



## **BACKGROUND**

The Black Point Community Plan was originally adopted by the Board of Supervisors in October 1978 to provide direction on topics unique to the Black Point and Green Point neighborhoods. In 2013 work began on updating the then-35 year old 1978 Plan, grounded in an extensive public outreach process that included three community-wide public workshops, a workshop with your Commission, and 24 Advisory Committee meetings. On July 27, 2015 the Planning Commission approved a recommendation that the Board of Supervisors adopt the BP/GP Plan. In response to public testimony, the Board acted on March 8, 2016 to direct staff to prepare individual community plans for Black Point and Green Point, thereby separating the community boundary. Defined by State Route 37, the Green Point planning area includes the unincorporated area west of State Route 37, while to the east is the Black Point planning area. Since this action was not previously considered by your Commission and substantially modifies your Commission's recommendation to adopt the BP/GP Plan, staff requests your Commission consider modifying your recommendation to adopt the 2016 Black Point Community Plan and the 2016 Green Point Community Plan (Attachments 1 and 2). A summary of each community plan's contents and significant changes made as a result of the Board's direction is described below.

### **2016 Black Point Community Plan**

The BP Plan is based on the Planning Commission recommended draft of the BP/GP Plan. The BP Plan continues to maintain the area's semi-rural identity, retain the existing zoning, and preserve the natural attributes and features that contribute towards its unique community character and quality of life. Specific topic areas addressed include natural resources, environmental hazards, land use, community character, transportation, public facilities and services, parks and recreation, and public safety.

The five-member Advisory Committee, composed of three Green Point and two Black Point residents, had endorsed a new policy limiting new homes and additions to no more than 10% of the median floor area of the surrounding homes when a project triggers Design Review under existing zoning regulations. These types of projects could only be approved if the County found the project complies with a list of specific findings aimed at preserving the building scale and visual resources of the project area. (These findings are generally consistent with the County's existing Design Review standards.) The Advisory Committee had also supported retaining existing setback standards in the A2 zoning district in Black Point, while seeking to add language to require minimum setback standards for the ARP zoning district, where setbacks are under the existing BP/GP Plan are determined on a project-specific basis through the Design Review process. The ARP zoning is predominant in Green Point. Your Commission did not recommend these policies, and the Board of Supervisors agreed with your recommendation. Thus, the BP Plan provides background discussion on these two issues but does not include these provisions.

As you may recall from your July 2015 hearing, the BP/GP Plan addressed a number of new topic areas. For example:

- It is one of the first community plans in the county to address climate change and Sea Level Rise, as well as provide a map of fire evacuation routes;
- New natural resource policies encourage the protection of wildlife habitat and movement corridors, and encourage property owners to identify and remove trees afflicted with Sudden Oak Death;

- New policies in the Community Character and Land Use chapter encourage specific land use types in the Village Center area and recommend minimizing light pollution to protect the night sky; and
- A new policy was added to improve bicycle and pedestrian connections to recreation, open space, and other areas within the community.

These topical areas are carried forward to the BP Plan. A significant structural change from the BP/GP Plan involves dividing the planning area boundary into separate planning areas for Black Point and Green Point, as shown on Map 2: Neighborhood Areas on page 9. Other more minor changes are summarized below:

- Renamed the Draft Black Point/Green Point Communities Plan to the 2016 Black Point Community Plan;
- Removed content and policies not related to Black Point throughout the document. For example, Policy NR-6 refers to marsh and wetlands areas in Green Point, thus it was removed. Policies TR-3 and TR-7 were similarly deleted. Policy CC-1: Rezone Marin Audubon Properties, was modified to remove parcels located in Green Point;
- In Chapter 2: Background, new language explains the Census demographic background information is based on the Black Point – Green Point Census Designated Place, which aggregates both Black Point and Green Point. Specific data for Black Point is not available without further evaluation of block level data, which would entail a significant amount of additional time to further analyze; and
- In Chapter 5: Community Character and Land Use, land use, zoning, and planned buildout information was updated. New information on the RSP (Residential, Single-Family Planned), VCR (Village Commercial/Residential), RCR (Resort and Commercial Recreation), and OA (Open Area) zoning districts was also added.

A comparison of the policies from the 1978 Plan, BP/GP Plan, and the BP Plan is provided in Attachment 5. In addition, a separate version of the BP Plan showing all changes from the BP/GP Plan in ~~strike-out~~ and underline format is also available online at [www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint) or at [http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/blackpoint\\_draft\\_tracked\\_04152016.pdf?la=en](http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/blackpoint_draft_tracked_04152016.pdf?la=en)

### **2016 Green Point Community Plan**

At the March 2016 Board hearing, the majority of the 22 public speakers and approximately half of the 43 comment letters expressed support for a separate community plan for Green Point. In addition, a petition with approximately 175 signatures in support of a separate community plan was also submitted. GPAC representatives commented a separate community plan for Green Point was justified because Green Point has evolved into its own unique and distinct community since the 1978 Plan was adopted. They noted it was now important to recognize Green Point as a separate community from Black Point. A number of Green Point residents recently established the Green Point Advisory Committee (GPAC) to represent Green Point and provide comments on discretionary applications (such as Design Review) in the Green Point community.

