Check
A-1110	5/4/2022	PITNEY BOWES	500.00	Electronic Payment
A-1111	5/4/2022	TAKE CARE/WAGE WORKS	287.96	Electronic Payment
A-1112	5/5/2022	EFTPS	16,481.15	Electronic Payment
A-1113	5/5/2022	CA EDD	5,460.58	Electronic Payment
A-1114	5/5/2022	CALPERS	16,789.95	Electronic Payment
A-1115	5/5/2022	AFLAC INSURANCE CO	38.86	Electronic Payment
A-1116	5/10/2022	PACIFIC GAS & ELECTRIC	3,277.87	Electronic Payment
A-1117	5/2/2022	GLOBAL PAYMENTS	712.45	Electronic Payment
A-1118	5/16/2022	WESTAMERICA BANK	340.08	Electronic Payment
A-1119	5/17/2022	TAKE CARE/WAGE WORKS	70.58	Electronic Payment
A-1120	5/18/2022	CALPERS	16,963.05	Electronic Payment
A-1121	5/18/2022	COMCAST	48.85	Electronic Payment
A-1122	5/19/2022	EFTPS	14,281.59	Electronic Payment
A-1123	5/19/2022	CA EDD	4,701.66	Electronic Payment
A-1124	5/20/2022	CONNECT YOUR CARE	13.32	Electronic Payment
A-1125	5/23/2022	AT&T	99.72	Electronic Payment
A-1126	5/24/2022	CALPERS	30,119.24	Electronic Payment
A-1127	5/25/2022	DELTA DENTAL	2,495.40	Electronic Payment
A-1128	5/25/2022	LINCOLN LTD	610.14	Electronic Payment
A-1129	5/25/2022	RELIANT STANDARD LIFE/ADD	301.37	Electronic Payment
A-1130	5/26/2022	AFLAC INSURANCE CO	38.86	Electronic Payment
A-1131	5/27/2022	TAKE CARE/WAGE WORKS	1,126.20	Electronic Payment
AP051722-01	5/17/2022	ALHAMBRA & SIERRA SPRINGS	11.50	Electronic Payment
AP051722-02	5/17/2022	AMY O SKEWES-COX	3,281.00	Electronic Payment
AP051722-03	5/17/2022	BASELINE ENVIRONMENTAL CONSULTING	12,163.75	Electronic Payment
AP051722-04	5/17/2022	BELVEDERE-TIBURON LIBRARY	342,808.78	Electronic Payment
AP051722-05	5/17/2022	BELVEDERE-TIBURON LIBRARY	1,788.16	Electronic Payment
AP051722-06	5/17/2022	DOOLEY ENTERPRISES INC	1,350.00	Electronic Payment
AP051722-07	5/17/2022	ENGINEERING SOLUTIONS SERVICES	6,266.25	Electronic Payment
AP051722-08	5/17/2022	ENVIRONMENTAL COLLABORATIVE	5,580.00	Electronic Payment
AP051722-09	5/17/2022	FORSTER & KROEGER LANDSCA	9,600.00	Electronic Payment
AP051722-10	5/17/2022	MARIN IT, INC.	559.50	Electronic Payment
AP051722-11	5/17/2022	MARIN IT, INC.	93.75	Electronic Payment
AP051722-12	5/17/2022	MCNABB CONSTRUCTION INC	78,413.48	Electronic Payment
AP051722-13	5/17/2022	PARS	600.00	Electronic Payment
AP051722-14	5/17/2022	PAUL M COHEN	2,000.00	Electronic Payment
AP051722-15	5/17/2022	RENNE PUBLIC LAW GROUP, LLP	12,407.47	Electronic Payment
AP051722-16	5/17/2022	RENNE PUBLIC LAW GROUP, LLP	804.00	Electronic Payment
AP051722-17	5/17/2022	RENNE PUBLIC LAW GROUP, LLP	305.55	Electronic Payment
AP051722-18	5/17/2022	SPTJ CONSULTING	5,550.00	Electronic Payment
AP053122-01	5/31/2022	BELVEDERE-TIBURON LIBRARY	23,620.80	Electronic Payment
AP053122-02	5/31/2022	DC ELECTRIC GROUP, INC.	315.70	Electronic Payment
AP053122-03	5/31/2022	ECORP CONSULTING INC.	5,140.00	Electronic Payment
AP053122-04	5/31/2022	EDMUND H. SAN DIEGO	614.88	Electronic Payment
AP053122-05	5/31/2022	FIREMASTER	617.00	Electronic Payment
AP053122-06	5/31/2022	MARY NEILAN	614.88	Electronic Payment
AP053122-07	5/31/2022	TIBURON FIRE PROTECTION	154,351.00	Electronic Payment
Total for Bank Account 1000 ----->			979,747.12	

CITY OF BELVEDERE  
WARRANTS REPORT  
MAY 2022  
**BANK ACCOUNT 1010**  
**PAYROLL CHECKING ACCOUNT**

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
136	5/3/2022	DIRECT DEPOSIT	68,176.69	Electronic Payment
137	5/17/2022	DIRECT DEPOSIT	62,260.13	Electronic Payment
P-199	5/3/2022	MASS MUTUAL	409.26	Electronic Payment
P-200	5/17/2022	MASS MUTUAL	409.26	Electronic Payment
PR050522-01	5/3/2022	BPOA	73.84	Electronic Payment
PR050522-02	5/3/2022	ICMA-RC	5,252.87	Electronic Payment
PR050522-03	5/3/2022	GARNISHMENT	692.31	Electronic Payment
PR051922-01	5/16/2022	BPOA	92.30	Electronic Payment
PR051922-02	5/16/2022	ICMA-RC	5,283.64	Electronic Payment
PR051922-03	5/16/2022	GARNISHMENT	692.31	Electronic Payment
Total for Bank Account 1010 ----->			143,342.61	
<b>Grand Total of all Bank Accounts -----&gt;</b>			<b>1,123,089.73</b>	



To: Mayor and City Council

From: Helga Cotter, Administrative Service Director

**Subject: Adopt three resolutions: (1) Designating signatories for the City of Belvedere’s Westamerica Bank Operating & Payroll Accounts; and (2) Designating signatories for the City of Belvedere’s Westamerica Bank Line of Credit of \$800,000; (3) Designating Authorized Users of the City’s Local Agency Investment Fund**

---

---

**Recommended Motion/Item Description**

Adopt the resolutions.

**Background**

The change of members on the City Council and staff in the City Manager position necessitate an update to the signature card authorizations on file with Westamerica Bank and the City’s Local Agency Investment Fund (LAIF).

***Resolution 1 – City of Belvedere Westamerica Bank Operating & Payroll Accounts***

Adopting this resolution will authorize signatories on checks for the City’s two accounts at Westamerica Bank. In keeping with established City policy for the operating account, only one signature will be required for checks of \$5,000 and under, and for checks over \$5,000, two signatures will be required. The second signature must be from a member of the City Council. On the Payroll account, only one signature will be required for any amount.

***Resolution 2 – City of Belvedere Bank Line of Credit***

This resolution authorizes signatories for access to the City’s Westamerica Bank Line of Credit. The line of credit has not been used since it was established in 2013 but remains available should the need arise.

The Line of Credit will only be accessed by staff when cash flow issues arise prior to the receipt of the December property tax payment from the County of Marin. Upon receipt of the property tax payment, any amount owed on the Line of Credit will be paid off promptly.

Should the Line of Credit be used, the Council will be notified and given an estimate of the interest that will accrue.

***Resolution 3 – City of Belvedere Local Agency Investment Fund***

This resolution authorizes the City Manager and Administrative Services Director to transfer funds between the City's Westamerica Bank accounts and the City's account with Local Agency Investment Fund (LAIF) which is maintained by the State Treasurer of the State of California.

**Attachments**

Resolutions

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
DESIGNATING SIGNATORIES ON CITY OF BELVEDERE WESTAMERICA BANK  
GENERAL ACCOUNT NO. 507981181 AND PAYROLL ACCOUNT NO. 507981199**

---

**BE IT RESOLVED** that the following individuals are hereby authorized as signatories on the general and payroll accounts to be maintained on behalf of the City by Westamerica Bank.

Sally Wilkinson, Councilmember  
James Campbell, Councilmember  
Nancy Kemnitzer, Councilmember  
James Lynch, Councilmember  
Peter Mark, Councilmember  
Robert Zadnik, City Manager

For the general account, two signatures are required for all checks in excess of \$5,000 and for the payroll account, one signature is required regardless of the amount of the check; and

**BE IT FURTHER RESOLVED** that Irene Borba, Director of Planning & Building and Beth Haener, City Clerk/Management Analyst are hereby authorized as additional signatories on the aforementioned general and payroll accounts maintained on behalf of the City by WestAmerica Bank, provided however, that the same signatory conditions imposed on the above shall apply and that they shall only be authorized to sign in lieu of the City Manager during periods of the City Manager's absence; and

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**            —  
**NOES:**            —  
**ABSENT:**         —  
**ABSTAIN:**        —

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

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

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
DESIGNATING SIGNATORIES ON CITY OF BELVEDERE WESTAMERICA BANK  
LINE OF CREDIT**

---

**BE IT RESOLVED** that the following individuals are hereby authorized as signatories on the line of credit account to be maintained on behalf of the City by Westamerica Bank.

Robert Zadnik, City Manager  
Helga Cotter, Administrative Services Director  
Beth Haener, City Clerk/Management Analyst

**BE IT FURTHER RESOLVED** that two signatures are required to access the line of credit;

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

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

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY  
INVESTMENT FUND**

---

**WHEREAS**, The Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

**WHEREAS**, the City Council hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the City;

**NOW THEREFORE, BE IT RESOLVED**, that the City Council hereby authorizes the deposit and withdrawal of City monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein.

**BE IT FURTHER RESOLVED**, as follows:

Section 1. The following City officers holding the title(s) specified hereinbelow **or their successors in office** are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

Robert Zadnik, City Manager  
Helga Cotter, Administrative Services Director

Section 2. This resolution shall remain in full force and effect until rescinded by City Council/Board of Directors by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

**PASSED AND ADOPTED**, by the City Council of the City of Belvedere, Marin County of State of California, on July 11, 2022 by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

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

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

To: Mayor and City Council

From: Helga Cotter, Administrative Services Director

Reviewed By: Robert Zadnik, City Manager

**Subject: Amend the Adopted resolution levying previously-approved special tax for Fire & Emergency Medical Services and fixing the rates thereof for the FY2022/2023**

---

---

**Recommended Motion/Item Description**

Adopt the attached amended 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 be amended as follows from \$961 to \$961.58 for residential dwelling units, from \$1,082 to \$1,094.54 for commercial occupancies, and from \$191 to \$192.52 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.

**Attachments**

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**

---

**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 and passage of a Resolution at its June 13, 2022 regular meeting; and

**WHEREAS**, the City Council amends the previously adopted resolution from the June 13, 2022 regular meeting to reflect the amended FY2022/2023 proposed tax; and

**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 \$961.58 per dwelling unit; \$1,094.54 per occupancy in commercial structures; and \$192.52 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 regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

Sally Wilkinson, Mayor

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

Beth Haener, City Clerk

**To:** Mayor and City Council

**From:** Robert Zadnik, City Manager

**Subject:** **Adopt a Resolution Approving a One-Time Salary Bonus for the Position of Planning and Building Services Director.**

---

---

**Recommended Action**

That City Council adopt the attached resolution approving a one-time salary bonus for the position of Planning and Building Services Director.

**Background**

The City of Belvedere Resolution 2021-29 establishes salaries and benefits for non-represented safety and non-safety employees within the current fiscal year. Prior to this agreement, the City Manager held the authority to award a bonus provision to employees who demonstrated highly effective and exceptional performance. This authority now lies with the City Council.

The position of Director of Planning and Building oversees the daily operations and management of two essential city departments. This is a salaried, at-will position and is not eligible for overtime. Currently, the Housing Element Update and other large development projects demand close attention and daily oversight of consultants. This, coupled with the loss of a full-time associate planner, resulted in several months of significant additional workload for the Director. In recognition of this additional workload and ongoing effort, it is recommended that a one-time salary bonus be granted.

**Fiscal Impact**

The current Salaries and Benefits Resolution caps the Director of Planning and Building's base salary at \$14,254 per month. It is recommended that a one-time salary bonus of \$10,000 be authorized for this position, payable at the conclusion of the City Council's adoption of the Housing Element Update (anticipated January of 2023). Although this is not a percentage-based figure, this amount represents approximately 5.8% of the employee's annual base pay.

Staff has confirmed with CalPERS that this category of bonus pay will not factor into the employee's total retirement benefit calculation.

**Recommended Action:**



That City Council adopt the attached resolution approving a one-time salary bonus for the position of Planning and Building Services Director.

**Attachments:**

- A. Current Salaries and Benefits Resolution NO. 2021-29
- B. Salary Bonus Resolution

## CITY OF BELVEDERE

## RESOLUTION NO. 2021-29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
ESTABLISHING SALARIES AND BENEFITS  
FOR NON-REPRESENTED SAFETY AND NON-SAFETY EMPLOYEES  
FOR THE PERIOD JULY 1, 2021, THROUGH JUNE 30, 2023**

**BE IT HEREBY RESOLVED** by the City Council of the City of Belvedere as follows:

1. Unless otherwise stated, all adjustments herein described will be made effective July 1, 2021.
2. Unless specifically identified in this Resolution, the employment benefits provided to the City Manager shall be controlled pursuant to a separate Employment Agreement.
3. **Salaries:** The following monthly salary rates are effective July 1, 2021:

<b>Position</b>	<b>STEP A</b>	<b>STEP B</b>	<b>STEP C</b>	<b>STEP D</b>	<b>STEP E</b>
Maintenance Worker I	4,496	4,721	4,957	5,204	5,465
Maintenance Worker II	5,035	5,287	5,551	5,829	6,120
Building & Planning Technician	5,852	6,144	6,452	6,774	7,113
Office Coordinator	6,416	6,737	7,074	7,428	7,799
Maintenance Supervisor	6,814	7,154	7,512	7,888	8,282
Building Inspector II	6,839	7,181	7,540	7,917	8,313
Associate Planner	7,102	7,458	7,831	8,222	8,633
City Clerk/Sr. Mgmt. Analyst	7,423	7,794	8,184	8,593	9,023
Associate Engineer	7,799	8,189	8,599	9,028	9,480
Senior Planner	8,222	8,633	9,065	9,518	9,994
Building Official	9,315	9,781	10,270	10,784	11,323
Director of Planning & Building	11,374	11,943	12,540	13,167	13,826
Director of Public Works	11,497	12,072	12,675	13,309	13,975
Director of Admin. Services	11,556	12,134	12,741	13,378	14,046
Police Chief	12,272	12,886	13,530	14,207	14,917

The following monthly salary rates are effective July 1, 2022:

Position	STEP A	STEP B	STEP C	STEP D	STEP E
Maintenance Worker I	4,586	4,815	5,056	5,309	5,574
Maintenance Worker II	5,136	5,393	5,662	5,946	6,243
Building & Planning Technician	5,969	6,267	6,581	6,910	7,255
Office Coordinator	6,545	6,872	7,216	7,576	7,955
Maintenance Supervisor	6,950	7,297	7,662	8,045	8,448
Building Inspector II	6,976	7,324	7,691	8,075	8,479
Associate Planner	7,245	7,607	7,987	8,386	8,806
City Clerk/Sr. Mgmt. Analyst	7,571	7,950	8,347	8,765	9,203
Associate Engineer	7,955	8,353	8,771	9,209	9,669
Senior Planner	8,387	8,806	9,246	9,708	10,194
Building Official	9,502	9,977	10,476	11,000	11,550
Director of Planning & Building	11,602	12,182	12,791	13,431	14,102
Director of Public Works	11,727	12,313	12,929	13,575	14,254
Director of Admin. Services	11,787	12,376	12,995	13,645	14,327
Police Chief	12,518	13,144	13,801	14,491	15,215

4. **Insurance Benefits:** The following benefits shall be provided to the employees covered by this Resolution:
  - a. Workers' Compensation Insurance as required by law; premiums paid entirely by the City.
  - b. Unemployment Insurance as required by law; premiums paid entirely by the City.
  - c. Health Insurance shall be made available to each employee. The City Contribution towards the health plan is as follows:

Family Status	City Contribution
Employee only	Maximum City contribution equals the premium for Kaiser Permanente or for PERS Choice, which includes the Minimum Employer Contribution (MEC), for employee only.
Employee + one dependent	Maximum City contribution equals the premium for Kaiser Permanente or for PERS Choice, which includes the MEC, for employee + one dependent.
Employee + two or more dependents	Maximum City contribution equals the premium for Kaiser Permanente or for PERS Choice, which includes the MEC, for employee + two or more dependents

An employee may use any benefit allowance stated above toward the cost of employer provided PERS Health Insurance for the employee and eligible dependents. An employee may not use the benefit allowance for other reasons.

- d. Medical Insurance Rebate shall be provided to employees who are currently enrolled under a medical insurance program through a spouse or other source, and who elect to exchange their City-provided insurance for a cash rebate. The rebate shall equal \$250 per month if one or more family members are or would be covered in the City’s plan and \$175 per month if the employee is or would be covered as a single in the program. The employee must demonstrate to the City Manager's satisfaction that the employee has, at a minimum, adequate health coverage in force at the point in time when the rebate is requested, and that the employee participates in the City’s dental insurance program at the single subscriber level or greater so long as the City’s dental insurance program requires mandatory participation. Continuation of the rebate shall be predicated on the maintenance of such adequate health coverage as determined by the City Manager. As in the past, the City reserves the right to select the providers of the aforementioned insurance programs.
- e. Dental Insurance shall be made available to each employee. The City will pay the full cost of dental insurance for each full-time employee and his/her dependents.
- d. Life Insurance shall be made available to each employee. The City will pay the full cost of life insurance to employees on the basis of 100% of the employee’s annual salary up to a maximum of \$100,000.
- e. Long Term Disability Insurance shall be made available to each full-time employee, premiums paid entirely by the City.

f. Health, Dental, Life, and Long-Term Disability Insurance shall be made available to permanent part-time employees on a pro-rata basis, in the same manner as to full-time employees.

5. **Retirement Benefits:** The City shall continue as an employer under the provisions of the Public Employees Retirement System of the State of California (PERS). All employees hired on or after January 1, 2013, will be provided PERS retirement benefits in compliance with the 2012 Public Employees Pension Reform Act (PEPRA) as follows:

Employees classified as “New” under PEPRA will be covered by the PERS 2.0% at 62 plan.

Employees classified as “Classic” under PEPRA will be covered by the PERS 2.0% at 55 plan.

All Employees hired on or after January 1, 2013, classified as “New” under PEPRA will pay at least fifty percent (50%) of the Normal Cost of their Plan as calculated annually by PERS.

Employees classified as “Classic” under PEPRA will pay the full PERS Employee Contribution amount of 7% or 9%. The City shall contribute 100% of the required employer contribution.

The City shall provide a supplemental retirement benefit for employees hired prior to January 1, 2013 through the Public Agency Retirement Services (PARS). Contributions for the PARS supplemental retirement system shall be paid by the City.

The Chief of Police shall be provided retirement benefits in accordance with the following:

Employees classified as “New” under PEPRA will be covered by the PERS 2.7% at 57 plan.

Employees classified as “Classic” under PEPRA will be covered by the PERS 2.0% at 50 plan.

All employees hired on or after January 1, 2013, classified as “New” under PEPRA will pay at least fifty percent (50%) of the Normal Cost of their Plan as calculated annually by PERS.

Employees classified as “Classic” under PEPRA will pay the full PERS employee contribution amount of 9%. The City shall contribute 100% of the required employer contribution.

The City shall provide a supplemental retirement benefit for employees hired prior to January 1, 2013 through the Public Agency Retirement Services (PARS). Contributions for the PARS supplemental retirement system shall be paid by the City.

6. **Sick Leave Benefits:** Pursuant to current Personnel Rules, sick leave for full-time employees shall accrue at the rate of 8 hours per month (12 days per year), and shall continue to accrue to a maximum of 1040 hours (130 days) regardless of years of service. Sick leave shall be provided to permanent part-time employees on a pro-rata basis, providing however, that the part-time employee works in excess of an average of 20 hours per week.

In the event an employee suffers a non-work-related catastrophic injury or illness and has exhausted all of his or her accrued sick leave credits, the City shall permit other individual employees to contribute up to 50% of their accrued sick leave to the seriously injured or gravely ill employee, provided however that any such individual's contribution shall not exceed 40 hours in any given calendar year.

7. **Attendance Recognition Program:** The City recognizes employees who demonstrate an outstanding attendance record over a prior calendar year. Under this program, employees are allowed to convert a portion of their unused sick leave to pay or compensatory time-off. In order to be eligible for this recognition, an employee must have been a regular full-time or part-time paid employee of the City for the full preceding calendar year; and must have used 48 or fewer hours of sick leave during the preceding calendar year.

Participation of part-time employees in this benefit shall be on a pro-rata basis, providing however, that the regular part-time employee works in excess of an average of 20 hours per week.

Employees have the option of buying back specified unused sick leave or converting that same amount to compensatory time on a straight time basis.

- a. **Recognition Levels**

- i. Level 1: Employees who have not used any sick leave hours over the past year have the option to buy-back up to 40 hours of unused sick leave. The option to buy-back all 40 hours is subject to the requirement that the employee have a minimum balance prior to buyback of 80 hours of combined leave (vacation, sick, and floating leave). Those employees maintaining a combined leave account balance of more than 120 hours may buy-back up to 60 hours per year of sick leave.
- ii. Level 2: Employees who have used more than 0 but less than 24 sick leave hours over the past calendar year have the option to buy-back up to 24 hours of unused sick leave.

- iii. Level 3: Employees who have used more than 24 but less than 48 sick leave hours over the past calendar year have the option to buy-back up to 15 hours of unused sick leave.

Eligible employees will be provided with a letter in January from the Finance Department regarding the prior year's conversion options. Employees will be required to respond in writing to the Finance Department by the due date on the eligibility letter.

- 8. **Standard Work Week:** The standard work week shall begin at 12:01 a.m. on Saturday and end at 12:00 midnight on the following Friday. Scheduling of working hours shall be done by department heads and/or supervisors. The standard work week shall consist of forty (40) hours normally broken into five (5) eight (8) hour days.
- 9. **Alternative Work Schedule:** For employees using the 9-80 work schedule, the standard work week shall begin at noon on Friday and end at 11:59 a.m. on the following Friday. The workday begins at noon on any given day and continues until 11:59 a.m. on the following day. The 9-80 schedule is consistent and repeatable every two weeks.

Employees using the 9-80 work schedule are required to work nine hours for eight work days, and eight hours on a ninth work day. Employees participating in a 9-80 work schedule will have alternate Fridays off.

The workweek thus defined herein continues to provide a normal schedule of 40 hours in a work week although the employee works 44 hours in one calendar week and 36 hours in the second calendar week of the two-week period. Overtime will not be paid unless an employee exceeds 80 hours of work in the two-week period.

- 10. **Vacation Leave Benefits:** Vacation leave shall accrue at the following rates:

<b>Months of Service</b>	<b>Monthly Accrual Rate</b>
0 – 36 months (0-3 years)	6.67 hours per month
37 – 60 months (3-5 years)	10 hours per month
61 – 72 months (5-6 years)	10.67 hours per month
73 – 84 months (6-7 years)	11.34 hours per month
85 – 96 months (7-8 years)	12 hours per month
97 – 108 months (8-9 years)	12.67 hours per month
109+ months (9+ years)	13.33 hours per month

Total accumulated vacation for any employee may not exceed twice the employee's annual rate of accrual. Should an employee accumulate vacation hours in excess of the maximum allowed as of the end of a given calendar year, the employee shall be paid for any excess hours, at the rate of compensation for that calendar year. Vacation leave shall be provided to permanent part-time employees on a pro-rata basis.

11. **Mileage Allowance:** The following positions shall be entitled to \$300/month to offset travel/commute costs: Administrative Services Manager, Director of Planning & Building, Building Official. The Director of Public Works shall also be entitled to a pro-rated mileage allowance during the periods he/she is using his/her own personal vehicle for commuting.

Employees provided with an auto allowance shall not be eligible for any other form of reimbursement for personal auto usage, without prior approval, except for travel in excess of 100 miles each direction on City business. Employees provided with the use of a City vehicle for the purposes of commuting to and from work and for use while on duty shall not be eligible for mileage reimbursement or auto allowance unless an alternative arrangement is approved by the City Manager. Said vehicle shall be returned to the City for departmental use for whatever duration the employee is absent from the City while on vacation and as soon as practicable while on extended sick leave. Employees not provided with an auto allowance or a City vehicle that use their personal vehicle while engaged in City-related business shall be reimbursed at the prevailing IRS rate for mileage reimbursement.

12. **Housing Stipend.** A housing stipend of \$700 per month shall be provided to the Director of Public Works/Emergency Preparedness Manager if this individual resides in Marin County.

13. **Administrative Leave Benefits:** The following employees are exempt employees and shall not be eligible for overtime. In lieu of overtime, the following employees shall be eligible for up to forty hours of administrative leave benefits per year, subject to the prior approval of the City Manager. Administrative leave shall not accrue from one calendar year to the next.

<u>Title</u>
City Manager
Police Chief
Administrative Services Manager
Director of Planning & Building
Director of Public Works
Building Official
Management Analyst - City Clerk
Senior Planner

14. **Longevity Pay Benefits:** In addition to the base salaries for each position, employees hired on or before June 30, 2016 shall be eligible for longevity pay on the following basis:

<u>Years of Service</u>	<u>Amount to be applied</u>
At the end of Year 5	2.5% above base salary
At the end of Year 10	5% above base salary



15. **Deferred Compensation:** The City shall contribute \$185 per month on behalf of each employee into a City authorized deferred compensation program.
16. **Holidays:** *Regular Holidays.* City employees covered by this Resolution shall receive the following eleven fixed holidays. If a holiday falls on a Saturday, the preceding Friday shall be the holiday. If a holiday falls on a Sunday, the following Monday shall be the holiday.

<b>Holiday</b>
New Year's Day - January 1 <sup>st</sup>
Martin Luther King, Jr. Day – 3 <sup>rd</sup> Monday in January
President's Day – 3 <sup>rd</sup> Monday in February
Memorial Day – last Monday in May
Independence Day – 4 <sup>th</sup> of July
Labor Day – 1 <sup>st</sup> Monday in September
Veterans Day – November 11 <sup>th</sup>
Thanksgiving Day and the day following
Christmas Day and the day preceding

*Floating Holidays.* Employees covered by this Resolution who have worked for the City at least 6 months shall be entitled to 24 hours of floating holidays per year in addition to the other paid holidays they are currently entitled to take. Any employee who fails to take his/her floating holidays during the calendar year shall forfeit the holidays effective January 1 of the following year.

17. **Uniform Allowance:** The Chief of Police shall receive a uniform allowance of \$75 per month. For employees in the Maintenance Worker classifications, the City shall continue to provide and maintain uniforms as specified and shall provide each worker with an annual boot allowance of \$200.
18. **Mobile Phone Allowance:** The following employees, subject to the approval of the City Manager, shall be eligible for a monthly mobile phone allowance for use of their personal mobile phones while engaged in City business:

<b>Title</b>	<b>Amount</b>
Administrative Services Manager	\$50.00
Director of Planning & Building	\$50.00
Building Official	\$50.00
Mgmt. Analyst/City Clerk	\$50.00
Maintenance Supervisor	\$25.00
Maintenance Worker I & II	\$25.00

19. **Standby Pay:** Any employee covered under the provisions of this Resolution shall receive  $\frac{1}{2}$  a normal day's pay, i.e.,  $\frac{1}{2} \times$  (base hourly wage x 8 hours), for every 24 hours the employee is required to be on standby. Standby shall be defined as that period of time when the City requires an employee to remain either at his/her place of residence or at a location where he/she may be contacted by phone for potential call back to work. Policies and procedures specifying when, how, and how long an employee may be placed on standby shall be developed in consultation with affected employees and their supervisors and shall be included in the City's Personnel Rules and Regulations. When an employee is called back to work, he/she shall be compensated at the overtime rate with opportunity to take compensatory leave as provided in this Resolution. On duty time in the case of a call back shall begin at the time the employee leaves to report to duty and until he/she leaves the work site after release from duty. Exempt employees shall not be eligible for standby pay.
20. **Educational Incentive Pay:** Educational reimbursement shall be provided to all employees covered by this Resolution pursuant to the City's Employment Development Policy in the City's Personnel Rules.

The Police Chief shall receive 5% over base salary each month for holding the Advanced POST Certificate.

21. **Part-time Employees:** The City Manager may hire, on a part-time basis, positions identified as full-time according to the current salary resolution. Such positions shall only be hired when filling in temporarily for an existing full-time position. Permanent part-time employees are to be compensated at a rate fixed on the following schedule:

<b>Position Title</b>	<b>Hourly Rate</b>
Administrative Clerk	\$24.00 to \$36.40
Associate Planner	\$40.17 to \$50.78
Intern	Variable
Maintenance Worker	\$25.43 to \$36.00
Police Aide	\$24.00 to \$36.40
Police Officer Trainee	\$20.00 to \$26.00
Public Works Inspector	Determined by project
Reserve Police Officer	\$38.91 to \$49.19

22. **Overtime/Compensatory Leave:** Overtime shall be defined as any time worked by an employee beyond the standard 40-hour work hours in a given week. The standard workweek shall be from 12:00 midnight Saturday to 11:59:59 PM the following Friday, and assumes a standard work-day of 8 hours. In computing whether an employee has worked overtime in any given work week, all hours worked plus all leave taken (including compensatory leave, vacation leave, sick leave, etc.) shall be included in the

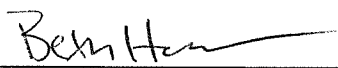
tabulation. Any and all overtime worked must be approved in advance by the employee's supervisor.

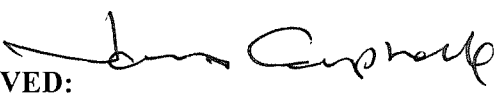
An employee covered by this Resolution who is required to work overtime may elect to be paid at the rate of time and one-half for the overtime hours worked or be credited with compensatory leave at the rate of time and one-half for each hour of overtime worked. Compensatory leave for overtime may not be taken in increments greater than 16 hours (2 days) at one time. Once an employee elects to be credited with compensatory time, the choice is irrevocable. All compensatory time accrued in any given fiscal year must be taken by June 30 and may not be carried forward into the next fiscal year.

23. **General Provisions:** It is hereby understood that federal law, state law, City ordinances, City of Belvedere Personnel Rules, written department policies, and written administrative policies determine procedures and policies relating to the terms and conditions of employment, except as provided by this Resolution. Any and all prior provisions applicable to the positions covered under this Resolution that are contained in any but the aforementioned sources and in this Resolution are hereby declared null and void.
24. **Duration:** Upon adoption, this Resolution shall be effective July 1, 2021, and shall terminate June 30, 2023.

**PASSED AND ADOPTED** at a regular meeting of the Belvedere City Council on June 14, 2021 by the following vote:

**AYES:** Steve Block, James Lynch, Nancy Kemnitzer, Sally Wilkinson, and Mayor Campbell  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ATTEST:**   
Beth Haener, City Clerk

**APPROVED:**   
James Campbell, Mayor



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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE AUTHORIZING  
THE CITY MANAGER TO AWARD A ONE-TIME SALARY BONUS TO THE DIRECTOR OF  
PLANNING AND BUILDING**

---

**WHEREAS**, the Belvedere City Council has the authority to grant a one-time salary bonus to employees;  
and

**WHEREAS**, the City Council recognizes the Director of Planning and Building, Irene Borba’s ongoing  
additional workload related to both the adoption of a Housing Element Update and the recent loss of key  
staff; and

**WHEREAS**, a one-time salary bonus of \$10,000 shall be awarded to Irene Borba upon completion and  
adoption of the Housing Element Update, no sooner than January 15<sup>st</sup>, 2023;

**NOW, THEREFORE, BE IT RESOLVED** that the Belvedere City Council hereby authorizes the City  
Manager to award a one-time salary bonus to the director of Planning and Building.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11,  
2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

Sally Wilkinson, Mayor

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

Beth Haener, City Clerk

---

To: Mayor and City Council  
From: Jason Wu, Chief of Police  
Subject: **Lexipol Updates: April through June 2022**

---

**Recommended Motion/Item Description**

Adopt the resolution accepting the recent update(s) to the Belvedere Police Department Policy Manual (Lexipol).

**Background**

Pursuant to Section 20.7.1 of the City of Belvedere Administrative Policy Manual, the Belvedere Police Department (BPD) Policy Manual is incorporated into the Administrative Policy Manual of the City of Belvedere by reference. Changes to the Belvedere Police Policy Manual recommended by the City’s public safety risk management consultant (Lexipol) and approved by the Chief of Police shall be implemented on an interim basis and reported to the City Council concurrent with the next quarterly report by the Chief of Police to City Council. Per Policy Section 20.7.1, such changes will, in the ordinary course of business, be ratified by Council at that meeting. In the event that Council expresses significant concern about any BPD policy or change thereto, the Mayor may establish an ad hoc committee to consult with the Chief of Police and report back to the full Council with its recommendation. The BPD will continue to implement any pending changes until such report is made and Council makes a final decision on the matter.

There is no fiscal impact associated with the incorporation of the Police Policy Manual into the Administrative Policy Manual.

**Recommendation**

Staff recommends that the City Council adopt the attached Resolution ratifying the most recent Lexipol updates.

**Attachment**

- Resolution with changes to the Belvedere Police Manual included as Exhibit A.

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
RATIFYING LEXIPOL POLICE DEPARTMENT POLICY MANUAL UPDATES**

---

**WHEREAS**, Belvedere Administrative Policy Manual section 20.7.1 provides that updates and changes to the Belvedere Police Policy Manual recommended by the City’s public safety risk management consultant, Lexipol, and approved by the Chief of Police, are to be ratified by the City Council in the ordinary course of business; and

**WHEREAS**, Administrative Policy Manual section 20.7.1 further provides that said Police Policy Manual updates shall be reported to the City Council by the Chief of Police on a quarterly basis and submitted for Council ratification; and

**WHEREAS**, at its regularly scheduled meeting on July 11, 2022, the Chief of Police presented the Police Department’s Quarterly Update to the City Council, which included changes and updates to the Police Policy Manual as recommended by Lexipol and approved by the Chief of Police; and

**WHEREAS**, the City Council desires to ratify said Police Policy Manual updates; and

**WHEREAS**, the Police Policy Manual updates herein are not a “project” under the California Environmental Quality Act.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Belvedere that the updates and changes to the Belvedere Police Policy Manual are hereby ratified as set forth in “Exhibit A”.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**RECUSED:**

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

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

## EXHIBIT A

### **A. Updates to Lexipol Policy 302 – Officer-Involved Shooting and Deaths**

This policy has been updated because a new Wellness Program Policy has been added to the manual. Changes to this policy include:

- In **INVOLVED OFFICERS**, content has been removed and relocated to the new Wellness Program Policy.
- A policy reference has been added to **DEBRIEFING**.
- **CRITICAL INCIDENT STRESS DEBRIEFING** has been deleted, and its relevant content moved to the new Wellness Program Policy.

Unrelated to the Wellness Program Policy update, additional changes include:

- Grammar has been corrected in **PURPOSE AND SCOPE**.
- In **CRIMINAL INVESTIGATIONS**, an inapplicable citation and gendered pronouns have been removed, and a serial comma has been added.

### **B. Updates to Lexipol Policy 307 – Firearms**

The Chief of Police approved an additional handgun to be added to the on-duty use roster.

- **AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS** has been updated to include the Dan Wesson, Model 715, .357/.38 caliber as an approved firearm.

### **C. Updates to Lexipol Policy 428 – First Amendment Assemblies**

This policy has been updated because California POST expanded guidelines related to this policy. Changes to this policy include:

- In **USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL**, additional content has been added to include all the requirements of Penal Code § 13652.

Unrelated to the POST guidelines update, additional changes include:

- In **PHOTOGRAPHS AND VIDEO RECORDINGS**, spacing has been corrected, and serial commas have been added.
- A policy reference has been corrected in **MUTUAL AID AND ETERNAL RESOURCES**.
- Spelling has been corrected in **USE SUMMARY**.

### **D. Updates to Lexipol Policy 1000 – Recruitment and Selection**



This policy has been updated because regulatory action impacts its content. 2022 CA REG TEXT 608224, effective July 1, 2022, amended law by requiring background investigators to complete POST-certified background investigator training for investigators performing background checks on peace officers and public safety dispatchers. Changes to this policy include:

- **INVESTIGATOR TRAINING** has been added as a subsection in **BACKGROUND INVESTIGATION** to include the training requirements.

**E. Updates to Lexipol Policy 1029 – Line-of-Duty Deaths**

This policy has been updated because a new Wellness Program Policy has been added to the manual. Changes to this policy include:

- **NOTIFYING AGENCY MEMBERS** has been updated to clarify an assistance example.
- Terminology has been updated in **LIAISONS AND COORDINATORS** and **SURVIVOR SUPPORT LIAISON**, and punctuation has been corrected.
- **CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR** has been renamed **WELLNESS SUPPORT LIAISON** and has been updated to advise collaboration with the agency wellness coordinator instead of the agency head. Also, terminology has been changed, and punctuation has been corrected.

Unrelated to the Wellness Program Policy update, additional changes include:

- In **MUTUAL AID COORDINATOR**, punctuation and a policy reference have been corrected.
- In **BENEFITS LIAISON**, punctuation, grammar, and list formatting have been corrected.

**F. New Policy 1030 added to the Lexipol Policy – Wellness Program**

This new policy has been developed to provide guidance on establishing and maintaining an agency wellness program to support a healthy quality of life for agency members.

Highlights include:

- **POLICY** communicates the agency's commitment to member wellness.
- **WELLNESS COORDINATOR** identifies the primary responsibilities of the agency's wellness coordinator, including establishing procedures for agency peer support and Critical Incident Stress Debriefings, verifying members have reasonable access to wellness support, and facilitating the delivery of wellness information and training to members.
- **PEER SUPPORT MEMBER RESPONSIBILITIES** and **PEER SUPPORT MEMBER TRAINING** provide direction on the duties and training of agency peer support members.

- **CRITICAL INCIDENT STRESS DEBRIEFINGS** contains content that has been moved to this policy from the Officer-Involved Shootings and Deaths Policy. The updated content includes guidance on when such debriefings should occur, who should organize them, and attendance and confidentiality requirements. Peer support communication content has been consolidated to include all Critical Incident Stress Debriefings, including those that occur after officer-involved shootings.
- **PEER SUPPORT COMMUNICATIONS** addresses communications between members and peer support providers.
- **PHYSICAL WELLNESS PROGRAM** includes guidelines for agencies that implement a physical wellness program.
- **WELLNESS PROGRAM AUDIT** provides for a system of periodic review and revision of the wellness program to improve its effectiveness.
- **TRAINING** provides topic guidance for agency wellness training.

2019 CA AB 1117 enacted the Law Enforcement Peer Support and Crisis Referral Services Program (Government Code § 8669.2 et seq.). The bill authorized a local or regional law enforcement agency to establish a peer support and crisis referral program to provide an agency-wide network of peer representatives available to aid fellow employees on emotional or professional issues. The bill requires agencies that establish the program consult with employee representative organizations to develop and implement the program. The program is not a mandate, however if established, it would be agency-specific.

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Amy Ackerman, City Attorney

**Subject: Adoption 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**

---

---

**Recommended Motion/Item Description**

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

**Background**

This Ordinance was introduced at the June 13, 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 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**

---

**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 AT A PUBLIC HEARING** at a regular meeting of the Belvedere City Council on June 13, 2022, and adopted at a regular meeting of the Belvedere City Council on July 11, 2022, by the following vote

**AYES:**

**NOES:**

**ABSENT:**

**RECUSED:**

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

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

## Exhibit A



# 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.

*This page intentionally left blank*



# Table of Contents

<b>Chapter 1: Introduction</b>	<b>1</b>
22.01.010 Purpose	1
22.01.020 Applicability	1
22.01.030 Relationship to Belvedere General Plan	1
22.01.040 Relationship to Title 19 (Zoning)	1
<b>Chapter 2: Establishment of Zones</b>	<b>3</b>
22.02.010 Purpose	3
22.02.020 Zones Established	3
22.02.030 Belvedere Objective Design Standards Zones	4
<b>Chapter 3: Zones</b>	<b>7</b>
22.03.010 Purpose	7
22.03.020 Overview of Zones	7
22.03.030 T3 Suburban Neighborhood (T3SN)	11
22.03.040 T4 Suburban Neighborhood.Small (T4SN.S)	15
22.03.050 T4 Suburban Main Street.Small (T4SMS.S)	19
<b>Chapter 4: Specific to Uses</b>	<b>23</b>
22.04.010 Purpose	23
22.04.020 Use Standards	23
22.04.030 Use Table	24
<b>Chapter 5: General to Design Sites</b>	<b>27</b>
22.05.010 Purpose	27
22.05.020 Screening	27
22.05.030 Landscaping and Lighting	30
22.05.040 Parking and Loading	32
22.05.050 Slope Standards	32
22.05.050 Public Frontage Standards	39
22.05.060 Privacy Standards	42
22.05.070 Location of Density Bonus Height/Floor Area on Sloped Design Sites	43

<b>Chapter 6:</b>	<b>Specific to Building Types</b>	<b>47</b>
22.06.010	Purpose	47
22.06.020	Building Types	47
22.06.030	Overview of Building Types	51
22.06.040	House	53
22.06.050	Duplex Side-by-Side	56
22.06.060	Duplex Stacked	61
22.06.070	Cottage Court	65
22.06.080	Fourplex	68
22.06.090	Neighborhood Townhouse	73
22.06.100	Neighborhood Courtyard	77
22.06.110	Pocket Neighborhood	81
22.06.120	Multiplex	86
22.06.130	Main Street Building	91
<b>Chapter 7:</b>	<b>Specific to Private Frontage Types</b>	<b>99</b>
22.07.010	Purpose	99
22.07.020	Private Frontage Types	99
22.07.030	Overview of Private Frontage Types	100
22.07.040	Porch Projecting	102
22.07.050	Dooryard	104
22.07.060	Stoop	106
22.07.070	Forecourt	108
22.07.080	Maker Shopfront	110
22.07.090	Shopfront	112
22.07.100	Terrace	114
22.07.110	Gallery	116
<b>Chapter 8:</b>	<b>Specific to Architectural Design</b>	<b>119</b>
22.08.010	Purpose	119

22.08.020	Applicability	119
22.08.030	Architectural Design Standards	119
22.08.040	Overview of Architectural Styles	119
22.08.050	Contemporary	123
22.08.060	Craftsman	135
22.08.070	East Coast Cottage	147
22.08.080	Main Street Classical	159
22.08.090	Mediterranean	169
22.08.100	Tudor	181
<b>Chapter 9:</b>	<b>Specific to Large Sites</b>	<b>193</b>
22.09.010	Purpose	193
22.09.020	General to Walkable Community Design	194
22.09.030	Walkable Neighborhood Plan	199
22.09.040	General to Civic Space	200
<b>Chapter 10:</b>	<b>Administration</b>	<b>207</b>
22.10.010	Purpose	207
22.10.020	Procedures	207
22.10.030	Adjustments to Standards	207
22.10.030	Quick Code Guide for Developments Less Than Two Acres	223
22.10.050	Quick Code Guide for Development of at Least Two Acres	225
<b>Chapter 11:</b>	<b>Definitions</b>	<b>227</b>
22.11.010	Purpose	227
22.11.020	Definitions	227
22.11.030	Measurement Methods	261

*This page intentionally left blank*

# 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.

*This page intentionally left blank*

# Chapter 2: Establishment of Zones

---

**Sections:**

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

---

**22.02.010 Purpose**

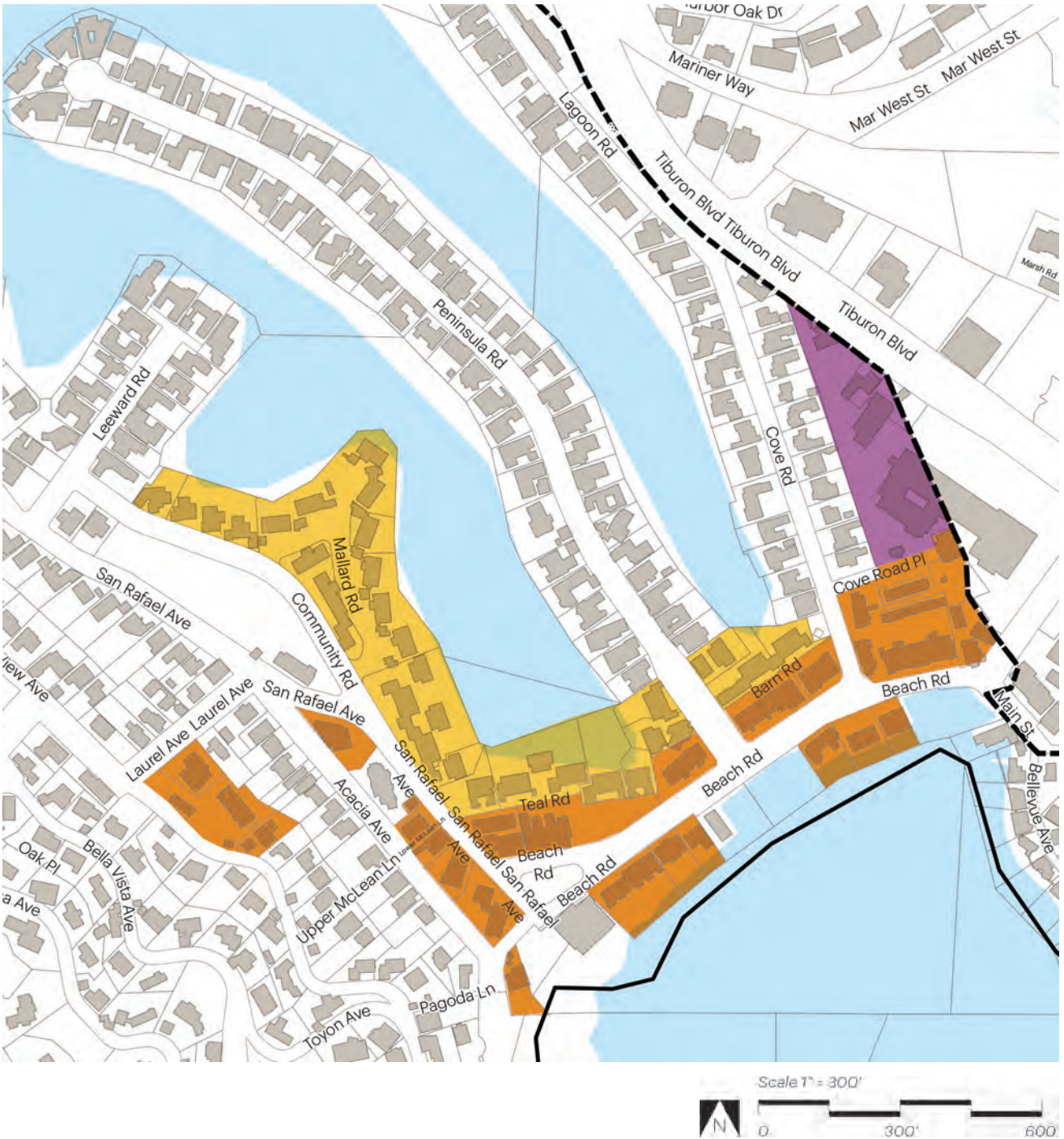
The purpose of Chapter is to identify the zones within the City of Belvedere where qualified Housing Accountability Act, Senate Bill 330, and Senate Bill 35 development projects are applicable.

---




**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.

*This page intentionally left blank*

# Chapter 3: Zones

---

**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**

**T3 Suburban Neighborhood 22.03.030**



**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

**T4 Suburban Neighborhood.Small 22.03.040**



**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

*This page intentionally left blank*

## 22.03.030 T3 Suburban Neighborhood (T3SN)



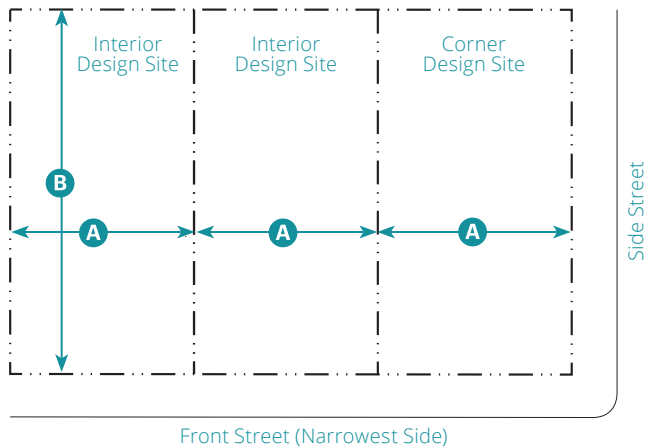
*General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.*

### 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**

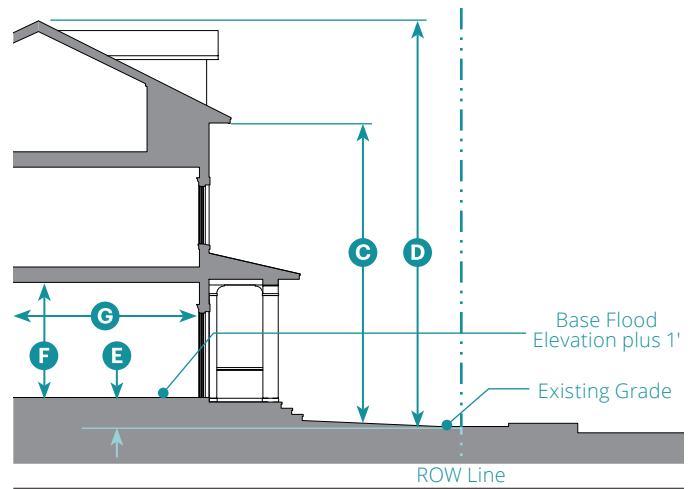
None

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

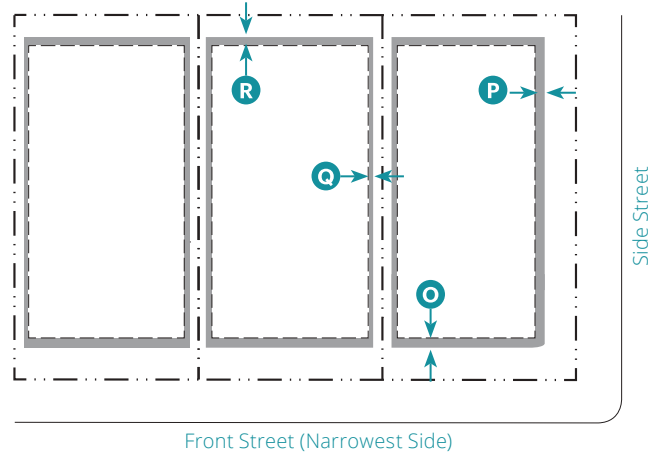
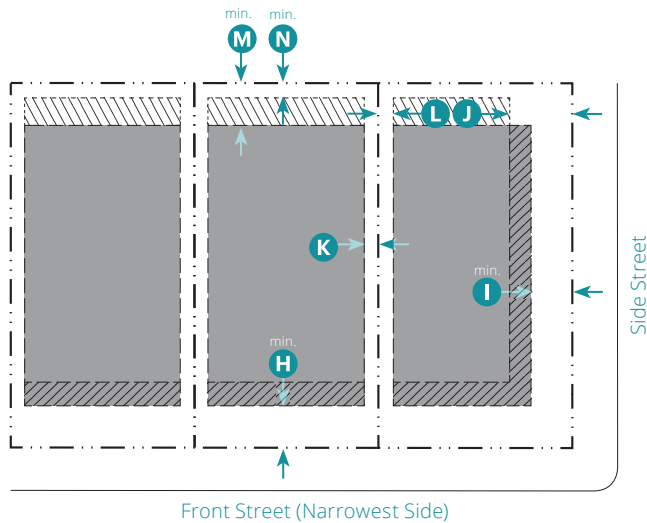
3. Building Form		
Height	Without Bonus	With Bonus
<b>Primary Building<sup>4</sup></b>		
Stories	2.5 max.	3 max.
To Highest Eave/Parapet	22' max.	32' max. <b>C</b>
Overall	29' max.	36' max. <b>D</b>
Ground Floor Finish Level (Base Flood Elevation plus 1' min.)		<b>E</b>
Ground Floor Ceiling		<b>F</b>
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.

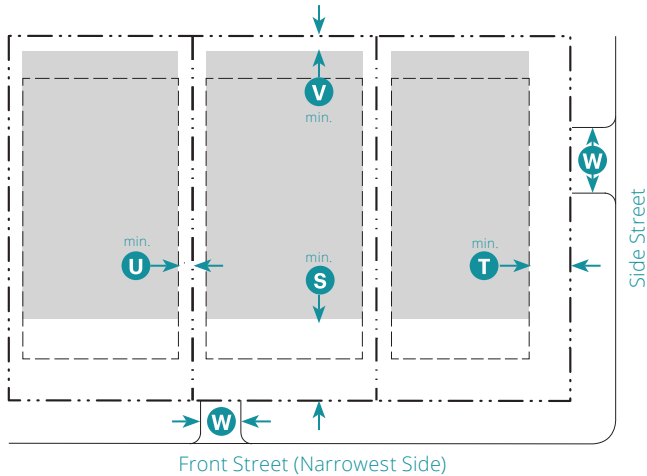
Fences, hedges, and other screen devices are allowed within setbacks as identified in Section 19.48.190 (Residential Zones—Certain Facilities and Structures Permitted in Yards).

**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
------------	-----------------	----------------------



**Key**

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

**6. Parking**

Use Type	Vehicular Spaces <sup>8</sup>	Bicycle Spaces <sup>9</sup>
----------	-------------------------------	-----------------------------

Residential Uses		
Studio or 1 Bedroom	1 min. per unit	1 min. per unit
2 or More Bedrooms	2 min. per unit	2 min. per unit

Non-Residential Uses per Building <sup>10</sup>		
≤ 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)



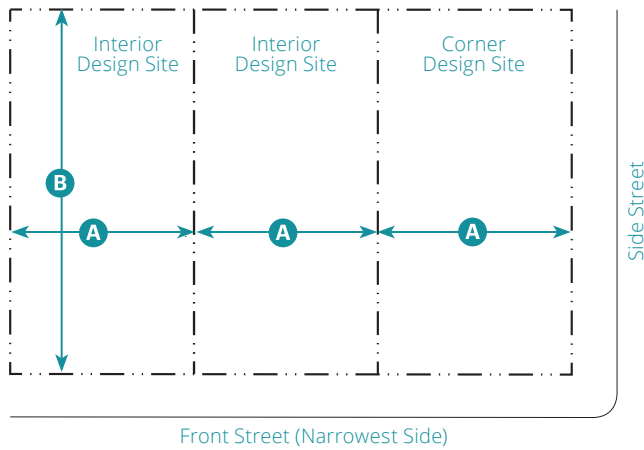
General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

### 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

**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

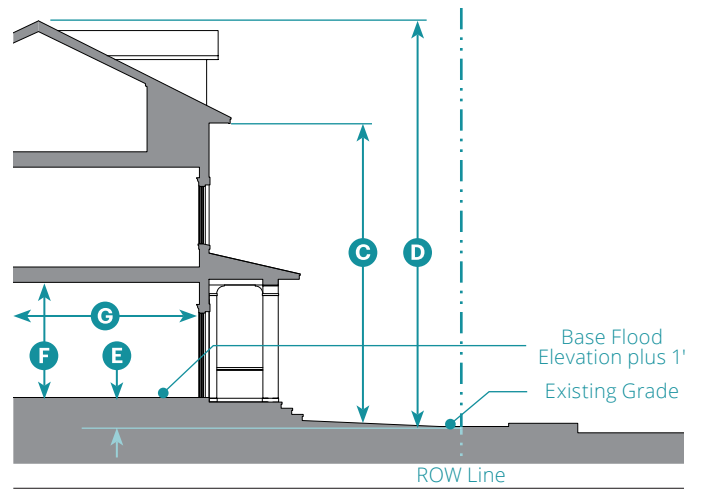
**Block-Scale**

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



**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	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. —	

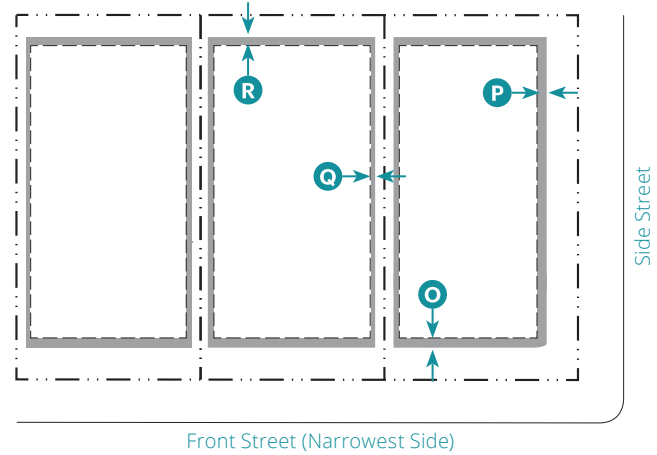
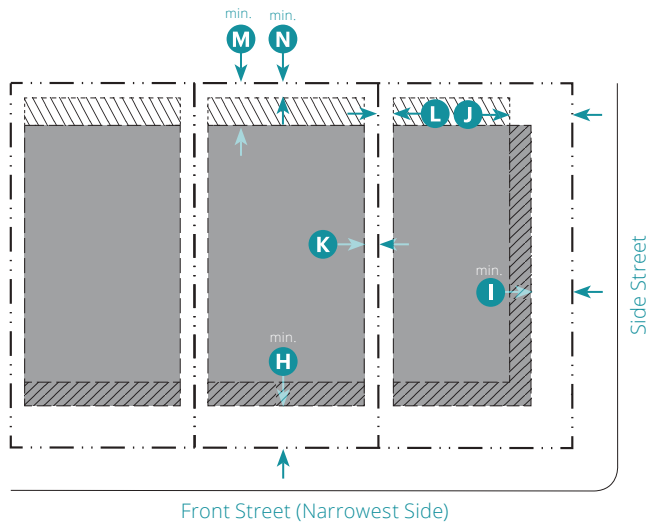
**Footprint**

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.

