

Marin County Community Development Agency

# 2016 Green Point Community Plan

May 23, 2016

Recommended for Approval by the Marin County Planning Commission on  
May 23, 2016



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## SUMMARY OF POLICIES

### **NR-1 Marsh and Wetlands**

Development projects located on the marsh and wetlands located west of State Route 37 and south of the Petaluma River must be dependent on an essential transportation or utility project; and must not adversely impact the public trust. There must be no feasible, less environmentally damaging alternative location for the type of development being considered.  
[Adapted from Policy 5, p. 50]

## **PUBLIC FACILITIES AND SERVICES**

### **PFS-1 Wastewater Disposal**

Continue to use Onsite Wastewater Treatment Systems as the primary means of waste disposal, where feasible.  
[Adapted from Policy 1, p. 41]

### **PFS-2 Maintain Unincorporated Status**

Maintain the community's unincorporated status.  
[Adapted from Policy 3, p. 72]

### **PFS-3 Citizens Advisory Group(s)**

Work with a locally represented citizen's advisory group (or groups) to advise the County on development proposals within the planning area.  
[Adapted from Policy 2, p. 71]

## **TRANSPORTATION**

### **TR-1 Maintain Rural Character of Streets**

In order to maintain the rural character of the community, new streets and roads should be developed at the minimum scale commensurate with anticipated traffic projections and fire protection purposes.  
[Adapted from Policy 3, p.81]

### **TR-2 Crest Road**

Consider additional access routes between Atherton Avenue and Crest Road, to improve fire protection access and to help redistribute traffic destined for Crest Road and the cul-de-sacs along Crest Road, where feasible.  
[Adapted from Policy 8, p. 84]

### **TR-3 Crest Road Connection to Laguna Vista Drive**

Maintain the connection between Crest Road and Laguna Vista Drive in the northerly component of the planning area to serve only as:

- a. An emergency services roadway for fire protection vehicles; and
- b. An equestrian, bicycle, and pedestrian trail.

Maintain the existing emergency gate to prohibit the connection of these two

roadways for normal vehicular access, since such a change could result in additional traffic impacts on the otherwise rural character of the area.

[Adapted from Policy 7, p. 83]

**TR-4 Public Transportation**

Consider the establishment of regular commuter bus service from the planning area, linking to existing routes and destinations within Marin County, where feasible. Encourage transit providers to determine whether expanded transit service routes and/or schedules from the planning area to the North Novato Sonoma-Marín Area Rail Transit station are warranted once train service is operational.

[Adapted from Policy 2, p. 80]

**TR-5 Bicycle and Pedestrian Facilities**

Improve bicycle and pedestrian connections to recreation, open space, and other areas within the community. Consider pathways for bicyclists, pedestrians and other users on key neighborhood roads, including but not limited to, Atherton and Olive Avenues, Crest Road, School Road, and Harbor Drive.

[New policy]

**TR-6 Equestrian Trails**

Maintain existing equestrian trails. Where feasible, new development should include trails for bicycle, pedestrian, and equestrian use.

[Adapted from Policy 9, p. 84]

## **CHAPTER 1: INTRODUCTION**

The Green Point Community Plan (Plan) was established as a result of the process to update the 1978 Black Point Community Plan (1978 Plan). On March 8, 2016, the Marin County Board of Supervisors directed staff to develop a separate community plan for the Green Point community. On May 23, 2016, the Marin County Planning Commission recommended the Board of Supervisors adopt the 2016 Green Point Community Plan. The Plan is based on the 1978 Plan, which has been edited to remove outdated content and policies not relevant to Green Point.

### **A. A BRIEF OVERVIEW**

Green Point is a special community and its residents, by means of this community plan, seek to preserve its major assets and strengthen its distinguishing characteristics, while at the same time providing reasonable standards for new development. Green Point is special because of its location, its setting, and the way in which it has developed.

### **B. LOCATION**

It parallels the Petaluma River - as such it is one of a very few waterfront communities in Marin with the opportunity to relate to river activities and their special amenities. Further, it is bounded on the south by the flat uninhabited bay plains, as shown on Map 1.

### **C. SETTING**

It is approached primarily by State Route 37 to the south of the community and the Bay Plain itself. From Sonoma on the east, it is an important visual entrance to Marin, offering a major densely vegetated hill form rising up prominently from the flat-lands around it.

