

COMMUNITY DEVELOPMENT AGENCY

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March 8, 2016

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Marin County Board of Supervisors
3501 Civic Center Drive
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SUBJECT: Update of the 1978 Black Point Community Plan and the Draft Black Point/Green Point Communities Plan.

Dear Supervisors,

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

www.marincounty.org/cda

RECOMMENDATION:

Staff recommends your Board consider the recommendation of the Marin County Planning Commission to adopt the Draft Black Point/Green Point Communities Plan (Draft Plan)(Attachment 1). As explained in the following report, your Board may also wish to consider alternatives to the Draft Plan recommended by the Planning Commission, based on input that has arisen through the public review process, including but not limited to: a) adopting the Draft Plan for the Black Point neighborhood only while retaining the current community plan for the Green Point neighborhood, with appropriate revisions; and b) retaining specific policies the Planning Commission has recommended be removed from the Draft Plan regulating home size and setbacks.

SUMMARY:

The 1978 Black Point Community Plan (1978 Plan) is among one of the earliest community plans adopted by your Board. The effort to update the Plan began in April 2013 with the formation of an Advisory Committee comprised of five community representatives tasked to provide guidance on the scope, public outreach, community engagement, and policy development for the update of the 1978 Plan.

The community plan area, historically known as Black Point, includes both the Black Point and Green Point neighborhoods. Based on community feedback and in recognition that the Black Point community has since evolved into two distinct neighborhoods, the Black Point Community Plan has been renamed the "Black Point /Green Point Communities Plan" as part of the Planning Commission's recommendation. The Draft Plan is a planning document which provides information and sets forth goals, policies, and guidance related to issues relevant to the unincorporated neighborhoods of Black Point and Green Point.

Many issues addressed in the 1978 Plan are still relevant today. These include 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 Plan 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. Specific topic areas addressed in the Draft Plan include natural resources, environmental hazards, land use, community character, transportation, public facilities and services, parks and recreation, and public safety. These topics are addressed in the "Organization of the Community Plan" section below.

Following three community-wide public workshops, a public workshop with both the Planning Commission and Advisory Committee, and over 29 Advisory Committee meetings, the Marin County Planning Commission unanimously voted to recommend your Board approve the Draft Plan in July 2015 (Attachment 3). This process is described in more detail in the "Background" section below.

Two principal issues have come to the forefront of the update process. One stems from a desire on the part of some Green Point residents to be recognized separately from the Black Point neighborhood and have a separate community plan, while the other relates to the Planning Commission recommendation to remove specific policies that tighten the existing regulations on home size and placement. In part, however, the issue of neighborhood representation appears to be driving the movement to separate the community plan, which has resulted in much neighborhood discord.

Despite the extensive efforts to engage and inform residents and stakeholders in the community, some residents in the Green Point neighborhood have asserted the update process was flawed and the resulting Draft Plan is not representative of the issues or values important to the Green Point community. Furthermore, they have indicated a separate community plan is justified for Green Point to address the community's unique values and assets and request deletion of the Green Point neighborhood from the Draft Plan, as described in the attached letter (Attachment 5). Because this issue gained momentum after the Planning Commission concluded its hearings on the Draft Plan, the Commission did not consider the proposition of allowing separate plans for the Green Point and Black Point neighborhoods. Rather, the Planning Commission focused on the issue of community identity and how the Draft Plan should represent the two neighborhoods.

The Advisory Committee 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 in accordance with the 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 Planning Commission has recommended this new Design Review policy be removed from the Draft Plan.

BACKGROUND:

In early 2013, some 35 years after its original adoption, the Black Point Community Plan was selected as a priority for an updated community plan due to the age of the existing plan as well as the level of interest demonstrated by the community, consistent with guidelines in the Community Plan Update Strategy adopted by your Board in 2012. Preparation of the Plan involved extensive community input, including:

- Over 29 meetings with the Advisory Committee to provide guidance on the scope, public outreach, community engagement, and development of draft policies. All Advisory Committee meetings were publicly noticed throughout the planning area and open to the public; and
- Three community-wide public workshops were conducted on March 2015, June 2014, and August 2013 to engage residents, encourage the sharing of information and ideas, and to obtain input and feedback on various issues. The workshops were fairly well attended by residents of both the Black Point and Green Point neighborhoods. In addition, a public workshop with the Planning Commission and the Advisory Committee was held on January 26, 2015 to solicit feedback on the scope of key issues proposed in the Draft Plan. Finally, the Planning Commission recommended adoption of the Draft Plan at a formal public hearing on July 27, 2015.

Several tools were used to reach out, inform, and engage residents about the update process. Every property owner in the community plan area was notified by mail for each public workshop and hearing (mailed notices tend to be the most effective and reliable method of making *initial* contact with residents). Attempts were also made to reach potential renters by addressing notices to "resident" where the property owner's mailing address was different than the situs address (an indicator the property may be rented). Announcements and news releases were also regularly distributed through the project's County GovDelivery email subscription service, which currently includes up to 370 subscribers, and posted on the project website at www.marincounty.org/blackpoint. Media was also disseminated via Patch and Nextdoor, and residents were also offered opportunities to participate through several online topic forums through Open Marin and Survey Monkey.

Advisory Committee members assisted with public outreach by placing sandwich boards with meeting information at key points throughout both the Black Point and Green Point neighborhoods. Messages were also shared through the Black Point Improvement Club's (BPIC) email distribution list, and staff presented on the status of the community plan update at two of BPIC's regular meetings.

The approach taken to update the community plan has been open, transparent, inclusive, and responsive to stakeholder needs. A significant amount of time and staff resources has gone into the process, not to mention countless volunteer hours, time and dedication from the Advisory Committee, in addition to contributions from staff from Marin County Parks, Department of Public Works, and Novato Fire Department through attendance at community workshops, Advisory Committee meetings, staff meetings, and review and input of draft documents.

ORGANIZATION OF THE COMMUNITY PLAN

The Draft Plan is grounded in the policies of the Marin Countywide Plan, and parallels its structure being organized into seven chapters, as summarized below:

1. Introduction

The introduction outlines the community plan preparation process, explains the relationship between community plans and the Countywide Plan, and lays out the goals of the Plan.

2. Background

Chapter 2 summarizes background material including the community's location in the county with respect to the Countywide Plan's environmental corridors and describes some of the external entities which influence the community, such as the City of Novato, Caltrans, and the Sonoma Marin Area Rail Transit (SMART) system. The chapter also provides demographic background and historical information.

3. Natural Resources

The Natural Resources chapter gives an overview of some of the key policies and programs contained in the Countywide Plan as they apply to the Plan area to protect, restore, and enhance watersheds, natural habitats, and sensitive species in Marin. In particular, it describes why the protection of wildlife habitat and movement corridors is important to the community, and provides information on Sudden Oak Death.

4. Environmental Hazards

The Environmental Hazards chapter focuses on fire risk, earthquakes, flooding, and sea level rise. The threat of fire is significant due to the area's vegetation, topography, and climate. Narrow roads, lack of access, and development patterns also exacerbate the problem. The Draft Plan includes a map of evacuation routes, one of the first community plans to provide such information, as well as a number of "Options for Consideration" or ideas that residents may want to further explore to enhance fire protection and emergency preparedness in the community. Background information and maps describing how the area's topography and geology play a role in ground shaking and liquefaction susceptibility from earthquakes is also provided. Flooding is also a concern, and the Draft Plan provides an overview of ongoing efforts by the Flood Control District, working in conjunction with the Marin County Watershed Program, to minimize flooding in the community and undertake projects that integrate both flood protection and environmental restoration. Finally, this chapter acknowledges community concerns regarding sea level rise and lays out conceptual guidance supporting work presently getting underway to determine specific impacts and appropriate adaptation strategies for the community.

5. Community Character and Land Use

Chapter 5 addresses the topics of land use and zoning, home size, setbacks, legal nonconforming lots, light pollution (night skies), and affordable housing. Information is provided describing the area's existing and planned development, in addition to a more focused discussion on appropriate uses for the Village Center neighborhood. The chapter describes existing tools used to protect community character, including the Design Review process and the County's Single-family Residential Design Guidelines. The Draft Plan includes a new policy to encourage specific land use types in the Village Center area and recommends minimizing light pollution to protect the night sky.

6. Transportation

Chapter 6 address transportation and related concerns with roads - including road maintenance, paper streets, speed enforcement, and parking - as well as public transportation, bicycle and pedestrian access, and equestrian trails. The area's roads are developed to rural standards and lack improvements such as shoulders,

sidewalks, curbs and gutters. Road maintenance is an issue since many of the roads in the planning area are not County-maintained. The community's many paper streets are seen as assets as they serve as pedestrian and equestrian pathways, provide connections to open space and recreation areas, provide emergency access, and serve as wildlife habitat and movement corridors.

7. Public Facilities and Services

Chapter 7 focuses on water supply, wastewater management, and annexations and spheres of influence. Background information on the North Marin Water District, which provides water service to the community, is included. In addition, the Draft Plan describes how the community's use of septic systems for wastewater management has helped retain the area's rural character by limiting more intensive development. Information on wastewater services provided by the County, as well as links to other resources, is also provided. Finally, contextual information describing the role of Marin's Local Agency Formation Commission, as well as the City of Novato's Urban Growth Boundary and Sphere of Influence, is also included.

8. Parks and Recreation

Chapter 8 describes how parks and open space preserves are planned, managed and funded in Marin County and provides an overview of the various parks and recreation amenities in and around the community. This chapter also identifies a number of suggestions from the community for consideration as part of future park planning efforts, including improved public access and trail linkages, parking improvements, and potential areas that may be purchased for permanent protection.

9. Public Safety

A small number of recent home break-ins and thefts within the community have created concerns with regards to public safety. This chapter provides a brief overview of neighborhood safety and law enforcement resources and provides a number of potential strategies residents may utilize to reduce the risk of crime in their neighborhood.

SUMMARY OF PLANNING COMMISSION RECOMMENDATION

As summarize below, the Planning Commission considered a number of key issues at the July 2015 public hearing concerning community identity, land use in the Village Center area, home size, and setbacks.

1. Community Identity.

The name of the community plan and how it represents the Black Point and Green Point neighborhoods within the planning area have given rise to divergent points of view. The name of the 1978 Black Point Community Plan reflects the community's historical identity and residents' sense of place at the time of its 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, residential bedroom community of today. While the 1978 Plan identifies the planning area as one community, it recognizes the distinctions

between these two geographic areas and calls them “Old” and “New” Black Point, where “New” Black Point refers to Green Point.

While Black Point and Green Point have been treated as one community in a community plan context, their differences make them unique. Because the Black Point area was settled first, its homes tend to be older than those in Green Point. Black Point homes are generally smaller since the majority of parcels are less than one acre in size. In contrast, the majority of Green Point parcels are larger than one acre, which means the homes are generally larger. Most roads in Black Point are privately owned and not County-maintained, while the majority of roads in Green Point are publicly owned and maintained. Access into Black Point is limited to one road (Grandview Avenue) while Green Point has several access points. The two areas are also zoned differently, which means different development regulations and standards apply to development proposals.

Feedback from participants at community workshops and Advisory Committee meetings has generally supported the concept of identifying the major areas within the larger community as the Black Point and Green Point community. On the other hand, not all residents agree, reasoning the name should remain unchanged and that Black Point is a community that includes the neighborhoods of Green Point, Black Point, the Village Center, the Gridiron, Atherton Oaks and Atherton Avenue, among others.

The Advisory Committee majority recommended maintaining the original Black Point Community Plan name. The Planning Commission did not support the Advisory Committee recommendation, instead recommending the document be renamed the Black Point/Green Point Communities Plan.

2. Village Center Land Use.

The Village Center neighborhood is a small commercial area along Harbor Drive in Black Point. The zoning for the Village Center is VCR, Village Commercial/Residential, which is intended to maintain the established historical character of village commercial areas; promote village commercial self-sufficiency; foster opportunities for village commercial growth; maintain a balance between resident-serving and non-resident-serving commercial uses; protect, without undue controls, established residential, commercial, and light industrial uses; and maintain community scale.

The Village Center could accommodate a limited amount of additional residential and nonresidential development or redevelopment. However, the community’s small population and relative proximity to nearby commercial and retail centers in the Novato area may limit the types of businesses and future growth potential. Constraints include lack of parking and reliance on septic. Despite these limitations, survey results and feedback from community workshops indicated a strong community desire to accommodate some future development, provided that it respects the area’s history, be local serving, sensitive to the small scale nature of the existing properties, minimize traffic impacts, and consider the area’s unique natural and scenic values.

The Advisory Committee recommended including a new policy—Policy CC-4 The Village Center Zoning – to provide guidance on the types of land use that

the community encourages for this area. The Planning Commission supported the Advisory Committee's recommendation for Policy CC-4.

3. Home Size.

The issue of home size was raised as a potential threat to the planning area's identity and semi-rural community character, especially in the Black Point neighborhood as potentially larger new development mixes in with the smaller, older, and more traditional homes. Two options for addressing home size were presented to the Planning Commission for consideration:

Option 1: No Change. Maintain the existing process where discretionary projects, such as Design Review applications, are evaluated for consistency with various policies, regulations, and guidelines administered by the County, such as the Marin Countywide Plan, community plans, and the Single-Family Residential Design Guidelines (SFRDG) as well as specific "findings" that apply to each different type of planning permit. Projects in Black Point that comply with the A-2 district development standards would continue to be processed through building permits unless the project triggers Design Review or another discretionary review procedure (e.g., variance).

Option 2: Advisory Committee Recommendation Based on Median FAR. Establish a new process that restricts new homes and remodels that are subject to Design Review from exceeding the median floor area ratio of surrounding homes (within 600 feet of the project site) by at least 10%, unless the development project is consistent with the following criteria, as determined by Design Review approval¹:

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, or the topography of the property or of surrounding properties; and
4. Would not significantly limit or reduce sun and light exposure to adjacent properties.

The Advisory Committee recommended the new home size regulation for Option 2. The Planning Commission did not support the Advisory Commission recommendation and endorsed maintaining the status quo in Option 1. While the intent of Option 2 is to protect community character and consistency in home size, it did not appear to garner widespread support among the community. Staff also raised a concern about whether home size data from the Assessor's office is precise enough to be well suited to consistently applying a specific numeric, bright line standard such as the 10 percent median home size threshold in Option 2. Consequently, staff reasoned it may be challenging to realistically implement this option without questions about data accuracy needing resolution.

¹ Option 2 would be implemented through the discretionary review process.

4. Setbacks.

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 those 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 yard, 6 feet side yard, and 20% of lot depth/25 feet maximum rear yard. 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 new residences on vacant, 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 contain written and design recommendations for Design Review and other projects subject to discretionary review. For example, 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 supports retaining existing setback standards in the A2 zoning district, while seeking to add language to strengthen the concept that development should be compatible with the surrounding neighborhood. Since there are no specific setback standards in the ARP zoning district, the Committee agreed that standards similar to the A2 zoning district would be appropriate. To that end, the Advisory Committee recommended the following proposed policy:

CC-3 Require Minimum 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.

Staff did not favor the proposed policy for several reasons. First, the Countywide Plan provides a comprehensive policy framework for guidance bolstered by the SFRDG. The SFRDG provide essential principles of development, particularly site planning, preservation of natural features, resource conservation, compatibility with neighboring development, location of buildings in relationship to pedestrian paths and streets, landscaping, general building form, massing and scale. Design Review is an extensively thorough process. More importantly, there have not been any recent projects where setbacks were raised as an issue, particularly in Green Point.

The Planning Commission did not support the Advisory Committee recommendation and did not endorse the proposed setback policy.

PUBLIC COMMENT

A number of letters have been submitted regarding the Draft Plan (Attachment 5). A summary of key concerns heard from both the GPAC and the Advisory Committee are discussed below, followed by a summary of other public comments.

Green Point Advisory Committee Concerns

Following the Planning Commission workshop in January 2015, a group of Green Point residents reached out to CDA staff and requested a meeting to discuss concerns with the update process. Staff subsequently met with this group on three occasions--February 18, 2015, September 10, 2015, and December 9, 2015--to hear their concerns and provided direction on how they could be conveyed to the Board of Supervisors for consideration along with the Planning Commission's recommendation and other public input. These representatives have since formed the Green Point Advisory Committee (GPAC) to represent Green Point. A summary of their key concerns from these meetings and two letters, both dated February 24, 2016 and included in Attachment 5, are as follows:

- Residents have not received adequate notice of public workshops and Advisory Committee meetings and, thus, those interested in participating have not been able to provide input and engage in the process and, therefore, do not have a stake in the outcome;
- Additional time is needed in order to read and comprehend the Draft Plan's implications;
- Green Point should be recognized as an independent community with its own standalone community plan that addresses its unique stature and needs; and
- Responsibility for providing the County with advisory review of development proposals located in Green Point should be given to a recognized, local neighborhood group composed of Green Point residents, rather than the existing practice of referring discretionary projects to the Black Point Improvement Club.

Representatives of the GPAC have stated the proposed Draft Black Point/Green Point Communities Plan is inadequate and request that the 1978 Plan continue to apply to their neighborhood until a new Green Point community plan is adopted , based on the following factors:

- Green point has since evolved into its own unique and distinct community with its own identity since the 1978 Black Point Community Plan was initially adopted. The Draft Plan currently treats Black Point and Green Point as one community. However, it is important to recognize that Green Point is now a separate community from Black Point;
- While both Black Point and Green Point are predominately characterized by single-family detached housing, the size of lots and homes are in stark contrast. The Black Point area was settled first and many of its homes are small and more vintage in nature since they were initially built as summer vacation cottages for weekend residents. In contrast, the Green Point area was developed in the latter half of the century and features more contemporarily designed homes. Similarly, lots in Green Point are generally larger with the majority of lots greater than one acre in size while the majority of lots in Black Point are less than one acre in size;
- The two neighborhood areas are zoned differently with different review processes for development. The conventional A2 zoning in Black Point allows projects to be approved through building permits unless the project requires a special zoning approval. The ARP zoning in Green Point is a planned zoning district that requires approval of a discretionary Design Review application for new development before a building permit is issued, unless the project qualifies for a Design Review exemption. As a result, development proposals in Green Point are more likely to require discretionary review as compared to Black Point;
- Green Point has several horse ranches and farms with cows, sheep and chickens. There do not appear to be any similar ranches in Black Point;
- Most roads in Green Point are publicly owned and county maintained, while many of Black Point's roads were originally mapped without regard to topographic conditions and do not meet current County road standards and, thus, are not County-maintained; and
- Green Point has several access points while access into Black Point is limited to one road, Grandview Avenue.

Advisory Committee Concerns

At their meeting on July 16, 2015, the Advisory Committee unanimously endorsed the Draft Black Point – Green Point Community Plan, including support for new policy language regulating home size for the entire community, in addition to requiring setbacks in certain planned district zoned areas in Green Point. The Committee was split, however, on the name of the Draft Plan, preferring to retain the original “Black Point Community Plan” title. Since the Planning Commission did not endorse the Advisory Committee’s recommendations on home size, setbacks, and document name, the Advisory Committee has indicated withdrawal of their endorsement of the Draft Plan and, instead, provides conditional endorsement as described in their attached letter, dated February 24, 2016, and included in Attachment 5. The Committee’s endorsement is based on the following conditions:

1. Retaining the original Black Point Community Plan name;
2. Maintaining Black Point as one united community under the guidance of one community plan;
3. Retaining Option 2, the home size restriction in the final plan; and
4. Establishing setback standards for the ARP zoning district.

Other Comments

A number of letters have been received in support of a separate community plan for Green Point to allow Green Point equal status as Black Point. Many letters also support the formation of a local Green Point neighborhood group, for the purpose of advisory review of development proposals, since Green Point is both geographically and demographically different from Black Point.

On the other hand, a similar number of letters appear to support the Advisory Committee's recommendation as well as the Draft Plan, and indicate a separate community plan is unnecessary since the existing plan has served the community well since 1978. Several other letters indicate the withdrawal of signatures to a petition supporting a separate Green Point plan, which was circulated by the GPAC, stating the petition was misleading. Staff notes that no petition has been received by the Community Development Agency as of the release of this report.

All public comments received on the community plan to date are posted under the "Comment Letters" tab on the Black Point/Green Point Communities Plan web page (www.marincounty.org/blackpoint).