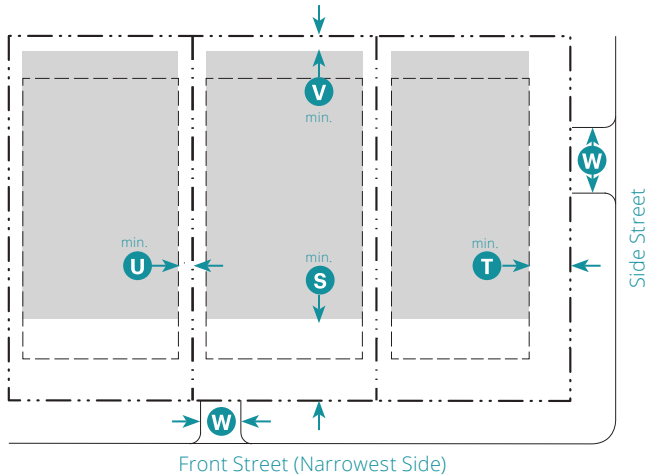
**Facade Design**

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
------------	-----------------	----------------------



**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)



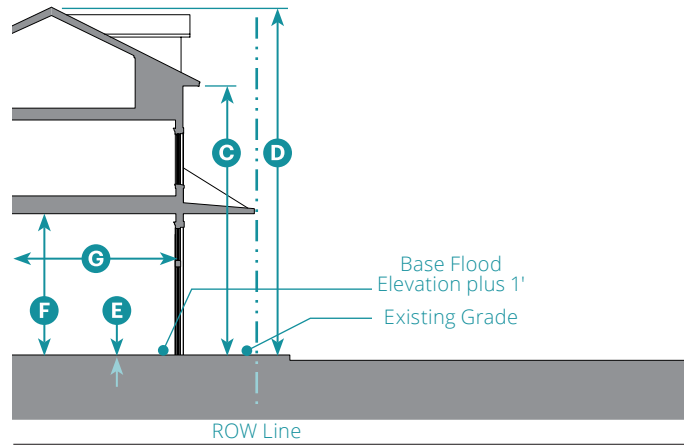
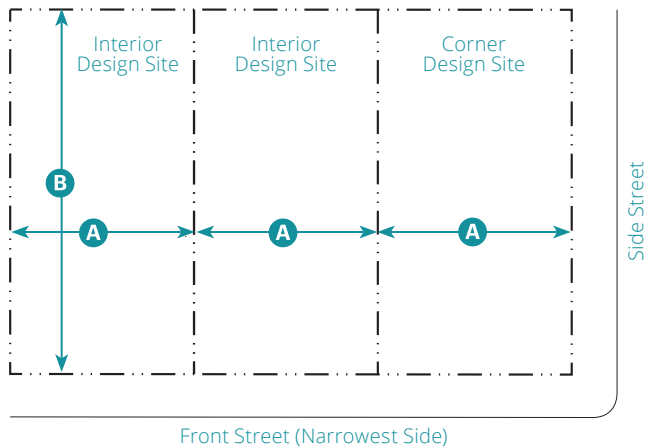
*General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.*

### 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**

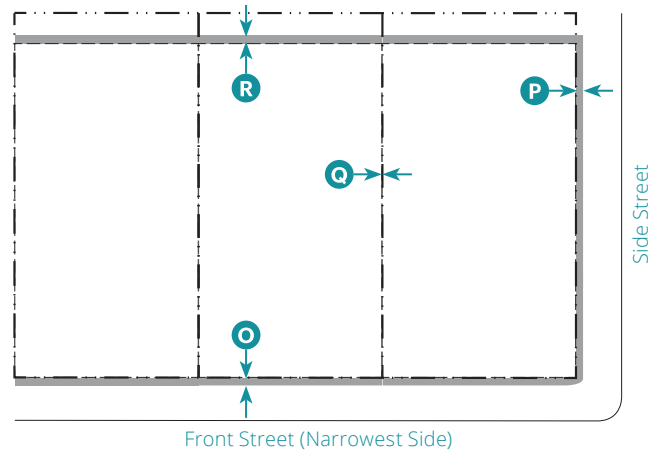
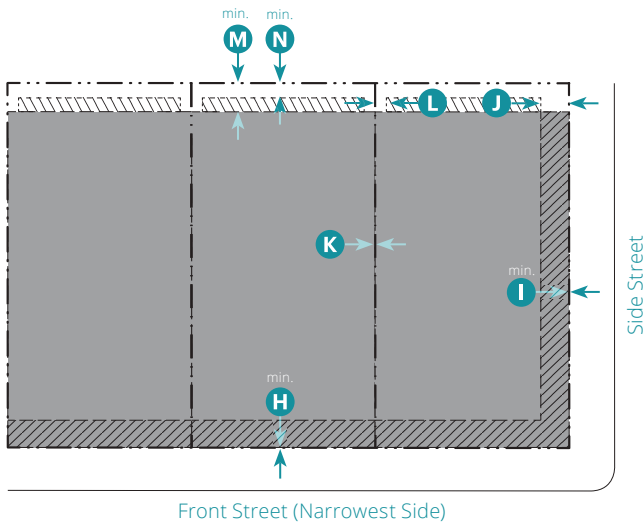
Height	Without Bonus	With Bonus	
<b>Primary Building<sup>4</sup></b>			
Stories	2.5 max.	3 max.	
To Highest Eave/Parapet	26' max.	35' max.	<b>C</b>
Overall	29' max	36' max.	<b>D</b>
Ground Floor Finish Level (Base Flood Elevation plus 1' min.)			<b>E</b>
Ground Floor Ceiling	12' min.		<b>F</b>
<b>Accessory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

**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**

**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>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.

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

**5. Encroachments**

**Encroachments into Minimum Setbacks**

Encroachment Type	Front	Side St.	Side	Rear
	<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.

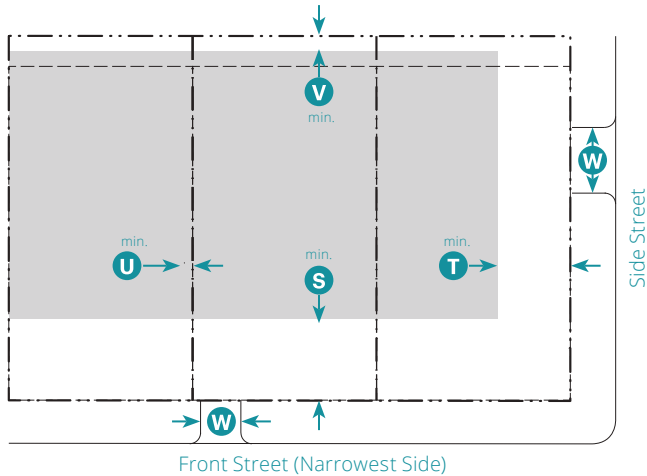
Fences, hedges, and other screen devices are allowed within setbacks as identified in Section 19.48.190 (Residential Zones—Certain Facilities and Structures Permitted in Yards).

**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
------------	-----------------	----------------------



**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

---

**Sections:**

- 22.04.010 Purpose
- 22.04.020 Use Standards
- 22.04.030 Use Table

---

**22.04.010 Purpose**

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

---

**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

*This page intentionally left blank*

# Chapter 5: General to Design Sites

---

## 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

---

## 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.

---

## 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.

---

## 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.

---

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

---

## 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**

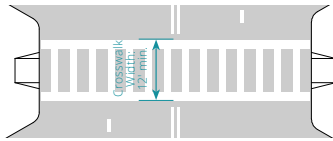
Required Improvements	Development Scenario			
	Infill Design Site on Existing Block	Two or More Design Sites on Existing Block	More Than Half of Existing Block	New Block(s)
	Development consists of one design site.	Development consists of two or more design sites that are less than half of the block 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**

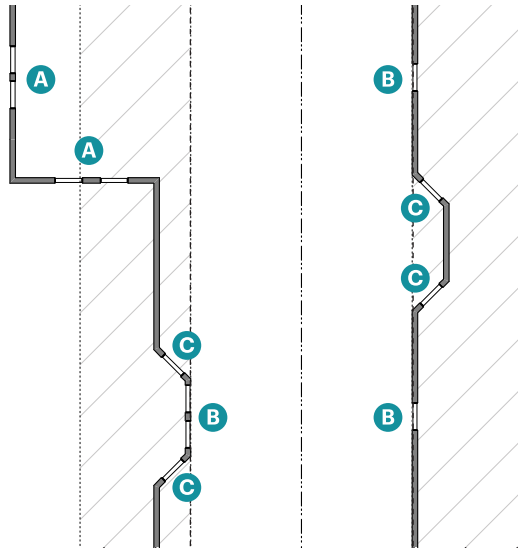
Table C (Public Frontage Assemblies) identifies the required elements and dimensions of each public frontage type.

	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

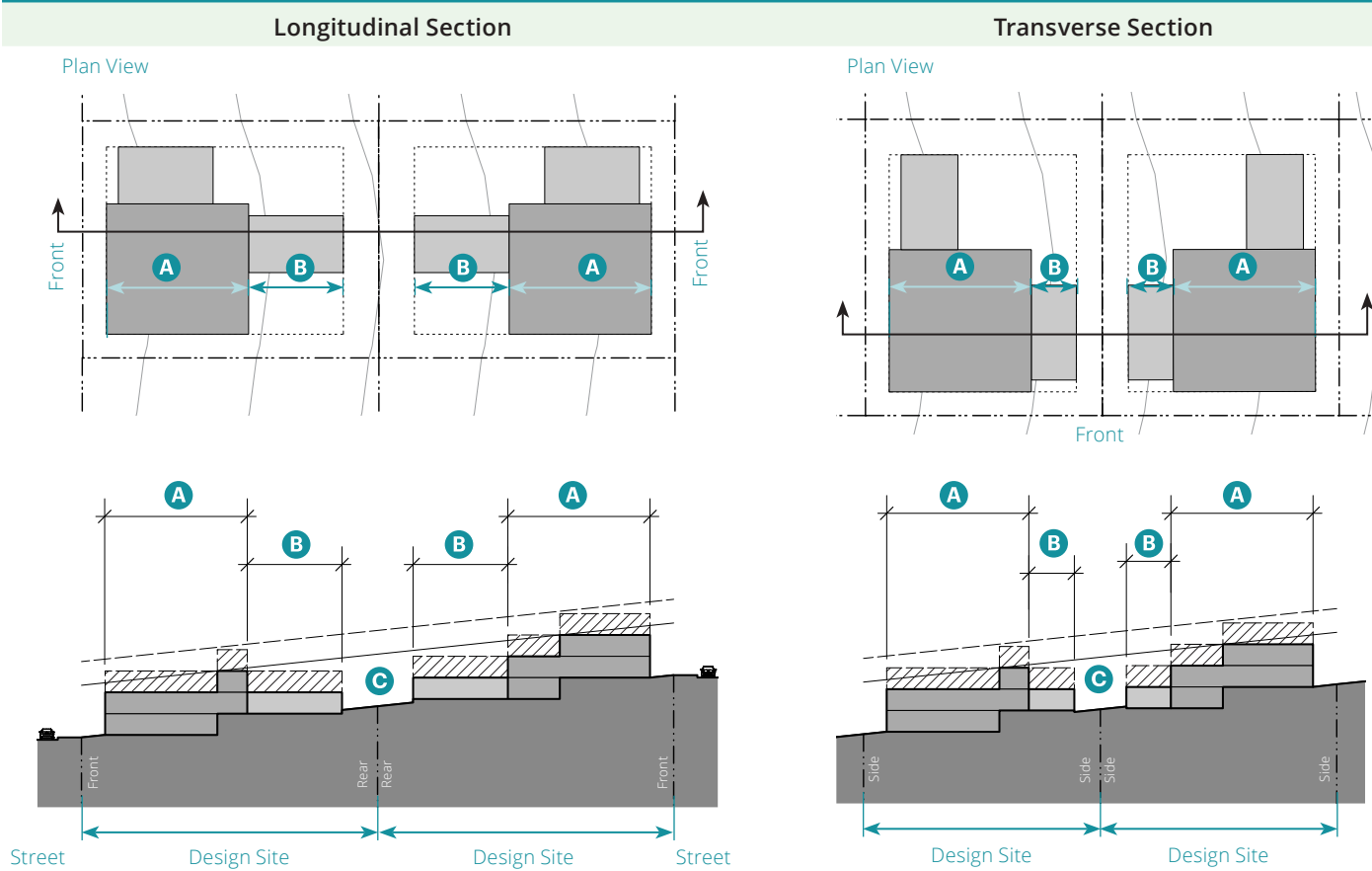
---

## 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.

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

*This page intentionally left blank*

# Chapter 6: Specific to Building Types

---

## 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.

---

## 22.06.020 Building Types

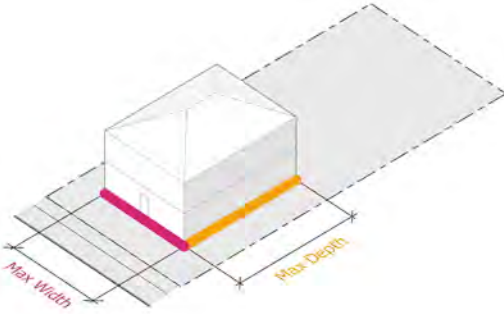
1. Building types are used to articulate size, scale, and intensity according to the intent of each zone.
2. Building types are categorized into two groups: House-Scale Buildings and Block-Scale Buildings. See Figure 1 (Example of House-Scale and Block-Scale Buildings) for examples.
  - A. **House-Scale 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.

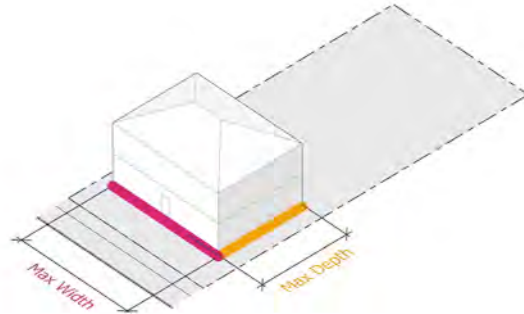
Figure 22.06.020.1 Example of House-Scale and Block-Scale Buildings

**House-Scale Buildings**

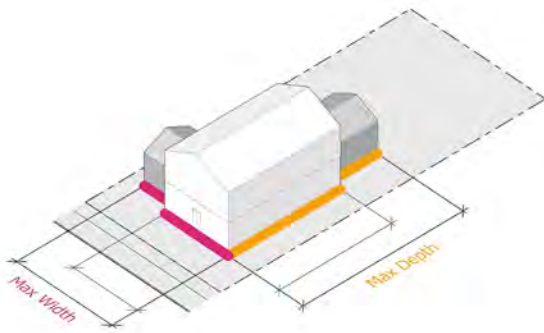
*Main body only*



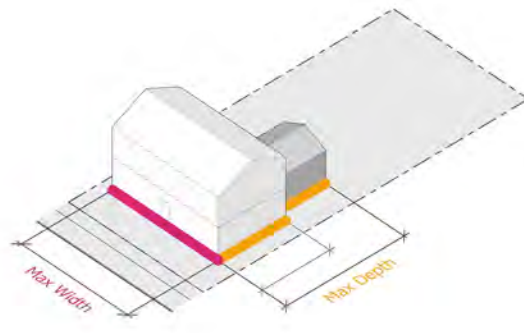
*Main body only*



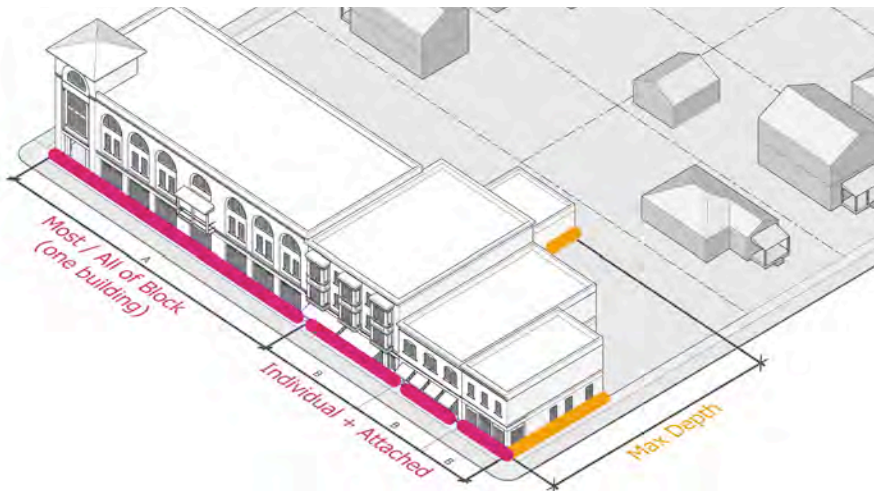
*Main body with side and rear wings*



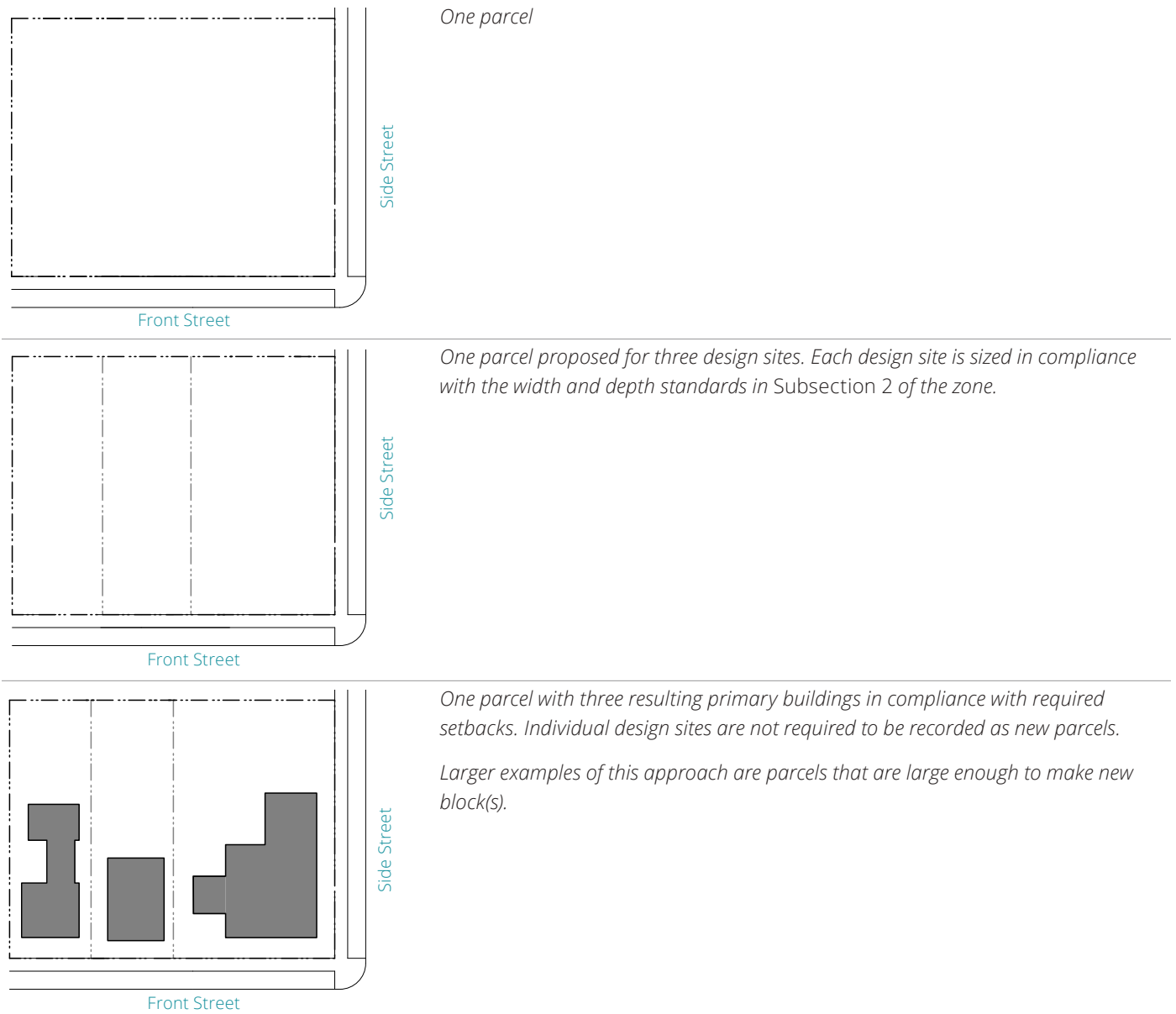
*Main body with rear wing*



**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

*This page intentionally left blank*



**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.

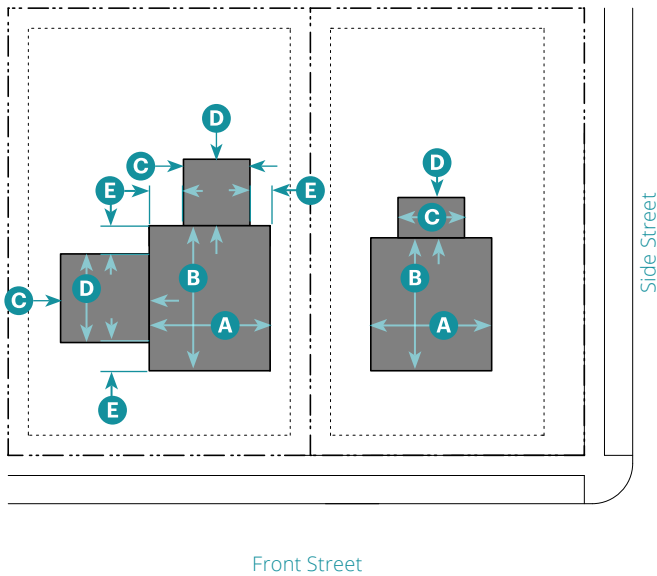
**2. Number of Units**

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

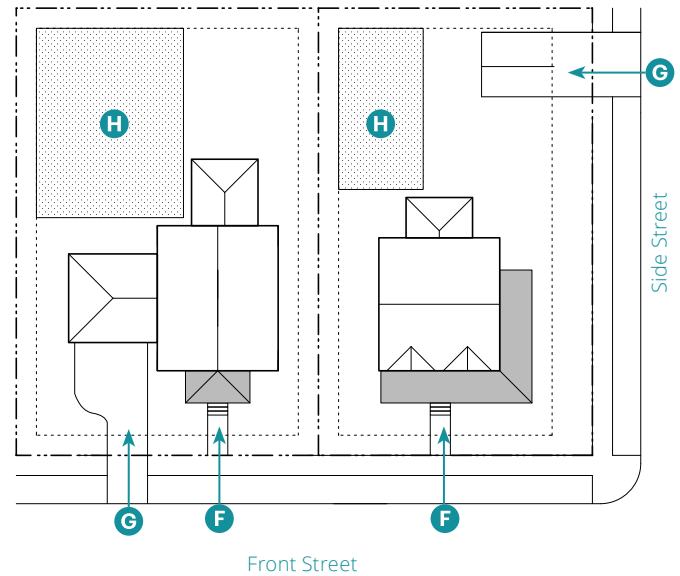
<sup>1</sup> Not including ADU

*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)**

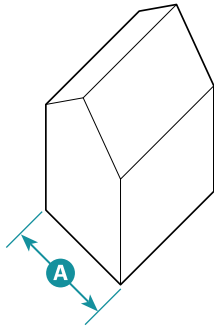
Required setbacks and driveways do not count toward open space.

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.

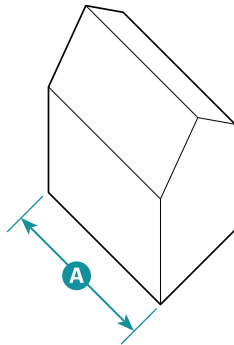
#### Front Gable



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	

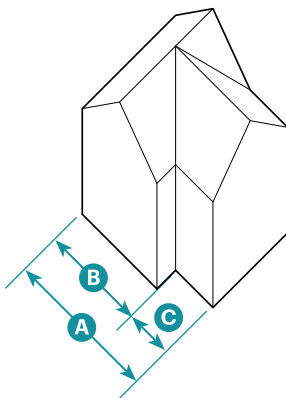
#### Side Gable



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**

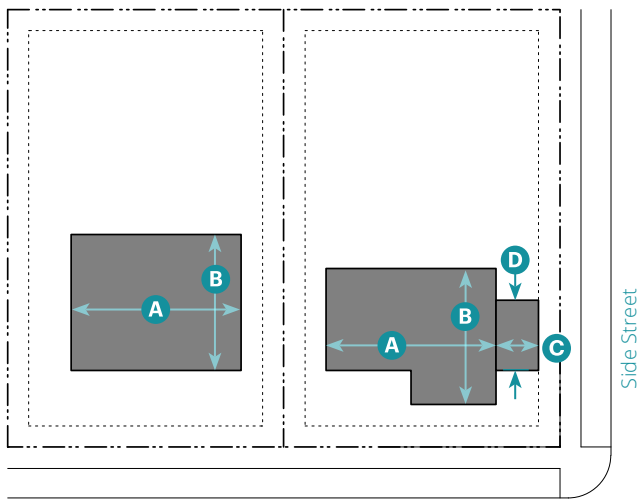
A small-to-medium-sized, detached, House-Scale Building with small-to-medium setbacks and a rear setback. The building consists of two side-by-side units, both facing the street and within a single Building massing. The type has the appearance of a medium-to-large, single-unit house and is scaled to fit within lower-intensity neighborhoods.

**2. Number of Units**

Units per Building	2 max.
Buildings per Design Site	1 max.

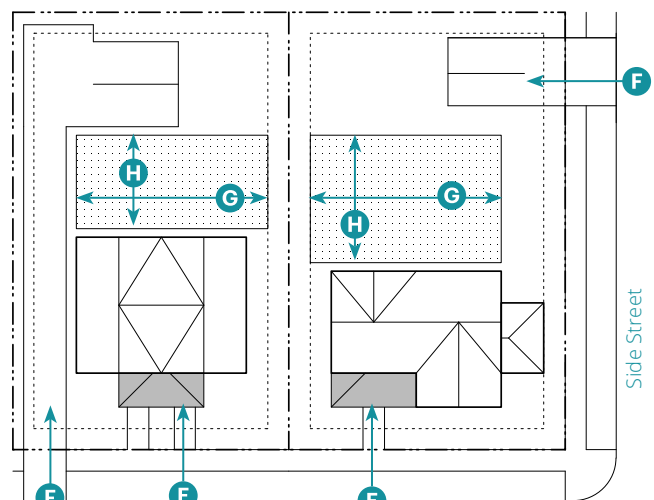
General Note: Photos on this page are illustrative, not regulatory.

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)**

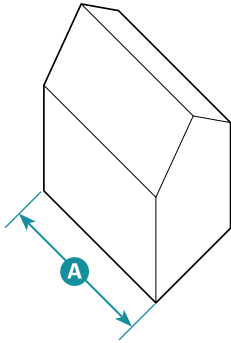
Required setbacks and driveways do not count toward open space.

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.

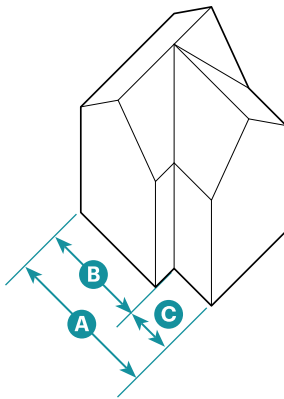
#### Side Gable



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	

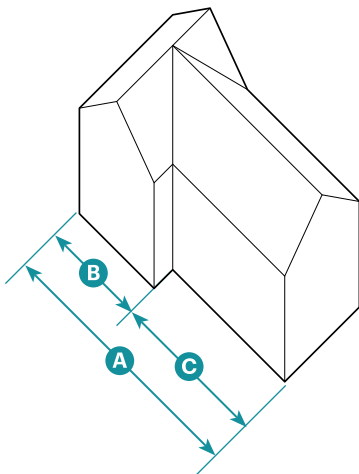
#### Gable L (2/3 + 1/3)



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)

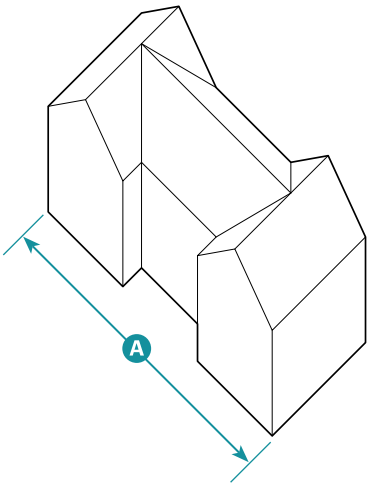


This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is sloped with gables at the projecting two parts.

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	

*This page intentionally left blank*



**22.06.060 Duplex Stacked**



*Example of Duplex Stacked*



*Example of Duplex Stacked*



*Example of Duplex Stacked*

**1. Description**

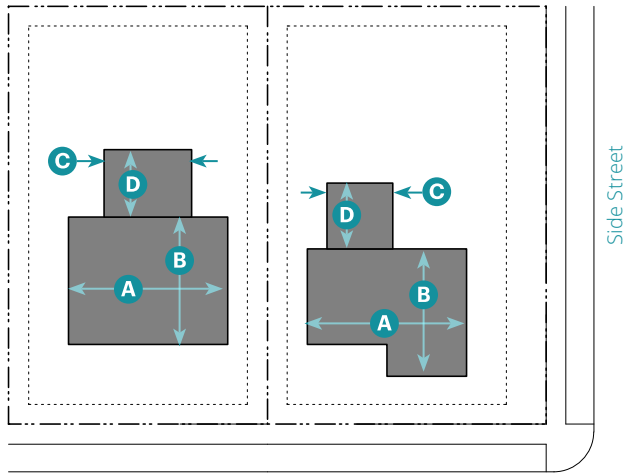
A small-to-medium-sized, detached, House-Scale Building with small-to-medium setbacks and a rear setback. The building consists of two stacked units, both facing the street and within a single building massing. The type has the appearance of a medium-to-large, single-unit house and is scaled to fit within lower-intensity neighborhoods.

**2. Number of Units**

Units per Building	2 max.
Buildings per Design Site	1 max.

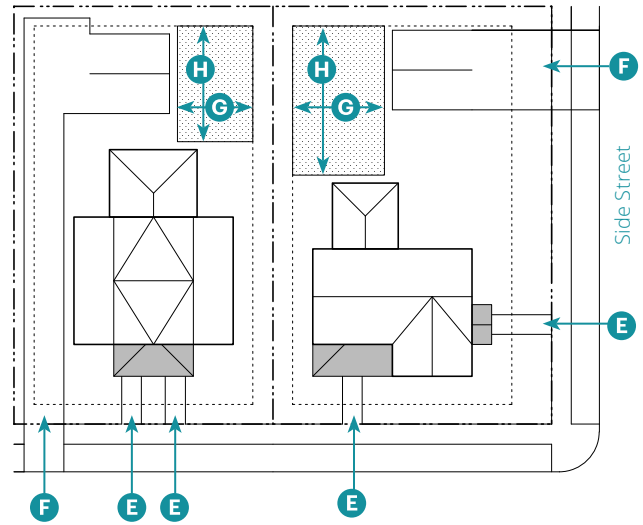
*General Note: Photos on this page are illustrative, not regulatory.*

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)**

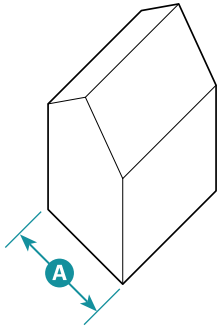
Required setbacks and driveways do not count toward open space.

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.

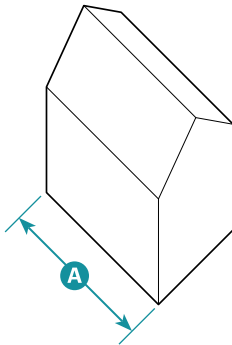
**Front Gable**



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	

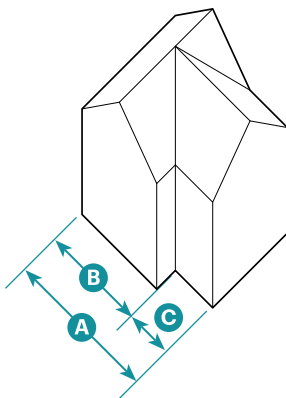
**Side Gable**



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

*This page intentionally left blank*

**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

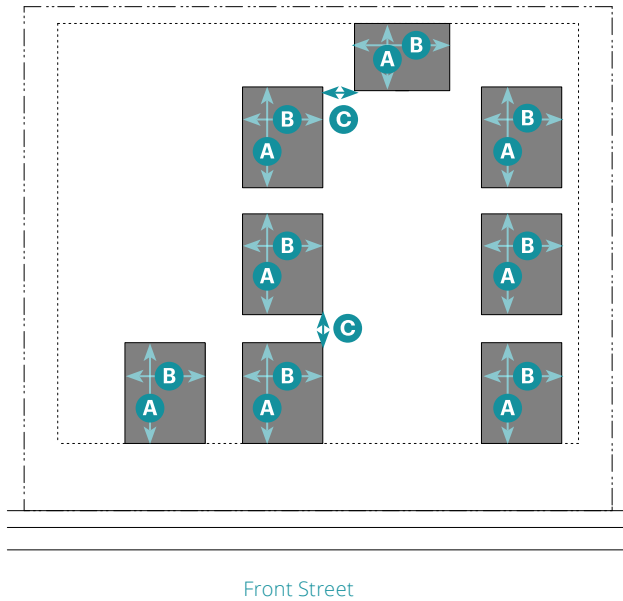
**2. Number of Units**

Units per Building	1 max.
Buildings per Design Site	3 min.; 9 max. <sup>1</sup>

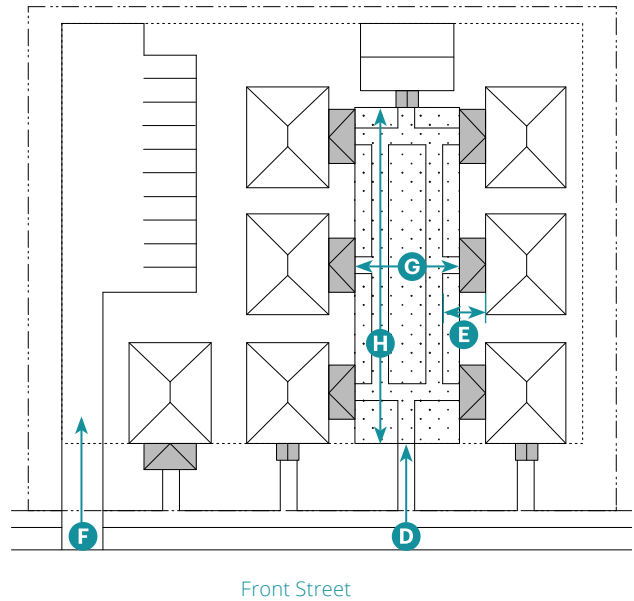
<sup>1</sup> In the T4SN.S zone, the rearmost Cottage may contain up to 2 units, for a total of 10 units.

*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**

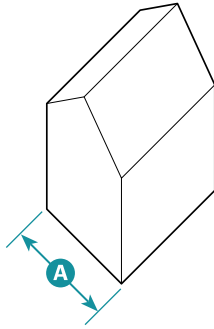
Fencing only allowed around or between individual buildings and shall not exceed 36" in height.

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.

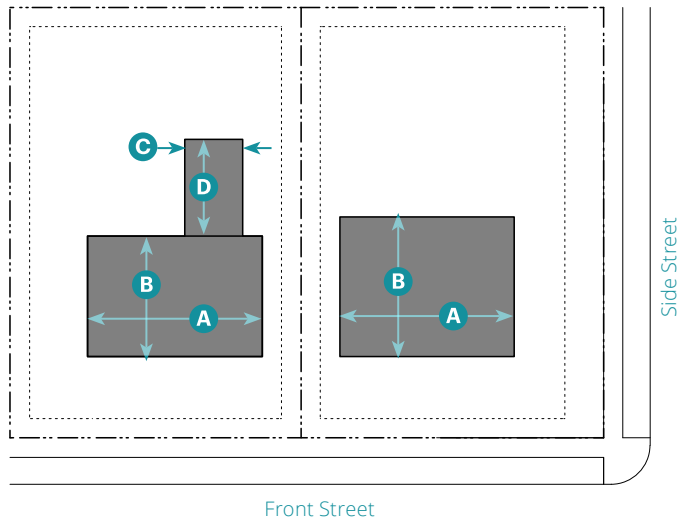
2. Number of Units

Units per Building	3 min.; 4 max.
Buildings per Design Site	1 max.

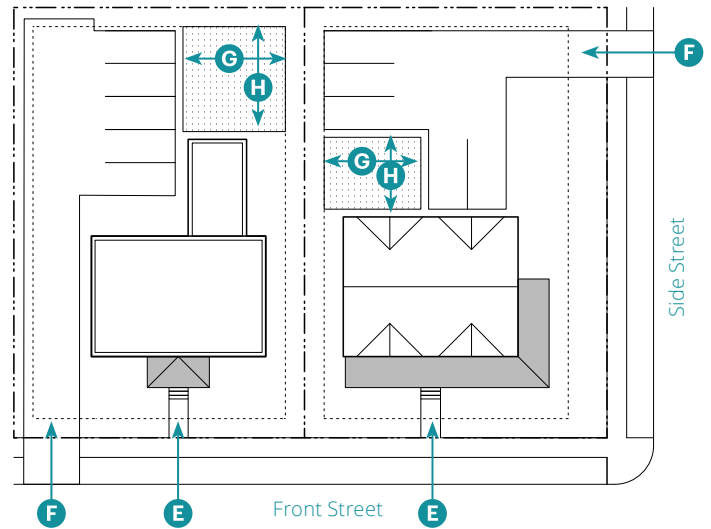
General Note: Photos on this page are illustrative, not regulatory.



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.

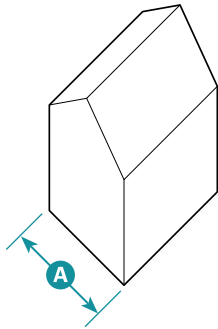
Required common open space shall be located behind the main body of the building.

<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.

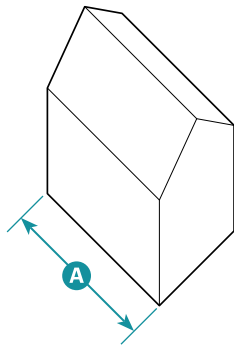
**Front Gable**



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	

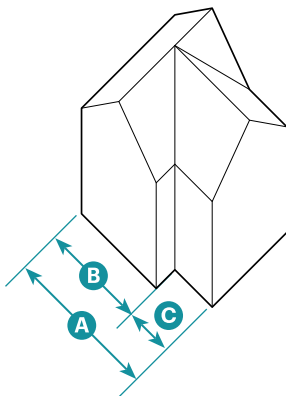
**Side Gable**



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)**

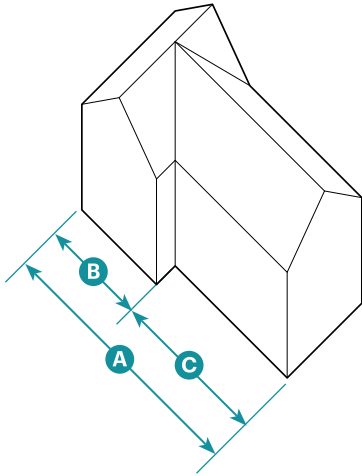


This massing type divides the facade into three equal parts, 1 part projecting and 2/3 as a wing. The roof is sloped with a gable at the projecting 1/3.

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)**

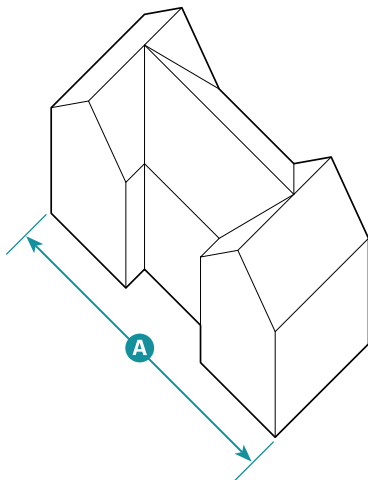
**Gable L (2/5 + 3/5)**



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	

*This page intentionally left blank*

**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

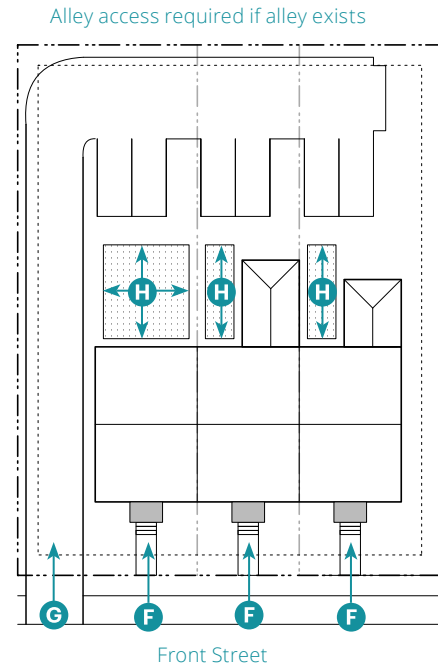
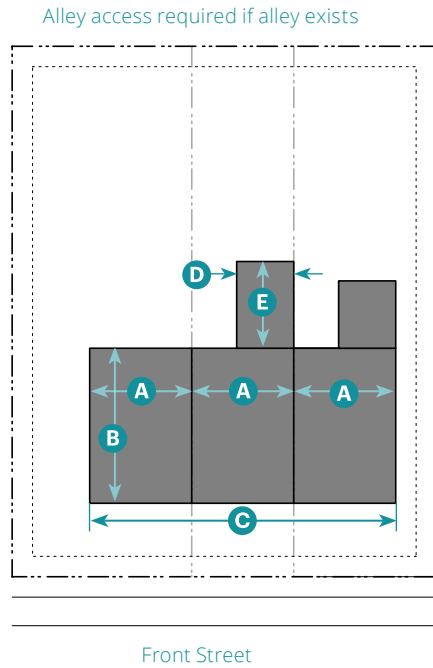
**2. Number of Units**

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**

<b>Height</b>	<b>T3SN<sup>4</sup></b>	<b>T4SN.S</b>	
		<b>T4SMS.S</b>	

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**

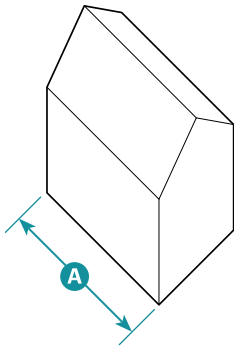
Required setbacks and driveways do not count toward open space.

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.

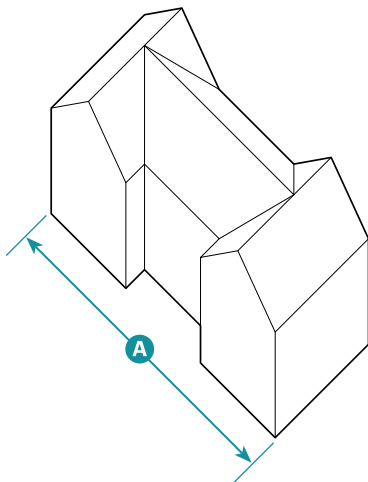
**Side Gable**



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	

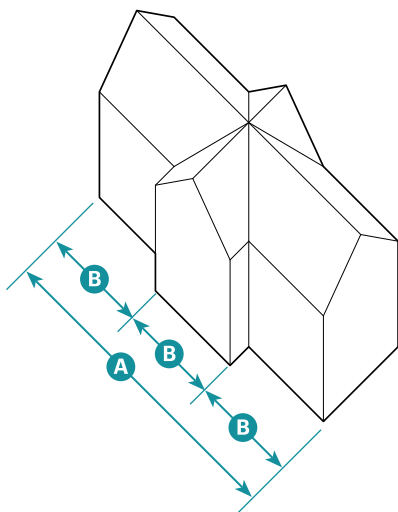
**Twin Gable**



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

*This page intentionally left blank*



**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.

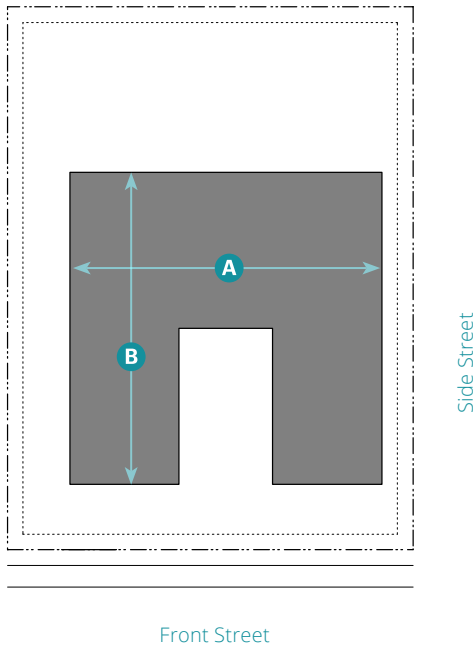
Synonym: Courtyard Apartment

**2. Number of Units**

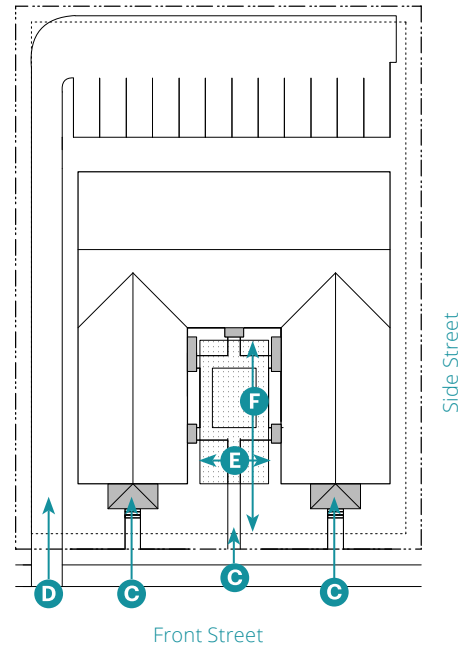
	<b>T4SN.S</b>	<b>T4SMS.S</b>
Units per Building	12 max.	16 max.
Buildings per Design Site	1 max.	

*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
- ..... Building Setback Line

**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      ■ Frontage
- ..... Building Setback Line      ▨ 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.

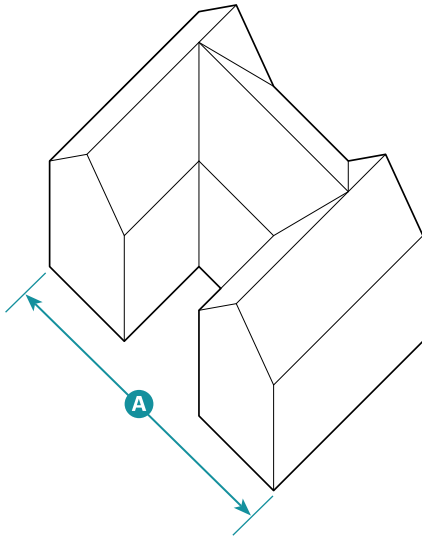
Up to 1/3 of the shared court(s) may be used for stormwater management if designed as a rain garden or bioswale.

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.

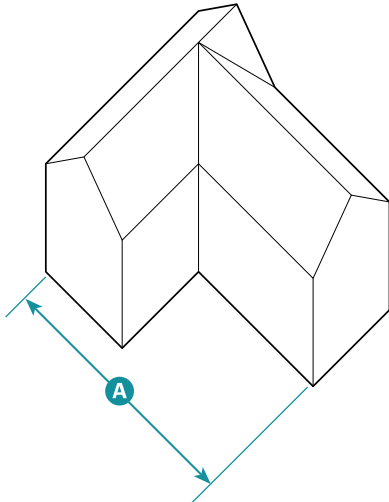
**Gabled Courtyard**



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	

*This page intentionally left blank*

**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

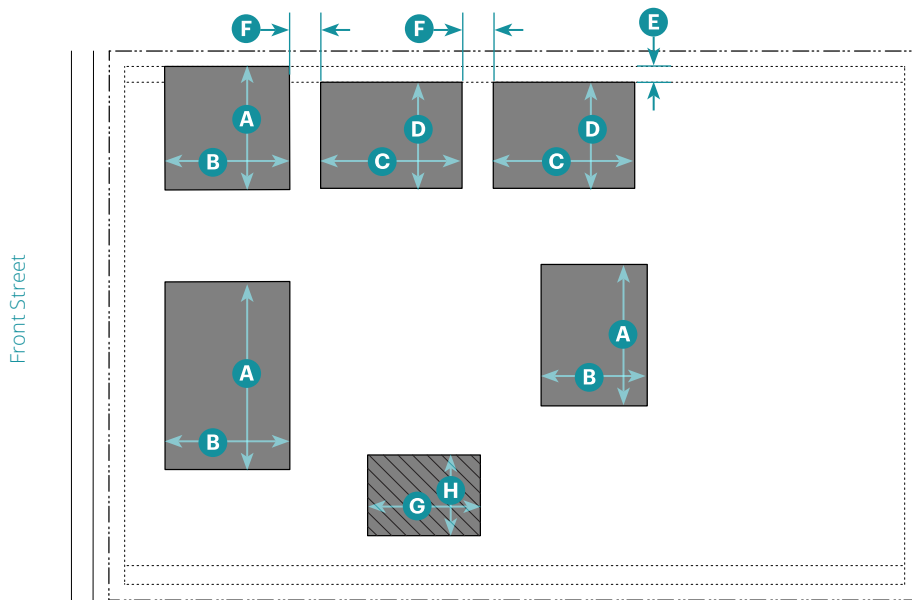
**1. Description**

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>

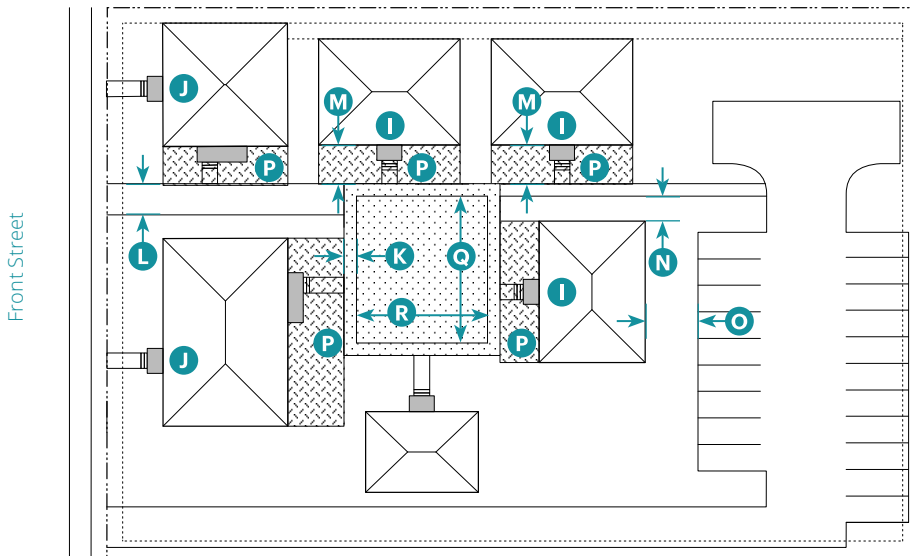
**Wing(s)**

- 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
- - - - Building Setback Line
- Frontage

**4. Pedestrian Access**

<b>Main Entrance Location</b>	
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>
<b>Pedestrian Path Width</b>	
Along Buildings and Open Space	5' min. <b>K</b>
At Front or Side Street Connection	10' min. <b>L</b>
<b>Pedestrian Path Setbacks</b>	
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>

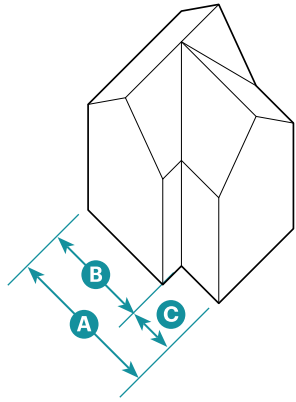
**7. Miscellaneous**

<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).

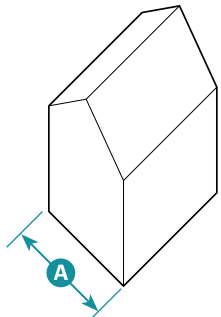
**1-2 Units per Building**



**Gable L (2/3 + 1/3)**

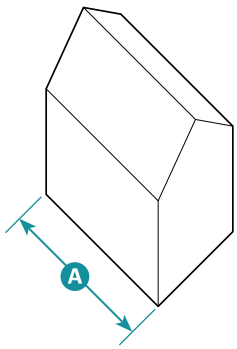
Number of Bays	3 bays
Main Body Width	Max. allowed by Subsection 3 of this building type

**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



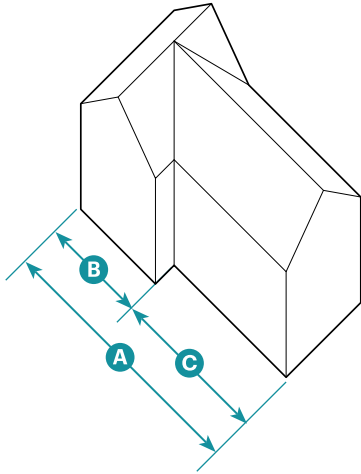
**Side Gable**

Number of Bays	3-5 bays
Main Body Width	Max. allowed by Subsection 3 of this building type



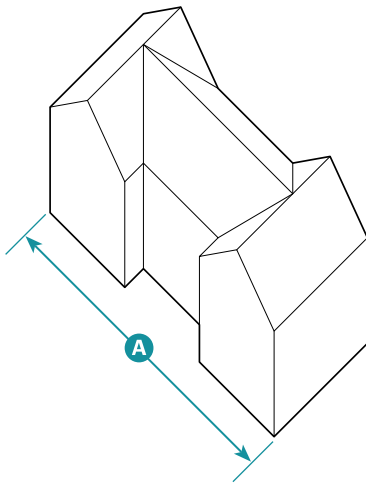
**7. Main Body Massing Composition (Continued)**

**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.

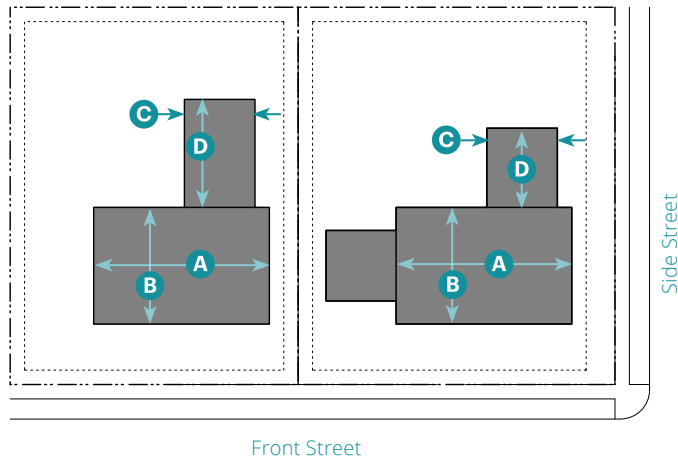
Synonym: Mansion Apartment

**2. Number of Units**

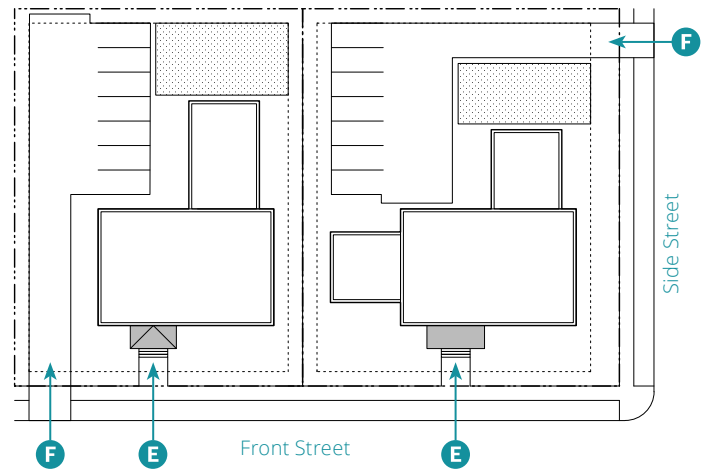
Units per Building	12 max.
Buildings per Design Site	1 max.

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.

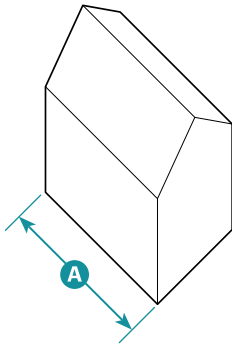
**6. Open Space**

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.

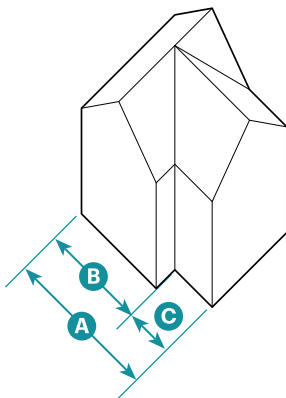
**Side Gable**



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	

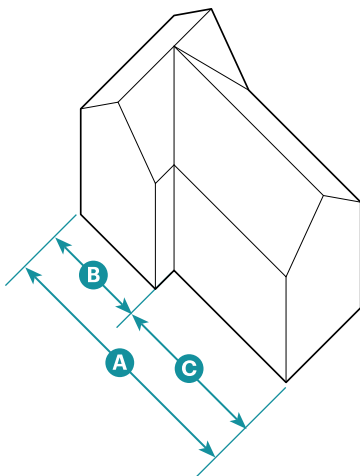
**Gable L (2/3 + 1/3)**



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)**

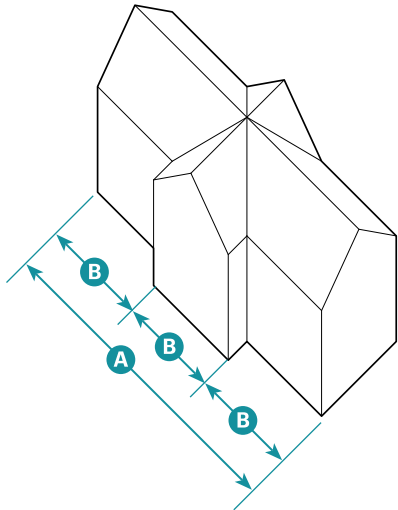


This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is sloped with gables at the projecting two parts.

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)**

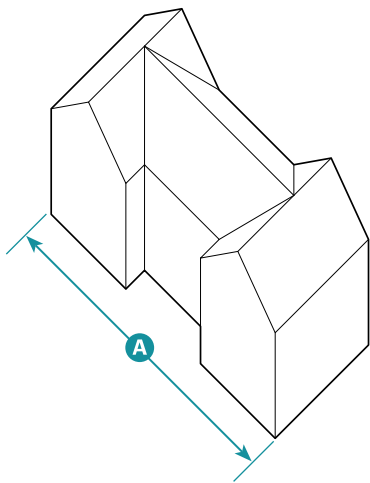
**Center Gable (1/3 + 1/3 + 1/3)**



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	

*This page intentionally left blank*

**22.06.130 Main Street Building**



Example of Main Street Building



Example of Main Street Building



Example of Main Street Building

**1. Description**

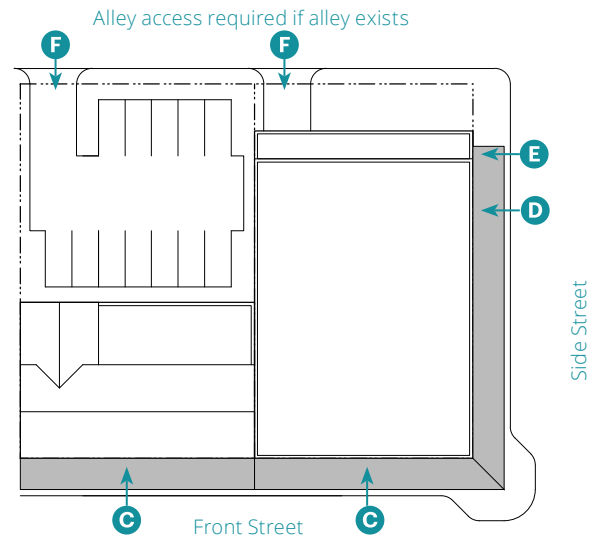
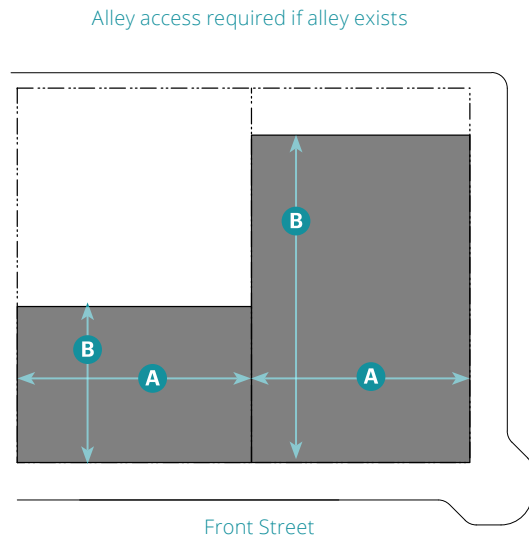
A small-to-large-sized, Block-Scale Building, typically attached, but may be detached. The type is intended to provide a vertical mix of uses with ground-floor retail, office, or service uses and upper-floor service or residential uses. The type makes up the primary component of neighborhood and downtown 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**

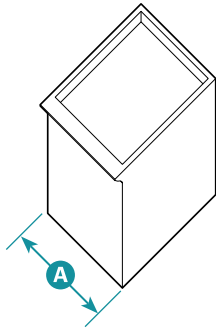
Common or private open space is not required.



**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.

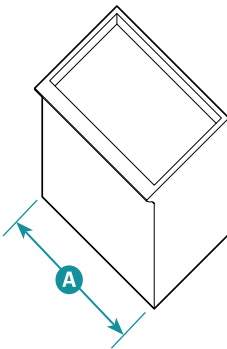
**Flat Box**



This massing type is a simple rectilinear form that is deeper than it is long. The roof is flat.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	

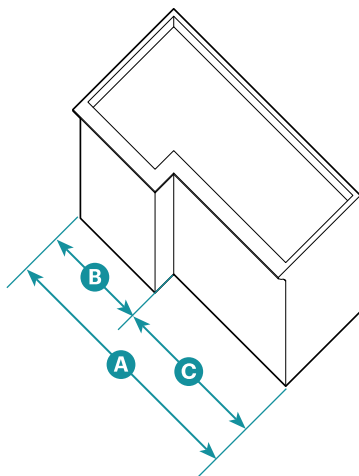
**Flat Bar**



This massing type is a simple rectilinear form that is longer than it is deep. The roof is flat.

Number of Bays	Flexible	<b>A</b>
Main Body Width	Max. allowed by Subsection 3 of this building type	

**Flat L (2/5 + 3/5)**

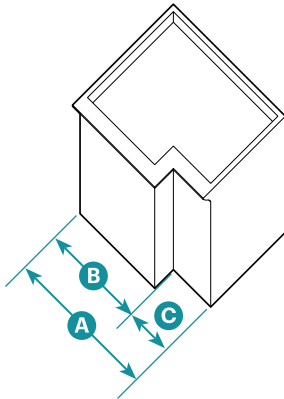


This massing type divides the facade into five equal parts, with two parts projecting and three parts set back to create a shallow forecourt. The roof is flat.