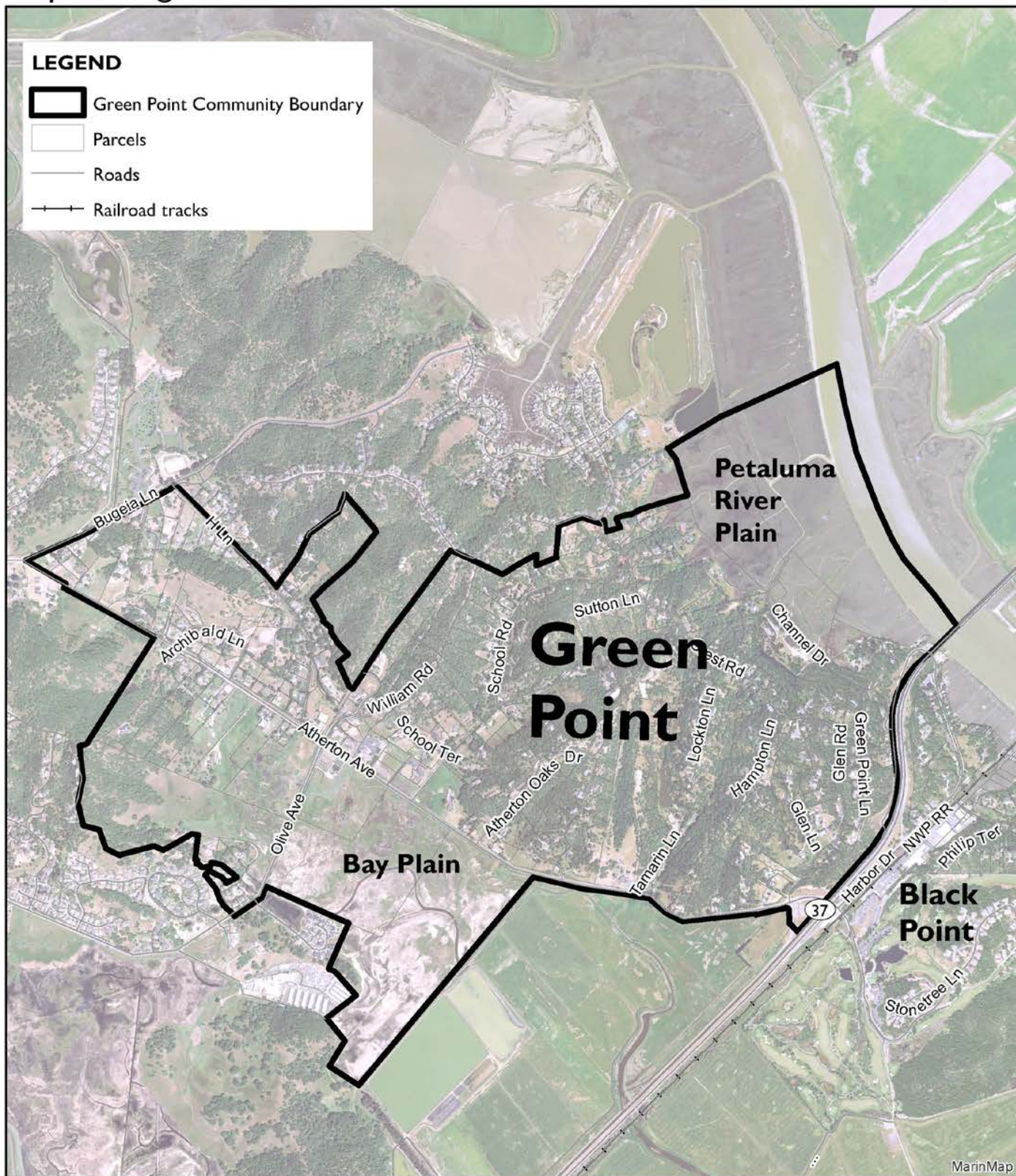
### **D. DEVELOPMENT PATTERN**

Although located in the Novato Planning Area, which was one of the fastest growing areas of Marin, Green Point is separated from the Novato developed area by the flood plains, and has historically retained a rural sense of place, with an absence of urban services and amenities.

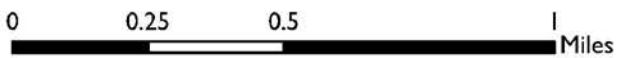
Because of the desire to strengthen these qualities - that are the reasons people select Green Point as a place to live - the following goals are advanced by this plan.

### **E. GOALS**

1. Maintain Green Point as an identifiable rural residential community.
2. Maintain Green Point as an independent and unincorporated community.
3. Preserve the natural attributes and features which are located within and which surround the Green Point community.
4. Seek minimal improvements within the Green Point area which would further enhance the quality of life and safety within the community.
5. Seek orderly and managed growth of the Green Point community as well as the surrounding incorporated and unincorporated areas which tend to influence the character of Green Point.



NOTE: This map was developed for Community Plan purposes. The County of Marin is not responsible or liable for use of this map beyond its intended purpose.



Marin County Community Development Agency, April 2016





## **F. HISTORY OF GREEN POINT**

Green Point is that part of the Rancho de Novato located along the Petaluma River at its entrance to San Pablo Bay, adjacent to Black Point. It is an area of low lying tree covered hills and marshlands. The area has a long history extending back to 1839 when Governor Alvarado granted the 8,877 acre Novato Rancho to Fernando Feliz. Since that time the story of Green Point follows the growth of Marin County when California became a state in 1850.

The Novato Rancho had many owners through the years until in 1892 when the land was mortgaged. The west half was taken over by the San Francisco Savings Union, and the east half, which is the Green Point and Black Point areas, went to Charles Chase of New York. The Chase interests were taken over by the Home and Farm Company which auctioned off 5 and 10 acre parcels and town lots. This land split led to the subdivision of the area and initiated the trend which was to lead to the rural community which exists today.

The settling of the Green Point and Black Point areas occurred a short period after a man named Day settled on what is now called Day Island in 1850. Settlers from this area moved to Black Point, which has historically included the area of Green Point. , For more than a hundred years, this area was known as an area for fishing and hunting. Throughout the years, much of its activity has revolved around this recreational feature along with boating.

In 1850 the area was regarded as an important shipping point for livestock, lumber, and cordwood. Associated with the area's history has been ship building in the 1860's. Oak trees were removed from the hills and used for this purpose. This is perhaps why the giant oak no longer exists in the area.

In conjunction with the building of Donahues landing on the Petaluma River during the period 1879 until 1884, the Northwestern Railroad and materials operated from the Black Point area. Eventually, the trains crossed the Petaluma River and continued on into Sonoma County to Glen Ellen. The means of access to the area was essentially by either train or ferries until the County acquired a road right of way in 1884 which more than likely is the route along what is now Atherton Avenue. A few residents may still live in the area who can remember crossing from San Francisco by ferry to Sausalito and then coming back by horse and buggy during the early 1900's, passing through Novato, and coming across the old County road.

The main post office was located in the area from 1865 until 1891 when it was moved to Novato.

At the turn of the century, the area was bordered by some large ranches which occupied reclaimed bay flood plains but was undergoing subdivision into smaller ranching and farming parcels and town lots.

There were few permanent residents in the area outside of those operating the small ranches or those involved with business in the area until the World War II period began. However, a school house was located on School Lane at the turn of the century and operated until 1947 when the district unified with Novato. Up to this time, the area was oriented around weekend summer residents and associated pleasure boating along the Petaluma River, and other recreational activities such as hunting and fishing, and for its

restful country atmosphere.

The existing residences began to be available for rentals during World War II possibly because of the wartime housing shortage and the community's proximity to Mare Island. This period of time seems to have ushered in the phase of permanent residents.

The small homes have been added to and enlarged in many cases to accommodate families. Many who spent their summers and weekends here as children now find it has become their home for retirement years.

In general, it can be stated that Green Point attracts people because it has remained essentially an undeveloped, semi-rural area offering relief from the tract-type environment. Green Point is enjoyed for its views, its natural vegetation of shrub and tree covered hills, and as an enjoyable, restful place to reside.

The Green Point Advisory Committee (GPAC), incorporated in 2016, was formed to advise the County on matters affecting the Green Point community. The formation of the GPAC does not preclude the establishment of other groups from within the community to represent Green Point's interests.

## **CHAPTER 2: LOCATION AND ENVIRONMENTAL SETTING**

### **A. LOCATION**

The unincorporated community of Green Point is located approximately 35 miles north of San Francisco and is situated on the easterly extreme of Marin County and abuts the Petaluma River. Principal access to Green Point is via State Route 37, which separates Green Point and Black Point. To the east of State Route 37 lies Black Point, the originally subdivided area. To the west of State Route 37 lies Green Point, an area that was largely developed within the last forty years. The two communities create a striking contrast. In Black Point, most homes are of a vintage nature, many having been built several decades ago as summer homes. In Green Point, the majorities of homes are of recent construction and are contemporary in design. The degree of contrast between the two communities is further intensified by the roadway patterns. Roads and streets in Black Point are extremely narrow and circuitous. In Green Point, however, the roads are generally straighter and wider, having been designed and built to prevailing County road improvement standards.

### **B. NATURE OF THE GEOLOGIC SETTING**

The gross geologic characteristics of the area are as sharply contrasting as is the appearance of the dark green hills rising abruptly from the flat gray-brown plain.

The hills are composed of ancient conglomerate, a strong, stable rock type made up of well-cemented sand and gravel deposited some 140 million years ago.