The Board of Supervisors agreed and directed staff to prepare separate community plans for Black Point and Green Point. The Board further clarified the proposed community plan would only focus on those issues and topics addressed during this community plan update process. Moreover, the GP Plan may be amended to address new issues only after the County's remaining community plans are first updated. To that end, the draft GP Plan is directly evolved from the 1978 Plan. It focuses on issues related to its geologic setting, marsh and wetlands, land use and zoning, affordable housing, recreation, sanitation, roads and streets, public transportation, and equestrian trails. Essentially, the 1978 Plan was edited to remove outdated content and policies not relevant to Green Point.

Similar to the BP Plan, the GP Plan continues to carry forward the goals of the 1978 Plan, which seek to maintain Green Point as rural residential community and preserve its natural attributes. The GP Plan's goals have been modified to refer to Green Point rather than Black Point. Otherwise, the most significant change is to modify the existing community plan boundary to create separate planning areas for Green Point and Black Point. Other changes include:

- Added a new "Summary of Policies" section to the beginning of the plan;
- Removed outdated content and policies not relevant to Green Point throughout document;
- Updated location, land use, and zoning maps (Maps 1, 2 and 3, respectively);
- In Chapter 2: Location and Environmental Setting, updated information on current land use and zoning;
- In Chapter 3: Planning and Land Use Issues, provided information on new recreation facilities such as the Green Point State Wildlife Area, Rush Creek Open Space Preserve, and Rush Creek Park, as well as updated information pertaining to affordable housing and the Deer Island Open Space Preserve. Outdated background information on zoning history, community survey results, growth management, Sonoma County planning policies, and description of policy mitigation measures is also deleted;
- In Chapter 4: Public Facilities and Services, updated the water supply, fire protection, and sanitation background with information. Information on community facilities is deleted since the feasibility is very limited for the County to construct a locally financed community center ; and
- In Chapter 5: Transportation, updated background information on roads and streets, railways, public transportation, and equestrian trails. A new policy was added to improve bicycle and pedestrian connections to recreation, open space, and other areas within the community.

Aside from the addition of the new policy addressing bicycle and pedestrian connections, no substantive policy changes have been made. Policies that have been implemented or were not pertinent to Green Point have been deleted. A comparison of the policies from the 1978 Plan to the GP Plan is provided in Attachment 6. In addition, a separate version of the GP Plan showing all changes to the 1978 Plan in ~~strike-out~~ and underline format is also available online at [www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint) or at [http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/greenpoint\\_draft\\_trackedchanges\\_04202016.pdf?la=en](http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/greenpoint_draft_trackedchanges_04202016.pdf?la=en)

## ADDITIONAL MODIFICATIONS

Following the public release of both the BP and GP Plans, a number of minor changes have been requested to the GP Plan, which are presented below for your consideration. These changes are shown in ~~strike-out~~ and underline format. No additional changes are recommended to the BP Plan at this time.

### 2016 Green Point Community Plan

#### 1. Map 2: Land Use Policy Map

In the Legend correct SF3 as follows: SF3 Single Family 1 unit /per 1 – 5 acres ~~4-7 acres~~

#### 2. Chapter 1: Introduction

- a. Page 5, Location, 4<sup>th</sup> paragraph. “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.”
- b. Page 5, Goal 2: change “village” to “community.”
- c. Page 7, History of Green Point: Add new language to acknowledge the incorporation of the Green Point Advisory Committee:

“The Green Point Advisory Committee, incorporated in 2016, has been formed to represent residents and property owners within the Green Point community.”

#### 3. Chapter 3: Planning and Land Use Issues

- a. Page 15, Green Point, 1<sup>st</sup> paragraph:

“The Marin Countywide Plan also recognized the area as a unique village community which would require a more detailed planning effort than could be accomplished through the Countywide Plan.”

- b. Page 15, Green Point, insert after the 2<sup>nd</sup> paragraph. Insert existing background information from the 1978 Plan (p. 18 – 19) pertaining to background zoning information:

“As the Interim Zoning measures applied to the hill and canyon areas carried a statutory life span, it became necessary to pursue permanent zoning for the area, albeit in the absence of an adopted community plan. It was within this framework that the previous zoning designation of A-2:B-3.5 - S.C. No. 2 was generated. This zoning district provided for single family residential development on parcels ranging from a high density minimum lot area of 30,000 square feet ~~of land area~~ for level ground condition to a low density of one (1) unit per two (2) acres where sloping hill side conditions prevail. The area’s current ARP zoning is agriculturally based and permits the maintenance of livestock; horses and various fowl species are commonplace.

