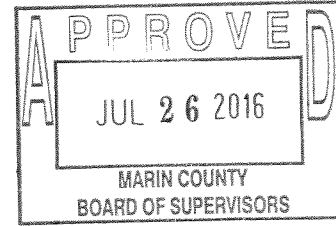


COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

July 26, 2016



Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Update of the 1978 Black Point Community Plan.

Dear Supervisors,

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

RECOMMENDATION:

Staff recommends your Board consider the recommendation of the Marin County Planning Commission to adopt: a) the 2016 Black Point Community Plan, and b) the 2016 Green Point Community Plan.

SUMMARY:

On March 8, 2016, your Board considered the Planning Commission recommended draft of the Black Point/Green Point Communities Plan, which addressed both the Black Point and Green Point communities in a single document. Based on public comment and community support from Green Point residents to recognize Green Point as an independent community, your Board directed staff to prepare separate community plans for each community. On May 23, 2016 the Marin County Planning Commission recommended approval of both the 2016 Black Point Community Plan and the 2016 Green Point Community Plan. Both community plans that provide information and sets forth goals, policies, and guidance related to issues relevant to each community.

These two documents are presented for your review and consideration.

BACKGROUND:

The Black Point Community Plan (1978 Plan) was originally adopted in October 1978 to provide direction on topics unique to the Black Point and Green Point neighborhoods. Based on the area's historical identity, the 1978 Plan defined the two neighborhoods as one community planning area. In 2013, work began on updating the 1978 Plan, grounded in an extensive public outreach process that included three community-wide public workshops, a joint workshop with the Planning Commission and community plan advisory committee, and 29 advisory committee meetings. This effort produced the Draft Black Point – Green Point Community Plan. On July 27, 2015, the Planning Commission recommended your Board adopt the Draft Black Point/Green Point Communities Plan.

Based on your Board's direction to staff at the March 2016 hearing, separate community plans for Black Point and Green Point were prepared. The 2016 Green

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Point Community Plan (GP Plan) is based on the original 1978 Black Point Community Plan, as it pertains to Green Point, while the 2016 Black Point Community Plan (BP Plan) is based on the Planning Commission recommended draft of the Black Point/Green Point Communities Plan (BP/GP Plan). Since this direction substantially modified the Planning Commission's recommendation from the July 2015 hearing, drafts of the BP and GP Plans were brought back to the Commission in May 2016 for consideration.

While the public did not raise any significant issues at the Planning Commission's May 2016 hearing, the Commission, expressed concern regarding the role of community groups in the review of development projects, in light of a request from the Green Point Advisory Committee (GPAC) to include language in the GP Plan to identify themselves as a committee formed to officially represent residents and property owners within the Green Point community. The Commission wanted to ensure such language would not preclude the formation of other local neighborhood groups to represent Green Point's interests, given public comment from a few residents that the GPAC was not representative of all Green Point residents. As a result, the Commission recommended the GP Plan include the following language (shown in underline format) in the "History of Green Point" section (p. 4) as follows:

"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."

The Commission further agreed to modify Policy PFS-3 in this vein. Policy PFS-3 is based on an existing policy from the 1978 Plan calling for the establishment of a locally represented citizen's group to advise the County on discretionary planning proposals within the community. The Commission's changes are as follows:

PFS-3 Citizens Advisory Group(s)

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

Community and citizen advisory groups play an important role in the development review process. While not required for planning applications, staff strongly suggests project applicants reach out to neighbors, local property owners' association or community groups that may have an interest in a respective project. Local community groups can also provide comment and recommendations on discretionary applications.

There are three official design review boards within the County: Kentfield Planning Advisory Board, Strawberry Design Review Board, and Tam Design Review Board. These boards are advisory and serve as liaison to the Board of Supervisors, Community Development Agency, Planning Commission, and the community. They are made up of volunteers from the local community who are appointed by the Board of Supervisors. They hold public meetings where applicants for development projects within each respective area are invited to present their proposals. All three are administered by the County and must conduct and operate meetings in accordance with adopted procedures.

In addition to these official boards, there are a variety of community groups that participate in the process of reviewing discretionary planning applications. Some of these groups arise organically as new issues and concerns come to the forefront and others are more established committees with rotating memberships. Among these are property owners' associations, such as the GPAC and the Black Point Improvement Club, which are self-administered and governed. The County does not oversee private citizen groups, but staff encourages people to be informed and engaged when it comes to planning matters.

With regards to other changes, the Commission made minor revisions to remove outdated information and small language edits for clarification in Chapter 3, Section A (Green Point) and Chapter 5, Section D (Public Transportation) for the GP Plan. The Commission also accepted a number of minor staff recommended changes. All changes to the GP Plan accepted by the Commission are shown in a strike-out and underline version posted online at www.marincounty.org/blackpoint or http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/20160523_gpdraft_pc_approved_tracked.pdf?la=en.