In contrast, the adjacent flat lands are underlain by weak alluvial deposits of soft, unconsolidated, water-saturated clay, silt, and vegetative remains (peaty material) accumulated as marsh lands in San Francisco Bay within about the last ten thousand years. Although the surface of this plain is mostly below sea level (as much as minus 3 feet in places), it has acquired a moderately firm crust as a result of drying of the top few feet after the bay waters were excluded by dikes constructed in the early 1900's. Samples taken from bore holes, however, indicate that the bay mud beneath this surface crust is still soft, plastic, highly compressible material. Peat and peaty debris is widely but irregularly distributed throughout the mud, and a large thick lens of peat lies just under the surface crust a short distance south of the hills.

The soft bay mud (beneath the surface crust) thickens rapidly away from the base of the hills, reaching a thickness greater than 100 feet a little more than half a mile south of the hills. This soft mud rests on similar sediments that are much older, thus more compact and firm.

Prior to being enclosed by dikes, this flat land was part of the flood plain of Novato Creek and other adjacent natural drainage systems.

The conglomerate bedrock of the uplands is quite strong and stable, capable of standing firm in very steep cuts.

Weathering of the conglomerate has yielded a thin gravelly soil that is also quite stable, being well drained and not subject to landsliding even on steep slopes. The soil supports a rather dense oak forest that effectively protects it from serious erosion.

However, on the characteristic steep slopes of these hills, the soil is potentially subject to rapid erosion when stripped of vegetation, and scars produced by erosion to bedrock can be expected to remain visible for many years or decades.

The bay mud underlying the plains is much more sensitive to external influences than the compacted old rocks of the hills. Not only is the soft bay mud highly compressible, but it will flow laterally under the influence of localized pressures such as local thick fills placed on it too rapidly. All fills placed on this material will subside, the amount of subsidence depending on the weight of fill and the compressibility of the underlying mud. The subsidence of large development fills, on thick bay mud normally amounts to several feet over a few decades. Since the compressibility of the bay mud is variable from place to place, and can only be broadly extrapolated from sparse samples obtained from widely spaced bore holes, subsidence under large areas of fill can always be expected to be differential--more in some places than in others.

Peat is by far the most compressible of the components making up the soft bay mud. Its presence unknown, or unaccounted for is likely to result in differential subsidence and disruption of large structures built on it. Its known presence can be expected to significantly increase the cost of site preparation, engineering and construction of such structures.

### **C. SEISMIC ASPECTS**

Green Point lies some 18 miles east of the San Andreas Fault and within about 4 miles to the west of the Hayward Fault. Both are active faults that have been sources of great earthquakes during the 150 years or so of our historical records, and beyond that both exhibit abundant evidence of great displacements for many millions of years. Thus great earthquakes should be expected from them in the future, and our inability to predict just when should not prevent us from anticipating them in planning and construction.

An unknown factor in this area is the presence of the Burdell Mountain Fault. It passes southeasterly through or beneath the marshlands a half mile or so west of the hills in Green Point, its trace here being concealed by the young bay mud. There is no definite evidence whether or not this fault is potentially active, but to the northwest it is a prominent feature that exhibits topographic evidence suggesting displacement in relatively recent geologic time. In any case, from the standpoint of simple statistical probability, damaging earthquakes in this area are likely to be derived from sudden large displacements on the San Andreas or Hayward Faults. Both pass sufficiently close that great earthquakes generated on either of them within the North Bay Region should be expected to have severe seismic effects in the Green Point area.

Given the County's comprehensive building codes, earthquake damage to structures is influenced more by the nature of the earth materials under the structures than by proximity to the fault. In general, hard, well cemented rock such as the conglomerate of the Green Point hills responds to earthquake influences with fast, high frequency, low amplitude vibrations that might be considered to manifest themselves at the surface as a sort of rippling motion. Well-built wood frame structures in such a setting are not likely to be disrupted or to collapse by shaking from an earthquake.

In contrast, unconsolidated alluvial deposits such as those of the bay marshlands can only respond with relatively slow, low frequency, high amplitude vibrations that yield lurching ground motions. Amplitudes of waves in such loose, water saturated material

might be as much as 10 times greater than those in solid rock. Thus, structures located on the soft deposits will be subjected to much more potentially disruptive shaking than those on rock. Subsidence (settlement) resulting from compaction of soft bay mud under loads of man-made fill should be expected to be accelerated by strong shaking motions, and differential subsidence to be accentuated. Sewer and water pipes in such ground are particularly susceptible to rupture during great earthquakes.

#### **D. WILDLIFE**

The wildlife of Green Point divides itself into two zones: Uplands and Flood Plains. The flood plains are further separated into two areas; i.e., those created by the Petaluma River, a navigable watercourse, and the flood plains of Novato Creek.

The Petaluma River and surrounding marshlands have historically abounded with birds, fish and game. The birdlife is gradually diminishing due to encroachment upon their natural breeding grounds. Contamination of the Petaluma River combined with dredging has substantially diminished fishing opportunities in the area. Moreover, water contaminants have almost eliminated the sticklebacks and snails which sustained birdlife.

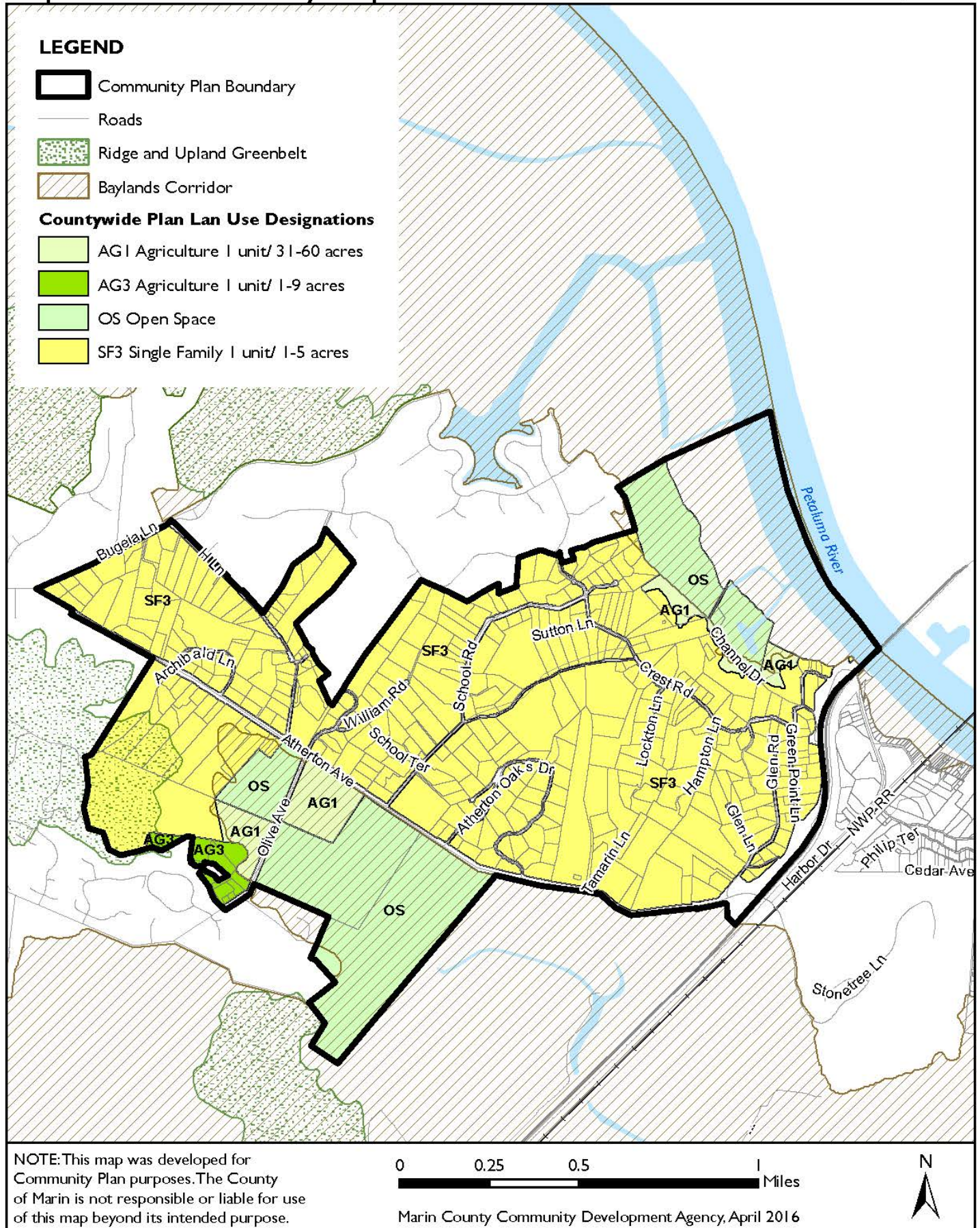
Mink, one of the small animals which used to be plentiful in the area, are no longer seen and even the common raccoon are appearing with less frequency than in the past. The uplands historically were the home for both small and large game animals. Urbanization has, however, frequently reduced range areas and eliminated access trails. As further development occurs, a further degradation of the area's wildlife can be expected.