Number of Bays	Flexible	<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)**

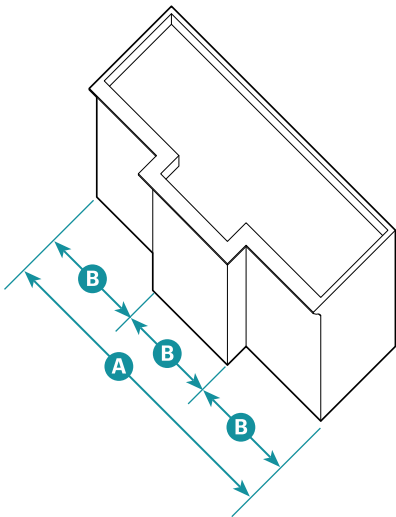
**Flat L (2/3 + 1/3)**



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>

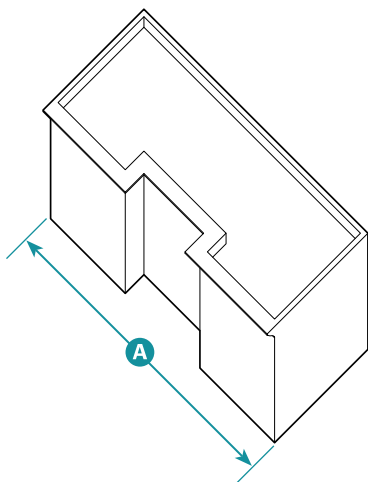
**Flat T (1/3 + 1/3 + 1/3)**



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**

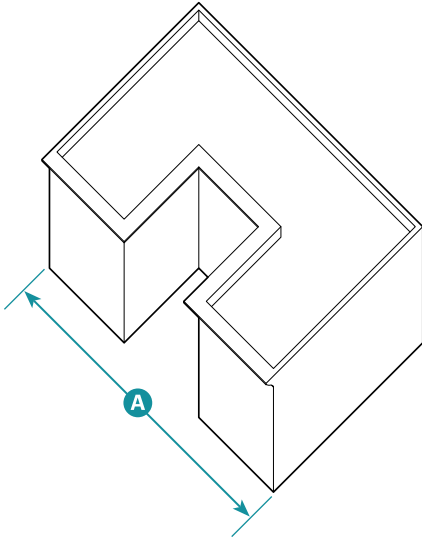


This massing type divides the facade into three parts, with the middle part set back slightly to create a shallow open space. The roof is flat.

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)**

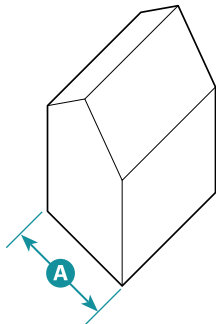
**Flat Courtyard**



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	

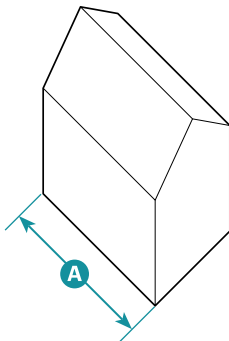
**Front Gable**



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**

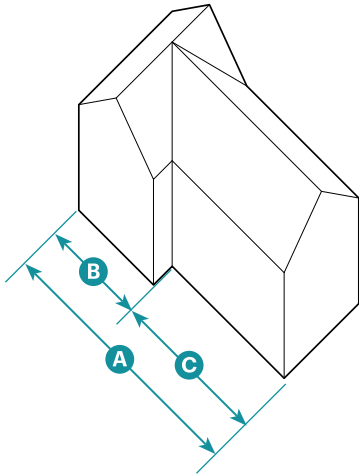


This massing type is a simple rectilinear form that is longer than it is deep. The roof is sloped and may be either hipped or gabled.

Number of Bays	Flexible	A
Main Body Width	Max. allowed by Subsection 3 of this building type	

**7. Main Body Massing Composition (Continued)**

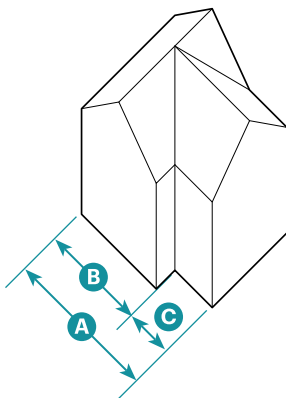
**Gable L (2/5 + 3/5)**



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>

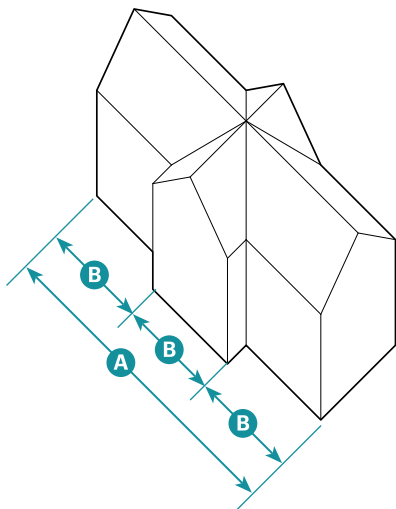
**Gable L (2/3 + 1/3)**



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)**

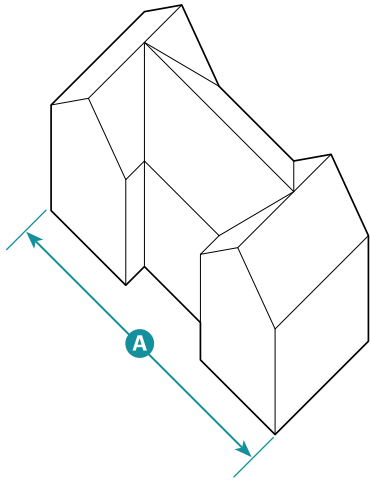


This massing type divides the facade into three equal parts, with the middle third projecting. The roof is sloped and may be either hipped or gabled.

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)**

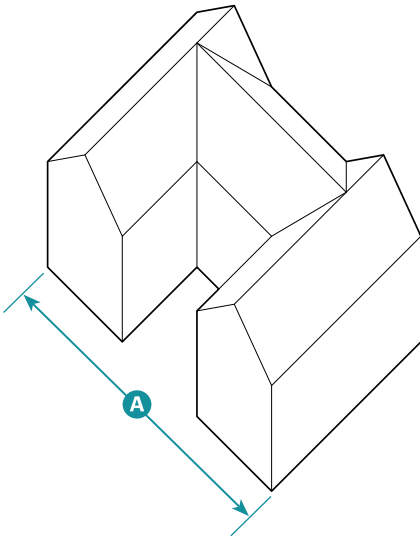
**Twin Gable**



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	

*This page intentionally left blank*

# Chapter 7: Specific to Private Frontage Types

---

## 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

---

## 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).

---

## 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



*This page intentionally left blank*

22.07.040 Porch Projecting



Example of a Projecting Porch



Example of a Projecting Porch

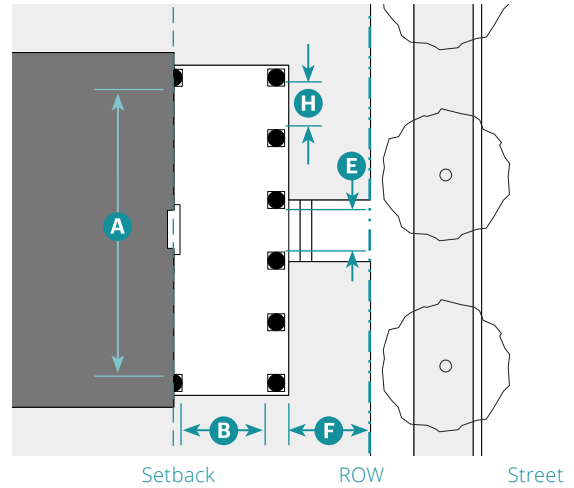
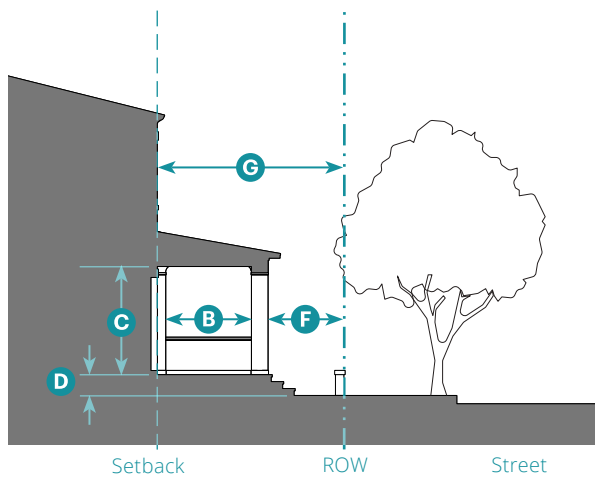


Example of a Projecting Porch

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.

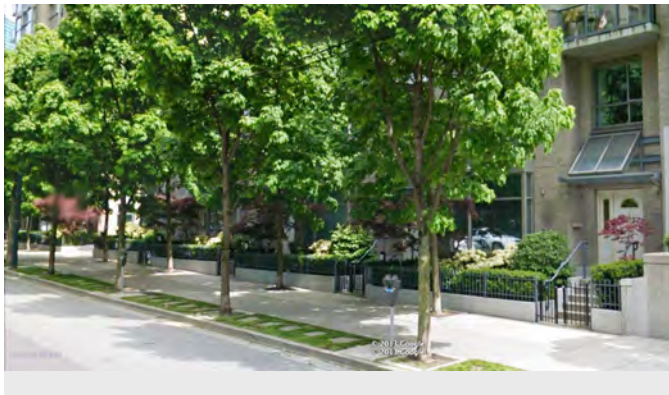
22.07.050 Dooryard



Example of a residential Dooryard



Example of a commercial Dooryard

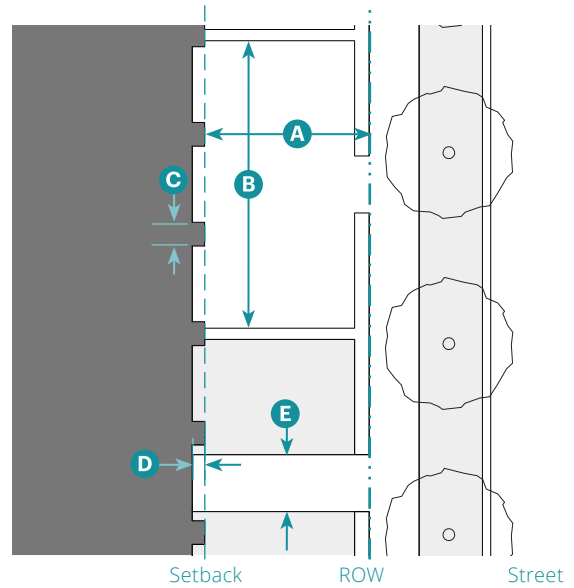
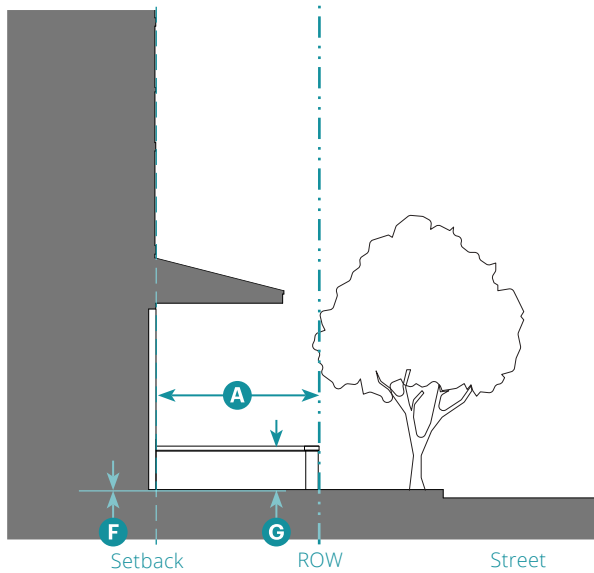


Example of a residential Dooryard

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

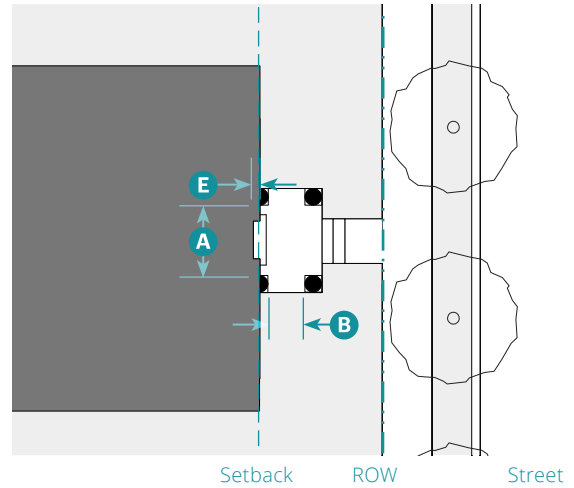
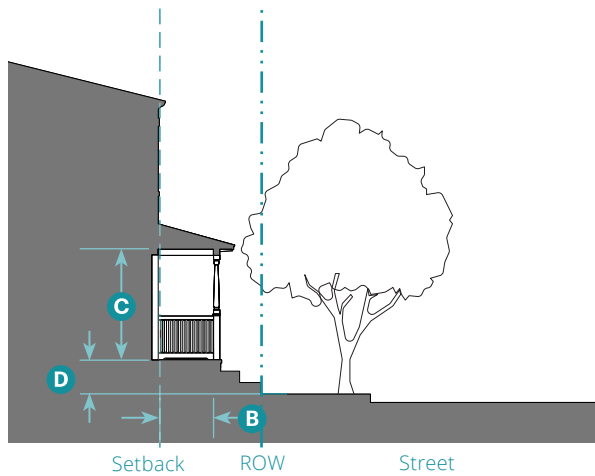


Example of a Stoop

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



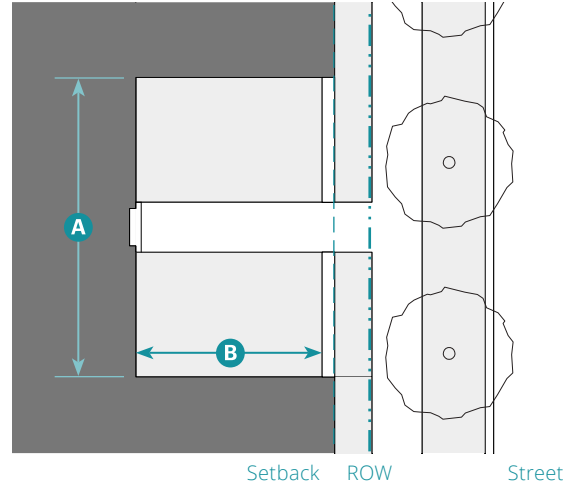
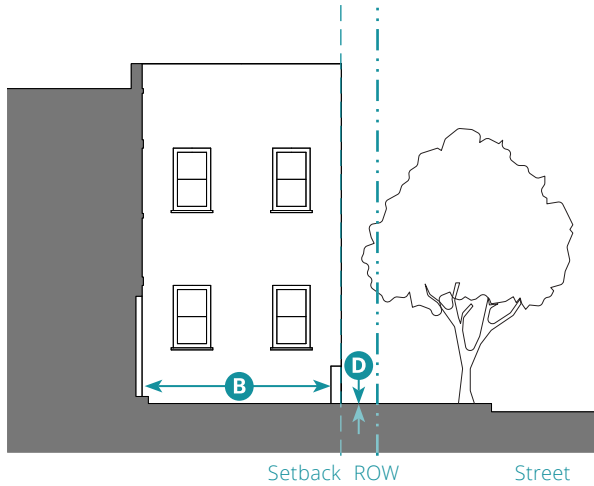
Example of Forecourt

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.

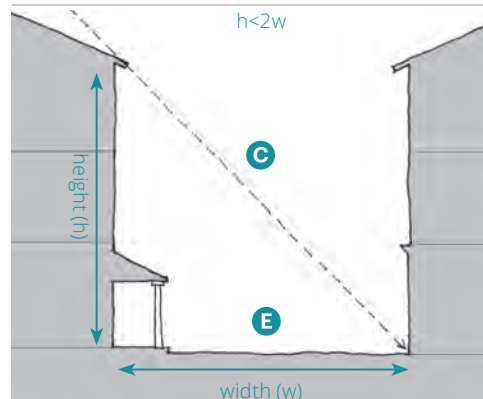
**3. Miscellaneous**

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

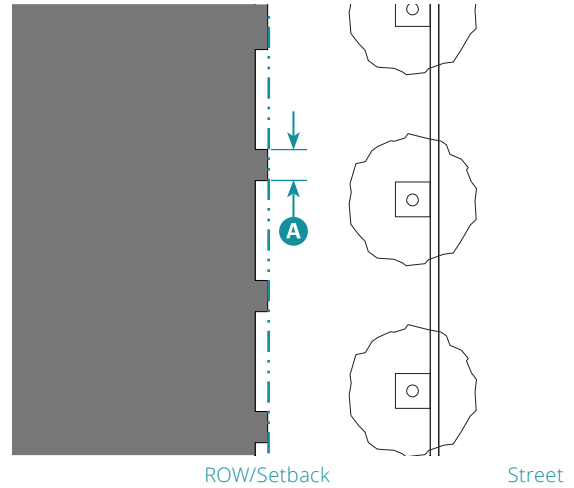
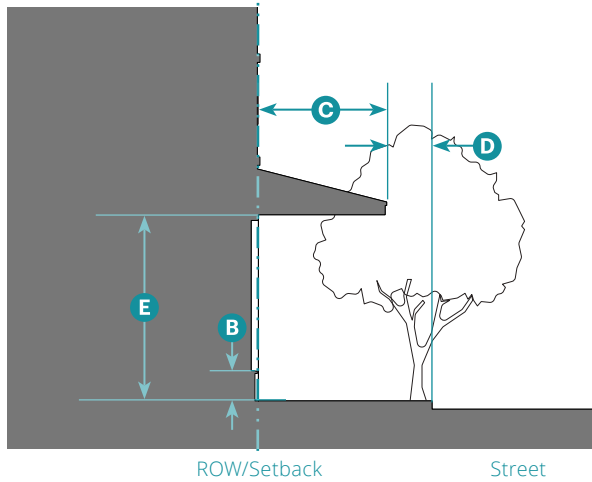


Example of a Maker Shopfront

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

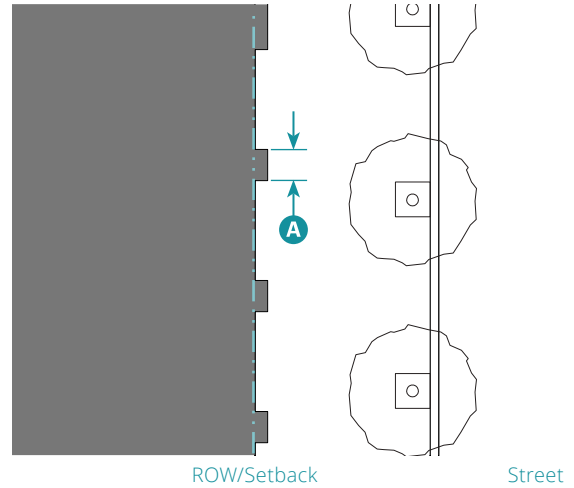
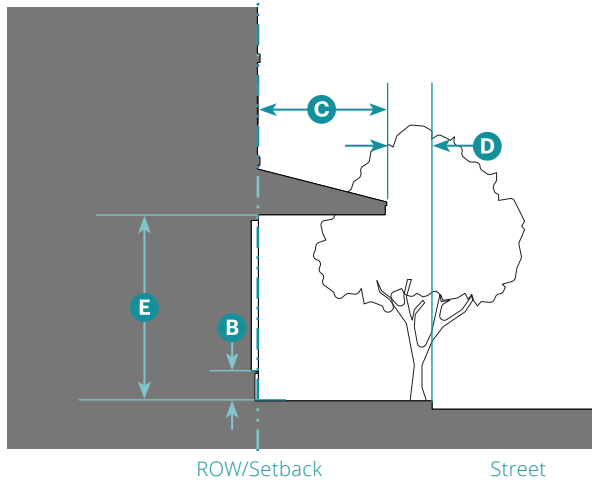


Example of a Shopfront

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

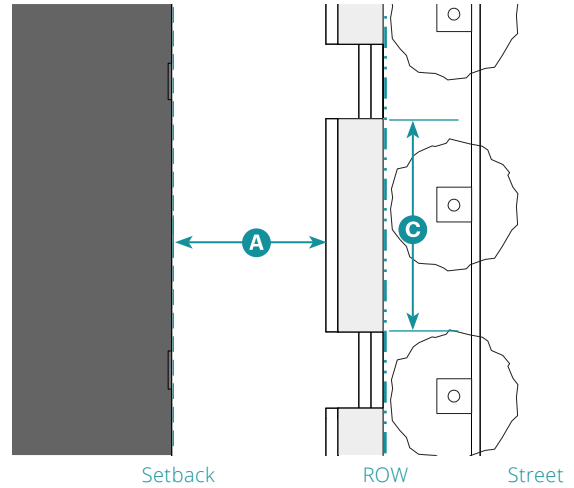
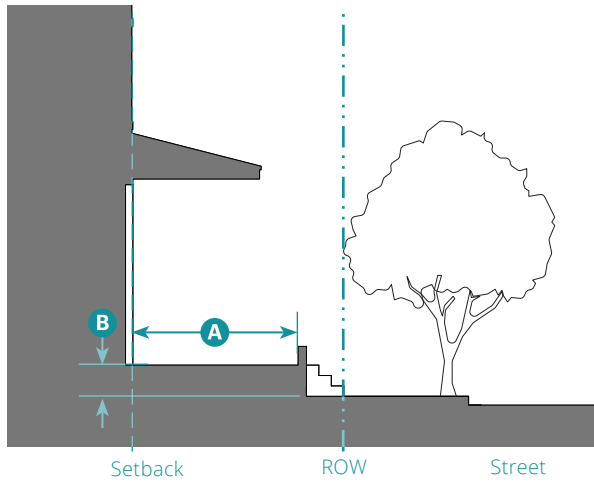


Example of a residential Terrace along a courtyard

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



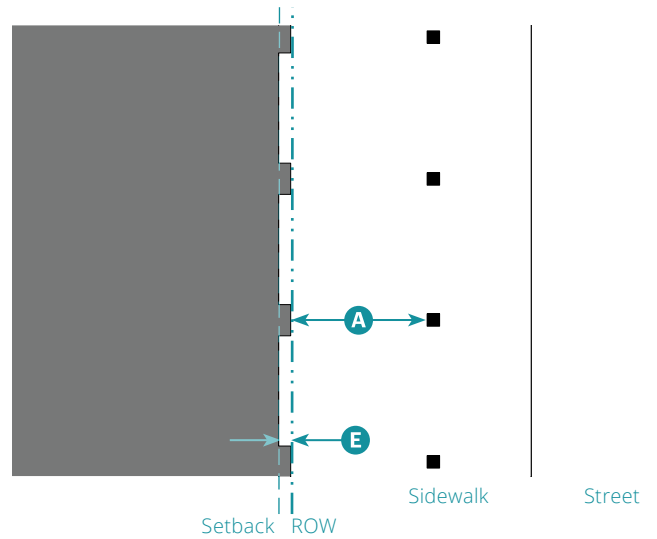
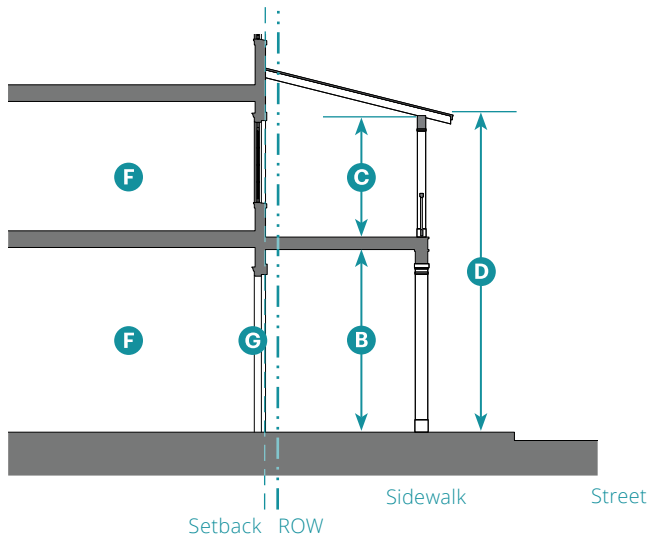
Example of a Gallery with shopfronts

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 **F**
- Galleries shall also follow the standards for the Shopfront Frontage Type (22.07.100). **G**
- 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.

*This page intentionally left blank*

# Chapter 8: Specific to Architectural Design

---

## 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

---

## 22.08.010 Purpose

This Chapter sets forth standards that supplement the zone standards to further refine the intended building form and physical character.

---

## 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

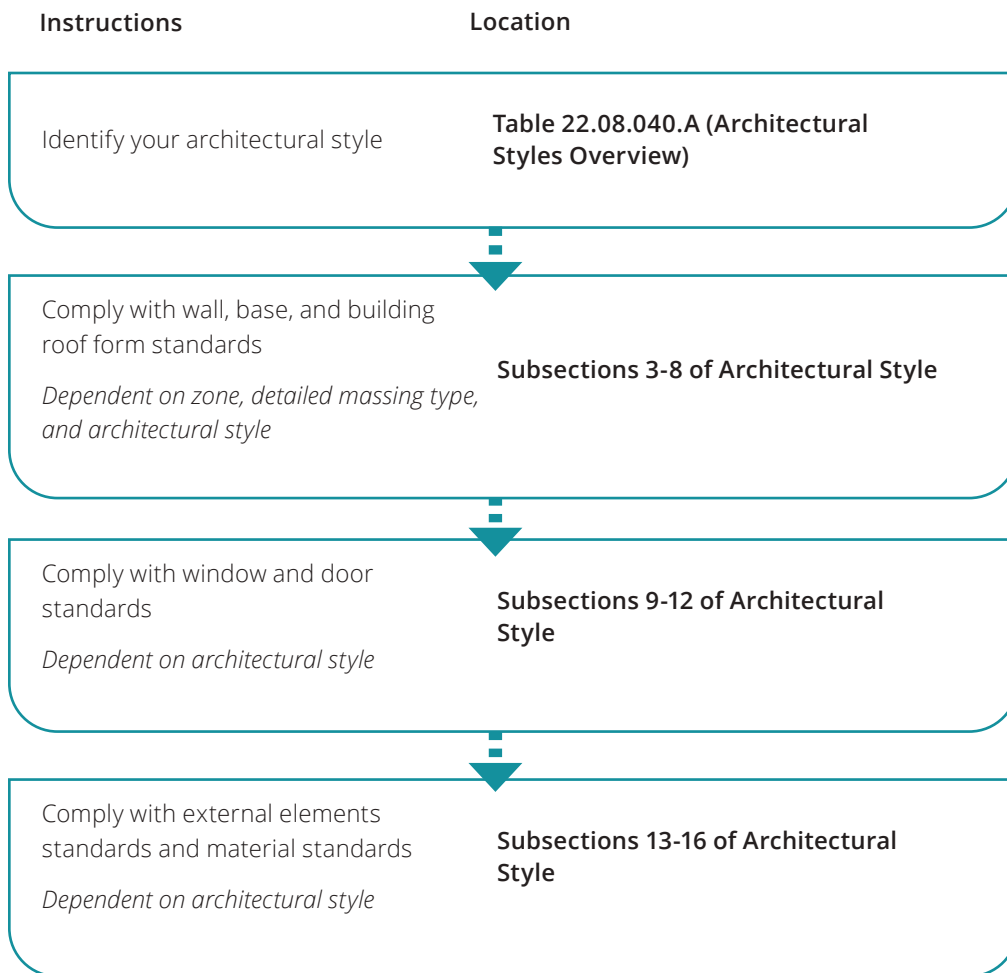
**Applicable Standards**

- 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**

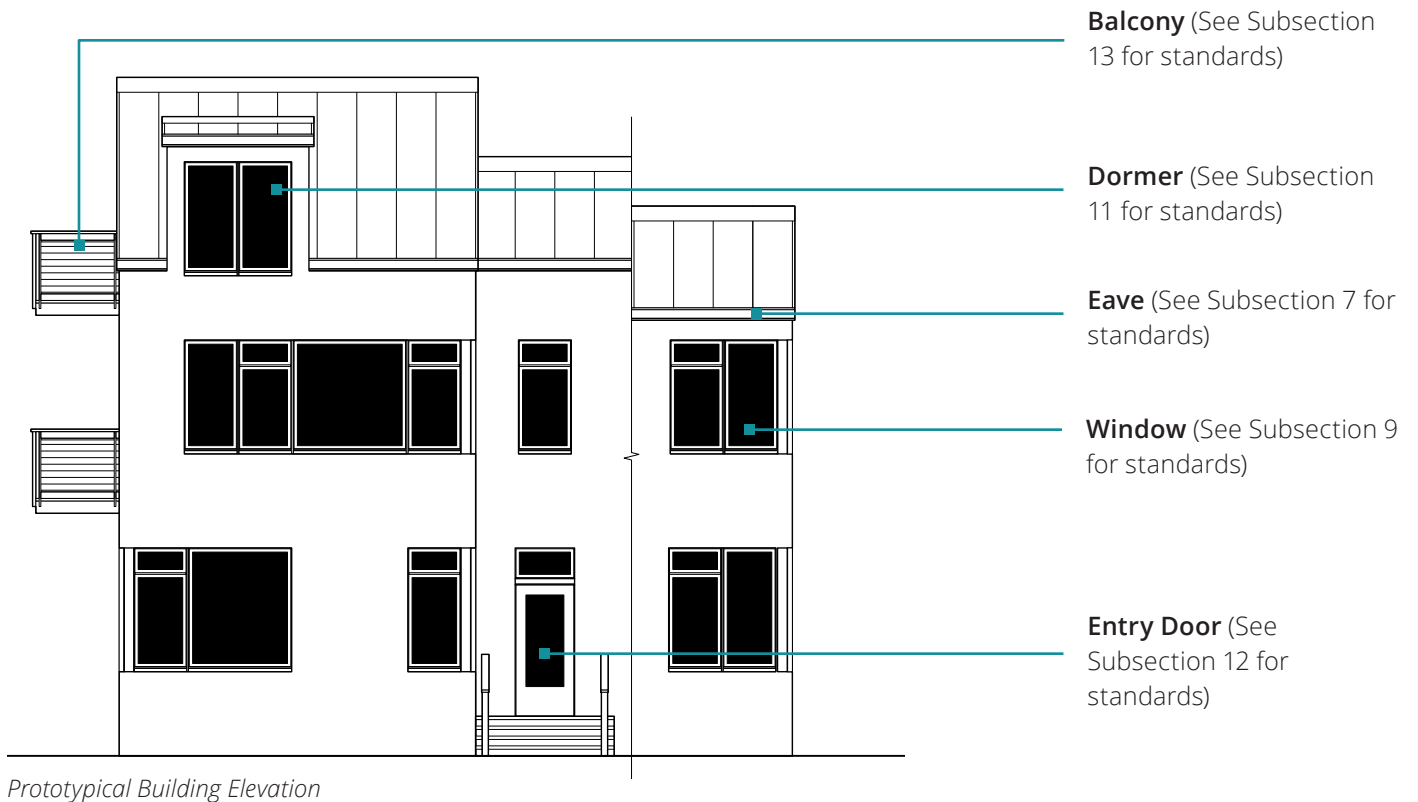
Contemporary style buildings have a streamlined aesthetic and minimal ornamentation. This style focuses on combining simple rectilinear massing forms with changes in material and color. The use of glass and cantilevered elements imbues buildings with a sense of lightness and simplicity. This style is 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

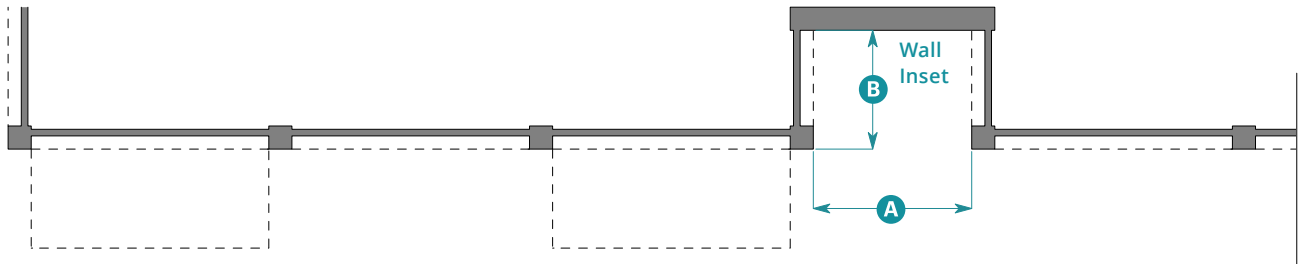
Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.





# 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)

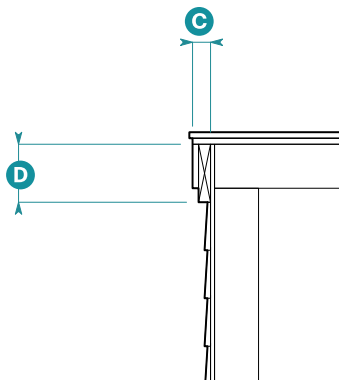
#### Wall Inset Dimensions

Width 8'0" min.; 12'0" max. A

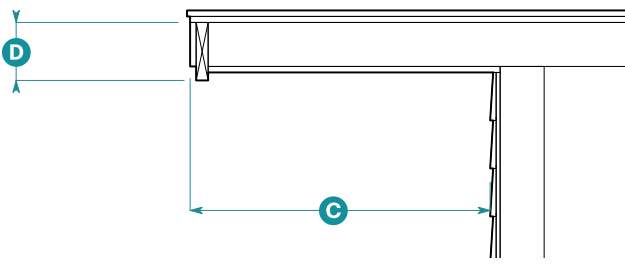
Depth 6'0" min. B

### 4. Base

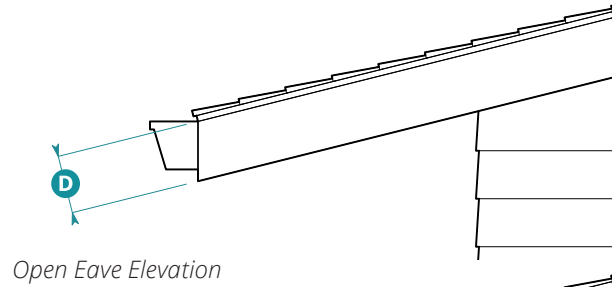
No base is required for this style.



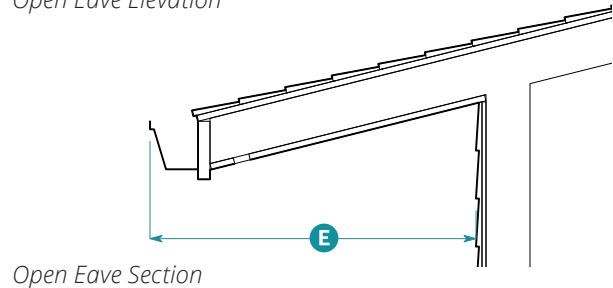
Flush Profile Rake Section



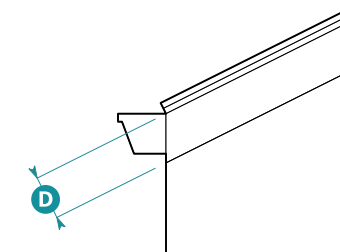
Projecting Profile Rake Section



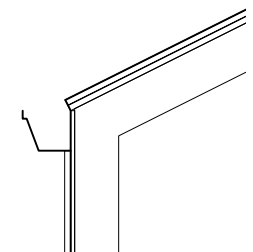
Open Eave Elevation



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**

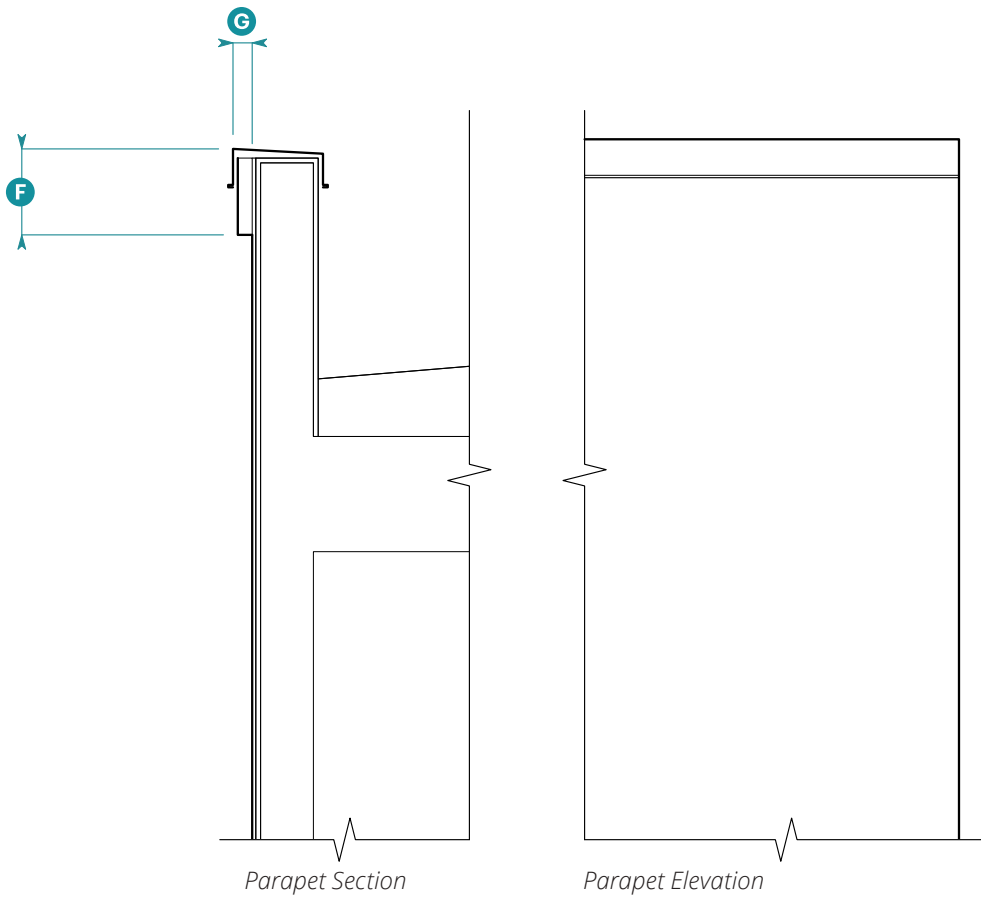
See Subsection 7 (Eave) for height standards.

**7. Eave**

Standards	Open	Closed
<b>Height</b>		
Overall	8" min.	<b>D</b>
Fascia	6" min.	
<b>Horizontal Projection<sup>1</sup></b>		
Overall	36" min.; No max.	0" (flush with facade) <b>E</b>

<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
---------	----

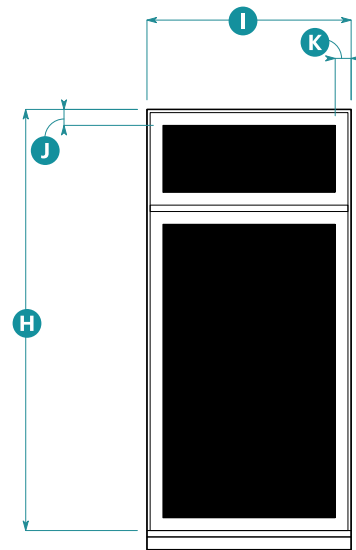
**Mullions**

Mullions required between ganged windows.

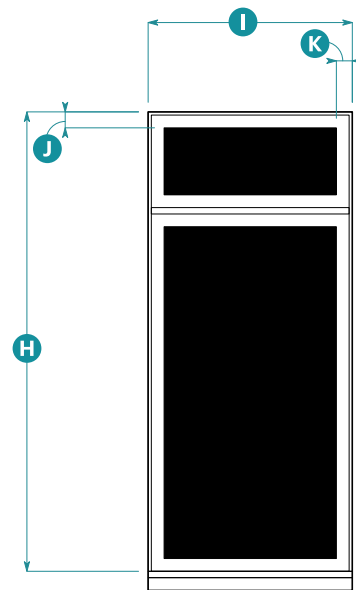
"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.

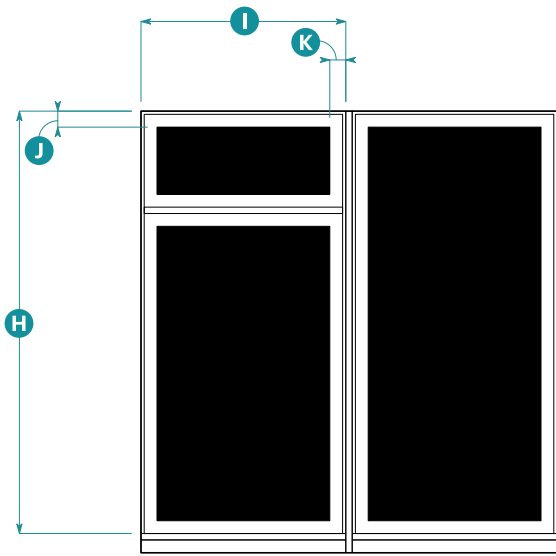
<sup>3</sup>Trim required for windows only on buildings or parts of buildings with lap siding.



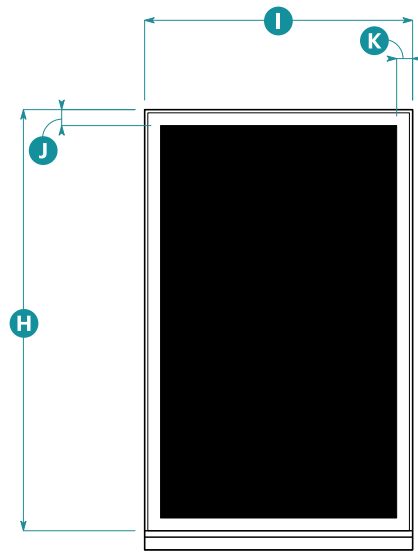
Upper Floor Typical Window Elevation



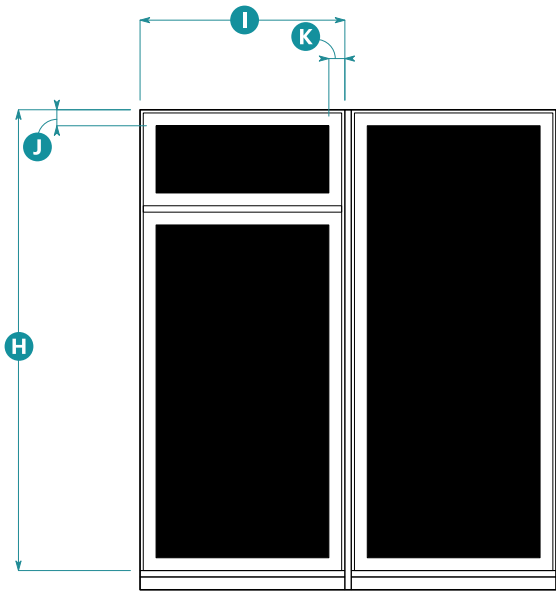
Ground Floor Typical Window Elevation



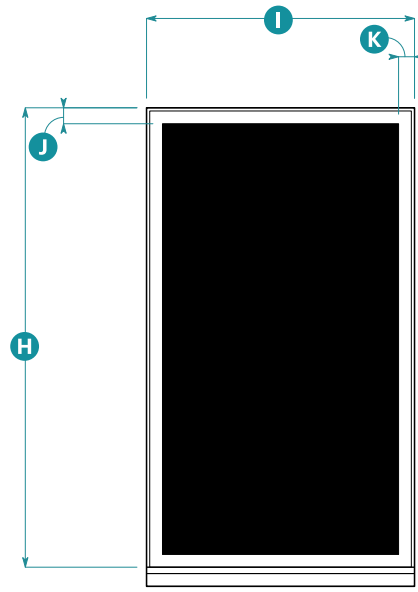
*Upper Floor Ganged Window Elevation*



*Upper Floor Picture Window Elevation*



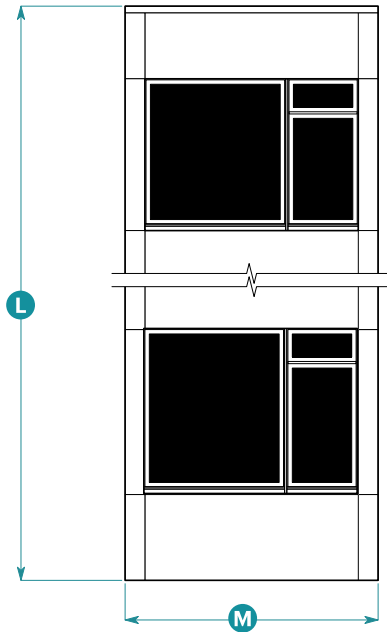
*Ground Floor Ganged Window Elevation*



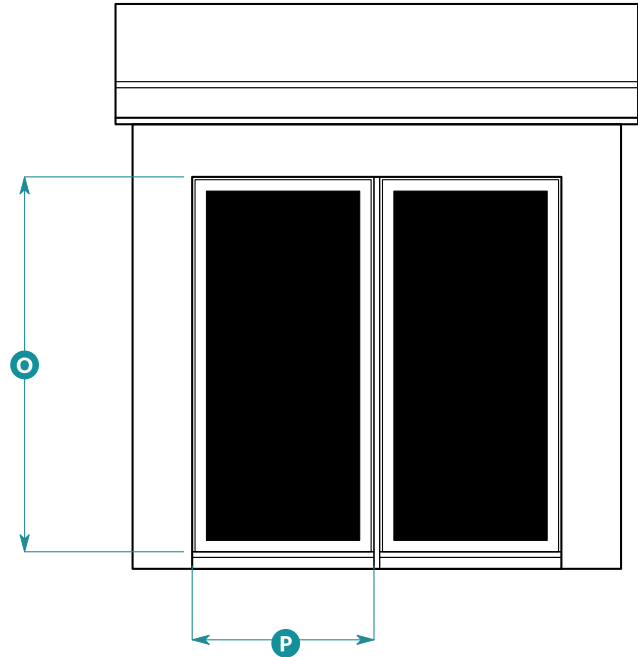
*Ground Floor Picture Window Elevation*



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

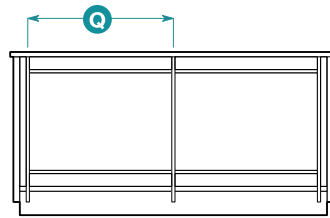
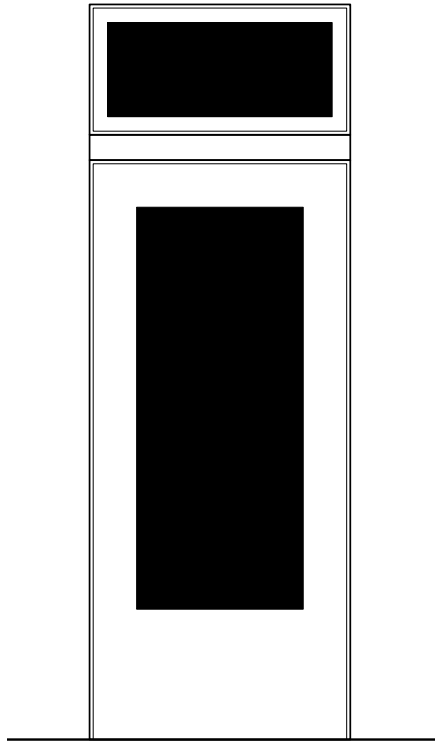
Pitch 2:12 min.; 6:12 max.

**Window**

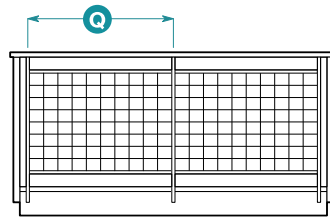
Proportion, Height 2.0 min.  
O to Width P

Width 2'6" min. P

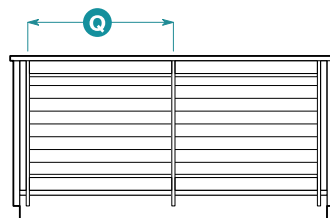
Dormers allowed only for buildings with half stories.  
 See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.



Type 1  
Panel Guardrail



Type 2  
Mesh Guardrail



Type 3  
Horizontal Guardrail

Entry Door Elevation

Balcony Front 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.

**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

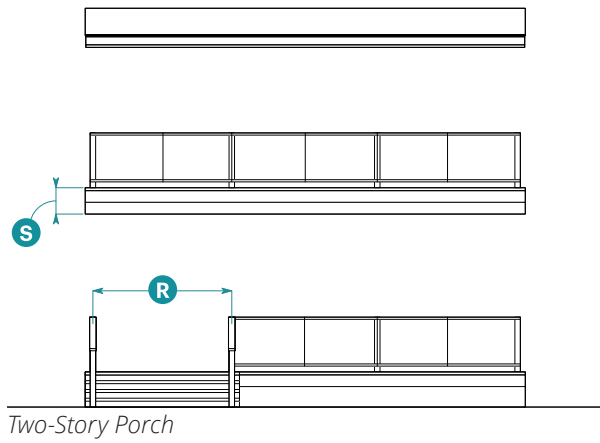
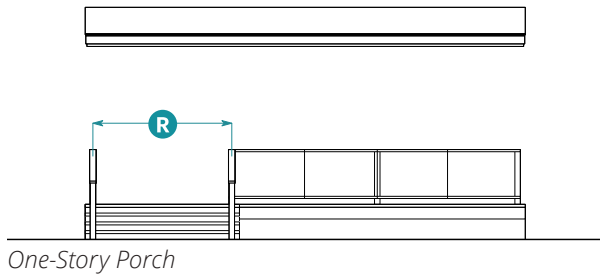
**Type 3 - Horizontal Guardrail**

Post and Handrail	Metal
Baluster	Metal, steel cable
Fascia	Metal, composite wood, wood

**Size**

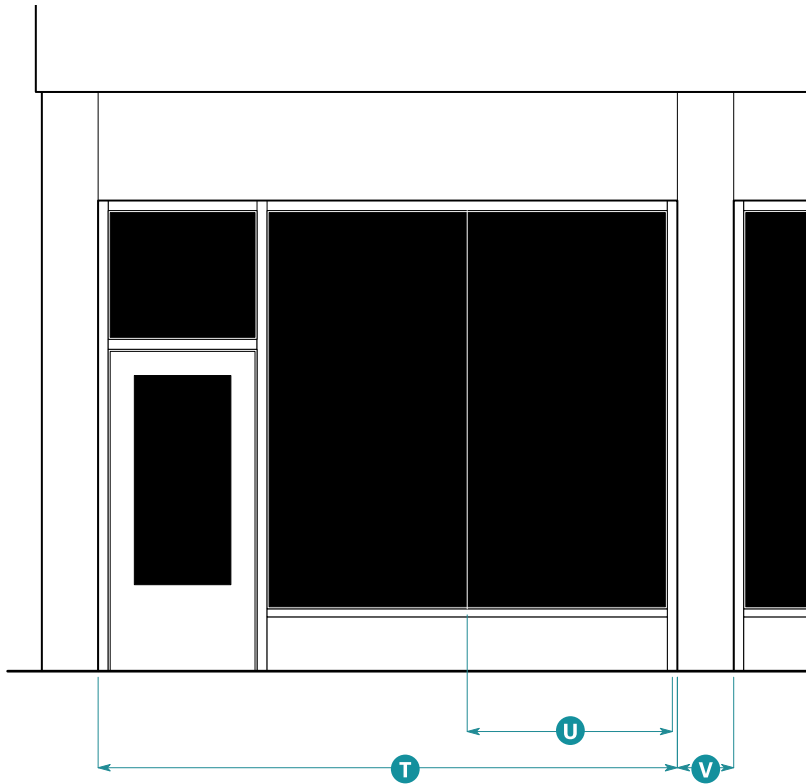
Overall Balcony Width	10'0" max.
Width Between Posts	3' min.



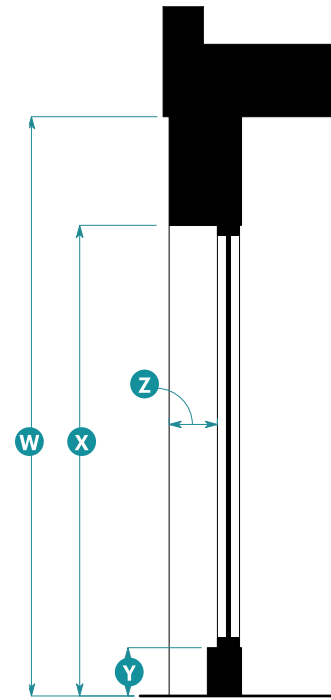


14. Porches	
<b>Columns</b>	
Shape	Cantilevered (no columns) or Pilotis
Diameter	4" max.
Spacing	8'0" max. on center <span style="float: right;">R</span>
<b>Entablature</b>	
<b>Height of Entablature Supporting Deck</b>	
Overall	10" min. <span style="float: right;">S</span>
No porch or deck on or above 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

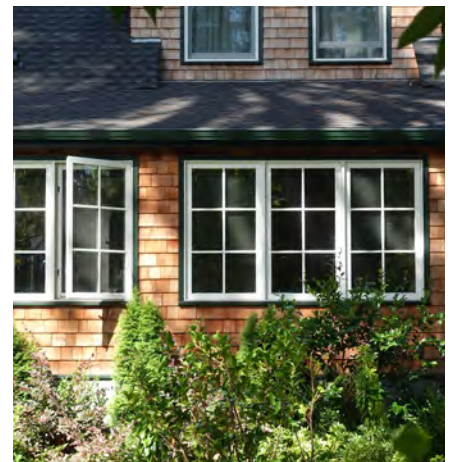
**Horizontal Recess**

Depth	6" min.; 3'0" max.	Z
-------	--------------------	---

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

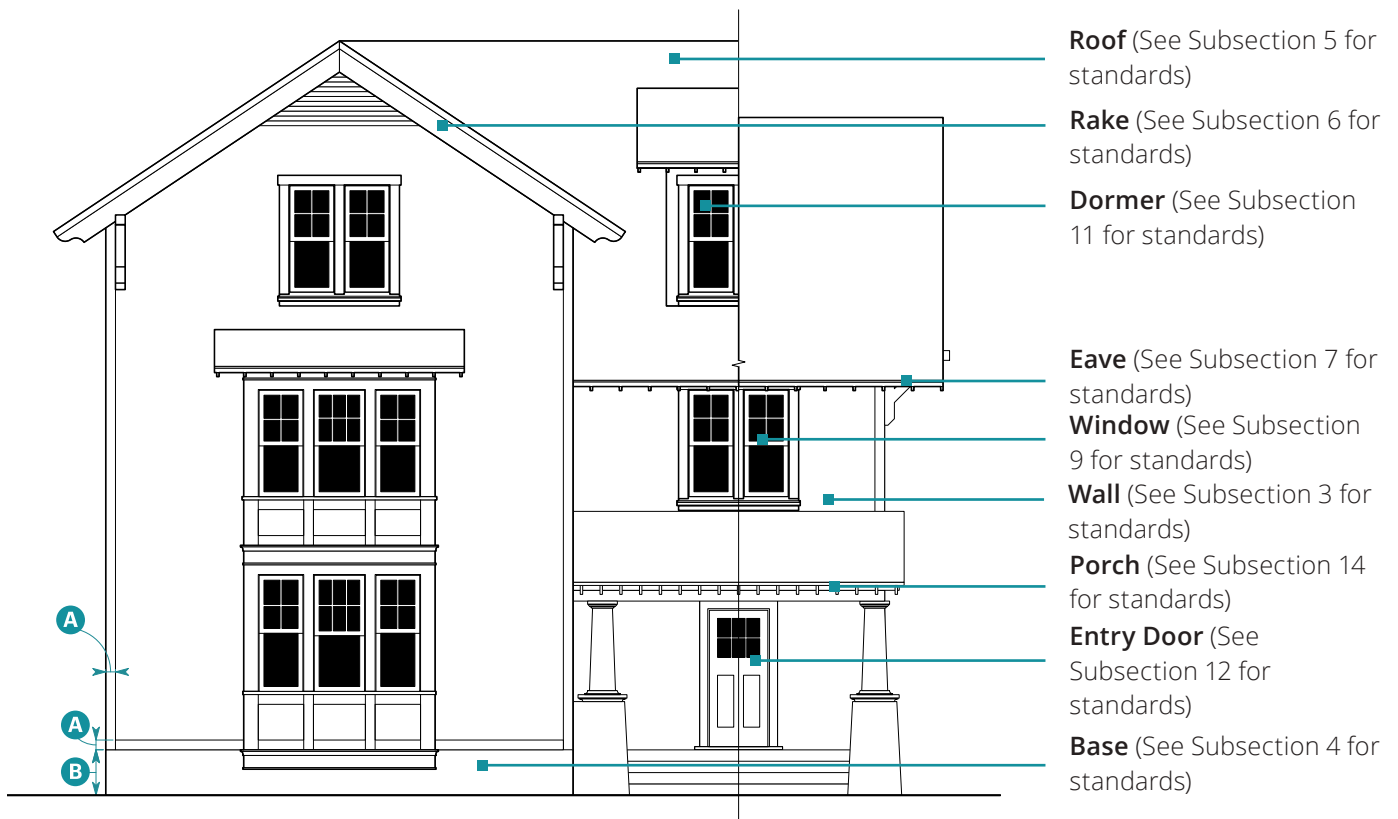
The Craftsman style emerged in the American west inspired by the English Arts and Crafts movement. The Craftsman bungalow house was prevalent from the 1900's to the 1940's. Since that time, it has adapted to multifamily and mixed-use prototypes.

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>

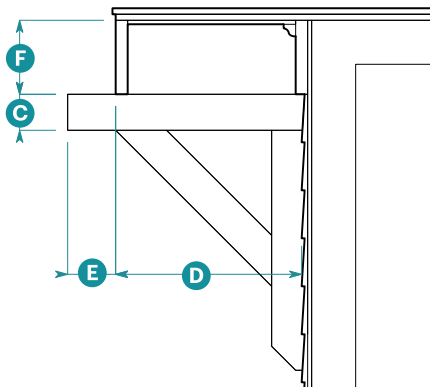
<sup>1</sup>Trim not required on buildings or portions of buildings where stucco is the primary wall material.

4. Base	
Height	1'0" min.; 1/2 story max. <span style="float: right;">B</span>

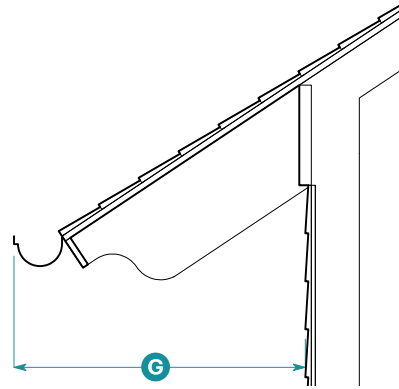
# Elements of Craftsman Style – Mixed-Use Prototype

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.

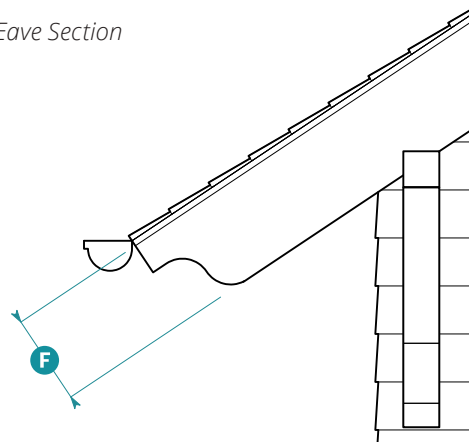




Rake Section



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

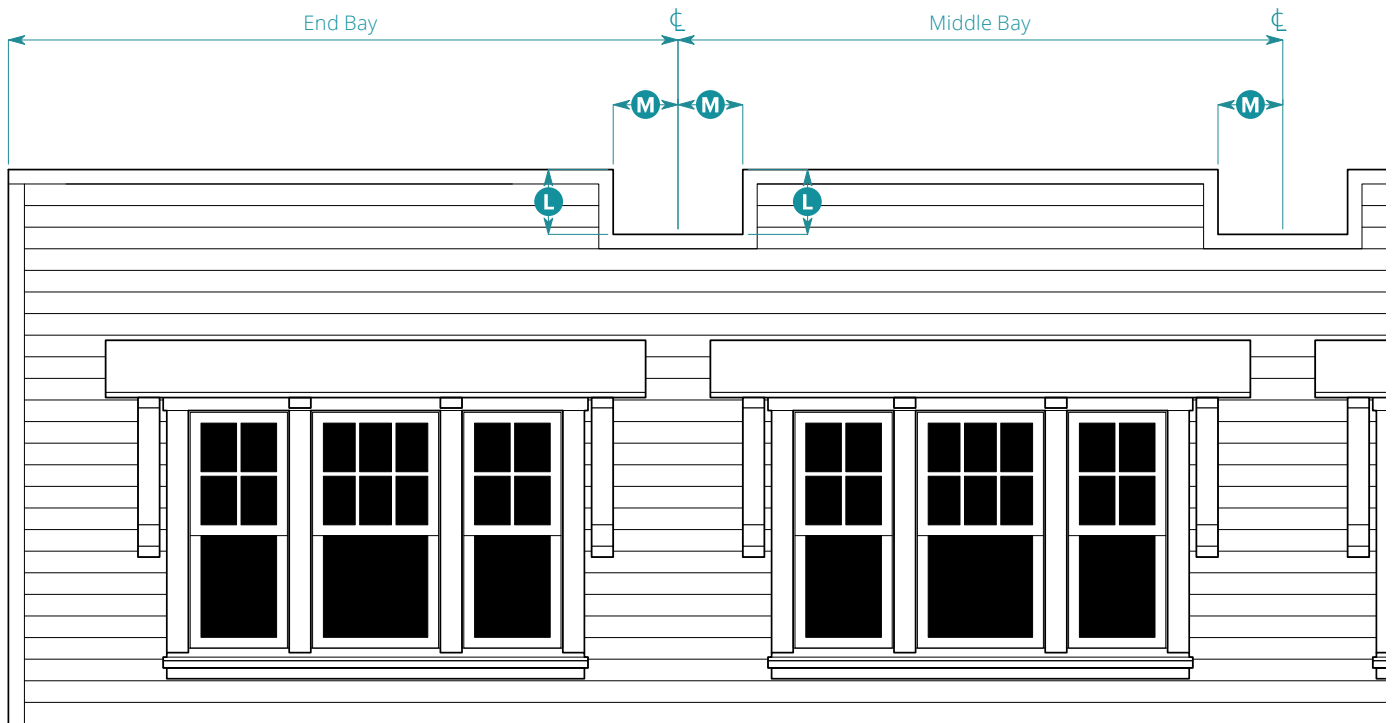
6. Rake		
<b>Height</b>		
Bracket Bracing Member	4" min.	<b>C</b>
<b>Horizontal Projection</b>		
Projection to Fascia	1'8" min. 3'0" max;	<b>D</b>
Bracket Projection Beyond Fascia	No min.; 1'0" max.	<b>E</b>

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.