The Commission did not make any changes to the BP Plan.

At this hearing Matt Fleumer, President of the GPAC, provided public testimony and a letter supporting the GP Plan as presented.

The following provides a brief summary of the contents of each community plan and describes significant structural changes made in the preparation of each document as a result of your Board's direction on March 8, 2016.

2016 BLACK POINT COMMUNITY PLAN

As previously mentioned, 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 BP Plan addresses a number of new topic areas, which were carried forward from the BP/GP Plan. 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 improves bicycle and pedestrian connections to recreation, open space, and other areas within the community.

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 refinements made in the preparation of the BP Plan include:

- 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 or at http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/20160523_bpdraft_pcapproved_tracked.pdf?la=en.

2016 GREEN POINT COMMUNITY PLAN

As you may recall, 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 community that is distinct from the historic Black Point community since the 1978 Plan was adopted. They noted it was now important to recognize Green Point as a separate community from Black Point.

Your Board agreed and directed staff to prepare separate community plans for Black Point and Green Point. Your 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 only be amended to address new issues after the County's remaining community plans are first updated. To that end, the draft GP Plan 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 or at http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/20160523_gpdraft_pc_approved_tracked.pdf?la=en.

PUBLIC COMMENT

Five letters have been received as of July 19, 2016 indicating support for the GPAC and approval of the Green Point Community Plan (Attachment 9). All public

comments received on the community plan to date are posted under the "Comment Letters" tab on the project web page (www.marincounty.org/blackpoint).

ENVIRONMENTAL REVIEW

Adoption of both the 2016 Black Point Community Plan and the 2016 Green Point Community Plan is within the scope of the 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.

RECOMMENDATION

On behalf of the Planning Commission, staff recommends your Board review the administrative record, conduct a public hearing, and consider adopting: a) the 2016 Black Point Community Plan, and b) the 2016 Green Point Community Plan, based on the findings contained in the attached resolutions (Attachments 1 and 2).

FISCAL/STAFFING IMPACT: None.

REVIEWED BY: (These boxes must be checked)

<input type="checkbox"/> Department of Finance	<input checked="" type="checkbox"/> N/A
<input type="checkbox"/> County Counsel	<input checked="" type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

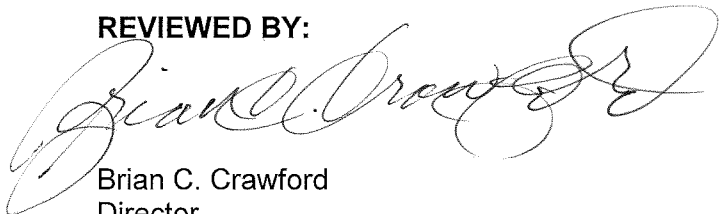
Respectfully submitted,

SUBMITTED BY:



Kristin Drumm
Senior Planner

REVIEWED BY:



Brian C. Crawford
Director

Attachments:

1. Resolution of the Board of Supervisors to Adopt the 2016 Black Point Community Plan
2. Resolution of the Board of Supervisors to Adopt the 2016 Green Point Community Plan
3. Resolution No. PC 15-0013 Recommending the Board of Supervisors Adopt the 2016 Black Point Community Plan
4. Resolution No. PC 16-004 Recommending the Board of Supervisors Adopt the 2016 Green Point Community Plan
5. Planning Commission Recommended Draft of the 2016 Black Point Community Plan
6. Planning Commission Recommended Draft of the 2016 Green Point Community Plan

7. Policy Comparison to the 2016 Black Point Community Plan
8. Policy Comparison to the 2016 Green Point Community Plan
9. Letters from the Public:
 - a. Terry Vitorelo, July 10, 2016
 - b. Catherine Trahan, July 10, 2016
 - c. Ethan Mantle, July 11, 2016
 - d. Fay Gale, July 12, 2016
 - e. Vicki Gray, July 15, 2016

In order to save resources, paper copies of Attachments 5 and 6, the 2016 Black Point Community Plan and the 2016 Green Point Community Plan, are only provided to the Board of Supervisors. All documents are available for review in the Planning Division offices and online at www.marincounty.org/blackpoint.

2016 Black Point Community Plan (clean version):

http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/20160523_bpdraft_pc_approved_web.pdf?la=en

2016 Black Point Community Plan (tracked changes version):

http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/20160523_bpdraft_pcapproved_tracked.pdf?la=en

2016 Green Point Community Plan (clean version):

http://www.marincounty.org/~media/files/departments/cd/planning/community-planning/blackpoint/20160523_gpdraft_pc_approved.pdf?la=en

2016 Green Point Community Plan (tracked changes version):

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