SUGGESTED MODIFICATIONS

A number of proposed modifications are needed to clarify and refine information in the Draft Plan. These are shown in underline format, as follows:

1. Background

- a. Add to the "List of Historical Events" on page 18:

"2016 Formation of the Green Point Advisory Committee"

- b. Revise text in the Planning Context section on page 10 to clarify that the ridges north of Atherton Avenue were omitted from the Ridge and Upland Greenbelt, as follows:

"Due to the bay plain's natural constraints, and to protect the bay plain as a scenic vista and community separator, a policy decision was made in the 1978 Black Point Community Plan to allow more intensive development along the more stable hillsides, thus omitting the hillside areas north of Atherton Avenue from the Ridge and Upland Greenbelt (RUG). The RUG is a Countywide Plan overlay designation intended to protect wooded hillsides for their value as both a buffer between communities and as an important ecological zone of a watershed. The area's scenic value is discussed in more depth in Chapter 3: Natural Resources."

2. Community Character and Land Use

- a. Information on the Open Area zoning district and the Secondary Floodway combining district were omitted from the Existing Zoning section on page 54 as follows:

OA (Open Area). The OA zoning district is intended for areas 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.

- b. Revise language in Option 2, the Advisory Committee recommendation to regulate home size, to combine criteria items (3) and (4) where the development would be screened by either existing and proposed vegetation or topography of the property or of surrounding properties, as follows:

...

- Maintains adequate setbacks from property lines and surrounding development;
- 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;
- Is adequately screened by existing and proposed vegetation, or by the topography of the property or of surrounding properties; and
- Would not significantly limit or reduce sun and light exposure to adjacent properties.

3. Public Safety

Delete the "Community Meeting Sign" image on page 100.

ERRATA

A number of minor and technical corrections have been made to the Draft Plan since the Planning Commission recommended adoption on July 27, 2015. These are provided for your review and consideration in Attachment 6.

RECOMMENDATION

On behalf of the Planning Commission, staff recommends that your Board review the administrative record, conduct a public hearing, and approve the Draft Black Point/Green Point Communities Plan, based on the findings contained in the attached resolution (Attachment 2).

Your Board may also consider two alternatives to the Planning Commission recommendation in response to input received from the GPAC and the Advisory Committee as follows:

Green Point Advisory Committee alternative. This alternative considers separation of the 1978 Plan into two separate community plans: one for Black Point and one for Green Point. Given the Agency's anticipated work load from the forthcoming performance plan, the most realistic opportunity to implement this alternative in the near term would be to simply revise the existing 1978 Plan for Green Point so that the existing policies pertinent to the Green Point community would remain in place. For Black Point, the Draft Plan could be revised to be adopted for the Black Point neighborhood.

As provided in the adopted Community Plan Update Strategy (Attachment 7), significant changes to the scope of a community planning process require approval of your Board. A separate, more comprehensive process to develop the two community plans, refine issues, and engage the communities would entail additional staff, time, and budget. Should your Board include this alternative in your decision, staff requests your Board provide direction regarding the future process and scope to complete the updated plans.

Advisory Committee alternative. Under this alternative, the Draft Plan would continue to represent both the Black Point and Green Point neighborhoods. In recognition that the two neighborhoods are uniquely different with regards to lot size, home size, and zoning, for example, and in light of resident support for additional guidance pertaining to home size and setbacks within the Black Point area, your Board may consider reinstating the Option 2 home size policy and a version of the setback policy to apply to the A2 zoning district within Black Point.

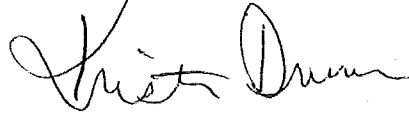
FISCAL/STAFFING IMPACT: None.

REVIEWED BY: (These boxes must be checked)

- Department of Finance N/A
- County Counsel N/A
- Human Resources N/A

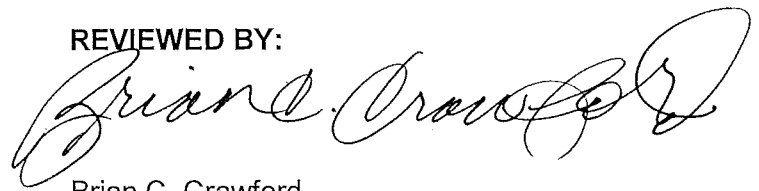
Respectfully submitted,

SUBMITTED BY:



Kristin Drumm
Senior Planner

REVIEWED BY:



Brian C. Crawford
Director

Attachments:

1. Draft Black Point/Green Point Communities Plan

2. Resolution of the Board of Supervisors to Adopt the Black Point/Green Point Communities Plan
3. Resolution No. PC 15-0013 Recommending that the Board of Supervisors Adopt the Black Point/Green Point Communities Plan
4. Mailings Announcing Community Workshops
5. Letters and Email from the Public:
 - a. Candace Wood, February 28, 2016
 - b. Margo Forbes, February 26, 2016
 - c. Michael Doane, February 26, 2016
 - d. David Neal, February 26, 2016
 - e. Martin Godinez, February 25, 2016
 - f. Ann-Therese O'Neill, February 25, 2016
 - g. Letitia Sanders, February 25, 2016
 - h. Charles and Marie Bailey, February 25, 2016
 - i. Michael Vogel, dated February 25, 2016
 - j. Black Point Community Plan Advisory Committee, dated February 24, 2016
 - k. Green Point Advisory Committee, dated February 24, 2016
 - l. Green Point Advisory Committee, dated February 24, 2016
 - m. Eric Polson, dated February 24, 2016
 - n. Dennis R. Molloy, dated February 24, 2016
 - o. Steve and Karen Schneider, dated February 24, 2016
 - p. L. Stephen Polito & Sara Carter, dated February 24, 2016
 - q. Glenn Harrington, dated February 24, 2016
 - r. Cliff Clark, dated February 24, 2016
 - s. Laura Jenkins, dated February 24, 2016
 - t. Penelope Teicher, dated February 24, 2016
 - u. Tymber Cavasian, dated February 24, 2016
 - v. Bob Jonsen, dated February 24, 2016
 - w. Susanna Mahoney, dated February 24, 2016
 - x. Alan and Kathy Rothkop, dated February 23, 2016
 - y. Roberta DiPrete, dated February 23, 2016
 - z. Roberta DiPrete, dated February 23, 2016
 - aa. Alan and Linda Kolsky, dated February 23, 2016
 - bb. Anne Ruben, dated February 23, 2016
 - cc. Bobbie Cerruti, dated February 23, 2016
 - dd. Phil Sheridan, dated February 23, 2016
 - ee. Phil Sheridan, dated February 23, 2016
 - ff. Noah and Cara Harris, dated February 23, 2016
 - gg. Barry Cohen, dated February 23, 2016
 - hh. Maninder and Josephine Sethi, dated February 23, 2016
 - ii. Susan Crouse & Andrew McAghon, dated February 23, 2016
 - jj. Linda Thompson, dated February 23, 2016
 - kk. Bob and Cecile Jonsen, dated February 22, 2016
 - ll. Joseph and Carrie Gray, dated February 22, 2016
 - mm. Ronald Apple, dated February 21, 2016
 - nn. Karyn Kambur, dated February 20, 2016

- oo. Black Point Improvement Club, dated February 20, 2016
 - pp. Chander and Jyotsna Basho, dated February 20, 2016
 - qq. Rosalie Webb, dated February 25, 2016
 - rr. Penny Hansen, dated February 18, 2016
6. Errata
 7. Community Plan Update Strategy

In order to save resources, paper copies of Attachment 1, the Draft Black Point/Green Point Communities Plan, are only provided to the Board of Supervisors. All documents are available for review in the Planning Division offices and the Draft Black Point/Green Point Communities Plan is also available online at www.marincounty.org/blackpoint.

In order to save resources, paper copies of attachment 1, the Draft Black Point/Green Point Communities Plan, are only provided to the Board of Supervisors. All documents are available for review in the Planning Division offices and the Draft Black Point/Green Point Communities Plan is also available online at www.marincounty.org/blackpoint.

RESOLUTION NO. _____

**RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
TO ADOPT THE BLACK POINT/GREEN POINT COMMUNITIES PLAN**

SECTION I: FINDINGS

1. **WHEREAS**, on October 31st, 1978, the Marin County Board of Supervisors adopted the Black Point Community Plan.
2. **WHEREAS**, the Black Point/Green Point Communities Plan is a planning document that provides information and sets forth goals, policies, and guidance related to issues relevant to the unincorporated communities of Black Point/Green Point. Specific topic areas addressed in the plan include natural resources, environmental hazards, community character and land use, transportation, public facilities and services, parks and recreation, and public safety. The community plan was developed with the ongoing participation of community residents, including a five member Advisory Committee.
3. **WHEREAS**, the Black Point/Green Point Communities Plan is consistent with the goals and policies of the Marin Countywide Plan.
4. **WHEREAS**, adoption of the Black Point/Green Point Communities 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.
5. **WHEREAS**, development of the Black Point/Green Point Communities 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 over 27 times to review and discuss the update to the community plan, and various online public engagement opportunities were provided. Further, 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.
6. **WHEREAS**, a draft of the Black Point Community Plan was released to the public in January 2015. A revised draft was released on June 30, 2015 2015 that incorporated public input from the Planning Commission and community workshops.
7. **WHEREAS**, on July 27, 2015, the Marin County Planning Commission conducted a duly noticed public hearing and recommends approval of the Black Point/Green Point Communities Plan.
8. **WHEREAS**, a Planning Commission Recommended Draft of the Black Point/Green Point Communities Plan was released in November 2015.

9. **WHEREAS**, on March 8, 2016, the Marin County Board of Supervisors conducted a public hearing to consider adoption of the Black Point/Green Point Communities Plan.
10. **WHEREAS**, adoption of the Black Point/Green Point Communities Plan has been determined to be Statutorily Exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15262 of the CEQA Guidelines, as a planning study which does not approve, adopt, or fund future actions or activities.

SECTION II: ACTION

NOW, THEREFORE, BE IT RESOLVED, that the Marin County Board of Supervisors adopts the Black Point/Green Point Communities Plan.

SECTION III: ADOPTION

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, held on this 8th day of March 2016, by the following vote:

AYES:

NOES:

ABSENT:

STEVE KINSEY, PRESIDENT
MARIN COUNTY BOARD OF SUPERVISORS

ATTEST:

CLERK

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. PC 15-0013

RESOLUTION OF THE MARIN COUNTY PLANNING COMMISSION RECOMMENDING
THAT THE BOARD OF SUPERVISORS ADOPT
THE BLACK POINT/GREEN POINT COMMUNITIES PLAN

SECTION I: FINDINGS

1. **WHEREAS**, the Black Point/Green Point Communities Plan is a planning document that provides information and sets forth goals, policies, and guidance related to issues relevant to the unincorporated communities of Black Point/Green Point. Specific topic areas addressed in the plan include natural resources, environmental hazards, community character and land use, transportation, public facilities and services, parks and recreation, and public safety. The community plan was developed with the ongoing participation of community residents, including a five member Advisory Committee.
2. **WHEREAS**, development of the Black Point/Green Point Communities 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 24 times over the course of 26 months to review and discuss the update to the community plan, and various online public engagement opportunities were provided. Further, 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 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.
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**, adoption of the Black Point/Green Point Communities 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.
6. **WHEREAS**, adoption of the Black Point/Green Point Communities Plan has been determined to be Statutorily Exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15262 of the CEQA Guidelines, as a planning study which does not approve, adopt, or fund future actions or activities.

SECTION II: ACTION

NOW, THEREFORE, BE IT RESOLVED, that the Marin County Planning Commission recommends that the Board of Supervisors adopt the Black Point/Green Point Communities Plan.

SECTION III: ADOPTION

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin held on this 27th day of July 2015, by the following vote:

AYES: KATHERINE CRECELIUS, DON DICKENSON, JOHN ELLER, WADE HOLLAND, DAVID PAOLI, PETER THERAN

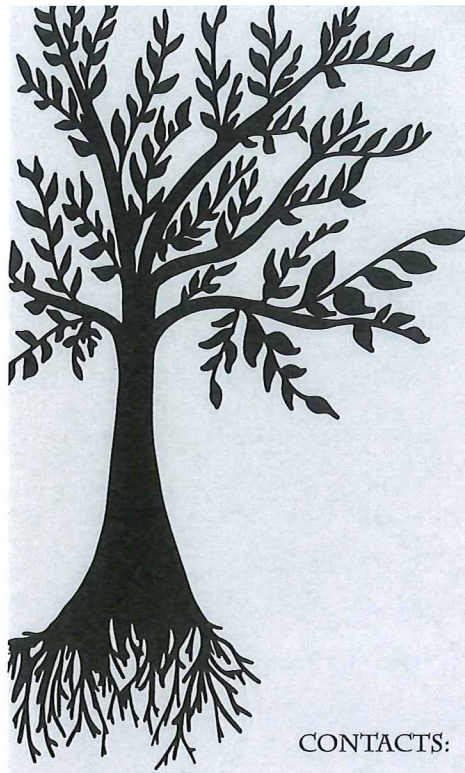
NOES: NONE

ABSENT: MARGOT BIEHLE


KATHERINE CRECELIUS, CHAIR
MARIN COUNTY PLANNING COMMISSION

ATTEST:


Ana Hilda Mosher
Planning Commission Recording Secretary



SAVE THE DATE!!!

WHAT:

Black Point Community Meeting

WHEN:

Wednesday, August 28, 2013

6:30 to 8:00 PM

WHERE:

Hill Community Room

1560 Hill Road, Novato, CA 94947

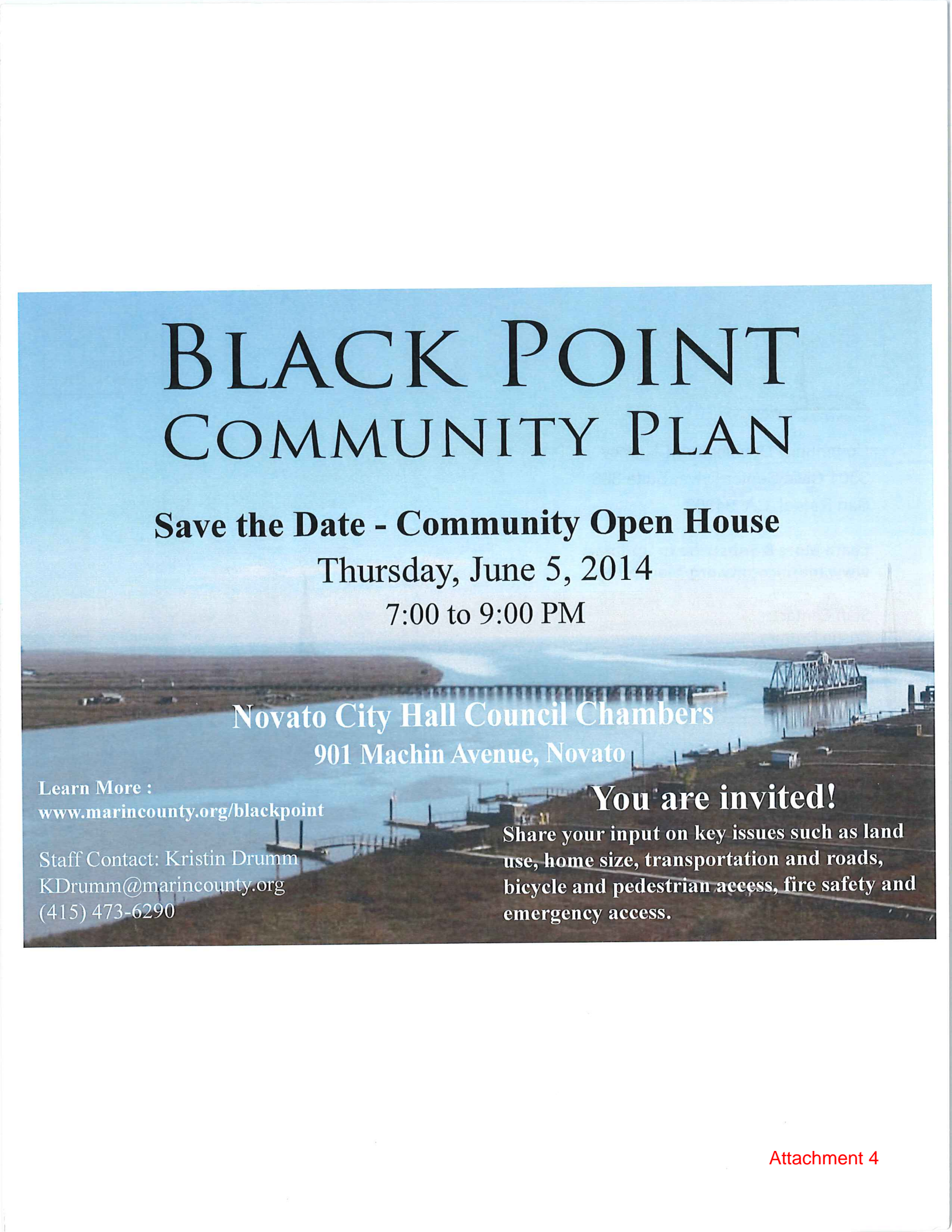
WHY:

Black Point Community Plan Update

Sign-up for Email Updates at:

www.MarinCounty.org/BlackPoint

CONTACTS: *Kristin Drumm 415-473-6290 KDrumm@MarinCounty.org
Alisa Stevenson 415-473-7309 AStevenson@MarinCounty.org*



BLACK POINT COMMUNITY PLAN

Save the Date - Community Open House

Thursday, June 5, 2014

7:00 to 9:00 PM

Novato City Hall Council Chambers
901 Machin Avenue, Novato

Learn More :

www.marincounty.org/blackpoint

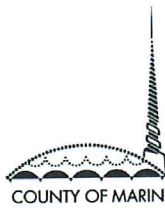
Staff Contact: Kristin Drumm

KDrumm@marincounty.org

(415) 473-6290

You are invited!

Share your input on key issues such as land use, home size, transportation and roads, bicycle and pedestrian access, fire safety and emergency access.



BLACK POINT COMMUNITY PLAN

You're Invited
to a Public Workshop on the
DRAFT BLACK POINT COMMUNITY PLAN

Monday, January 26th | 6:00 pm
The Marin Center, Manzanita Room
10 Avenue of the Flags, San Rafael

Join the Marin County Planning Commission and Black Point Advisory Committee for an informal round table discussion on key plan updates, including:

- Wildlife Corridors
- Sudden Oak Death
- Sea Level Rise
- Village Center Land Uses
- Home Size
- Setbacks
- Night Skies
- Other issues

The Draft Black Point Community Plan is available online at:
www.marincounty.org/blackpoint

Written comments should be submitted to the Planning Commission by 4:00 pm on January 15, by sending to Kristin Drumm at the staff contact below. Any material submitted after this date will be distributed to the Planning Commission prior to or at the meeting.

To obtain a copy of the Draft Plan on CD, please contact Kristin Drumm at the staff contact below. The staff report will be available online after January 15, 2015. A hard copy of the staff report will also be available for public review after January 15, 2015 at the Community Development Agency, Planning Division, from 8:00 am - 4:00 pm, Monday-Thursday (closed Fridays).



What is the status of the Black Point Community Plan?

The original Black Point Community Plan (Plan) was adopted by the Marin County Board of Supervisors in December 1978. The Plan is being updated to refine existing policies and make them consistent with the Marin Countywide Plan, and to address current, community-specific planning issues. The Draft Plan is still a working document. Your input is requested to ensure the Plan represents the community's values.

Please also Save the Date March 5, 2015

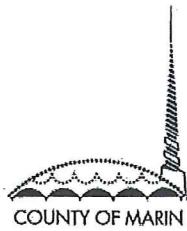
for a public community workshop
dedicated to resident feedback on the
Draft Black Point Community Plan

Staff contact: Kristin Drumm

Marin County Civic Center 415 473 6290 T
3501 Civic Center Drive 415 473 7880 F
Suite 308 CRS Dial 711
San Rafael, CA 94903 kdrumm@marincounty.org



Late agenda material can be inspected in the Community Development Agency between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday. We are closed on Friday. The Manzanita Room is accessible to persons with disabilities. If you require American Sign Language interpreters, assistive listening devices, or if you require this document in an alternate format (example: Braille, Large Print, Audiotape, CD-ROM), or if you require other accommodations to participate in this meeting, you may request them by calling (415) 473-4381 (Voice) or (415) 473-3232 (TDD/ITTY) or 711 for the California Relay Service or by e-mailing disabilityaccess@marincounty.org at least four working days in advance of the event.