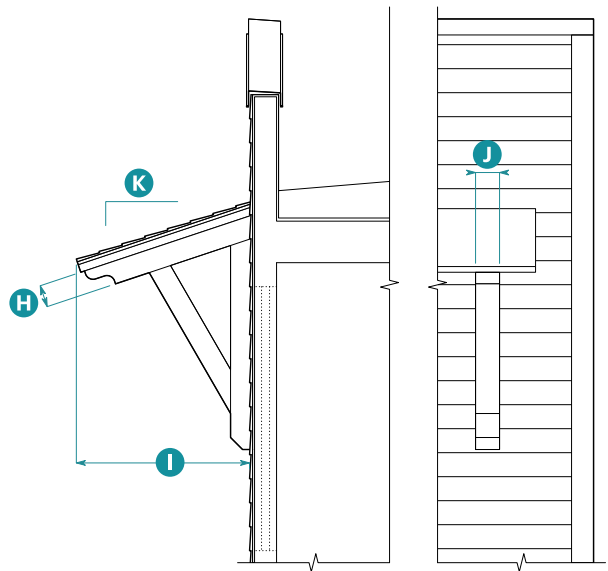
Crenel Height 1'0" min. **L**

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**

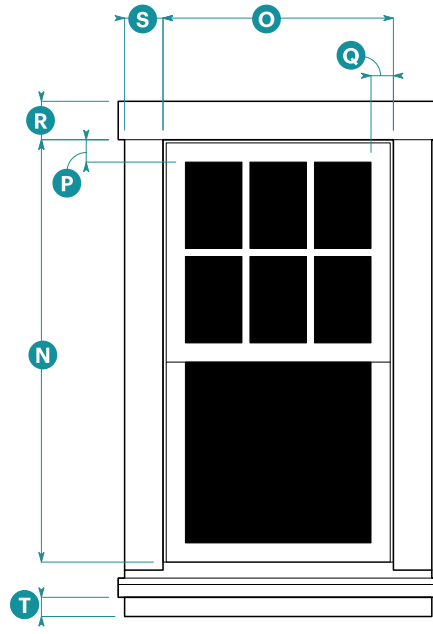
Allowed	No
---------	----

**Mullions**

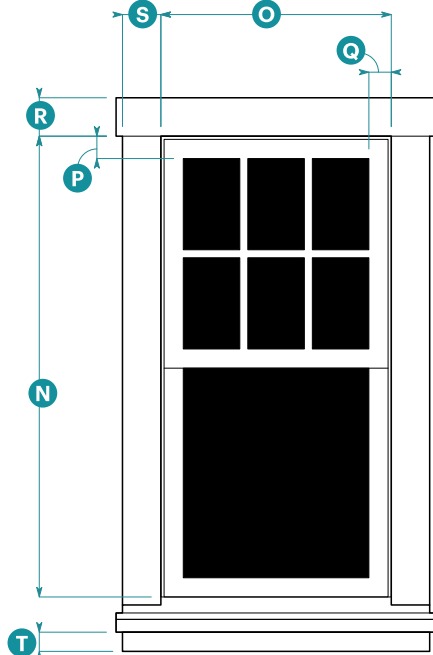
Mullions required between ganged windows.

"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.

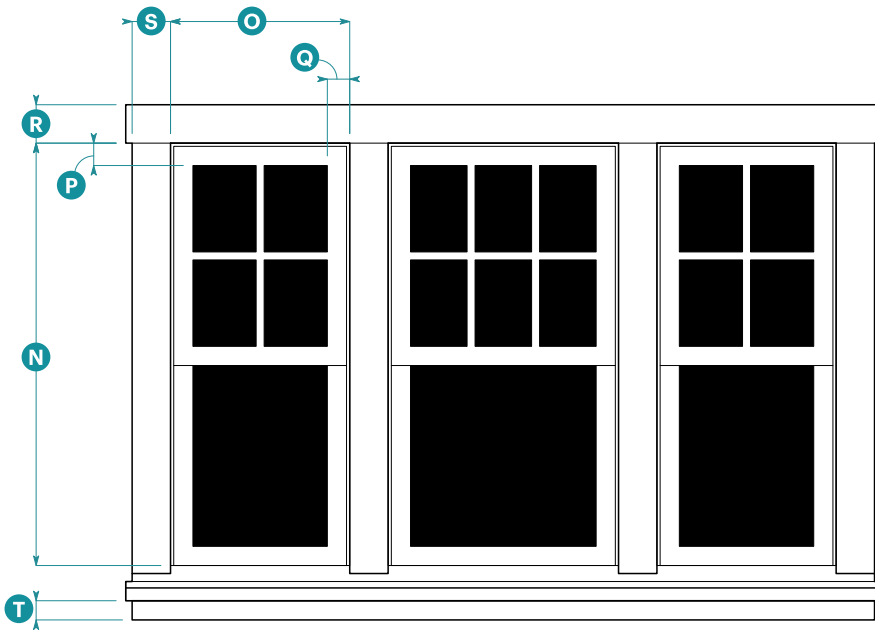


Upper Floor Typical Window Elevation  
6 over 1

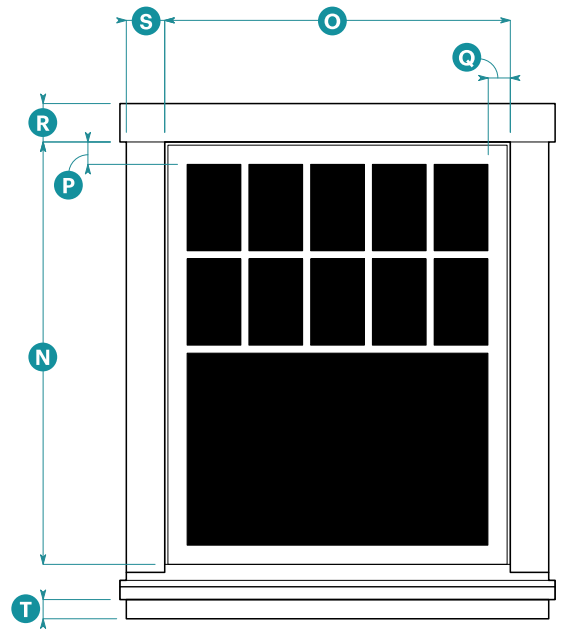


Ground Floor Typical Window Elevation  
6 over 1

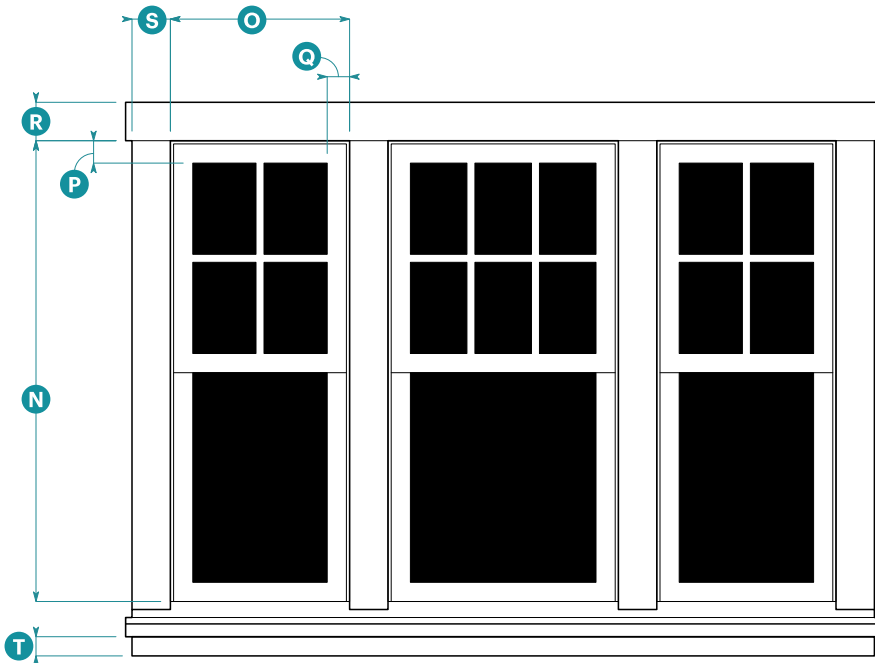




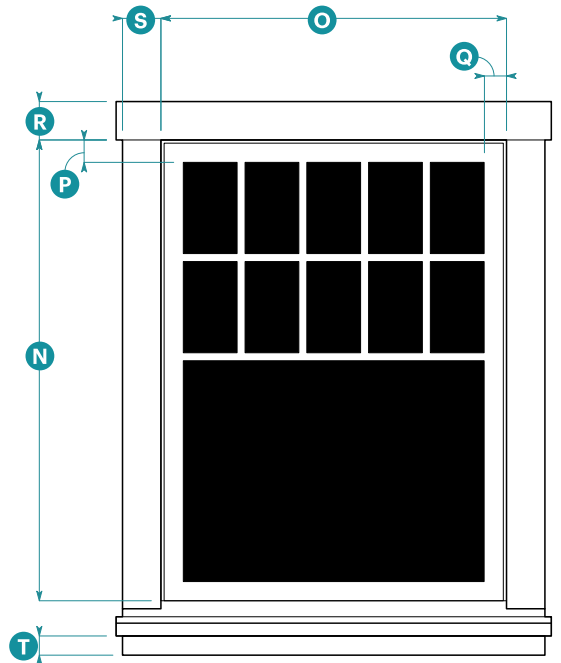
*Upper Floor Ganged Window Elevation  
4 over 1 and 6 over 1*



*Upper Floor Picture Window Elevation  
10 over 1*



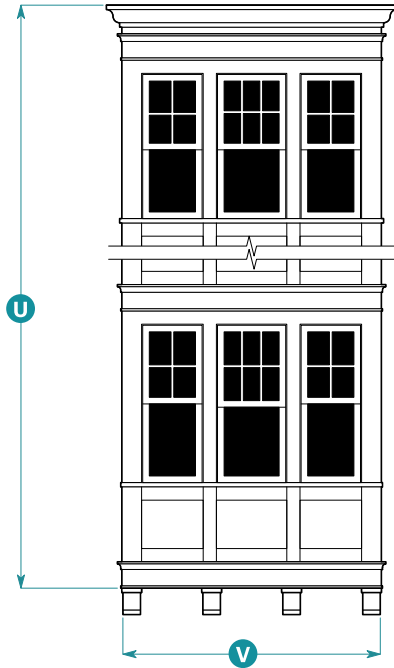
*Ground Floor Ganged Window Elevation  
4 over 1 and 6 over 1*



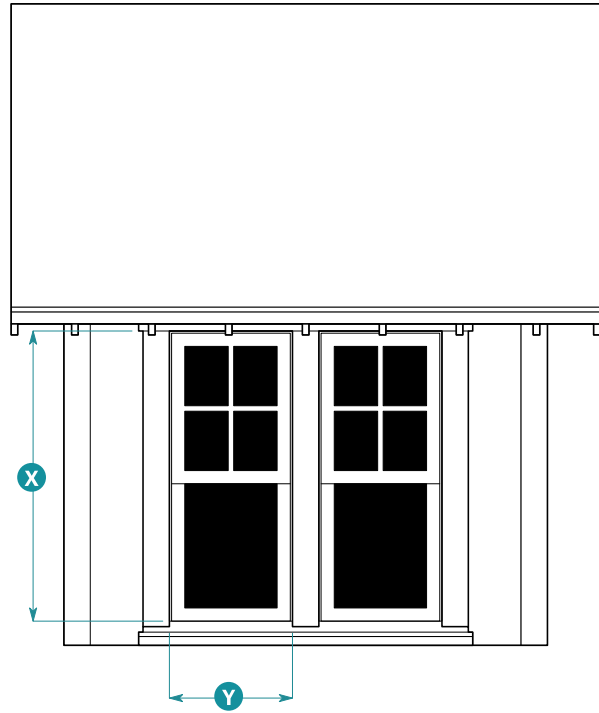
*Ground Floor Picture Window Elevation  
10 over 1*



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**

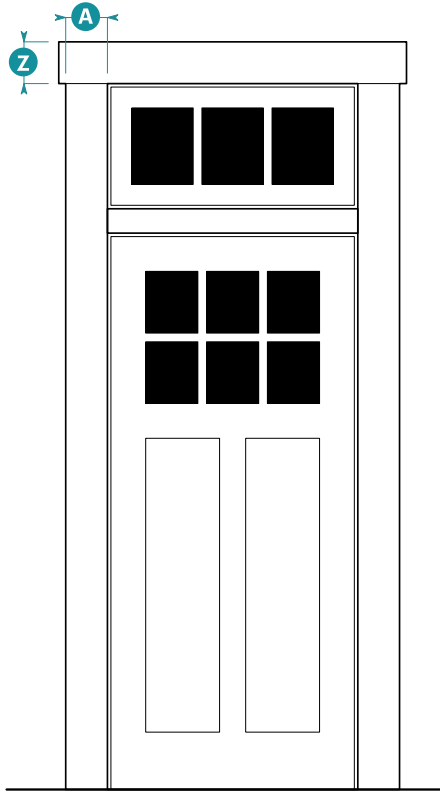
Eave 8" min.  
Rake 8" min.

**Window**

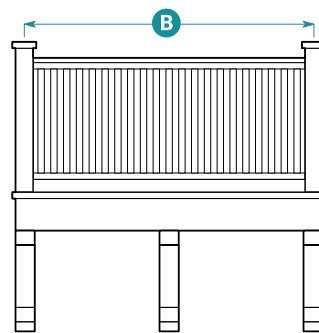
Proportion, Height 1.75 min.  
**X** to Width **Y**

- 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**

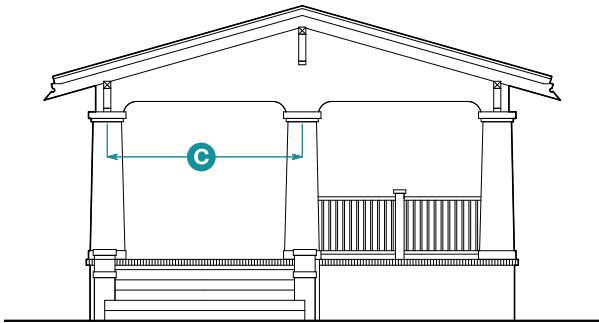
**Allowed Materials**

Post, Baluster, Handrail, and Fascia Metal, composite wood, wood

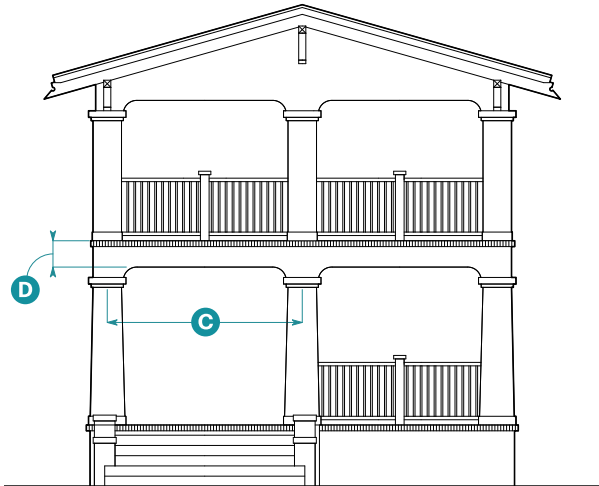
**Size**

Overall Balcony Width 10'0" max.

Width Between Posts 3' min. B



One-Story Porch



Two-Story Porch

**14. Porches**

**Columns**

Shape	Square-tapered
Base Width	1'10" min.
Spacing	9'6" min.; 12' max. on center <b>C</b>

**Entablature**

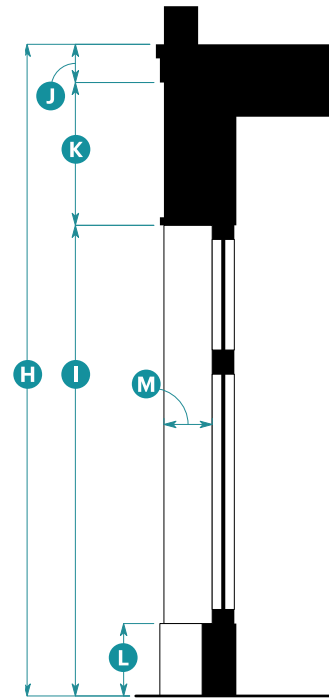
**Height of Entablature Supporting Deck**

Overall	10" min. <b>D</b>
---------	-------------------

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>
-------	----------------------	----------

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	Transparant, Whites, Greys, Browns, or Beiges
<b>Base</b>		
Base or Foundation	Stone, cast stone, painted concrete	Transparant, 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	Transparant, Whites, Greys, Browns, or Beiges
Entry Door	Wood, aluminum, fiberglass, composite	Transparant, Whites, Greys, Browns, or Beiges
Window Frames	Wood, aluminum-clad wood, aluminum, fiberglass	Transparant, 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**

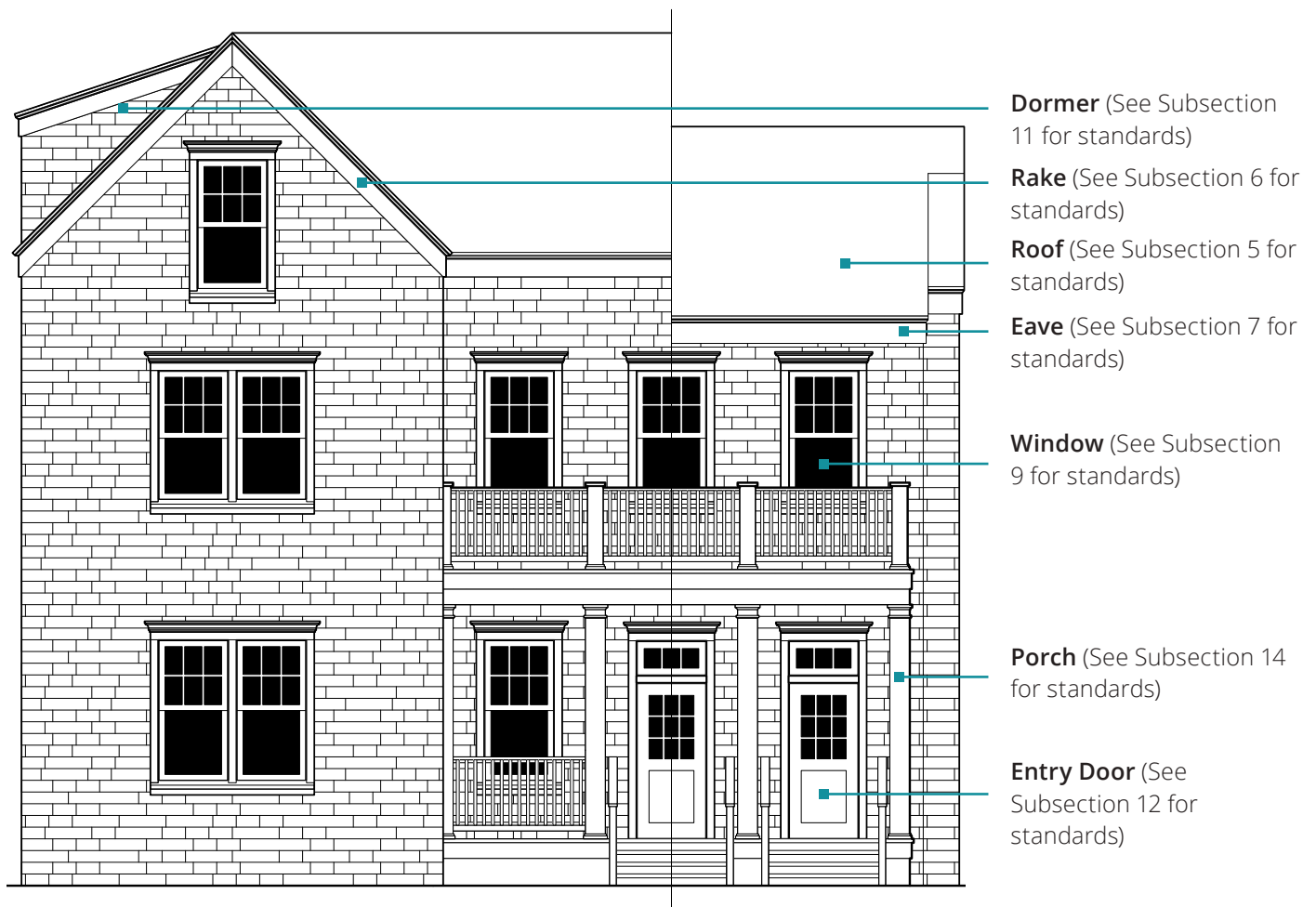
East Coast Cottage style buildings are influenced by the shingle style and may take on traditional or contemporary expression. Gabled or gambrel roof forms are used as a major compositional element to emphasize individual bays and create half-story roof forms.

**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

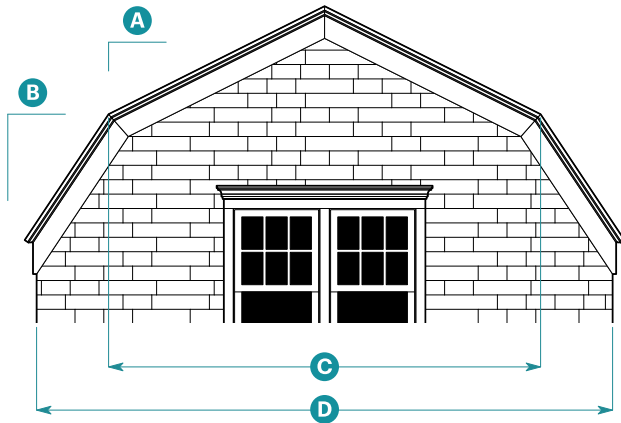
None required



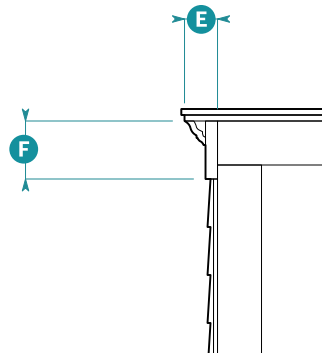
## Elements of East Coast Cottage Style – Mixed-Use Prototype

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.

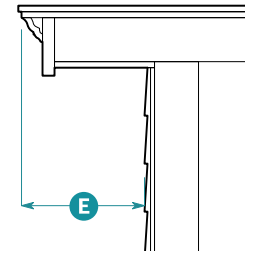




Gambrel Roof Form Elevation



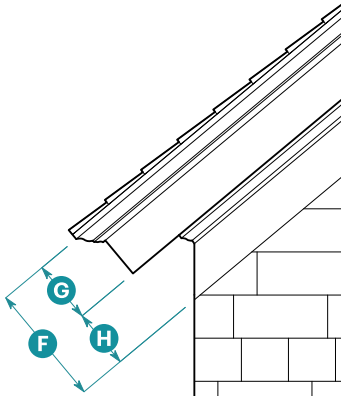
Flush Profile Rake Section



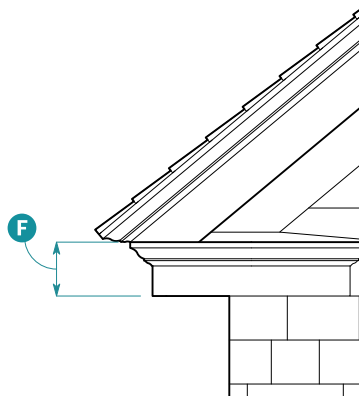
Projecting Profile Rake Section

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

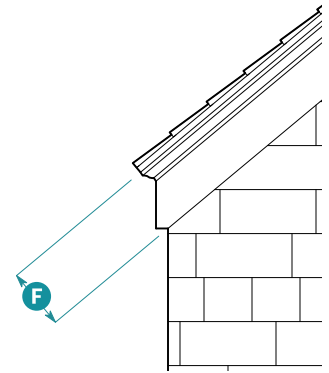
6. Rake		
Standards	Flush Profile	Projecting Profile
Horizontal Projection	No min.; 2" max.	6" min.; 1'0" max. E
See Subsection 7 (Eave) for height standards.		



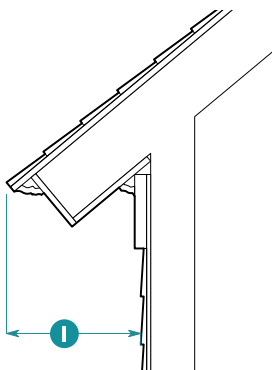
Open Eave Elevation



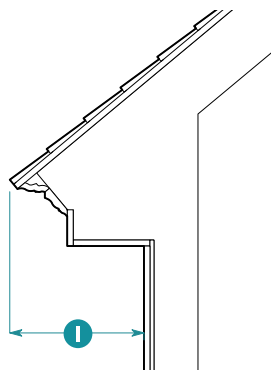
Returned Eave Elevation



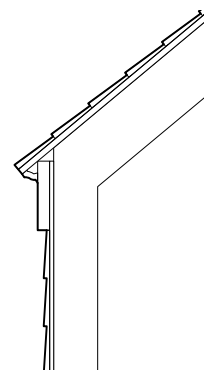
Closed Eave Elevation



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 **J** to Width **K**<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

**Window**

Glazing Divisions	6 over 1
-------------------	----------

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**

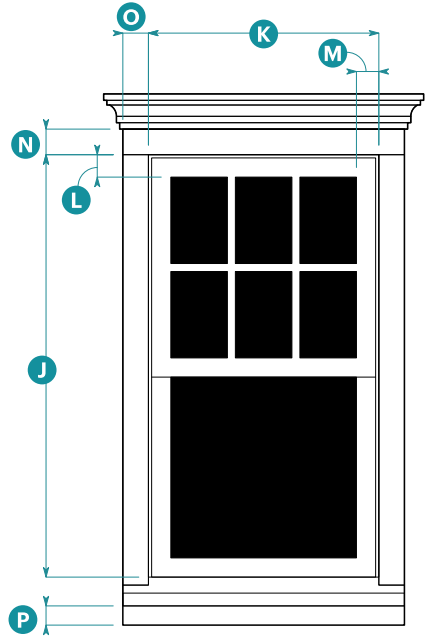
Allowed	No
---------	----

**Mullions**

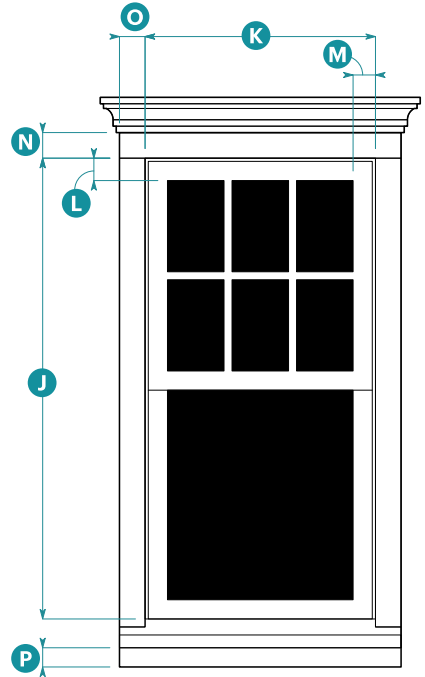
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

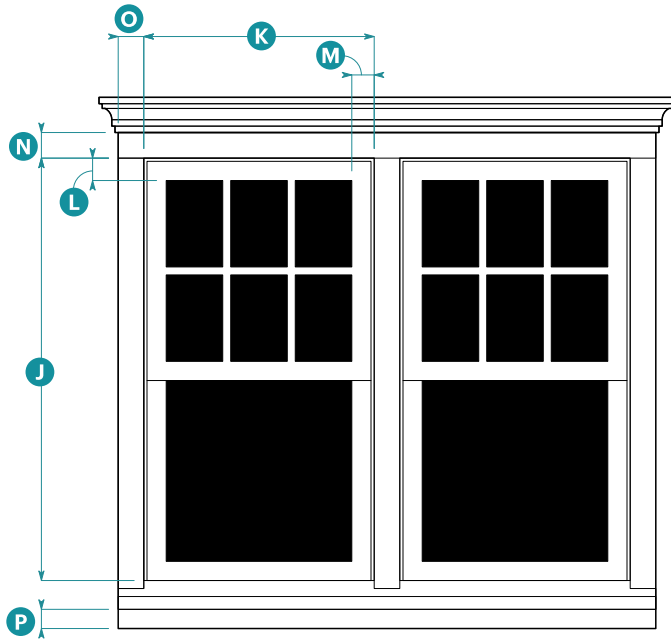
<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



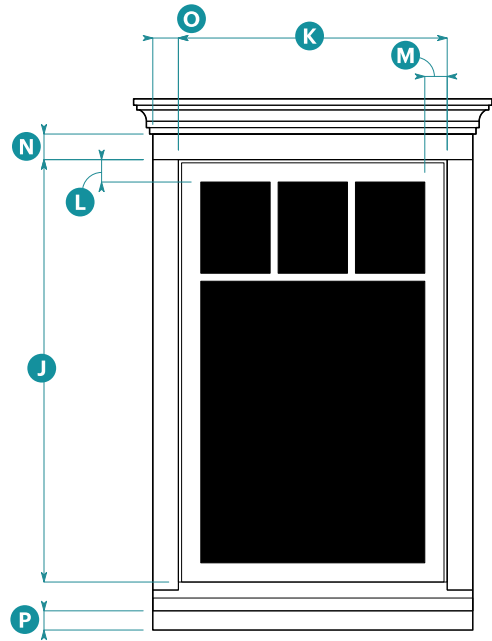
Upper Floor Typical Window Elevation  
6 over 1



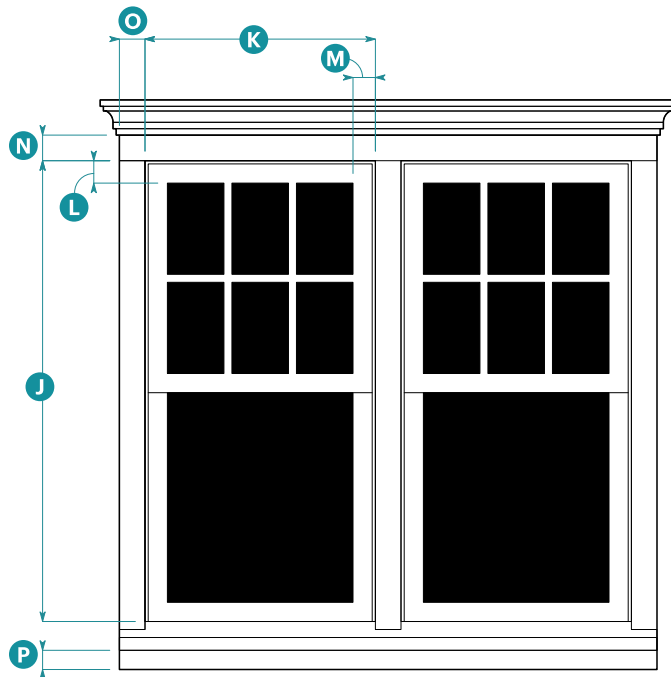
Ground Floor Typical Window Elevation  
6 over 1



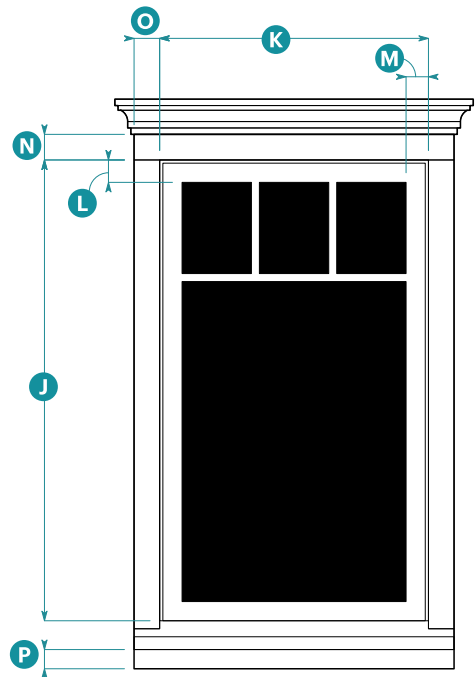
*Upper Floor Ganged Window Elevation  
6 over 1*



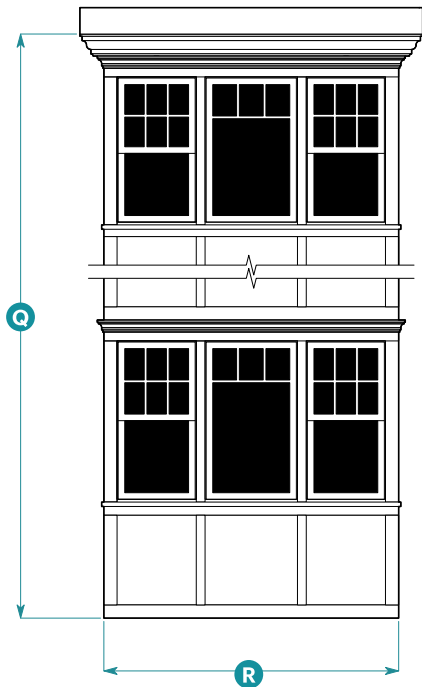
*Upper Floor Picture Window Elevation*



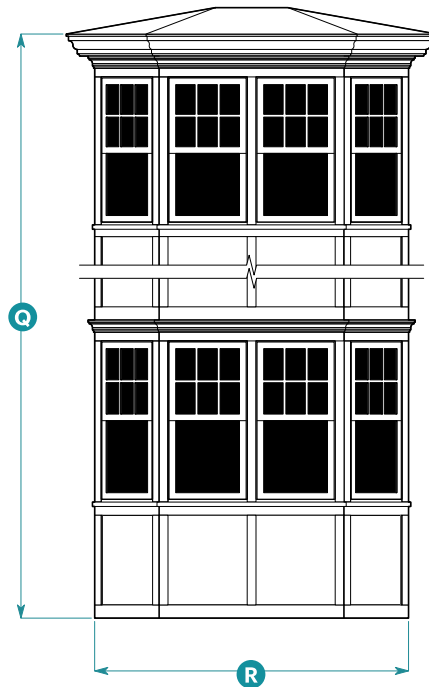
*Ground Floor Ganged Window Elevation  
6 over 1*



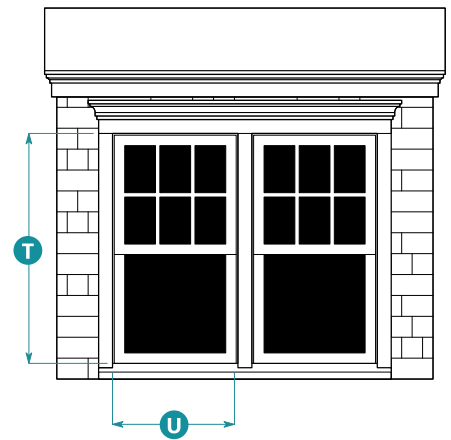
*Ground Floor Picture Window Elevation*



Square Bay Window 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 **R**

Depth **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**

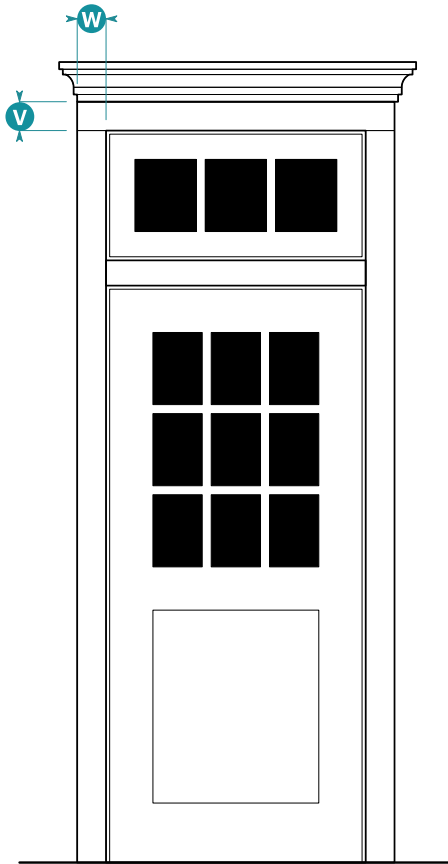
Proportion, Height **T** to 1.75 min.

Width **U**

Dormers allowed only for buildings with half stories.

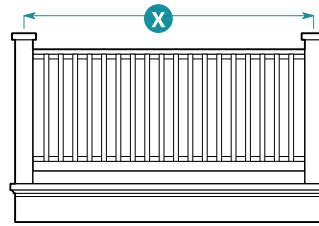
Pediment not allowed.

See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.

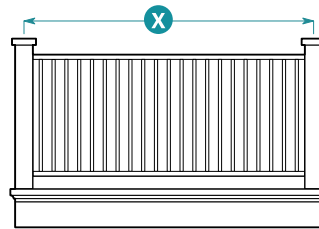


Entry Door Elevation

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



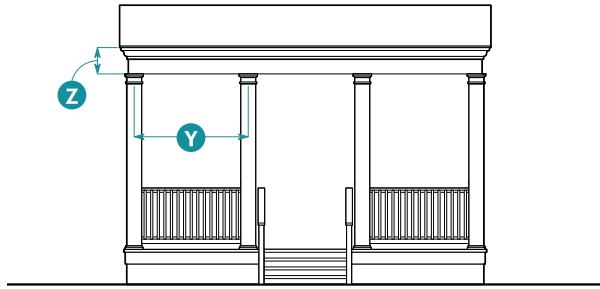
Type 1  
Square Guardrail



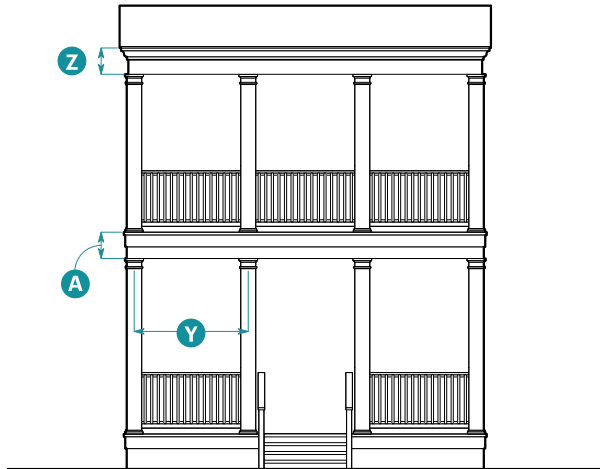
Type 2  
Metal Guardrail

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



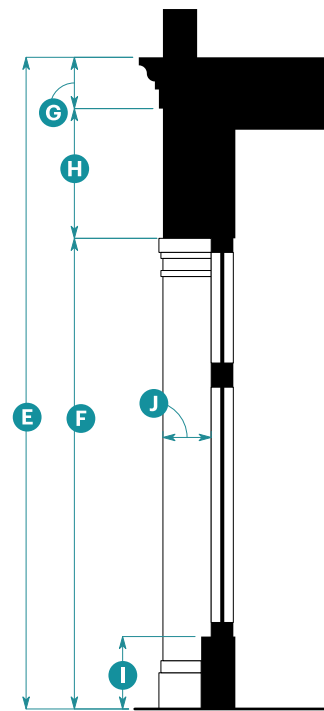
Two-Story Porch

14. Porches	
<b>Columns</b>	
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>
<b>Entablature</b>	
<b>Height of Topmost Entablature</b>	
Overall	1'6" min. <span style="float: right;">Z</span>
Fascia	10" min.
<b>Height of Floor-to-Floor Entablature</b>	
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>
-------	--------------------	----------

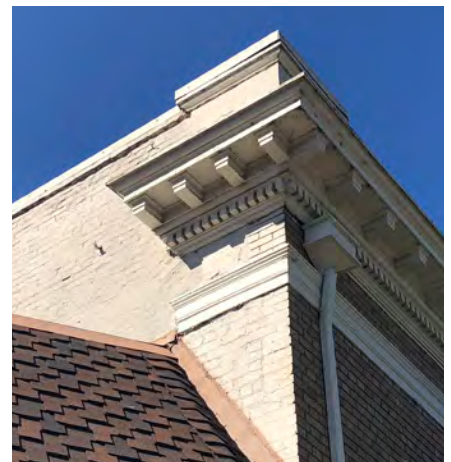
Base shall be continuous, unless divided by pilaster, and align with base height of building (if any).

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

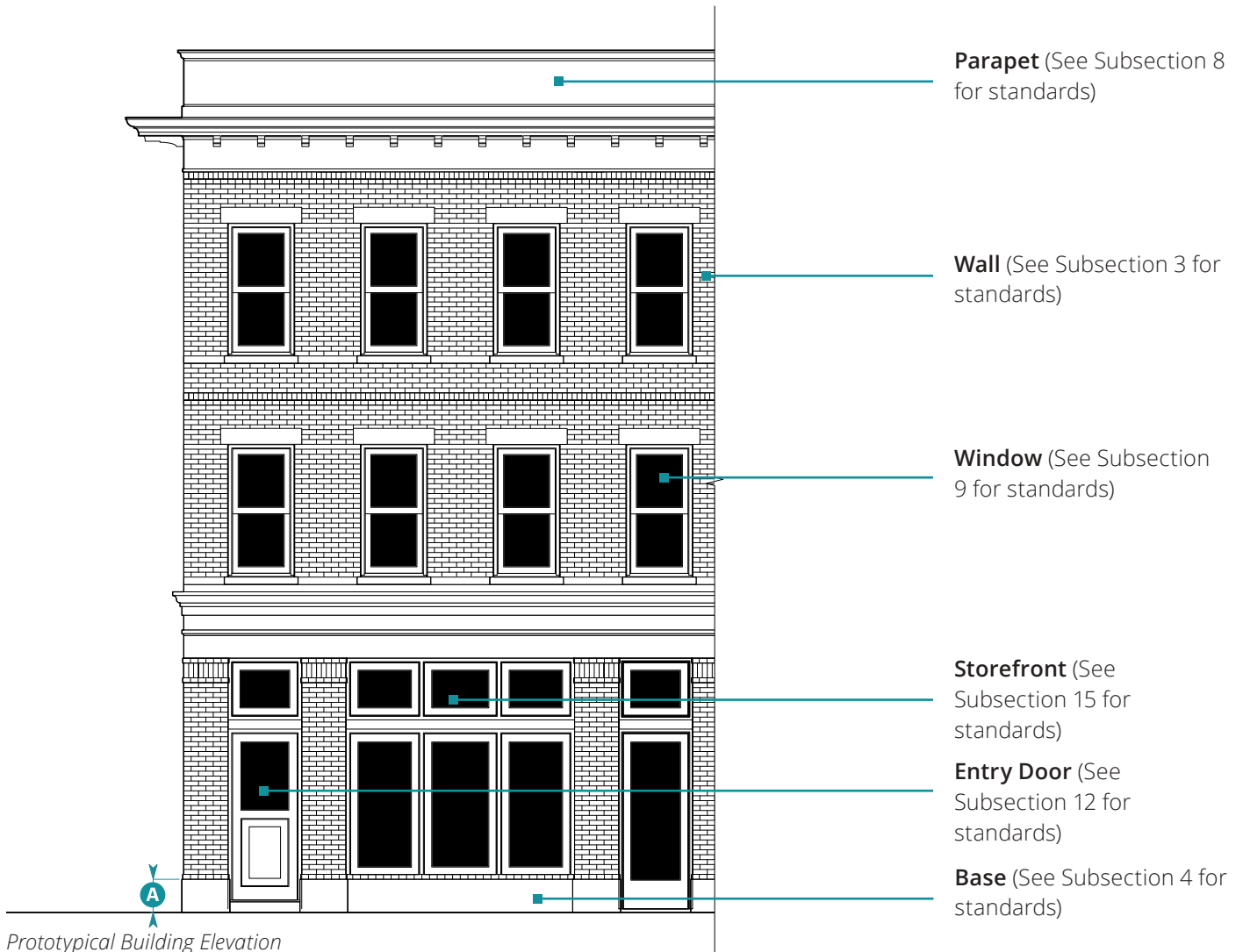
Prominent cornice with classical detailing and parapet or pedimented roof forms

Regular pattern of vertically proportioned openings

Brick and stucco as primary facade materials

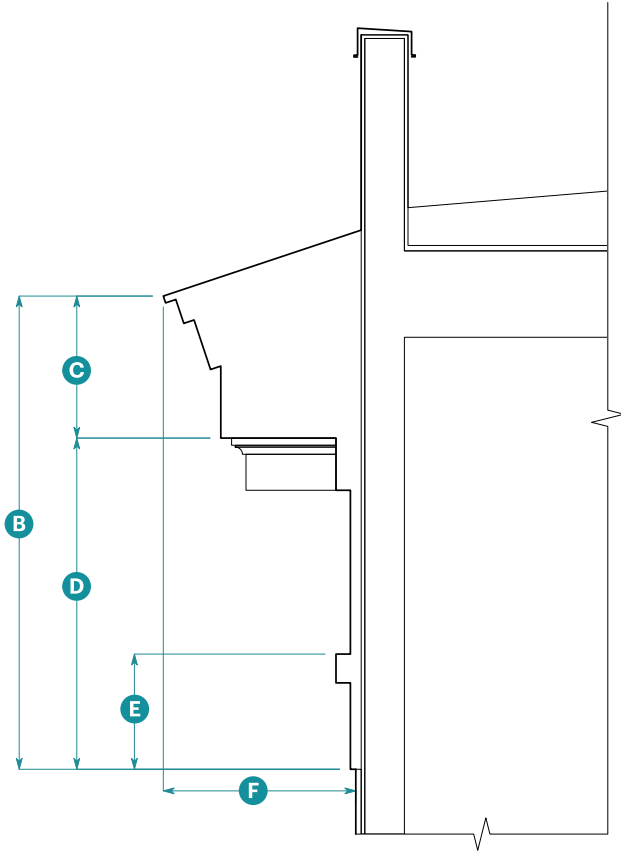
# Elements of Main Street Classical Style – Mixed-Use Prototype

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.

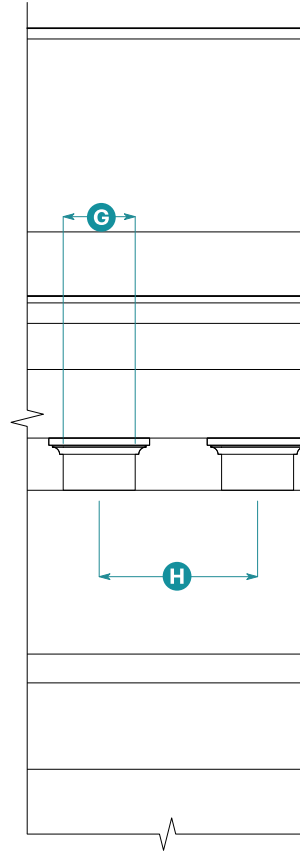


**3. Wall**  
 No wall standards apply to this style. See Subsection 16 (Materials) for materials standards.

**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
-------	--------

Operation	Single Hung, Double Hung, Casement
-----------	------------------------------------

**Window**

Glazing Divisions	6 over 9; 6 over 6
-------------------	-----------------------

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**

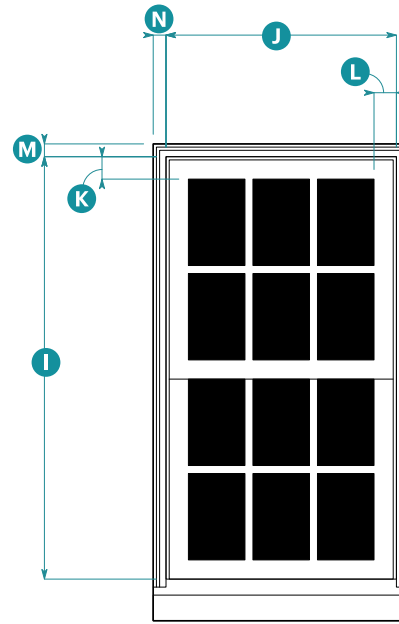
Depth	3" min.
-------	---------

**Pediment**

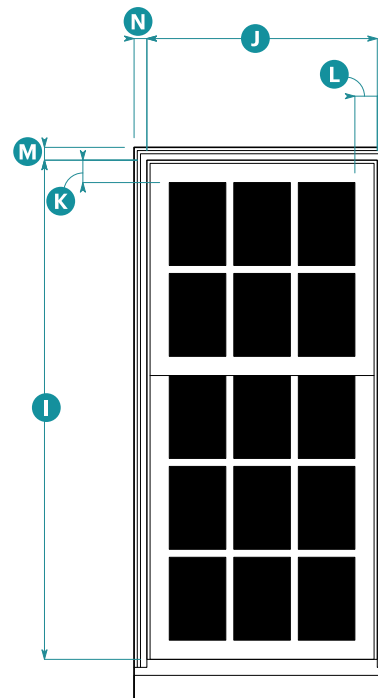
Allowed	Yes
---------	-----

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

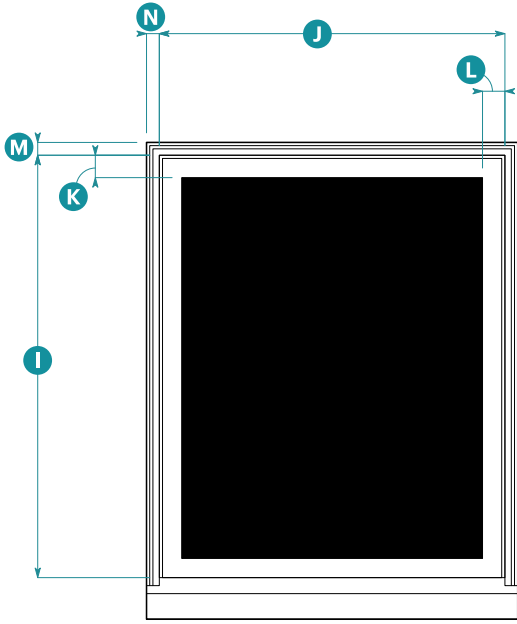
<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



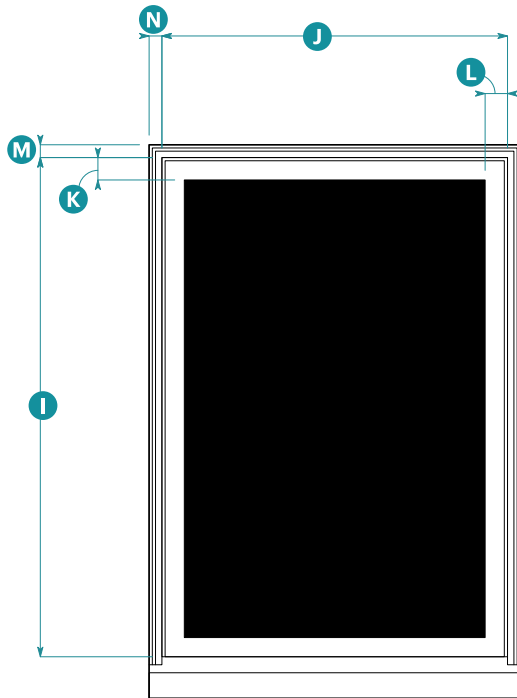
Upper Floor Typical Window Elevation  
6 over 6



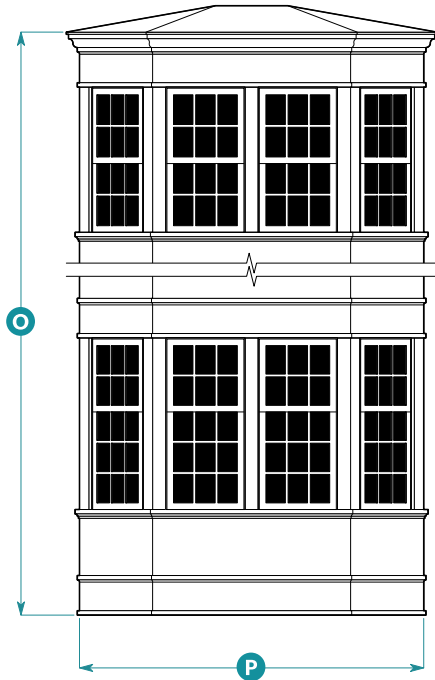
Ground Floor Typical Window Elevation  
6 over 9



*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)**

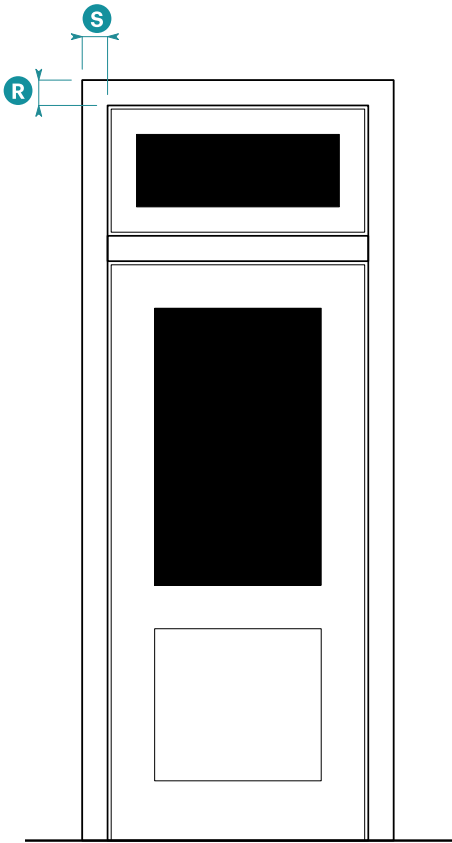
**Additional Standards**

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**

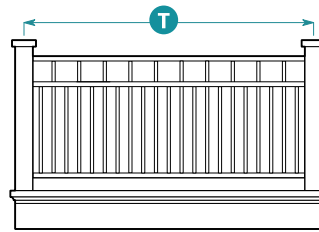
Because this style does not allow sloped roofs, dormers shall not be used.



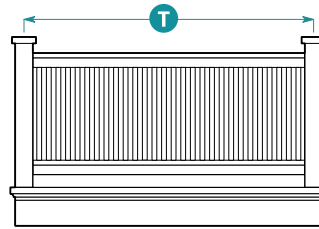


Entry Door Elevation

12. Entry Doors	
<b>Door</b>	
Number of Panels	2 min.
<b>Surround</b>	
Head Width	4" min. <span style="float: right;">R</span>
Jamb Width	4" min. <span style="float: right;">S</span>
<b>Additional Elements</b>	
Transom	Allowed
Pediment	Allowed



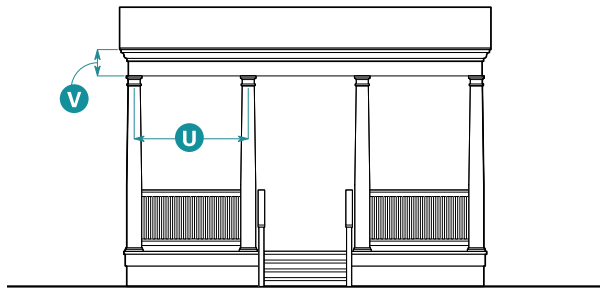
Type 1  
Square Guardrail



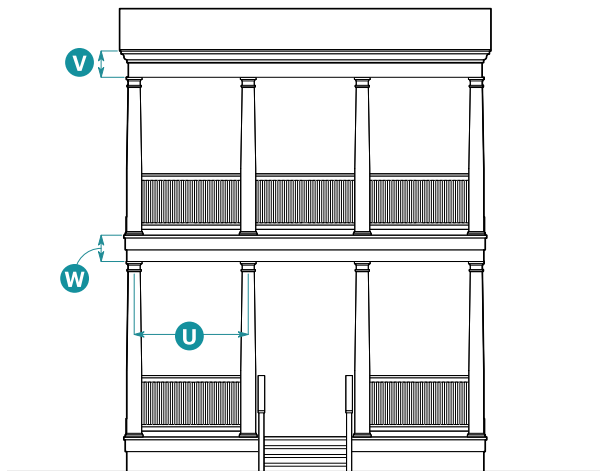
Type 2  
Decorative Metal Guardrail

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 - 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. <span style="float: right;">T</span>



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.

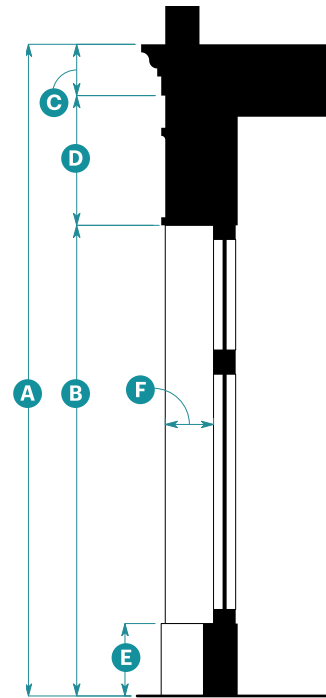
**Height of Floor-to-Floor Entablature**

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
-------	--------------------	---

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	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

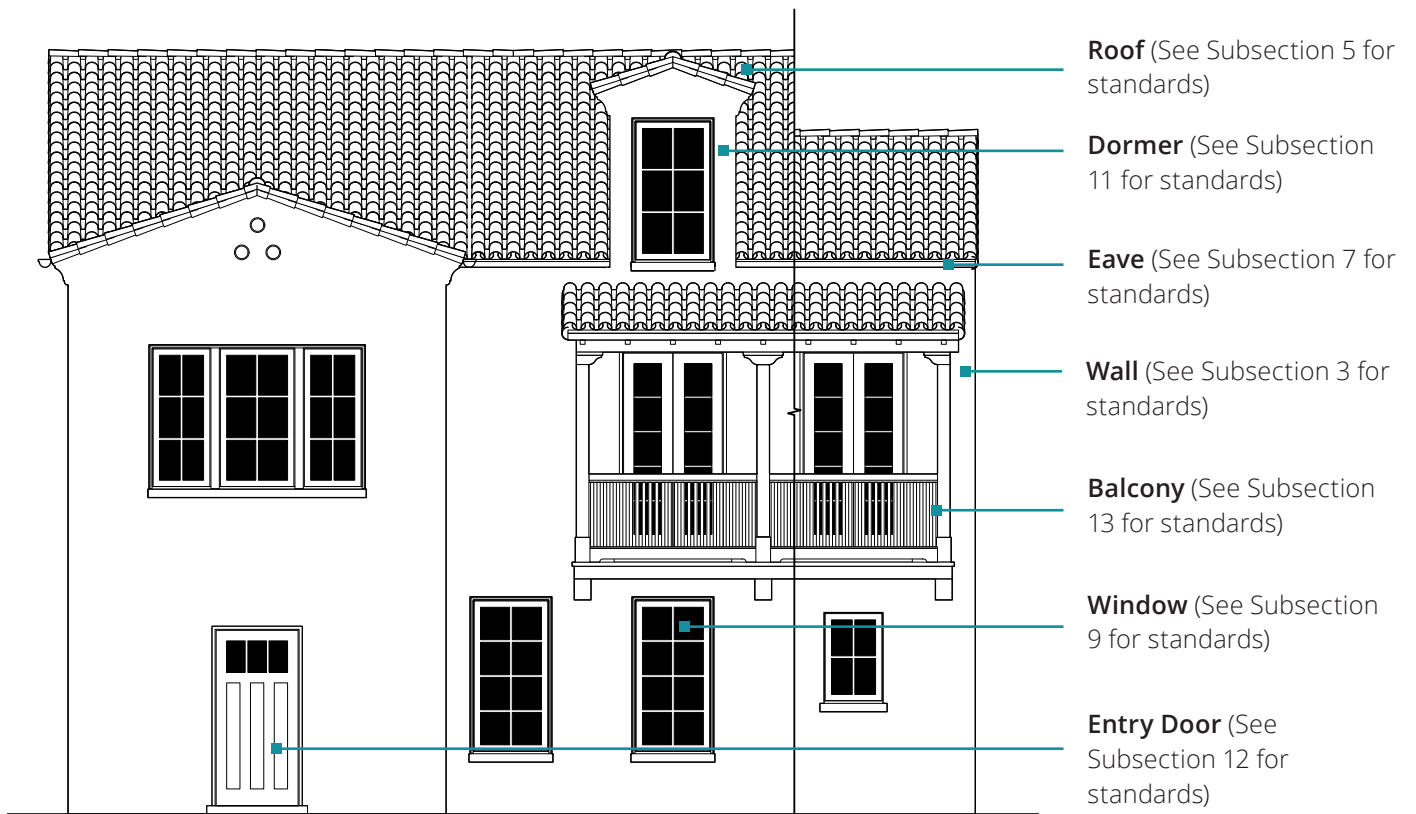
Mediterranean style buildings in Marin County draw from Spanish Colonial, Pueblo, and Spanish Revival influences. These buildings combine austere wall planes with punched, recessed openings for windows.

