



**City of Belvedere  
City Council Meeting  
Public Hearing  
Monday, September 14, 2026**

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**To:** Mayor and City Council

**From:** Robert Zadnik, City Manager  
Andrew Shen, City Attorney

**Subject:** **Item No. 6.A.: Ordinance Regulating Commercial Drone Delivery Ground Activity**

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**Recommended Motion/Item Description**

Staff recommends that the City Council ("Council") approve an ordinance, on first reading, regulating commercial drone delivery facilities and related ground activity within Belvedere.

**Background**

Commercial drone delivery is beginning to move beyond pilot programs and into broader residential service. However, few local drone ordinances are designed to address routine commercial drone delivery to residential properties. Belvedere has an opportunity to set initial guidelines for commercial drone deliveries before such delivery operations are established.

**Prior Council Discussion and Feedback**

At its July 13, 2026, regular meeting, the Council considered the introduction of a draft ordinance regarding commercial drone deliveries. The draft ordinance had several objectives:

1. Prohibiting commercial drone delivery facilities in residential zones;
2. Requiring a conditional use permit for any commercial drone delivery facility in the City's Mixed Use (MU) zone;
3. Prohibiting commercial drone deliveries, package placement, landing, staging, retrieval, loading, unloading, customer pickup, or other delivery-related ground activity on City streets, sidewalks, docks, parks, pathways, stairs, parking areas, rights-of-way, or other public land unless expressly authorized by the City;
4. Requiring written consent before private property is used for delivery-related ground activity;
5. Confirming that homeowner consent does not allow nuisance impacts on neighbors;
6. Establishing a complaint and investigation process; and
7. Acknowledging Federal Aviation Administration (FAA) authority over airspace and aircraft operations.

During its discussion, the Council addressed several issues and asked that staff return with a further revised ordinance. Among other more specific feedback, the Council addressed:

1. Simplification of the ordinance
2. Current permitted uses in the MU zone
3. Hours of operation
4. Documenting written authorization for commercial drone deliveries

#### Simplification of the ordinance

Given concerns about the ordinance's complexity, staff worked to reorganize and streamline the draft ordinance. The changes include:

- a. Reorganizing the ordinance into three parts — Residential Use Rules, Commercial Use Rules, and Enforcement — so that residents, operators, and staff can more easily find the rules that apply to them;
- b. Simplifying the findings and definitions, and consolidating the twenty-delivery-per-month threshold into a single definition of "Commercial Drone Delivery Facility" rather than repeating it in multiple sections;
- c. Adding a dedicated set of residential delivery rules (new Section 8.34.030);
- d. Specifying that commercial drone delivery facilities can only be located in the MU zone;
- e. Consolidating the criteria for issuance of conditional use permits; and
- f. Streamlining the enforcement provisions.

#### Current permitted uses in the MU zone

At the prior Council meeting, councilmembers asked about current permitted uses in the MU zone and how they may interact with the proposed ordinance.

Belvedere Municipal Code ("BMC") Section 19.41.020 establishes several permitted uses. Of the permitted uses, "retail" and "bakeries" may implicate commercial drone deliveries. BMC Section 19.41.030 provides for additional uses, with a conditional use permit issued by the Planning Commission that may also involve commercial drone deliveries — "eating and drinking establishments," including "restaurants," "convenience markets," and "liquor stores."

While BMC Chapter 19.41 does explicitly authorize — or prohibit — commercial drone delivery facilities, the uses listed directly above could integrate commercial drone deliveries.

Conceivably, such businesses could deliver retail items, baked goods or food items. Of these uses, "retail" has the broadest scope. Under BMC Section 19.08.459, a "retail store" is "a business selling goods, wares, or merchandise directly to the ultimate consumer." Given the breadth of this definition, a commercial drone delivery facility could qualify as "retail," a permitted use, given the breadth of the items that a "retail store" could sell to residents.

#### Hours of operation

At the prior Council meeting, councilmembers inquired whether the ordinance should address hours of operation for commercial drone deliveries. As a starting point for discussion, staff has included a provision addressing hours of operation that mirrors the City's noise ordinance. Specifically, the noise ordinance, BMC Section 8.10.050, establishes a "quiet time" during which loud noise are prohibited — "between the hours of 9 p.m. and 7 a.m. Sunday through Thursday and 11 p.m. to 7 a.m. Friday and Saturday." The drone ordinance thus currently proposes hours of operation of between the hours of 7 a.m. and 9 p.m., Sunday through Thursday, and 7 a.m. and 11 p.m., Friday and Saturday.

