



## Community Plan Update: Frequently Asked Questions

Updated February 2016

### ***What is a community plan?***

A community plan contains goals, policies, and programs to address specific issues related to a particular community. It reflects the values of the community and provides a means for decision makers to evaluate development proposals to ensure projects are consistent with community goals. Community plans are considered part of the [Marin Countywide Plan](#) and must be consistent with it.

### ***When was the community plan adopted?***

The existing [Black Point Community Plan](#) (Plan) was first adopted by the Marin County Board of Supervisors in October 1978. It is one of the oldest community plans (the Bolinas Community Plan, adopted in 1975, is the first and oldest.) The Plan is now in the process of being updated. The Planning Commission recommended approval of the [Draft Black Point/ Green Point Communities Plan](#) (Draft) at their public hearing on [July 27, 2015](#).

### ***What neighborhoods does the community plan represent?***

The 1978 Black Point Community Plan boundary area (or planning area) includes the unincorporated areas of Green Point and Black Point. While the 1978 plan historically referred to the entire area as Black Point, the inclusion of the Green Point area in the community plan is not new – this neighborhood has always been a part of the community plan. The Draft continues to represent both the Black Point and Green Point neighborhoods. No new areas or parcels have been added.

The “Black Point” name reflects the community’s historical identity and residents’ sense of place at the time of the plan’s writing. The Black Point name goes back to the 1850’s when the area was initially known as an important shipping point for livestock and lumber. Over time, the area has evolved from a rural countryside of a few farms, ranches and small hunting cabins for weekend summer residents into the semi-rural, quiet, residential bedroom community of today.

[Map 2](#) in the Draft shows the community plan area boundary. The Black Point area consists of the hill and canyon area east of State Route 37 and includes both the Gridiron and Village Center neighborhoods. The Green Point area, located to the west of State Route 37, includes the hill and ridge areas with homes along Atherton and Olive Avenues and the bay plain marsh areas south of Atherton Avenue. Local neighborhoods within Green Point include the Atherton corridor, Atherton Oaks, and Alpine/Williams Road, among others.

The name of the Draft has been a divisive issue. The Advisory Committee itself was split on this issue; the majority voted to retain the original “Black Point” name. The Planning Commission, however, endorsed

naming the Draft the “Black Point/Green Point Communities Plan” and the Draft’s methodology of describing the community and its neighborhoods at their hearing on July 27, 2015.

***Why is the plan being updated?***

The 1978 document is being updated to bring it into consistency with the policies and programs of the 2007 Marin Countywide Plan, and to address community-based planning issues. The process to update the Black Point Community Plan began in April 2013.

***What is the Advisory Committee and when do they meet?***

The Advisory Committee consists of five community representatives selected by Supervisor Judy Arnold. The purpose of the Advisory Committee is to advise staff on identifying local issues, constraints and opportunities in the update to the community plan, and to assist in outreach to inform and engage other residents, public interest groups and organizations, and other stakeholders about the update process. Two members reside in the Green Point neighborhood, while the other three reside in the Black Point area. The Advisory Committee generally meets on a monthly basis on the third Thursday of the month. All agenda materials are posted on the website ([www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint)) one week prior to each meeting and are noticed via email. Please sign up for the free [email subscription service](#). These meetings are open to the public and time on the agenda always allows for public comment. Residents are encouraged to sign up to receive periodic email updates on the Advisory Committee and other status updates related to the update by visiting: [www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint) and click on the “Subscribe to this Page” feature in the upper right.

***What is the “Black Point Improvement Club” and who do they represent?***

The Black Point Improvement Club (BPIC) is an active neighborhood group and represents both the Black Point and Green Point areas. Membership is open to all residents and property owners in Black Point and Green Point with an annual due of \$25 per household. Meetings are held bimonthly on the 2<sup>nd</sup> Friday at the Atherton Fire Station training room. Meetings start at 8 pm. These meetings are not regulated or organized by the County of Marin.

During preparation of the plan, Marin County planning staff attended two scheduled BPIC meetings to provide updates on the Draft. In addition, staff utilized BPIC’s email distribution list to publicize events and opportunities to get involved by publishing notifications of public meetings and providing updates on the community plan. In addition, BPIC assisted in notifying community members by posting notices on sandwich boards and distributing flyers at key locations in the community.

***How many public meetings and workshops have been held?***

As of February 18, 2016, there have been 28 meetings of the Advisory Committee, which began meeting in April 2013. These meetings are open to the public and announced via email. Please sign up for the free [email subscription service](#). There have also been three public community workshops to engage residents and obtain input and feedback on various issues. These workshops were conducted on [August 28, 2013](#) (Hill Community Room), [June 5, 2014](#) (Novato City Hall Council Chambers), and [January 26, 2015](#) (Marin Center Exhibit Hall, Manzanita Room). A workshop with the Planning Commission and the Advisory Committee was held on [January 26, 2015](#), and a Planning Commission hearing was held on [July 27, 2015](#). Information from each workshop is available on the website at [www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint). All residents in Black Point and Green Point were mailed a notice announcing each community workshop.

**There are still several opportunities to participate and provide input:**

- Monthly Advisory Committee meetings on the 3<sup>rd</sup> Thursday of the month. See [website](#) for location and agenda.
- A [public hearing](#) at the Board of Supervisors is scheduled for Tuesday, March 8, 2016 at 1:30 pm at the Marin County Civic Center hearing room.

***When will the Draft plan be finalized?***

The Draft is a working document and no decisions about the Draft have been finalized. As discussed above, there is an upcoming public workshop to provide your input and participate in the decision making process. The Marin County Board of Supervisors will adopt the final plan.