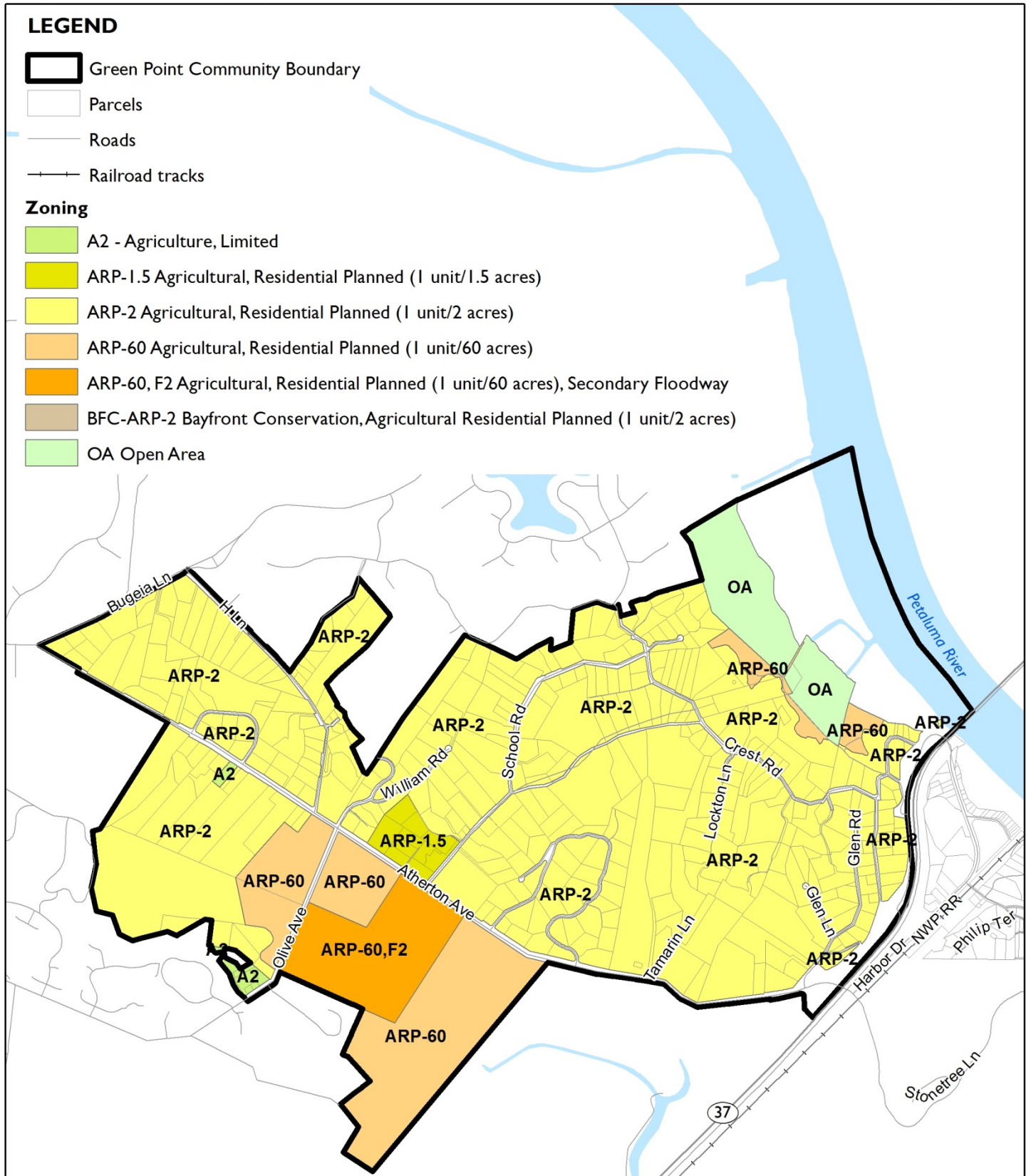
#### **E. CURRENT LAND USE**

Land use regulation for properties in the planning area, as with the rest of Marin County, relies on land use designations specified in the Countywide Plan, and the governing zoning district. Under state law, Marin Countywide Plan land use designations are generalized categories that define a predominant land use type at a range of densities, while zoning provides more specific regulations related to allowed uses, building size and siting, and lot size. Zoning designations must be consistent with the land use designations identified in the Marin Countywide Plan. Land use and zoning designations in the planning area are primarily residential interspersed with some agriculture and large swaths of open space. The Land Use categories in the planning area are shown on Map 2 and are as follows:

**Agriculture (AG1 and AG3).** Approximately 5.2 percent of the area is considered agriculture. This includes most of Black Point and the bay plain marsh areas southwest of Atherton Avenue. Both the AG1 and AG3 land use designations allow for agricultural uses, including nonresidential structures necessary for agricultural production. Residential uses are allowed at a density of one dwelling per 1 to 9 acres under AG3 and one dwelling unit per 31 to 60 acres under AG1. These areas are primarily residential with some agricultural uses generally limited to a nursery and small garden plots.