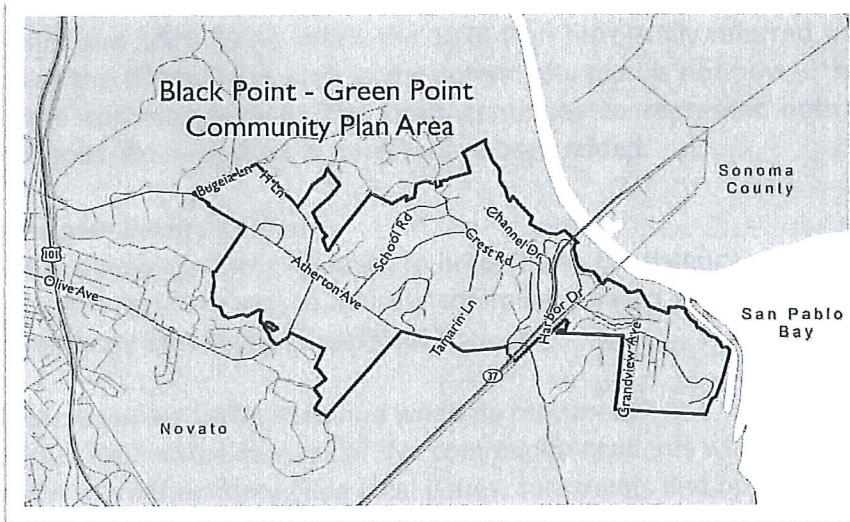


COMMUNITY DEVELOPMENT AGENCY

You are Invited to a Public Workshop on the **DRAFT BLACK POINT - GREEN POINT COMMUNITY PLAN**

Thursday, March 5th | 7:00 pm

Novato City Hall Council Chambers – 901 Machin Avenue, Novato



The original 1978 “Black Point Community Plan”, which represents both the Black Point and Green Point areas, is in the process of being updated. The proposed Draft Black Point – Green Point Community Plan continues to serve residents of both areas. This is a working document; we welcome your input!

All residents of Green Point and Black Point and interested persons are invited to a community workshop to learn about the proposed **Draft Black Point – Green Point Community Plan** and give us your input on issues such as:

- Village Center Land Uses
- Home Size
- Setbacks
- Affordable Housing
- Renewable Energy
- Other Issues

Please share with your neighbors – this meeting is open to the public.

View the Draft Plan and sign up for email notices at:
www.marincounty.org/blackpoint

Give your input on home size regulation via **Open Marin:**
www.marincounty.org/openmarin

All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (415) 473-4381 (Voice), (415) 473-3232 (TDD/TTY) or by e-mail at disabilityaccess@marincounty.org at least five business days in advance of the event. Copies of documents are available in alternative formats upon request.

Staff contact: Kristin Drumm
Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903

415 473 6290 T
415 473 7880 F
CRS Dial 711
kdrumm@marincounty.org



NOTICE OF MARIN COUNTY PLANNING COMMISSION HEARING

BLACK POINT AND GREEN POINT COMMUNITY PLAN

WHO: Any and all interested persons.

WHAT: The Marin County Planning Commission will conduct a public hearing on the Black Point and Green Point Community Plan.

The Black Point and Green Point community is an unincorporated area of about 1,560 acres located in the northeastern edge of Marin County adjacent to the Petaluma River at its entrance to San Pablo Bay. The Black Point and Green Point Community Plan is a document which identifies issues of importance to the community and provides additional guidance and policies related to natural resources, environmental hazards, community character and land use, transportation, public facilities and services, parks and recreation, and public safety. Your participation and input is an important component in the process to update the community plan – we look forward to hearing from you!

WHERE: The public hearing will be held in the Marin County Hearing Chambers, Room 328, Administration Building, Civic Center, San Rafael, California.

WHEN: Monday, July 27, 2015

ADDITIONAL INFORMATION: For more information about the update to the community plan, please visit the project webpage at www.marincounty.org/blackpoint. A draft of the Black Point and Green Point Community Plan and other related documents are available on the webpage, where you can also subscribe to receive email notifications and updates. Hard copies and CD versions of the Black Point and Green Point Community Plan will be available at the Planning Division's public service counter (open from 8 AM until 4 PM, Mondays through Thursdays, closed Friday).

Planning Commission hearings generally begin at 1:00 PM, but a more precise time will be indicated on the hearing agenda posted on the [Planning Commission hearing webpage](http://www.marincounty.org/depts/cd/divisions/planning/boards-commissions-and-public-hearings/pc) one week before the hearing at: <http://www.marincounty.org/depts/cd/divisions/planning/boards-commissions-and-public-hearings/pc>.

One week before the hearing, a staff report will be made available on the [Planning Commission hearing webpage](http://www.marincounty.org/depts/cd/divisions/planning/boards-commissions-and-public-hearings/pc), the [project webpage](http://www.marincounty.org/blackpoint), and at the Community Development Agency, Suite 308, San Rafael (open Monday through Thursday 8:00 AM to 4:00 PM, closed Friday). If you have comments regarding this hearing item, please submit them in writing to Kristin Drumm, Senior Planner at kdrumm@marincounty.org or 3501 Civic Center Drive, Suite 308, San Rafael, CA 94903 by **Monday, July 13, 2015**.

The decision on this project may be appealed to the Board of Supervisors. If you challenge the decision on this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Agency, Planning Division during or prior to the public hearing. (Government Code Section 65009(b)(2).)

Kristin Drumm
Senior Planner
kdrumm@marincounty.org

June 30, 2015



All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (415) 473-4381 (Voice) 473-3232 (TDD/TTY) or by e-mail at disabilityaccess@marincounty.org at least four work days in advance of the event. Copies of documents are available in alternative formats, upon request.

From: jarcandy1@gmail.com
To: [Drumm, Kristin](#)
Subject: BPIC
Date: Sunday, February 28, 2016 4:35:33 PM

Board of Supervisors,
Please withdraw my name from the petition I signed on Feb. 3, 2016.
Thank you.
Candace J. Wood

Sent from my iPad

From: [margo_forbes](#)
To: [Drumm, Kristin](#)
Subject: The Black Point/Green Point Communities Plan
Date: Friday, February 26, 2016 7:29:06 PM

I am a Green Point resident of Crest Rd. I am writing in support of the Advisory Committee's draft community plan. Please include my support in the report as supplemental memoranda. Thank you.

Sincerely,
Margo Forbes
133 Crest Rd
Novato, CA 94945

Drumm, Kristin

From: Michael Doane <MDoane@COMPETITIONECONOMICS.COM>
Sent: Friday, February 26, 2016 1:36 PM
To: Drumm, Kristin
Subject: Black Point Community Plan Update

I respectfully request that you oppose the adoption of the Black Point Community Plan Update. Thank you.

Michael Doane
2 Lockton Lane
Novato, CA 94945

Michael J. Doane
Director
COMPETITION ECONOMICS LLC
2000 Powell Street, Suite 510
Emeryville, CA 94608
(510) 655-7503 Direct Dial
(510) 655-7500 Main
(510) 655-7501 FAX
(415) 710-1144 (cell)

If you need immediate assistance, please call:

Meredith Lewis
(510) 655-7505

THIS E-MAIL WAS SENT TO INTENDED RECIPIENT(S) AND MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL AND/OR PRIVILEGED. IF YOU RECEIVED THIS E-MAIL IN ERROR YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION, RETAINING OR COPYING OF THIS E-MAIL IS NOT AUTHORIZED AND STRICTLY PROHIBITED. PLEASE NOTIFY ME IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU IN ADVANCE FOR YOUR COOPERATION.

From: [daven](#)
To: [Drumm, Kristin](#)
Subject: Black Point Community Plan Update
Date: Friday, February 26, 2016 10:10:22 AM

Re: Black Point Community Plan Update

Marin County Board of Supervisors

As a resident of Green Point for the past five years, I am very content to live with the current county zoning rules for Green Point. Green Point is a newer community with larger lots, newer & larger homes and a more rural atmosphere than the older Black Point community. The latter is a significantly smaller area with smaller lots & older homes. The two communities are quite different in many ways.

When I first moved to the area, I applied for a permit to build a garage. One of my new neighbors, for personal reasons, sought to prevent the construction of this garage. He submitted a complaint listing 9 items to the Marin Planning Department. Some of these objections, height for example, were legitimate zoning violations. The majority were spurious just to interfere with my use of the property. The Black Point Improvement Club copied, verbatim, his list of nine objections without any other reason than to back up a current member of that "club." These people are a bunch of petty tyrants who seek to control our use and enjoyment of our property for no other reason than "control" and a personal vendetta!

These spurious objections included:

1. "You already have a garage and do not need another." My home is on a 2.2 acre parcel. I have a collection of 12, mostly vintage, motorcycles that I would like to house at my home. It is the reason I bought a home in this area with a large lot.
2. "Your garage will interfere with the view from the street." There is a 7' hedge along the street behind which the garage would be located. Because the garage would be located on a down slope, barely any of the garage would be visible from the street. Because of the hedge, there is no view from the street.

Like all of the Green Point residents that I have discussed this proposed plan with, we are content with existing zoning laws and do not want to be subject to the whims of a minority of the area, Black Point residents.

I respectfully request that you oppose the adoption of the Black Point Community Plan Update. Let the residents of Black Point make rules for their side of highway 37 and let the residents of Green Point live in peace, abiding by existing zoning laws. Stop this effort of the tail to wag the dog!

David E. Neal
25 Lockton Lane
Novato, CA 94945

BOS ATTACHMENT #5 d

From: Martin Godinez
To: Drumm, Kristin
Subject: Black Point/Green Point Separation
Date: Thursday, February 25, 2016 7:19:34 PM

Dear Kristin,

Upon attending many meetings, hearings, etc., I am writing to inform you that I, a home owner in Green Point, believe that a split from Black Point and the draft Black Point Community Plan would be in the best interest for both all Black Point and Green Point residents.

Therefore, I want to make it clear I am supporting the split between Black Point and Green Point.

Thank you,
Martin Godinez

From: Ann-Therese O'Neill
To: Drumm, Kristin
Subject: Black Point/Green Point Draft Community Plan
Date: Thursday, February 25, 2016 7:09:06 PM

Dear County Supervisors,

I am a resident and a homeowner in Green Point for nearly two years. I live at 16 Guisela Court. I have attended many of these meetings regarding Black Point/Green Point and it is very obvious to me that these two lovely areas of Novato have very little in common. I am very familiar with the latest draft community plan and feel it does not do justice to the two very different areas, nor indeed benefits Green Point. Quite the contrary.

Therefore, I support Green Point to be separated from Black Point and let Green Point develop and nurture it's own community plan.

Sincerely,
Ann-Therese O'Neill

From: [letitia_sanders](#)
To: [Drum, Kristin](#)
Subject: Blackpoint/Greenpoint Plan
Date: Thursday, February 25, 2016 9:23:18 AM

I received the copy of the draft I requested this Friday. I have read every word and agreed with it. I have talked to Judy Arnold about it. I think it is to the benefit of Greenpoint residents and should be approved by the County.

Letitia Sanders

From: balley.chuck@yahoo.com
To: [Drumm, Kristin](#)
Subject: Black Point / Green Point Community Plan
Date: Thursday, February 25, 2016 1:26:00 PM

This is to inform you that we support the adoption of the draft community plan that has been recommended by the county's Planning Commission.

We prefer the name "Black Point / Green Point Community Plan". This plan is the result of a great deal of research, drafting, community input, and review over a period of years. All involved in the effort deserve our thanks.

There is no reason to delay adoption of the current draft plan. Green Point residents should be informed that if they can prepare a plan for Green Point, their draft will be given careful consideration,

However, nothing should delay adoption of the current draft plan.

Charles and Marie Bailey
243 Grandview Avenue

From: [Michael Vogel](#)
To: [Drumm, Kristin](#)
Cc: lwrite68@gmail.com
Subject: Black Point vs. Green Point
Date: Thursday, February 25, 2016 8:27:36 AM
Attachments: [image001.png](#)

Kristen,

Linda and I would like to put our thoughts in writing to let you know as residence of Green Point that we absolutely support the separation and creation of the Green Point Community and plan. We understand that there are many claims being made by both sides but to us that doesn't matter, what matters is that we have a Community and Board comprised of Green Point owners not Black Point owners. These are two distinctive areas and the residence should control their own destiny.

If you have any questions please call anytime.

Michael S. Vogel
415.275.9027
www.dcspg.com
www.creatingyourspace.com
www.bridgewayinteractive.com
President/CEO



Black Point Community Plan Update Advisory Committee

February 24, 2016

Marin County Board of Supervisors

3501 Civic Center Drive

San Rafael, California 94903-4157

Dear Supervisors,

The Black Point Community Plan Update Advisory Committee (AC) conditionally endorses the Black Point Community Plan update recommended by staff and the Planning Commission. The conditions include:

- (1) The divided majority of three recommends continuation of the Black Point Community Plan name. The two dissenters agree with the Planning Commission name recommendation, *Black Point/Green Point Communities Plan*.
- (2) The existing Community Plan boundary should be retained and the community should not be divided into two separate planning areas, each with its own community plan. (AC approved unanimously).
- (3) Option 2, concerning house size, should be incorporated into the updated Plan. (AC approved unanimously).
- (4) Setback Standards should be established for ARP zoning within the community. (AC approved unanimously).

In plain language, the AC regrets that it cannot fully endorse the Community Plan recommended by the Planning Commission since that Plan rejected those conditions noted above.

The AC's rationale for keeping Black Point as the name of the Plan includes:

1. The Black community is historic and dates from the 1850's. It was recognized as a unique village in the 1974 CWP as noted in the 1978 Community Plan, as shown in Exhibit A, following this letter.
2. The community is comprised of a number of neighborhoods including, but not limited to, Green Point, the Gridiron, the Village Center, the Atherton Corridor,, Atherton Oaks, and Williams/Alpine Road.
3. Diversity is a common characteristic of a community, while neighborhoods tend to be less so. While the various neighborhoods within Black Point may vary somewhat in terms of when they were developed, house size, lot size, etc., there is a commonality in a desire to remain semi-rural and to protect the natural environment that is so important to our way of life. That desire was clearly expressed in the community meetings that were held as part of the planning process for the updated Plan.
4. The proposed changing the name of the updated draft Plan from "Black Point" to "Black Point/Green Point" provided an opportunity for considering separating the community, and the Planning Commission's recommendation of replacing "Community" with "Communities" only added more credence to forming two separate communities.
5. Dividing the area into separate communities lessens the area's ability to address local issues to various decision makers.
6. While the County has the authority to designate planning areas and to change the boundaries of those areas, there are concerns that the County does not have that authority to change historically established community boundaries within unincorporated areas, such as those for Black Point. Even if such authority exists, such action should take place very carefully and only after more study than has taken place so far. While data for separation of unincorporated communities in California could not be found, existing data indicate that separation of a community from an incorporated city in California last happened in

1947. Thus, it would seem that such separation is rare and should be carefully thought out.

The AC's rationale for Option 2 concerning house size includes the following:

1. Option 2 combines a number of existing County requirements for approval of development proposals. The only significant addition is substituting 10% in place of "substantially", as noted later. Marin County Code, Title 22, provides the approvals needed for development projects. The Code requires Design Review for projects proposed in Planned Districts, such as ARP 2 (the area of Black Point generally north of highway 37) as well as A 2 (the area of Black Point generally south of highway 37) if the lot size is somewhat less than the minimum zoning. Design Review requires a number of Findings for project approval. The first Finding required is, "The proposed development provides architectural design, massing, materials, and scale appropriate to and compatible with the site surroundings and the community". The fifth Finding requires that, "The proposed development complies with either the Single-family or Multi-family Residential Design Guidelines, as applicable ---". The introduction to "Section C. Neighborhood Compatibility" of the Single-family Residential Design Guidelines, as shown in Exhibit B, at the end of this letter, reads, "Generally speaking, the floor area of the proposed development should not substantially exceed the median size in the surrounding neighborhood, taking into consideration site specific factors such as lot size, bulk and mass, topography, vegetation, and the visibility of the proposed development". Since this is a required Finding, it is no longer a guideline, but a requirement.

Neither staff nor the Planning Commission suggested a number different than 10%. The Planning Commission suggested that Option 2 was "over analyzed and over engineered"; however, if that is the case, the honor belongs to staff who prepared the Code and the Guidelines, and the Planning Commission who recommended their approval.

By bringing the requirements of the Code and the Guidelines together in the Community Plan, we believe Option 2 provides residents and potential residents a better understanding of development in the community. We note that only the County has the authority to approve projects, not the community.

2. Option 1, staff's recommendation, and the option recommended by the Planning Commission, is only described as "the present process" without a description of what the process is. We submit that the "present process" is complicated, inconsistent, and confusing to the public. For example, evaluation of home size in one application for a new home in Black Point used median FAR of homes in the immediate area while another application for a new home just across the same street did not evaluate the median FAR of the immediate neighborhood but compared the FAR of the proposed development to the County limit of 30%, even though the median FAR for the area was less than half that limit. Using the 30% FAR as a standard in Black Point would result in a development of over 25,000 square feet on a 2 acre parcel and a development of 3,000 square feet on a parcel of 10,000 square feet, both of which would be overwhelming compared to existing patterns of development. This problem is intensified in that many applications for Black Point are decided administratively, without a public hearing.
3. The only rationale against Option 2 by staff is that it takes too much time, and the data from the Assessor's office are not reliable. Yet, staff have used that data in processing some applications, not only in Black Point, but elsewhere in the County. Staff also used that data in developing an additional Option for the draft Plan, but that Option was removed before submitting the draft to the Planning Commission.

4. Regulating home size to be consistent with existing patterns of development not only helps to protect community character, but also may help in controlling the carbon footprint of the area.

The AC's position of setbacks in the ARP zoning includes:

1. Setback requirements in ARP zoning are not standardized as they are in A2 zoning. Rather setbacks are to be evaluated for new development based on setback patterns in the immediate area. Residents have been told by staff that there are no setback standards for ARP zoned areas, omitting the setback patterns in the area. Staff have also indicated that determining setback patterns is too work intensive.
2. The AC has therefore suggested that the standards for setbacks in A2 zoned areas be used as a minimum in ARP2 zoned areas. It is not suggested that they be used as a maximum, especially if it is apparent that the setback pattern in the area for proposed development exceeds the A2 standards.

The inclusion of reference to sea level rise in the draft Plan has caused concern among some of the community members. We believe the inclusion is appropriate. The rise in the Pacific Ocean has been documented near the Golden Gate Bridge since the mid 1800's and a graph of mean high levels is shown in Exhibit C, following this letter. The trend shows a continued increase, and the peaks are worthy of note. The rise is occurring worldwide and has been reported in scientific papers and journals as well as the press. Since the Bay is part of our community, we believe that excluding it from the Community Plan would be irresponsible.

It has been an honor to serve on the Advisory Committee, and as a side benefit, we have come to know our community and our neighbors better than before. It has been and continues to be a special place in a special County. While the AC is not in agreement with staff and the Planning Commission on the draft Community Plan update, we respect and appreciate the efforts of staff and the Commission in the work that has gone into the update as well as the patience and understanding they have shown to us and our neighbors. We are sorry that the name of the Plan

has resulted in an expenditure of inappropriate amounts of time, energy, and resources, some of which could have been spent on refinement of other areas covered in the draft Plan.

Very truly yours,



Hank Barner, Chairman



Susanna Mahoney, Vice Chair



Michael Barber, Member



Rob Jaret, Member



Bill Richards, Member

Exhibit A – Page from the 1978 Black Point Community Plan recognizing Black Point as a “unique village”.