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

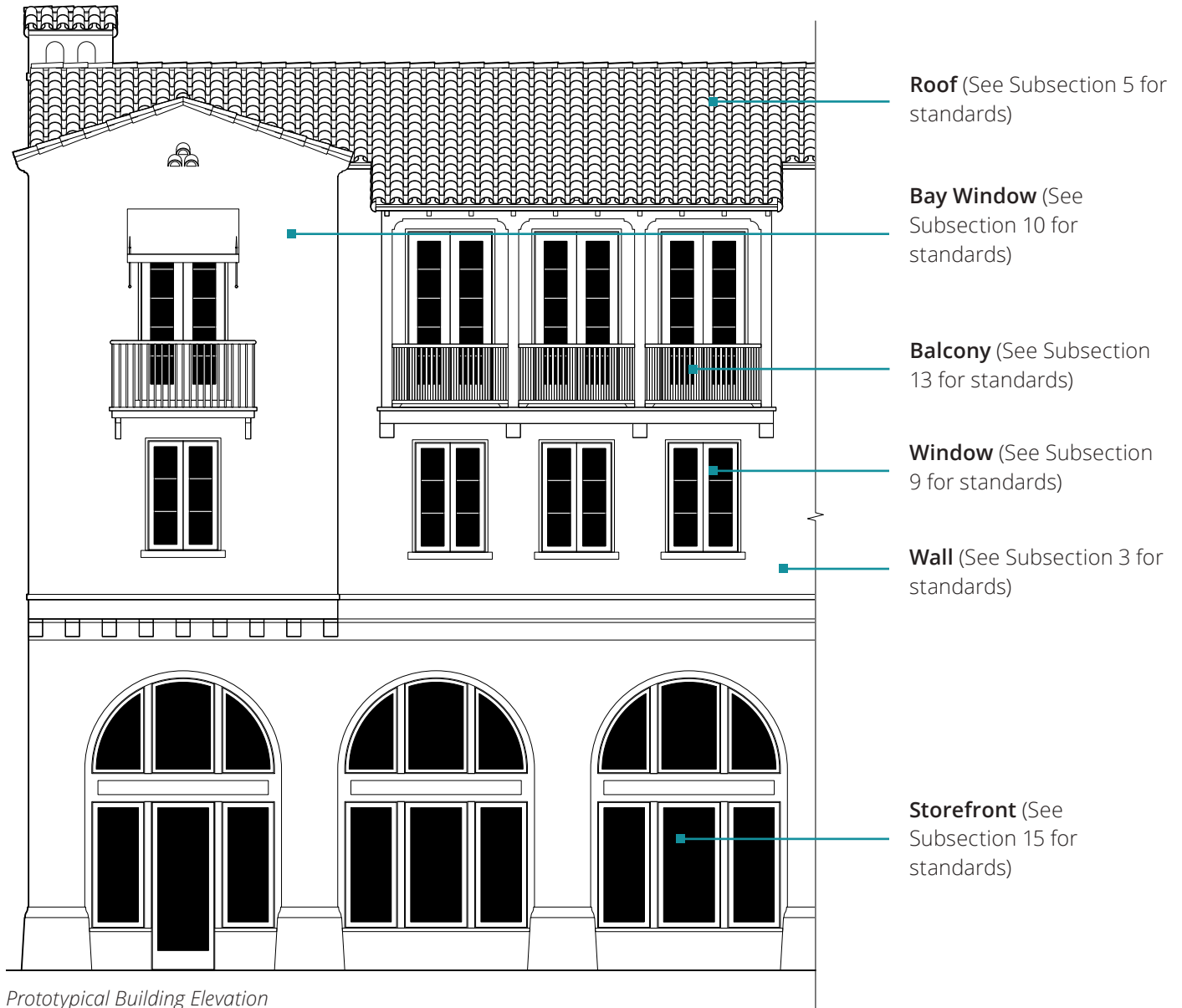
No wall standards apply to this style. See Subsection 16 (Materials) for materials standards.

### 4. Base

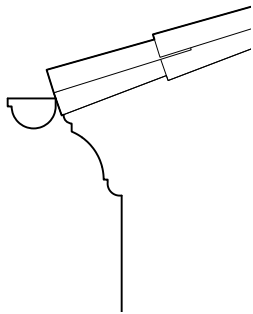
None required

## Elements of Mediterranean Style – Mixed-Use Prototype

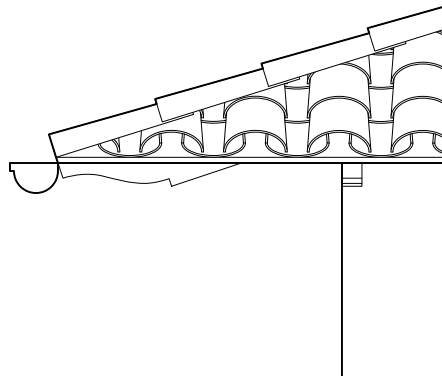
Note: The image below is intended to provide a reference for architectural elements and is illustrative, not regulatory. It is not an exhaustive list of applicable standards.



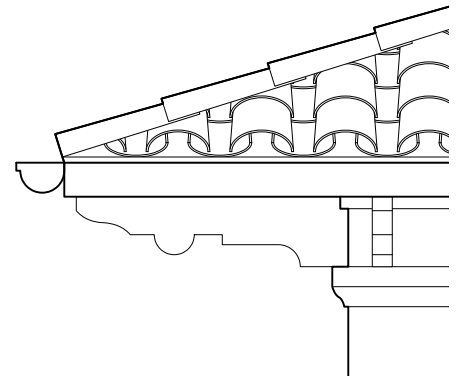
Prototypical Building Elevation



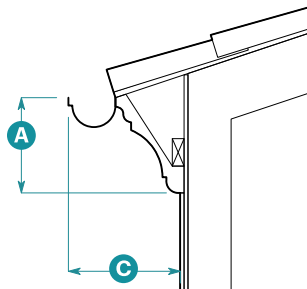
Closed Eave Elevation



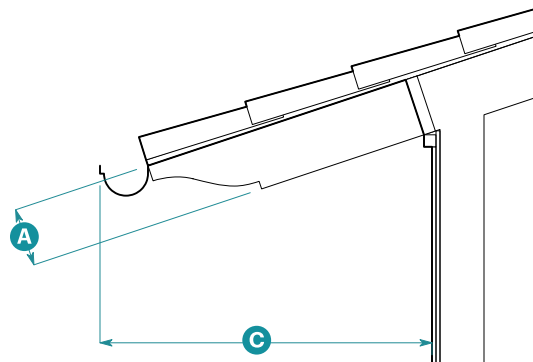
Open Eave Elevation



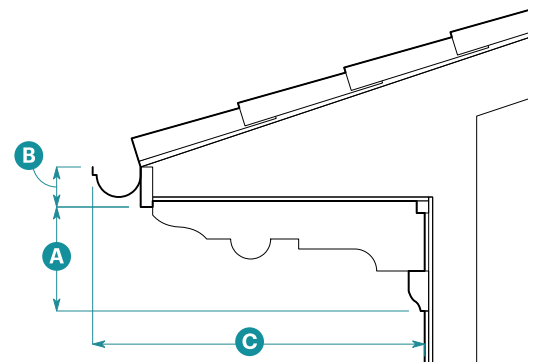
Returned Eave Elevation



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
-------	-------------------------	-----

### 6. Rake

No specialized rake profile

### 7. Eave

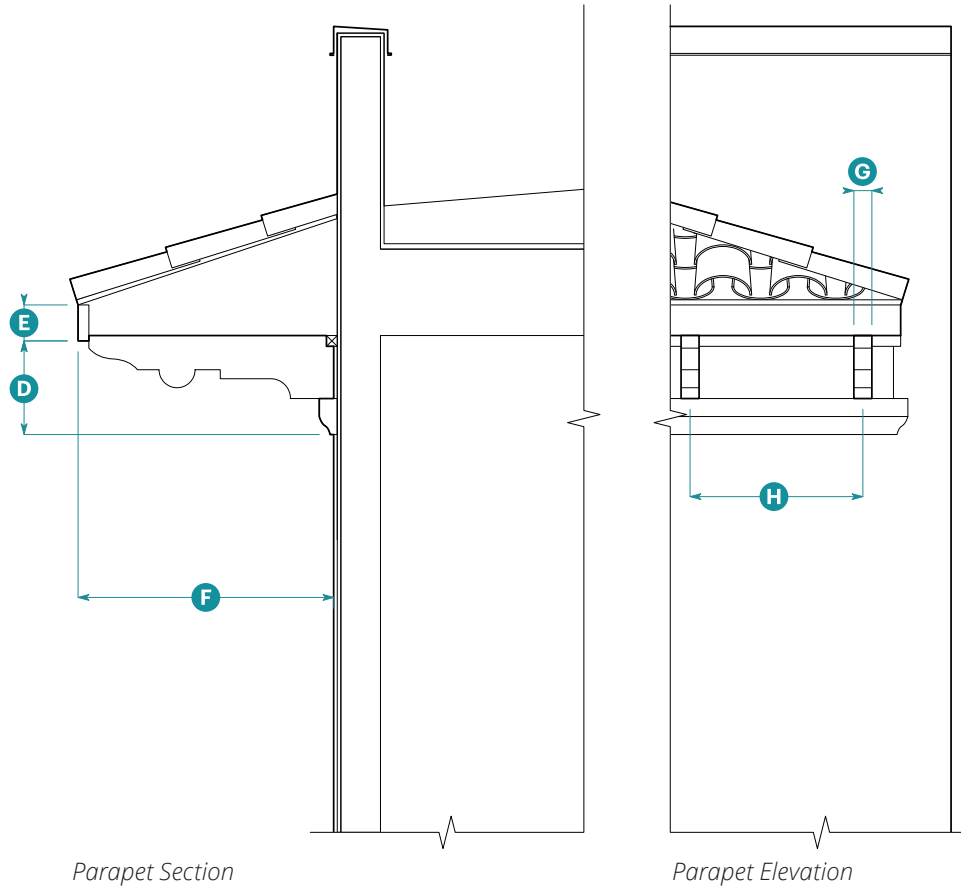
Standards	Closed	Open	Returned
<b>Height</b>			
Supporting Element	1'0" min.	8" min.	1'0" min. <b>A</b>
Fascia	None	None	6" min. <b>B</b>
<b>Horizontal Projection<sup>1</sup></b>			
Overall	1'0" min.	3'0" min.	2'6" min. <b>C</b>

<sup>1</sup>Horizontal projection includes gutter.

#### Key

A = Applicable    N/A = Not Applicable





Parapet Section

Parapet Elevation

**8. Parapet**

**Height**

Supporting Element	1'8" min.	<b>D</b>
--------------------	-----------	----------

Fascia	6" min.	<b>E</b>
--------	---------	----------

**Horizontal Projection<sup>2</sup>**

Overall	2'0" min.	<b>F</b>
---------	-----------	----------

Continuous cornice required on all street facing facades.

**Required Ornament**

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
-----------	----------

**Window**

Glazing Divisions	6 parts or 8 parts
-------------------	--------------------

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**

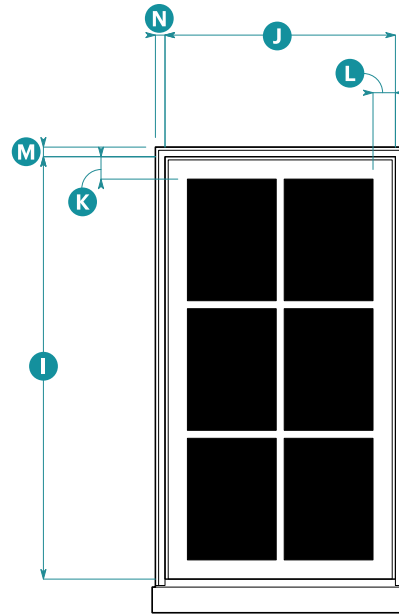
Allowed	No
---------	----

**Mullions**

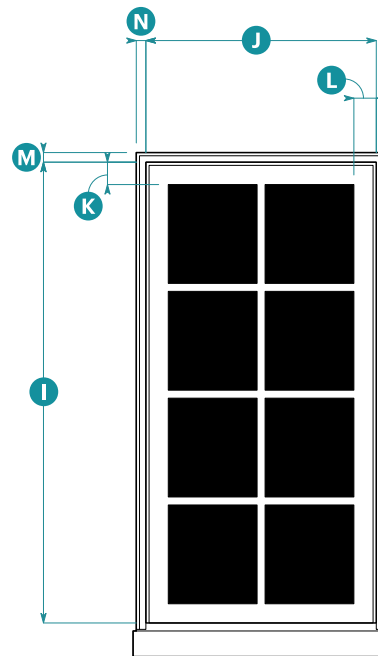
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

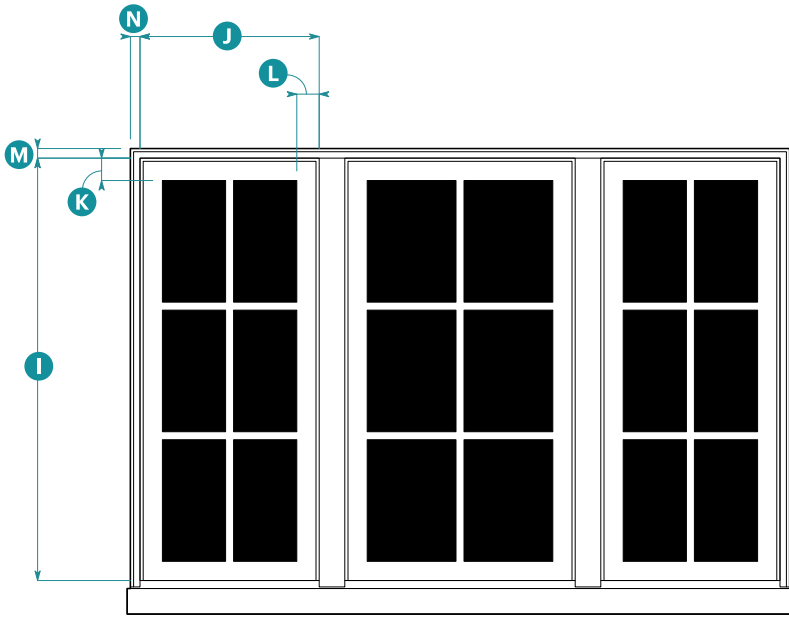
<sup>3</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



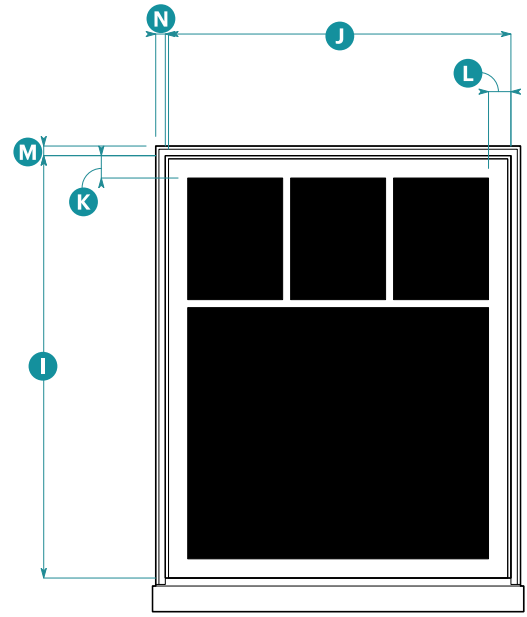
Upper Floor Typical Window Elevation  
6 parts



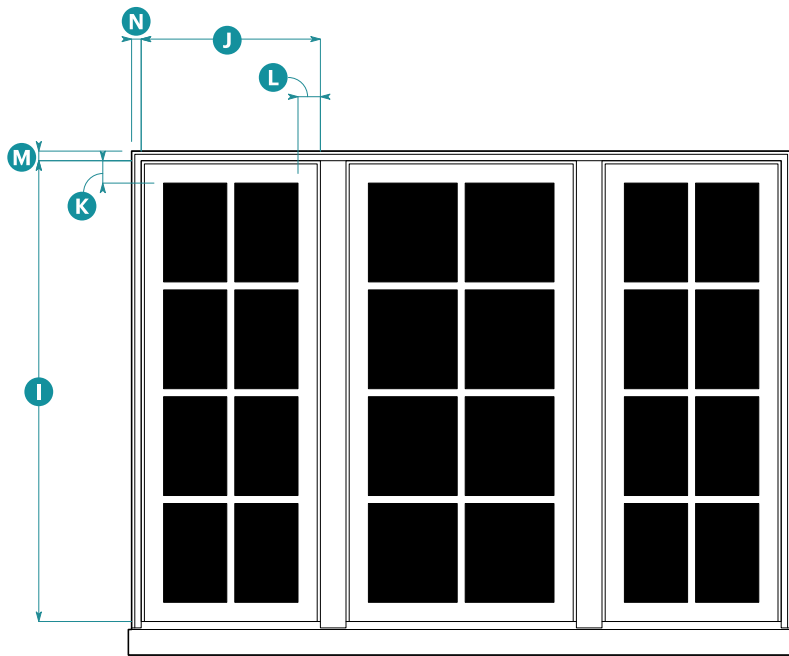
Ground Floor Typical Window Elevation  
8 parts



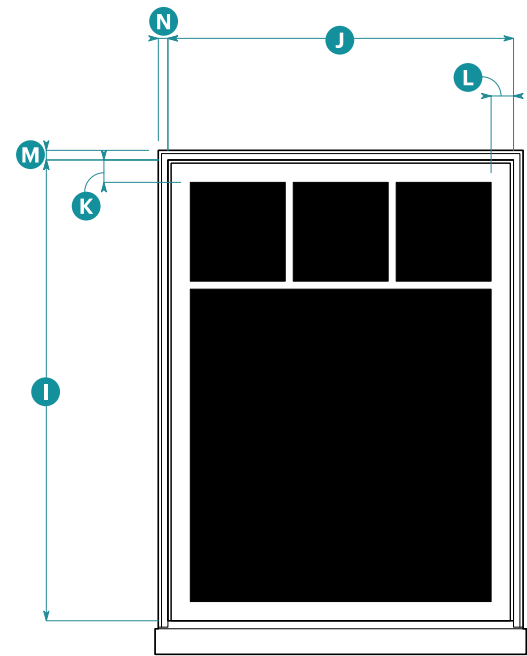
Upper Floor Ganged Window Elevation  
6 parts



Upper Floor Picture Window Elevation



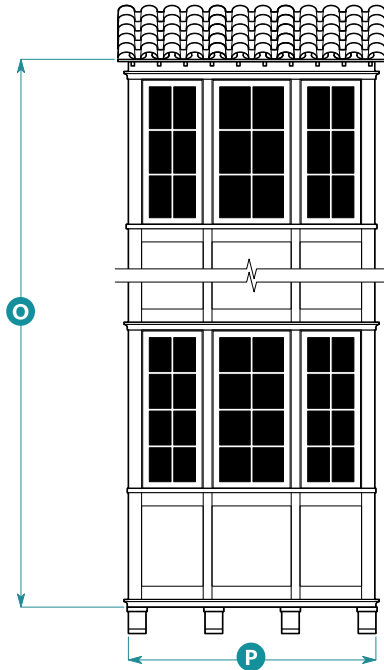
Ground Floor Ganged Window Elevation  
8 parts



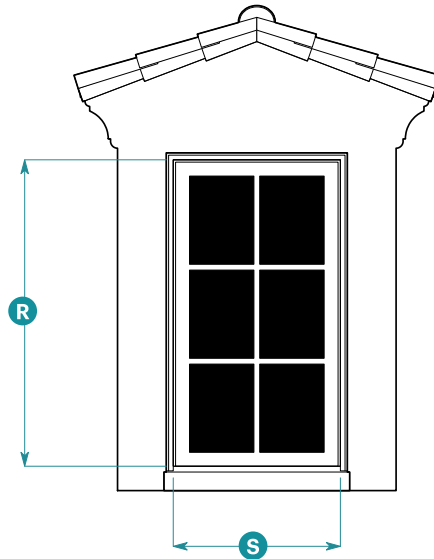
Ground Floor Picture Window Elevation



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.

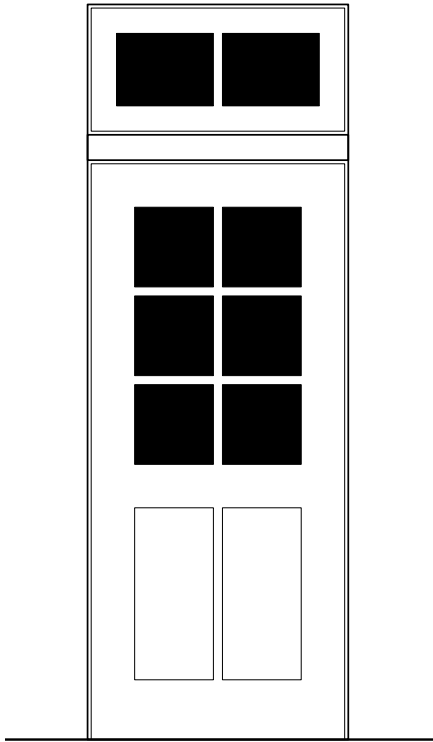
R to Width S

**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**

**Door**

Number of Panels 2 min.

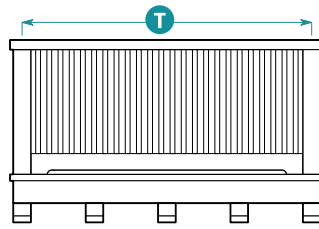
**Surround**

None required

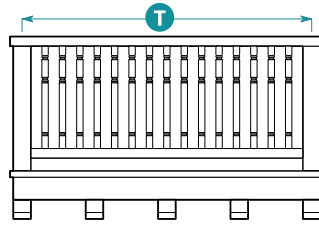
**Additional Elements**

Transom Allowed

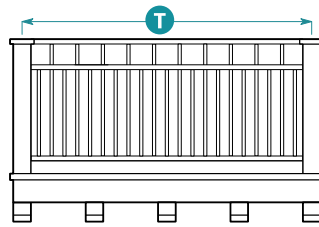
Pediment Not Allowed



Type 1  
Square Guardrail



Type 2  
Turned Guardrail



Type 3  
Decorative Metal Guardrail

Balcony Front Elevation

**13. Balconies**

**Allowed Materials**

**Type 1 - Square Guardrail**

Post, Baluster, Handrail, Metal, composite wood, wood  
Fascia, and Brackets

**Type 2 - Turned Guardrail**

Post, Baluster, Handrail, Metal, composite wood, wood  
Fascia, and Brackets

**Type 3 - Decorative Metal Guardrail**

Post, Handrail, Fascia, Metal, composite wood, wood  
and Brackets

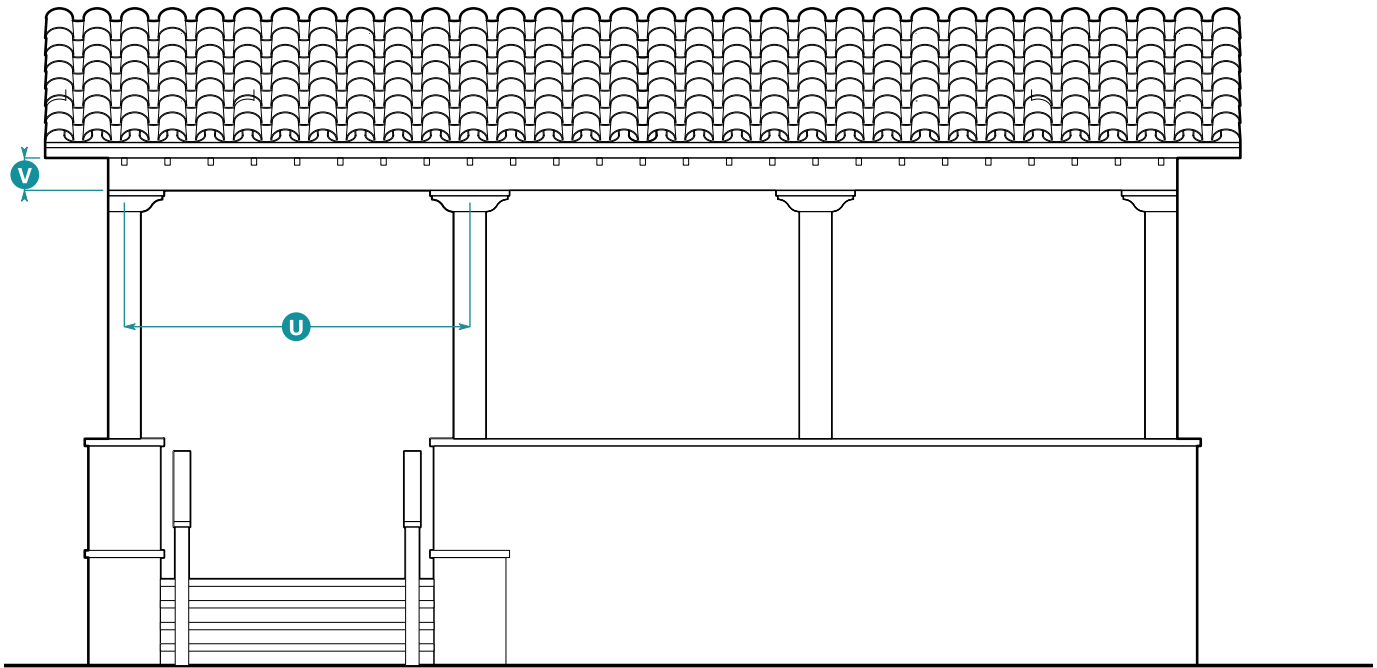
Baluster Metal

**Size**

Overall Balcony Width 10'0" max.

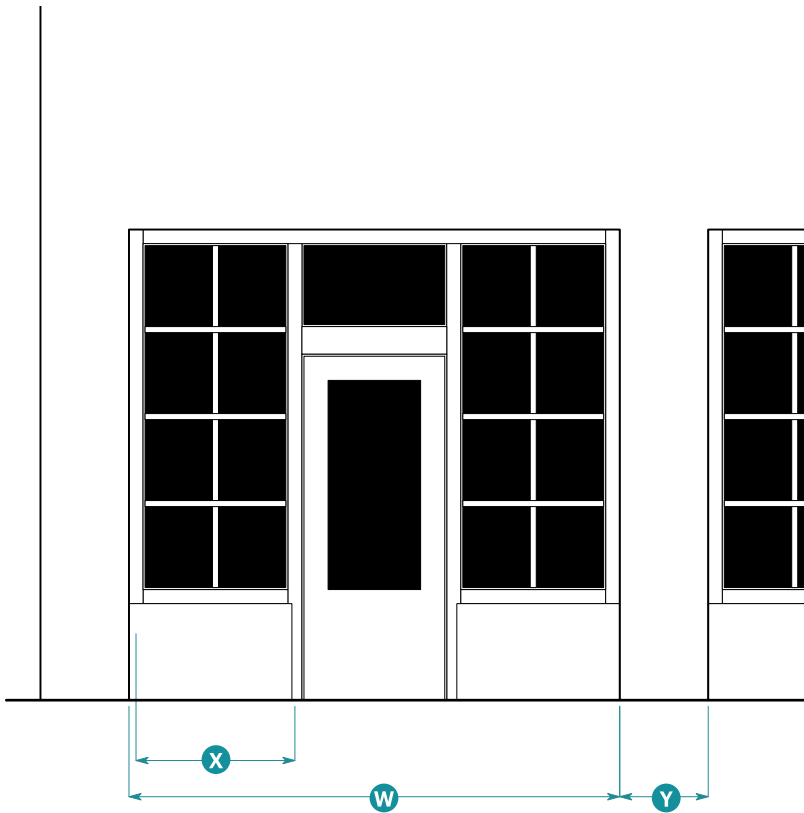
Width Between Posts 3' min.



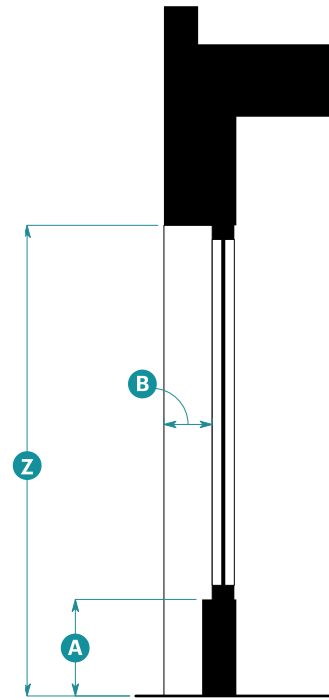


Porch Elevation

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**

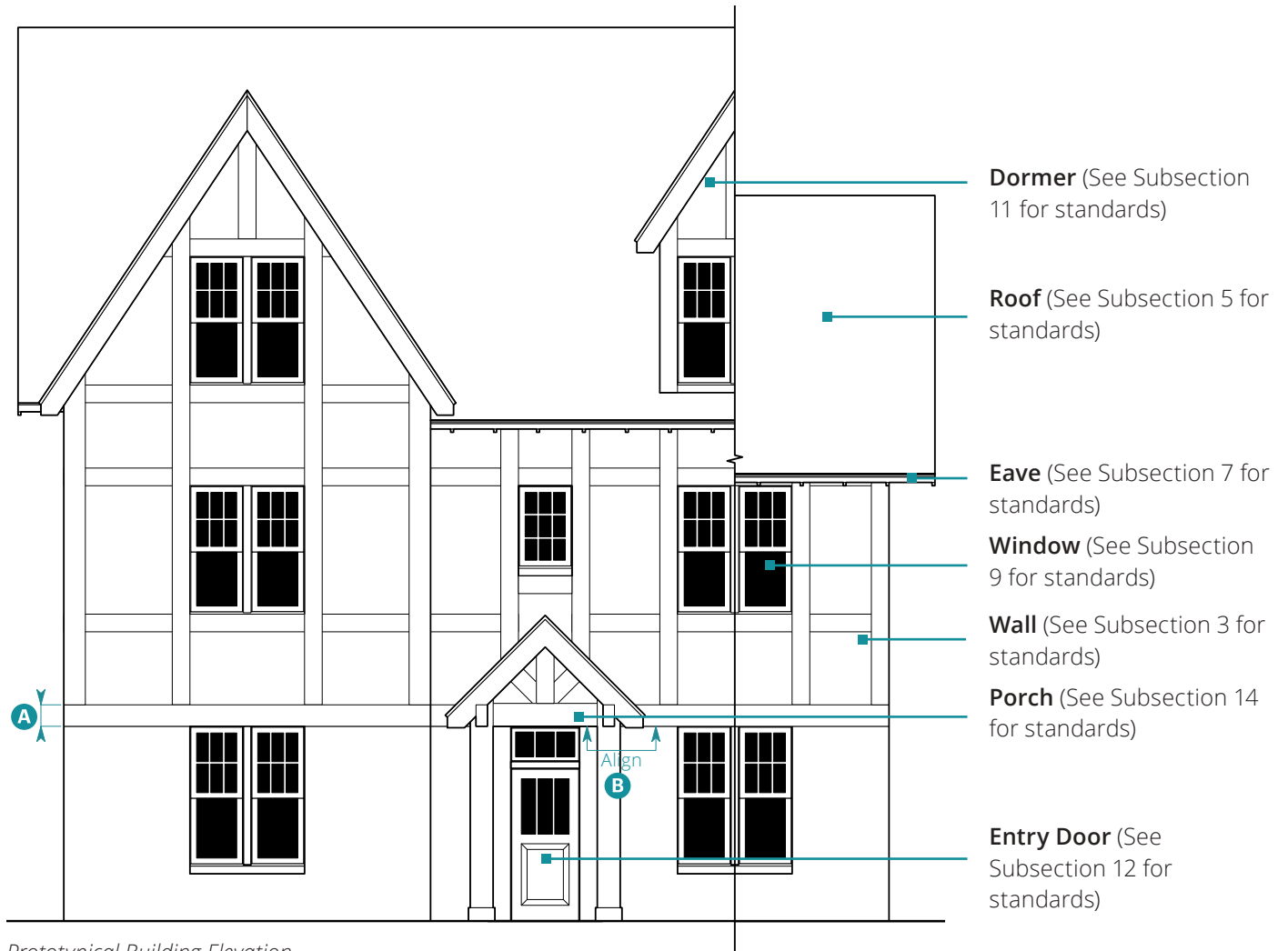
Tudor style buildings are inspired by the Storybook and Tudor Revival styles that emerged in America in the late 19th century. Its origins are in late Medieval English construction, reflected in faux half-timbering often expressed in upper stories. Initially used in formal civic buildings, the style 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

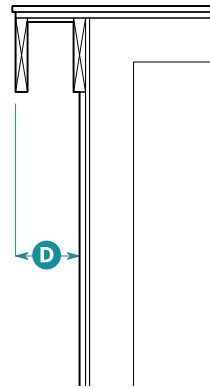
## Elements of Tudor Style – Mixed-Use Prototype

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.





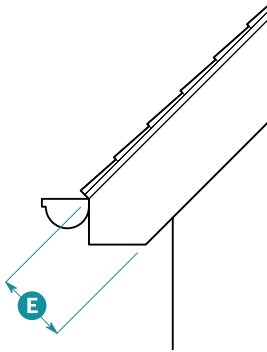
Gable End Elevation



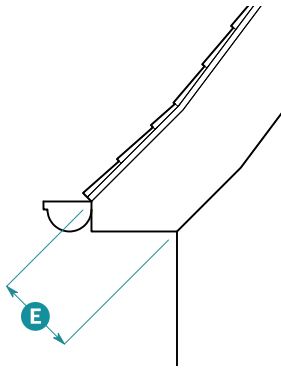
Rake Section

5. Building Roof	
<b>Building Roof Form</b>	
Pitch	10:12 min.
<b>Gable End Form</b>	
Pitch	12:12 min. <span style="float: right;">C</span>

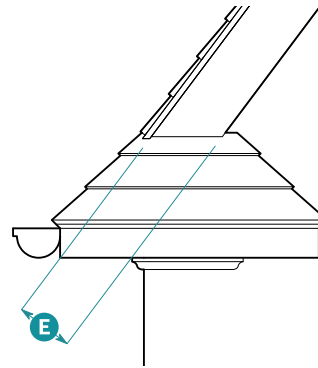
6. Rake	
Horizontal Projection to Fascia	8" min. <span style="float: right;">D</span>
See Subsection 7 (Eave) for height standards.	



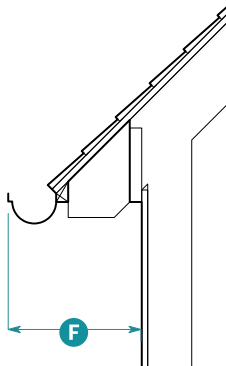
Open Eave Elevation



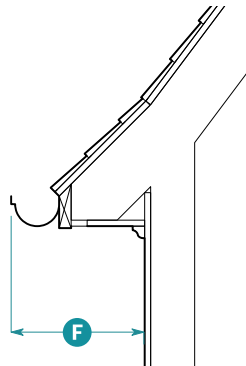
Returned Eave Elevation



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

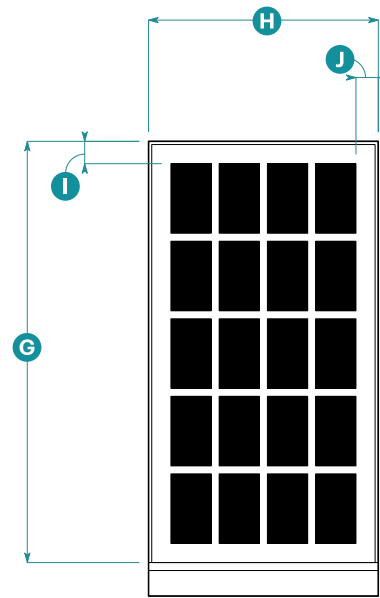
Allowed	No
---------	----

### Mullions

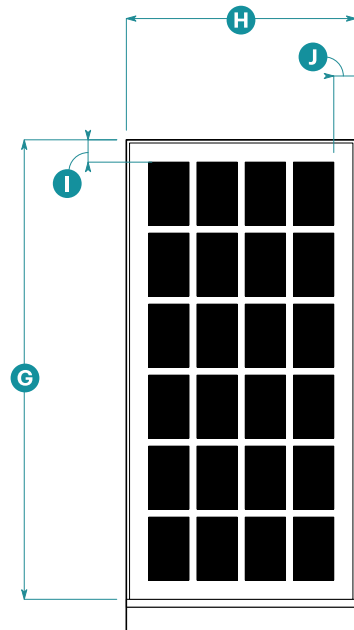
Mullions required between ganged windows.

"Typical" refers to a regular recurring window (i.e., size or lite pattern) on a facade.

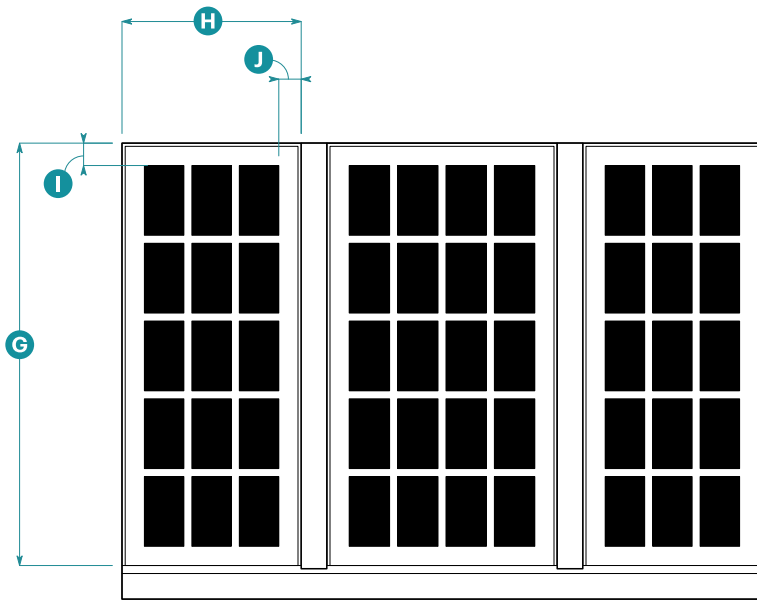
<sup>2</sup>Picture windows shall be wider than typical windows and equal in height to windows on the same floor.



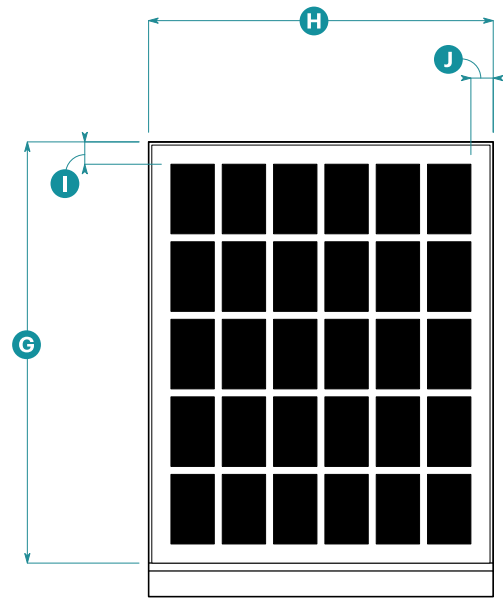
Upper Floor Typical Window Elevation  
20 parts



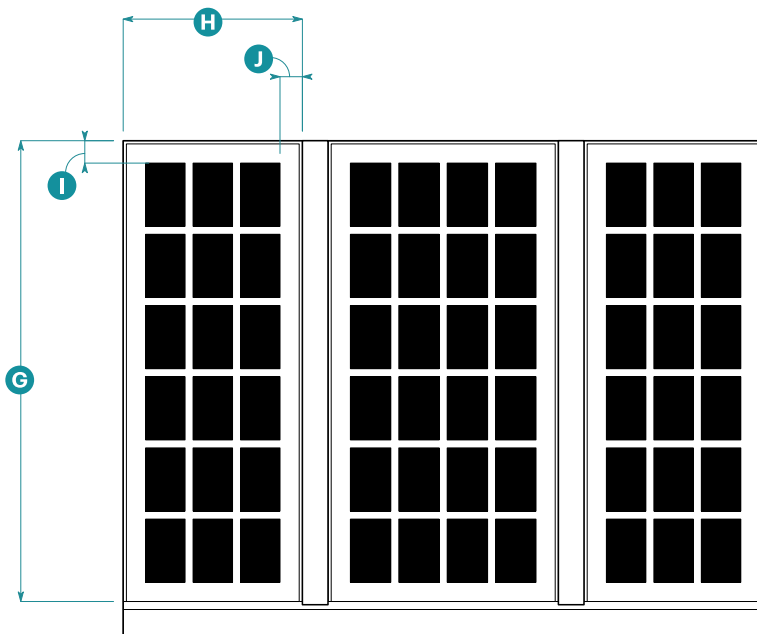
Ground Floor Typical Window Elevation  
24 parts



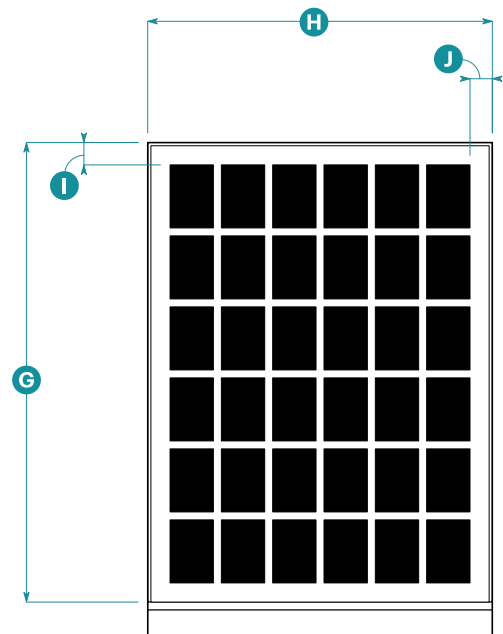
Upper Floor Ganged Window Elevation  
15 parts and 20 parts



Upper Floor Picture Window Elevation



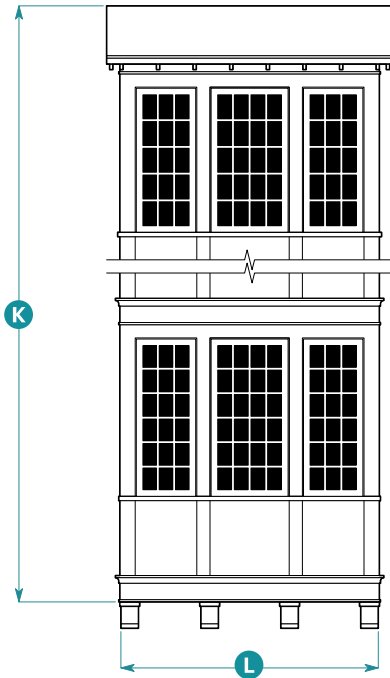
Ground Floor Ganged Window Elevation  
18 parts and 24 parts



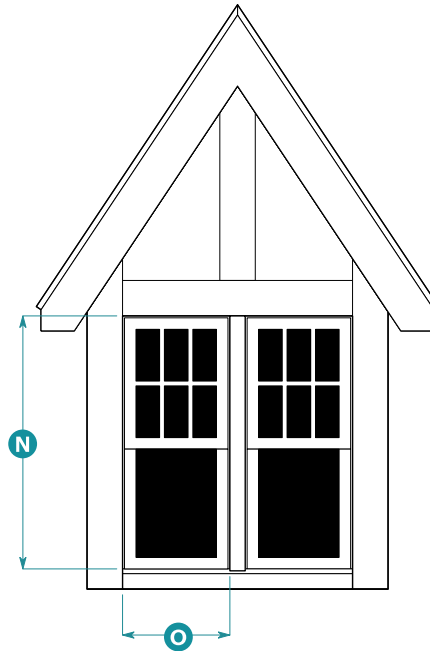
Ground Floor Picture Window Elevation



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)

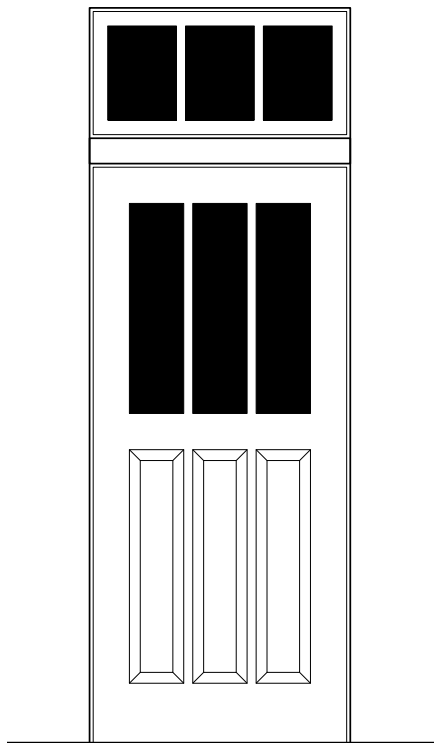
**Pediment**

Allowed No

Dormers allowed only for buildings with half stories.

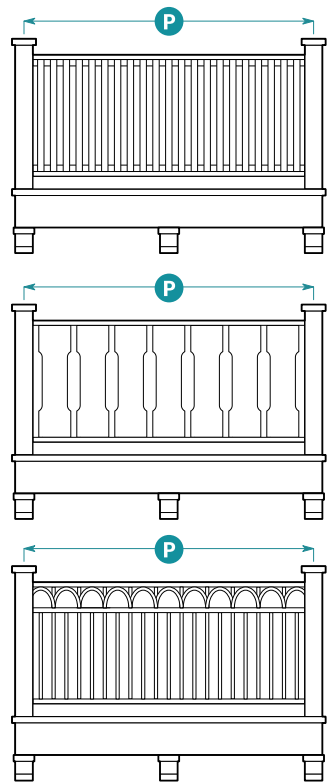
See Subsections 6 (Rake), 7 (Eave), and 9 (Windows) for additional standards.





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

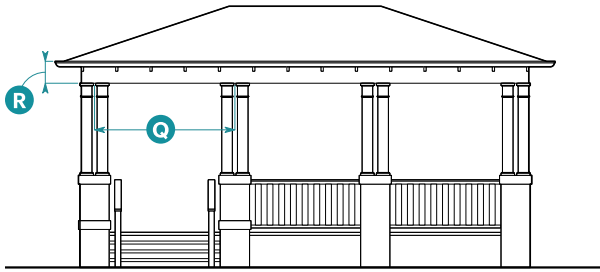
Type 2  
Flat Sawn Guardrail

Type 3  
Decorative Metal Guardrail

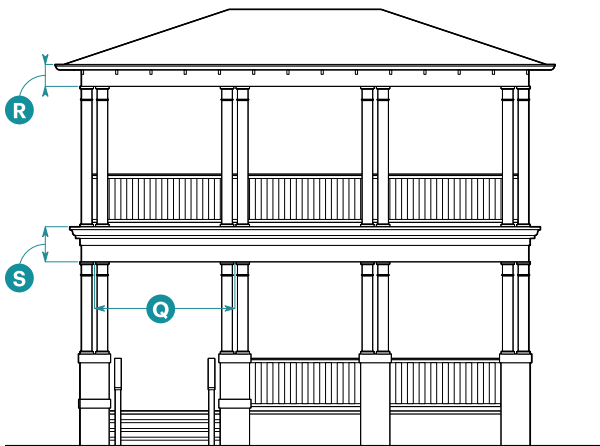
Balcony Front Elevation

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

### Columns

Shape Square stock (paired)

Width 6" min. each

Spacing 8' max. on center Q

### Entablature

#### Height of Topmost Entablature

Overall 1'6" min. R

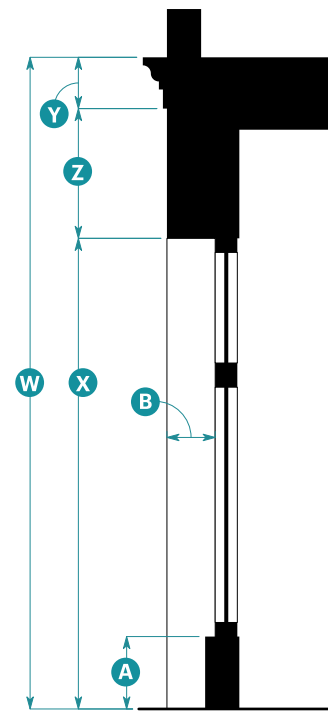
#### Height of Floor-to-Floor Entablature

Overall 10" min. S

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
-------	--------------------	---

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

---

## 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

---

## 22.09.010 Purpose

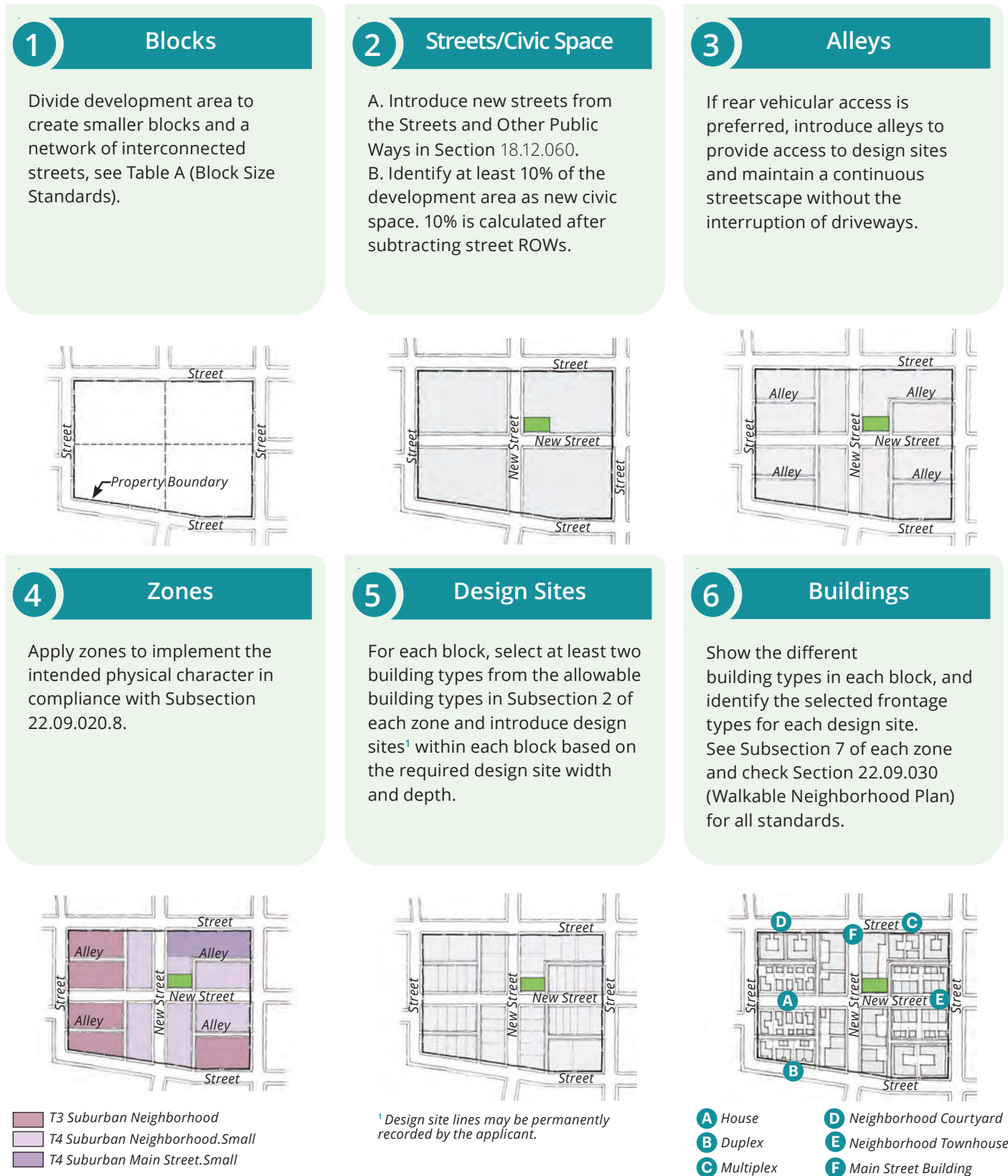
This Chapter establishes standards to create walkable neighborhoods.

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.

## 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)

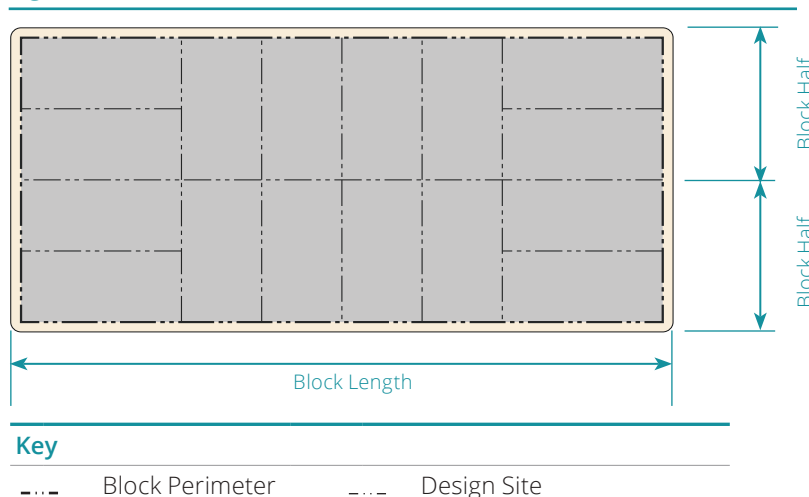


- C. Right-of-way stubs shall be identified and include a notation that all stubs are to connect with future streets on adjoining property and be designed to transition in compliance with Section 18.12.060 (Streets and Other Public Ways—Minimum Requirements).
  - D. New dead-end streets and cul-de-sacs 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



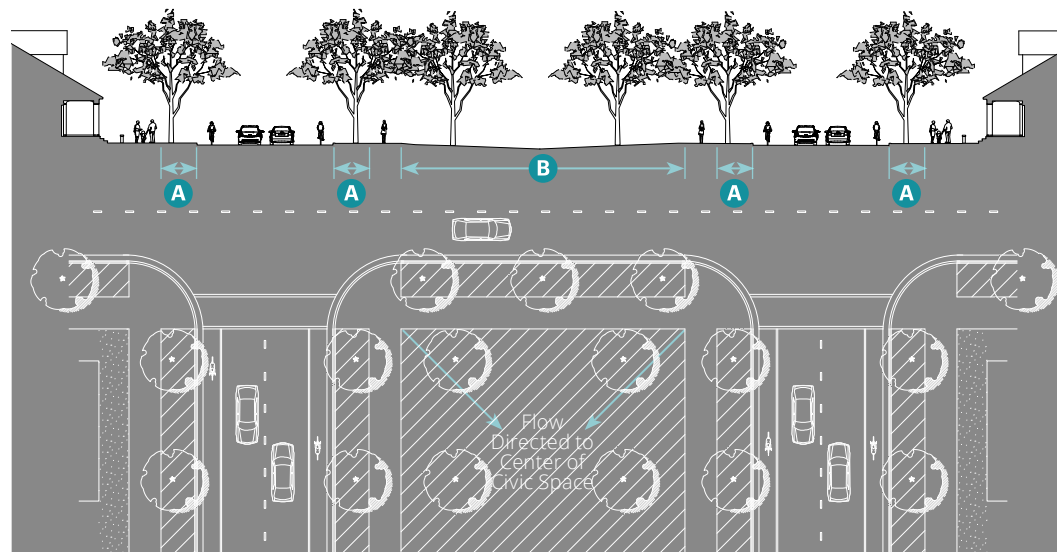


7. **Stormwater Management**




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

---

## 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.

---

## 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

*This page intentionally left blank*

# Chapter 10: Administration

---

## 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

---

## 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.

---

## 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).

*This page intentionally left blank*

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).