**Rural/Residential (SF3).** Over 75.5 percent of the planning area is designated SF3, Rural/Residential, and is the primary land use designation in Green Point. The Rural/Residential land use category is for single family residential development in





NOTE: This map was developed for Community Plan purposes. The County of Marin is not responsible or liable for use of this map beyond its intended purpose.



areas where public services, such as sewer, are limited and on properties where physical hazards and/or natural resources may restrict development. Densities are allowed within a range of 1 unit per 1 – 5 acres. Additionally, some agricultural uses generally limited to livestock (horses), small garden plots, and kennels are permitted.

**Open Space (OS).** The Open Space designation allows for recreation, watershed, and habitat protection and management. Nineteen percent, or 218 acres, of the planning area is designated as Open Space. This consists of approximately 164 acres of the bay plain area southwest of Atherton Avenue and 54 acres of marsh along the Petaluma River.

### Existing Zoning

The area's zoning is shown in Map 3. Approximately 75 percent of the Green Point area is zoned ARP-2, which has a density of 1 unit per 2 acres. A description of the area's zoning is described below:

**ARP (Agriculture, Residential Planned) District.** The ARP zoning district identifies areas suitable for residential development, with varied housing types designed without the confines of specific yard, height, or lot area requirements, where the amenities resulting from this flexibility in design will benefit the public or other properties in the community. The ARP zoning district is consistent with the Agriculture land use categories of the Countywide Plan.

**A2 (Agriculture, Limited) District.**

The A2 zoning district identifies areas suitable for commercial agricultural operations, and similar compatible uses. The A2 zoning district is consistent with the Agriculture 3 (AG3) land use category and several residential land use categories of the Countywide Plan.

**OA (Open Area) Zoning/Combining District.** The OA zoning district is intended for areas of the County committed to open space uses, as well as environmental preservation. The OA zoning district is consistent with the Open Space and the Agriculture and Conservation land use categories of the Marin Countywide Plan.

**F2 (Secondary Floodway).** The Secondary Floodway combining district is intended to insure that life and property will be protected within secondary floodways and to prevent increased flooding due to random and uncontrolled development which will impede the capacity of secondary floodplains to receive overflow flood waters.

Refer to Marin County Code Sections 22.08 – Agricultural and Resource-Related Districts and 22.14 - Special Purpose and Combining Districts for additional information.

### **Policies:**

#### **NR-1 Marsh and Wetlands**

Development projects located on the marsh and wetlands located west of State Route 37 and south of the Petaluma River must be dependent on an essential transportation or utility project; and must not adversely impact the public trust. There must be no feasible, less environmentally damaging alternative location for the type of development being considered.

[Adapted from Policy 5, p. 50]



## CHAPTER 3: PLANNING AND LAND USE ISSUES

### A. GREEN POINT

As noted earlier, the area west of State Route 37 consists of two definable geographical areas. To the north of Atherton Avenue, the area consists of upland ridge lands, descending downward to the Petaluma River. To the south of Atherton Avenue, the land area is generally defined as a bay plain subject to occasional inundation. The total land area within the Planning Area comprises some 1124.5 acres.

Soils types and conditions within the area are described as follows: Within the Bay plain area the soils are generally Bay mud. Soil conditions north of Atherton Avenue and "H" Lane consist of Novato conglomerate. Between "H" Lane and Atherton, the soils are more mixed and contain areas of volcanic rock, sedimentary rock of the Franciscan formation, and small amounts of clayey, sandy silts.

Domestic water supply to this entire area is provided by the North Marin Water District; sanitation disposal is provided through the use of on-site (septic tank) waste disposal systems.

In 1973, the Marin County Board of Supervisors adopted the Marin Countywide Plan. The Land Use element of that document placed the area north of Atherton Avenue within the Ridge and Upland Greenbelt designation, while the lands south of Atherton Avenue were generally designated as a Conservation Safety Zone, recognizing the Bay plain conditions. Subsequent to the adoption of the Countywide Plan, the Marin County Planning Department commenced compliance rezoning measures as required by State law. The general zoning category applied to areas designated Ridge and Upland Greenbelt provided for a residential density of one (1) dwelling unit per ten (10) acres. The County Board of Supervisors when adopting such zoning throughout the County, indicated that this base density could be adjusted either upwards or downwards depending upon the findings achieved through environmental assessments for individual parcels which would reveal site capabilities and constraints.

Implementation of the Ridge and Upland Greenbelt zoning policies was never accomplished, however. Instead, the Marin County Planning Commission and Board of Supervisors responded to local opinion which strongly urged that, because of the limited opportunities to develop the nearby bay plain due to natural constraint factors, more intensive development should be authorized along the more stable hillsides generally north of Atherton Avenue. It was argued that a greatly reduced level of development on the Bay plain would provide a compensatory balance. This compelling argument prompted an amendment to the Marin Countywide Plan. The Ridge and Upland Greenbelt designation was deleted and the area was thereupon designated "Developable Area." Subsequent to that action, the land area generally north of Atherton Avenue was placed in an Interim Zoning district pending determination of a more permanent zoning classification.

Redesignation of the hill and canyon area from Ridge and Upland Greenbelt to Developable Area implied that the southerly Bay plains should also be reclassified to a zoning category which would reduce the development potential of the Bay plain,. The policy that the Bay plains rather than the ridgelands should provide a community separator function is set forth in this community plan.

The Marin Countywide Plan also recognized the area as a unique community which would require a more detailed planning effort than could be accomplished through the Countywide Plan. Towards that end, the Countywide Plan advanced the concept of detailed community plans which would focus attention on issues of local significance. Efforts to pursue such a community plan for the area proceeded on an "on again, off again" basis and was ultimately adopted by the Board of Supervisors in 1978. The areas current ARP zoning is agriculturally based and intended to preserve the desired rural character of the community. This zoning permits the maintenance of livestock; horses and various fowl species are commonplace.

The pattern of development which has occurred in the area west of State Route 37 in recent years has been typified by individual residential lots frequently located along privately maintained streets (designed and constructed to County standards and specifications) extending along the various topographic spurs off the main ridge line. Applicable County roadway improvement standards for such developments within the range of densities currently applicable do not require any type of pedestrian ways or sidewalks. Homes constructed within such developments are generally custom designed for owner occupancy or for potential owner occupancy.. In the absence of any publicly held open space or park areas for active recreational pursuits, the streets within the area have become the playfield resource for children who reside within the community.

Land use decisions within the planning area, particularly in regard to residential densities, have been substantially predicated upon minimal parcel area requirements to satisfy health (septic tanks) standards. Accordingly, current land use regulations permit a residential density of one unit per two (2) acres. Opportunities to generate and maintain open space areas for active or passive recreational pursuits have been foreclosed by this type of development. In the absence of any preserved open areas, excepting privately held lands still pending development, recreational activities occur mainly on the streets within the area. Use of the streets for recreational activities ranges between softball to horseback riding.