While redesignation of the hill and canyon area from Ridge and Upland Greenbelt to developable Area implied that the Westerly Bay plains should also be reclassified to a zoning category which would reduce the development potential of the Bay plain, such an action was never undertaken by the County, and official records provide no factual evidence to support the intent of a lower density on the Bay plains. 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 Black Point area as a unique village 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 Black Point area proceeded on an “on again, off again” basis. Due to both budgetary and staffing constraints, the long desired community plan failed to materialize, despite the efforts of a local citizens' committee - the Black Point Planning Group.

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

C. Neighborhood Compatibility

One of the objectives of Design Review is to promote single-family residential development projects (including additions and alterations) that are compatible with the existing neighborhood character. The design of proposed projects should consider the composition and integration of the outdoor spaces and the buildings that make up the physical neighborhood. The relationships between properties, including the existing setbacks and spaces between buildings, the heights, lengths and materials of walls, roof forms, fences and plantings should be considered in the design of new projects. Generally speaking, the floor area of the proposed development should not substantially exceed the median home size in the surrounding neighborhood, taking into consideration site-specific factors, such as lot size, bulk and mass, topography, vegetation, and the visibility of the proposed development.

The relationships between residences on adjacent properties and between houses and the public street or area can be complex, and need to respect the privacy, views, light, solar access and noise effects on neighboring properties, to name a few. Design Review promotes consistency and best planning practices in balancing issues of privacy and compatibility, as related to the design of remodeled and new single-family residential development projects. The successful application of these guidelines requires consistent policy interpretation and flexible outcomes determined on a case-by-case basis.



Exhibit B - Neighborhood Compatibility from SFRDG

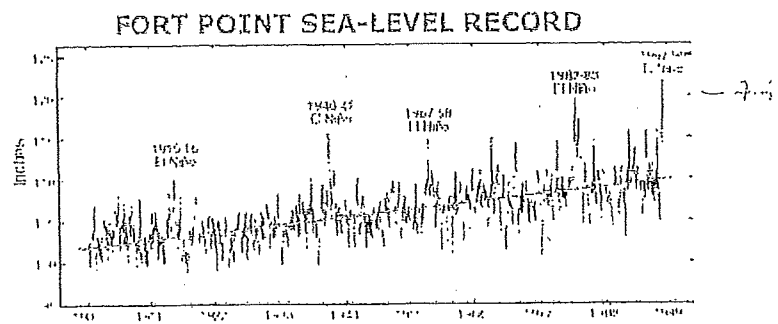
Exhibit C – Fort Point Sea-Level Record from USGS

The abnormally high tides that made some of this flooding the worst in more than 40 years resulted from an unusually high sea level along the west coast of North America. This elevated sea level was caused by the strong El Niño atmospheric phenomenon of 1997–98, which also produced severe winter storms. On February 3, the day of some of the worst flooding, the early-morning high tide at Fort Point near the Golden Gate Bridge measured 5 feet above mean sea level. This tide was about 2 feet higher than would be expected on the basis of the well-understood solar and lunar gravitational forces that create tides. These forces are calculated years in advance and are used to compile tide tables published by the National Ocean Service (NOS), an agency of the National Oceanic and Atmospheric Administration (NOAA).

Sea-level measurements have been collected at Fort Point since before 1900, and these form the longest continuous sea-level record for any site on the west coast of North America. The measurements have been recently compiled in digital form by NOS and analyzed by U.S. Geological Survey (USGS) scientists. This analysis found that four major factors influence sea level at Fort Point—daily tides, annual sea-level cycles, a long-term trend of slowly rising sea level, and the occurrence of atmospheric events such as El Niños and La Niñas.

The biggest influence on sea level is tidal. High and low tides occur twice each day, with a maximum difference in San Francisco Bay of about 6.5 feet.

A second important influence on sea level at Fort Point is an annual cycle in which levels are lower in spring and higher in early autumn through winter. The spring drop in sea level along the California coast results from the onset of strong winds blowing toward the Equator. These winds plus the Coriolis effect (the tendency of winds and currents to veer to the right in the Northern Hemisphere and to the left in the Southern Hemisphere) push surface waters away from the coast. To fill their place, colder water rises to the surface in the yearly upwelling that makes the ocean off northern California so cold in spring and summer. The higher sea levels in autumn and winter are produced by relaxation of the alongshore winds that push surface water away from the coast and by expansion of the water caused by summer and fall warming.



Green Point Advisory Committee's Position on
Black Point Community Plan Update Advisory Committee,

February 24, 2016

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, California 94903-4157

Dear Supervisors,

Green Point's interests are more aligned with the Marin County Countywide Plan and the Planning Staff recommendation to the Planning Commission of July 27, 2015, than with the Advisory Committee and BPIC agendas. Green Point's interests with respect to the referenced letter include, but are not limited to the following:

- 1) The majority of Green Point requests recognition under its own Green Point Community Plan.
- 2) The majority of Green Point requests the creation of a legal boundary separating Green Point from Black Point along State Highway 37.
- 3) Concerning house size Green Point supports the Planning Commission July 27, 2015 draft (with minor language change in the body of the draft).
- 4) Concerning setback standards Green Point supports the Planning Commission recommended July 27, 2015 draft (with minor language change in the body of the draft).

Green Point Advisory Committee's Position on
Black Point Community Plan Update Advisory Committee,

February 24, 2016

Green Point's rationale for having its own name and community plan includes:

- 1) Antiquated history of the 1800's is irrelevant to a community that emerged since the 1970's.
- 2) Green Point is commonly regarded as the area encompassing all of the minor subdivisions between Bugeia Lane and HWY 37 (MC- CDA map attached).
- 3) Green Point and all its neighborhoods has a singular character and has more differences than things in common with Black Point and should not be forced to be a sub-neighborhood of Black Point.
- 4) County Planning staff has always represented that it is not overly time consuming to split the Communities, they just needed a Green Point Community request (which we have approximately 200 signatures requesting) and direction from the Board of Supervisors.
- 5) Recognizing Green Point as a separate Community strengthens Green Point's ability to preserve and enhance its unique character.
- 6) Green Point believes that the County through the Board of Supervisors has the authority to affect this change. There is no legal prohibition against the newer Community of Green Point.

Green Point Advisory Committee's Position on
Black Point Community Plan Update Advisory Committee,

February 24, 2016

Green Point's position with respect to house size: Green Point agrees with County Planning staff and the Planning Commission's decision to retain current Countywide Plan ARP-2 single family design review requirements.

Green Point's position with respect to setbacks: Green Point agrees with County Planning staff and the Planning Commission's decision to retain current Countywide Plan ARP-2 single family design review requirements, reinserting language to facilitate off street parking in Green Point on lots exceeding 20% slope.

Green Point is neutral on the inclusion of sea level rise, however there are no policies attached to the content so we are uncertain as to the purpose of inclusion in a small community plan and wonder if it would be better suited as a topic under the Countywide Plan.

It is an honor to represent the Community of Green Point. We have come to know our community and our neighbors better than before. Had the Advisory Committee followed due process expenditure of inappropriate amounts of time, energy, and resources could have been avoided.

Four of the five Advisory Committee signors are: (1) Hank Barner, AC Chairman; BPIC Director Emeritus and Acting Secretary (2) Susanna Mahoney AC Vice Chair; BPIC President (3) Michael Barber AC voting Member; BPIC member and former Officer (4) Rob Jaret AC Member; BPIC Chair, Board of Directors.

Green Point Advisory Committee's Position on
Black Point Community Plan Update Advisory Committee,

February 24, 2016

This is a brief response to the Advisory Committee letter to the Board of Supervisors dated February 24, 2016.

For more information on Green Point's requests to the Board of Supervisors, please refer to Green Point Advisory Committee's Letter to the Board of Supervisors, dated February 24, 2016.

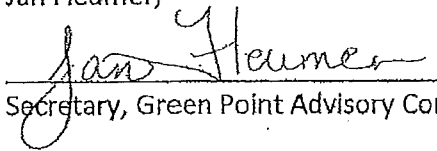
Respectfully submitted,

Roberta DiPrete



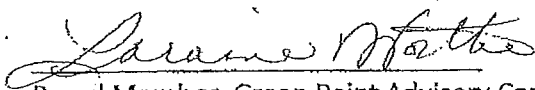
Vice President, Green Point Advisory Committee

Jan Fleumer,



Secretary, Green Point Advisory Committee

Laraine Woltke,



Board Member, Green Point Advisory Committee

GREEN POINT ADVISORY COMMITTEE

25 Alpine Rd
Novato, CA 94945

February 24, 2016

Marin County Supervisors
3501 Civic Center Drive
San Rafael, CA 94903-4157

Re: Separation of Green Point from Black Point and non-approval of the Draft Plan.

Dear Supervisors,

We, the neighbors of the Green Point (GP) area in Novato, which number approximately 380 households are submitting this letter asking you, the Board of Supervisors to please separate the Community of Green Point from the Community known as Black Point (See Attachment 1 - Proposed Map). The community of Black Point consists of approximately 230 households. These two communities are physically separated by State HWY 37, The City of Novato Community of Stonetree, Marin County Park which includes public parking, public restrooms and public boat launch and the private business of the Bay Club including the club house, bar, restaurant and golf course and have very different characteristics, which supports the Separation.

Our second request is to ask the Board of Supervisors to not include GP in the proposed update of the 1978 Community Plan and to allow the GP community to have its own Community Plan.

As the GP community became aware of the Advisory Committee's proposed update to the 1978 Community Plan, many concerns have been brought to the attention of the GP community. We believe that we have not been adequately represented on many fronts. As the information was brought to our attention about the changes and wording in this update, we were informed that there were only 5 voting board members. There were 2 voting members from GP representing approximately 380 households and 3 voting members from BP representing approximately 230 households. Additionally, 4 of the 5 members of the AC are officers or board members of the Black Point Improvement Club (BPIC). This display of influence and lack of GP representation nullifies the validity of the Draft.

Furthermore, there is proof of our concerns about not being properly notified. We noted in the Staff report dated July 27, 2015 (page 2, Attachment 2), the staff used the BPIC email list for notification to the community of this process (Attachment 3). On February 17, 2015 the President of the BPIC, who is also the VP of the AC posted a message on "Nextdoor Greenpoint" website, that the BPIC is comprised of 50% GP and 50% BP residents (Attachment 4). On February 17, 2015, the President of the BPIC also identified the members of the Club as being 33 GP residents and 34 BP residents. This number represents less than 10% of the GP households. (Attachment 5)

The two communities are very different and can stand alone representing their own unique qualities. As stated on page 5 of the July 27, 2015 Staff Report (Attachment 6), the differences make them unique; such as BP was settled first, making its homes older and generally smaller. BP has commercial zoning, GP has no commercial zoning. When the 1978 Community Plan was first adopted, the GP area was very sparsely populated and had few homes. The area is 4 times as large as BP and now has twice as many homeowners. As noted, the parcels in GP are larger and represent lot sizes from approximately 1 acre up to 60. Along with this, the BP roads are privately owned and not maintained by the county, while GP has county maintained thoroughfares with quick access to Hwy's 101 and 37. The two communities are zoned differently, BP is rural and GP is semi rural with unique features such as the equestrian use, agricultural, open space, and wetlands as noted in a previous letter to the County (Attachment 7). Under the stewardship of the BPIC, BP has deteriorating roads and infrastructure. Their stewardship is not beneficial to GP therefore GP should be allowed to separate.

The Board of Supervisors adopted the MCCDA Community Plan Update Strategies (see Attachment 8) which lays the foundation for the GP community to have its own Plan. The formation of a new Green Point Advisory Committee was recommended by the county and was quickly formed. The GPAC is now registered with the IRS and the California Secretary of State. To quickly notify GP of the revision, mailings and invitations went out to GP to attend the first GP Community Meeting. Approximately 100 neighbors attended and approximately 60 attended the second GP Community Meeting. This provides evidence that the GP community did not have proper representation as these large number of attendees were not informed of the Draft.

In our attempt to bring issues to the GP community about some of the changes and wording in the new Draft, we were attacked by the BPIC members/officers instead of welcoming our concerns. On February 20, 2016 a letter from the BPIC president, who is also the AC vice president, showed hostility for the GP concerns. Additionally, it publicly criticized the majority GP community, while nullifying our input (Attachment 9).

The BPIC president misrepresents that the BPIC is "the recognized HOA since the 1940's", implying a sense of power and authority over the community (Attachment 10). An HOA is associated with a Planned Development, has mandatory membership, who are obligated to pay dues which are tied to the real property and has FTB reporting requirements. The BPIC has none of those authorities especially over the GP community. Property owners in GP have no obligation to pay HOA dues to BPIC. The statement of the BPIC president underscores our suspicions of the BPIC concerning their future intentions to levy HOA dues and taxes for infrastructure improvements (Attachment 11). GP homeowners have neither paid HOA dues nor are BPIC HOA dues identified on Property Disclosure Reports for homes in the GP (Attachment 12).

GP is more than capable in carrying out the responsibilities of updating its own Community Plan and looks forward to working with the CDA and GP community. With

our infrastructure and proven ability to connect to the community, the GPAC is ready and poised to complete this task with minimal impact on county resources as we are very respectful of the time and money that the county has already invested.


We intend to revise the proposed updated plan, utilizing it to our best advantage where applicable and beneficial. Right now would be the best time to carry on the momentum of working with the Staff. GP is ready to proceed now but we defer to the Board of Supervisors to decide timing.

GP is prepared to remain under the current 1978 plan until given the opportunity to compose our own GP Community Plan. These are some of the items we would address:

- 1 Remove references to BP, Deer Island, Gridiron, South Black Point, The Village, and Pleasure Fair
- 2 Retain GP under county residential single family resident guidelines
- 3 Remove the home size limiting language (page 59)
- 4 Eliminate set back language (page 59 -- 63) regarding adoption of regulatory language specific to GP (Proposal 22.44). This is already in the County Guidelines ARP Zoning (Page 61).
- 5 Preserve our right to a second unit and agricultural structures as allowed by current zoning. (ARP2 zoning, 2 acre minimum)
- 6 Removal of all items that are under jurisdiction of the Fire Department, as per Marin County Community Strategy plan.
- 7 Remove fault line language that augments and modifies a reference to a fault line describing a location that is not identified in the 1978 plan or any prior draft of the recommended plan.
- 8 Remove all references to Paper Streets or Roads
- 9 Remove all references to flooding (page 40).
- 10 Include our GP neighbors in this process.
- 11 Omit Solar Field language (page 28). Reinstate 1978 Plan language on page 23.
- 12 Remove all references to Sea Level Rise
- 13 Create the one boundary to separate the two communities
- 14 Remove all references to the Novato Creek (page 43).

Green Point respectfully request formal recognition as a community separate from Black Point. We would like to take this opportunity to thank the Board of Supervisors for their attention to our request.

Respectfully,



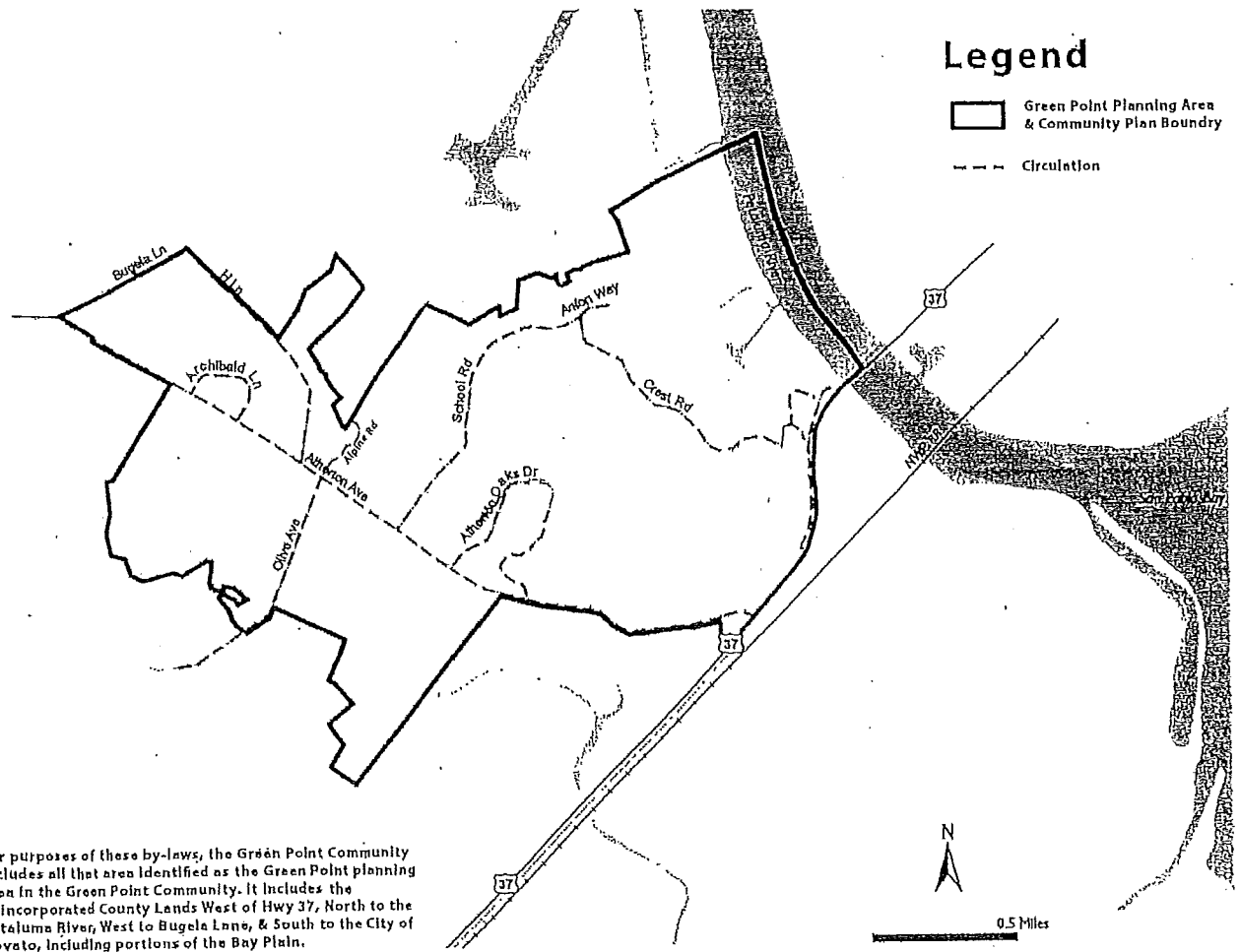
Matthew H. Fleumer
President of GPAC



Roberta DiPrete
Vice President of GPAC

Attachments:

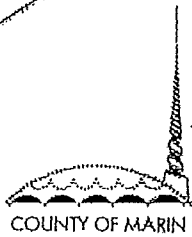
- 1 Proposed Green Point map
- 2 Staff Report dated July 27, 2015, page 2
- 3 Staff Report dated July 27, 2015, page 5/6
- 4 Nextdoor Greenpoint Feb 17, 2016
- 5 BPIC President Household Count Feb 17, 2015
- 6 Staff Report dated July 27, 2015, page 5
- 7 Letter from Michael Barber,
- 8 Marin County Community Development Agency Strategy
- 9 BPIC officer's letter silencing Green Poin voice
- 10 Nextdoor Greenpoint Feb 17, 2016,
- 11 BPIC June 13, 2014 meeting notes (unofficial)
- 12 JCP Natural Hazard Report



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 Bugala Lane, & South to the City of Novato, including portions of the Bay Plain.



COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

STAFF REPORT TO THE MARIN COUNTY
PLANNING COMMISSION

BLACK POINT AND GREEN POINT COMMUNITY PLAN

Recommendation: Recommend approval to the Board of Supervisors

Hearing Date: July 27, 2015

Agenda Item: 5

Planning Staff: Kristin Drumm, Senior Planner
(415) 473-6290
Kdrumm@marincounty.org

Signature: *Kristin Drumm*

Environmental Determination:

Adoption of the Black Point and Green Point Community Plan has been determined to be Statutorily Exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15262 of the CEQA Guidelines as a planning study which does not approve, adopt, or fund future actions or activities.