Since the adoption of that zoning designation for the lands located on the northerly side of Atherton Avenue, various development plans have occurred. Most development proposals were limited to land divisions of two, three and four parcels. A limited number of subdivisions, i.e., developments of five or more parcels, were submitted to the County

for development approval. The two most significant proposals included the Lockton Lane Subdivision (13 home sites), and the Atherton Oaks Subdivision (33 home sites).

One of the primary reasons for the 30,000 square foot to two acre minimum parcel area zoning requirements for this area was the testimony of Mr. William Desmond, Marin County Environmental Health Director, who stated at various public hearings that this lot size was the minimum for the area to properly accept further on-site waste disposal systems. In later interviews, Mr. Desmond indicated that his opinion was limited to individual site capabilities based upon soils and ground water conditions. Early in 1978, the Regional Water Quality Control Board expressed concern that the continued use of septic tanks within the planning area, particularly the old "Gridiron", could ultimately produce an adverse cumulative impact on both ground water systems and the nearby Petaluma River, i.e., wastewater from septic tanks systems might leach beyond property line limits upon which such septic tanks systems were situated.

In response to the concerns of the Regional Water Quality Control Board, the Marin County Board of Supervisors authorized a cumulative impact study regarding on-site waste disposal systems within the area with specific emphasis on the area east of State Route 37. The area west of State Route 37 was given less intensive analysis. Assuming that septic tanks can continue to be installed on parcels created within the range of existing land use density limitations, at the time the study was conducted it was projected that the existing number of dwelling units west of Highway 37 would increase from 199 to a maximum buildout of 583 to 602 dwelling units. Making allowances for street rights of way and easements, the area demonstrated a potential of some 331 to 342 new dwelling units, or an increase of some one hundred and seventy two percent (172%). Moreover, this projection assumed that the Bay plain area as well as the low lands abutting the Petaluma River offered negligible development potential.

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. ~~The resulting socio-economic pattern within this area is clearly of an upper-middle class income level.~~ 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.”

- c. Page 17, Affordable Housing, 3<sup>rd</sup> paragraph. Tamarin Lane is included as a housing opportunity site in the 2015 – 2023 Housing Element Available Land Inventory. Its status may potentially change when the Housing Element is updated in 2023. Given the long term horizon of the community plan compared to the Housing Element, the information in the community plan will eventually become outdated. Therefore, staff recommends deleting the following paragraph:

~~The Marin County Housing Element, adopted on December 9, 2014, proposes one site on Tamarin Lane. The Tamarin Lane site is listed in the Available Land Inventory. The 6.4 acre site received planning entitlements in 2007 for three lots, two of which must have second units, per conditions of approval. However, the project~~

~~applicant has not recorded the Parcel Map and secured a building permit for the approved work to vest the project.~~

- d. Page 20, Sanitation, 4<sup>th</sup> paragraph. Add language to clarify that many of the past instances of septic drainfield failures occurred in Black Point as a result of the impermeability of the area's hardpan layer and saturated soils. Add language to note that many of the homes in Green Point are relatively new and have more modern septic systems.

"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 ~~Moreover, many of the area's existing~~ 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."

#### 4. Chapter 5: Transportation

- a. Page 22, Roads and Streets, 1<sup>st</sup> paragraph. The Green Point area is easily accessed by State Route 37 and Atherton Avenue ~~presently served by two access roads:~~ State Route 37, is a limited access divided highway maintained by the State which traverses near the planning area on an north-south route and is designated by the Novato General Plan as a scenic highway.; ~~and Atherton Avenue is,~~ County maintained and designated as an arterial road by the Marin Countywide Plan and ~~traverses~~ is the Planning Area on a east-west route.
- b. Page 22, Roads and Streets, 2<sup>nd</sup> paragraph. Clarify that most of the roads in Green Point meet County standards and are publicly maintained, as follows:

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

- c. Page 23: Public Transportation, 1<sup>st</sup> paragraph. Add a new sentence to the end of the paragraph as follows:

"Green Point's close location to the Sonoma Marin Area Rail Transit station in North Novato, located at the Redwood Boulevard and Highway 101 interchange, will provide additional public transportation options for residents."

## **PUBLIC COMMENT**

As of May 3, 2016 staff has received three letters (Attachments 7, 8 and 9). One letter expresses interest in coordinating a property exchange pursuant to Section 1031 of the Internal Revenue Code for parcel 157-147-02 in the Gridiron area in Black Point. A Green Point resident expressed concern regarding Policy TR-2, which considers an additional access road between Atherton Avenue and Crest Road. This existing policy from the 1978 Plan has been carried forward since it conveys the importance of additional access roads in an area known for limited emergency access and potential for high fire severity. The upper portion of Sunset Trail, which is a paper street, is one example of a potential access route.

The Green Point Advisory Committee (GPAC) submitted a letter, dated May 3, 2016 (Attachment 7) with a number of corrections, most of which are minor. These changes, which are supported by staff, are addressed in the “Additional Modifications” section above. The letter further requests the GP Plan include language to preclude the location of commercial solar facility in the bay plain area in Green Point. Your Commission previously discussed this issue at the July 2015 hearing, where the majority of your Commission supported not addressing commercial solar facilities since staff intended to develop amendments to the Development Code to address these types of facilities. Staff anticipates releasing a public draft of the Development Code amendments later this summer and, therefore, does not recommend further changes.