## **B. DEER ISLAND OPEN SPACE PRESERVE**

Rising to an elevation of 200 feet to the west of the Green Point Planning Area and situated in the midst of the Novato Bay Plain is the Deer Island Open Space Preserve. This unusual land form creates a unique visual break in this otherwise lowland area for both motorists who travel on nearby State Route 37 as well as hillside residents to the east. The preserve, managed by Marin County Parks, is a popular recreational area for the community. This 154 acre preserve rises above the eastern edge of Novato from an area that was once part of the extensive wetlands in the Petaluma River Delta. Many users walk or jog the relatively level loop trail as a morning or evening exercise routine. This small preserve is just a few minutes from Highway 101 and State Route 37 but it is peaceful and quiet. Remnants of the property's dairy farming days are visible around the preserve. Weathered outbuildings still stand near the entrance, including a small farmhouse that serves as the offices of the Marin County Parks Environmental Education Program.

## **C. THE NOVATO BAY PLAIN**

The Novato bay plain, extending to the south of the major residential component of the planning area, provides a varied number of planning considerations. The broad and

extensive scenic vistas which this area provides - uninterrupted by elements of urbanization - are important for motorists travelling State Route 37. The serenity of this area, together with the vegetated and hilly vistas of Green Point and Black Point, and the subsequent descent over the Petaluma River, undoubtedly prompted the City of Novato to designate this route as a scenic corridor. Equally important is this unspoiled vista to the residents of Green Point west of State Route 37 whose homes look downward across the bay plain.

Critical to any potential development of the bay plain area is the fact that this area is subject to occasional flooding and inundation; moreover, as a bay plain, the area is overlain with bay mud. In the event of any seismic activities (the Burdell fault being nearby), the Novato bay plain could experience liquefaction and/or differential settlement. Any improvements developed atop the bay mud could, therefore, be jeopardized, and human safety cannot be reliably predicted within this sensitive area. However, the bay plain area can continue to contribute importantly to the agricultural resource of Marin County, especially for the growing of grain and silage crops.

#### **D. THE PETALUMA RIVER BAY PLAIN**

An important natural feature within the planning area is the Petaluma River, which creates a definite boundary. Immediately south of the River are lowland marsh areas subject to intermittent inundation depending on tides and surface run-off from the hills to the south. This wetland area supports an abundance of wildlife species, and because of its low lying character, has witnessed but minimal man-made improvements or intrusions. Ownership of this sensitive area west of State Route 37 is generally by the State of California. Within the planning area itself, 144 acres is owned by the Marin Audubon Society, 18.7 acres is owned by Marin County Parks, and 73 acres is privately owned. West of State Route 37 and along the Petaluma River, three bottomlands are still held in private ownership. Although the State has no plans for development of its holdings, these privately held lands have been advertised in the past for potential development. Development of such lands would not be possible unless either major filling or dredging were authorized. Either alternative would effectively destroy the Petaluma River bay plain as a habitat area and would also drastically alter the visual character of the planning area when viewed from both the shore of the river as well as from the hillside residential areas. Access to the Petaluma River bay plain is minimally available via Channel Drive. During periods of high tide and heavy surface run-off, this marginal roadway is similarly inundated. The highest and best use of all such lowland areas is a natural flood plain and habitat area and its use and/or development for more intensive uses should be deterred.

#### **E. AFFORDABLE HOUSING**

As a rural area in which single family detached housing is the prevailing housing type, where large scale developments are not possible, and where public services and transportation are limited, the creation and maintenance of moderate income housing units presents an extremely difficult situation. This is particularly true in Green Point where many of the residential units are of relatively new construction, spacious in size, desirable in location, and costly to purchase. The continued use of septic tanks, which requires low density, is another major constraint.

There are a few opportunities, however, which might serve to introduce new moderate

income units within the planning area. Second units are encouraged as a valuable infill and intensification strategy as a matter of policy. Second units are allowed in all residential zoning districts as a permitted use subject to non-discretionary review, including in the ARP-2 zoning district, the area's predominant zoning. All new development, including second units, would be evaluated to ensure consistency with site and environmental constraints.

#### **F. GREEN POINT STATE WILDLIFE AREA**

The Green Point State Wildlife Area, managed by the California Department of Fish and Wildlife, is part of the Petaluma Marsh Wildlife Area and consists of 55 acres along the Petaluma River.

#### **G. RUSH CREEK OPEN SPACE PRESERVE**

Perhaps the most popular asset of the 522-acre Rush Creek Open Space Preserve is the adjacent wetlands, where thousands of shorebirds and waterfowl congregate each fall and winter. The broad, level Pinheiro Fire Road follows the south edge of the preserve and offers unimpeded views of a huge expanse of tidal wetland to the north. The low ridges are covered with mixed broadleaf forests, including the largest stand of blue oaks in the county. In 2003, Marin County Parks acquired this 200-acre ridge parcel after the Marin Audubon Society spearheaded a major fundraising effort. Vantage points from the eastern end of this preserve provide visitors views across the Petaluma River delta to Sonoma County and beyond. This preserve is managed by Marin County Parks and is located to the west just outside of the planning area boundary.

#### **H. RUSH CREEK PARK**

Rush Creek Park is a 20-acre park managed by Marin County Parks. Hike up the trail from Saddle Wood Drive to picnic tables and views of the adjacent marsh.

There are no policies or programs for this section.

## **CHAPTER 4: PUBLIC FACILITIES AND SERVICES**

### **A. WATER SUPPLY**

Domestic water to the planning area is supplied by the North Marin Water District (NMWD), which serves all of Novato and the surrounding unincorporated areas, including portions of West Marin. The NMWD obtains 80 percent of its water from the Russian River and 20 percent from Stafford Lake. The district is working to expand the use of recycled water for landscape irrigation, reduce dependence on imported water from the Russian River, and reduce wastewater discharge into San Pablo Bay. The Deer Island Recycled Water Facility opened in 2007 to provide recycled water to be used on landscaping at the Bay Club Stone Tree Golf Course and other areas. The NMWD has also initiated a number of conservation programs to reduce water demand. More information is available on these and other programs at the NMWD website at [nmwd.com](http://nmwd.com).

While water for domestic services is provided by the NMWD, less than a handful of properties rely on private wells for domestic water use. A small number also use private wells for irrigation purposes.

### **B. FIRE PROTECTION**

Fire protection services are provided by the Novato Fire Protection District, which covers an area of 71 square miles. The area is served primarily by Station 62 at 450 Atherton Avenue, which was dedicated on June 8, 1991 and was the first District station to be located east of Highway 101. This location was selected because earthquakes could damage local Highway 101 overpasses, thereby impeding access to the community. The goal of the District is to maintain an overall response time of 8 minutes or less 90 percent of the time.

The combination of vegetation, topography, climate and population density create significant potential for fire hazards and create challenges in providing fire protection services. The planning area is considered high risk for wildland fire potential due to some narrow roads, combustible construction materials, limited and difficult access with steep slopes, fire prone vegetation, and fuel loading from the absence of large fires. The presence of Sudden Oak Death has created additional dead fuel loads in the oak woodlands and bay forests that amplify the threat of wildland fire and crown fire potential. With the historic focus on protecting the natural resources of the bay plain areas from development, residential development within the community was instead directed towards the ridge and hillside areas within the wildland-urban interface zone

Fire risk potential is based on a variety of factors, including the amount of surrounding fuels (vegetation), slope, and parcel exposure. Based on these factors, the community's ridge and hillside areas have High or Very High fire risk, indicating the greatest potential for large, damaging fires.