SUMMARY

The Black Point Community Plan, originally adopted in October 1978, was one of the earliest community plans adopted by the Marin County Board of Supervisors. The community plan area, historically known as Black Point, includes both the Black Point and Green Point neighborhoods. Based on community feedback and in recognition that the Black Point community has since evolved into two distinct neighborhoods, the Black Point Community Plan has been renamed the Black Point and Green Point Community Plan (Plan). The Plan is a planning document which provides information and sets forth goals, policies, and guidance related to issues relevant to the unincorporated community of Black Point and Green Point. Specific topic areas addressed in the Plan include natural resources, environmental hazards, land use, community character, transportation, public facilities and services, parks and recreation, and public safety. The Plan was developed with the ongoing work of a five member Advisory Committee and participation of Black Point and Green Point residents over the course of 26 months.

2, 3, + 6

BACKGROUND

In early 2013, some 35 years after its original adoption, the Black Point Community Plan was selected as a priority for an updated community plan due to the age of the existing plan as well as the level of interest demonstrated by the community, consistent with guidelines in the Community Plan Update Strategy adopted by the Marin County Board of Supervisors in 2012.

Preparation of the Plan has involved extensive community input starting early in the process, as summarized below:

Advisory Committee Meetings: An Advisory Committee comprised of five community representatives appointed by Supervisor Judy Arnold met with staff on a monthly basis over the course of 26 months to discuss the plan and provide guidance on the scope, public outreach, community engagement, and draft policies. All 24 of these meetings were open to the public and primarily held at the Novato Fire District's Station 62 training room, off of Atherton Avenue.

Black Point Improvement Club (BPIC): The BPIC is an active neighborhood group, representing both the Black Point and Green Point areas, with approximately 80 households in its membership. During preparation of the plan, staff attended two scheduled public BPIC meetings to provide updates on the plan process. In addition, staff utilized BPIC's email distribution list to publicize events and opportunities for involvement including public meetings, and by 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.

Public Workshops: Three community-wide public workshops were held during development of the Plan to engage residents, encourage the sharing of information and ideas, and to obtain input and feedback on various issues including the Plan itself. The workshops were conducted on March 5, 2015 (Novato City Hall Council Chambers), June 5, 2014 (Novato City Hall Council Chambers), and August 28, 2013 (Hill Community Room). In addition, an informal public workshop with the Black Point Advisory Committee was conducted with your Planning Commission on January 26, 2015 to solicit feedback on the scope of key issues proposed in the Plan.

Online Engagement: A website was developed for the planning effort which has provided all public materials at www.marincounty.org/blackpoint. The website also offers a subscription service for the public to receive email notifications of the project with 349 current email subscribers. Residents were also offered opportunities to participate through several online topic forums via Open Marin and Survey Monkey.

A draft of the Plan was released in January 2015. A revised draft was released in late June 2015 that incorporates your Commission feedback from the January 26, 2015 workshop, the March 5, 2015 community workshop, and public input from several Advisory Committee meetings and letters from the public. This revised Plan is before your Commission for review and consideration (Attachment 2). In addition, a simple text version of the Plan in "tracked changes" format is available on the project website (www.marincounty.org/blackpoint) to show all changes that have been made to the January 2015 draft. Both of these documents are available online at the above website.

KEY ISSUES

While almost 35 years old, many issues addressed in the 1978 Black Point Community Plan are still relevant today. These include 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 Plan 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.

The Plan updates the 1978 Plan by refining and strengthening existing policy language to enhance policy effectiveness. Many changes involved deleting outdated policies and policies that had been implemented. New issues were identified and addressed through an extensive public outreach and engagement process, including such issues as wildlife movement and habitat corridors, sudden oak death, sea level rise, home size, night skies, and other topical areas. A number of key issues are discussed below for your review and consideration.

Issue 1: Community Identity

Discussion: The name of the community plan and how the document identifies the neighborhoods within the community have given rise to divergent points of view. The name of the 1978 Black Point Community Plan reflects the community's historical identity and residents' sense of place at the time of its 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.

The author(s) of 1978 Black Point Community Plan, in illustrating the location of Black Point, wrote: "To the south of Highway 37 lies Old Black Point, the originally subdivided area. To the north of Highway 37 lies New Black Point, an area largely undeveloped until recent years." This description is perhaps a hint that the community was undergoing a transition. The "New Black Point" area is now known as Green Point. As Green Point developed, new residents settled in and became part of the community's fabric, contributing towards its sense of place. Renaming the "Black Point Community Plan" to the "Black Point and Green Point Community Plan" acknowledges this evolution. This change, however, does not diminish the community's historical heritage. Rather, it contributes and builds upon this identity since residents in the Black Point and Green Point areas continue to share the common interest of protecting the area's community character and quality of life, regardless of what the document is called or what neighborhood they reside.

Map 2 in the Plan describes the community's neighborhood areas. 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.

While Black Point and Green Point have been treated as one community in a community plan context, their differences make them unique. Because the Black Point area was settled first, its homes tend to be ~~older than those~~ in Green Point. Black Point homes are generally smaller since the majority of parcels are less than one acre in size. In contrast, the majority of Green Point parcels are larger than one acre. Most roads in Black Point are privately owned and not

County-maintained, while the majority of roads in Green Point are publicly owned and maintained. Access into Black Point is limited to one road (Grandview Avenue) while Green Point has several access points. The two areas are also zoned differently, which means different development regulations and standards apply to development proposals.

Feedback from participants at community workshops and Advisory Committee meetings has generally supported the concept of identifying the major areas within the larger community as the Black Point and Green Point community. On the other hand, not all residents agree, reasoning the name should remain unchanged and that Black Point is a community that includes the neighborhoods of Green Point, the Village Center, the Gridiron, Atherton Oaks and Atherton Avenue, among others. The Advisory Committee is split on this issue, with the majority (three of five members) supporting to maintain the original name. Nevertheless, staff recommends your Commission support renaming the Plan and its methodology of describing the community and its neighborhoods.

Recommendation: While the majority of the Advisory Committee recommends maintaining the original Black Point Community Plan name, staff recommends your Commission consider renaming the Black Point Community Plan to the Black Point and Green Point Community Plan.

NATURAL RESOURCES

Issue 2: Development within Marsh and Wetlands

Discussion: The 1978 Black Point Community Plan emphasizes the protection of the bay plain's natural resources and its value as a scenic vista and community separator by focusing community development into the adjacent upland and ridge areas. The community plan includes a policy ("Policy 5" on p. 50) to rezone these marsh and wetland areas to reflect their value as community separators. The policy also includes specific development requirements, as follows:

Rezone the privately-owned marsh and wetlands located north of Highway 37 and west of the Petaluma River to ARP-60, consistent with environmental constraints and community separator value. Require that prior to approval any development proposal clearly meet and demonstrate compliance with all of the following protection policies established by the State of California and herein adopted by the County of Marin:

- The proposed project must be dependent on an essential transportation, water conveyance or utility project.
- There must be no feasible, less environmentally damaging alternative location for the type of project being considered.
- The public trust must not be adversely affected.
- Adequate compensation for project caused losses shall be part of the project. Compensation to the County of Marin and or the State of California shall be determined pursuant to the policies of the State Resources Agency.

The privately-owned marsh and wetlands referred to in the policy have been rezoned to ARP-60. Since the rezoning was implemented, Policy 5 was inadvertently deleted from the Plan. Staff recommends carrying forward the balance of Policy 5 containing these development requirements in order to protect the bay plain areas, as shown in proposed Policy NR-6 below. Note that the requirement for adequate compensation has not been carried forward since this measure no longer makes sense and is not enforceable.

Original Message

From: Nextdoor Greenpoint <reply@rs.email.nextdoor.com>
To: businessmuse <businessmuse@aol.com>
Date: Wed, Feb 17, 2016 6:34 pm
Subject: Re: Green Point Community Meeting

a Posting in the Neighborhood on Feb 17 - the first

Susanna Mahoney, Greenpoint

In a world of unlimited County resources and volunteer hours, I too think it'd be nice to have two separate plans. In HIS world, I realize GP & BP are similar enough to be included in the same plan. In fact, they have been since 1978. We, the Advisory Committee, were charged with updating the existing "Black Point Community Plan", so that's what we

F

Despite claims made by last night's speaker, the two of us from GP agreed with the three BP committee members unanimously on just about every issue debated over the past 3 years. The only one we differed on, albeit a big one, was the title of the plan. Green Point and all its differences was well described in the new updated version (with the objection from the 3 BP members I might add.) We think one plan for the two communities is enough bureaucratic long the title of the plan was changed to give GP equal billing on the cover. The Planning Commission agreed with the draft going before the Supervisors is now called the BP/GP Communities Plan.

As for why Supervisor Arnold appointed only 2 from Green Point, I'm not sure. I suspect it was because we all share the same planning area and, until recently, seemed like a united front. GP & BP residents have come together to tackle a lot of issues on both sides of Hwy 37. Furthermore, the Black Point Improvement Club, the recognized HOA since the 1940's, is made up of approximately 50% GP and 50% BP residents.

I remember announcing a need for Advisory Committee member volunteers at several BPIC meetings years ago and got the underwhelming response. GP residents were hardly knocking down Judy's door to nominate themselves. (Thank you despite Judy's integral role in helping BPIC defeat the commercial solar field proposed in Green Point in 2012.) Had she put 3 GP residents on the committee instead of 2, the draft would look the same as it does today.

Original post by Laura Jenkins from Greenpoint (22 replies):

Please remember to attend our neighborhood meeting tomorrow night (Tuesday) at 6:30 at the Bahia Club House, 3008 Topaz Dr.

This will be the opportunity to learn the details of the Community Plan...

Feb 16 in General to Greenpoint

[View or reply](#) Thank · Private message

You can also reply to this email or use Nextdoor for iPhone or Android

You received this update because you created this post. Stop receiving immediate updates on this post

This message is intended for businessmuse@aol.com.
Unsubscribe or adjust your email settings

Nextdoor, 760 Market Street, Suite 300, San Francisco, CA 94102

4

Roberta DiPrete

From: Susanna Mahoney [susannamahoney@hotmail.com]
Sent: Tuesday, February 17, 2015 12:03 PM
To: Roberta DiPrete
Cc: Laraine Weitke
Subject: Re: household count

Hi Roberta,
This fiscal year we have 70 paid households.

North of Highway (33 total)

Atherton 5
Atherton Oaks 1
Bridge 1
Cerruti 1
Channel 1
Crest 9
Glen Ln 4
Glen Rd 1
H Lane 1
Harbor 1
Lockton 2
Olive 1
School 3
Sutton 1
Woodview 1

South of Highway (34 total)

Grandview 11
Harbor 7
Hillside Terrace 1
Iolanthus 1
Lake 1
Laurel 2
Manzanita 6
Mistletoe 1
Murphy 2
Oak 1
Sonoma Ave 1

City of Novato billing address = 3

July 24, 2015

Marin Planning Commissions
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903

Re: Blackpoint and Greenpoint Community Plan

Commissioners,

As a Greenpoint homeowner for decades and a member of the Community Plan Advisory Committee I am disappointed that I will not be able to attend the meeting of July 27 due to circumstances beyond my control.

I would like to emphasize a few points, relying on my associates to elaborate.

- **Home size**

Much time and thought has gone into this sensitive topic. With these recommendations, our intent is to maintain the character of a neighborhood in the immediate vicinity. This can be accomplished by considering the nearby properties as described in option 2. This was specifically designed to avoid the blanket sq. ft. policy that does not recognize the individual character of the various neighborhoods. It is our responsibility to recognize and address the fact the neighborhoods are quite varied especially within the Blackpoint and Greenpoint areas. The advisory committee has been unanimous in its objection to option 3 and in its support of option 2.

- **Blackpoint – Greenpoint**

The Blackpoint/Greenpoint issue has been a persistent point of contention between the Blackpoint and Greenpoint advisory committee members and residents. Note that the Advisory Committee approval was 3-2 and the BPIC approval was 9-5 even with a large majority of Blackpoint residents. Everyone voted along community lines. Blackpoint residents want everything to be named Blackpoint and Greenpoint residents want their own identity.

The proponents for referring to Greenpoint as Blackpoint cite the following points:

Lafco has been cited as a necessary hurdle if we elevate Greenpoint to equal community status. It has been repeatedly pointed out by county staff during our advisory meetings that Blackpoint has no legal political boundary and LAFCO is not applicable to this issue. No documentation has been produced which exactly and legally delineates a "Blackpoint" boundary. The opponents can only refer to the school district defined in the last century. There are more recent documents, including a map from circa 1940 which label the area Greenpoint. It has also been called Grandview in historical documents. The area name has long been in flux.

One can provide historical reference both pro and con to the previous names of the area and nomenclature but more importantly it is my understanding that we are creating an "update" to the

community plan and have a responsibility to document and respond to the changes in the area. To this end I note how Greenpoint has evolved and the stark differences to Blackpoint.

- Blackpoint has primarily much smaller lots. The 2 acre minimum is the standard in Greenpoint and the exception in Blackpoint.
- Blackpoint has non-county maintained roads in deteriorated condition while Greenpoint has county maintained roads.
- Blackpoint homes are smaller, in a more compact, much older neighborhood creating a far different atmosphere than the spacious newer community of Greenpoint.
- Greenpoint, being a newer community, has a much more current infrastructure, including roads, utilities and septic systems.

Numerous Greenpoint residents have expressed and deserve to be addressed separately from their adjacent Blackpoint neighbors. Greenpoint residents have been unaware that the "Blackpoint" Improvement Club and the "Blackpoint" Community plan does in fact include them. In example, a resident of H Lane, far west of Blackpoint would not routinely travel through the Blackpoint neighborhood and has totally different concerns. I have heard many such residents voice surprise that their neighborhood is considered the same as the community on the east side of hwy 37.

I would hope that the planning commission realizes the difference between the two communities and the need for the Plan to respond to the current evolution, not simply repeat the past.

Thank you,

Michael Barber
15 Bridge Road
Novato CA 94949

**Marin County Community Development Agency
Community Plan Update Strategy**

I. Purpose

Establish an effective and efficient process for updating community plans to refine implementation of the Countywide Plan and, where necessary, to address unresolved land use planning issues unique to a particular community.

II. Background

Marin County is characterized by a diverse group of individual communities ranging from small coastal villages to more urbanized residential neighborhoods along the Highway 101 corridor. Over the years, development within 16 of these communities has been guided in part by community plans containing policies related to land use, design, transportation and environmental quality in that particular community. The County's earliest community plans date from the early 1970s (Blackpoint and Muir Beach) but the majority were prepared and adopted in the 1980s and 90s. Even the most recent community plan is almost ten years old (Indian Valley, 2003).

In 2007, the County completed an exhaustive planning process leading to adoption of the Marin Countywide Plan, which establishes a comprehensive and detailed framework of policies on the built environment, natural systems and agriculture, and socioeconomic issues, with an overarching theme of "planning sustainable communities." The Countywide Plan recognizes that existing community plans may need to be updated, both to bring them into consistency with the policies and programs of the Countywide Plan as well as to refine implementation of specific Countywide Plan policies or programs at a more local level. For example, Countywide Plan goals strongly support increasing the supply of affordable housing in Marin County as a whole (Goal CD-2) while also encouraging community plans to identify specific sites that may be appropriate for affordable housing at the neighborhood level (Program CD-2.q). Similarly, built environment policies restrict development near visually prominent ridgelines within Ridge and Upland Greenbelt (RUG) areas (Policy DES-4.1, Programs DES-4.d and 4.e) while acknowledging that the precise RUG boundary may need to be refined as part of a community plan update (Program CD-4.a).

In addition to ensuring consistency with the Countywide Plan, work on community plans may be needed for other reasons.

- Community plans may contain outdated information (such as population and land use statistics) or include land use recommendations (such as rezonings and infrastructure improvements) that have been implemented and are no longer relevant.
- Community plans commonly contain policies that have been duplicated or superseded by similar policies or guidelines in more recently adopted documents, such as the Marin Countywide Plan or the Marin County Single Family Residential Design Guidelines.
- New planning issues may have arisen in a community plan area that did not exist at the time the plan was developed.

Based on these factors, it is appropriate to consider a comprehensive strategy that will accomplish the goal of developing and updating Marin County's community plans in an efficient and effective manner.

Dear Neighbors,

February 20, 2016

Although many of you have been participating in and following the Black Point Community Plan Update process for years, it has come to our attention that there exists some confusion and misconceptions about the Plan's contents, process, and implications.

Recently, various emails, flyers, phone calls, and signs have circulated through the community announcing a call to action over concerns about the draft community plan. Many, but not all, Green Point residents were invited to attend meetings of a newly formed neighborhood group in which speeches were given by the group's leaders and guests were asked to sign a petition. Because the claims were alarming, speeches lacked specifics, and the public Q&A portion was foregone, many attendees have contacted the Black Point Improvement Club with questions and concerns over the allegations presented.

The Board of Supervisors will be meeting **March 8th at 1:30pm** to discuss the merits of the current Draft Black Point / Green Point Communities Plan and to consider whether Green Point should have its own separate plan. Submit your comments for the Supervisors to community@marincounty.org, preferably by February 24th.

Before deciding whether you will sign the petition being circulated, please take a moment to consider the facts. Many people on both sides of Highway 37 have put a lot of time and energy into creating this planning guideline to ensure Black Point and Green Point retain the character we know and love. ~~Dividing into two separate plans is unnecessary, counterproductive, and nullifies the work of many of your neighbors. If you think you may have signed the petition in haste and would like to rescind your support for it, please notify the planner at the email above.~~

We hope this letter provides you clarity, but in case you'd rather not take our word for it, below are links to the draft plan, meeting dates, and development projects concerning our community:

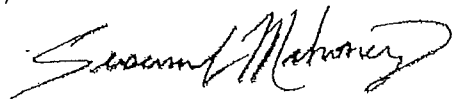
Board of Supervisors meetings: <http://www.marincounty.org/depts/bs/meeting-archive>

See the community plan here:

<http://www.marincounty.org/depts/cd/divisions/planning/projects/blackpoint/black-point-and-green-point-community-plan>

See projects in our area here: <http://www.marincounty.org/depts/cd/divisions/planning/projects>

Sincerely,

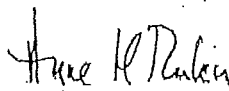
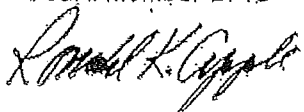


Susanna Mahoney
41-year Crest Rd. Resident
President-BPIC



Chander Bashi
8.5-yr Crest Rd. Resident
Board Member-BPIC

Ron Apple
35-year Atherton Ave Resident
Board Member-BPIC



Anne Ruben
40-year Glen Lane Resident
Board Member-BPIC

Most, if not all, of the claims made by this new group are simply NOT TRUE.

If you have read the draft Plan, then you already know this. The following lists the most prominent rumors circulating and our response:

1. "If this plan is approved, Green Point will cease to exist. We are on the verge of losing our special identity and name."

FALSE — The Draft "Black Point / Green Point Communities Plan" identifies and describes Green Point in detail throughout the document and it is listed in the title alongside Black Point because this plan was designed to encompass the whole area. Green Point is prominently displayed on the main map in the plan and there is no mention of an intent to remove it from maps. The Planning Commission agreed the two communities should be combined under one cover as they have been since 1978.

2. "A large commercial solar facility in Green Point is back on the table"

FALSE — The Community Development Agency reports they have NOT received any plans or proposals for any type of solar facility in Green Point. The Planning Commissioners were asked by an Advisory Committee member to allow language into the plan prohibiting these facilities but decided it better to allow the future solar ordinance to address it instead.

3. "There is a Cannabis Dispensary proposed for our backyard"

FALSE — The Community Development Agency reports they have NOT received any plans or proposals for a Cannabis Dispensary in Green Point or Black Point. This spring, the Board of Supervisors is expected to codify an ordinance that would make a portion of Black Point (near Rossi's) one of three potential sites for a dispensary in the County. The Board has not yet adopted the criteria for placing dispensaries and is not accepting proposals or applications.

4. "If you want to build a chicken coop, this plan prevents that."

FALSE — There is no mention of chicken coops in the draft plan and no language that might restrict them. Residents wishing to build chicken coops must abide by the existing County Development Code for Agricultural Accessory Structures. On a parcel larger than 1 acre, this type of structure does not require a permit if it is less than 300sf. You can find more specifics on the Building Inspection section of the County's website.

