

Pat Carapiet, Chair  
Ashley Johnson, Vice Chair  
Commissioner Lasky  
Commissioner Hart  
Commissioner Stoehr  
Commissioner Slaymaker  
Commissioner Burke



Dir. of Planning & Building Irene Borba  
Assistant City Attorney Ann Danforth  
Associate Planner Samie Malakiman  
Permit Technician Nancy Miller

**Planning Commission Agenda  
Tuesday, January 17, 2023  
6:30 PM**

City Council Chambers City Hall· 450 San Rafael Avenue, Belvedere CA· Phone 415.435.3838  
City of Belvedere Internet Address: <https://www.cityofbelvedere.org>

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NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom. City Hall and the Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

Members of the public may attend the meeting in-person at the Council Chambers 450 San Rafael Avenue, or by visiting:

<https://us02web.zoom.us/j/89294361832?pwd=ZFZJTtdGU3BPb3FxS1FOMTR4VmQ2dz09>

Or by phone 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free)

Enter Webinar ID: 892 9436 1832 and Passcode: 79227

If you have called into the meeting and wish to speak, please press \*9.

At each meeting, the public has the opportunity to address the Planning Commission on items appearing on the agenda and items not appearing on the agenda, but within the purview of the Planning Commission.

Public Comment may be made live during the meeting in-person, via Zoom or through written comment. The public may also submit comments in advance of the meeting by emailing the Director of Planning & Building at: [iborba@cityofbelvedere.org](mailto:iborba@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 Planning Commission and included in the public record for the meeting. Written public comment will not be verbally read out loud.

**A. CALL TO ORDER OF REGULAR MEETING OF THE PLANNING COMMISSION  
B. OPEN FORUM**

This is an opportunity for any citizen to briefly address the Planning Commission on any matter that does not appear on this agenda. Upon being recognized by the Chair, please state your name, and limit your oral statement to no more than three minutes. Matters that appear to warrant a more-lengthy presentation or Commission consideration will be agendaized for further discussion at a later meeting.

### C. REPORTS

The Reports agenda item consists of any oral reports from standing Planning Commission committees (if any), an individual member of the Planning Commission, and staff.

### D. CONSENT CALENDAR

The Consent Calendar consists of items that the Planning Commission considers to be non-controversial. Unless any item is specifically removed by any member of the Planning Commission, staff, or audience, 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 audience wished to have an item removed, follow the remote meeting procedures referenced above. If you do not have access to the Zoom meeting platform, please email the Director of Planning and Building, Irene Borba at [iborba@cityofbelvedere.org](mailto:iborba@cityofbelvedere.org) and indicate that you would like to remove a consent calendar item and identify the item. After removing the item, the Planning Commission will call for comment at the appropriate time.

[1. Draft Minutes of the December 14, 2022, special meeting of the Planning Commission](#)

### E. PUBLIC HEARINGS

[2. Demolition, Design Review, Accessory Dwelling Unit \(ADU\), and Variance applications for the property located at 53 Alcatraz Avenue \(APN 060-102-55\). The project proposes to demolish 56% of the 884 square-foot home, and Design Review to construct a 571 square-foot residential addition. The project would include a 555 square-foot roof deck; 267 square-feet of which would be covered with a shade trellis. The project would convert the 546 square-foot carport into a 500 square-foot, two-car garage, and convert the existing basement into a 793 square-foot Accessory Dwelling Unit. New landscaping and fencing are proposed, and the existing 313 square-foot rear deck would be enlarged to 450 square-feet. A Variance is requested to expand the rear deck into the rear yard setback. Project Applicant: Toni Sutherland; Property Owner: Toni Sutherland.](#)

#### [Attachments – Plans](#)

*Staff recommends approval of the proposed project. Staff recommends that the project is Exempt from CEQA.*

***Recusals: None***

[3. Public hearing to consider recommending City Council approval of an Ordinance Amending the Belvedere Municipal Zoning Code, Chapters 19.08 “Definitions” and 19.79 “Accessory Dwelling Units and Junior Accessory Dwelling Units”.](#)

*Staff recommends that the Commission recommend approval to the City Council of the proposed amendments and that the project is Exempt from CEQA.*

### **HEARING PROCEDURE:**

*The Planning Commission will follow the following procedure for all listed public hearing items:*

- 1) The Chair will ask for presentation of the staff report;
- 2) The Commissioner will have the opportunity to question staff in order to clarify any specific points;
- 3) The applicant and project representative will be allowed to make a presentation, **not to exceed 10 minutes for large, or 5 minutes for small, projects, as total for the applicant’s design team;**
- 4) The public hearing will be opened;

- 5) Members of the audience in favor or against the proposal will be allowed to speak, **for a maximum of 3 minutes per speaker;**
- 6) The applicant will be given an opportunity to respond to comments made by the audience, **for a maximum of 5 minutes total for the applicant's design team;**
- 7) The public hearing will be closed; and
- 8) Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny or continue review of the application.

**APPEALS:** The Belvedere Municipal Code provides that the applicant or any interested person may appeal the action of the Planning Commission on any application. The appeal must be in writing and submitted with a fee of \$1026.00 (applicant) or \$776.00 (non-applicant) not later than ten (10) calendar days following the date of the Planning Commission action. Appeals received by City staff via mail after the tenth day will not be accepted. Please note that if you challenge in court any of the matters described above, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Planning Commission at, or prior to, the above-referenced public hearing. [Government Code Section 65009)b)(2)].

**NOTICE: WHERE TO VIEW AGENDA MATERIALS**

Staff reports and other writings distributed to the Planning Commission are available for public inspection at the following locations:

**Online** at [www.cityofbelvedere.org](http://www.cityofbelvedere.org)

**Belvedere City Hall**, 450 San Rafael Ave, Belvedere (Writings distributed to the Planning Commission after the posting date of this agenda 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 Planning Department or by calling (415) 435-3838. Whenever possible, please make your request four working days in advance of the meeting.

Items will not necessarily be heard in the above order, not, because of possible changes or extenuating conditions, be heard. For additional information, please contact City Hall, 450 San Rafael Ave, Belvedere CA 94920. (415) 435-3838.