*This page intentionally left blank*

Figure 22.10.020.1: Process for Developments Eligible for Senate Bill 35 Streamlining with 150 units or Fewer (Government Code §65913.4)

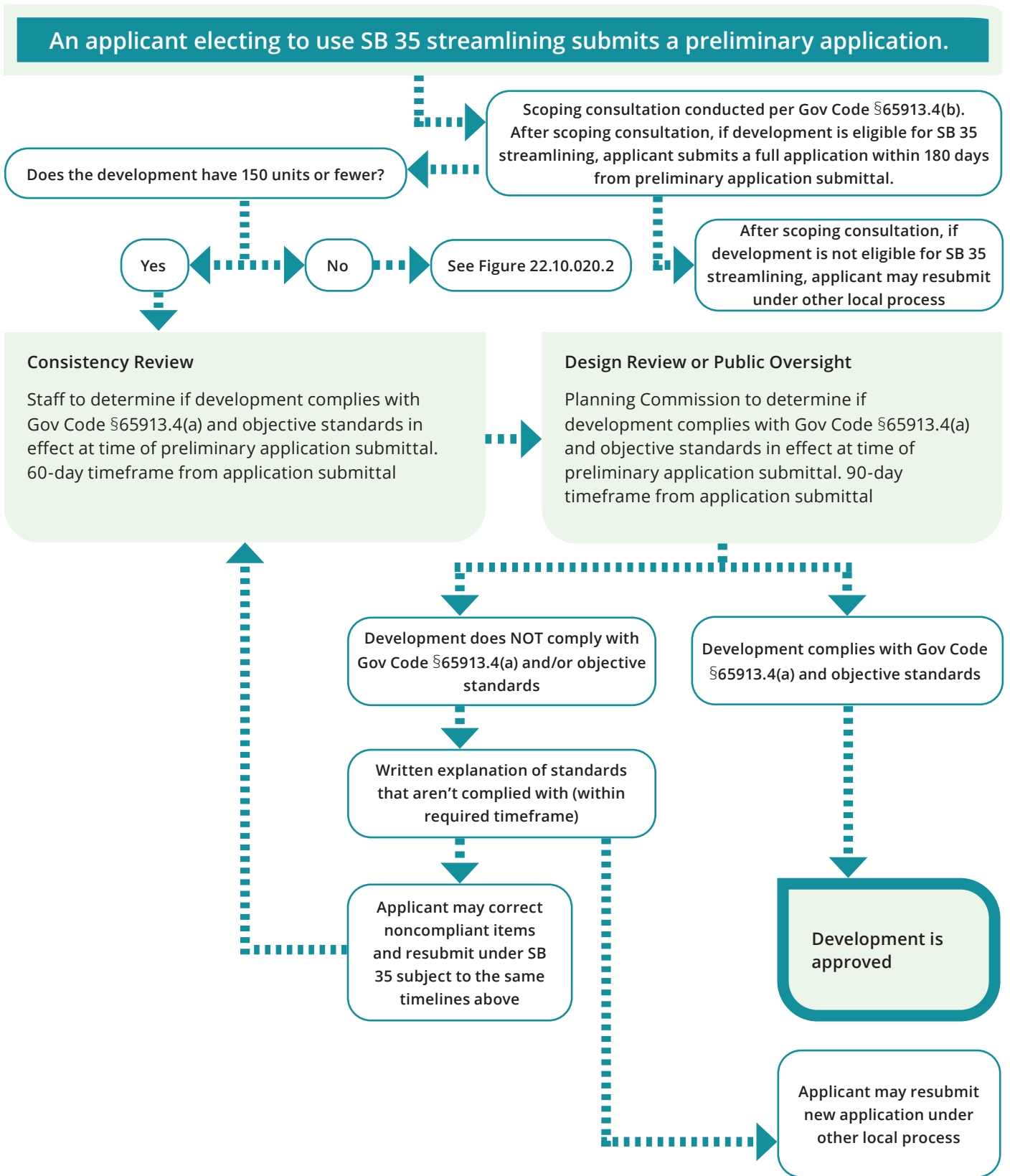


Figure 22.10.020.2: Process for Developments Eligible for Senate Bill 35 Streamlining with 151 units or More (Government Code §65913.4)

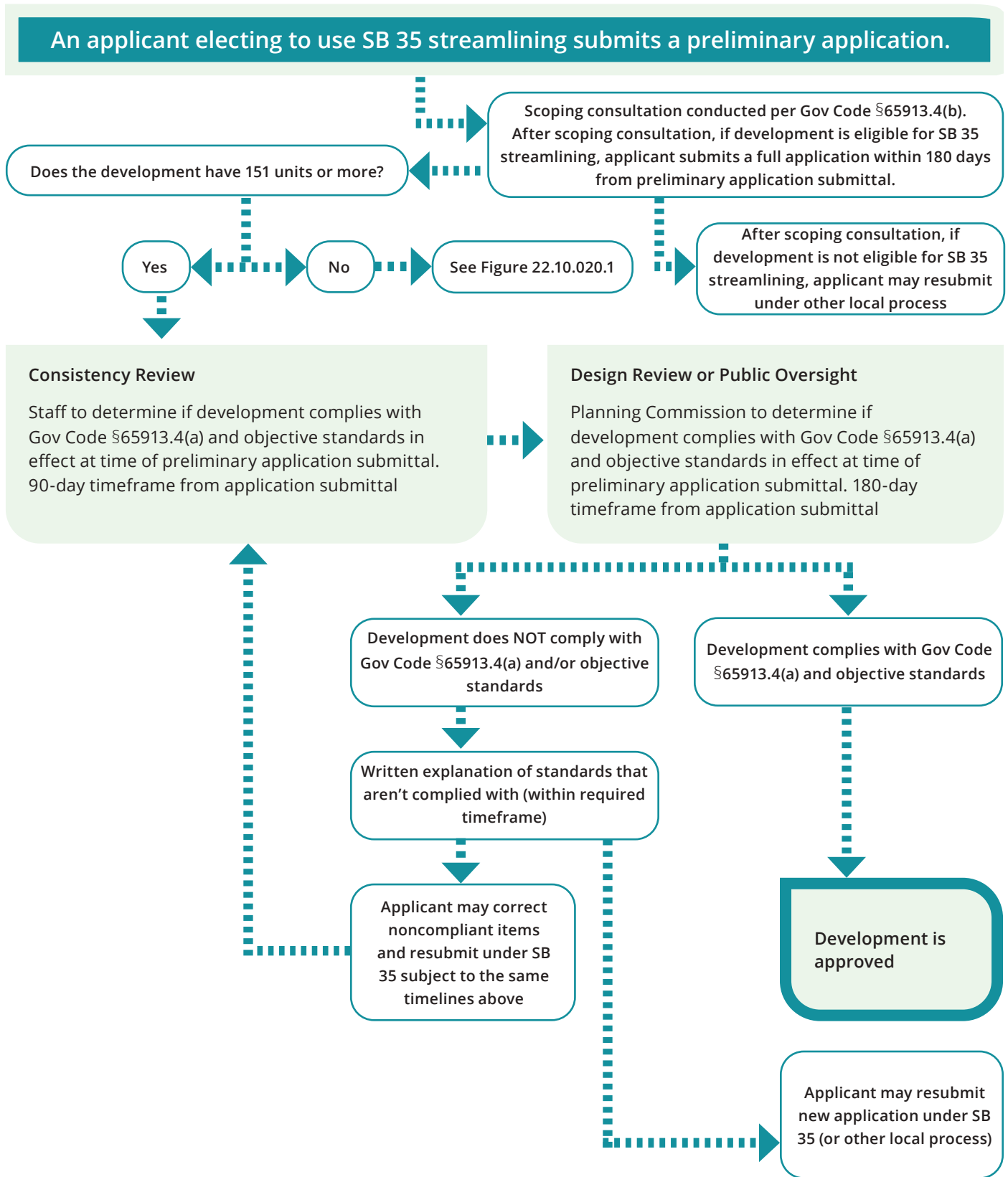
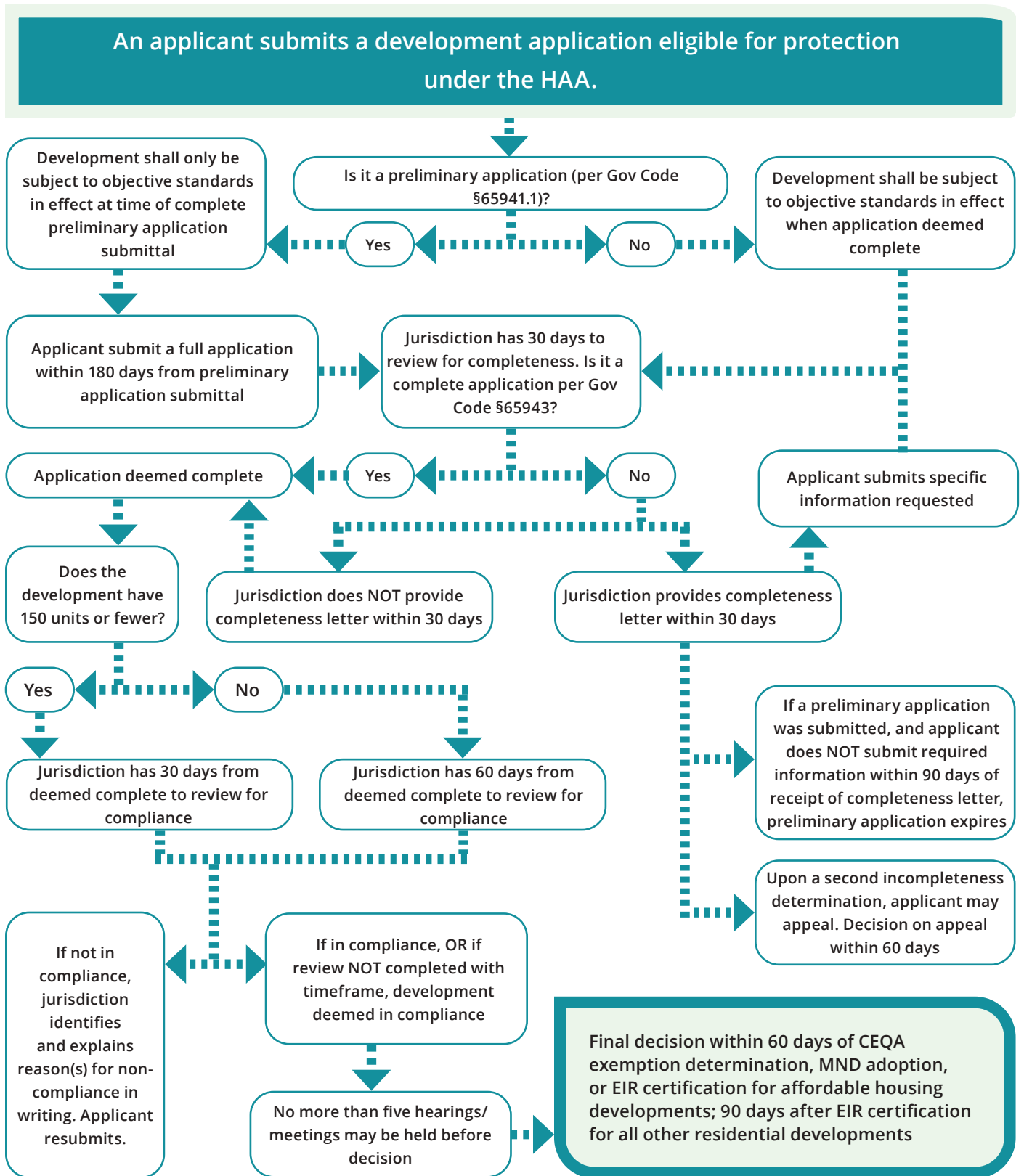


Figure 22.10.020.3: Process for Developments Eligible for Housing Accountability Act (HAA) Protection (Government Code §65589.5)





*This page intentionally left blank*

## 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
---	---	---

**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
---	--	--

## 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
---	--	---

## 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)

*This page intentionally left blank*

# Chapter 11: Definitions

---

## Sections:

22.11.010	Purpose
22.11.020	Definitions
22.11.030	Measurement Methods

---

## 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.

---

## 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).

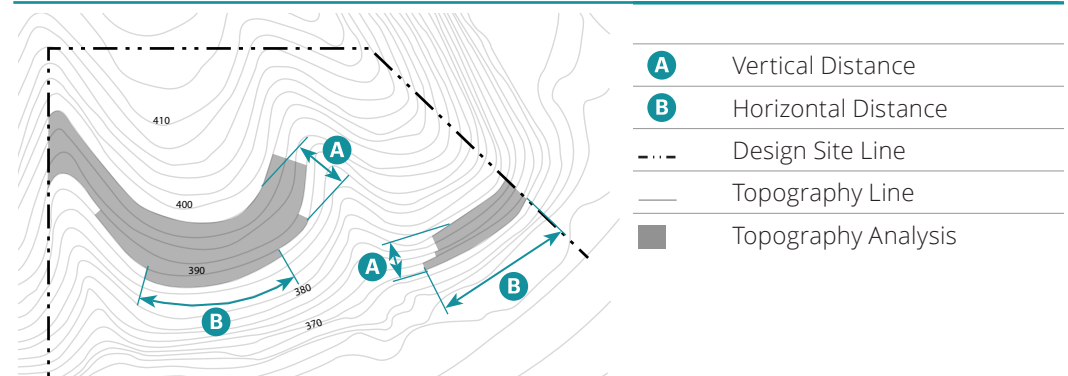


## 22.11.030 Measurement Methods

### 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).

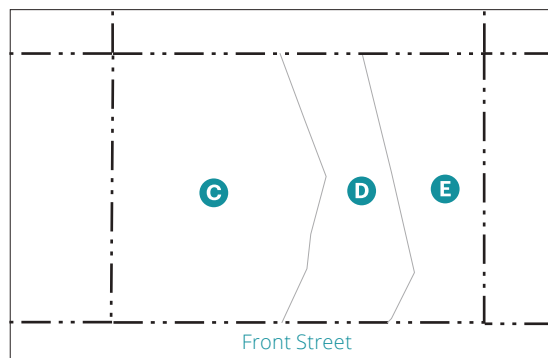
**Figure 22.11.030.1: Methodology for Defining Sloped and Steeply Sloped Design Sites**



- (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.

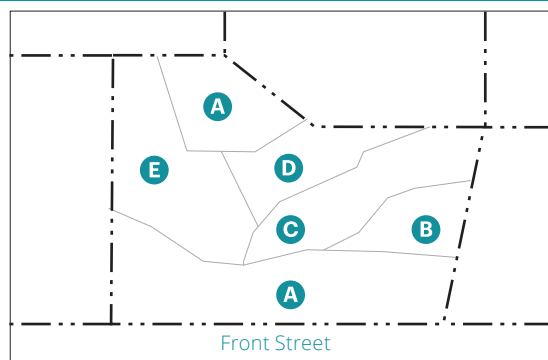
- (3) **Steep Slope Resource Area.** Based on the area calculations in Subsection (2), above, Table 22.05.050.A (Amount of Sloped Areas Allowed to be Developed) identifies the percentage of sloped area that is developable. Figure 2 and Figure 3 illustrate examples of the calculated slopes and the corresponding 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	

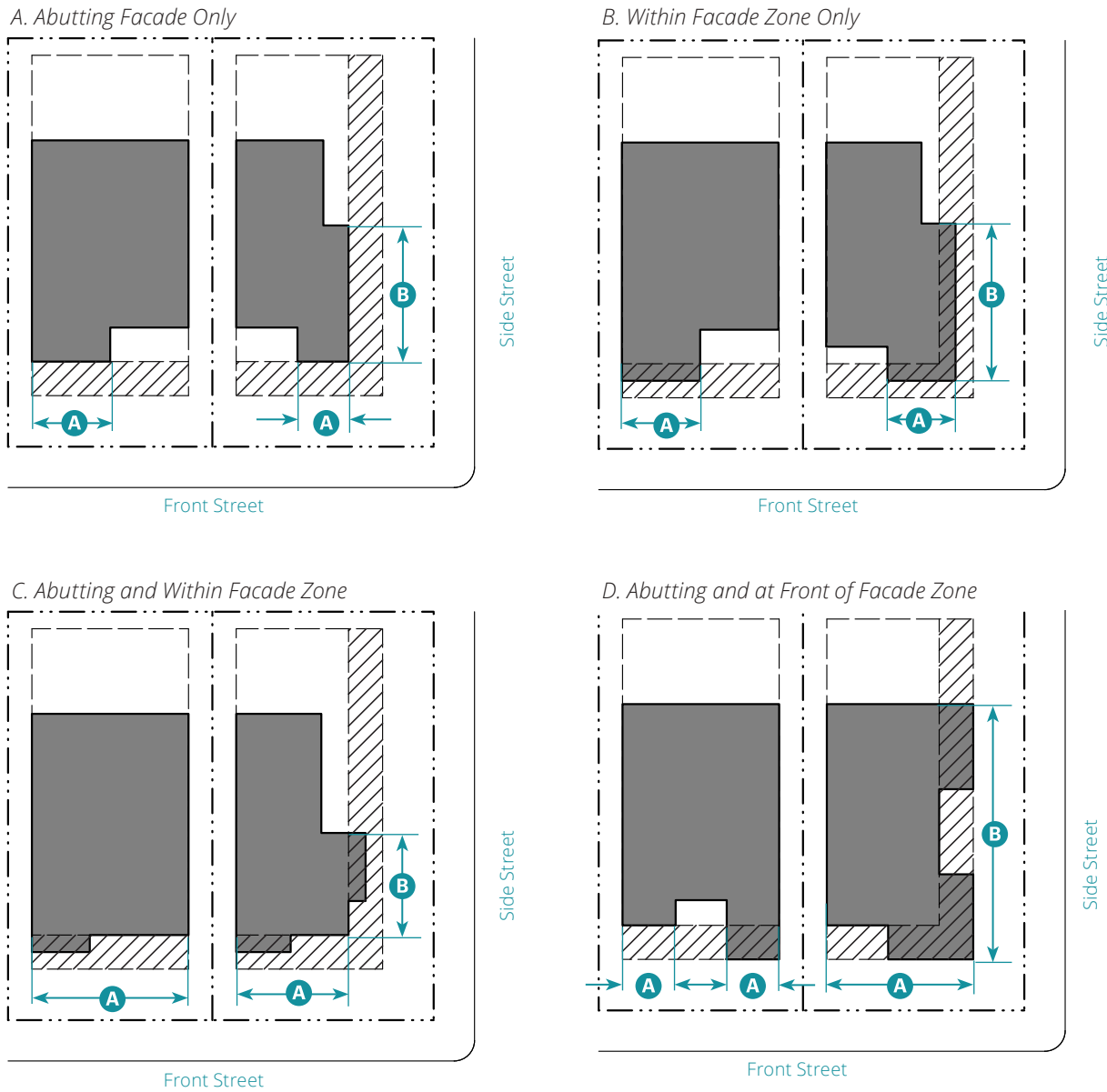
<sup>1</sup> In compliance with the setbacks of the zone, required on-site open space, this Section, and the maximum building footprint standards in Chapter 6 (Specific to Building Types).

- 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**

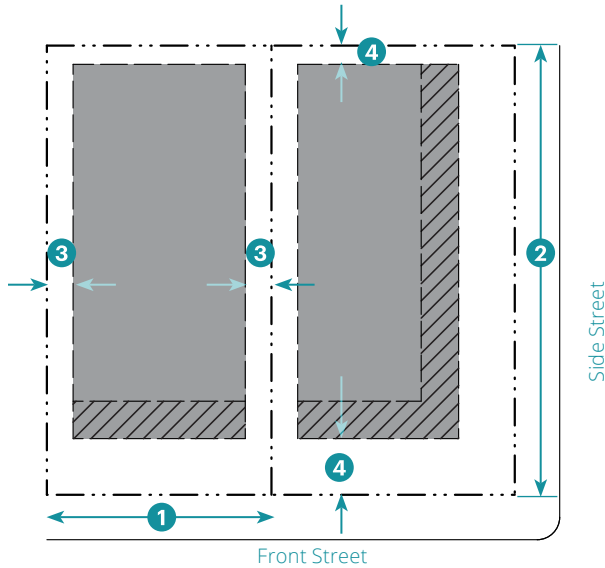


**Key**

	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.

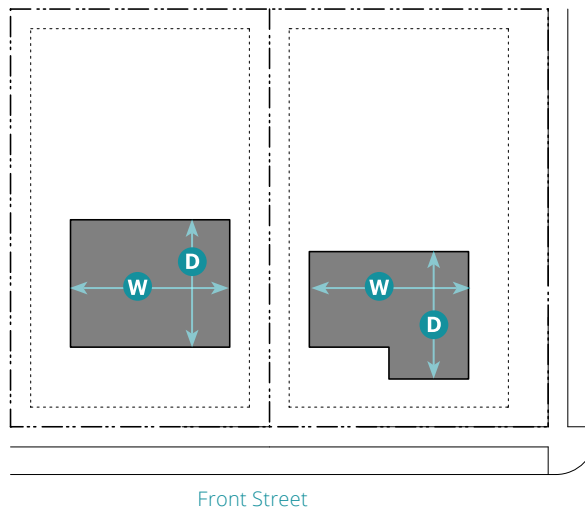
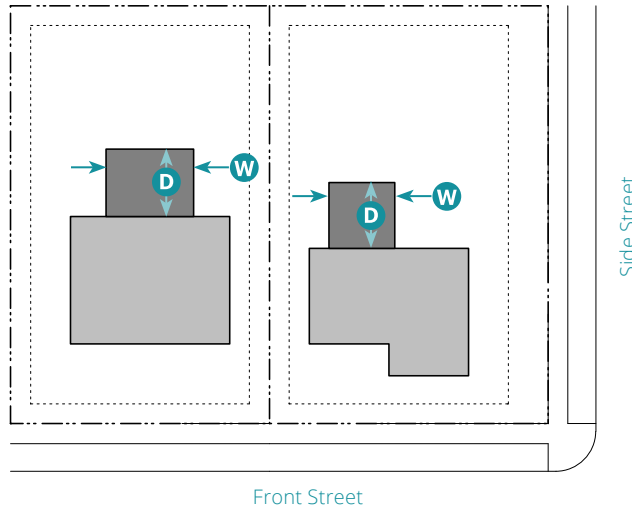


Figure 22.11.030.6: Main Body

- W Width
- D Depth

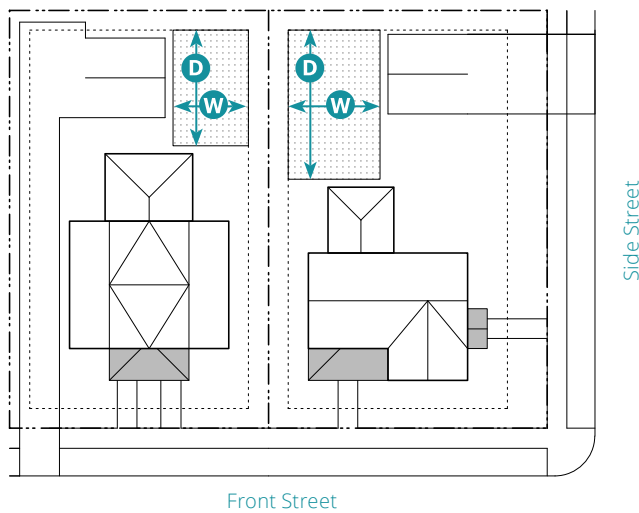
- (2) **Wings and Ancillary Structures.** The width and depth of wings and ancillary structures, shall be measured as follows:
- (a) The width shall be the greater of the two dimensions of the footprint.
  - (b) The depth shall be the lesser of the two dimensions of the footprint.



**Figure 22.11.030.7:**  
Wings and Ancillary Structures

- W** Width
- D** Depth

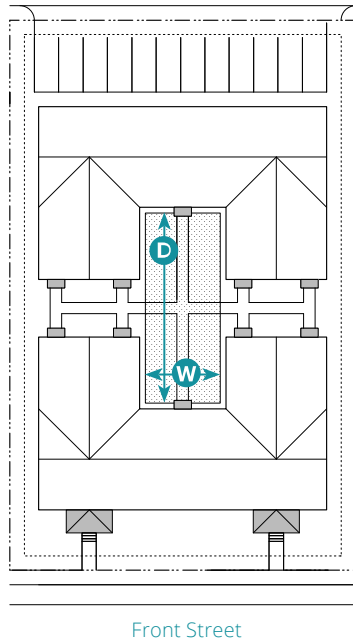
- (3) **Open Space(s).** The width and depth of open spaces shall be measured as follows:
- (a) The width shall be parallel to the front
  - (b) The depth shall be perpendicular to the front.



**Figure 22.11.030.8:**  
Open Space(s)

- W** Width
- D** Depth

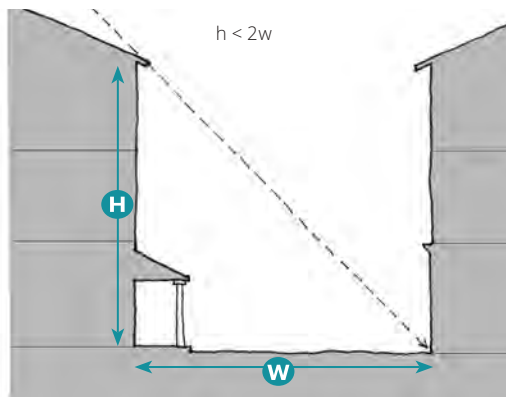
- (4) **Courtyard(s).** The width and depth of courtyards shall be measured as follows:
- (a) The width shall be parallel to the front; unless the courtyard is a secondary courtyard accessed directly from a side street.
  - (b) If a secondary courtyard is accessed directly from the side street, the width 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

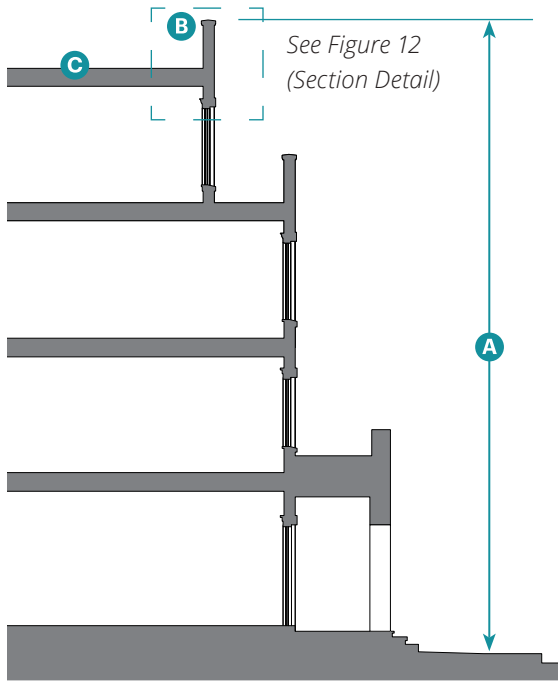
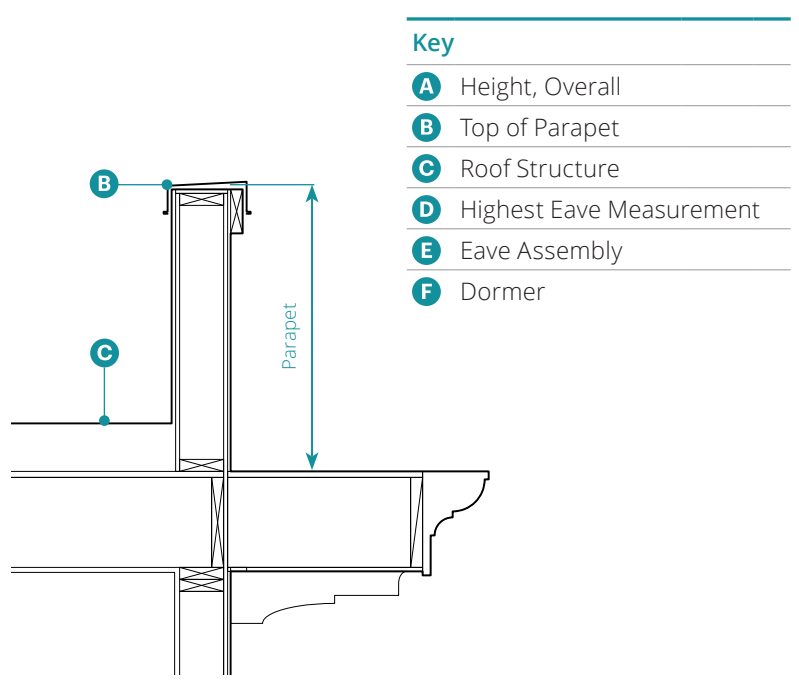


Figure 22.11.030.12: Section Detail of Top of Parapet and Flat Roof



Key

- A** Height, Overall
- B** Top of Parapet
- C** Roof Structure
- D** Highest Eave Measurement
- E** Eave Assembly
- F** Dormer

Figure 22.11.030.13: Highest Eave for Pitched Roof

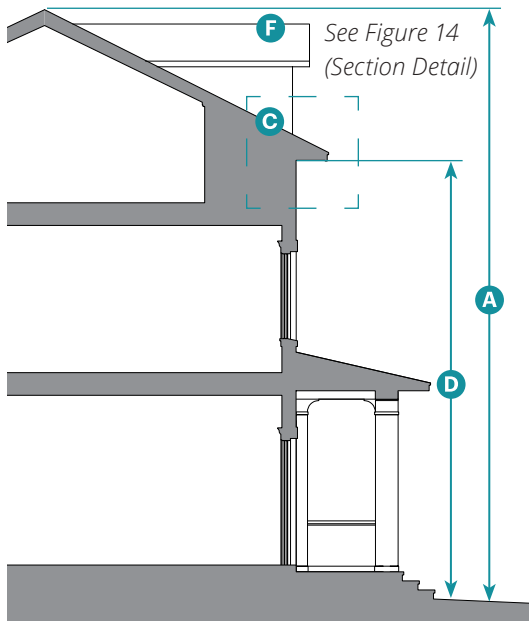
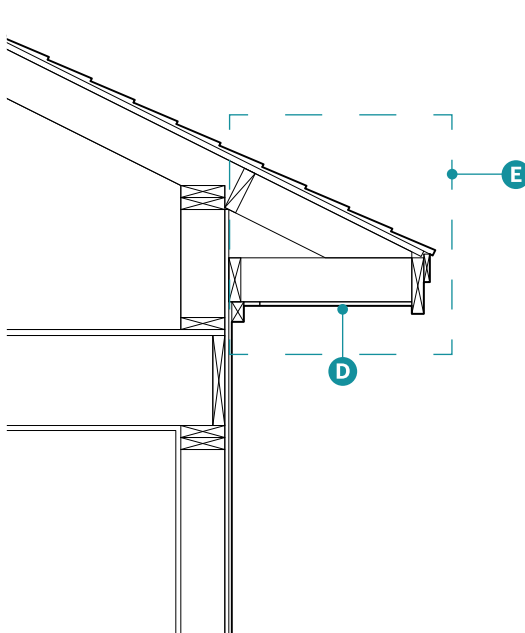


Figure 22.11.030.14: Section Detail of Highest Eave for Pitched Roof



*This page intentionally left blank*

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Robert Zadnik, City Manager

Subject: A Resolution Authorizing the Continuation of Remote Public Meetings Pursuant to Assembly Bill 361

---

---

**RECOMMENDATION**

That the City Council adopt a Resolution authorizing the continued use of remote meetings pursuant to Assembly Bill 361 and give direction to staff as necessary.

**BACKGROUND**

At its October 11, 2021, regular meeting, the City Council adopted Resolution 2021-41 authorizing the continuation of virtual public city meetings during the continuing state of emergency relating to the COVID1-19 pandemic for the 30-day period beginning October 11, 2021 and making the required findings pursuant to AB 361. Subsequently, City Council adopted Resolutions 2021-44, 2021-45, 2022-03, and 2022-06, 2022-12, 2022-20, and 2022-26 allowing meetings to be held via teleconference.

In order to continue to hold remote meetings, the City Council must continue to declare every 30 days that (i) the state of emergency continues to be in place; and (ii) State or local officials continue to impose or recommend measures to promote social distancing; or (iii) as a result of the declared emergency, meeting in-person would result in an imminent risk to the health or safety of attendees.

The attached resolution makes the findings to confirm the conditions still exist to allow the continuation of virtual public meetings pursuant to AB 361 for the City Council and on behalf all lower legislative bodies in the City.

The attached resolution anticipates and authorizes remote meetings including hybrid meetings held both via teleconference and in-person. This resolution will allow members of the public to safely observe and participate in local government teleconference meetings during the continued pandemic.

**ENVIRONMENTAL DETERMINATION**

A meeting format determination under AB 361 is not a “project” under the California Environmental Quality Act, because it does not involve an activity that has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Pub. Res. Code § 21065).

**CORRESPONDENCE**

As of the writing of this report, no correspondence has been received regarding this agenda item.

**RECOMMENDED ACTION**

That the City Council adopt the Resolution authorizing the continued use of remote meetings pursuant to Assembly Bill 361 and give direction to staff as necessary.

**ATTACHMENT**

1. Resolution.

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
AUTHORIZING THE CONTINUATION OF VIRTUAL PUBLIC CITY MEETINGS  
DURING THE CONTINUING STATE OF EMERGENCY RELATING TO THE COVID-  
19 PANDEMIC PURSUANT TO ASSEMBLY BILL 361**

---

**WHEREAS**, on March 4, 2020 Governor Newsom declared a State of Emergency pursuant to Government Code section 8625 due to the COVID-19 pandemic, which State of Emergency remains in effect; and

**WHEREAS**, State Executive Orders N-25-20 and N-29-20, suspended certain provisions of the Brown Act (Gov. Code, §§ 54950 *et seq.*) to allow public meetings to be held virtually without opening a physical space to the public, which provisions expired September 30, 2021; and

**WHEREAS**, effective September 16, 2021, Assembly Bill 361 allows local agencies to continue to hold remote public meetings through December 31, 2023 when there is a State-declared emergency, and when state or local officials have imposed or recommended measures to promote social distancing or as a result of the declared emergency, meeting in-person would result in an imminent risk to the health or safety of attendees; and

**WHEREAS**, the Government Code section 8625 State of Emergency remains in effect; and

**WHEREAS**, state and local officials continue to impose and recommend measures to promote social distancing due to the continued rates of transmission of the COVID-19 virus and variants as follows:

- a. The Marin County Public Health Department continues to recommend the use of masking indoors.
- b. On September 22, 2021, the Marin County Director of Health and Human Services, Benita McLarin, issued a letter recommending continued social distancing for governmental meetings, including the use of video and teleconference meetings.

**WHEREAS**, public meetings involve many people in shared indoor spaces, in close proximity for hours, and City meetings rooms have limited mechanical and natural ventilation, creating a health risk for members of the public at this time; and

**WHEREAS**, as a result of the continuing declared emergency, public meetings in-person would result in an imminent risk to the health or safety of attendees.

**WHEREAS**, a meeting format determination under AB 361 is not a “project” under the California Environmental Quality Act, because it does not involve an activity that has the potential to cause

a direct or reasonably foreseeable indirect physical change in the environment. (Pub. Res. Code § 21065.)

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Belvedere, based on the findings set forth above and incorporated herein, that public meetings of the City's legislative bodies shall be held using remote technology in compliance with the requirements of Government Code section 54953(e) and all other applicable laws for thirty (30) days following the date of adoption of this Resolution.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

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

**PUBLIC HEARING**

**BELVEDERE CITY COUNCIL**  
**July 11, 2022**

---

To: Mayor and City Council

From: Brian Van Son, Building Official

Reviewed By: Robert Zadnik, City Manager  
Irene Borba, Director of Planning & Building  
Amy Ackerman, City Attorney

**Subject:** Appeal of Construction Time Limit (CTL) Penalties Assessed to 339 Golden Gate Avenue under Building Permit #2017-173.

---

**Recommended Motion/Item Description**

- 1) Open and conduct a public hearing for the appeal of Construction Time Limit penalties assessed to the property owners of 339 Golden Gate Avenue.
- 2) Conclude the public hearing and affirm, deny, or modify the appeal and assessed penalties.

**Background/Timeline**

On February 15, 2017, an application for Design Review was submitted to the Planning Department for the remodel of an existing 8,894 square foot residence, demolition and reconstruction of an existing garage, and subsequent landscape improvements throughout the property. The proposed project valuation was submitted as \$4,000,000. Based on the date of the Design Review Application, the project was governed by the Belvedere Municipal Code CTL ordinance in effect at that time. This Code established fees at:

- \$600/day for the first 60 days for the unfinished project
- \$900/day for days 61-120
- \$1,200/day for every day after day 120 until a maximum penalty of \$300,000 is reached (**Attachment 1**).

The application was reviewed by staff through the Design Review process and brought to the May 16, 2017, Planning Commission Meeting. The project was heard and approved during that Planning Commission Meeting, with an added Condition of Approval stating that the final landscape/lighting plan was to be reviewed and approved by the Planning Commission.

Staff report - <http://www.cityofbelvedere.org/DocumentCenter/View/3398/Item-7-web?bidId=>  
Plans - <http://www.cityofbelvedere.org/DocumentCenter/View/3412/Item-7--plans---full?bidId=>

This approval by the Planning Commission was appealed by the neighbors to the City Council, and the appeal hearing was held on June 12, 2017. The Council ultimately denied the appeal and upheld the decision of the Commission.

*Staff Report* - <https://www.cityofbelvedere.org/DocumentCenter/View/3416/Item-10?bidId=>

On August 15, 2017, a Planning Commission meeting was held for consideration of the final landscaping, lighting, and wall and fencing plan.

*Staff Report* - <https://www.cityofbelvedere.org/DocumentCenter/View/3507/Item-4-web?bidId=>  
*Plans* - <https://www.cityofbelvedere.org/DocumentCenter/View/3509/Item-4-Plans?bidId=>

Planning Commission Resolution No. 2017-059, adopted by the Planning Commission on August 15, 2017, included additional conditions pertaining to the final lighting and landscaping:

- a) Plans submitted for building permit shall include all exterior lighting, including landscape lighting for review by the Chair of the Planning Commission and Planning Staff to ensure that all exterior lighting shall be directed downward. Upon planning final, planning shall inspect said exterior lighting to ensure it is appropriately installed.
- b) Prior to the issuance of a Building Permit, a final landscape plan shall be submitted for the review and approval by the Planning Commission Chair and Staff. The final landscape plan shall identify, but not be limited to, such criteria as the type of plants and trees and quantities of each.

The final landscaping, lighting, and wall and fencing plan approved by the Planning Commission was appealed to the City Council. The appeal hearing was held by the Council on September 11, 2017.

*Staff Report* - <http://www.cityofbelvedere.org/DocumentCenter/View/3550/Item-9?bidId=>

The Council ultimately denied the appeal and upheld the decision of the Planning Commission, with additional conditions requiring the removal of a fence and gate across Eucalyptus Lane and ensuring the brownstone wall proposed for the berm along the front of the property did not encroach further into the Golden Gate Avenue public right-of-way.

Per a condition from Planning Commission Resolution No. 2017-059, the final landscaping and lighting was to be reviewed by the Commission Chair and staff. The Planning Commission Chair and planning staff reviewed & approved the final landscape and lighting plan on November 3, 2017.

In May of 2018, an Exemption from Design Review was approved for modifications to approved plans for landscaping and other site improvements. The modifications included changes to the approved plans for landscaping for new site retaining walls (at rear of property), stairs and walkways, and other site improvements.

Additional application requests reviewed/approved include:

- 3/19/2019 – Exemption for retaining wall behind and to the side of the garage.



- 5/2/2019 – Exemption from design review for minor modifications to approved plans --- approved to add columns to a retaining wall.
- 5/13/2019 – Design Review Exception for the installation of a flagpole.
- 9/11/2019 – Exemption from design review for revisions to retaining wall layout at patio in area of arbor to accommodate existing grades.
- 9/26/2019 – Exemption from design review for addition of a cap detail to the privacy wall at front of property.
- 11/1/2019 – Exemption from design review for the extension of brick area at front of residence.
- 1/16/2020 – Exemption to remove an arbor (left side of residence adjacent to hot tub area) from scope of work.
- 7/21/2020 – Design Review application as submitted by the property owner was reviewed for retroactive design review for landscaping and exterior lighting, as well as other site improvements such as an arbor, guard railing, and trellis improvements to the existing residence. Portions of the proposal included retroactive design review approval for the landscaping and lighting that had already been planted or installed without prior planning review/approval. The staff report and associated documents are public record and can be viewed through the following links:

<https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/330?fileID=652>

<https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/330?fileID=651>

<https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/330?fileID=656>

The meeting minutes from the July Commission meeting can be located here:

<https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/342?fileID=659>

At the July 2020 Planning Commission meeting, the Commission heard from staff, the property owner, and the neighbors. The project proposal was discussed; however, the Commission continued the item and requested additional information & clarification. The meeting was continued to the August 18, 2020, Planning Commission meeting.

*Staff Report* - <https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/344?fileID=668>

*Attachments* - <https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/344?fileID=669>

*Meeting Minutes* - <https://www.cityofbelvedere.org/AgendaCenter/ViewFile/Item/358?fileID=696>

The Commission ultimately approved, via Resolution No. 2020-029, the proposed project with additional/specific conditions of approval including the following:

- ❖ All exterior lights on all sides of the tower shall be permanently disconnected including the foot/step lights.
- ❖ The two alcove lights at the second floor west facing covered balcony shall be permanently disconnected.
- ❖ The eight door alcove lights at the rear deck shall be permanently disconnected.

- ❖ The four (4) mushroom lights in the revocable license area in the vicinity of the pedestrian gate shall be removed or replaced with more appropriate ground level lighting.
- ❖ Electrical connectivity shall be completely and permanently removed from each of the above noted lights, subject to the inspection and approval of the Building Official in his direction.
- ❖ All light dimming described in the narrative as submitted by the property owner and dated Received by the City of Belvedere on August 9, 2020, shall be maintained with no future alteration. Additionally, the property owner shall create a dimming schedule to be reviewed/approved by the Commission Chair and Staff. This is to include on/off times and light reduction percentage commitments for landscape lighting, path and step lighting, and garage lighting subject to the approval of the Director of Planning and Building and the Planning Commission Chair.
- ❖ No additional exterior lighting shall be installed beyond the approved Planning Commission plans and narrative as submitted by the property owner and dated Received by the City of Belvedere on August 9, 2020, and approved in the August 18, 2020, Planning Meeting.
- ❖ The Olive trees flanking the driveway entrance shall be removed. The property owner may relocate these Olive trees elsewhere on the property, subject to the approval of the Director of Planning and Building and the Planning Commission Chair. Alternatively, the property may adhere to the approved landscaping plan for this area.
- ❖ Pursuant to the Belvedere Municipal Code, a hedge, as defined in Section 8.28.020, may exceed the height limit for fences where the extra height is agreed upon in writing by all immediately adjacent neighbors. Therefore, prior to planning final, the property owner shall obtain and provide to the planning department the signatures/approvals from the appropriate neighboring property owners indicating their approval/support for the height of hedge planted along the property boundary. If said written neighbor approval is not received, then plantings shall be installed in the same area that do not constitute a hedge, subject to the approval of the Planning and Building Director.

Additional application requests reviewed/approved included:

- August 31, 2020 – an Exemption from design review was submitted to modify the approved metal railings/gates around the property to wood & some to wood and wire.
- February 1, 2021 – an Exemption from design review was submitted to remove from the scope of work, a metal trellis that was to be installed on the residence, a wooden planter box in the tower deck area. The Exemption also included a request to install three (3) Olive trees on the lower part of the property. **Note:** The three (3) Olive trees requested as part of this Exemption were *not* approved by staff.

- In 2021, the property owner applied for Design Review for landscaping improvements. The proposal pertained to the two *existing* Olive trees at the driveway entrance. This item was to be heard at the March 16, 2021, Planning Commission meeting but was pulled off the agenda prior to the meeting.

On July 27, 2017, a Building Permit Application and related construction documentation was subsequently submitted. The initial submittal consisted of the remodel of the existing Single-Family Dwelling (SFD) along with the demolition and reconstruction of the existing garage. The landscape and site improvements were to be a *deferred submittal* associated with Building Permit # 2017-173.

The project was routed to the applicable departments and other outside jurisdictional authorities for review of local and state code compliance. Once deemed complete, the building permit application was approved and set for permit issuance. Prior to the issuance of the building permit, a Pre-Construction Meeting was held and attended by representatives from the City's Building, Planning, Public Works, and Police Departments, the Tiburon Fire Protection District, and the property owner and contractor. The building permit was issued on November 28, 2017, and, per Belvedere Municipal Code (BMC) section 20.04.035; table C1, established an eighteen (18) month timeline for project completion. This permit issue date established a CTL sunset date of May 28, 2019.

On August 30, 2018, the landscape & site improvement plans were submitted to the Building Department. The submitted plans and construction documents were then routed to the applicable departments for review. The initial landscape plans required some revision and, after a resubmittal, were approved on February 6, 2019, as a deferred submittal to the SFD remodel project under building permit #2017-173. Once the submittal was deemed complete and approved by the Building Department, the landscape and site improvement construction could commence. In compliance with BMC section 20.04.035, the scope of the landscape work was required to be completed by the CTL sunset date established by the issuance of building permit # 2017-173.

Following the issuance of the building permit, construction commenced, and regular inspections were conducted in order to verify compliance with applicable codes and approved plans. The CTL sunset date was reached without the project being finalized. The following day, May 29, 2019, the Building Department sent the 30-day CTL notification letter (grace period letter) to the property owner, notifying the property owners that the project was to be completed by June 29, 2019, or fines would begin to be assessed (**Attachment 2**).

On August 23, 2019, the SFD was inspected and deemed safe for habitation. A Temporary Certificate of Occupancy (TCO) was issued for the residence at 339 Golden Gate Ave. (**Attachment 3**). Per Belvedere Administrative Policy Manual (APM) number 14.4 (**Attachment 4**), the issuance of the TCO in a remodel does not constitute a final approval.

On March 31, 2020, the County of Marin issued a pandemic-related health order revision. In addition to the State Health Order enacted on March 4, 2020, this Order restricted all construction activity within the County unless such activity was necessary to safely secure a job site or to ensure the existing habitability of an occupied residence. This order was in effect for a total of 34 days.

Effective September 28, 2020, the State Legislature passed AB 1561, providing a “uniform statewide entitlement extension”. This statute required municipalities to grant a maximum eighteen (18) month extension to some “housing entitlements”. It was preliminarily determined by staff and the City Attorney that the project at 339 Golden Gate Avenue complied with parameters set forth in the Assembly Bill and that the project would receive the automatic 18-month extension. Following further review and analysis of the bill, it was determined that construction projects, for which the CTL timeline had expired prior to the start of the COVID Pandemic, would not qualify for the COVID CTL relief as established by AB 1561. Once this determination was made, the property owner was sent an official City letter notifying them of the City’s decision. This letter was sent on August 17, 2021 (**Attachment 5**).

Construction on the site improvements continued as the CTL fines accrued. As the project neared completion, the Building Department conducted numerous pre-final inspections in an attempt to provide clear and concise instruction to the contractor and property owner on how to obtain a final approval for the permitted project. On December 2, 2020, the Building Department conducted a final inspection, and the project was deemed safe and complete in the context of Building Department authority and requirements.

Following the Building Department’s finalization of the building permit, only minor landscape aspects of the permit remained to be completed. This included the planting of trees, bushes, and various plants, along with the installation of the irrigation system and placement of ground cover. On March 21, 2022, this remaining work was completed, inspected, and approved by the Planning Department, ultimately ending the CTL timeline.

Once the project was finalized, a CTL penalty letter was sent to the property owner on April 28, 2022, notifying them of the imposed CTL penalties (**Attachment 6**). The property owners subsequently submitted their appeal of the penalties on May 9, 2022, in compliance with BMC section 20.04.035:F:1 (**Attachment 7**).

### **Applicant’s Reasons for Appeal**

In the letter referenced above, the property owners and their attorney provided a number of reasons why they believe the project penalties should be waived or decreased. Those reasons consist of:

- 1) Reasons for delay beyond the control of the Applicant, including;**
  - A) Lack of an issuance of a CTL compliance order for the landscape scope of work;
  - B) Effects on construction due to the 2017 Tubbs Fire;
  - C) Unusually heavy precipitation during the 2018 winter;
  - D) An unusually high number of complaints and appeals on the project;

- 
- E) Work by City Contractors on the adjacent lane and the elect. undergrounding district delaying the private construction;
  - F) Denial of olive tree determination appeal by the Planning Commission;
  - G) COVID; and
  - H) Repairing a failed underground retaining wall unknown to the contractor and owner.
- 2) **Legal impediments to assessing CTL fines, including;**
- A) Not being awarded the timeline extension provided in AB 1561;
  - B) City staff notifying the property owner the project would be awarded the extension provided in AB 1561;
  - C) Project stoppage from Marin County Health Services Order on March 31, 2020; and
  - D) The City's April 13, 2022 Urgency Ordinance for CTL Relief
- 3) **Prevention and Interference by a sitting Planning Commissioner regarding administrative approvals and/or a Planning Commission Hearing; and**
- 4) **Equitable Considerations.**

### Appeal Analysis

#### **1) Reasons for delay beyond the control of the Applicant:**

1A) Lack of an issuance of a CTL compliance order for the landscape scope of work: Building Department policy number BD-7 (**Attachment 8**) identifies the process/procedure for assessing a CTL timeline for a project with deferred submittals and/or multiple building permits. This policy and historical past City practice has been to establish a CTL sunset date based upon the issuance date of the main project building permit. In this case, that would be the issuance of the residential remodel permit, # 2017-173. Therefore, all subsequent ancillary building permits and/or deferred submittals for the project are subject to the CTL sunset date established by the issuance of the initial building permit. Furthermore, an additional Compliance Order is not required to be issued regardless of the landscape project being a deferred submittal or issued as a secondary building permit.

1B) Effects on construction due to the 2017 Tubbs Fire (North Bay Fires): Large significant fires in Napa and Sonoma County ignited on October 8th and 9th, 2017. These fires burned thousands of acres of land and destroyed over 7,800 properties before being contained on October 31, 2017. At the time, Belvedere City Council approved Ordinance No. 2018-2, providing eight (8) weeks of CTL relief for construction projects with an open building permit during October/November 2017. The initial remodel permit for 339 Golden Gate Avenue (BP# 2017-173) was issued on November 28, 2017. While qualifying for the relief based on the issuance date of the permit, it is unreasonable to apply this benefit to a project that had yet to commence construction or receive an active building permit until the end of the Ordinance timeframe. Should relief be given under this Ordinance, the amount of relief time given should correspond with the issuance of

the building permit. Therefore, the amount of CTL time relief given would be three (3) days.

1C) Unusually heavy precipitation during the 2018 winter:

The 2018 winter did have unusually heavy precipitation. However, at this time, only the residential remodel scope of work had been approved. A majority of this work was in the structure's interior, and the heavy rains would have had a minimal effect on the project. Additionally, the deferred submittal of the proposed site improvements had yet to be approved (approved 2/6/2019), and the extent of the exterior improvements was minor. Therefore, the condition of the soil would have had minimal impact on the overall project.

1D) An unusually high number of complaints and appeals on the project:

It is not unusual in Belvedere to receive complaints from neighbors or citizens for construction projects. Throughout the course of this project, City staff did receive numerous complaints. Most consisted of construction worker parking exceeding the allowable limit, parking in areas not approved for vehicle parking, and violation of work hours. While many of these complaints were frivolous, some were determined to be valid and resulted in immediate corrective action. All time spent conducting corrective actions should not be awarded, as the corrective action was warranted and caused *by* the ongoing construction project. Should the complaint be determined to be invalid or involve a separate project, there would have been no impact on the project besides a brief conversation with the contractor/foreman/property owner, as no corrective action would have been required.

With regard to specific complaints concerning the lighting and front wall, the complaints about the project were valid and the corrective actions were warranted. CTL credit should not be given for the time taken to make corrective measures while enforcing valid Code/Policy violations. Concerning the surveying of the frontage walls, it is not unusual for the Building or Planning Departments to require a survey in order to verify the location of the construction of the wall(s), in compliance with the approved site plan and survey. The scope of the work for this project included the construction of a three (3) foot tall garden wall immediately adjacent the Golden Gate Avenue roadway in addition to a larger wall set back from the roadway, running the entire length of the property. The locations and heights of these walls were required to be surveyed by the Building Department in order to verify the approved height and location.

1E) Work by City Contractors on the adjacent lane and the elect. underground district delaying the private construction:

These adjacent projects took place in the public Right of Way with scheduling overlaps for the 339 Golden Gate Avenue project. All contractors are required to apply for encroachment permits and road closure permits. These are issued on a first come, first served basis, excluding emergencies. Delivery and access routes for surrounding projects may change as a result of road closures or encroachment permits; however, the city was not made aware of any instance where the Golden Gate Lane or Golden Gate/Belvedere

Utility Undergrounding District projects delayed construction for the 339 Golden Gate Avenue project.

1F) Denial of olive tree determination appeal by the Planning Commission:

As noted above, in 2020, the property owner applied for *retroactive* design review for landscaping and exterior lighting as well as other improvements such as an arbor, guard rails, and trellis improvements. Portions of the proposal included design review approval for the landscaping and lighting that had already been planted or installed (retroactive). In August of 2020, the Planning Commission approved the proposed project revisions (via Resolution No. 2020-029) with several conditions including the following one pertaining to the two Olive trees at the drive entrance:

“The Olive trees flanking the driveway entrance shall be removed. The property owner may relocate these Olive trees elsewhere on the property, subject to the approval of the Director of Planning and Building and the Planning Commission Chair. Alternatively, the property may adhere to the approved landscaping plan for this area.”

Staff notes that the property owner *did not* appeal the decision of the Planning Commission.

Additionally, in January 2021, the property owner applied for Design Review for three Olives trees proposed to be installed at the rear of the property. The application included the two *existing* Olive trees at the front of the property flanking the driveway entrance which had been denied by the Planning Commission in August of 2020. As noted above, the property owner did not appeal the August 2020 decision of the Planning Commission.

This was initially scheduled for the March 16, 2021, Planning Commission meeting but the item was pulled from the agenda based on the absence of significant new information related to an item previously denied by the Planning Commission.

The requested applications were processed in accordance with the Belvedere Municipal Code.

1G) COVID:

The project had been ongoing for over two years prior to the worldwide outbreak of COVID-19. The project was already nine (9) months past the CTL expiration date, including the 30-day grace period. Should the North Bay Fire time relief be given, the project would have been seven (7) months past due. Had the project complied with the original requirement of being completed by 6/28/19, the COVID pandemic would have had no bearing on the project. The project had well surpassed the CTL sunset date long before the pandemic.

1H) Repairing a failed underground retaining wall unknown to the contractor and owner:

Once the landscape/site work began, an unknown, deteriorated retaining wall was discovered at the south side of the property. This work did have an impact on the overall project timeline. It took additional time to redesign, submit revisions for approval, and construct the new wall. Additionally, as part of this work, the property owner was required to replace/repair Marin Municipal Water District waterlines into the roadway. It was unclear to staff how long the project was delayed due to this additional work. It should also be noted that this work commenced without the proper City approvals and much of the delay may have been avoided had the scope of work had been submitted to the City for review prior to initiating the work.

**2) Legal impediments to assessing CTL fines:**

2A) Not being awarded the timeline extension provided in AB 1561:

This Assembly Bill was enacted on September 28, 2020, with the intent of providing a uniform statewide entitlement extension for all housing developments impacted by pandemic related issues. The Bill provided an eighteen (18) month extension for housing entitlements for qualifying housing development projects. The Bill did not define "housing development projects". The entitlements had to be open/ongoing prior to March 4, 2020, and the entitlements had to expire prior to December 31, 2021. City staff reviewed the Bill with the City Attorney and determined that the 339 Golden Gate Avenue project met these parameters. The property owner was contacted and notified that their project would qualify for this relief. After further discussion, it was determined that the project did not qualify for the extension, due to the fact that the CTL entitlement expired prior to the March 4, 2020, date. Additionally, the Bill limited the total extension time to eighteen months, inclusive of all other local and/or State extensions. Lastly, should the extension provided in AB 1561 be awarded to the project, the project would still go into penalty, and the maximum penalty of \$300,000 would have been reached on February 19, 2021. This can be seen in the calculation below titled, "CTL Timeline with AB 1561 Extension".

2B) City staff notifying the property owner the project would be awarded the extension provided in AB 1561:

As discussed in the paragraph above, City staff did notify the property owner that the project would be awarded the extension provided by AB 1561. However, it was later determined that the project would not receive the extension. As stated above and documented in the calculation below, the project would have reached the maximum CTL penalty on February 19, 2021.

2C) Project stoppage from Marin County Health Services Order on March 31, 2020:

Like all open construction projects in Marin County, the 339 Golden Gate Avenue project was paused by the County Health Services Order enacted on March 31, 2020. The Order paused all non-essential construction projects for 34 days. In response, Belvedere City Council held a duly noticed meeting on April 13, 2020 and passed an urgency ordinance



to provide relief for affected construction projects. The intent of the ordinance was to provide CTL relief for the 34 days of inactivity with an additional 30 days awarded for the remobilization of the construction crews. As stated previously, had the project been completed in the timeframe originally provided, the pandemic stoppages would have had no impact on the project. Furthermore, should the project be awarded the CTL urgency ordinance, in conjunction with the North Bay Fires CTL urgency ordinance and the landscape extension, the maximum CTL penalty of \$300,000 would have been reached on November 24, 2020. This can be seen in the calculation titled, "CTL Timeline w/o AB 1561 Extension", provided below.

2D) The City's April 13, 2022, Urgency Ordinance for CTL Relief:

An explanation was provided in the previous paragraph (2C).

### **3) Prevention and Interference by a sitting Planning Commissioner regarding administrative approvals and/or a Planning Commission Hearing:**

The Design Review applications were processed in accordance with the Belvedere Municipal Code, Title 20. The code specifically states that administrative approvals (Design Review Exceptions) are to be reviewed and approved by the Director of Planning & Building, the Chair of the Planning Commission, and the City Manager. The code further states that should any of the City representatives determine that an application is not minor in scope, the design review exception shall not be granted and shall be considered as a regular design review application before the Planning Commission. (Section 20.02.020 (3)).

### **4) Equitable Considerations:**

The contributions by the property owners to the City of Belvedere are not in question—neither is the quality of the construction or the finished product. Section 20.04.035 of the BMC does not list exceptions to the assessment of CTL fines based on the contributions of a property owner to the City. The section clearly delineates reasons beyond the control of the applicant that would provide for CTL relief, and contributions to the City is not a cited reason. At no time was the property owner notified that contributing funds, work, workers, or any other claimed contributions to the City of Belvedere would impact the overall assessment of CTL fines.

### **CTL Timeline Penalty Analysis**

#### CTL Timeline with AB 1561 Extension:

Building permit issuance - 11/28/17 + 18-month CTL - 05/28/19 + 18-month AB 1561 - 11/28/20 + 30-day grace period - 12/28/20 + 1<sup>st</sup> 60 days @ \$600/day - 02/28/20 (\$36,000) + 2<sup>nd</sup> 60 days @ \$900/day - 04/28/20 (\$54,000 + \$36,000 = \$90,000) + next 175 days @ \$1200/day -

02/19/21 (\$210,000 + \$90,000 = \$300,000). Maximum penalty of \$300,000 reached on February 19, 2021.

*CTL Timeline w/o AB 1561 Extension:*

Building permit issuance – 11/28/17 + 18-month CTL – 05/28/19 + 2-month North Bay Fire CTL Extension – 07/28/19 + 64-day COVID CTL Extension – 10/02/19 + 90-day Landscape Extension – 01/02/20 + 30-day grace period – 02/02/20 + 1<sup>st</sup> 60 days @ \$600/day – (\$36,000) – 04/02/20 + 2<sup>nd</sup> 60 days @ \$900/day – 06/02/20 (\$54,000 + \$36,000 = \$90,000) – next 175 days @ \$1200/day – 11/24/20 (\$210,000 + \$90,000 + \$300,000). Maximum penalty of \$300,000 reached on November 24, 2020.

**Conclusion**

The ultimate goal of the CTL Code is to limit/prevent large scale construction projects from continuing for years at a time consistently disrupting the surrounding neighborhood and monopolizing the City’s roadways for private improvements. The 339 Golden Gate Avenue project took nearly four and half years to complete. Even with the application of CTL extensions to the project, the maximum penalty has been reached. Applying the extensions is inconsequential to the overall total fine amount for the project. The maximum penalty was reached due to the overall length of the project of four and a half years.

**Recommendation**

Staff recommends that the City Council:

- 1) Open and conduct a public hearing for the appeal of Construction Time Limit penalties assessed to the property owners of 339 Golden Gate Avenue
- 2) Conclude the public hearing and affirm, deny, or modify the appeal and assessed penalties.

**Attachments**

- 1) BMC Municipal Code section 20.04.035
- 2) 30-day Grace Period Letter
- 3) Temporary Certificate of Occupancy
- 4) APM Policy No. 14.4
- 5) AB 1561/CTL Letter
- 6) CTL Penalty Letter
- 7) CTL Penalty Appeal Letter
- 8) Building Policy BD-7
- 9) Resolution for Consideration

**CITY OF BELVEDERE**

**ORDINANCE NO. 2016-3**

**AN ORDINANCE OF THE CITY OF BELVEDERE  
AMENDING SECTION 20.04.035, "TIME LIMITS FOR CONSTRUCTION,"  
OF THE BELVEDERE MUNICIPAL CODE TO INCREASE THE CONSTRUCTION  
TIME LIMIT MAXIMUM FINE AMOUNT, INCREASE THE RATES OF DAILY  
FINES, AND OTHER MINOR UPDATES**

---

**THE CITY COUNCIL OF THE CITY OF BELVEDERE DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Findings.**

- A. The City Council finds that, for high cost projects, the current \$200,000 maximum fine does not always incentivize property owners to complete construction projects within the established construction time limits, and that a higher maximum total fine is justified.
- B. The daily fine rates have stayed the same for over 14 years. Per the Consumer Price Index the cumulative inflation rate has been 32% during this period. The fine rates set in 2002 don't have the same financial impact or incentive they once had.
- C. To conform to other appeal processes in Belvedere, Section 20.04.035 E. 4. must be amended to clarify that the ten calendar day period in which to file an appeal of a CTL penalty would be extended to the next available working day when the 10<sup>th</sup> day falls on a day that City offices are closed for public business, etc.

**SECTION 2. Amendment.** Subsection E of Section 20.04.035, "Effect of Failure to Comply with Timeline," of the Belvedere Municipal Code is hereby amended to read as follows:

E. Effect of Failure to Comply With Timeline.

1. Upon failure of the applicant to complete construction by the established time limit, the Building Official shall issue a compliance order setting a date 30 days from the date of such order within which time the applicant shall be required to complete the construction, and advising the applicant that the following penalties shall be imposed if the applicant fails to comply with said order:

a. For the initial 60 days that the project remains incomplete beyond the compliance order deadline: a penalty of ~~\$400~~ \$600 per day;

b. For the next 60 days (i.e., the 61st through the 120th day) beyond the compliance order deadline during which the project remains incomplete: an additional penalty of ~~\$600~~ \$900 per day; and

c. For any additional days (i.e., the 121st and subsequent days) beyond the compliance order deadline during which the project remains incomplete: an additional penalty of ~~\$800~~ \$1,200 per day, up to an overall maximum penalty of the lesser of 10% of the project valuation or ~~\$200,000~~ \$300,000. If necessary, the City may require that the project valuation be determined by an independent third party selected by the City at the cost of the property owner.

2. New construction shall be deemed completed for purposes of this Section upon the issuance by the City of a certificate of occupancy, per City Policy No. 302.06. A remodel shall be deemed completed for purposes of this Section per City Policy No. 302.06.

3. The applicant shall be notified in writing of the amount of any penalty imposed pursuant to this Section. Notice shall be served as provided in Section 1.14.040 of this Code. Service shall be deemed complete upon mailing or posting as required in that Section. Penalties imposed pursuant to this Section shall be paid within 60 calendar days of the date of the notice of penalty.

4. A penalty imposed pursuant to this Section may be appealed by an appeal filed in writing with the Deputy City Clerk no later than 10 calendar days from the date of service of the notice of the penalty, with payment of an appeal fee as established by City Council resolution. For purposes of filing an appeal, if the final day to appeal falls on a City Hall observed holiday or a day when City Hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. Upon receipt of an appeal of the penalty pursuant to this Section, the appeal shall be reviewed by an appeals committee consisting of the City's Building Official, City Planner, Public Works Manager, and City Manager. The appeals committee shall conduct a meeting with the project contractor, architect and, at the applicant's option, the applicant and/or any other designated representative(s). The appeals committee may consider any evidence provided by the applicant in determination of the appeal, and shall consider, based on the evidence presented, whether the applicant was unable to comply with the construction time limit for reasons beyond the control of the applicant and/or his or her representatives. For purposes of this Section, reasons beyond the control of the applicant and/or his or her representatives shall include, but not be limited to: administrative appeals of the project filed by third parties; delays required by the unforeseen discovery of archeological remains on the building site; labor stoppages; acts of war or terrorism; and natural disasters. For the purposes of this Section, reasons beyond the control of the applicant and/or his or her representatives shall not include: delays caused by the winter rainy season; failure of the applicant and/or his or her representatives to adequately protect the job site from damage due to the normal winter rainy season; failure of subcontractors to complete their work according to schedule; the use of custom and/or imported materials; the use of highly specialized subcontractors;

significant, numerous, and/or late design changes; or by failure of materials suppliers to provide said materials in a timely manner.