A goal of the Countywide Plan is to protect people and property from hazards associated with wildland and structural fires. Measures to accomplish this goal include ensuring that adequate fire protection is provided in new development and when modifications are made to existing structures, and to abate the buildup of vegetation around existing structures or on vacant properties that could help fuel fires.

Programs require new development to:

- Comply with all provisions of the California Fire Code (with local amendments);
- Provide defensible space around all buildings and structures;
- Provide defensible space around all buildings and structures;
- Install automatic fire sprinkler systems in all new structures and existing structures undergoing substantial remodeling; and
- Require Class A fire-resistant roofing for any new roof or replacement of more than 50 percent of an existing roof.

These and other standards for fire protection are typically administered through the development review process, including the design of roads, driveways and landscaping. The County may also prohibit new land divisions in very high and high fire hazard areas unless the availability of adequate water for fire suppression is demonstrated and guaranteed; access for firefighting vehicles and equipment is provided from more than one point; necessary fire trails and fuel breaks are provided; fire-resistant materials are used exclusively in construction; and adequate clearances from structures and use of fire-resistant plants in any landscaping are required. In rural areas such as Green Point, on-site water storage capacity may be required for each single-family dwelling.

The Novato Fire District has a strong history of working with the community to provide information and educational programs to increase awareness of fire hazards and reduce fire risk. These free programs include:

- Providing free vegetation fire safety inspection to advise of the best ways to reduce the risk of the loss of a home due to a wildland fire for properties within the wildland-urban interface;
- Providing an annual vegetation management matching grant program (depending on fund availability) for the use of a chipper service and/or fire fuels removal to clear flammable vegetation and create fuel breaks around participating properties. Grants may be used to replace highly flammable vegetation with approved fire resistant plants;
- Providing vegetation management plans advice;
- Providing current emergency text messages from Novato Fire via Nixle (a service that allows government agencies to send messages to local residents via phone, email and web);
- Conducting emergency evacuation drills; and
- Providing numerous resources and links on the Novato Fire District website at [www.novatofire.org](http://www.novatofire.org)

Other issues gleaned through surveys and input obtained from community meetings indicated concerns for improved fire safety and emergency access. For example, there are two locked gates in the area that may limit access, particularly in the event of an emergency: one on Crest Road and another on Lockton Lane. The gate on Lockton Lane is generally closed and locked at night only. Except for the Lockton Lane gate, the fire department maintains keys to unlock the gates in the event of a significant emergency.

Residents also suggested the need for more enforcement of vegetation removal and defensible space requirements, especially on vacant lots. Residents also want to see continuation of the fire district's chipper service provided through the district's

neighborhood and homeowner brush removal matching grant funds. This program is dependent on funding availability; residents are required to provide a funding match.

### **C. SANITATION**

Green Point is located outside the limits of the Novato Sanitary District. All properties are served by onsite wastewater treatment system.

Sewage disposal is required for any home or structure inhabited by people. Sewage disposal needs of the community are provided through the use of onsite wastewater treatment systems (OWTS)—commonly referred to as septic systems—since the area is not served by a public sewer system. There are two categories of OWTS: standard and alternative technology systems. The Community Development Agency's Environmental Health Services division regulates these systems.

Lack of sanitary sewers is one factor preventing more dense development within the community more common within the incorporated towns and cities along the Highway 101 corridor. Septic tank provisions are based on the number of bedrooms and square footage of a residence, the location of a septic tank on the property, the size and capacity of drainfields, and topography, soils, and slope. Many contend that this factor alone will facilitate the retention of the rural character of the planning area. There is concern that extending sewer service to the area will encourage more intense development, which would compromise the area's existing semi-rural and natural environment.

When properly designed, constructed, and maintained, septic systems are highly reliable over a reasonable life period. Property owners must ensure their individual sewage disposal system is functioning properly. Historically, there were past instances of septic tank drainfield failures along the waterfront of the Petaluma River and some failures in the bedrock areas of Black Point, primarily due to the general impermeability of the area's hardpan layer and saturated soils. This had raised concern that faulty septic systems may have contaminated local waterways and threatened the public's health. Since that time, however, more stringent septic regulations have been adopted by the County. Furthermore, many of the homes in Green Point are relatively new and have more modern septic systems, while some of the older septic systems have also been upgraded and or replaced. Inspections of septic systems may be triggered by a complaint, a homeowner initiated upgrade, or a building permit adding a bedroom. The County is pursuing a number of potential initiatives to revise County septic regulations to streamline the regulatory process, prioritize monitoring of on-site wastewater systems, and providing incentives for homeowners to repair their systems. In addition, a new graywater program was implemented.

Residents have informally expressed interest in limiting the expansion of public sewer to the community. Under certain circumstances a property may be required to connect when repairing or modifying an existing system. Marin County regulations require connection to a public sewer system if the nearest sewer is within 400 lineal feet of a parcel. This requirement may be waived if the connection to a public sewer is found to be physically or legally impossible. In this instance, property owners may file for a permit for an individual OWTS of sewage disposal. Extending sewer services to the area, however, may be prohibitively expensive for a property owner, since much of the area is already built out and the cost of infrastructure is sensitive to distance.

The siting and design of OWTS requires consideration of Countywide Plan policies, in particular Biological Resource and Water Resource policies, to protect stream and wetland areas and water quality. A survey may or may not be required to locate a drainfield, and other regulations may also apply. Contact Marin County Environmental Health Services for additional information.

**Public Facilities and Services Policies:**

**PFS-1 Wastewater Disposal**

Continue to use Onsite Wastewater Treatment Systems as the primary means of waste disposal, where feasible.

[Adapted from Black Point Community Plan Policy 1, p. 41]

**PFS-2 Maintain Unincorporated Status**

Maintain the community's unincorporated status.

[Adapted from Black Point Community Plan Policy 3, p. 72]

**PFS-3 Citizens Advisory Group(s)**

Work with a locally represented citizen's advisory group (or groups) to advise the County on development proposals within the planning area.

[Adapted from Policy 2, p. 71]



## **CHAPTER 5: TRANSPORTATION**

### **A. ROADS AND STREETS**

The Green Point area is easily accessed by State Route 37 and Atherton Avenue. State Route 37 is a limited access divided highway maintained by the State which generally traverses near the planning area on an north-south route and is designated by the Novato General Plan as a scenic highway. Atherton Avenue is County maintained and designated as an arterial road by the Marin Countywide Plan and traversing the planning area on a east-west route.

The remaining streets and roadways within the planning area fall within the classification of Residential Roads or Residential Cul-de-Sac Roads. Most of the existing roads currently meet existing County standards and are publicly maintained, while a few roads and streets are not publicly maintained.

County-maintained roads include portions of Anton Way, Archibald Lane, Atherton Avenue, Atherton Oaks Drive, Bridge Road, Crest Road, H Lane, Harbor Drive, Oak Ridge Terrace, Olive Avenue, and School Road. Although it would be highly desirable to upgrade substandard streets and roads within the planning area, local funding assistance for such a major program is not (nor is it likely to become) available. Therefore, any upgrading of such streets and roads will continue to remain the responsibility of the owners of the adjoining parcels. Were such roadways brought up to prevailing County right-of-way and improvement standards, the County might consider accepting the roads for public maintenance.