All public comments received on this project are posted under the “Comment Letters” tab on the project website ([www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint)).

## **PUBLIC NOTICE**

The Community Development Agency has provided public notice of the Planning Commission hearing to all property owners and residents within both the Black Point and Green Point community plan areas. Similar public notice was provided prior to public hearings before the Board of Supervisors on March 8, 2015 and Planning Commission on July 27, 2015, and community workshops held on March 5, 2015, January 26, 2015, June 5, 2014, and August 28, 2013.

Notice was also posted on the project website and distributed to 464 subscribers of the project’s GovDelivery email subscription service on Wednesday, March 27, 2016.

## **RECOMMENDATION**

Staff recommends your Commission consider the following:

- a) Modify Resolution No. PC 15-0013 recommending the Board of Supervisors adopt the 2016 Black Point Community Plan as modified from the Planning Commission recommended draft of the Black Point/Green Point Communities Plan; and
- b) Adopt a new Resolution recommending the Board of Supervisors adopt the 2016 Green Point Community Plan, which is based on the 1978 Black Point Community Plan.



In addition, staff recommends your Commission review the administrative record, conduct a public hearing, and approve the 2016 Black Point and 2016 Green Point Community Plans, based on the findings contained in the attached resolutions (Attachments 1 and 2).

Attachments:

1. Resolution Recommending Adoption of the 2016 Black Point Community Plan
2. Resolution Recommending Adoption of the 2016 Green Point Community Plan
3. 2016 Black Point Community Plan
4. 2016 Green Point Community Plan
5. Policy Comparison to the 2016 Black Point Community Plan
6. Policy Comparison to the 2016 Green Point Community Plan
7. Letter from the Green Point Advisory Committee, dated May 3, 2016
8. Letter from Ben Rector, dated April 28, 2016
9. Letter from Linda Kolsky, dated April 27, 2016

*In order to save resources, paper copies of the 2016 Black Point Community Plan and the 2016 Green Point Community Plan are only provided to the Planning Commission. All documents are available for review in the Planning Division offices online at [www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint)*

## MARIN COUNTY PLANNING COMMISSION

### RESOLUTION NO. 15-0013

#### RESOLUTION OF THE MARIN COUNTY PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT THE 2016 BLACK POINT COMMUNITY PLAN

##### SECTION I: FINDINGS

1. **WHEREAS**, the 2016 Black Point Community Plan is a planning document that provides information and sets forth goals, policies, and guidance related to issues relevant to the unincorporated community of Black Point. Based on the Planning Commission recommended draft of the Black Point/Green Point Communities Plan, the Plan addresses natural resources, environmental hazards, community character and land use, transportation, public facilities and services, parks and recreation, and public safety. The Plan was developed with the ongoing participation of community residents, including a five member Advisory Committee.
2. **WHEREAS**, development of the Plan has been informed by a public engagement process that included three community workshops held on March 5, 2015, June 5, 2014, and August 28, 2013 where the public was given an opportunity to speak and provide input. An Advisory Committee of community residents met 29 times over the course of 34 months to provide guidance on the scope, public outreach, community engagement, and development of draft policies. Various online public engagement opportunities were also provided. In addition, the Marin County Planning Commission held a public workshop on January 26, 2015 to solicit feedback on the scope of key issues proposed in the draft of the Black Point/Green Point Communities Plan.
3. **WHEREAS**, a draft of the 2015 Black Point Community Plan was released to the public in January 2015. A revised draft was released in July 2015 that incorporated comments received from the Planning Commission and public input. The Planning Commission recommended Draft of the Black Point/Green Point Communities Plan was released in February 2016, and the 2016 Black Point Community Plan was released in April 2016.
4. **WHEREAS**, the Marin County Planning Commission held a duly noticed public hearing on July 27, 2015 to take public testimony and consider recommending that the Board of Supervisors adopt the Black Point/Green Point Communities Plan.
5. **WHEREAS**, the Marin County Board of Supervisors held a duly noticed public hearing on March 8, 2016 to consider the Planning Commission recommended draft of the Black Point/Green Point Communities Plan. At this hearing the Board directed staff to prepare separate community plans for each of the Black Point and Green Point communities, whereby the 2016 Green Point Community Plan is based on the original 1978 Black Point Community Plan and the 2016 Black Point Community Plan is based on the Planning Commission recommended draft of the Black Point/Green Point Communities Plan.