#### Documenting written authorization

Councilmembers previously inquired about the documentation of the written authorization envisioned under the ordinance. Such written authorization is required for several purposes – acceptance of commercial drone deliveries by residents and the City’s authorization for use of public property.

At present, staff does not recommend specifying the exact manner in which such written authorization must be documented. Commercial drone delivery is a nascent business, and staff recommends that the ordinance remain flexible about such details for the time being. As needed, staff can provide further public guidance about these requirements going forward.

### **Environmental Review**

The proposed ordinance would not constitute a “project” under the California Environmental Quality Act, pursuant to CEQA Guideline 15378, and is otherwise exempt under CEQA Guideline 15061(b)(3), because it does not have the potential to cause a significant effect on the environment. Further, if the proposed ordinance did constitute a project, it would be exempt as a valid exercise of the City’s regulatory authority to maintain and protect natural resources and the environment, under CEQA Guidelines 15307 and 15308.

### **Fiscal Impact**

No significant fiscal impact is anticipated. Enforcement would be handled through existing City processes. If commercial drone delivery activity increases, additional staff time may be needed for complaint investigation and permit review.

### **Recommended Action**

Staff recommends that the City Council:

1. Approve the proposed ordinance on a first reading;
2. Direct staff to return with the ordinance for a second reading and adoption at the Council’s next regular meeting.

### **Attachments**

Attachment 1: Draft Ordinance Regulating Commercial Drone Delivery Ground Activity.

**CITY OF BELVEDERE**  
**ORDINANCE NO. 2026-02**

**A REGULAR ORDINANCE OF THE CITY OF BELVEDERE ADDING CHAPTER 8.34,  
TO REGULATE COMMERCIAL DRONE DELIVERIES**

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Note: Unchanged text appears in plain Times New Roman font.  
Additions to text appear in single-underline italics Times New Roman font.  
Deletions to text appear in ~~strikethrough italics Times New Roman font~~.

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

**SECTION 1.** Chapter 8.34 is hereby added to the Belvedere Municipal Code to read as follows:

**CHAPTER 8.34: COMMERCIAL DRONE DELIVERIES**

**8.34.010 – Purpose and Scope**

The City of Belvedere is compact, with narrow streets, steep hills, and restricted emergency-access routes. To protect public safety, privacy, and the quiet enjoyment of neighborhoods, this chapter regulates ground-level drone activities (such as landing, taking off, loading, and unloading).

This Chapter 8.34 does not regulate drone flights, flight paths, or airspace, which are under the exclusive jurisdiction of the Federal Aviation Administration (FAA).

**8.34.020 – Definitions**

For the purposes of this Chapter 8.34, the following definitions apply:

“Commercial Drone Delivery” means using a drone to transport, deliver, drop off or pick up any goods (such as food, packages, or documents) in connection with a business transaction or paid service.

“Commercial Drone Delivery Facility” means any property, structure, or location used systematically to send, receive, or stage Commercial Drone Deliveries for 20 or more deliveries per month. Occasional personal receipt of fewer than 20 deliveries per month does not make a property, structure or location a Commercial Drone Delivery Facility.

“Delivery-Related Ground Activity” means any action on the ground connected to a Commercial Drone Delivery, including taking off, landing, staging, loading, unloading, charging, or package retrieval.

“Drone” or “UAS” means an unmanned aircraft system.

“Public Access Area” means any City-owned property, including public streets, sidewalks, parks, pathways, stairways, and emergency or evacuation routes.

## **PART I: RESIDENTIAL USE RULES (Personal & Household Deliveries)**

The following sections apply to Commercial Drone Deliveries made to residential properties for personal and household use.