5. Table No. 2. The appeals committee may grant a credit of a certain number of construction time limit days for projects which have incurred a penalty but have employed dismantling techniques, as approved in the project waste management plan, in the deconstruction of a building. The number of credit days shall not exceed the following:

Table No. 2: Allowable Credit Days for Dismantling Purposes Regarding Construction and Demolition Debris Diversion

Dismantling Category	Description of Dismantling Categories	Credit Days
Category I	Removal of interior features, including cabinets, plumbing and electrical fixtures	2 Days
Category II	Buildings of 1000 – 2500 sq. ft.	5 Days
Category III	Buildings of 2501 – 4000 sq. ft.	10 Days
Category IV	Buildings of 4001 sq. ft. and greater	15 Days

6. The appeals committee shall make a written recommendation to the City Council whether the applicant's appeal should be granted or denied. The City Council shall thereafter hold a public hearing on the appeal and shall affirm or modify the penalty.

7. Any penalty finally imposed pursuant to this Section shall constitute a lien on the applicant's property, to be imposed, recorded and satisfied as provided in Sections 1.14.160 through 1.14.190 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** on June 13, 2016, and adopted at a regular meeting of the Belvedere City Council on July 11, 2016, by the following vote:

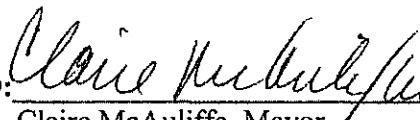
**AYES:** James Campbell, Sandra Donnell, Bob McCaskill, Marty Winter, and Mayor  
Claire McAuliffe

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**APPROVED:**

  
\_\_\_\_\_  
Claire McAuliffe, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Alison Foulis, City Clerk

## CERTIFICATION OF CITY ORDINANCE POSTING AND PUBLICATION

I, Alison Foulis, City Clerk of the City of Belvedere, hereby certify regarding the document to which this certificate is annexed:

- (a) It is a true and correct copy of the City ordinance.
- (b) The number of the ordinance is 2016-3.
- (c) A Notice of Public Hearing for the June 13, 2016, introduction and first reading of the ordinance was posted in front of City Hall on May 17, 2016, and published twice in *The Marin Independent Journal*, a newspaper of general circulation published in the county and circulated in the City, on May 18, 2016, and June 3, 2016.
- (d) A Summary of the Proposed Ordinance notice was posted on June 27, 2016, in front of City Hall. The notice included a statement that a certified copy of the full text of the proposed ordinance is available for public review in the Office of the City Clerk.
- (e) The same Summary of Proposed Ordinance notice was published on June 29, 2016, in *The Ark*, a newspaper of general circulation published in the County of Marin and circulated in the City of Belvedere.
- (f) A Notice of Adoption of Ordinance, including the full text of the ordinance, with the names and votes of those city council members voting on the adoption of the ordinance, was published within 15 days after the passage of the ordinance on July 11, 2016, to wit on July 20, 2016, in *The Ark*, a newspaper of general circulation published in the county and circulated in the City. A copy of the same notice was posted in front of City Hall on July 13, 2016.
- (g) A certified copy of the full text of the adopted ordinance, including all attachments and the names of those voting for and against the ordinance was made available for public review in the Office of the City Clerk from July 13, 2016.

WITNESS my hand and the official city seal of the City of Belvedere.

 (Seal)  
Alison Foulis, City Clerk

Dated: 08/05/2016





---

---

***CITY of BELVEDERE***

450 San Rafael Avenue • Belvedere CA 94920

Tel.: 415/435-3838 • Fax: 415/435-0430

---

---

May 29, 2019

**POSTED ON JOB SITE**

339 Golden Gate Avenue LLC  
POB 974  
Tiburon CA 94920

Subject: Compliance Order  
339 Golden Gate Ave — Assessor's Parcel Number 060-202-04

Dear 339 Golden Gate Avenue LLC:

The purpose of this letter is to inform you our records show that Construction Permit No. 2017-173 issued to you or your contractor on November 28, 2017 for a remodel of the residence, demolition and new garage was supposed to be finalized no later than May 28, 2019.

The City Council adopted the construction timeline ordinance in 1999 and revised it several times in response to numerous complaints from residents about noise, dust and traffic congestion from construction projects that had continued for years. A copy of the applicable Belvedere Municipal Code Section, 20.04.035, is enclosed.

By this Compliance Order I am notifying you that prescriptive fines will begin June 28, 2019 if the project has not been finalized by then. Fines are assessed at the rate of \$600 per day for the initial 60 days the project remains incomplete beyond the deadline; \$900 per day for the next 60 days (the 61<sup>st</sup> through the 120<sup>th</sup> day) beyond the deadline; and \$1,200 for any additional days up to an overall maximum penalty of the lesser of 10% of the project valuation or \$300,000. This is the only notice you will receive that fines will begin on that date.

If you incur a penalty, you will be served with a notice of the amount to pay. Such a penalty may be appealed to the City Council, but only if you are unable to comply for reasons beyond your control as set forth in Subsection 20.04.035E4 of the enclosed ordinance. Appeals must be filed with the City Clerk, in writing, within ten calendar days from the date the notice of fine is mailed by the City. For more on the appeal process, please refer to the enclosure.

If you have any questions about this Compliance Order, you may contact me at 435-3838 between 9 a.m. and 4:30 p.m. Monday through Thursday.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Van Son", with a long horizontal flourish extending to the right.

Brian Van Son CBO  
Building Official

Enclosure: Section 20.04.035, BMC  
Proof of Service  
Copy of Permit

cc: Hughes & Co Construction  
180 Harbor Drive #202  
Sausalito CA 94965



1 PROOF OF SERVICE

2 1. I am over the age of 18 and not a party to this cause. I am employed in the  
3 County where the mailing occurred.

4 2. My business address is: Belvedere City Hall, 450 San Rafael Avenue,  
5 Belvedere, CA 94920-2336.

6 3. I served the attached Notice of Non-Compliance, 339 Golden Gate Avenue,  
7 APN# 060-202-04, dated May 29, 2019 by placing a true copy for collection at Belvedere  
8 City Hall, 450 San Rafael Avenue, Belvedere, California, enclosed in a sealed envelope with  
9 postage thereon fully prepaid, addressed as follows:

10 Golden Gate Belvedere LLC  
11 POB 974  
12 Tiburon CA 94920

13 4. I am readily familiar with the practices of Belvedere City Hall for collection  
14 and processing of correspondence for mailing with the United States Postal Service. In  
15 accordance with the ordinary course of business, the above-mentioned document would have  
16 been deposited with the United States Postal Service on the date set out below, which is the  
17 same day on which it was placed at Belvedere City Hall, 450 San Rafael Avenue, Belvedere,  
18 California, for deposit.

19 5. I also posted a true copy of the same on the job site at 339 Golden Gate  
20 Avenue by affixing it to a prominent location on May 29, 2019.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct.

23 Dated: May 29, 2019

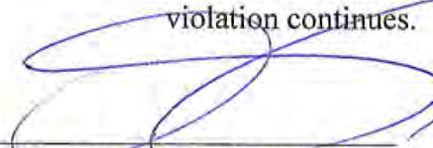
24   
25 Brian Van Son  
26 Building Official  
27  
28




## Conditional Temporary Certificate of Occupancy Regarding 339 Golden Gate Ave., Belvedere, California

Pursuant to the Belvedere City Policy for the granting of Conditional Temporary Certificates of Occupancy, as approved by the Belvedere City Council and as described in the Belvedere City Administrative Manual, Chapter 308, temporary occupancy is being granted to the property owners of 339 Golden Gate Ave., subject to the following conditions. By signature to this document the property owner acknowledges said Conditions and is thereby granted Conditional Temporary Occupancy approval. The fully executed document constitutes the Certificate.


1. The property owner agrees to fully indemnify and hold the City harmless regarding all matters relative to the subject construction project.
2. Prior to the issuance of a Conditional Temporary Certificate of Occupancy, the Building Department must grant approval of the interior of the residence as described in the Building Interior Elements Subject to Construction Time Limit (CTL) Final Approval Section of the Belvedere City Administrative Manual.
3. The property owner shall certify that they will pay any CTL penalties which they may have incurred within 60-days of the Notice of Penalty.
4. The property owner shall agree to submit a final and accurate accounting of all construction costs, including relevant aspects of the landscaping, at the conclusion of the project for the purpose of permit fee re-evaluation and pay any fees due as the result of a valuation that has increased over what was stated on the building permit/s.
5. Issuance of a Conditional Temporary Certificate of Occupancy does not represent a final *approval* by the Building or Planning Departments of the specific requirements for the project's completion pursuant to any discretionary or ministerial permits. A project is not deemed complete until both the Building & Planning Departments *have determined in writing* that all conditions of approval have been met. Failure to complete the remainder of the project requirements pursuant to any Building Permit and/or Planning Approval in a timely manner *may* constitute a public nuisance under Belvedere Municipal Code Section 8.12.010 (B). Maintenance of a public nuisance may result in the revocation of any discretionary approvals, including but not limited to and Design Review, Variance, Exception to Floor Area, *and/or* Conditional Use Permit approvals. Revocation of a discretionary approval will result in a violation of the Belvedere Municipal Code constituting a misdemeanor, punishable by a fine of not more than five hundred dollars or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment for each and every day the violation continues.

  
\_\_\_\_\_  
Property Owner

10-21-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Building Official

10/21/19  
\_\_\_\_\_  
Date

	<b>CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL</b>		
	<b>POLICY 14.5 CONDITIONAL TEMPORARY CERTIFICATES OF OCCUPANCY</b>		
<b>Adoption Date:</b>	7/11/2005	<b>Adopted by:</b>	City Council Motion
<b>Revised Date:</b>	5/11/2009 3/11/2019	<b>Revised by:</b>	City Council Motion City Council Resolution No. 2019-04
<b>Authority:</b>	City Council		

**14.5.1 BACKGROUND**

The issuance of a conditional temporary certificate of occupancy allows a property owner to move into their newly completed home prior to the completion of the entire construction project once the home has met required health and safety standards as verified by inspection.

The issuance of certificates of occupancy, including a temporary certificate of occupancy, is a ministerial duty.

**14.5.2 COMMENTS**

Prior to the City Council's approval for the issuance of temporary certificates of occupancy, the City denied occupancy to newly constructed residences if they were in violation of the City's Construction Time Limit (CTL) Ordinance (BMC 20.04.035).

This practice created difficulties in the administration of the CTL Ordinance. Since existing dwellings technically retain their certificate of occupancy when a remodel and/or an addition occurs, a homeowner whose project was subject to the CTL Ordinance, but did not involve the construction of a new building, could move into his completed structure--even though it might be in violation of the CTL Ordinance--as soon as it met building code and habitability requirements. A property owner whose project involved the construction of a new structure, and was in violation of the CTL Ordinance, was officially not allowed to move into his new home until the project met all City requirements, excluding landscaping. Since there was no exact description of what those requirements were, the approval for occupancy had the potential to be arbitrary and vary from project to project.

This situation was remedied by revising the language within Subsection 20.04.035E2 of the Municipal Code, which now reads, "New construction shall be deemed completed...upon the issuance by the City of a certificate of occupancy, per City policy. A remodel shall be deemed completed for purposes of this Section upon final building inspection approval." A Building Department policy was then developed to provide the criteria by which a construction project is deemed complete for purposes of the CTL (see Policy 14.4 of this Manual). This Subsection applies to all projects subject to the CTL Ordinance and provides guidance in itself as to the

conditions required in order to issue a Conditional Temporary Certificate of Occupancy.

The criteria contained in the model Conditional Temporary Certificate of Occupancy was reviewed and approved by the City Attorney as well as the City Council (see Section 14.5.4). The City Council also reviewed the policy criteria for CTL project final approval.

### **14.5.3    POLICY**

Temporary conditional occupancy can be granted for a new structure when it meets the conditions described in Administrative Policy Manual Subsection 14.4.2, Project Final Approvals Relative to the CTL Ordinance"--including all the items listed under Building Interior Elements Subject to CTL Final Approval and Project Construction Elements Subject to CTL Final Approval--and when the property owner has signed the Temporary Certificate of Occupancy document.

The model Conditional Temporary Certificate of Occupancy in the following section includes the basic conditions to be agreed to for all such certificates. However, other conditions can be included that are relative to specific projects, including cash deposits or time related performance requirements regarding remaining components of the project.



**CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL**

**POLICY 14.4  
VIOLATION OF THE CONSTRUCTION  
TIME LIMIT ORDINANCE**

<b>Adoption Date:</b>	1/10/2006	<b>Adopted by:</b>	City Council Motion
<b>Revised Date:</b>	6/14/2010 9/9/2013 3/11/2019	<b>Revised by:</b>	City Council Motion City Council Resolution No. 2013-32 City Council Resolution No. 2019-04
<b>Authority:</b>	City Council		

**14.4.1    TIMELINE**

The following timeline is drawn from the ordinances contained in the Belvedere Municipal Code. This timeline is to be strictly followed by City Staff as they pursue the administrative remedy of a construction time limit violation.

<b>EXAMPLE OF AN OWNER WHO APPEALS, LOSES &amp; FAILS TO PAY</b>								
EVENT	# DAYS	ACTION TAKEN BY:			EVENT DESCRIPTION	MAIL DELIVERY		
		OWNER	COUNCIL	STAFF		REGULAR	PROOF OF SERVICE	HAND DELIVERY
A				B.O.	PENALTY AMOUNT LETTER MAILED TO OWNER. PAYMENT DEADLINE IS "A" + 60 (BMC 20.04.035E3).		X (BMC 20.04.035E3; 1.14.040)	
B		X			TIMELY APPEAL RECEIVED (ON OR BEFORE "C").			
	B OR B + 1			D.C.C.	SET UP REVIEW COMMITTEE MEETING OF BUILDING OFFICIAL, PLANNING DIRECTOR, CITY ENGINEER AND CITY MANAGER TO MEET WITH PROJECT CONTRACTOR, ARCHITECT, & (AT APPLICANT'S DISCRETION) THE APPLICANT &/OR HIS DESIGNATED REP(S). (BMC 20.04.035E4).			
	B OR B + 1			D.C.C.	SET APPEAL HEARING FOR NEXT AVAILABLE REGULAR CITY COUNCIL MEETING THAT ALLOWS 15 DAY'S NOTICE (BMC 1.14.060B).			

EVENT	# DAYS	ACTION TAKEN BY:			EVENT DESCRIPTION	MAIL DELIVERY		
		OWNER	COUNCIL	STAFF		REGULAR	PROOF OF SERVICE	HAND DELIVERY
	B OR B + 1			D.C.C.	MAIL NOTICE TO OWNER RE: APPEAL ACCEPTANCE; DATE OF REVIEW COMMITTEE MTG; DATE OF PUBLIC HEARING;		X	
C	A + 10 CALENDAR DAYS (BMC 20.04.035E4; 1.04.010C-1).				APPEAL DEADLINE.			
	E - 3/10			D.C.C.	MAIL AGENDA & STAFF REPORT TO OWNER.	X		
D	A + 60 (BMC 20.04.035E3).				PAYMENT DEADLINE GIVEN IN PENALTY AMOUNT LETTER.			
E	DATE DETERMINE D BY "B+1"		X		PUBLIC HEARING ON CTL APPEAL.			
	E + 1			D.C.C.	AGENDIZE ADOPTION OF RESOLUTION GIVING CC. DENIAL OF APPEAL FOR NEXT COUNCILL MTG. CONSENT CALENDAR.			
	F - 3/10			D.C.C.	MAIL AGENDA & STAFF REPORT TO OWNER.	X		
F			X		ADOPTION OF RESOLUTION OF DENIAL AS PART OF THE CONSENT CALENDAR (BMC 1.14.070D; 1.14.080). (THIS IS THE DATE THE PENALTY IS FINALLY IMPOSED, FOR THOSE WHO APPEAL, PER BMC 20.04.035E7 & 1.14.160B). RESO MUST INCLUDE FINDINGS OF FACT (BMC 11.14.070D). IT MAY STATE THAT THE PENALTY IS DUE IN FULL WITHIN 60 DAYS OF THE DATE OF PASSAGE OF THE RESOLUTION (BMC 20.04.035E3) & THAT FAILURE TO PAY BY THAT DATE MAY RESULT IN ADDITIONAL CHARGES FOR INTEREST & ADMINISTRATIVE COSTS AND A LIEN BEING FILED AGAINST THE PROPERTY. (BMC 1.14.160B)			
G	F + 1			D.C.C.	FILE NOTICE OF ASSESSMENT OF ADMINISTRATIVE PENALTIES AND OF INTENTION TO RECORD LIEN AGAINST REAL PROPERTY WITH COUNTY RECORDER (BMC 1.14.160C).			X
G	F + 1			D.C.C.	MAIL NOTICE OF COUNCIL ACTION, COPY OF ADOPTED RESOLUTION, & COPY OF NOTICE OF ASSESSMENT OF ADMIN. PENALTIES TO OWNER. THIS ACTION SETS THE 90-DAY CLOCK TICKING FOR OWNER TO FILE A WRIT OF MANDATE.		X	
G1	F + 60				DATE THE PENALTY DUE IN FULL. INTEREST BEGINS ACCRUING ON ANY UNPAID AMOUNT. (BMC 20.04.035E3, 1.14.160B)			

EVENT	# DAYS	ACTION TAKEN BY:			EVENT DESCRIPTION	MAIL DELIVERY		
		OWNER	COUNCIL	STAFF		REGULAR	PROOF OF SERVICE	HAND DELIVERY
H	G + 90	X			DEADLINE TO FILE TIMELY WRIT OF MANDATE.			
	I - 10+ (BMC 1.14.160G)			D.C.C.	NOTICE OF LIEN HEARING TO OWNER.		X (BMC 1.14.160G & 1.14.040)	
	I - 3/10			D.C.C.	MAIL AGENDA & STAFF REPORT TO OWNER. OFFER TO WAIVE INTEREST & ADMINISTRATIVE COSTS IF THEY PAY PENALTY IN FULL BEFORE THE LIEN HEARING.	X		
I			X		LIEN HEARING. COUNCIL ADOPTS LIEN RESOLUTION SETTING FINAL AMOUNT TO BE LIENED AGAINST PROPERTY.			
	I + 1			D.C.C.	NOTICE OF COUNCIL ACTION MAILED TO OWNER WITH COPY OF LIEN RESOLUTION.		X	
J	I + 30 (BMC 1.14.180A).			D.C.C.	LIEN RESOLUTION TO COUNTY RECORDER WITH COPY TO TAX COLLECTOR FOR PLACEMENT ON PROPERTY TAX ROLLS.			X
K	UNKNOWN	X		C.M.	SOME TIME AFTER LIEN RESOLUTION FILED, OWNER PAYS FINE. CITY MANAGER MAILES TO OWNER NOTICE OF RELEASE OF LIEN. RESPONSIBILITY OF OWNER TO RECORD THE NOTICE.		X	

Timeline examples continued on next page.



**EXAMPLE OF AN OWNER WHO DOES NOT APPEAL & WHO FAILS TO PAY**

EVENT	# DAYS	ACTION TAKEN BY:			EVENT DESCRIPTION	MAIL DELIVERY		
		OWNER	COUNCIL	STAFF		REGULAR	PROOF OF SERVICE	HAND DELIVERY
A				B.O.	PENALTY AMOUNT LETTER MAILED TO OWNER. (NOTE: THIS IS THE DATE THE PENALTY IS FINALLY IMPOSED, FOR THOSE WHO DO NOT FILE AN APPEAL, FOR PURPOSES OF BMC 1.14.160C & 20.04.035E6.)		X	
B	A + 10 CALENDAR DAYS (BMC 20.04.035E4; 1.04.010C1)	X			APPEAL DEADLINE.			
C	A + 60 (BMC 20.04.035E3)	X			PAYMENT DEADLINE THAT WAS GIVEN IN PENALTY AMOUNT LETTER. (PAYMENT PUT IN ABEYANCE UNTIL AFTER THE CITY COUNCIL APPEAL HEARING.)			
	C + 1			D.C.C.	FILE NOTICE OF ASSESSMENT OF ADMINISTRATIVE PENALTIES AND OF INTENTION TO RECORD LIEN AGAINST REAL PROPERTY WITH COUNTY RECORDER.	X		
	C + 1			D.C.C.	SET DATE FOR LIEN HEARING "D" (NEXT REGULAR COUNCIL MEETING THAT WILL ALLOW AT LEAST 10 DAYS NOTICE TO OWNER - BMC 1.14.160G). PROPOSED LIEN TOTAL INCLUDES: 1) ORIGINAL PENALTY; 2) INTEREST FROM DATES "C" THROUGH "D"; 3) COST FOR STAFF TIME IN PREPARING LIEN HEARING REPORT, 4) COST OF NOTICE OF HEARING.			
	C-1, WHICH MUST BE D - 10+ (BMC 1.14.160G)			D.C.C.	MAIL NOTICE OF LIEN HEARING & COPY OF NOTICE OF INTENT TO FILE LIEN TO OWNER.		X (BMC 1.14.160G & 1.14.040)	
	D - 3/10			D.C.C.	MAIL AGENDA & STAFF REPORT TO OWNER. OFFER TO WAIVE INTEREST & ADMINISTRATIVE COSTS IF THEY PAY PENALTY IN FULL BEFORE THE LIEN HEARING.	X		
D	Date based on "C+1".		X		LIEN HEARING. COUNCIL ADOPTS LIEN RESOLUTION SETTING FINAL AMOUNT TO BE LIENED AGAINST PROPERTY. INCLUDES INTEREST & ADMIN COSTS FOR PERIOD FROM "C" THROUGH "E."			
E	D + 1			D.C.C.	NOTICE OF COUNCIL ACTION MAILED TO OWNER WITH COPY OF LIEN RESOLUTION.		X	
F	D + 30 (BMC 1.14.180A, 1.14.160A).			D.C.C.	LIEN RESOLUTION TO COUNTY RECORDER WITH COPY TO TAX COLLECTOR FOR PLACEMENT ON PROPERTY TAX ROLLS.			X
G	UNKNOWN	X		C.M.	AT SOME POINT AFTER LIEN FILED, OWNER PAYS FINE. CITY MANAGER MAILS TO OWNER NOTICE OF SATISFACTION OF LIEN. RESPONSIBILITY OF OWNER TO RECORD THE NOTICE.		X	

## **14.4.2 PROJECT FINAL APPROVALS RELATIVE TO THE C.T.L. ORDINANCE**

### **Background**

Belvedere Municipal Code (BMC) Section 20.04.035, Time Limits for Construction, provides for a maximum amount of time for completion of a construction project without incurring a penalty. The time varies, based on valuation, and can be either, 6-months, 12-months or 18-months. There are provisions within the Code to provide for time extensions, under certain circumstances, of up to 6-months.

Belvedere experiences a continuous stream of large numbers of construction projects on private property. The Time Limits for Construction Ordinance was developed as a result of the adverse impacts on neighborhoods, as well as the community, that construction projects often create. Besides the visual impact of the construction site, other deleterious effects of construction projects include, creating long-term noise disturbances to neighbors and the loss of on-street parking in the area of the project.

Section 20.04.035, sometimes referred to as the CTL Ordinance, (Construction Time Limit) only applies to projects that have received design review. Even a minor project that has received design review, such as new windows, is subject to the provisions of Section 20.04.035. Penalties for violating the CTL Ordinance can be significant, up to \$200,000.

For reference, Building Department Policy Number 1, Ancillary & Repair Permits, Regarding CTL Ordinance & Final Approval, discusses and defines what kind of projects are not subject to the CTL Ordinance. Building Department Policy Number 4, Minor Serial Permits Subject to the CTL Ordinance, presents the criteria by which all permits issued for a single project are considered to be subject to the CTL Ordinance.

### **Comments**

Building Department Policy Number 7 describes when CTL start time is triggered. A significant problem for staff in enforcing the CTL Ordinance, however, has been, under what circumstances is a project considered completed and the assigned CTL time for a project should no longer apply.

The Building & Planning staffs held a series of meetings for the specific purpose of developing the criteria by which a project was considered complete to the degree that it should no longer be subject to Construction Time Limits. The central focus while developing the criteria was the determination of what elements of a project, once completed, would largely eliminate the negative effects of the project on a neighborhood, and the community. One example of eliminating a negative effect of a construction project is when major concrete elements have been completed, no longer requiring cement trucks and pumpers at the site. Excessive noise, parking and traffic impacts no longer occurs when this activity ceases. Taking this approach in developing the CTL completion criteria harmonizes the Policy with the intention of the Ordinance, thereby achieving a major reduction, or the elimination, of the adverse effects of construction projects.

This Building Department Policy has been reviewed & approved by the City Council. It is also recorded in the City's Administrative Policy manual in Part 14, Building Department Procedures, as City Policy No. 302.06.

## **Policy**

### **BUILDING INTERIOR ELEMENTS SUBJECT TO CTL FINAL APPROVAL**

- All residential dwelling units, including second units & second kitchens, must comply with the latest edition of the International Property Maintenance Code in terms of habitation requirements. (These buildings must have a completed kitchen, including permanent food preparation and preservation equipment, at least one completed bathroom, conforming bedroom & additional habitable room of at least 120 sq. ft.);
- All life/safety features must be installed and functional throughout the building, including smoke detectors, permanent guardrails, permanent handrails, required tempered glazing and exit system components;
- Electrical systems are to be fully completed, including all permanent light fixtures, receptacles and switches being in place. (In lieu of a permanent light fixture an approved cover plate may be installed at the location of the fixture mounting box, except in the case where the light fixture in question provides the code required room lighting.);
- Permanent plumbing fixtures in other than the required bathroom are required to be in place at the time of the landscape final approval; and
- In rooms other than the required kitchen, bathroom, conforming bedroom & 120 sq. ft. habitable room, finish materials including paint, architectural trim, tile, marble, finish wooden floor and carpeting must be completed at the time of landscape final approval.

### **PROJECT CONSTRUCTION ELEMENTS SUBJECT TO CTL FINAL APPROVAL**

- Project main structure, including decks and accessory buildings greater than 50 sq. ft. (These buildings must have all exterior finishes completed, including lighting fixtures, final painting and/or power washing. Accessory buildings include, but are not limited to, detached garages, carports, guesthouses, pool houses, potting, sheds and tool sheds. Exterior finishes of one accessory building less than 50 sq. ft. qualifies as a decorative elements to be completed as part of landscape approval.);
- Accessory structures, including site-built features such as detached decks, patio covers, outdoor fireplaces, hillside elevators, docks, outdoor kitchens, including operable plumbing, electrical and mechanical fixtures;
- Poured in place, thus considered permanent, spas, pools and fountains (Tile and finish surface materials above the water line are considered part of the landscape element.);
- Permanent equipment, including mechanical and auxiliary power systems such as solar photovoltaic and generators, mechanical boat lifts or boat storage equipment;
- Mechanical and plumbing enclosures related to permanent spas, pools and fountains (This relates to typical conditions of approval regarding sound attenuation requirements.);
- All concrete flat work, including patios, driveways and walkways;
- Exterior finish materials on doorway landings, verifying compliance with the latest edition of the California Residential Code, as adopted by the City, relative to floor elevations at the required exit doors and other exterior doors.
- All concrete, masonry or stonewalls greater than 18" in height;
- Entry columns, trellises, arbors and walkway covering;

- Permanent guardrails and all other permanent life safety features;
- All perimeter fencing; and
- Chimney spark arrestors.

**PROJECT ELEMENTS CONSIDERED LANDSCAPING AND NOT SUBJECT TO CTL FINAL APPROVAL**

- Tile and finish surface materials for spas, pools and fountains at surface areas above the water line;
- Portable, cord connected, spas and fountains;
- Surface finish materials on all cement patios, driveways and walkways;
- Surface finish materials on concrete or masonry walls greater than 18” in height;
- All concrete, masonry or stone walls less than 18” in height;
- Irrigation systems and lighting associated with landscaping;
- External security features, including cabling and cameras; and
- All softscape improvements, including approved plant materials and trees.

**CITY REQUIREMENTS AT COMPLETION OF LANDSCAPING ELEMENT**

- Removal of porta potties;
- Removal of temporary barriers or fencing; and,
- Removal of all construction & landscaping equipment from the site.
- Reevaluation of building permit

Required signatures for final approval for CTL purposes shall be sequential; a Fire District’s representative shall be first, the Building Inspector’s approval, second and a Planning Department representative’s final approval shall be last. The Planning Department representative’s signature shall determine the completion of the project for CTL purposes.

**14.4.3 ESTABLISHING PROJECT START DATE FOR CONSTRUCTION TIME LIMIT**

**Background**

How the date of completion regarding the CTL is determined for a project is a crucial element in the administration of the Ordinance. The current practice for establishing the date of required completion is based on the assumption that construction begins on the date of the permit issuance.

However, a number of issues may occur which could, and often do, interfere with a contractor commencing work on a project at the time of permit issuance. Some examples are unanticipated rains, a delay in a property owner’s ability to vacate an existing residence or contractor mobilization difficulties. Therefore, it is inequitable to expect that construction begin immediately after permit issuance on all occasions.

**Comments**

A practice of allowing a contractor to request a new start date, for CTL purposes, has been successfully established in that the contractor is required to submit a letter to the Building Official stating that he was unable to start construction at the time of permit issuance and

indicate the proposed starting date. The letter must be received prior to any construction activity and allow enough time for the Building Official, or his representative, to visit the construction site for the purposes of verifying that no construction activity has occurred.

### **Policy**

A contractor may petition in writing for a CTL completion date other than what is stated on the Building Permit due to inactivity immediately after the permit issuance. A new CTL start date will be assigned on the following basis:

1. The request must be made in writing.
2. The request must be received well enough in advance of actual construction so as to allow the Building Official the opportunity to verify that no construction activity has occurred.
3. The Building Official will respond in writing within 15-days of receipt of the request, noting the verification of construction inactivity and assign a new start date. This assumes that no construction activity has occurred.
4. If any evidence of construction activity, such as partial demolition, has occurred the request for a new start date must be denied.
5. Should a new CTL start date be assigned:
  - a. The notification letter is to be attached to the permit;
  - b. The new CTL completion date, based on the new CTL start date, is to be written on the permit, referencing the attached notification letter.
  - c. The completion date is to be revised in the Building Official's Outlook calendar, deleting the old date and recording the new date, for purposes of sending out the CTL Compliance letter.

#### **14.4.4 MID-PROJECT CONSTRUCTION TIME LIMIT ASSIGNMENT**

##### **Background**

Belvedere Municipal Code (BMC) Section 20.04.035, Time Limits for Construction, provides for a maximum amount of time for completion of a construction project without the imposition of a penalty. The time varies, based on valuation, and can be six months, 12 months, or 18 months. There are provisions within the Code to provide for time extensions, under certain circumstances, of up to six months.

Belvedere experiences a continuous stream of construction projects on private property. The Construction Time Limit Ordinance (Section 20.02.035 BMC) was developed as a result of the adverse impacts on neighborhoods, as well as the community, that construction projects often create. Besides the visual impact of the construction site, other deleterious effects of construction projects include the creation of long-term noise disturbances to neighbors and the loss of on-street parking in the area of the project.

The Construction Time Limit (CTL) Ordinance applies only to projects that have received design review. Even a minor project that has received design review--such as installation of new windows--is subject to the provisions of Section 20.04.035. Penalties for violating the CTL Ordinance can be substantial: up to \$200,000.

For reference, Building Department Procedure No. 008.1, "Ancillary & Repair Permits, Regarding CTL Ordinance & Final Approval" discusses and defines what kind of projects are not subject to the CTL Ordinance. Building Department Procedure No. 008, "Minor Serial Permits Subject to the CTL Ordinance," presents the criteria by which all permits issued for a single project are considered to be subject to the CTL Ordinance.

### **Comments**

The imposition of a construction time limit is predicated on the project being subject to design review. It follows that if a construction project is not subject to design review, no construction time limit is assigned at the time of building permit issuance. This is not an unusual occurrence, typical examples being kitchen and bathroom remodels.

Often, however, projects which begin as interior work expand to exterior elements of the building. When this occurs, design review of the proposed expanded work is usually required. Sometimes the expanded work is the result of construction defects discovered during the interior work, or the desire of the property owner for a more extensive project. On most occasions, an application for design review is received prior to the expanded work.

At other times, the progression of the construction work to unapproved exterior elements of a building, whether deliberate or accidental, is concealed or a permit application is delayed in order to avoid design review, or the property owner intends to apply for design review at a later date, or believes that the work does not require design review. Unfortunately, staff has also encountered construction projects where a small interior project is proposed and permitted and the applicant later, near the end of the project, deliberately expands the project to the exterior of the building in an effort to "game" the system and escape construction time limit issues. Regardless of the motive or lack thereof, when applicants deliberately or accidentally circumvent design review and the requisite construction time limit, there can be long-term negative neighborhood impacts. In essence, a property owner may conduct work on an extensive construction project without the imposition of a construction time limit until the project is nearly complete.

Based on these scenarios, staff has developed policy criteria for assigning construction time limits to on-going projects which previously were not subject to design review and consequently were not assigned a construction time limit.

### **Policy/Procedure**

#### **UNAPPROVED EXTERIOR WORK SUBJECT TO DESIGN REVIEW--STOP WORK ORDER**

When non-approved exterior work, subject to design review, is discovered by staff, a Stop Work Order shall be issued. The Stop Work Order shall apply to the unapproved work exterior work only.

#### **PERMIT ISSUANCE**

A new building permit shall be issued only after the on-going project, originally not subject to a construction time limit, has received a design review approval.

1. The purpose of the new building permit is to memorialize the inception of a project construction time limit and the scope of the expanded work.
2. The assigned construction time limit applies to the entire project, including project elements that previously were not subjected to a construction time limit.
3. For purposes of the permit, the valuation shall be for the entire project, including the new exterior element/s which are the subject of the design review approval, and the previously permitted interior work. Permit fees previously paid for the interior work shall be deducted from the new permit fee liability. For accounting purposes, this fee transaction shall be referenced on the new permit.
4. The valuation shown on the new building permit shall establish the length of the assigned construction time limit for the entire project.
5. For the purpose of establishing a Construction Time Limit deadline for the project, the project start date shall be recorded as the date that the initial construction permit was issued.

#### CONSTRUCTION TIME LIMIT EXTENSIONS

Applicants who have received a construction time limit based on the criteria contained in this policy, and who object to the construction time limit assigned to the project because of insufficient time to complete their project without incurring penalties, are encouraged to make application for an extended construction time limit period through the City's Construction Time Limit Review Committee, as referenced in Municipal Code Section 20.04.035D3.

#### **14.4.5 POLICY REGARDING SUCCESSIVE MINOR CONSTRUCTION ACTIVITY**

Building permits which are subject to design review, yet are minor in scope may be issued with independent CTL dates of completion based on the following criteria:

- Building permits that are to be considered under this policy must be minor in scope.
  - For purposes of this policy minor in scope means a maximum valuation of \$25,000 for each permit.
  - No more than three trades may be required in the scope of work of each permit.
- No more than three building permits, which are subject to the CTL Ordinance time for completion requirements, may be issued in a one-year period, based on the date of issuance of the first permit.
- Building permits issued under this Policy may be subject to only administrative design reviews and not Planning Commission approvals in whole or in part.
- In the opinion of the Building Official the issuance of successive building permits under this policy will not create conditions which violate the *Purpose* Section of Ordinance 20.04.035:
  - Long-term adverse noise disturbances to neighbors.
  - Loss of inadequate parking in the immediate vicinity of the project.
  - Frequent road closures.
- Each of the permits under consideration must meet all of the criteria contained in this policy.



# CITY OF BELVEDERE

450 San Rafael Avenue λ Belvedere, CA 94920  
Tel: 415 / 435-3838 λ Fax: 415 / 435-0430 [www.cityofbelvedere.org](http://www.cityofbelvedere.org)

## CONSTRUCTION TIME LIMIT (CTL) CLARIFICATION FOR CONSTRUCTION PROJECTS IMPOSED WITH A CTL

060-202-04  
GOLDEN GATE BELVEDERE LLC  
339 Golden Gate Avenue  
Belvedere CA 94920

### AND ASSEMBLY BILL 1561

Hello Building Permit Holder,

Recently, there has been uncertainty regarding the Construction Time Limit (CTL) for construction projects and the impact of Assembly Bill 1561 on project timelines. This letter is intended to clarify and answer any questions you may have regarding your project's construction timeline.

As you are aware, the City of Belvedere imposes a time limit for all construction projects meeting the criteria set forth in Belvedere Municipal Code (BMC) section 20.04.035, found here; <https://ca-belvedere2.civicplus.com/DocumentCenter/View/451/2004?bidId=>. Pursuant to this code section, any construction project subject to Design Review, should the proposed cost of construction be greater than \$50,000, a six (6), twelve (12), or eighteen (18) month timeline for project completion was assessed to the Building Permit. The amount of time assessed to the project is dependent on the proposed project valuation, with a six-month timeline being implemented for a project valued at \$50,000-\$100,000, a twelve-month timeline for a project valued at \$100,001-\$500,000, and an eighteen-month timeline for projects valued greater than \$500,001.

In response to the ongoing COVID-19 pandemic, the State of California approved/passed Assembly Bill 1561, found here: [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB1561](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1561), that provided an additional eighteen (18) months to certain timelines for construction projects affected by the pandemic.

The Assembly Bill does not extend timelines for all building permits and/or Planning Dept. entitlements that were active during the pandemic. There are specific criteria that must be met for the extension to be applied to your project. The extension is valid for construction projects with unexpired time limits as of March 4, 2020. These timelines must also expire prior to December 31, 2021.

If a project timeline expired prior to the March 4, 2020 date, that project will not be provided the AB 1561 extension. Due to your CTL timeline expiring prior to March 4, 2020, your project at 339 Golden Gate Ave., BP # 2017-173, will not be awarded the CTL relief provided by AB 1561, and will be evaluated in accordance with BMC 20.04.035. Because the project was required to have been completed prior to



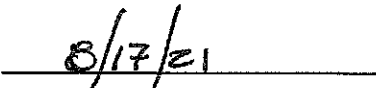
the start of the pandemic date in AB 1561 (March 4, 2020), and penalties were already accruing prior to the Statewide shutdown, it does not qualify for the extension.

Please note that you may appeal any project penalties imposed pursuant to pursuant to BMC section 20.04.035.

Should there be any questions, or if further clarification is needed, please do not hesitate to contact Building Official Brian Van Son at [bvanson@cityofbelvedere.org](mailto:bvanson@cityofbelvedere.org) or 415-435-8918.

Sincerely,

  
\_\_\_\_\_  
Brian Van Son, CBO

  
\_\_\_\_\_  
Date

April 28, 2022

**VIA CERTIFIED MAIL**  
**POSTED AT JOB SITE**

Golden Gate Belvedere, LLC  
P.O. Box 974  
Tiburon, CA 94920

Re.: Notice of Penalty for Exceeding Construction Time Limit  
Address, AP# 060-202-04

Dear Mr. Flaherty:

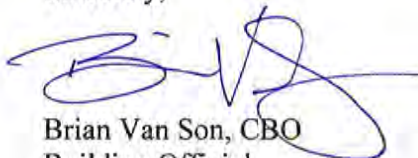
As you are aware, your construction project failed to comply with our timeline for construction projects. Pursuant to the governing Section of the Belvedere Municipal Code, 20.04.035 "Time limits for construction", at the time of application, a fine has been imposed of \$600 per day for the initial 60 days, a fine of \$900 per day for the subsequent 60 days (i.e. the 61<sup>st</sup> through the 120<sup>th</sup> day), and a fine of \$1200 per day for the subsequent 60 days (i.e. the 121<sup>st</sup> and thereafter), up to an overall maximum penalty of the lesser of 10% of the project valuation or \$300,000.

THE AMOUNT NOW DUE IS 300,000 DOLLARS (\$300,000.00). YOUR  
PAYMENT IS DUE WITHIN SIXTY (60) CALENDAR DAYS OF THE  
DATE OF THIS LETTER.

If you believe you were unable to comply for reasons beyond your control, as set forth in Subsection 20.04.035E4, you may appeal to the City Council. Your appeal must be filed in writing with the City Clerk by *[ten calendar days from the date of this letter; if that date falls on a weekend or holiday, it is the next business day]* May 9, 2022. There is no form to fill out, however, please state in your letter the specific grounds for your appeal and enclose a check or money order for the appeal-processing fee of \$400.00. For more information on the appeal process, please refer to Section 20.04.035 and Chapter 1.14 of the Belvedere Municipal Code (copies enclosed).

Please do not hesitate to contact us if you have any questions.

Sincerely,



Brian Van Son, CBO  
Building Official

Enclosures: Section 20.04.035, BMC  
Chapt. 1.14, BMC  
Proof of Service

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PROOF OF SERVICE

1. I am over the age of 18 and not a party to this cause. I am employed in the County where the mailing occurred.

2. My business address is: Belvedere City Hall, 450 San Rafael Avenue, Belvedere, CA 94920-2336.

3. I served the attached Notice of Penalty for Exceeding Construction Time Limit for the project at 339 Golden Gate Ave., AP#060-202-04, dated April 28, 2022, by placing a true copy for collection at Belvedere City Hall, 450 San Rafael Avenue, Belvedere, California, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows:

Golden Gate Belvedere, LLC  
P.O. Box 974  
Tiburon, Ca 94920

4. I am readily familiar with the practices of Belvedere City Hall for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with the ordinary course of business, the above-mentioned document would have been deposited with the United States Postal Service on the date set out below, which is the same day on which it was placed at Belvedere City Hall, 450 San Rafael Avenue, Belvedere, California, for deposit.

5. I also posted a true copy of the same on the job site at 339 Golden Gate Ave. by affixing it to the gate on April 28, 2022:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 4/28/2022

  
Brian Van Son, CBO

RECEIVED  
MAY 10 2022  
CITY OF BELVEDERE

# O'CONNOR AND ASSOCIATES

ATTORNEYS AT LAW

4 Embarcadero Center, Suite 1400  
San Francisco, California 94111

Telephone:  
(415) 693-9960

Facsimile:  
(415) 692-6537

Reply to:  
John D. O'Connor

Email:  
[REDACTED]

May 9, 2022

□

City of Belvedere  
450 San Rafael Avenue  
Belvedere, CA 94920-2336  
Sally Wilkinson [swilkinson@cityofbelvedere.org](mailto:swilkinson@cityofbelvedere.org)  
Nancy Kemnitzer [nkemnitzer@cityofbelvedere.org](mailto:nkemnitzer@cityofbelvedere.org)  
James Campbell [jcampbell@cityofbelvedere.org](mailto:jcampbell@cityofbelvedere.org)  
James Lynch [jlynch@cityofbelvedere.org](mailto:jlynch@cityofbelvedere.org)

□

**Re: Appeal of Golden Gate Belvedere, LLC; David and Julie Flaherty; 339 Golden Gate Avenue; Assessor's Parcel Number 060-202-04; Appeal of CTL Order of April 28, 2022**

To The Belvedere City Council:

The Applicant and Owners of 339 Golden Gate Avenue, Belvedere, hereby appeal the imposition by the City of CTL fines of April 28, 2022, on the following grounds: Belvedere Municipal Code ("BMC") Section 20.04.35(E); AB 1561; the Marin County Health Services Order of March 13, 2020; the April 13, 2022 Urgency Ordinance re: CTL Relief; and the City's file in this matter.

## DISCUSSION

The appealing parties (collectively "Applicant") agree with the City that after the building permit issuance of November 28, 2017, the Applicant was originally provided until at least until May 28, 2019, within which to complete the Project. By the claimed notice date of May 29, 2019, the City purported to give Applicant until June 28, 2019 within which to finish construction, per the BMC.

The Project involved extensive landscaping, which, with the appropriate deposit by the Applicant, extended the completion date for landscaping August 28, 2019. To date, no Notice of Noncompliance pursuant to BMC Section 20.04.35(E) was ever given regarding CTL fines for delays in landscaping. So if the Notice of Noncompliance of May 29, 2019 is appropriately made, such notice applies only to the construction portion of this Project-that is, the main portion of the Project for which the May 29, 2019 Notice was given, and not to landscaping work, which was not late as of May 29, 2019, and as to which later Notice of Noncompliance was never issued. Yet, it is clear that much, if not the majority, of delay time is attributable to purported delays in landscaping, rendering the City's recent calculation and Notice of CTL fines invalid.

In any case, even if an appropriate Notice of Noncompliance had been issued regarding landscaping, the factors showing conditions outside the control of the

Applicant are so obvious and overwhelming that no fines should be issued on the basis of failure to complete landscaping. As noted below, many of these causes beyond the control of the Applicant delayed not only the construction of the residence, but also delayed the landscaping work.

Well before the “final” of this Project was issued, the Director of Planning and Building and the City Counsel both advised the Applicant that AB1561 had negated the accrual of any and all CTL fines, and thereby administratively waived the CTL fines which the City is now improperly attempting to levy. Moreover, this original interpretation of AB 1561 is binding on the City, at least for this Project for which it was rendered. Ms. Irene Borba and Ms. Emily Longfellow have acknowledged that this interpretation and announcement had been rendered for this Project.

In this case, the construction of the residence was approved by virtue of a Conditional Temporary Certificate of Occupancy issued October 21, 2019, averring to substantial completion of the residence. Accordingly, for all practical purposes, the maximum CTL fine that can and should be levied, even without consideration of the factors enumerated in BMC Section 20.04.35(E), is 114 days, amounting to CTL fines of \$86,400. But as we will note, even the completion date of October 28, 2019, was delayed by reasons outside of the control of the Applicant and, in addition, that construction was substantially delayed by the City’s own activities on three sides of the Flaherty project, which activities interfered with and hindered the Applicant’s construction of the main residence, as well as landscaping and walls. We will discuss more fully below, but urge that these reasons outside of the control of the Applicant must result in a finding that even the \$86,400, which otherwise would be appropriate without such extraneous factors, cannot stand.

Finally, even without regard to the City’s authorized interpretation of AB 1561, that statute provides complete relief to the Applicant under its clear terms, because the permit was by the City’s admission still “open” as of March 4, 2020. The City’s interpretation that the law applies only to permits with “unexpired” time limits is nowhere found in the statute.

**I. Reasons for delay beyond the control of the Applicant (BMC Section 20.04.35 (E)) are as follows:**

**A. The Tubbs Fire**

This natural disaster caused tremendous dislocations in the construction labor market, as thousands of destroyed homes, most covered by insurance, were suddenly in need of construction, making construction labor in this market difficult or impossible to hire or ensure availability during certain times, especially since highly coveted specialized craftsmen-always of limited availability-were needed for the unique and beautiful Flaherty residence. Labor unavailability/stoppage was thus a major factor in all of the delays. The Tubbs fire raged in principal part between October 8, 2017, and October 31, 2017, whereas the permit was here issued on November 28, 2017. The exceptional and unprecedented rebuilding in Sonoma and Napa Counties, within the construction labor market here implicated (most contractors in the Marin market live in these counties), necessarily delayed the extensive and varied construction activities in this Project.

**B. The Unusually Wet Winter Beginning October 2018**

This winter of 2018-19 was one of the wettest on record and occurred right in the midst of the Project work, causing delays for a number of reasons, including inability to work on certain aspects of construction during rain and problems because of unusually saturated soil.

#### **C. An Unusual Number of Informal Complaints and Administrative Appeals.**

Informal complaints to City Officials caused numerous delays over fairly minor matters, but which nonetheless engaged City Officials and caused construction to be delayed. There were complaints about lights, trees, the height of the front wall, noise and disturbances. For just one example, Mr. Flaherty was required to survey the property in front of his house on eight separate occasions, due to concerns of neighbors about the height or placement of the front wall. As noted below, many of these informal or administrative “appeals” did not relate to the Flaherty’s work at all, but rather dealt with work by the City and City contractors, but which were wrongly directed at the Flaherty Project.

#### **D. Work by City Contractors**

The City was actively engaged in work on, first, the side of the Flaherty residence along Golden Gate Lane. The City contractors required use of Flaherty’s power and water in order to efficiently proceed. The Flaherty’s graciously allowed this imposition, but this work clearly hindered and delayed the Flaherty Project construction. For example, the Flaherty’s could not put in fencing or landscaping along that side of their property because of this work on Golden Gate Lane. This work also prevented Flaherty contractors from access from Golden Gate Lane, and necessarily delayed the construction activities as well.

There was also work on the backside of the Flaherty property, which is now covered by easement in favor of the City, but as to which there had been no easement granted during construction. The work of City contractors and licensees, prior to the grant of easement, caused not only disruption to the Flaherty construction, but also caused neighbor complaints.

The City was also actively engaged along Golden Gate Avenue at the time, hindering construction, such activities mainly dealing with the City’s Undergrounding District. Again, this prevented much landscaping and “hardscaping” work in the front, as well as, again, staging and access difficulties for the bevy of Flaherty contractors.

#### **E. Refusal of the Planning Commission to Allow Appeal of the Order to Remove Olive Trees.**

This matter involved a late-blooming complaint from a neighbor about a minor discrepancy in the size of the beautiful dwarf olive trees, belatedly, after months of having been implanted and subject to inspection. The complaint, which should have been treated commonsensically as *de minimis non curat lex*, was allowed to explode into a juvenile, tcmpest-in-a-teapot dispute causing the Project not to be “finaled.” To be sure, the Applicant does not blame the City Council for this or its regular staff and counsel, but, as is well known, one Planning Commissioner on a frolic and detour that should not have been his mission. So, rather than the Planning Commission either hearing the appeal of the Applicant regarding the olive trees or allowing it to be handled administratively, as it clearly should have been, the trivial claim of noncompliance (regarding the size of the boxes in which the trees were shipped, not their height, which was lower than expected) regarding these unusually attractive trees, enhancing the beauty

of Belvedere, was especially absurd and should not count toward delays.

We believe that the City Council has been made aware of this unfortunate contretemps, which incidentally implicates continuing Brown Act violations at the Commission level, and now has the opportunity to address the fallout in statesmanlike fashion.

#### **F. Undergrounding**

Much of the delay, especially a major part of the landscaping delay, as well as construction staging problems, resulted from the undergrounding work of the Undergrounding District. This undergrounding, to be sure, beautified Belvedere and was a worthwhile project. However, to assess Flaherty's fines because of this City-sanctioned Undergrounding District, is to punish for reasons beyond the control of the Applicant.

#### **G. COVID**

The virus had clear implications for all involved, resulting in delays.

#### **H. The Failed Underground Retaining Wall**

We have discussed that on three sides of the Flaherty property, the City and/or its contractors were performing significant work, all of which interfered with construction staging and prevented landscaping work. On the fourth side of the property, a rotting underground retaining wall was discovered, not foreseeable, which required extensive, complex remediation as water lines, easements on and through adjoining property and other issues were implicated. This was unanticipated and unforeseeable remediation which benefited several residences, but which contributed to the delay.

### **II. Legal Impediments to Assessing CTL Fines**

The matter is fraught with legal issues.

#### **A. AB1561**

Since the permit was still "open" as of the effective date of AB 1561 of March 4, 2020, all CTL fines are illegal.

#### **B. The City Waived CTL Fines and Interpreted the Statute to Prohibit Them**

After AB1561 was passed, David Flaherty was informed by both Irene Borba, Director of Planning and Building, and Emily Longfellow, City Counsel, that the Flaherty's were relieved of all CTL fines. This was both an official interpretation of the law and a waiver by the City of CTL fines. Although the City later adopted a contrary interpretation, that cannot in any way reverse a City decision already made within the scope of authority of the City officials.

#### **C. The County of Marin Health Services Order of March 31, 2020**

The ordinance, issued March 13, 2020 causing most construction activity to stop

as of March 13, 2020, stopped by virtue of *force majeure* all penalties from accruing.

**D. The City's April 13, 2022 Urgency Ordinance for CTL Relief, Effective March 31, 2020.**

This ordinance had similar effect to the foregoing.

**III. Prevention and Interference by a Planning Commissioner Regarding Administrative Approvals or Commission Hearing**

It is no secret that a certain Planning Commissioner, without authority inveighed, outside of the Brown Act, to the Planning Commission, to cancel an agenda item sought by the Applicant, which in turn prevented both any Planning Commission hearing on the dispute, and also any administrative action, on the very trivial issue of olive trees. A Planning Commissioner, in short, prevented, through *ultra vires* unauthorized activity, either administrative handling of this matter or allowing the Applicant to appear before the Commission to obtain a decision on this very technical and trivial matter. Since these short, beautiful trees could have been jammed into a slightly smaller box, there was nothing *in substance* which should have even facially required City action on this. This action, if not renounced emphatically, will be a stain on the City, otherwise run by well-intentioned citizens. The City is charging months of delay for a shipper who used a slightly larger box than anticipated by the Applicant's landscaper. That is arbitrary, capricious and unreasonable. Yes, the boxes were bigger, but the trees were shorter and less numerous (two versus three permitted).

Unfortunately, the City is in the position of ratifying these unfortunate actions of a Planning Commissioner who is as well, embarrassingly so, a "spec" developer of Belvedere properties, competing in essence with many of the Applicant's consultants.

The only sound remedy is for the City to renounce this wrongful obstruction of the democratic process and recognize that this project should have been finalized far sooner.

The discretion of the City and its officials is not boundless. If the City is arbitrary, capricious or unreasonable in its delays in giving final approval to the Project, the delays thereby caused must be removed from the calculation. As noted, the latest possible date by which this construction should have received final approval was October 21, 2019, and even at that the factors above listed as warranting relief under BMC Section 20.04.35(E) nullify even those delays.

**IV. Equitable Considerations**

Belvedere is a beautiful, small community where the spirit of neighborliness should be encouraged, and petty disputes discouraged. How do the Flaherty's contribute or detract from same? First, the Project at hand has taken a former landmark property, which had fallen into desuetude and become shabby, and transformed it into a glittering jewel observable from vast portions of the Bay. This Project should not be treated as just another remodel of a 4000 sq. ft. residence. Julie and David Flaherty have devoted years of their time and effort to this, and, on this ground alone should not be punished, but acknowledged by gracious treatment from the City Council.

Note that Julie and David Flaherty financed much of the Golden Gate Lane refurbishment and improvement, and also contributed their water and power to contractors. They led the efforts to finance the Undergrounding District, which in turn beautifies the City. While not receiving an amicable settlement of this affair through their contribution of the easement in the back of their property, they did the right thing and agreed to a token payment to move this dispute along. There are many other civic



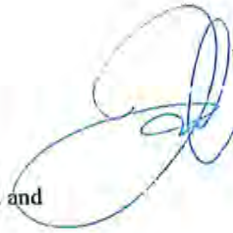
contributions they have made, and are recognized by their neighbors, in this exceptionally beautiful part of a beautiful City, as being positive, friendly, neighborly and problem-solving.

Now, with the Applicant having been through the ringer, will the City Council yield to individual grudges and the forces of vindictiveness, or respond instead to its better angels? Will it fail to recognize the Flaherty financial contributions by upholding a punitive financial penalty? Will it by saturnine attitude keep open wounds suffered not only by Julie and David Flaherty, but by all their neighbors in this drama of delay-in "finaling" the Project, in undergrounding, in easement work? Or will it in the spirit of community and reconciliation put a graceful end to this beautification Project, leaving all concerned in the area with a sense of positive change?

We leave the City Council with these thoughts as we look forward to appropriate hearing.

Respectfully Submitted,

John D. O'Connor  
For 339 Belvedere Avenue LLC; David and  
Julie Flaherty



JDO/awb

**O'CONNOR AND ASSOCIATES**



# CITY OF BELVEDERE

## Planning & Building Department Procedures

**Subject: Multiple Permits on One Project, Deferred Submittals & When CTL Time is Triggered**

Policy No. BD-7

Code Ref: N/A

Effective Date: January 29, 2007

Revision Date: N/A

- |                                     |   |                          |                     |
|-------------------------------------|---|--------------------------|---------------------|
| <input checked="" type="checkbox"/> | Administrative Policy                                   | <input type="checkbox"/> | Code Interpretation |
| <input type="checkbox"/>            | Alternative Materials, Designs and Construction Methods | <input type="checkbox"/> | Other               |

### Background

In the past the Building Department has attempted to issue one permit to cover all facets of a project. The informal policy was developed to decrease the potential for confusion regarding the enforcement of the City's Construction Time Limit (CTL) Ordinance and to condense record keeping. However, enforcement experience has proven that the "single permit" policy is impractical for a number of reasons. One of the reasons is the logical progression of a construction project, which justifies a deferred submittal of a major project component. Examples of typical deferred submittals are, the installation of an in-ground swimming pool, an inclined elevator, or a solar photo voltaic (PV) system.

There may also be the need for a permit prior to the issuance of the main project permit—the permit that triggers the CTL time for completion. For instance, the installation of a temporary electrical connection or exploratory demolition in order to determine structural design components of a major project are common needs prior to the commencement of major construction.

Allowing preliminary exploratory demolition for determining comprehensive structural requirements for a project has the potential to decrease the amount of time needed for the construction process. The discovery of unknown dry rot or structural inadequacies during the construction process, often results in a Stop Work Order for exceeding approved demolition parameters, thus, extending the time required for the completion of the work. Allowing preliminary exploratory demolition supports a smoother project timeline.

Occasionally there are very specific needs for a separate permit relative to record keeping purposes, such as when Pacific Gas & Electric requires proof of final permit approval of a solar PV system as part of an applicant's request for rebate. In this case the separate permit can be given final approval well before the main project approval, facilitating the rebate request.

## Comments

Issuing permits which are associated with a larger project which has received design review approval without triggering the CTL time for completion date requires an administrative procedure with clearly defined parameters. Guarding against an applicant's intentional, or unintentional, effort to begin substantial construction, while avoiding triggering the CTL date for completion, is paramount in the issuance of the permit prior to the building permit associated with the design review approval.

## Policy

### SEPARATE PERMITS

1. Demolition – No exterior demolition may take place prior to the issuance of the project building permit. There are no exceptions to this requirement. Interior demolition for purposes of exploratory work only may take place upon the determination of structural design requirements. Exploratory work is limited to an aggregate amount of 200 square feet and does not trigger the CTL time for completion date.

An exception to the maximum of 200 square feet, up to 10% of the floor area, may be granted on a case-by-case basis. In order to grant the exception, 1) the project structural engineer must verify in writing that the existing conditions, in conjunction with the proposed improvements, warrant the greater interior demolition area for purposes of determining the structural design, and 2) the greater area, up to 10% of the floor area, must be approved by the City Manager. In all cases, interior demolition permits are subject to in-progress inspections by the Building Department.

2. Temporary Electrical Service – A temporary power permit for the purposes of supplying temporary power at a construction site is to be issued as a separate permit from the main project permit and is not subject to design review, nor does it trigger the CTL time for completion date.
3. Solar Photovoltaic (PV) Systems – Solar PV systems are to be permitted on a permit form separate from the main project building permit. When the permit application form for the main project states that it includes a solar PV system, the term is to be deleted from the main permit application. (See deferred submittals below) Solar PV systems are subject to design review approval and are subject to the same CTL time for completion date as the main project permit.
4. Swimming Pools & Spas – Pool and spas, including portable spas, are to be permitted on an application form other than the main project building permit. When the permit application form for the main project states that it includes a swimming pool and/or a spa, the term is to be deleted from the main permit application. (See deferred submittals below) Swimming pool & spas are subject to design review approval and are subject to the same CTL time for completion date as the main project permit. In the rare instance where the swimming pools and/or spa permit is the first permit issued it triggers the CTL time for completion date. Subsequent permits will be assigned the same completion date.

5. Inclined Elevators – Inclined elevators (exterior) are to be permitted on an application form other than the main project building permit. When the permit application form for the main project states that it includes an inclined elevator, the term is to be deleted from the main permit application. (See deferred submittals below) Inclined elevators are subject to design review approval and are subject to the same CTL time for completion date as the main project permit. If the inclined elevator permit is issued prior to the permit for the main project, it triggers the CTL time for completion date. Subsequent permits will be assigned the same completion date.
6. Dredging – Dredging requires a separate permit. Dredging permit fees and other requirements are governed by Building Department Policy No. 2. (See Deferred Submittals below also.) Dredging permits are subject to Planning Department approval as well as outside agency approvals, when part of a major project Planning application, and are subject to the CTL time for completion of the major project. If issued prior to the major project, the dredging permit issuance triggers the CTL time for completion date of the whole project. If a dredging permit is only for the purpose of maintenance of the original depth, not part of a major construction project approval and does not have a Planning condition of approval limiting the time for completion, no CTL time for completion date shall be assigned to the permit.
7. Retaining or Shoring Walls – When retaining or shoring walls are required as part of the preliminary preparations for a major project a separate permit may be issued. However, the Planning Department must approve of the construction and a building code plan review must be conducted for the proposed structure. Issuance of the permit triggers the CTL time for completion date. Subsequent permits will be assigned the same completion date.
8. Off Street Staging Area, Parking Structure or Deck Reinforcement – Off street staging areas, parking structures and deck reinforcements that are necessary for the preliminary preparations of a construction project which has received design review approval may be issued as a separate building permit, requiring a building code plan review. The permit must receive Planning Department approval. Issuance of the permit triggers the CTL time for completion date. Subsequent permits will be assigned the same completion date.
9. Grading & Excavation – When grading or excavation are necessary for the preliminary preparations of a construction project which has received design review approval a separate permit may be issued. The permit must receive Planning Department approval. The issuance of the permit triggers the CTL time for completion date. Subsequent permits will be assigned the same completion date.