6. **WHEREAS**, the Marin County Planning Commission held a duly noticed public hearing on May 23, 2016 to take public testimony and consider recommending the Board of Supervisors adopt the 2016 Black Point Community Plan.
7. **WHEREAS**, adoption of the 2016 Black Point Community Plan is consistent with Policy CD-4.1 (Update Community Plans) of the Marin Countywide Plan, which calls for the updating or establishment of community plans to further define how policies and programs of the Countywide Plan will be implemented.
8. **WHEREAS**, adoption of the 2016 Black Point Community Plan is within the scope of the 2007 Marin Countywide Plan Final Environmental Impact Report. Pursuant to Public Resources Code 21166 and CEQA Guidelines Section 15162 and 15168, no additional environmental review is required.

**SECTION II: ACTION**

**NOW, THEREFORE, BE IT RESOLVED**, that the Marin County Planning Commission recommends that the Board of Supervisors adopt the 2016 Black Point Community Plan.

**SECTION III: ADOPTION**

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the County of Marin held on this 23rd day of May 2016, by the following vote:

AYES:

NOES:

ABSENT:

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PETER THERAN, CHAIR  
MARIN COUNTY PLANNING COMMISSION

ATTEST:

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Ana-Hilda Mosher  
Planning Commission Recording Secretary

**MARIN COUNTY PLANNING COMMISSION**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE MARIN COUNTY PLANNING COMMISSION RECOMMENDING  
THAT THE BOARD OF SUPERVISORS ADOPT  
THE 2016 GREEN POINT COMMUNITY PLAN**

**SECTION I: FINDINGS**

1. **WHEREAS**, the 2016 Green Point Community Plan (Plan) is a planning document that provides information and sets forth goals, policies, and guidance related to issues relevant to the unincorporated community of Green Point. Based on the 1978 Black Point Community Plan, the 2016 Green Point Community Plan focuses on issues related to its geologic setting, marsh and wetlands, land use and zoning, affordable housing, recreation, sanitation, roads and streets, public transportation, and equestrian trails.
2. **WHEREAS**, development of the 2016 Green Point Community Plan has been informed by a public engagement process that included three community workshops held on March 5, 2015, June 5, 2014, and August 28, 2013 where the public was given an opportunity to speak and provide input. In addition, the Marin County Planning Commission held a public workshop on January 26, 2015 to solicit feedback on the scope of key issues proposed in a draft of the Black Point/Green Point Communities Plan.
3. **WHEREAS**, a draft of the proposed update to the Black Point Community Plan was released to the public in January 2015. A revised draft was released in July 2015 that incorporated comments received from the Planning Commission and public input. The Planning Commission recommended Draft of the Black Point/Green Point Communities Plan was released in February 2016, and a draft of the 2016 Green Point Community Plan was released in April 2016.
4. **WHEREAS**, the Marin County Planning Commission held a duly noticed public hearing on July 27, 2015 to take public testimony and consider recommending that the Board of Supervisors adopt the draft Black Point/Green Point Communities Plan.
5. **WHEREAS**, the Marin County Board of Supervisors held a duly noticed public hearing on March 8, 2016 to consider the Planning Commission recommended draft of the Black Point/Green Point Communities Plan. At this hearing the Board directed staff to prepare separate community plans for each of the Black Point and Green Point communities, whereby the 2016 Green Point Community Plan is based on the original 1978 Black Point Community Plan and the 2016 Black Point Community Plan is based on the Planning Commission recommended draft of the Black Point/Green Point Communities Plan.
6. **WHEREAS**, the Marin County Planning Commission held a duly noticed public hearing on May 23, 2016 to take public testimony and consider recommending the Board of Supervisors adopt the 2016 Green Point Community Plan.

7. **WHEREAS**, adoption of the 2016 Green Point Community Plan is consistent with Policy CD-4.1 (Update Community Plans) of the Marin Countywide Plan, which calls for the updating or establishment of community plans to further define how policies and programs of the Countywide Plan will be implemented.
8. **WHEREAS**, adoption of the 2016 Green Point Community Plan is within the scope of the 2007 Marin Countywide Plan Final Environmental Impact Report. Pursuant to Public Resources Code 21166 and CEQA Guidelines Section 15162 and 15168, no additional environmental review is required.

**SECTION II: ACTION**

**NOW, THEREFORE, BE IT RESOLVED**, that the Marin County Planning Commission recommends that the Board of Supervisors adopt the 2016 Green Point Community Plan.

**SECTION III: ADOPTION**

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the County of Marin held on this 23rd day of May 2016, by the following vote:

AYES:

NOES:

ABSENT:

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PETER THERAN, CHAIR  
MARIN COUNTY PLANNING COMMISSION

ATTEST:

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Ana-Hilda Mosher  
Planning Commission Recording Secretary

