

**BELVEDERE PLANNING COMMISSION  
REGULAR MEETING AGENDA  
April 21, 2020, 6:30 P.M.  
VIA REMOTE ACCESS**

**COVID-19 ADVISORY NOTICE**

On March 16, 2020, the Marin County Public Health Officer issued a legal shelter in place order. On March 31, 2020 the Marin County Public Health Officer issued an updated legal order directing all residents to shelter at their place of residence through May 3, 2020, except to perform Essential Activities. The March 31, 2020 Order prohibits the gathering of any number of people occurring outside a household unit, except for the limited purpose of participating in an Essential Activity. Additional information is available at <https://coronavirus.marinhhs.org/>.

This meeting is necessary so that the City of Belvedere can continue its business and is considered an Essential Activity. Consistent with Executive Orders No. 25-20 and No. 29-20 from the Executive Department of the State of California, the meeting will not be physically open to the public. Members of the Planning Commission and staff will participate in this meeting remotely as permitted under said Executive Orders. As always, the public may 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. Those received after this time will be added to the record and shared with Planning Commissioners after the meeting. The meeting will be available to the public through Zoom video conference. Those who do not have access to Zoom may access the meeting by calling the number below. Join Zoom Meeting Click Link Below:

<https://zoom.us/j/99034243073?pwd=V0todU5jZ2ViMHRWRDd6c29zMW5zdz09>

**Meeting ID: 990 3424 3073**

**Password: 789666**

**Call into Zoom Meeting**

**888 788 0099 US Toll-free**

**877 853 5247 US Toll-free**

**Meeting ID: 990 3424 3073 Password: 789666**

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

## **HEARING PROCEDURE:**

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

1. The Chairman will ask for presentation of the staff report;
  2. The Commission will have the opportunity to question staff in order to clarify any specific points;
  3. The applicant and the project representative will be allowed to make a presentation, **not to exceed 10 minutes for large projects, or 5 minutes for small projects, total for the applicant's design team;**
  4. The public hearing will be opened;
  5. Members of the audience in favor of the proposal will be allowed to speak, **for a maximum of 3 minutes per speaker;**
  6. Members of the audience against the proposal will be allowed to speak, **for a maximum of 3 minutes per speaker;**
  7. 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;**
  8. The public hearing will be closed; and
  9. Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny, or continue review of the application.
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### **A. CALL TO ORDER OF REGULAR MEETING**

### **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, address, 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 wishes to have an item removed, please step to the microphone, state your name, and indicate the item.*

### **1. Minutes of the February 18, 2020**

Draft Minutes of the February 18, 2020 regular meeting of the Planning Commission.

Documents:

[Minutes.pdf](#)

## **2. 278 Bayview Avenue**

Design Review and Exception to Total Floor Area for an addition/remodel of the existing residence located at 278 Bayview Avenue. The project scope of work is to replace work that was damaged from a flooding event in the home and to seismically upgrade the home. The project includes but is not limited to a complete interior remodel, exterior modifications such as new siding and windows as well as the enlargement of an existing upper floor deck and the modification of existing bay windows. A Revocable License is required for existing improvements in the city right-of-way. Property Owner: Amanda Hoenigman; Applicant: Studio Vara – Maura Abernathy.

Documents:

[Item.pdf](#)  
[Plans.pdf](#)

## **3. 50 San Rafael Avenue**

Consideration of Historical Designation of property at 50 San Rafael Avenue pursuant to Chapter 21.20 of the Belvedere Municipal Code. Applicant & Property Owners: David and Wendy McCarthy. *Staff recommends that the Planning Commission adopts the required resolutions for approval and recommends to City Council approval of the requested Revocable License.*

Documents:

[Item 3.pdf](#)

## **E. PUBLIC HEARINGS**

### **2. 46 Cliff Road**

Planning Commission consideration to modify specific conditions of approval related to the barging of equipment & materials to the subject property and off-hauling of soils and other materials from the Bay for a project currently under construction at 46 Cliff Road for a new single-family dwelling. Applicant: Mark Swanson, Jamba Construction; Property Owners: Rudolph G. Koppl Trust.

Documents:

[Item E 2.pdf](#)  
[Plans.pdf](#)  
[Late CORR - Janet Brown re 46 Cliff Rd 2020 04 21.pdf](#)  
[Late Mail - Letter from Jamba Const response to PW comments.pdf](#)  
[Late Mail - R2.10 REVISED Construction Sequence 2.24.2020 copy.pdf](#)  
[Late Mail - 46 Cliff DR Reso ebl - REV.pdf](#)

### **3. City Council adoption of an Ordinance amendment to Belvedere Municipal Code Title 20, “Architectural and Environmental Design Review**

Consideration of a Resolution recommending City Council adoption of an Ordinance amendment to Belvedere Municipal Code Title 20, “Architectural and

Environmental Design Review,” Section 20.04.050 Effect of Noncompliance.

Documents:

[ORD.pdf](#)

## **F. ADJOURNMENT**

**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 \$523.00 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. 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. 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 Avenue, 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) 435-8913.

### **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, nor, because of possible changes or extenuating conditions, be heard. For additional information, please contact City Hall, **450 San Rafael Avenue, Belvedere, CA 94920 (415) 435-3838**