Original Message

From: Nextdoor Greenpoint <reply@rs.email.nextdoor.com>
businessmuse <businessmuse@aol.com>
Date: Wed, Feb 17, 2016 6:34 pm
Subject: Re: Green Point Community Meeting

a posting in the Neighborhood on Feb 17 - the Times

Susanna Mahoney, Greenpoint

In a world of unlimited County resources and volunteer hours, I too think it'd be nice to have two separate plans. In HIS world, I realize GP & BP are similar enough to be included in the same plan. In fact, they have been since 1978. We, the Advisory Committee, were charged with updating the existing "Black Point Community Plan", so that's what we

Page 2

Despite claims made by last night's speaker, the two of us from GP agreed with the three BP committee members unanimously on just about every issue debated over the past 3 years. The only one we differed on, albeit a big one, was the title of the plan. Green Point and all its differences was well described in the new updated version (without objection from the 3 BP members I might add.) We think one plan for the two communities is enough bureaucracy as long the title of the plan was changed to give GP equal billing on the cover. The Planning Commission agreed with us and the draft going before the Supervisors is now called the BP/GP Communities Plan.

As for why Supervisor Arnold appointed only 2 from Green Point, I'm not sure. I suspect it was because we all share the same planning area and, until recently, seemed like a united front. GP & BP residents have come together to tackle a lot of issues on both sides of Hwy 37. Furthermore, the Black Point Improvement Club, the recognized HOA since the 1940's, is made up of approximately 50% GP and 50% BP residents.

I remember announcing a need for Advisory Committee member volunteers at several BPIC meetings years ago and the underwhelming response. GP residents were hardly knocking down Judy's door to nominate themselves. (This, despite Judy's integral role in helping BPIC defeat the commercial solar field proposed in Green Point in 2012.) Had she put 3 GP residents on the committee instead of 2, the draft would look the same as it does today.

Original post by Laura Jenkins from Greenpoint (22 replies):

Please remember to attend our neighborhood meeting tomorrow night (Tuesday) at 6:30 at the Bahia Club House - 3008 Topaz Dr.

This will be the opportunity to learn the details of the Community Plan...

Feb 16 in General to Greenpoint

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Nextdoor, 760 Market Street, Suite 300, San Francisco, CA 94102

Black Point Improvement Club Meeting ^{Notes} - June 13, 2014

Susanna Mahoney called the meeting to order at 8:07pm. Eighteen people were present. The attendance list is attached.

The Secretary was present. The April 11, 2014 meeting minutes were approved with corrections to: (Ruben), (Glen Lane), and the picnic will be held from (2pm to 5pm).

The Treasurer was out sick – no report was available.

Committee Reports

Sunshine Committee – Susanna reported the Club sent a card of condolence to the Moylen Family who tragically lost their son last week. A card of condolence also will be sent to the Family of Phyllis Patterson of Renaissance Fair fame who passed away last week.

Scholarship Committee – Marshall Donig reported that Sarah Hogan is this year's Scholarship Committees' nominee, chosen from among 10 exceptional applicants, on the basis of her academic achievement and volunteerism. She attends Seattle University. Hans Eide moved to accept the Committee nomination. Chander Basho seconded the motion and it was approved by voice vote with no opposition.

Community Plan Update Committee – Susanna and Hank are on the BP Advisory Committee and Eric attends frequently. The second of three large Community meetings was held by the County for all of Black Point and Green Point combined to update our Community Plan. Separate from the Black Point Improvement Club, this was put on by the County to get community feedback. Several members of the Club are very active in updating the Community Plan and wrote the original plan back in the 1970's. So this was an open house format. Kristin Drumm, our County Planner, headed the meeting. 71 people attended. It was the County's intent to get Community feedback to identify what people want to see in the plan whether it be for roads, future home size, remodeling projects, fire evacuation routes, what to do about paper streets - whether kept open and accessible or allowed to be absorbed into the properties. Experts from public works, fire department, County planning, and Supervisor Judy Arnold were present. Kristin will report on the public's response. The Advisory Committee will meet in July and go over the results of the meeting.

Chander asked about undergrounding electrical. Eric indicated that, if it is through assessment of property tax, two thirds vote of affected people is needed. There was general talk about maybe bringing up undergrounding of electrical and communications lines which is very complicated and expensive in narrow substandard private streets. There was not much interest expressed. The point was made that because Green Point is a newer Community, most utilities are already undergrounded. Portions of old Black Point are also already undergrounded but it was noted that sewer lines could also be accommodated in the trenches at the same time. Susanna confirmed that there are no plans for sewer but that she would take this up with Kristin Drumm at their next Advisory Committee meeting.

Phil Sheridan commented that it's been a year since we've seen our Treasurer and about as long as we've had a Treasurer's Report. He requested that we get the books and give a report on them by the next meeting. A Finance Committee was appointed to work with Dolly over the past year to get the books in order. However, in lieu of a successful go at that, Susanna indicated that the new Treasurer will

produce a report, per the job description. A current report will probably be available by the next meeting.

Nominations Committee – Chander reported the nominees for BPIC Officers in the new term are: **Susanna Mahoney, President; Eric Paulson, Vice President; Secretary, seat is vacant; Treasurer, Judy Harrington.** On the Board of Directors we have: **Chairman, Rob Jaret; Joe Chaco; Hans Elde; Chander Basho; Jim Bakken; Anne Ruben; Ron Apple.** Directors Emeritus are: **Richard Ruben, Hank Barner, and Richard Gaebel.** All of the nominees have accepted their nominations. Are there any nominations from the floor for Secretary or other office? Cliff Clark offered to serve as Secretary. Laraine Woitke, offered to stay on as Secretary in name only with Cliff Clark doing the work and serving as acting Secretary, because the Secretary technically must be a Black Point homeowner. Marshall moved to accept the slate of Officers as recommended by the Nominating Committee. Dick Gaebel seconded the motion and it was approved on voice vote with no opposition. Chander proposed the motion that the Club allocate up to \$80 to purchase voice recognition software to make the Secretary's job easier. Eric seconded the motion and it was approved by voice vote.

Old Business

50 H Lane - The five acre Rancho Marin property plans were returned with minor changes for completeness. Susanna reported on a conversation that she had with the owner, Keith. He has retained a real estate attorney and surveyor because the fence and parcel don't conform. They are continuing to clean the lot of debris. He gave his contact information to Susanna for her to share with anyone who wants to contact him. He has no plans for any equestrian facility or to subdivide. He just wants to build his house and his second unit. There is a lot of clean up occurring on the grounds. Hank indicated that Susanna should let the Owner know that it might be good for him to come and talk to us about what he is doing on his property. He said he might do that and has already talked to all of his surrounding neighbors on Alpine and H Lane to get their opinions and consent on his plans for his property. He might attend the Pot Luck even though he might have heard about our reputation – laughter and the sign in sheet will be checked to see if he attended the Community Meeting.

290 Grandview – Hank Barner reported that it has gotten a lot more complicated. The Planning Commission denied our appeal on a 4 to 2 vote. We then appealed to the Board of Supervisors and that hearing is scheduled for August 19 at 1:30pm. The staff is still using a percentage (30%), rather than looking at home size in the Community. The size of the lot has been reduced. It was 15,000 sq ft plus, now it is 13,000 sq ft plus. So the FAR went from 20.3 to 22.3 and that is 12 % higher than the median for the neighborhood.

Their Attorney wrote a letter the day before the hearing and stated that the 290 site itself would not perk. That threw a whole new perspective into the discussion, because until then it was assumed the site would perk since, sites to the north, south, east, and west perk. We found no record of the 290 site ever being tested. So this new information created a whole new scenario. The lawyer say it wouldn't perk and Detrick Stroeh of Stuber Stroeh confirmed it wouldn't perk. When asked about a smaller house, he said it wouldn't perk for any size house.

The City of Novato Planner also sent an email saying that the leach field on the golf course would be inconsistent with the conditions of approval for the golf course and contrary to the City's General plan. After the hearing the Director of Development for Novato sent a letter to the Attorney saying that under no circumstances could the City approve it. In addition, the reasons were that it would violate the City's urban growth boundary and would require a vote of the people in order to change the urban growth

boundary. The City of Novato approved the leach field on the golf course probably in error. A permit was approved. Time ran out and it expired. So the City then sent the plans to the County so the County, Hank suspects, thought that the City already approved it and so they just went along with it – only now to find out that the City approval was really not a valid approval. The project never got off the ground and there was no public comment on it.

Then to add more confusion, that the 290 site itself cannot perk becomes a question of when was that discovered. For example, 280 and 290 are owned by the same owner. And in 1984 (of those of you that lived here remember that we all had a number of these little parcels) we got notification from the County that all these little parcels are going to be merged unless you object. And, one reason for objecting is if you had sites that could perk. If they couldn't perk, then the question is why weren't they merged in 1984? Later the Owner requested merger of several of the parcels comprising 290. Again the County should have raised the question, if merging these then should the ones for 280 be merged, unless it could perk? Then when the Owner got a lot line adjustment between 280 and 290, the planner should have raised the question, whether this should have all been one lot anyway, because of the merger ordinance in the County? So this just adds another layer of complication, that wasn't there until their attorney tossed it out that the site couldn't perk. So, that's where it is at the moment. And house size is no longer an item for discussion. It's really a question now between the City and the County and who has jurisdiction and they're saying that we won't give you some kind of permit that you have to have and away you go. And, the City Council has been briefed, in closed session, that this is a real potential problem. It just gets a bigger can of worms and more murky.

Susanna asked if Hank's group is appealing to the Board of Supervisors. Hank said they are appealing it mainly because the City didn't have time to get the appeal going. The first application to the County required them to cut the size down, but they didn't cut nearly enough. The sad thing is that if they had come in with plans for about a 2000 sq ft home, it would have been consistent with the neighborhood and the thing probably would have had the leach field on the golf course. Now for 1,000 sq ft they have a real mess on their hands. What's on 280? A house. Until recently 280 and 290 were owned by the same person. Dr. Granucci is the Owner and another is the Applicant.

Comment: I think that what they meant was that the lot would perk with a mound system, but there wouldn't be any room for the house. I don't know. And to add more confusion, the plans we had did show the septic system on site and they moved them off site.

300 Olive Avenue – is now in escrow. The property will be difficult to develop. Wetlands, access, and driveway limitations impose limitations. Can protections be extended here by historic bay wetlands and the property designated open space as suggested by Audubon's Barbara Saltzman? That was what Phil was talking about at the last meeting, when he suggested we purchase the lot. Many proposals have been developed for this site in the past, all to no avail.

Security cameras in Green Point, etc. – Over \$12,000 has been collected. The bid is \$10,800. An additional \$200 of available funds will be used for electrical work and a faster camera on School Road near Atherton. Locations have been selected, but the homes on School Terrace will not be covered by cameras. With the installation of real cameras, Laraine requested removal of the fake camera and sign at the intersection of Crest and School Road. Susanna explained that it is located on private property, so it would be up to the individual property owner to take it down and the other person who was opposed to the cameras, requested more visibility of fake cameras and signs. We'll see after the cameras are installed.

The issue of speed bumps on School Road came up. At Chander's request, the County is looking at it but they are costly to install, maintain, and slow emergency response time. They require a two thirds vote for approval. Speeding automobiles on Grandview, like School Road, was also a source for concern. What can be done about speeding? It will be discussed but might be taken up outside the Community Plan. Hank reminded us that the speeders are our neighbors and most of us know who they are. We should approach it from this perspective and exert peer pressure.

An interesting exchange on the subject of neighborhood surveillance went on primarily between Kenneth and Susanna.

Ken: Who will have the information on these cameras? I would say that it just needs to be viewed only by law enforcement. It's not a public interest, who is coming and going – how fast they're going. It's a big issue if a group has the ability to review the data.

Susanna: Only two members of the Security Committee will check to ensure that the cameras are on and operating properly and that they're not blocked. They use a pin number that only those two people will have and will be given to law enforcement upon request. It will not be all of BPIC that will have it.

Ken: I think even two public individuals, not being law enforcement checking on the equipment, is an issue. That data should be secured and really only be reviewed by law enforcement – I would support that. How long is that data stored – 180 days?

Susanna: 30 days or so.

Ken: then it needs to be destroyed.

Susanna: it would be as it writes over itself.

Ken: Those are my major concerns about camera surveillance and we're talking about property crime. Law enforcement doesn't look at that in the same way as if you have a murder/ homicide. Then that kind of information becomes key. So gathering it is important, but who has access to it becomes even more important.

Susanna: when we have burglaries, law enforcement has requested the video from people that have cameras on the street and it has been provided. So if the cameras are on private property and they want to view the right-of-way so be it.

Ken: for a group to have the idea of making such a thing available, that seems ...

Susanna: the reason for two people (Susanna and Chander) is that someone is always available to check that the system is working correctly and the police would be given the pin number when needed. You can be against it if you want, but there is nothing you can do about it because it's on private property. The person can share the pin number with anyone and there is nothing you can do about it. You can film the public areas, it's legal.

Ken: asked about the structures that these cameras sit on? They should be on appropriate structures.

Susanna: they're going to be on polls on private property.

Laraine: polls can't be higher than six feet.

Ken: the cameras that are already located on the pole and fence are on illegal structures. Simultaneous discussions erupted. Hank chimed in to stop the discussion.

Susanna: the Security Committee will continue with this and if you want to bring up something then do it in the Committee. We'll have this in the meeting minutes and we've had a meeting about this in the past.

The Summer Pot Luck – the date is July 13, at The Ruben's, at 61 Glen Lane. Anne asked for help to get the tables and chairs from Dolly's the day before and thereafter will remain stored at The Ruben's. Eric, Jim, and Hans volunteered to help. Joe will do the BBQ. Everyone brings a good variety of food. Susanna will bring the games. The pool will be open. Games will be set up. There will be the harvest table again. Eric made the motion to spend up to \$300 for meat and decorations. It was seconded by Marshal and

approved by voice vote. Jim, Susanna, Eric will come early on Sunday to set up the tables and decorate. Susana and Cliff will bring music. Marina may be able to do the flowers again. A gift (of lasting value) - a plaque or pen and pencil set will be obtained for Dolly Windgate in recognition of her decades of Club involvement.

Announcements –

Erick Paulson worked on the restoration of Hamilton wetlands for many years. They were successfully flooded as described in the paper recently. In the future more restoration will to be done in the Bel Marin Keys area.

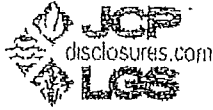
A free telephone hearing test was announced until June 15 by calling 866 223-7575.

Hank reported this year's Grandview picnic was very successful with new people and great local music.

The meeting was adjourned at 9:37pm.

Respectfully Submitted,

Laraine Woitke, BPIC Secretary



JCP-LGS Residential Property Disclosure Reports Natural Hazard Disclosure (NHD) Report For MARIN County

Property Address: 155 H LN
NOVATO, MARIN COUNTY, CA 94945
("Property")

APN: 143-171-37
Report Date: 02/22/2016
Report Number: 1864899

Part 2. County and City Defined Natural Hazard Zones

HAZARD MAPS IN THE LOCAL GENERAL PLAN

General Plan regulates property development. There are currently over 530 incorporated cities and counties in California. The state Government Code (Sections 65000 et seq.) requires each of those jurisdictions to adopt a comprehensive, long-term "General Plan" for its physical development. That General Plan regulates land uses within the local jurisdiction in order to protect the public from hazards in the environment and conserve local natural resources. The General Plan is the official city or county policy regarding the location of housing, business, industry, roads, parks, and other land uses.

Municipal hazard zones can affect the cost of ownership. Each county and city adopts its own distinct General Plan according to that jurisdiction's unique vegetation, landscape, terrain, and other geographic and geologic conditions. The "Safety Element" (or Seismic Safety Element) of that General Plan identifies the constraints of earthquake fault, landslide, flood, fire and other natural hazards on local land use, and it delineates hazard zones within which private property improvements may be regulated through the building-permit approval process, which can affect the future cost of ownership. Those locally regulated hazard zones are in addition to the federal and state defined hazard zones associated with statutory disclosures in the preceding section.

City and/or County natural hazard zones explained below. Unless otherwise specified, only those officially adopted Safety Element or Seismic Safety Element maps (or digital data thereof) which are publicly available, are of a scale, resolution, and quality that readily enable parcel-specific hazard determinations, and are consistent in character with those statutory federal or state disclosures will be considered for use as the basis for county- or city-level disclosures set forth in this Report. Please also note:

- If an officially adopted Safety Element or Seismic Safety Element map relies on data which is redundant of that used for state-level disclosures, this Report will indicate so and advise Report recipients to refer to the state-level hazard discussion section for more information.
- If an officially adopted Safety Element or Seismic Safety Element cites underlying maps created by another agency, those maps may be regarded as incorporated by reference and may be used as the basis for parcel-specific determinations if those maps meet the criteria set forth in this section.
- Because county- and city-level maps are developed independently and do not necessarily define or delineate a given hazard the same way, the boundaries for the "same" hazard may be different.

If one or more maps contained in the Safety Element and/or Seismic Safety Element of an officially adopted General Plan are used as the basis for local disclosure, those maps will appear under the "Public Record(s) Searched" for that county or city.

REPORTING STANDARDS

A good faith effort has been made to disclose all hazard features on pertinent Safety Element and Seismic Safety Element maps with well-defined boundaries; however, those hazards with boundaries that are not delineated will be deemed not suitable for parcel-specific hazard determinations. Some map features, such as lines drawn to represent the location of a fault trace, may be buffered to create a zone to facilitate disclosure. Those map features which can not be readily distinguished from those representing hazards may be included to prevent an omission of a hazard feature. If the width of a hazard zone boundary is in question, "IN" will be reported if that boundary impacts any portion of a property. Further explanations concerning specific map features peculiar to a given county or city will appear under the "Reporting Standards" for that jurisdiction.

PUBLIC RECORDS VS. ON-SITE EVALUATIONS

Mapped hazard zones represent evaluations of generalized hazard information. Any specific site within a mapped zone could be at less or more relative risk than is indicated by the zone designation. A site-specific evaluation conducted by a geotechnical consultant or other qualified professional may provide more detailed and definitive information about the Property and any conditions which may or do affect it.

PROPERTY USE AND PERMITTING

No maps beyond those identified as "Public Record(s)" have been consulted for the purpose of these local disclosures. These disclosures are intended solely to make Report recipient(s) aware of the presence of mapped hazards. For this reason — and because local authorities may use on these or additional maps or data differently to determine property-specific land use and permitting approvals — Report recipients are advised to contact the appropriate local agency, usually Community Development, Planning, and/or Building, prior to the transaction to ascertain if these or any other conditions or related regulations may impact the Property use or improvement.

12

From: [River Eric](#)
To: [Drumm, Kristin](#)
Cc: [rivereric](#)
Subject: Black Point Community Plan Update
Date: Wednesday, February 24, 2016 12:07:01 AM

Dear Kristin,

Thank you for all your hard work on the Black Point Community Plan.

Please include in your staff report that I very strongly support the recommendations of the Advisory Committee and strongly urge the Board of Supervisory to adopt the new Community Plan version as recommended by the Advisory Committee.

Furthermore I want the Board of Supervisors to know that the new and relatively small Green Point Group who is now opposing the new community plan seem to be people who are not capable of reading their mail. If they did read their mail they would all have known over 2 years ago about the meetings and hearings associated with the Community Plan update and could have participated from the beginning.

The people in this opposition group claim that Green Point was never part of Black Point. Many of these same people access their homes via School Road. What one room school was on School Road for decades? The Black Point School of course.

The people in this opposition group also claim that they did not see the large signs posted by community members to inform ALL Green Point residents of the public meetings and hearings on the Community Plan. These signs were posted at each and every road into and out of the Green Point and Black Point neighborhoods right by the Stop Signs.

Thank you,

Eric Polson
420 Grandview Ave.

From: dmsvr4@yahoo.com
To: [Drumm, Kristin](#)
Cc: [Arnold, Judy](#); [Roberta DiPrete](#)
Subject: Green Point
Date: Wednesday, February 24, 2016 10:01:00 AM

Hi Ms. Drumm, Black Point and Green Point are two entirely different communities and should not be lumped into one. Over the years Hank Bonner and His Black Point Improvement Club? have been in favor of everything that was bad for Green Point. Examples: The continued operation of the Atherton Acres Kennel, even though when they got their first business license, they were told it would not be renewed because of the new subdivision approved across the street. There was also the Country Inn kennel behind them. The night time dog training at Atherton Acres Kennel with a field of lights, the solar farm, until they realized it would not be built, the expansion of Country Vet from 2 employees to at least 4. This operation has 19 cars in the parking lot at any given time and they are on a septic system. The driveway is a nightmare going in and out. None of these problems effected Black Point, but that didn't stop them from being in favor of them. Black Point and their Improvement Club? should have no say on what happens North of highway 37.