## ATTACHMENT 5

### Policy Comparison to the Draft Black Point Community Plan

<b>1978 Black Point Community Plan</b>	<b>Planning Commission Recommended Draft of the Black Point/Green Point Communities Plan</b>	<b>Black Point Community Plan</b>
<u>General</u>		
Policy 1 (p. 41)	Modified to PFS-1	Modified to Policy PFS-1
Program 1 (p. 41 - 42)	Deleted	Deleted
Program 2 (p. 42)	Deleted	Deleted
Policy 2 (p. 46)	Modified to Policy CC-6	Modified to Policy CC-4
Program 1 (p. 46)	Modified to Policy CC-5	Modified to Policy CC-3
Program 2 (p. 46 – 47)	Modified to Policy CC-6	Modified to Policy CC-4
Policy 3 (p. 48)	Deleted	Deleted
Policy 4 (p. 49)	Deleted	Deleted
Policy 5 (p. 50)	Modified to Policy NR-6	Deleted
Policy 6 (p. 51)	Deleted	Deleted
Policy 7 (p. 51)	Modified to Policy PK-1	Modified to Policy PK-1
Policy 8 (p. 52)	Deleted	Deleted
Policy 9 (p. 53)	Deleted	Deleted
<u>Public Facilities and Services</u>		
Policy 1 (p. 71)	Deleted	Deleted
Policy 2 (p. 71)	Deleted	Deleted
Policy 3 (p. 72)	Modified to PFS-2	Modified to PFS-2
<u>Circulation</u>		
Policy 1 (p. 80)	<u>Circulation</u> Deleted	<u>Circulation</u> Deleted
Policy 2 (p. 80)	Modified to Policy TR-8	Modified to Policy TR-6
Policy 3 (p. 81)	Modified to Policy TR-1	Modified to Policy TR-1
Policy 4 (p. 82)	Deleted	Deleted
Policy 5 (p. 82)	Modified to Policy TR-2	Modified to Policy TR-2
Policy 6 (p. 83)	Modified to Policy TR-6	Modified to Policy TR-5
Policy 7 (p. 83)	Modified to Policy TR-7	Deleted
Policy 8 (p. 84)	Modified to Policy TR-3	Deleted
Policy 9 (p. 84)	Modified to Policy TR-10	Modified to Policy TR-8

## ATTACHMENT 6

### Policy Comparison to the Draft Green Point Community Plan

#### 1978 Black Point Community Plan Policies

#### Green Point Community Plan Policies

##### General

Policy 1 (p. 41)	Modified to Policy PFS-1
Program 1 (p. 41 - 42)	Deleted
Program 2 (p. 42)	Deleted
Policy 2 (p. 46)	Deleted
Program 1 (p. 46)	Deleted
Program 2 (p. 46 – 47)	Deleted
Policy 3 (p. 48)	Deleted
Policy 4 (p. 49)	Deleted
Policy 5 (p. 50)	Modified to Policy NR-1
Policy 6 (p. 51)	Deleted
Policy 7 (p. 51)	Deleted
Policy 8 (p. 52)	Deleted
Policy 9 (p. 53)	Deleted

##### Public Facilities and Services

Policy 1 (p. 71)	Deleted
Policy 2 (p. 71)	Modified to Policy PFS-3
Policy 3 (p. 72)	Modified to PFS-2

##### Circulation

Policy 1 (p. 80)	Deleted
Policy 2 (p. 80)	Modified to Policy TR-4
Policy 3 (p. 81)	Modified to Policy TR-1
Policy 4 (p. 82)	Deleted
Policy 5 (p. 82)	Deleted
Policy 6 (p. 83)	Deleted
Policy 7 (p. 83)	Modified to Policy TR-3
Policy 8 (p. 84)	Modified to Policy TR-2
Policy 9 (p. 84)	Modified to Policy TR-6

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To: Kristin Drumm, Senior Planner - Marin County Community Development Agency Planning Division

From: Green Point Advisory Committee (GPAC)

Subject: GPAC Comments on the Administrative Draft Green Point Community Plan of 2016

RECEIVED

Date: May 3, 2016

MAY 04 2016

Dear Kristin,

COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

Thank you for the opportunity to comment on the County's draft interim administrative Green Point Community Plan. GPAC's initial comments and corrections may not be comprehensive, given the short review and response time allotted to evaluate the draft and due to the absence of a number of GPAC Officers and Board Members. We ask that our comments be reflected in the Staff Report to the Planning Commission.

GPAC's comments are as follows:

Page 5 – correct date to 1978 vs. “1973”.

Page 5 – Location – correct term to say waterfront community vs. “front communities”.

Page 11, Map 2- Correct Legend to SF 3 Single Family 1 Unit/1-5 acres vs. “SF 3 Single Family 4-7 Units/acre”.

Page 22, A. ROADS & STREETS, 2<sup>nd</sup> paragraph – Adhere to 1978 Plan language which acknowledges that the majority of roads in Green Point are publicly maintained roads, constructed to County road standards. Also identify that Green Point is quickly linked internally and to nearby Novato, the SMART Train, Atherton Avenue and State Highways 37 and 101 via excellent, relatively straight County maintained thoroughfare roads.

Page 22, 3<sup>rd</sup> paragraph – Add Alpine and William Roads to the list of County maintained roads.

Page 22, 4<sup>th</sup> paragraph – This description does not appear to be accurate nor apply to Green Point. The roadways in Green Point are designed to accommodate Fire Department access, turnaround, and load factors specific to fire equipment specifications.