### **8.34.030 –Residential Deliveries**

To keep residential neighborhoods safe, clear, and quiet, the following rules apply to all residential Commercial Drone Deliveries:

- A. Public Space Restriction: Delivery-Related Ground Activities shall not use any Public Access Areas unless the City has granted written authorization.
- B. Emergency Access: Commercial Drone Deliveries and Delivery-Related Ground Activities shall not block, narrow or interfere with emergency evacuation routes, fire lanes, or emergency vehicle access. Any Commercial Drone Delivery or Delivery-Related Ground Activity blocking these areas is a public nuisance and must be removed immediately.
- C. Private Property Consent: Commercial Drone Deliveries must deliver packages directly onto private property, and only if the resident or homeowner has given prior written or digital consent (such as checking an agreement box on an application, text, or email).
- D. Hours of Operation: Commercial Drone Deliveries and Delivery-Related Ground Activities may only operate between the hours of 7 a.m. and 9 p.m., Sunday through Thursday, and 7 a.m. and 11 p.m., Friday and Saturday.

### **8.34.040 – Residential Use Limits**

A. Commercial Drone Delivery Facilities are prohibited in all residential zoning districts.

B. Receipt of fewer than 20 deliveries per month does not make a property, structure or location a Commercial Drone Delivery Facility. Deliveries of prescribed medications or medical equipment are exempt from this 20-delivery monthly limit.

## **PART II: COMMERCIAL USE RULES (Business Operations & Facilities)**

The following sections apply to Commercial Drone Delivery operations, distribution, and staging.

### **8.34.050 – Commercial Drone Delivery Facilities**

Commercial Drone Delivery Facilities may only be located in the Mixed Use (MU) Zone and require a conditional use permit from the Planning Commission.

#### **8.34.060 – Conditional Use Permit Standards**

To approve a conditional use permit for a Commercial Drone Delivery Facility, the Planning Commission must find that the facility satisfies the standards set forth in Chapter 19.80 and the following additional requirements:

- A. Public Space Protection: The Commercial Drone Delivery Facility will not use any Public Access Areas without the City's written authorization.
- B. Nuisance Control: The Commercial Drone Delivery Facility will not disrupt neighbors with excessive noise, commercial lighting, trash, or debris.
- C. Safety & Privacy: The Commercial Drone Delivery Facility will not interfere with emergency vehicle access, public safety or residential privacy.

### **PART III: ENFORCEMENT**

#### **8.34.070 – General Nuisance Violations**

Any Commercial Drone Delivery activity or Delivery-Related Ground Activity is declared a public nuisance and is subject to immediate enforcement if it:

- A. Does not comply with the requirements of this Chapter 8.34.
- B. Leaves behind packaging, litter, or abandoned equipment in public areas.
- C. Interferes with emergency vehicle access or public rights-of-way.
- D. Creates disruptive noise, lighting impacts, or privacy intrusions that interfere with neighbors' quiet enjoyment.

#### **8.34.080 – Privacy Protections**

Consistent with California Civil Code Section 17800.8, persons making Commercial Drone Deliveries are prohibited from intentionally recording, saving, or selling video, audio, or photo data of residents or private property. Camera and sensor data may only be collected and used as strictly necessary to safely navigate deliveries, avoid collisions during deliveries or landings, or comply with a government investigation.

#### **8.34.090 – Complaints and Enforcement**

- A. Complaints: Any resident, business owner, or City employee can file a complaint with the City regarding a violation of this Chapter 8.34.
- B. Actions: If the City confirms a violation, it shall issue warnings, administrative citations, nuisance-abatement orders, suspend/revoke permits or pursue any other lawful remedy.

### **8.34.100 – Federal Preemption**

*This ordinance does not regulate airspace, drone flight paths, altitudes, pilot licensing, or aircraft equipment, which are overseen by the FAA. If the FAA's jurisdiction conflicts with any application of this ordinance, that application shall not be enforced.*

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

**SECTION 3. Pending Violations.** The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

**SECTION 4. California Environmental Quality Act.** This Ordinance would not constitute a “project” under the California Environmental Quality Act, pursuant to CEQA Guideline 15378, and is otherwise exempt under CEQA Guideline 15061(b)(3), because it does not have the potential to cause a significant effect on the environment. Further, if this Ordinance did constitute a project, it would be exempt as a valid exercise of the City’s regulatory authority to maintain and protect natural resources and the environment, under CEQA Guidelines 15307 and 15308.

**SECTION 5. 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 this Ordinance shall be published with the names of those City Council members voting for or 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 or against the ordinance.

**INTRODUCED AT A PUBLIC HEARING** on July 13, 2026, and adopted at a regular meeting of the Belvedere City Council on \_\_\_\_\_, 2026, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

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