Sincerely,

Dennis R. Molloy
520 Atherton Avenue (31 Years)
Novato, CA 94945
415 328 7755

From: [Roberta DiPrete](#)
To: [Drumm, Kristin](#)
Subject: letter to BOS
Date: Wednesday, February 24, 2016 8:44:00 AM

From: Karen Schneider [mailto:novette01@comcast.net]
Sent: Wednesday, December 09, 2015 7:15 AM
To: roberta
Subject: Re: GP meeting with Count Dec 9

Steve & Karen Schneider agree that Green Point should remain separate from Black Point

Sent from my iPhone

From: [L. Stephen Polito](#)
To: [Drumm, Kristin](#)
Cc: [Carter Sara](#); [Fleurner Matt](#); [Roberta DiPrete](#)
Subject: Blackpoint - Greenpoint
Date: Wednesday, February 24, 2016 7:50:21 AM

To Whom It May Concern:

By this e-mail, please be advised the L. Stephen Polito & Sara M. Carter, who reside at 1 William Road, Novato, CA 94945 **DO NOT SUPPORT** the proposed Blackpoint/Greenpoint Plan. It is our desire that Greenpoint should stand on its own, with its own plan, separate from Blackpoint.

Regards,
L. Stephen Polito &
Sara M. Carter

*L. Stephen Polito &
Sara M. Carter
1 William Road
Novato, CA 94945*

*415.309.6700
stephenpolito@comcast.net*

From: Glen Harrington
To: Drumm, Kristin
Subject: The Black Point / Green Point Communities Plan
Date: Wednesday, February 24, 2016 7:17:57 AM

To the Board of Supervisors, Marin County

We are 42 year residents of Black Point and were members of the committee that developed the 1978 Black Point Community Plan. We have followed closely the development of the plan update. We strongly support the version being proposed by the Advisory Committee. The terms for house size FAR and setbacks in the current plan are too vague and leave too much discretion to whichever planner happens to be assigned to a specific project. The Advisory Committee proposal has been exhaustively developed and provides the necessary guidelines which can be adjusted if and when appropriate.

We also object to the change to the name of the Plan. This community has always been known as Black Point (Black Point School, Black Point Post Office, Black Point Cutoff and so on). We are very concerned that a small but very vocal and destructive group has been allowed to hijack a project that has consumed many, many hours of local and committed citizens who have long been involved and are well versed in community issues. There has been extensive outreach to the community and all residents on both sides of Highway 37 have been offered multiple opportunities to provide input. The Advisory Committee have done their best to listen to the real concerns of their fellow residents to develop a consensus plan.

We urge you to adopt the Advisory Committee's version of the plan.

Respectfully,

Glen and Judy Harrington
27 Manzanita Ave.

From: Cliff Clark
To: Drumm, Kristin
Subject: Black Point
Date: Wednesday, February 24, 2016 7:16:14 AM

Kristin, please forward the following, thank you.

Dear Supervisors,

I've lived in Green Point for almost 8 years. I wouldn't normally get so involved in what we can probably all agree is a first-world problem, but I am truly embarrassed by the statements and actions of this new lunatic fringe.

This "Green Point Association" in no way speaks for me or any one I know. They used blatantly false accusations on their signs and at their meeting to scare my neighbors into signing their petition to create two separate community plans. I saw dozens of petitions collected in the first few minutes of their first meeting where they claimed the plan would make us pay for Black Point's roads, among other lies. Their leader espouses an elitist attitude and seems to me to have an ulterior motive.

I've read the whole draft plan and think it goes above and beyond in its descriptions and protections for both communities and see absolutely no reason why the county should waste tax payer funds to dismantle this plan and create two separate plans.

I also have no objection to the Advisory Committee's recommendations on house size, etc. They're very benign when you actually look at it, and I make my living as a developer.

As for the name on the cover, I couldn't care less. It's the meat of the plan that matters. Call us whatever you want to call us, just close this chapter and get on with solving the county's real problems.

The draft plan update is exactly what the community wanted. My apologies for the time wasted on this recent squabble in this otherwise harmonious community.

Cliff Clark

From: [Laura Jenkins](#)
To: [Drumm, Kristin](#)
Subject: Green Point/Black Point Split
Date: Wednesday, February 24, 2016 2:02:19 PM

Hi Kristen,

I am writing to tell you that I am in favor of the split of the Green Point and Black Point community plan. As a Green Point homeowner, I would like my neighborhood to be independent of Black Point.

Laura Jenkins
Founder, Couture Gel Nail Polish
www.couturegelnailpolish.com

RECEIVED

FEB 24 2016

MARIN COUNTY
BOARD OF SUPERVISORS

331 Grandview Avenue
Novato, CA 94945

February 24, 2016

The Marin County Board of Supervisors
3501 Civic Center Drive, Room 329
San Rafael, CA 94903

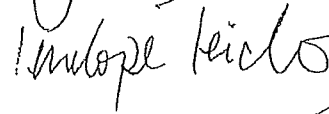
Re: Draft Black Point Community Plan Update

Dear Members of the Board:

I wish to inform you that I support the Advisory Committee's recommended Draft Black Point Community Plan update.

Thank you for your consideration.

Sincerely,



Penelope Teicher

From: Tymer
To: Drumm, Kristin
Subject: Blackpoint and Greenpoint Plan
Date: Wednesday, February 24, 2016 12:56:02 PM

Dear Supervisors,
This email rescinds my signature on a petition I recently signed stating support for a separation of associations for Blackpoint and Greenpoint.

After attending a meeting led by Roberta Deprite, it is clearly premature to throw support behind new association without much more understanding of leadership and issues raised. More time is needed to have position on the Community Plan as I am a new resident.

Thank you for adjusting the record by removing my name.

Thank you,
Tymer Cavasian
18 Sutton Lane
Novato, CA 94945

Sent from my Verizon Wireless 4G LTE smartphone

From: BOB JONSEN
To: Drumm, Kristin
Subject: Black point/Greenpoint
Date: Wednesday, February 24, 2016 11:11:54 AM

I have been a resident of blackpoint/greenpoint since building the home I live in in 1979 and have been a member of the Blackpoint homeowner assc. since its start and am a dues paying member unlike those that wish to amend the rules and regulations that were established in 1978. By dividing and setting up different rules I find to be misleading and the information given by the newly formed members was improper. Those that signed the petition were strong mislead. Since I was one of those mislead I request that my signature be removed from any document pertaining to revisions or changes to the Blackpoint Community Plan update... Thanks for your time in reviewing this notice. Robert C. Jonsen, #5 Sutton Lane. Novato, Ca. 94945, 415 302 6754

Drumm, Kristin

From: Susanna Mahoney <susannamahoney@hotmail.com>
Sent: Wednesday, February 24, 2016 8:56 PM
To: Drumm, Kristin
Subject: Black Point Community Plan

Dear Supervisors,

As an Advisory Committee member and President of the Black Point Improvement Club, I've already had ample opportunity to speak on the merits of the Community Plan Update. However, if I may, I'd like to offer my own personal opinion for your consideration.

It may come as no surprise that as one of the contributing authors I believe the draft plan that was presented to the Planning Commission was a good one. Black Point, Green Point, and county staff would be well served by this document. I would never have supported it if I thought it in any way threatened mine or my neighbors' property rights.

Our committee's recommendations were well thought out and incorporated input from several public workshops and dozens of open meetings.

A) The minimum setbacks for Green Point (25ft from the front, 6ft from the sides) could hardly be considered restrictive on the large, often 2+acre lots, but provide for safe movement of fire personnel and help maintain the wide open feel of our roads.

B) The house size formula designed to clarify the existing SFRDGs should also promote neighborhood continuity while at the same time requiring only elementary math for staff. My preference would have been for 20-25% over median FAR versus the 10% consensus, but I feel the recommended language allows for such flexibility in design, even 60% FAR could be built if designed well.

C) I believe Green Point should have equal billing with Black Point on the cover of the Plan to best reflect the evolution of the community since the 1978 plan. That said, the title of the plan is not a deal-breaker for me. The content of the plan is what matters.

D) One fault of the draft plan, I believe, is its failure to clearly restrict commercial solar facilities in the area. I pleaded with the Planning Commission to allow language to this effect, but they opined the plan should skip and defer this topic to the future solar ordinance. If the new ordinance does not restrict these facilities from our residentially zoned parcels, the community and solar developers may face more of the conflict and gridlock that so shook this community four years ago.

The notion of a separate community plan for Green Point is unnecessary, counterproductive, and nullifies three years of work by staff, by the Advisory Committee, and by all the neighbors who contributed along the way.

Thank you for giving me the opportunity to serve my community. It has been an honor and a privilege.

Very Truly Yours,

Susanna Mahoney

Kathie Rothkop

From: [Roberta DiPrete](mailto:Roberta.DiPrete)
To: [Drumm, Kristin](mailto:Drumm.Kristin)
Subject: for supervisors
Date: Tuesday, February 23, 2016 12:09:46 PM

From: Kathie [<mailto:alykat2@comcast.net>]
Sent: Wednesday, February 18, 2015 10:08 AM
To: DiPrete, Roberta
Subject: Re: Let me know you got this!

To whom it may concern,

Myself Kathie Rothkop and my husband Alan Rothkop totally agree with the letter below. We have never been to a meeting. We were never told of a meeting. We want to be well informed on what all of this change means. We do not want to be considered part of Black Point. We also do not want to be responsible for the maintenance of their roads. Please inform us as to any meetings in the future. Kathie Rothkop 415-250-8220

From: "Roberta DiPrete" <roberta@robertarealestate.com>
To: "Kathie" <alykat2@comcast.net>
Sent: Tuesday, February 17, 2015 3:53:17 PM
Subject: Let me know you got this!

1. An large number of owner resident and non-resident owners of Green Point property do not realize issues infringing on their property rights are being discussed.
2. When some learned and attempted to voice concerns, they were told at meetings that they could not speak, time reserved for questions was routinely postponed by hours, speakers were insulted and criticized, overall having a chilling effect. When it was requested that concerns be emailed to members, it was refused. When it was requested that email address be sent to members so they knew they could contact others, it was refused. A very few control all the dialogue and have shut out the majority. I'm not a member of any other group that so completely prevents direct communication. Usually contact lists are provided with the understanding they only be used for the business at hand, so all members can freely communicate.
3. An large and as yet unknown number of resident and non-resident owners of Green Point do not want to be considered part of Black Point.
4. The North Bay community at large considers these separate and distinct neighborhoods. Only a very small non-representative group considers Black Point subsuming Green Point, yet this small minority threatens to decrease values and impose many financial and logistical burdens.

Thomas Brothers, always the only authorized mapping tool for real estate in the county, whose property location coordinates are automatically entered into the multiple listing service, which in turn fills all known real estate portals and sites, including but not limited to Norcalmls, Zillow, Trulia, Greathomes.org, REALTOR.com, Facebook YouTube, Google, Yahoo, ActiveRain, Craigslist, and Bareismls, recognizes Black Point as the small area south of 37 and Green Point as the large land mass stretching from 37 to Bugeia. See attached map. When the BPIC and, Advisory Committee presents a map of this same area, it is distorted to make the Gridiron look almost as large as Green Point. Maps provided.

5. Green Point and Black Point have very different identities, concerns, infrastructure, lot sizes, home sizes, property values, land values, septic and percolation factors, percentages of privately maintained versus publicly maintained roads, standing in the community, desirability, culture, and sensibilities, and therefore should and must be treated as separate neighborhoods. If historical considerations are the main reason for calling them the same name, we may as well call all of this Rancho de Novato.

6. Green Point will be severely hampered, impaired and damaged by proceeding with the current procedure and suggested Community Plan changes.

7. The BPIC has a stated objective, captured in official minutes, of planning to become the improvement district, and vote in by only 2/3rds, bonds that would require property owners of Green Point to pay for improving all the roads in Black Point.

8. The BPIC has recommended, and the Planning Commission has voiced its endorsement, of changes to the community plan that would designate certain wildlife paths with concomitant land use restrictions and new obligations, not only in Green Point, but also in Stonetree. Stonetree is part of the city of Novato, and has never received any notice of these proposed changes.

9. The BPIC has recommended, and the Planning Commission has voiced its endorsement, of changes to house size limitations in Green Point. They would limit new, reconstructed, or remodeled homes to no more than 10% larger than the median of homes within 600 feet. As introduction to this model, Kristen Drumm admitted that the data upon which these important calculations will be built, will be missing or inaccurate. Unbelievably, this did not stop the Planning Commission from jumping on board. There is much more to object to on this one item, but I can't cover it all here.

10. The BPIC in no way represents the needs of Green Point, the expressed interests of the vocal members of Green Point, nor the majority of Green Point property owners,

11. Notices have never been sent to non-resident owners. Where else would what amounts to a taking be endorsed by a public entity without the barest of due process requirements of notice?

12. The BPIC has an antagonistic stance vs a representative culture towards Green Point

When I said I would get the word out to Green Point Property owners before the next meeting, Kristen Drumm volunteered to provide the flyers to me the next day. I offered to pick them up and she promised to deliver them within 24 hours, so that I would have the weekend to distribute them. She in fact did not deliver them until I went to bed Sunday night, which gave me no opportunity to hand them out before the next meeting. At the public workshop, when I stated that many of us received no notices, Robert Jaret diminished my statement and said it was our negligence. No one, not Kristen Drumm, not the Advisory Committee, not the BPIC, nor any member of the Planning Commission asked what we thought would be productive to make sure property owners were included and actually notified. In fact, when I heard part of the plan endorsed that night by the Planning Commission, staff and appointees that refuted my neighbors did not receive notice

13. The BPIC is not a legally recognized spokesperson for the Green Point community, yet is treated as such by the Planning Commission.

14. A few members of BPIC run the organization as a autocracy, not sharing information with which they disagree with membership, not accurately reflecting the meeting content in their minutes, not reaching out to the community for input,

15. The notices that are given are misleading, non-existent, not timely.

16. The meetings are held at a time that business is not usually conducted.

17. When concerns are raised, we are given the brush-off of being told that's the way it has always been done. Times change yet this entrenched clique with ties to the Planning Commission has got a choke hold on Green Point, routinely violates the Brown Act, is increasingly threatening to those who dare dissent, and have the unchecked blessing of the County Planning Commission.

18. When the current 1978 plan was being drafted, the top geologist in the state, according to Hans Grillmeyer, was hired by the county to make sure the foundations upon which it was drawn were sound, scientific, and reflective of the needs of the community. In keeping with that sensibility, we request that a formal survey be conducted by an outside agency to determine the true awareness of the members of Green Point as to their property rights being at stake.

19. We want as much time to consider options as the BPIC and Advisory Committee have had. We do not understand and object to being rushed. Let Black Point have the plan they want. Green Point should have the same time, consideration, and due process for such a serious matter. The current plan has been in effect since 1978. It's hard to imagine the pressing reason not to permit Green Point to have an appropriate amount of time to get up to speed. It is entirely likely much of the plan will be endorsed, with changes that reflect our configuration. Everyone can win.

Roberta DiPrete

Broker • Top Producer • Attorney • Marin, Sonoma, SF
(415) 370-5454 BRE 00945520 DistinctAdvantagere.com

From: Kathie [<mailto:alykat2@comcast.net>]

Sent: Tuesday, February 17, 2015 3:42 PM

To: Roberta DiPrete

Subject: letter

Hi, I didn't get it: Kathie

Drumm, Kristin

From: Roberta DiPrete <roberta@robertarealestate.com>
Sent: Tuesday, February 23, 2016 12:39 PM
To: Drumm, Kristin
Cc: 'Roberta DiPrete'
Subject: Green Point for supervisors

Dear Supervisors,

Please separate Green Point and Black Point.

By formally allowing Green Point its own identity, nothing is lost, there is only gain.

Green Point and Black Point can continue to fraternize, hold joint pot lucks, share ideas and work on joint projects.

Thank you.

Roberta DiPrete

From: Roberta DiPrete
To: Drumm, Kristin
Cc: "Roberta DiPrete"
Subject: Green Point
Date: Tuesday, February 23, 2016 11:55:16 AM

Dear Supervisors,

I am in favor of separating Green Point from Black Point and believe that is not only desirable, but necessary to restore peace to our community and the quiet enjoyment of my property without interference by Black Point.

This letter is to dispel misconceptions surrounding the current plan (1978), the draft plan (July 27, 2015) and the facts offered by Green Point.

Green Point homeowners recently formed (incorporated) The Green Point Advisory Committee to preserve and enhance Green Point.

At a recent Advisory Committee meeting we learned the sole reason this area underwent the expensive and divisive process of revising the current (1978) plan is because members of the Black Point Improvement Club requested it so they could better evaluate (restrict) our home improvement projects in Green Point. This was announced at the Feb Advisory Committee meeting.

Judy Arnold reached out to Susanna Mahoney to create the Advisory Committee. Susanna reached out to a Black Point Improvement Club meeting for the other members.

The Black Point Improvement Club is a private, special interest club. It is NOT an HOA. It is voluntary, has no authority or governing powers and is not regulated, which actual HOAs are. Dues must be paid to have a voice in this private club and to hold office. This was an inappropriate place to gather members for the Advisory Committee.

The Black Point Improvement Club selected 3 members from Black Point and 2 from Green Point, even though the county numbers are 380 or more households in Green Point, 230 in Black Point.

The Advisory Committee is required (see Guidelines) to use all means necessary to inform the community. They only used the Black Point Improvement Club email distribution list.

The Advisory Committee is required (see Guidelines) to represent a consensus of the constituency and bring that voice and that stance to the county.

Instead, the Advisory Committee communicates very little to the community going so far as to vote on issues when they first hear of them, without even the pretense of involving the community that they are to notify, elicit comments from and pass those comments to the Supervisors. (see minutes of Jan Advisory Committee meeting as just one recent example).

Green Point asked for more time to catch up with the workings of the Advisory Committee and for county help in getting the word out. We were refused so we took it upon ourselves to do our best to inform the community of the Mar 8 arbitrary deadline.

We held our first meeting after being told that the only item on the agenda for the Mar 8 hearing (by Brian Crawford, Jack Liebster and Kristin Drumm) would be separating Green Point from Black Point. After the first neighborhood wide meeting, to which all Green Point was invited with mail and 5 A frames out for 5 days, we had to scramble to include more information at a second meeting when we were told that the Hearing would be on the merits of the draft plan and the separation.

We had limited time to convey the complexities and deficiencies in the proposed plan. Even the Advisory Committee does not endorse the draft plan.

Separating the two communities means we have to have a new plan. This is a difficult concept to convey but neither plan has language for this. Most of Green Point is in favor of the split, not completely understanding that either the draft plan, or the current 1978 plan needs changes to

reflect the recognition that Green Point is its own community.

The Black Point Improvement Club, substantially the same board members as the Advisory Committee, seek to limit home size. If they don't succeed right now, they are on record as writing they will continue to push for home size limits not only in Green Point, but county wide. See Hank Barner letter submitted at the Jan Advisory Committee meeting.

Green Point has harmoniously lived with the current plan and county plan since 1978. This revision process has pitted groups against each other, created hostility and friction and proposals far beyond what you likely had in mind when granting the resources to Black Point.

We were tasked with forming and meeting, and we have. The attendance at our meetings has been huge, showing there is a need and a desire in Green Point to be informed and involved. No other meeting put on by the Advisory Committee, Black Point Improvement Club, nor county was noticed and promoted sufficiently. We mailed first class letters and clearly indicated Green Point, not Black Point. The public has spoken.

Most don't realize supervisors have Black Point as a recommended site for a pot dispensary, although it is right on the county website under medical cannabis dispensary ordinance, maps.

Everything we've stated has proof. Yet the Advisory Committee and Black Point Improvement Club is selectively distributing propaganda that we are spreading falsehoods. The Advisory Committee should be working with us to get the word out, not shutting us down. We are working against our own representatives.