Page 23, C. RAILWAYS – Add that operation of the SMART train at nearby Atherton Avenue and Hwy 101 will enhance public transportation options to Green Point residents.

Page 20, C. SANITATION 4<sup>th</sup> paragraph – Add the modifier that the majority of homes in Green Point are relatively young and utilize modern septic design standards. Also, add the modifier that most hard pan conditions are found in areas of old Black Point, several miles east of Green Point, where rock appears close to the surface. We request the County consider inclusion of important content of the 1978 Plan (contained on pages 18-20), i.e., the discussion and findings of Mr. William Desmond, Marin County Environmental Health Director which is the underpinning of Green Point's ARP -2 Zoning - 2 acre minimums for septic considerations.



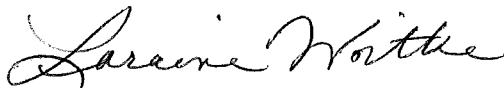
Page 17, E. AFFORDABLE HOUSING, 3<sup>RD</sup> Paragraph – Clarify, pursuant to the 2014 Marin County Housing Element, the Tamarin Lane site is designated for market rate improvements.

Page 3 NR6 – We question the adequacy of this policy provision to preclude the location of a commercial solar generating facility in the Bay Plain. The Green Point Community publically rejected a prior proposal for a commercial solar facility and wishes to develop language in the Green Point Plan to preclude the location of such a facility in the Bay Plain in the future. Such a facility is an eyesore to the Community and incompatible with protection of scenic and open space values integral to the Bay Plain. County Marsh Land Policy should be cited in the Plan to help protect Green Point. The County intends to develop a policy with respects to the siting of commercial solar generation facilities countywide. However, such a plan is not yet developed. We believe that appropriately scaled residential solar applications in Green Point should be confined to roof top locations within the built environment.

Page 3, Policy PFS-3 – Add the Green Point Advisory Committee is a 501 C3 organization formed specifically to serve the Green Point Community and shall be recognized by Marin County to be the sole official Planning Advisory Group within the Green Point Planning Area delineated on Map 3. The Green Point Planning Group is represented by Matt Fleumer, Jan Fleumer, Roberta DiPrete, Ken Jenkins, Ann Therese O’Neil, Mike Brush, and Laraine Woitke. (A copy of the official Green Point Planning Area Map will be provided to the Planning Department with a hard copy of these comments, by May 4, 2016). GPAC Incorporation papers and Operating Agreement are available to the County upon request.

The Green Point Advisory Committee Board and Officers are submitting these comments to you in hopes that you find them helpful. They reflect our participation in the County’s Community Plan update process since 2013 and our understanding form long and continued interface and outreach to Green Point residents. We may forward additional comments, as soon as possible, in a follow up email.


Respectfully submitted,



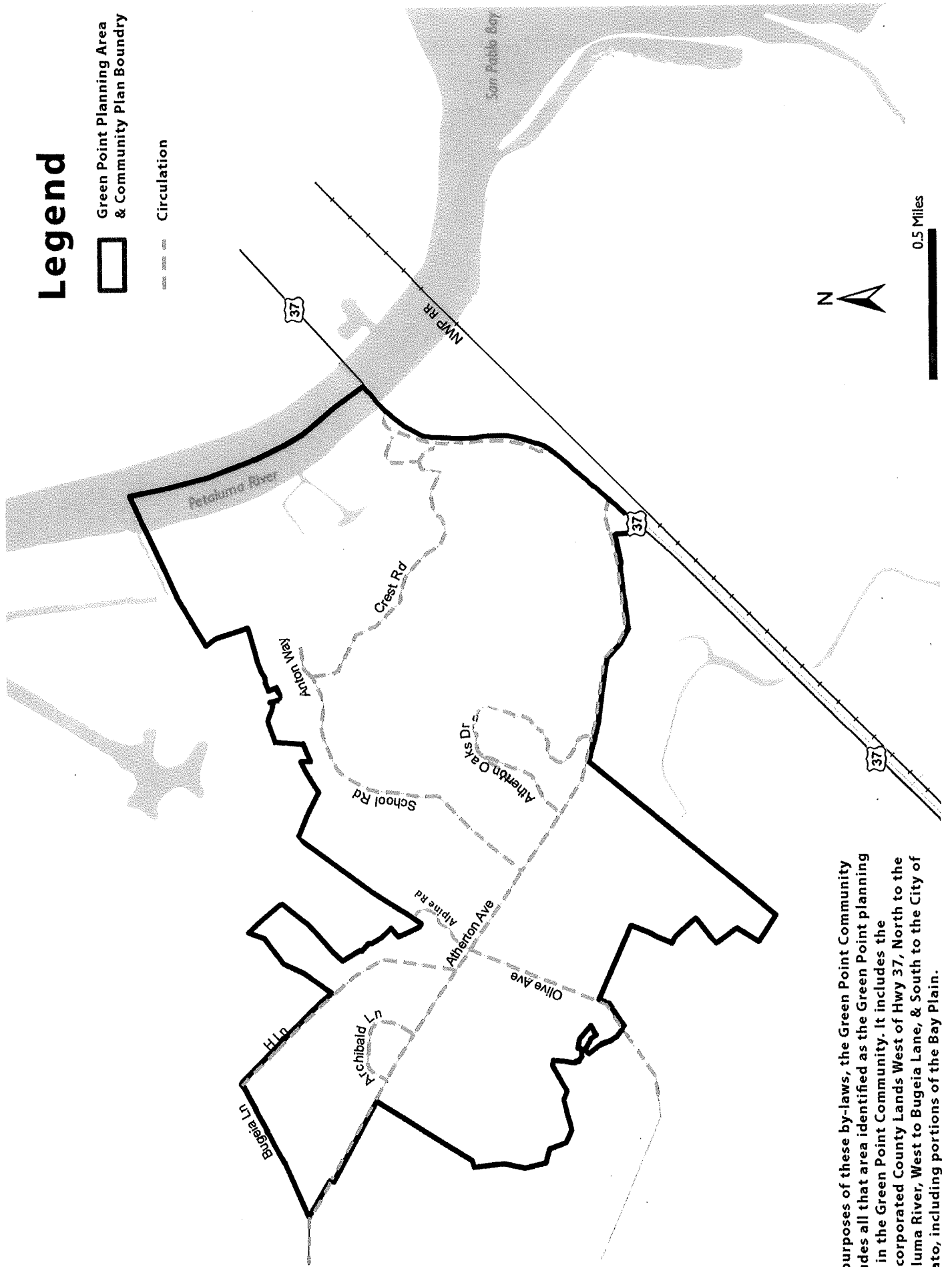
Laraine Woitke  
Board Member, Green Point Advisory Committee