#### DEFERRED SUBMITTALS

1. Solar PV Systems – Solar PV systems are to be processed as a deferred submittal. A separate permit application is required, including a plan review fee. Two copies of structural plans and calculations are required, unless calculations are not applicable. Two copies of the project site plan and any architectural plans showing the PV system are also required, unless the PV system is shown on the site plan and relevant architectural plans for the main project have been previously submitted and approved by the Planning & Building Departments.

2. Swimming Pools & Spas – Swimming pool & spas, including portable spas, are to be processed as a deferred submittal. A separate permit application is required, including a plan review fee. Two copies of structural plans and calculations are required, unless calculations are not applicable. Two copies of the project site plan and any architectural plans showing the pool and/or spa are also required. The site plan for the pool and/or spa is to include the location and description of a permanent pool barrier complying with the California pool barrier requirements.
3. Inclined Elevators – Inclined elevators are to be processed as a deferred submittal (unless the applicant wishes the elevator to be the first component of the construction project to be permitted, in which case it triggers the CTL date for completion of the entire project). A separate permit application is required, including a plan review fee. Two copies of structural plans and calculations are required, unless calculations are not applicable. Two copies of the project site plan and any architectural plans showing the inclined elevator are also required..
4. Dredging – Dredging requires a separate permit and may be accepted as a deferred submittal. Dredging permit fees and other requirements are governed by Building Department Policy No. 2. (See No. 6 above under Separate Permits also.)

Written By: Lee Braun, Building Official

Date: January 31, 2007

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
AFFIRMING CONSTRUCTION TIME LIMIT SUBCOMMITTEE  
PENALTY RECOMMENDATION FOR 339 GOLDEN GATE AVE.**

---

**WHEREAS**, Golden Gate Belvedere LLC are the owners of real property located at 339 Golden Gate Ave. in Belvedere; and

**WHEREAS**, in 2017 the Planning Commission approved a remodel project for 339 Golden Gate Ave. with an 18 month Construction Time Limit (“CTL”), which expired May 28, 2019; and

**WHEREAS**, on January 8, 2019, the City Council approved an 8 week CTL Extension based on construction related delays from the effects of the Santa Rosa fire, setting a new CTL date of July 28, 2019; and

**WHEREAS**, on April 13, 2020, the City Council approved CTL relief based on construction related delays from the effects of the COVID-19 pandemic, setting a new CTL date of October 2, 2019 ; and

**WHEREAS**, at the time of building permit issuance, a 90-day landscape extension was approved, setting a new CTL date of January 2, 2020; and

**WHEREAS**, the applicant appealed the CTL penalty that was heard by the CTL Appeal Committee on June 21, 2022; and

**WHEREAS**, the CTL Appeal Committee recommended that the \$300,000 CTL penalty be upheld because the time lost due to construction delays did not effectively address the length of time needed to complete the project; and

**WHEREAS**, Belvedere Municipal Code section 20.04.035(F)(4) provides that the City Council may uphold or reduce a CTL penalty if the time limit was exceeded for reasons beyond the applicant’s control which include, but are not limited to, factors such as unusual obstacles of the site topography, limited site access, and neighborhood considerations; and

**WHEREAS**, on July 11, 2022 the City Council held a duly noticed public hearing regarding the CTL penalty and determined that, while some of the construction delay was due to reasons beyond the applicant’s control, it did not effectively address the length of time needed to complete the project; and

**WHEREAS**, based on substantial evidence in the record including testimony presented at the hearing, the City Council therefore voted to affirm the CTL Appeal Committee’s recommendation to uphold the CTL penalty of \$300,000.

**WHEREAS**, the City Council’s decision is excepted from the California Environmental Quality Act (“CEQA”) as the CTL penalty reduction does not constitute a “project” subject to CEQA analysis.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. Pursuant to Belvedere Municipal Code section 20.04.035(F), and based on substantial evidence in the record and based on the findings set forth above incorporated herein, the

City Council of the City of Belvedere affirms and adopts the recommendation of the CTL Appeal Committee to uphold the CTL penalty of \$300,000.

2. The property owner shall hold the City of Belvedere and its officers, employees, volunteers, and any similarly situated persons, harmless in the event of any legal action, claim, or dispute related to or arising from this Resolution, shall cooperate with the City in the defense of any such action with counsel selected by the City in its sole discretion, and shall fully indemnify the City for any award of damages and/or attorneys' fees and associated costs that may result.

**PASSED AND ADOPTED** at a regular meeting of the Belvedere City Council on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**RECUSED:**

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

Sally Wilkinson, Mayor

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

Beth Haener, City Clerk

To: Mayor and City Council

From: Irene Borba, Director of Planning & Building  
Reviewed By: Robert Zadnik, City Manager

**Subject: Planning Commission Reorganization**

---

**Recommended Motion/Item Description**

- That the City Council conduct the public hearing.
- Consider recommendations from the Ad Hoc Committee relating to adjustments to the Belvedere Municipal Code and Administrative Policy Manual to better define roles and responsibilities of the Planning Commission.
- Motion to approve the first reading of the Ordinance and waive future readings of the Ordinance in its entirety.
- Consider attached resolution and adopt as appropriate.

**Background**

The Belvedere Planning Commission plays a critical role in interpreting the City’s codes and ordinances related to development. Last year, the Mayor appointed an ad hoc committee of two Councilmembers for the purpose of reviewing Belvedere’s various committees. The ad hoc group has recommended that each committee be provided a charter that describes its roles and operations and that each charter be incorporated into the City’s Administrative Policy Manual (APM). In March of 2022, the Belvedere City Council adopted a resolution amending the APM to establish rules and regulations for committees and commissions. This resolution can be viewed as attachment “A” in the following link:

<https://www.cityofbelvedere.org/DocumentCenter/View/7976/Item-5>

To date, the City Council has approved resolutions establishing charters, within the APM, for the following committees:

- Finance
- Historic Preservation
- Parks, Open Spaces and Lanes
- Traffic Safety and Circulation



A draft resolution and ordinance that would amend the Administrative Policy Manual regarding the Planning Commission are also included in the packet for Council consideration tonight.

Unlike other committees, the Planning Commission's operation is established in the City's Municipal Code. Therefore, amendments to the Code are also required. A draft ordinance making these changes is included on tonight's agenda as a separate item.

**Fiscal Impact**

There is no anticipated fiscal impact associated with the committee adjustments that have been recommended by the ad hoc committee.

**Attachments:**

- A. Draft Resolution Amending the Administrative Policy Manual regarding Planning Commission operations
- B. Draft Ordinance Amending the Belvedere Municipal Code regarding Planning Commission operations

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
AMMENDING SECTION 6.3 OF THE BELVEDERE ADMINISTRATIVE POLICY MANUAL  
REGARDING PLANNING COMMISSION OPERATIONS**

---

**WHEREAS**, the Belvedere City Council and the staff of the City of Belvedere (“Staff”) have engaged in a review of the laws and regulations of the City of Belvedere; and

**WHEREAS**, the Belvedere City Council find it is in the best interests of the City of Belvedere to update the regulations set forth in the Belvedere Administrative Policy Manual (the “APM”) for the smoother and more effective governance of the City of Belvedere.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Belvedere hereby resolves that the provisions of Section 6.3 of the APM shall be deleted in their entirety and shall be replaced with the provisions set forth in Exhibit A annexed hereto.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

Sally Wilkinson, Mayor

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

Beth Haener, City Clerk

## EXHIBIT A

### **Section 6.3**

#### **Planning Commission Operations**

6/8/2009 **Adopted by:** City Council Motion

3/11/2019 **Revised by:** City Council Resolution No. 2019-04

7/11/2022 **Revised by:** City Council Resolution No. 2022-xx

#### 6.3.1 PROCEDURE

The Planning Commission shall follow Rosenberg Rules of Order except as provided by this Chapter. The Planning Commission may make additional rules and regulations for their own organization and proceedings consistent with this Chapter and the laws of the City and of the State.

6.3.2 Sub-Committees. The Chair of the Committee may appoint, upon prior notice to and consultation with the Mayor, *ad hoc* sub-committees to assist in the Committee's deliberations.

#### 6.3.Consultation with the Parks, Open Spaces and Lanes Committee.

In addition to such notice to the public generally as may be required in order to comply with the open meeting laws of the State of California, the staff of the City of Belvedere shall provide to the Chair of the Parks, Open Spaces and Lanes Committee notice of any Application before the Planning Commission touching about the Open Lands of Belvedere (as described in Section \_\_\_ of this Administrative Policy Manual, hereafter and "Application") not less than two weeks prior to the time the Planning Commission is scheduled to consider said Application. The Chair of the Parks and Open Space Committee may at his or her discretion (1) meet and confer with the Chair of the Planning Commission to express concerns about the Application or (2) call a special meeting of the Parks, Open Spaces and Lanes Committee in order to consider a formal recommendation to the Planning Commission objecting to the Application. Such recommendation shall be made, if at all, not less than 72 hours before the time at which the matter is set to be heard and the City shall publish such recommendation together with the agenda containing the matter to be heard.

**CITY OF BELVEDERE**

**ORINANCE NO. 2022-XX**

**AN ORDINANCE OF THE CITY OF BELVEDERE AMENDING TITLE 2 OF THE BELVEDERE MUNICIPAL CODE BY AMENDING CHAPTER 2.28, “PLANNING COMMISSION.”**

---

**WHEREAS**, an ad hoc subcommittee, consisting of less than a quorum of the members of the City Council, recently reviewed the operations of the city’s commissions, boards, and committees;

**WHEREAS**, the subcommittee recommended amending the Municipal Code and Administrative Policy Manual provisions related to commissions and committees to be compliant with changes in state and local law and to be consistent with current practices and procedures;

**WHEREAS**, the City Council desires to adopt an ordinance amending Chapter 2.28 related to the Planning Commission;

**WHEREAS**, on July 11, 2022, the City Council held a duly noticed public hearing to consider the ordinance; and

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

**SECTION 1.** Findings. The above recitals are true and correct and are incorporated as findings herein.

**SECTION 2.** Amendment. Belvedere Municipal Code Title 2, Chapter 2.28 is amended as follows:

Note: Additions to the Code text are in underlined text.  
Deletions to Code text are in ~~strikethrough text~~.

Chapter 2.28

PLANNING COMMISSION

Sections:

- 2.28.010 Established—Purpose.
- 2.28.020 Composition—Appointment—Term of office—Vacancy filling.
- 2.28.030 Quorum—~~Rules and regulations~~—Compensation—~~Reports to City Council~~.
- 2.28.040 Powers and Duties. ~~Consideration of ordinances on public property reports.~~
- ~~2.28.050—Map creation and recommendation authority.~~
- ~~2.28.060—Consideration of building lot plots and street plans.~~

~~2.28.070~~ — ~~Proposed subdivision design and improvements—Investigation and report duty.~~

~~2.28.080~~ — ~~Recommendations on location of buildings or structures.~~

~~2.28.050. 2.28.090~~ Time and place of meeting.

2.28.010 Established—Purpose. In order to make adequate provision for and guide the future growth, development, beautification and efficient planning of the City, a City Planning Commission is established.

2.28.020 Composition—Appointment—Term of office—Vacancy filling. The City Planning Commission shall consist of seven persons to be appointed by the Mayor, with the approval of the City Council. ~~The building inspector and the City Manager shall be ex officio members of the Planning Commission.~~ Each of the seven appointed members shall normally serve a term of four years or fraction thereof, and the terms of the members shall be staggered so that no more than four members' terms shall expire at one time and the terms of the remaining members shall expire two years hence. Members shall serve at the pleasure of the Council. Vacancies shall be filled by the Mayor with the approval of the City Council for the unexpired portion of the term of a retiring member.

2.28.030 Quorum—Rules and regulations—Compensation—Reports to City Council. Four members of the Planning Commission shall constitute a quorum. ~~They may make and alter rules and regulations for their own organization and proceeding consistent with the ordinances of the City and the laws of the State. Members~~ They shall receive no compensation for their services, ~~and shall report their transactions and recommendations to the City Council at least once in every year.~~

2.28.040. Powers and Duties.

(a) The Planning Commission shall have such powers and carry out such duties as granted under state law and Titles 18, 19, and as otherwise provided in this Municipal Code.

(b) The Clerk shall forward the following matters to the Planning Commission, for its consideration and advice to Council, such ordinances, resolutions, and documents, as required by state law and this Municipal Code, including, but not limited to:

(1) Zoning ordinances or amendments of zoning ordinances and maps;

(2) The General Plan, or amendments to the General Plan or any of its elements;

(3) Projects for the construction or improvement of public buildings or instructions with the City;

(4) Ordinances relating to housing or building codes; and

(5) Any such other matters as may be prescribed by ordinance or as requested by Council.

~~2.28.040 Consideration of ordinances on public property—Reports.~~ The City Clerk shall, upon introduction, furnish to the City Planning Commission for its consideration a copy of all ordinances relating to the location of any public building of the City; to the location, extension, widening and enlargement of any street, parkway, park, playground or other public grounds, and to the vacating of any street or other alteration of the City plan of the streets and highways; and all ordinances relating to housing or building codes, zones or districts for the City. The Commission may make a report or suggestion in relation thereto if it deems a report necessary or advisable for the consideration of the City Council. All such reports when delivered to the City Clerk shall be for the information of the public as well as of the City Council and shall be open to inspection.

~~2.28.050 Map creation and recommendation authority.~~ The City Planning Commission may make or cause to be made, and submit to the City Council, a map or maps dividing the City into districts of such number, shape and area as they may deem best suited to carry out the purpose of the zoning law of 1917 (Stats. 1917, P. 1149); and it may make recommendations to the City Council from time to time concerning any such matter and things aforesaid for action by the City Council, and in so doing have regard for the present conditions and future needs and growth of the City.

~~2.28.060 Consideration of building lot plots and street plans.~~ All plans, plots or replots of lands laid out in building lots, and the streets, lanes or other portions of the same intended to be dedicated for public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto, shall be submitted to the City Planning Commission, which shall report upon them to the City Council.

~~2.28.070 Proposed subdivision design and improvement—Investigation and report duty.~~ The City Planning Commission is hereby charged with the duty of making investigations and reports on the design and improvements of proposed subdivisions in the City. The Commission's report shall approve, conditionally approve or disapprove the map or maps of the subdivision. It shall make its report thereon directly to the subdivider as promptly as possible.

~~2.28.080 Recommendations on location of buildings or structures.~~ The City Planning Commission may make recommendations to any public authority or any corporation or individual, with reference to the location of any buildings, structures or works to be erected or constructed by them.

~~2.28.050.2.28.090~~ Time and place of meeting. The regular meeting of the Planning Commission shall be held on the third Tuesday of each calendar month, or on such day as is hereafter fixed by City Council resolution, in the City Hall, 450 San Rafael Avenue, at the hour of six-thirty p.m. The meetings of the Commission shall at all times be open to the public.

**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 AT A PUBLIC HEARING** at a regular meeting of the Belvedere City Council on July 11, 2022, by the following vote

**AYES:**

**NOES:**

**ABSENT:**

**RECUSED:**

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

Sally Wilkinson, Mayor

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

Beth Haener, City Clerk

---

**To:** Mayor and City Council  
**From:** Robert Zadnik, City Manager  
**Subject:** **Consider Adoption of a Climate Emergency Resolution**

---

**Recommended Action**

That Council consider adoption of a Climate Emergency Resolution.

**Background**

Since the adoption of the City’s first Climate Action Plan in 2010, the City of Belvedere has committed to a wide range of measures to reduce greenhouse gas emissions (**see Attachment “B” 2030 Climate Action Plan**). In addition to implementing specific projects and programs, many cities and organizations around the world have signed petitions and adopted resolutions supporting a declaration of climate emergency. Today, Council is discussing the City taking similar action. A Climate Emergency Resolution (CER) will reinforce the City’s commitment to reduce GHG emissions and to educate the community about a climate emergency. A CER may reinforce the City’s own adopted GHG reduction goals included in the City’s recently updated 2030 Climate Action Plan (CAP).

A CER may also commit the City to provide the community and Council with information as well as directing funds toward climate mitigation work, such as policies, projects, and programs that promote community sustainability.

A group of advocates for a Belvedere CER has provided staff with a draft resolution for the Council’s consideration. The version before you tonight (**Attachment A**) has been amended to be consistent with the city’s short and long-term goals found in the 2030 Climate Action Plan.

**Fiscal Impact**

Staff anticipates no direct fiscal impact to the City by adopting the draft resolution in its current form.

**Recommended Action**

Consider adoption of a Climate Emergency Resolution



**Attachments:**

A. DRAFT Climate Emergency Resolution

B. City of Belvedere 2030 Climate Action Plan

**CITY OF BELVEDERE**

**RESOLUTION NO. 2022-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE  
DECLARING A CLIMATE EMERGENCY**

---

**WHEREAS**, the City Council is devoted to protecting and promoting the health, safety, and welfare of Belvedere's residents; and

**WHEREAS**, Belvedere's General Plan and Climate Action Plan seek to improve, enhance, and preserve the environment and to promote Belvedere's long-term environmental sustainability and livability; and

**WHEREAS**, in 2016 California enacted SB 32, setting greenhouse gas reduction targets of at least 40% below 1990 levels by 2030 and on September 10, 2018, California Governor Brown signed Executive Order B-55-18 setting a statewide goal of carbon neutrality (net zero greenhouse gas emissions) on or before 2045; and

**WHEREAS**, the City Council agrees with the consensus among climate scientists that climate and ecological crises threaten the Earth's climate balance and acknowledges that climate change impacts virtually every aspect of our lives; and

**WHEREAS**, in 2018, the 4th National and California Climate Change Assessments warned that extreme weather and climate-related events in the United States are worsening, predicting increased droughts and heat waves in the western U.S. resulting in increased intensity and frequency of wildfires, declining water supply, catastrophic flooding, as well as substantial damage to the economy and human health, unless greenhouse gas emissions are immediately and dramatically curbed; and

**WHEREAS**, atmospheric CO<sub>2</sub> is now 50 percent higher than at any time in human history and global average temperatures are at their highest level since measurements commenced, and both trends are increasing; and

**WHEREAS**, humanity can no longer safely emit greenhouse gases and must undertake an emergency mobilization effort across all sectors to: (1) safely reduce and remove excess greenhouse gases from the atmosphere; (2) preserve and restore the Earth's biodiversity; (3) implement safety measures to protect all people and species from the consequences of abrupt warming in the near-term; and (4) cultivate a just transition toward climate resiliency; and

**WHEREAS**, Belvedere has taken a number of important actions to reduce greenhouse gas emissions and enhance the quality of life in our community including, among other things, (1) sustainable land use planning; (2) adopting its first Climate Action Plan in 2010; (3) participating

in MCE's Deep Green Energy Program for City facilities; and (4) developing a revised and updated Climate Action Plan 2030; and

**WHEREAS**, despite significant actions by Belvedere and other governmental entities to reduce greenhouse gas emissions, we are currently facing an increasingly urgent climate crisis that demands accelerated action by all levels of government including Federal, State, County, and local municipalities to avoid the worst consequences of climate change;

**NOW THEREFORE BE IT RESOLVED**, the City Council joins the growing number of jurisdictions in Marin County, the Bay Area and California to declare that a climate emergency impacts our city, region, state, nation, humanity, and the natural world, requiring urgent action; and

**BE IT FURTHER RESOLVED**, the City Council affirms the need for the understanding, active participation, and collaboration of the broader Belvedere community for all actions and initiatives Belvedere may adopt in response to the climate emergency and commits to: (1) provide outreach, information and education for Belvedere residents, businesses, and City staff on the urgency of climate responses and reduction of greenhouse gas emissions, as well as policies and strategies to advance sustainability and resilience; and (2) regularly assess Belvedere's greenhouse gas reduction goals and provide public-facing progress reports and metrics on a regular basis; and

**BE IT FURTHER RESOLVED**, the City Council affirms the State of California's goals of reducing greenhouse gas emissions to 40% below 1990 levels by 2030 and achieving carbon neutrality (net zero greenhouse gas emissions) as soon as possible and no later than 2045, including potential acceleration of these dates by the State, and directs the City Manager to continue to work with staff on climate actions by the City of Belvedere, its residents and jointly with others, including the actions identified in Belvedere's Climate Action Plan 2030, to meet or exceed these goals; and

**BE IT FURTHER RESOLVED**, the City Council, in response to the urgent need for dramatic and accelerated action, supports the aspirational goal of achieving net zero greenhouse gas emissions by 2030 while recognizing this may not be achievable given the limited authority and resources available to Belvedere for this purpose; and

**BE IT FURTHER RESOLVED**, the City Council directs the City Manager to work with staff to include consideration of climate impacts in all relevant staff reports, just as it currently considers fiscal impact, General Plan consistency and the California Environmental Quality Act (CEQA); and

**BE IT FURTHER RESOLVED**, the City Council will elevate climate issues to be a priority in its bi-annual goal-setting process and directs the City Manager to seek financial and regulatory

assistance as appropriate to support Belvedere’s climate actions and to allocate specific funds for greenhouse gas and climate change mitigation and adaptation measures; and

**BE IT FURTHER RESOLVED**, the City of Belvedere joins in a nationwide call for regional, state, national, and international climate emergency mobilization efforts at all levels of government to reverse global warming and the resulting ecological crisis.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Belvedere on July 11, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

Sally Wilkinson, Mayor

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

Beth Haener, City Clerk



City of Belvedere

**CLIMATE ACTION PLAN 2030**









*Adopted*  
June 13, 2022



# Table of Contents

Section 1: Introduction .....	1
What is a Climate Action Plan? .....	1
Background .....	1
What are Greenhouse Gas Emissions and How Do They Contribute to Climate Change?.....	3
How will Climate Change Impact California and Marin? .....	5
What Role Does Government Play?.....	0
Belvedere’s Actions to Date.....	1
Belvedere’s Current Emissions and Trend .....	1
Consumption-Based Inventory .....	4
Emissions Forecast and Reduction Targets.....	6
State Pillars .....	7
Actions to Reduce Greenhouse Gas Emissions.....	8
Summary of State Actions.....	8
Summary of Local Strategies.....	9
Social Equity .....	10
Section 2: Measures.....	11
Local Measures to Reduce Greenhouse Gas Emissions.....	11
Low Carbon Transportation .....	12
Renewable Energy and Electrification .....	17
Energy Efficiency .....	20
Waste Reduction.....	23
Water Conservation .....	28
Sequestration and Adaptation.....	30
Community Engagement .....	33
Implementation and Monitoring .....	36
Acknowledgments.....	37
Appendix A: Program Calculations.....	A-1
Appendix B: 2019 Greenhouse Gas Inventory Report for Communitywide Emissions .....	B-1

# 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

---

## 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

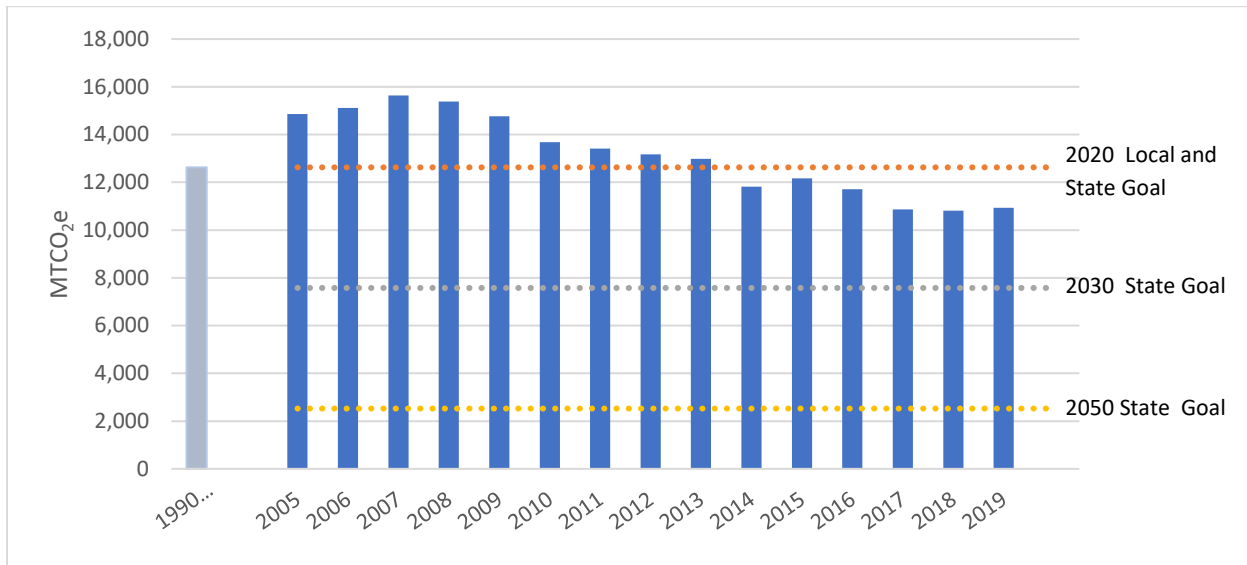


government operations and facilities. In 2016, the State of California adopted an interim reduction target of 40% below 1990 levels by 2030 to stay on track. This updated plan sets out a road map to do just that.

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.

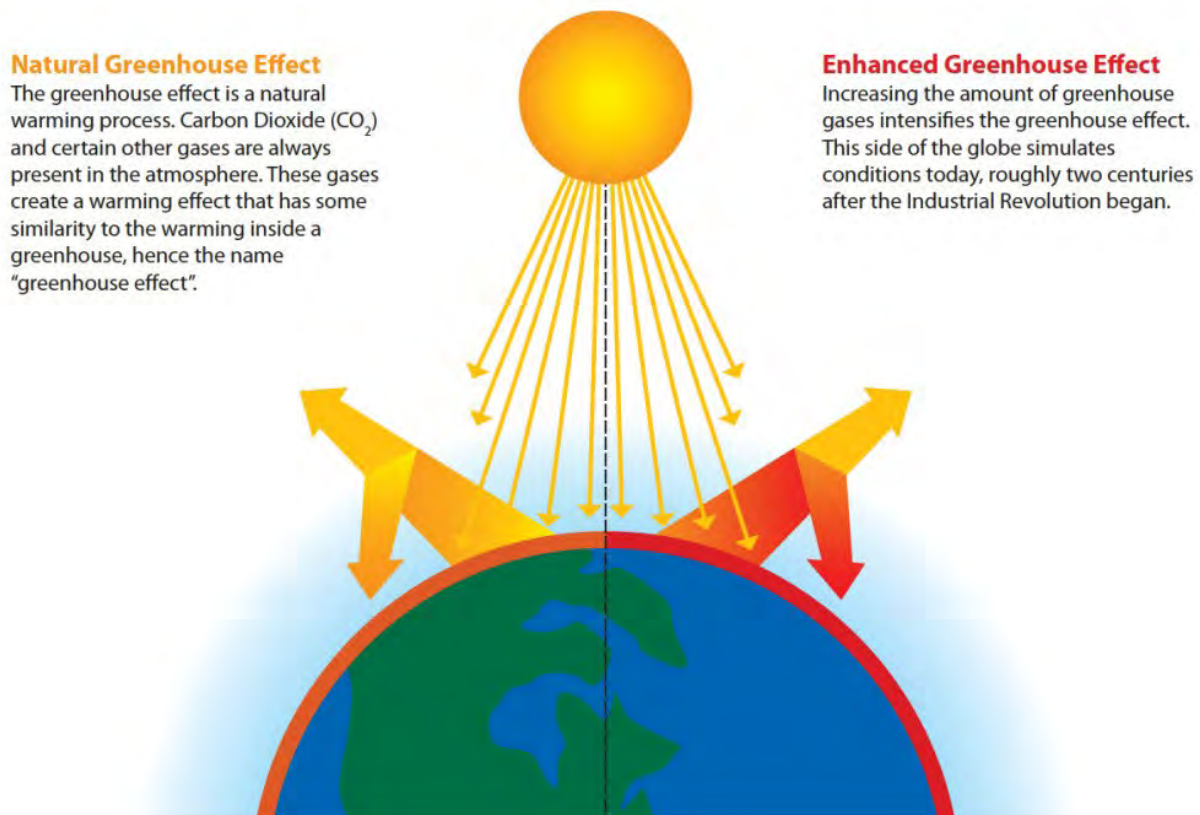
**FIGURE 1: BELVEDERE COMMUNITY EMISSIONS TREND, 2005-2019**



## 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.

---

<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.

---

<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>
<b>Local</b>	<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).

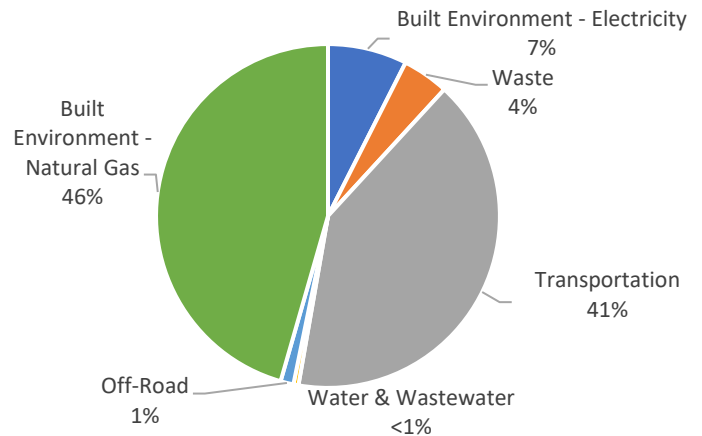
**TABLE 2: EMISSIONS SUMMARY BY SECTOR (MTCO<sub>2</sub>e)**

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.

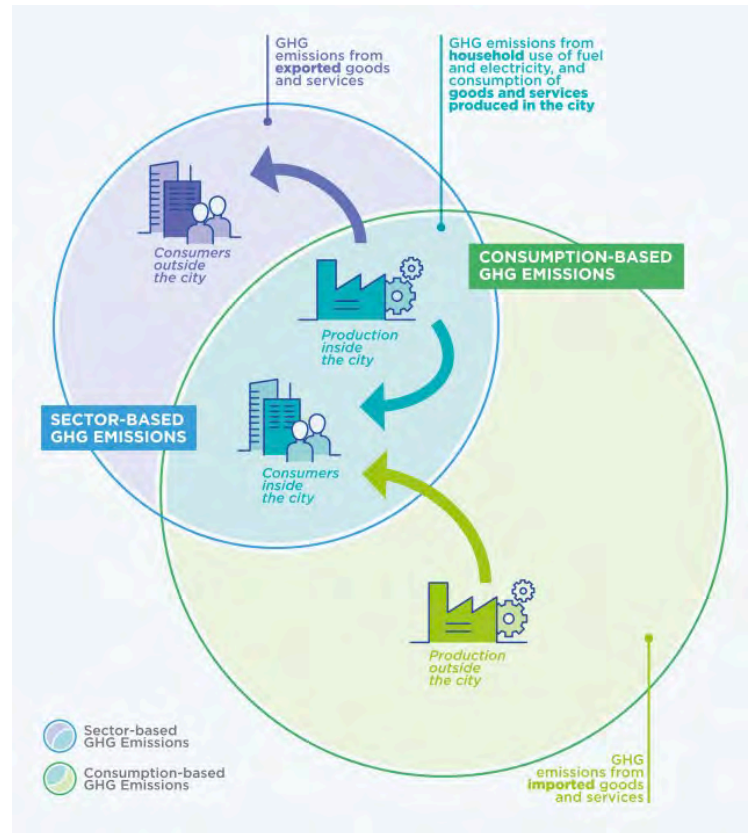
FIGURE 3: COMMUNITY EMISSIONS BY SOURCE, 2019



## 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

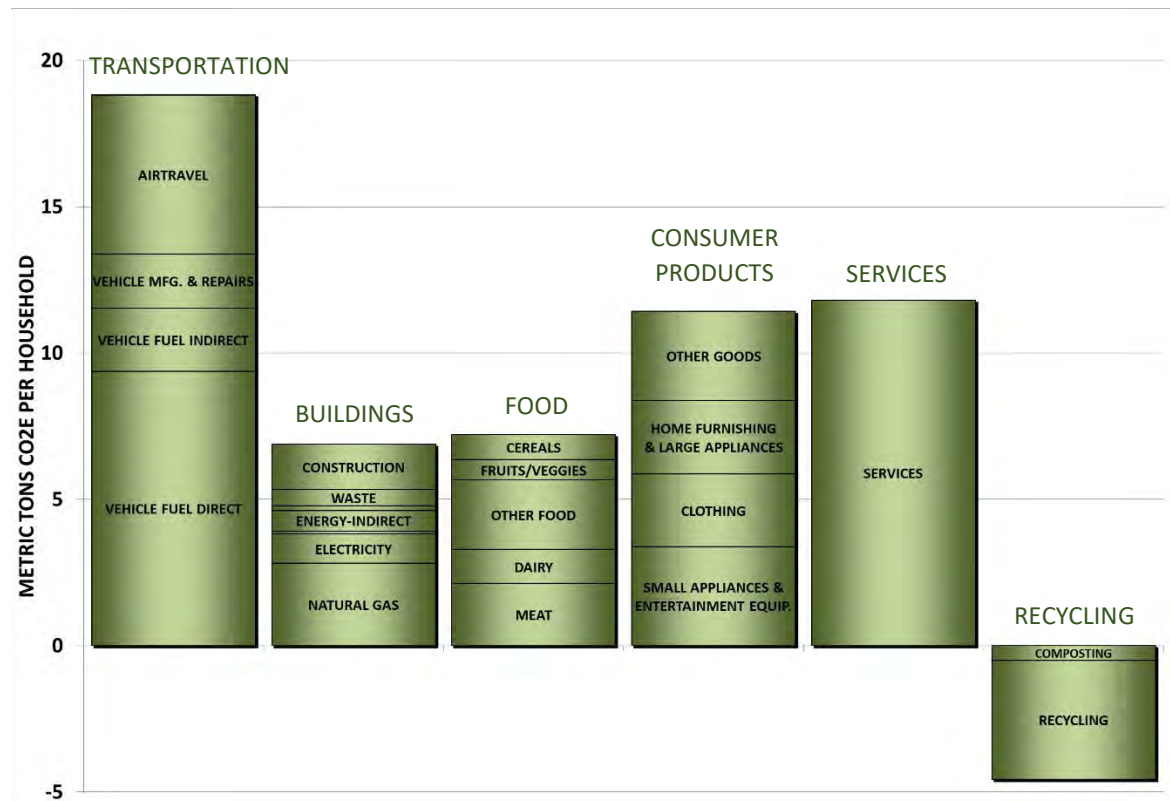


Source: C40 Cities, “Consumption-Based GHG Emissions of the C40 Cities”

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**

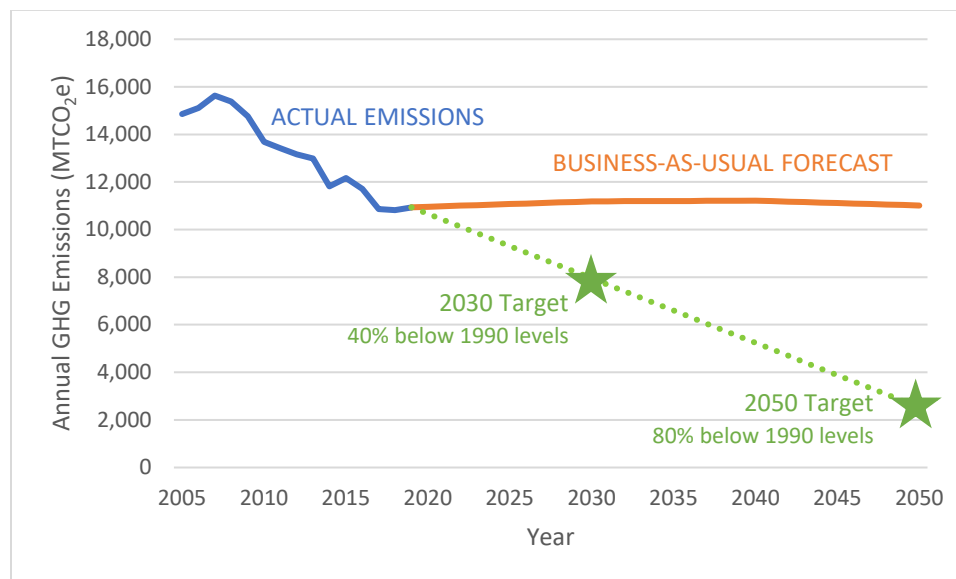


This graph shows the relative impact of all the sources of emissions that make up a household carbon footprint. *Source: CoolClimate Network*

## 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**

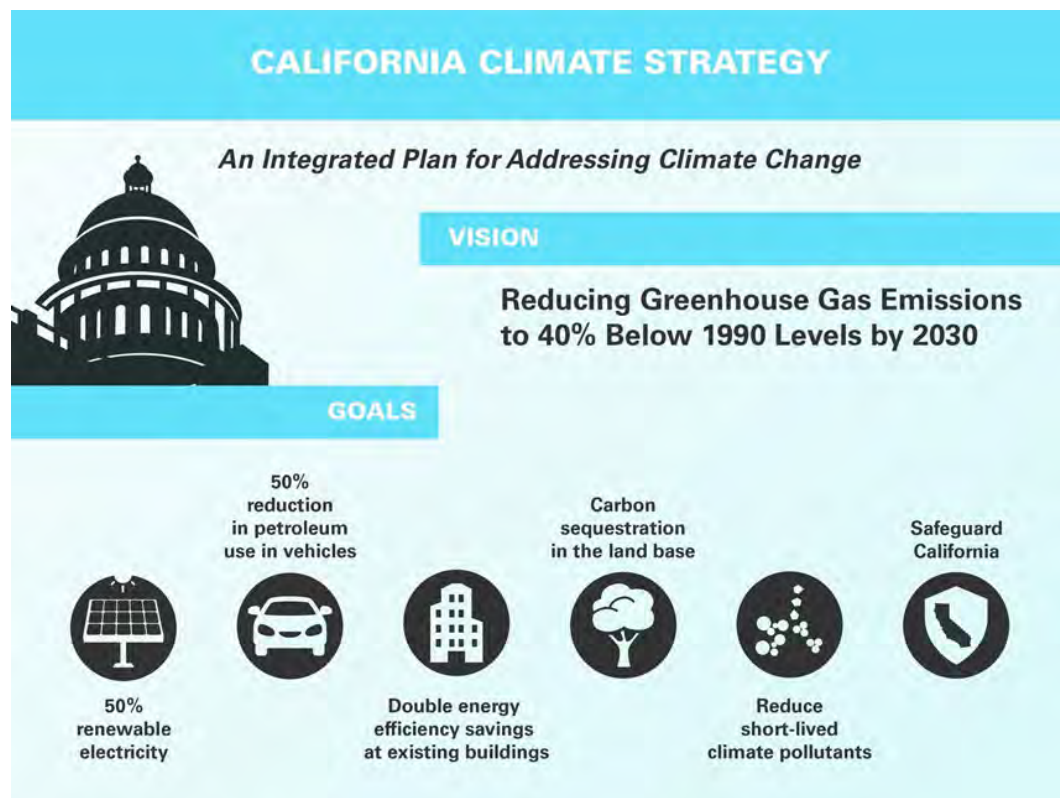


## State Pillars

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

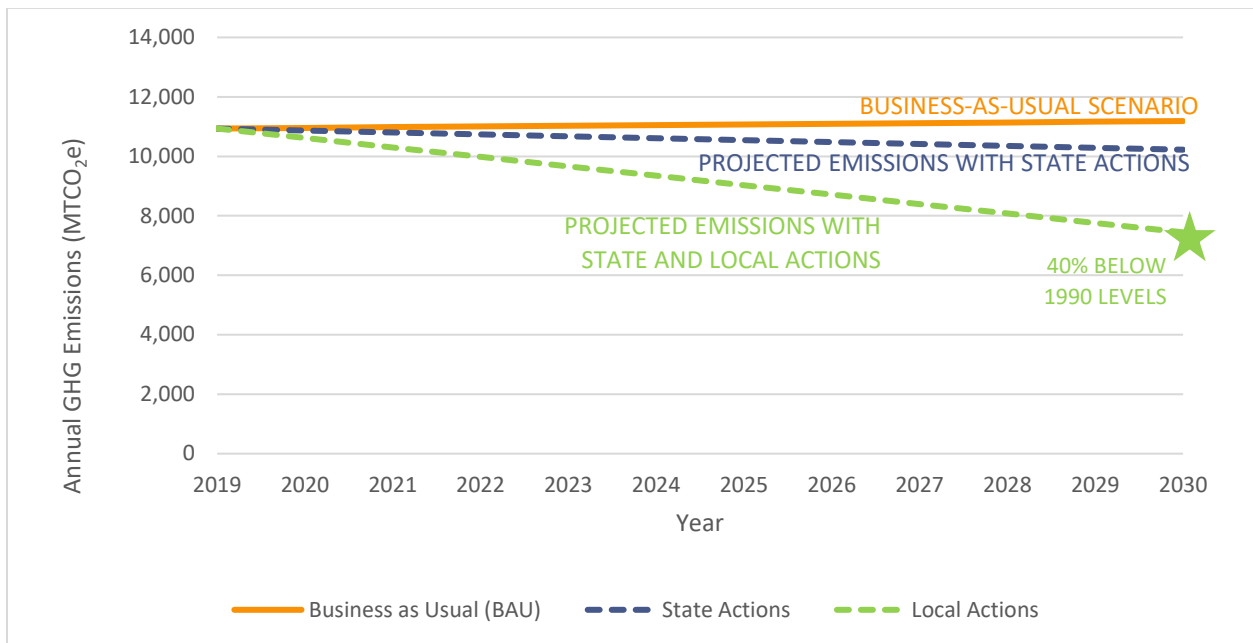


## Actions to Reduce Greenhouse Gas Emissions

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.*

---

<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.

---

<sup>5</sup> PolicyLink, “The Equity Manifesto.”

## SECTION 2: MEASURES

---

### 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.

---

<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.

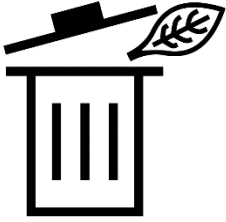
**EE-5: Municipal Energy Efficiency Audit and Retrofits**

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.

---

<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>2</sub> e)	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.

---

<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**

Irene Borba, Director of Planning & Building  
Rebecca Markwick, Senior Planner

## **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>	
<p>Reductions (MTCO<sub>2</sub>e)</p> <p style="text-align: right;">-837</p>	<p>2030</p>
<p>Targets</p>	<p>35% of passenger vehicles in Marin are ZEVs in 2030 (approximately 70,000 ZEVs). 21% annual growth rate of registered ZEVs in Marin.</p>
<p>Methodology and Assumptions</p>	<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>
---------	---

*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	<p>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.</p> <p>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.</p>	

### *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>

---

---

*Calculation*

---

---

	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*

<p>Program Description</p>	<p>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.</p>
<p>Reductions (MTCO<sub>2</sub>e) -228</p>	<p>2030</p>
<p>Methodology</p>	<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>
<p>Sources</p>	<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**

	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
<b>Reductions from Title 24 Upgrades</b>				
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

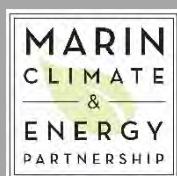
## Appendix B: 2019 Greenhouse Gas Inventory Report for Communitywide Emissions

# CITY OF BELVEDERE

## COMMUNITY GREENHOUSE GAS EMISSIONS INVENTORY FOR THE YEAR 2019

January 2022

Prepared by the  
Marin Climate & Energy Partnership



---

# TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION	2
PURPOSE OF INVENTORY	2
GENERAL METHODOLOGY	2
COMMUNITY INVENTORY	4
COMMUNITY INVENTORY SUMMARY	4
PER CAPITA EMISSIONS	6
MAJOR SOURCES OF EMISSIONS	7
BUILT ENVIRONMENT - ELECTRICITY	7
BULT ENVIRONMENT - NATURAL GAS	8
TRANSPORTATION	9
WASTE DISPOSAL	9
WATER USE	10
APPENDIX	A-1

# EXECUTIVE SUMMARY

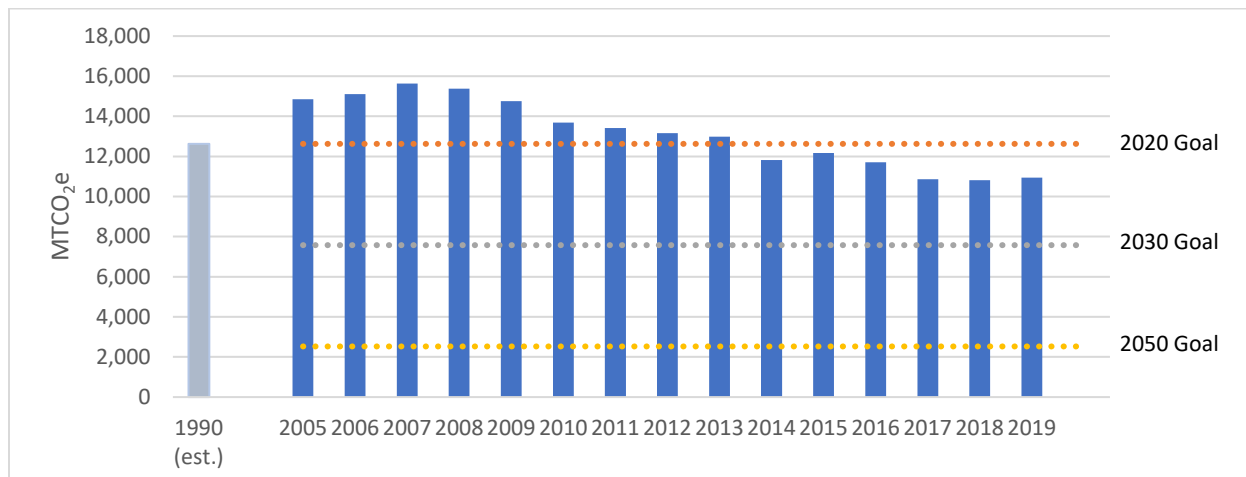
**THE TAKEAWAY:**

**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](#).

---

# 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.

---

# 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.

---

<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

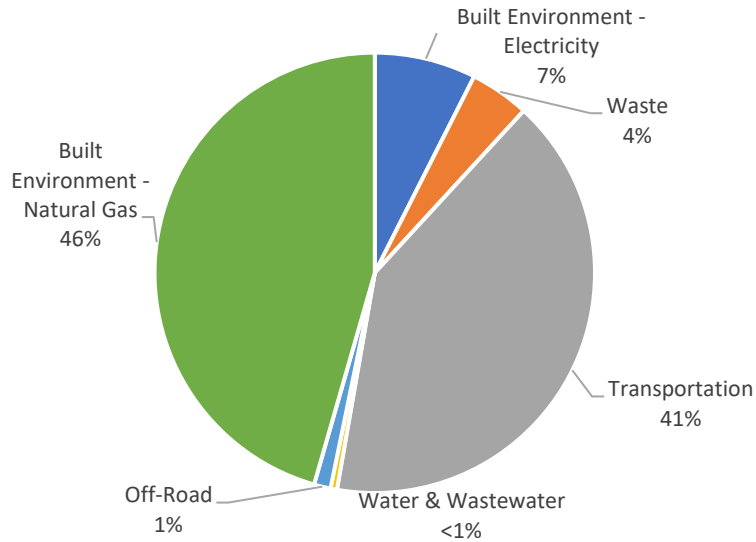


Table 2 shows how emissions in each sector have changed since 2005. The greatest reductions have occurred in the Built Environment – Electricity sector (1,696 MTCO<sub>2</sub>e), followed by the Transportation sector (1,226 MTCO<sub>2</sub>e) and the Built Environment – Natural Gas sector (572 MTCO<sub>2</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%	

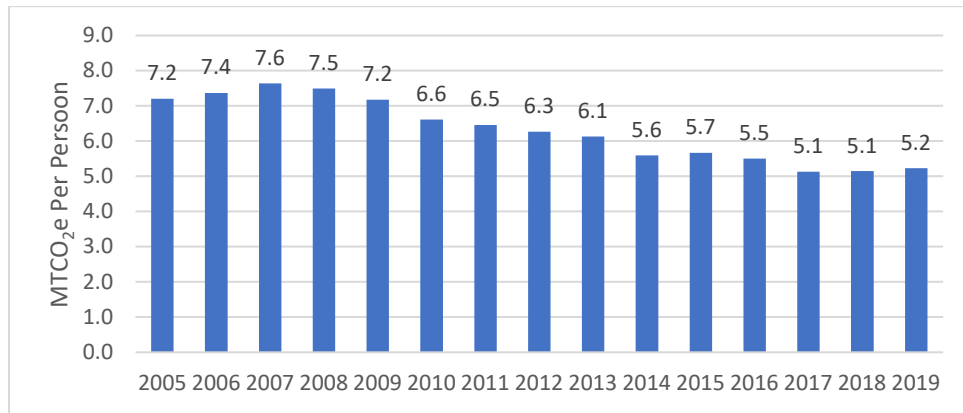
<sup>1</sup> Per California Air Resources Board guidance, 1990 levels are estimated at 15% below 2005 levels.

### 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

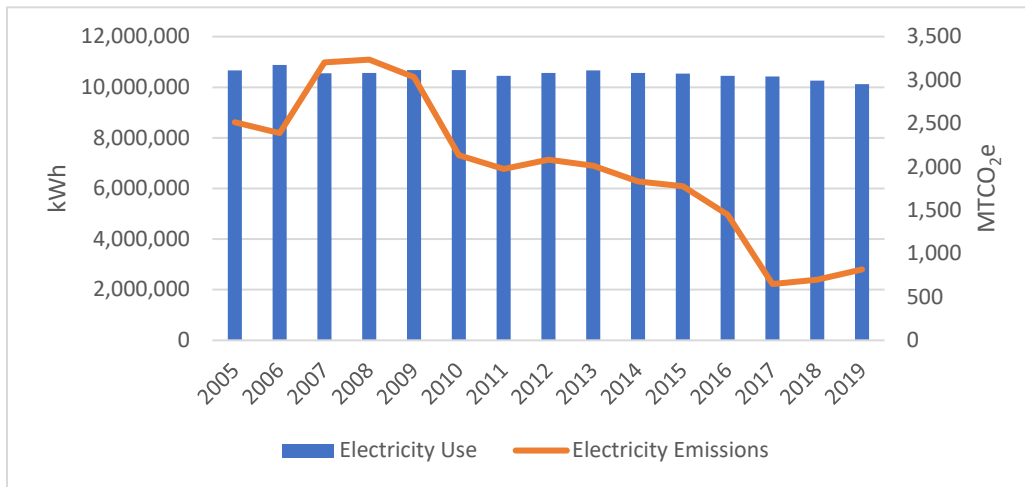
The following sections provide a year-by-year analysis of the changes in source GHG emissions in the Built Environment, Transportation, Waste and Water sectors. Whenever possible, each section discusses the change in emissions from previous years and the likely influence of state and local programs or 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)

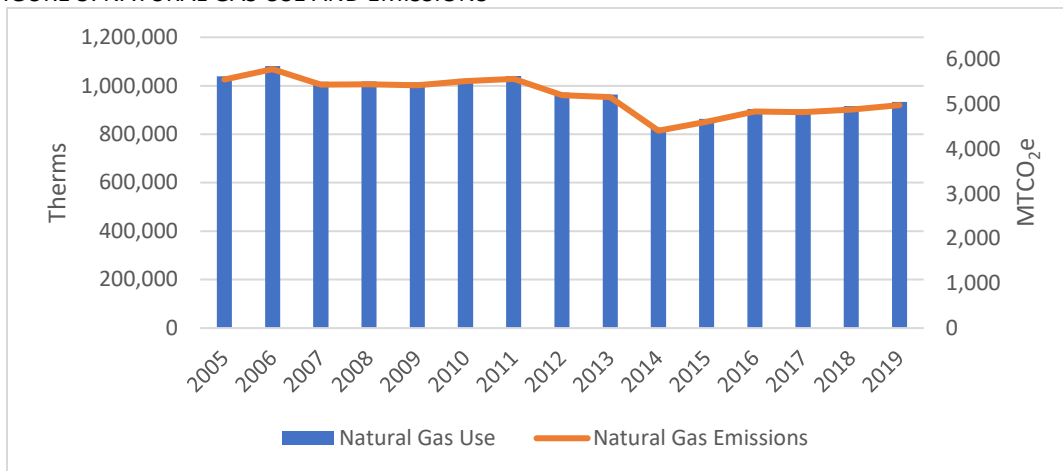
FIGURE 4: ELECTRICITY USE AND EMISSIONS



**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

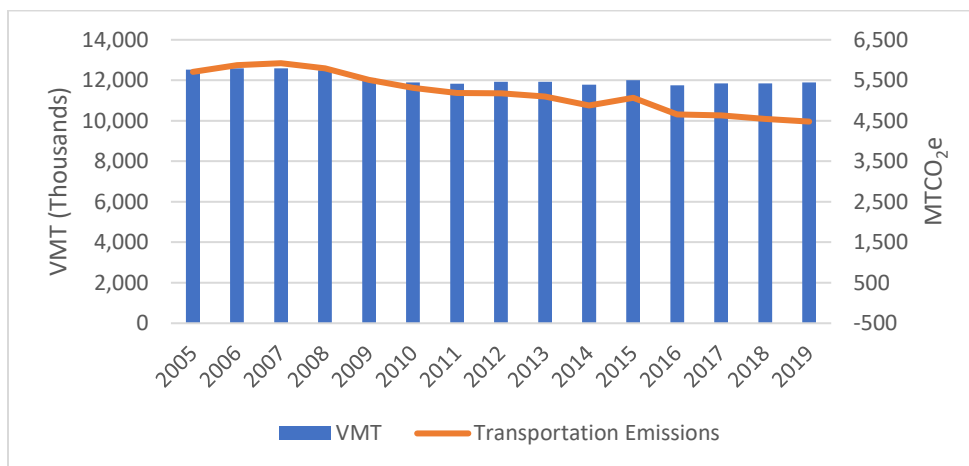
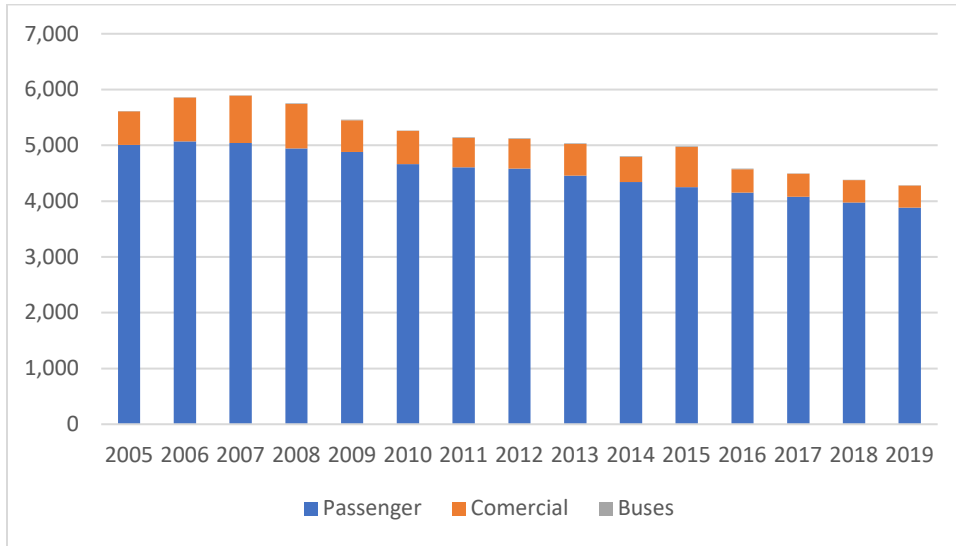


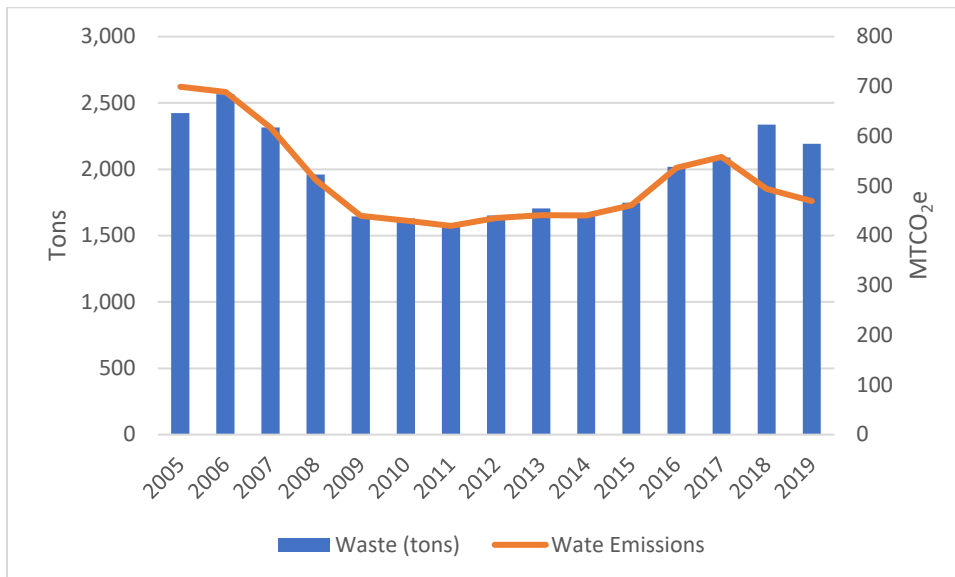
FIGURE 7: TRANSPORTATION EMISSIONS BY VEHICLE TYPE



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

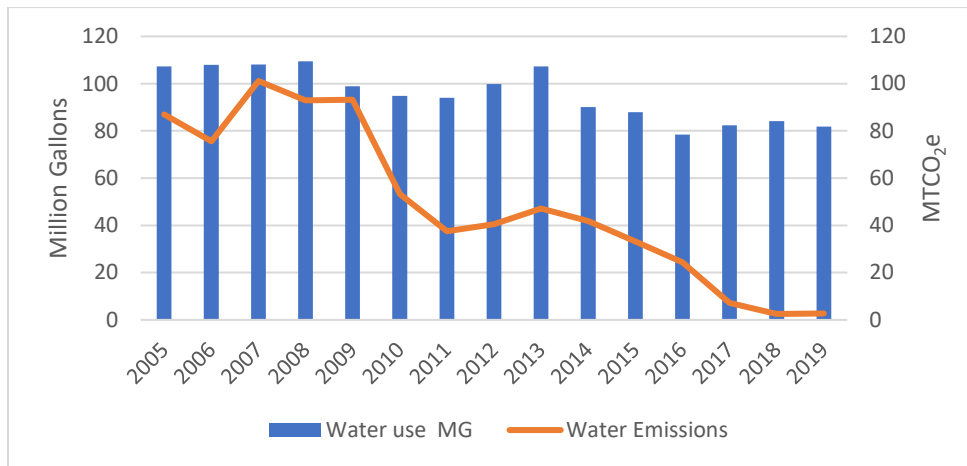
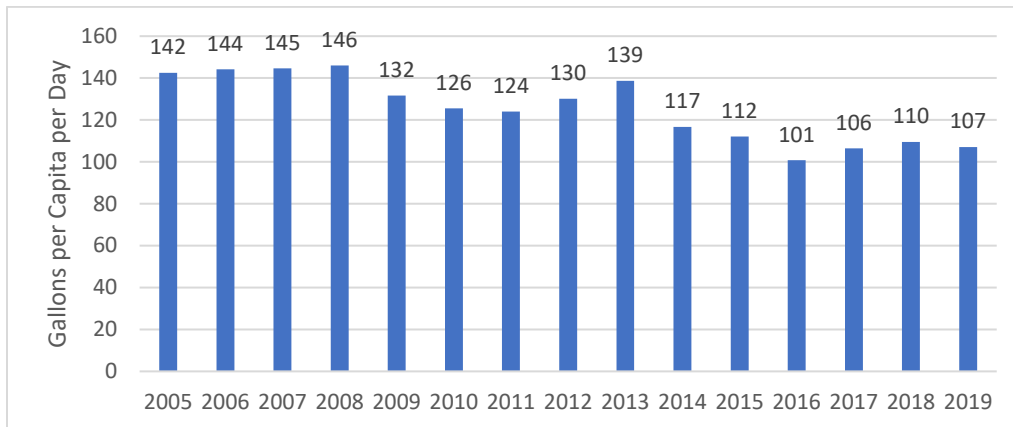


FIGURE 10: PER CAPITA WATER USE



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.
<b>3.0 Solid Waste</b>			
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.
<b>4.0 Water and Wastewater</b>			
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).
--	---	---	--