Recognizing that the community is experiencing new development and growth, newly proposed streets and roadways can be designed to meet current County standards as prescribed by Section 24.04 of Title 24 of the Marin County Code regardless of whether such roadways are to be offered for public dedication or to be maintained as private streets. The nature and design of both old and new roadways has been a grave concern of the Novato Fire Protection District. New roadways within the northerly component of the planning area extend up and down ridgelines and end in cul-de-sacs. These new roadways are generally fairly narrow in width in comparison with the density and traffic that the present zoning could produce.

The trail network consists of officially maintained trails and bike routes, and unofficial footpaths through private lands and along community thoroughfares. Due to the community's somewhat remote location and small population, public transit service to the area has always been limited. There is currently only one bus route that runs within proximity to the planning area, stopping at a point beyond the southern edge of the planning area boundary.

### **B. WATERWAYS**

The Petaluma River, located on the northern boundary of the planning area, is one of four (4) navigable rivers in the State of California. Until the early 1950's, the Petaluma River (then called Petaluma Creek) was used extensively for marine navigation and commerce. The river steamer "Gold" made a nightly run between San Francisco and Petaluma conveying passengers, eggs and chickens until 1952, for example.

Today, however, although the River channel is maintained by the Army Corps of Engineers, the waterway is used by pleasure craft primarily. To accommodate the needs of boaters, the County installed a boat launching ramp alongside the State Route 37 bridge in Black Point, a facility which enjoys substantial public use. While the boat launch facility is in Black Point, it is a shared community asset and used by many within and outside of the area. Across the river and located within Sonoma County is the Port Sonoma-Marina. Visible from Green Point, the project has long been of grave concern to residents of the community. In addition to visually impacting Green Point, increased marine use of the river could have a degrading impact upon the waterway. High speed boating activities could create wave actions which could degrade the surrounding marshy low-lands as habitat areas. The noise alone from high powered watercraft can disturb the habitat value of this area.

River commerce and cargo volumes on the river consist primarily of sandy gravel, shell, grain, concrete and petroleum.

### **C. RAILWAYS**

Paralleling State Route 37 on an east-west route is the railroad operated by the North Coast Railroad Authority. Passenger service on the line was abandoned decades ago and only freight service is currently provided. This railroad provides general freight service, including aggregate materials, lumber, grain, and potentially solid waste in enclosed containers. The rail line's primary importance is its linkage between the Southern Pacific main line at Fairfield-Suisun City via Shellville to the west and the entire Pacific Northwest area of California. The swing railroad bridge across the Petaluma River is normally kept in the open position until approaching trains necessitate its closure by a bridge tender. This permits unimpeded use of the river for watercraft and prevents unsafe trespassing on the bridge itself. The horizontal clearance is 110 ft., vertical clearance is 7 ft. The bridge was built in 1911.

### **D. PUBLIC TRANSPORTATION**

Countywide Plan policies support the use and expansion of public transportation options throughout the County. Decisions regarding the routes, service frequency, and passenger fares are determined by Marin Transit, which provides local transit service within Marin County, and Golden Gate Transit, which provides regional fixed-route bus service in San Francisco, Marin, and Sonoma counties. Due to the community's relatively small population and location, public transportation service to or within the planning area is not provided. Route 154, provided by Marin Transit, is the closest route available. This route follows Atherton Avenue from US 101 to Olive Avenue. While no stops are along this route within the planning area boundary, two stops are within walking or bicycling distance. These are located at the intersections of San Marin Drive and Redwood Boulevard and Olive Avenue and Lea Drive. A Park & Ride lot with 60 parking spaces is located where Atherton Avenue meets State Route 37. This location is a helpful connection point for carpooling commuters. Bus service is not provided to this Park & Ride. Should public transit be extended to the Planning Area along the State Route 37 corridor, it would be appropriate to introduce a limited number of parking spaces in the vicinity of bus stops for the benefit of commuters. However, because the introduction of such improved services in the future cannot be reliably predicated, the exact location of such support parking facilities cannot be quantified as to the exact number of spaces nor as to the precise location of such support facilities. Green Point's

close location to the Sonoma Marin Area Rail Transit station in North Novato, located at the Atherton Avenue and Highway 101 interchange, will provide additional public transportation options for residents.

## **E. EQUESTRIAN TRAILS**

Several ranches with horses (along with cows, chickens and sheep) are within the planning area. There is general interest in continuing efforts to provide equestrian trails. Establishing any trail system will need to involve the willingness of concerned and affected property owners to grant equestrian rights of way to one another. Because most roadways have been laid out along narrow and steep ridgelines, the ability to secure additional right-of-way widths to accommodate an equestrian trail may be difficult. Further, the subdivision of undeveloped lands into standard residential sites further prevents the establishment of integrated open space areas where equestrian activities could otherwise occur.. The Plan recommends maintaining existing equestrian trails, and to consider equestrian trails in new development proposals, where appropriate and feasible.

### **Transportation Policies**

#### **TR-1 Maintain Rural Character of Streets**

In order to maintain the rural character of the community, new streets and roads should be developed at the minimum scale commensurate with anticipated traffic projections and fire protection purposes.  
[Adapted from Policy 3, p.81]

#### **TR-2 Crest Road**

Consider additional access routes between Atherton Avenue and Crest Road, to improve fire protection access and to help redistribute traffic destined for Crest Road and the cul-de-sacs along Crest Road, where feasible.  
[Adapted from Policy 8, p. 84]

#### **TR-3 Crest Road Connection to Laguna Vista Drive**

Maintain the connection between Crest Road and Laguna Vista Drive in the northerly component of the planning area to serve only as:

- a. An emergency services roadway for fire protection vehicles; and
- b. An equestrian, bicycle, and pedestrian trail.

Maintain the existing emergency gate to prohibit the connection of these two roadways for normal vehicular access, since such a change could result in additional traffic impacts on the otherwise rural character of the area.  
[Adapted from Policy 7, p. 83]

#### **TR-4 Public Transportation**

Consider the establishment of regular commuter bus service from the planning area, linking to existing routes and destinations within Marin County, where feasible. Encourage transit providers to determine whether expanded transit service routes and/or schedules from the planning area to the North Novato Sonoma-Marin Area Rail Transit station are warranted once train service is operational.

[Adapted from Policy 2, p. 80]

**TR-5 Bicycle and Pedestrian Facilities**

Improve bicycle and pedestrian connections to recreation, open space, and other areas within the community. Consider pathways for bicyclists, pedestrians and other users on key neighborhood roads, including but not limited to, Atherton and Olive Avenues, Crest Road, School Road, and Harbor Drive.

[New policy]

**TR-6 Equestrian Trails**

Maintain existing equestrian trails. Where feasible, new development should include trails for bicycle, pedestrian, and equestrian use.

[Adapted from Policy 9, p. 84]