(for Matt Fleumer, President Green Point Advisory Committee)

# Legend

 Green Point Planning Area  
& Community Plan Boundary

 Circulation



For purposes of these by-laws, the Green Point Community includes all that area identified as the Green Point planning area in the Green Point Community. It includes the unincorporated County Lands West of Hwy 37, North to the Petaluma River, West to Bugeia Lane, & South to the City of Novato, including portions of the Bay Plain.

**From:** [BEN RECTOR](#)  
**To:** [Drumm, Kristin](#)  
**Subject:** Parcel # 157-147-02  
**Date:** Thursday, April 28, 2016 5:05:30 PM

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Ms. Drumm,

I am a resident of Colorado Springs, CO and own parcel # 157-147-02 that adjoins a similar parcel owned by Marin County, located in the Black Point community near Novato.

In the interest of the highest and best use of the properties, would Marin County consider a 1031 exchange of parcels? In the long term, the county no doubt would gain in tax revenue. It would also enhance the upland buffer frontage of the adjoining wetlands.

I respectfully ask that the Marin County Planning Commission consider this request at the public hearing on May 23, 2016.

Ben Rector  
14438 Eagle Villa Grove  
Colorado Springs, CO 80921  
(719) 598-3143

**From:** [Linda Kolsky](#)  
**To:** [Drumm, Kristin](#)  
**Subject:** Greenpoint Community Plan  
**Date:** Wednesday, April 27, 2016 3:14:41 PM

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Dear Ms. Drumm,

I am a resident of the now newly named Greenpoint Community. I have read the new draft plan provided. The plan I read showed revisions and deletions in full with strikeouts from the old plan and the new plan replacements. I have concerns about what might NOT be in the plan in addition to one new element I saw in the draft version of the Greenpoint Plan.

For starters, I was one of the Greenpoint residents who read the original Blackpoint Plan, found nothing objectionable, and withdrew my support for the new Greenpoint Plan. The specific concern I have regarding the new plan is mention of possible additional access points to Crest Road from Atherton. Since these roads could invariably cut through private property, I am against any road open to public traffic, however have no problem with fire roads similar to the one that separates Crest Rd from Bahia.

My other concern has to do with the self-appointed new Greenpoint plan officers. From the 1<sup>st</sup> meeting held with residents last summer to the last meeting held this year, there has been nothing but confusion and arguments. My sense is some board members may have alternative objectives regarding their own properties, specifically with regard to sub-divisions. It seems rules under the new plan have been relaxed to describe a parcel as 2 acres vs. what exists today. If I'm right, this would allow residents who own more than 2 acres, and this is a majority of homeowners here, to sub-divide and sell and in the long run, change our community demographic for good.

I say this only because of the pushback at the aforementioned meetings. I just didn't get the feeling any of these individuals were going to all this trouble for the benefit of the community. They seemed to be highly motivated by something bigger. Since this is just a feeling with no facts to support it, I caution ready approval of any plan changes without some investigation. I would also like to see a more appropriate process for selecting our leaders. From my perspective these people came out of nowhere.

Thanks for the opportunity to provide input.

Linda Kolsky  
415-892-4151