***Why should you get involved?***

The community plan is a blueprint that shapes present and future development within the community. It establishes land use policies specific to the needs and characteristics of the particular community that carry out the community's goals and vision for the future. Development projects in the community are reviewed against and must be consistent with the plan's policies. Being part of the planning and update process is a great way to learn more about your community and contribute your ideas to help shape its future.

***What new topics are addressed in the proposed Draft?***

The proposed Draft continues to maintain the area's semi-rural identity and preserve the natural attributes and features that contribute towards its unique community character and quality of life. Many issues relevant in 1978 are still relevant today, including maintaining the community's existing zoning, retaining the rural character of roadways, and continuing to rely on septic systems as the primary means of waste disposal. The Draft updates the 1978 plan by refining and strengthening existing policy language to enhance policy effectiveness. Many changes involved deleting outdated policies as well as those policies that were implemented. New policies encourage the protection of wildlife habitat and movement corridors, address sudden oak death, night skies, village center land use, bicycle and pedestrian facilities, and support of passive recreation uses within the Vince Mulroy Memorial Woodland and Wildlife Preserve.

***How is the issue of home size addressed?***

The issue of home size, in particular to the relationship to lot size, was raised as a concern because of the potential threat to the area's identity and semi-rural character as new development mixes in with the some of the community's smaller, older, and more traditional homes. The Advisory Committee had recommended the following policy language:

The floor area ratio of development projects for the construction of new single family residences or additions shall not exceed the median floor area ratio within 600 feet of the surrounding neighborhood by 10%, unless the development project is consistent with the following criteria:

1. Maintains adequate setbacks from property lines and surrounding development;
2. Is located on a parcel which is large enough to accommodate the floor area while maintaining consistency with the surrounding built environment with respect to height, mass and bulk;
3. Is adequately screened by existing and proposed vegetation;
4. Is adequately screened by the topography of the property or of surrounding properties; and
5. Would not significantly limit or reduce sun and light exposure to adjacent properties.

The Planning Commission did not endorse the Advisory Committee’s recommendation at their hearing on July 27, 2015. This means the Draft does not include a policy to regulate home size.

***How is the issue of setbacks addressed?***

Setbacks in Black Point and Green Point are considered an important feature of community character. The community includes a diversity of lot sizes, home sizes, architectural styles, and dates of construction. The relationship of residences and their respective setbacks vary throughout the planning area, in part because many of the residences—particularly in Black Point—are older and were constructed prior to the initiation of comprehensive design standards.

Minimum setbacks are required in the A2 zoning district, which covers most of the Black Point area. The [A2 zoning district standards](#) are as follows: 25 feet front, 6 feet side, and 20% of lot depth/25 feet maximum rear. Exceptions to the setback standards are allowed for parking structures on steep slopes of 20 percent or steeper. Setback standards may also be waived for substandard lots, common in the Gridiron area of Black Point.

The predominant zoning in the Green Point area is [ARP-2](#), a planned district zoning where setbacks are determined on a project-specific basis through the Design Review process. In addition to the [Development Code](#), guidance on setbacks is provided in the [Single-family Residential Design Guidelines \(SFRDG\)](#). The SFRDG are intended to provide a clear and comprehensive set of design recommendations for Design Review and other projects subject to discretionary review. The SFRDG recommend that new development and remodel/additions should not be disharmonious with the existing street patterns. In hillside areas with average slopes of 25 percent or more, varied and staggered front setbacks are encouraged to reduce the monotony of repetitive setbacks and for consistency with the hillside character. Projects subject to Design Review are evaluated on a case-by-case basis, taking into account site-specific factors such as lot size, bulk and mass, topography, vegetation, and the visibility of the proposed development.

The Advisory Committee had recommended the Draft include the following policy language regarding setbacks:

Development projects for the construction of new single family residences on vacant lots in the Black Point area should maintain setbacks consistent with the zoning standards or otherwise compatible with the surrounding neighborhood.

Development projects for the construction of new single family residences on vacant lots in the Green Point area should maintain setbacks consistent with the A2 zoning district standards, generally 25 foot front, 6 foot side, and a rear setback of 20% of lot depth/25 foot maximum for the main residence.

In both instances, setbacks may be modified for the preservation of environmental features, to address site constraints, or to accommodate required on-site parking.

The Planning Commission did not endorse the Advisory Committee’s recommendation at their hearing on July 27, 2015. This means the Draft does not include a policy to regulate setbacks.

***How is the issue of road maintenance addressed?***

Many roads in the community are narrow and winding and lack shoulders or sidewalks. Most roads in the Green Point area are publicly owned and County-maintained, while the majority in the Black Point area not.

There are concerns that the Draft proposes to create a road maintenance district to pay for road improvements in Black Point. This is incorrect. Rather, the Draft provides background information on road conditions and describes which roads are County-maintained, and includes a new policy on road maintenance to clarify who is responsible for the maintenance of private roads. Proposed Policy TR-5 (page 82) states: “the owner of any private right-of-way easement is responsible for its repair and maintenance, consistent with California Civil Code 845. Property owners abutting private streets may establish their own road maintenance program or organization to address repair and maintenance concerns. Advice in such matters and sample road maintenance agreements are available from the Land Development Division of the Marin County Department of Public Works.”

The formation of any maintenance district would require the vote of the affected property owners. It should be noted that the passage of Proposition 218, adopted in 1996, placed restrictions on homeowner assessments, which allows assessment on a parcel for “the reasonable cost of proportional special benefit conferred on that parcel.”

The Draft does NOT recommend a tax to pay for road improvements. Rather, the policy describes what property owners would need to know should they collectively decide that approach.

No decisions have been finalized, and there are still several opportunities to provide input.

For more information visit: [www.marincounty.org/blackpoint](http://www.marincounty.org/blackpoint).

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