I want the voice of the Advisory Committee to hold no more weight than any individual resident for their complete failure to follow the guidelines that govern their responsibilities and behavior.

Green Point is working on listing the deficiencies and inappropriate

portions of the draft plan, also where Black Point carves out exceptions for themselves but not Green Point, where visibility and light and other more nebulous and troubling factors are given as restrictions, where the Black Point Improvement Club has discussed their desire to keep on pressing for home size limitations and their ability to vote in taxes for the community to pay for their failing infrastructure and we will have as much as possible submitted in advance of your hearing.

It is interesting the Karyn Kambur (a competing real estate agent) writes to complain that at the last Advisory Committee meeting I was interrogating when I asked how the committee was formed. Interestingly, Hank Barner, who was running the meeting, also said I couldn't ask questions. I asked him, by whose authority am I being told, as part of representative government, in a democracy, speaking to my supposed representatives, at an official meeting, I cannot get information? What's the point of the meeting??

I had asked this germane question one month ago and the 4 Advisory Committee members could not answer how they were enjoying the privilege of receiving public funds and resources to gather and represent the voice of the community.

We of Green Point are unhappy to not have had a voice in this process, to have been misled and shut out, our voices ignored or refuted. I know this is not what you had in mind when you started this process. Let's let Black Point have the plan they had the say in, and permit the larger Green Point to also have its plan, boundary and identity.

Thank you.

Sincerely,

Roberta DiPrete

Drumm, Kristin

From: Alan Kolsky <alan@digitalvideodimensions.com>
Sent: Tuesday, February 23, 2016 10:11 AM
To: Drumm, Kristin
Cc: 'Linda Kolsky'
Subject: Withdrawing Name in Support of Greenpoint Association

Hi Kristin,

This email is to rescind my signature on a petition I recently signed for myself and my wife stating my initial support for a separate Plan from Blackpoint and the formation of the Greenpoint "Association.". I am at this time, rescinding my signature from the petition. This email is to also clearly state our Support for the Proposed Blackpoint Community Plan.

Regards,

Alan & Linda Kolsky
273 Crest Road
415-893-9070

From: Anne Ruben
To: Drumm, Kristin
Subject: BlackPoint/GreenPoint Community Plan
Date: Tuesday, February 23, 2016 4:35:50 PM

I feel that the County of Marin should adopt the draft community plan as recommended by the Advisory Committee. It is also my opinion that the title of the community plan should remain as is currently being used ----- The BlackPoint/GreenPoint Communities Plan. Sincerely, Anne M Ruben Member of the BlackPoint/GreenPoint Improvement Club

From: Bobble Cerruti
To: Drumm, Kristin
Subject: BP/GP DRAFT
Date: Tuesday, February 23, 2016 6:06:20 PM

Lets toss out the BP/GP draft and giive us the new draft seiperating us from black point. We don't need Black Point telling us what to do -- building -- septic tanks etc etc ---- They have sent out flyers e-mail and special meetings to stop the seperation. Thanking you in advance.

From: Phil
To: Drumm, Kristin
Date: Tuesday, February 23, 2016 3:55:57 PM

I feel the County should adopt the draft community plan as recommended by the Advisory Committee

Philip M. Sheridan

From: Phil
To: Drumm, Kristin
Date: Tuesday, February 23, 2016 6:22:48 PM

Hi

Greenpoint is part of Blackpoint and should not be separated. I have lived here 35+ years, have properties totaling over 40 acres with 9 dwellings.

Philip M.Sheridan

From: Noah Harris
To: Drumm, Kristin
Subject: Black point / Green point plan
Date: Tuesday, February 23, 2016 6:31:13 PM

Hi there,

My name is Noah Harris and I'm the owner of 131 Crest road in Green Point.

I'm emailing you to tell you that i'm in favor of adopting the draft community plan as recommended by the Planning Commission.

I think creating two separate plans for green point and black point would be unnecessary and a big waste of time which equals a big waste in taxpayer dollars.

Thanks for listening.

Sincerely,
Noah and Cara Harris
131 Crest Road

From: Barry4158@aol.com
To: [Drumm, Kristin](#)
Subject: Blackpoint /Greenpoint community plan
Date: Tuesday, February 23, 2016 7:36:06 PM

Hi Kristen,

I was at the meeting last week. Here is my feeling about the Plan: I think it should be done right the first time, no matter how long it takes. I believe that the dissimilarities between the two communities (different lot sizes, different road widths, public roads in Greenpoint, mostly, and private roads in Blackpoint, mostly, different zoning areas, age of the homes etc etc) warrant two separate plans. The fact of the matter is that the only real similarity Greenpoint and Blackpoint have together is relative geographic proximity-and even then we are separated by a freeway.

Not to appear as just a complainer, I am willing to help in the development of the two plans if my help is desired.

Please pass this on the the Supervisors.

Barry Cohen
292 Crest Rd
Greenpoint

From: [Tony Sethi](#)
To: [Drumm, Kristin](#)
Cc: joseth@aol.com
Subject: Support for Black Point/Green Point Plan
Date: Tuesday, February 23, 2016 10:26:43 PM

Dear Ms. Drumm,

We are residents of Green Point community in Novato. We have lived at 191 Crest Road for the last 7.5 years and find our community very peaceful, cozy and private just like we had hoped for.

As long as we have lived here, our community has been managed and represented by a committee of dedicated residents of Green Point and Black Point. From our perspective, they have been doing a good job of guiding and protecting the rights of the residents here.

Lately, it has come to our attention that some residents of Green Point want to separate from this existing representation and create a new entity that would represent Green Point only. Frankly we do not understand the need for this and therefore do not support this plan of action by a handful of residents. Also, would like you to know that we would be in favor of the existing committee continue their good work.

If I can be of any further assistance, please do not hesitate to contact me.

Thanks and regards,

Maninder (Tony) & Josephine Sethi
mtonysethi@aol.com
191 Crest Rd
Novato, CA 94945
415-314-6204

Drumm, Kristin

From: mcaghonlandscape@aol.com
Sent: Tuesday, February 23, 2016 2:29 PM
To: Drumm, Kristin
Subject: Blackpoint and Greenpoint Plan

Dear County Supervisors:

This email is to state our support for the Proposed Blackpoint Community Plan and their recommendations for home size and setbacks as well as a name inclusive of Blackpoint and Greenpoint. Thank you for your time. Susan Crouse and Andrew McAghon 14 Sutton Lane, Novato.

Drumm, Kristin

From: Linda <elleyp@yahoo.com>
Sent: Tuesday, February 23, 2016 4:05 PM
To: Drumm, Kristin
Subject: Black Point / Green Point Plan

The plan under draft is a great improvement over an ancient plan – I appreciate everyone’s work on it.

I think it serves both Green Point and Black Point and my choices are

1: Adopt the draft plan as recommended by the Advisory Committee.

My SECOND choice is to adopt the draft plan as recommended by the Planning Committee.

Please don’t take our plan back to square one by separating this very connected neighborhoods.

Linda Thompson
Black Point resident (Former Green Point resident)
Member of BPIC

From: Cecile Jonsen
To: Drumm, Kristin
Subject: Green point-Blackpoint plan
Date: Monday, February 22, 2016 10:22:32 AM

We, Bob and Cece Jonsen wish to rescind our names from the letter we signed too change the advised plan presented at local meetings. I think the advisory committee acted in too rash a way, as I did. We will attend the meeting at civic center to become more informed on neighborhood plan. Thank you.
Cece Jonsen, 5 Sutton Ln.
Sent from my iPad

Joseph & Carrie Gray
8 Guisela Ct.
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FEB 22 2016 AM 9:16 Planning

February 18, 2016

Community Development Agency
3501 Civic Center Drive, STE 308
San Rafael, CA 94903

RE: Opposition to the Update of the 1978 Black Point Community Plan and the Draft Black Point/Green Point Communities Plan

Dear Community Development Agency:

As homeowners in the Green Point Community we hereby oppose the adoption of the Draft Black Point/Green Point Communities Plan.

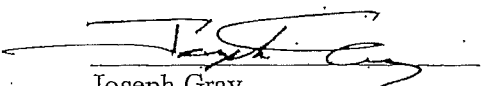
We have read over the Draft Black Point/Green Point Communities Plan multiple times and disagree with and oppose every proposed measure.

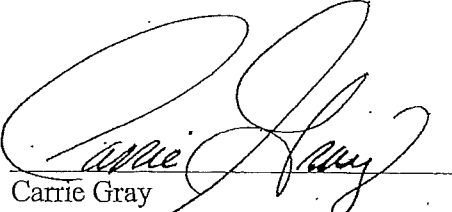
We vote that Green Point remain a separate community from Black Point and that the newly formed Green Point Advisory Committee, of which we are a part, remain in control of the Green Point Community.

As a separate note, we would like to propose that VRBO rentals be disallowed in the Green Point Community as the 10 Bedroom VRBO rental at 29 Anton Way has caused major disruption to the neighborhood resulting in multitudes of phone calls to the Sheriff by multiple disturbed neighbors over the past several months.

Please feel free to email us with any questions or should you need any further documentation that we absolutely oppose any update of the 1978 Black Point Community Plan that affects Green Point by the Black Point Community and we absolutely oppose the Draft Black Point/Green Point Communities Plan.

Thank you,


Joseph Gray
Homeowner, Green Point


Carrie Gray
Homeowner, Green Point

February 21, 2016

527 Alherton Avenue
Morato, Ca. 94945Kristin Drummond, Senior Planner
3501 Civic Center Drive Suite 308
San Rafael, Ca. 94903

Re: The Black Point Community Plan.

Dear Ms. Drummond,

I respectfully submit to the Board of Supervisors that the Black Point Community Plan be approved with the conditions and recommendations of the Black Point Advisory Committee.

The B.P.C.P. has served the community well since its inception in 1978 by maintaining the character and beauty of the area with the co-operation of those who live here.

I have been a Green Point resident since 1980 and I can testify that Green Point has benefited from its inclusion within the B.P.C.P.

The discord created by the "Save Green Point" movement has been driven by misrepresentations and outright false statements. Acknowledging their plea for division would address a problem of their invention that does not exist.

Respectfully,

Ronald K. Apple

From: [Karyn Kambur](#)
To: [Drumm, Kristin](#)
Cc: karynkambur@wans.com
Subject: Blackpoint Community Plan - Response
Date: Saturday, February 20, 2016 11:21:54 AM

Dear County Supervisors,

I am writing in response to the newly formed Greenpoint neighborhood group formed under the leadership of a few local residents, and also to state my support for the updated proposed Blackpoint Community Plan

I have attended each of the meetings of the newly formed Greenpoint neighborhood group led by Roberta Deprite. I also attended some of the initial Committee planning meetings held at the Atherton Firehouse, as well as the last and most recent one on Thursday, Feb. 18, 2016.

The new 'Greenpoint group' team has spearheaded a scare tactic campaign in the neighborhood in an effort to convince the Greenpoint homeowners they "Need Saving." This scare tactic and numerous accusations and innuendos resulted in numerous signatures on a petition to separate Greenpoint from Blackpoint.

The group claims that each attendee at the meetings is a supporter of 'the cause,' even though many in the room clearly did not agree with the group's platform. They claim to have 100 signed petitions (letters) which I believe are meant to carry weight with the County Supervisors regardless of the scare tactics used to garner them. I do believe that after the last "Greenpoint" meeting, many neighbors felt they were duped into signing the petition and initially supporting their unclear agenda. Many may signed the petition in haste without full knowledge of the issues, or lack therefore, at hand. I'd like to encourage the County Supervisors to consider the manner in which those signatures were acquired and possibly inquire directly to each homeowner regarding specific concerns, if you believe these signed petitions have any merit.

I attended the Blackpoint/Greenpoint Community Plan Advisory Committee Meeting on 2/18/16. Whether there is agreement or not on the points from those in attendance, few points stood out and I thought they are worth a mention;

The newly formed group "Greenpoint Association/Advisory Committee" (they use interchangeable names when speaking and representing the group), is making recommendations and points under the guise that this is what "GREENPOINT" homeowners want. However, I don't believe this self-appointed 'board' has conducted any formal meetings to substantiate their claim that this is what Greenpoint residents want. In fact at each meeting, the lead representative spoke for the duration of the meeting and would not allow input from the Greenpoint homeowners in attendance. The stack of signed petitions from the initial meeting is their only foundation, which we already know are coerced signatures, for their basis that this is what Greenpoint homeowners want. In fact, I believe this newly formed group is falsely representing the Greenpoint property owners under this name.

With this said, I think it is completely inappropriate to add this newly exclusive Association to the timeline of the proposed plan. They are not an "Association" with a point in history that has had any impact (in a positive way) on the area as of yet. As ridiculous as this may seem, I can create another

Greenpoint Association, as well and make additional proposals and respectfully request to be also added to the new Plan. I also believe, the newly formed "Greenpoint Association" will cause additional confusion insofar that it will be increasingly difficult to recognize and understand what issues are being supported by the greater community.

During the 2/18/16 meeting, few constructive points or substantiated issues in the proposed Plan were identified by this new "Greenpoint group". In fact, the few issues made, had no substance and in the end they appeared to back down from their original position on any point. One representative spent the bulk of her speaking time interrogating the Advisory Committee, rather than providing constructive and proactive input into the Plan. The point that seemed to resonate was the name of the 'Plan' as there was no mention of Greenpoint in the current title. On this I may agree, mostly so as to eliminate any confusion as to the areas the new Plan will cover.

I had other takeaways from the numerous meetings, but these are the ones that stand out as it relates to the proposed Plan and the possible recognition of a small group of homeowners operating under the guise of representing all homeowner of Greenpoint.

This new group has yet to show how they are representing the neighborhood (in a positive way). Rather, I believe they are representing themselves and their yet to be determined agenda.

Like Roberta Deprite (member of the newly formed Greenpoint group, I am a Realtor with Coldwell Banker. During the initial meeting, numerous suggestions were made that our home values will diminish substantially under the proposed plan and by operating under the name of Blackpoint. I cannot disagree more as there is nothing to suggest this to be the case. Rather, I believe Greenpoint home values are strong and will remain strong, similar to many areas across Marin and the Bay Area. And with the newly adopted proposed plan, Greenpoint will continue to thrive and remain a highly sought after area to live.

I have lived in Marin County since 1972; in Los Ranchitos, moved to Novato in 1982 and Greenpoint in 1992. I have read the proposed plan in its entirety. I fully support the recommendations made by the Blackpoint Advisory Committee and support their recommendations for home size and setbacks, as well as a name inclusive of Blackpoint AND Greenpoint. I do not support the notion of 2 separate plans. The proposed plan addresses the unique characteristics of Blackpoint and that of the Greenpoint neighborhood.

Respectfully submitted;

Karyn Kambur
1 Sutton Lane
Novato CA 94945
415.516.3221
karynkambur@wans.com

Black Point Improvement Club
P.O. Box 267
Novato, Ca 94948
bpimprovementclub@gmail.com

Board of Supervisors
County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, Ca 94903

February 20, 2016

Dear Supervisors,

The Black Point Improvement Club has followed the Black Point Community Update process since its inception in 2013 and appreciates the Board's selection of our community as one of the first to be awarded the staff resources to revise our aged plan of 1978.

The Club fully supported the Draft Plan with the Advisory Committee's recommendations as it was sent to the Planning Commission on July 27, 2016. Unfortunately, the changes made as a result of that day's recommendations of the Commission have rendered the draft plan unacceptable and inadequate to both the Club's board of directors and its membership.

At their meetings on January 5, 2016 and February 12, 2016 respectively, the Club's Board and membership voted to support the Advisory Committee's dissent and regrets that they cannot endorse the Planning Commission's Recommended Draft of the Black Point/Green Point Communities Plan, dated July 27, 2015.

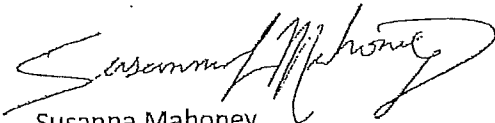
The Club believes that Black Point is a unique village comprised of a number of neighborhoods, including, but not limited to, Green Point, The Gridiron, the Town Center, the Atherton Corridor, etcetera and should be combined under the original title "Black Point Community Plan".

In addition, the Club agrees with the Advisory Committee that the Committee's formula for house size for new development, based on median FAR of the immediate area, is appropriate as are setback standards in ARP2 zoned areas. Those setbacks should reflect the setback pattern in the immediate neighborhood and should be equal to, or greater than, the setbacks required for A2 zoning, whichever is more restrictive.


Over the years the Club has struggled with the existing community plan and the Single Family Residential Design Guidelines when trying to assist residents and developers, particularly those in ARP2 zoned areas, in interpreting and understanding what may or may not be allowed for new construction. It was our hope that among the other wonderful attributes in this newly updated version, would be the much needed clarity, flexibility, and thoughtfulness in the guidelines for house size and setbacks.

The Black Point Improvement Club recommends the Board resolve to adopt the Draft plan with the Advisory Committee's recommendations and maintain its historical title, "The Black Point Community Plan."

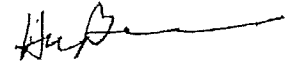
Respectfully submitted,



Susanna Mahoney
President



Eric Polson
Vice President



Hank Barner
Secretary Pro Tem




Judy Harrington
Treasurer

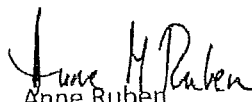


Robert Jaret
Chairman of the Board

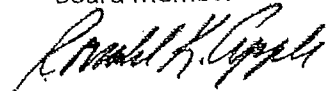
Ron Apple
Board Member



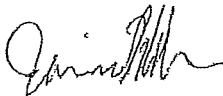
Joseph Chacko
Board Member



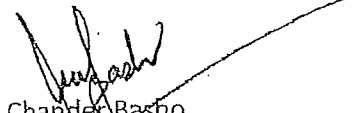
Anne Ruben
Board Member



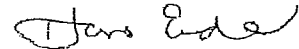
Hans Eide
Board Member



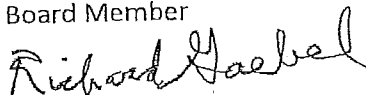
James Bakken
Board Member



Chandar Basho
Board Member



Richard Ruben, MD
Director Emeritus



Richard Gaebel, DDS
Director Emeritus

From: The Basho's
To: Drumm, Kristin
Subject: BPIC
Date: Saturday, February 20, 2016 1:29:38 PM

We are green point resident, 195 crest road and will like to stay with BPIC. We have attended meetings hosted by new green point advisory committee and meetings were a joke.

Chander and Jyotsna

Sent from my iPad

Black Point Environmental Action Committee

222 Crest Rd. Novato, CA 94945

February 25, 2016

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

Dear Supervisor Arnold,

The Black Point Community Plan Of 1978 is important to me as I worked on the plan for two years.

At that time, the opposition had the same goals as the current "Green Point Advisory Committee" which was more density. Ignoring the current ARP-2 zoning would harm our community.

There is no need for two plans. When you exit Highway 37, the sign states "Black Point".

As a 40 year resident of Black Point, I believe that two plans would not benefit our community but weaken it. It is also a unfortunate waste of county funds.

Please do not go forward with two plans.

Sincerely,



Rosalie Webb
President

cc: Kristin Drumm ✓

Feb 18, 2016

To Community Development Agency,

re: Draft Community Plan Update, Black Point/Green Point

Kristin Drumm, Senior Planner and Supervisor Arnold

I have lived in Greenpoint, on the WEST side of HWY 37 for 40 years at 80 H Lane.

I can say that for Black Point and Greenpoint are different in many ways, mainly the age and value of homes and public street access.

Unique to Black Point residential area on the east side of HWY 37 is no visible paved exit from the area other than Manzanita. Black Point is a precarious fire threat due to trees, shrubbery and the limited access to emergency first responders. Some of the unique dwellings were built as summer homes and lack updated building and fire code standards.

Black Point is unusual. It has a viable Home Owners Association, named Black Point Improvement Club, established many years ago. This makes it easy and cost efficient for Marin County, and Community Development Agency in particular, to SEND public notices and to elicit feedback from the long established Black Point Improvement Club Home Owners Association.

Greenpoint now appears "represented" by an **Ad Hoc** committee formed by 2 Real Estate Agents. **This is not a legal representation of homeowners in Greenpoint.** However, I give them credit for speaking up.

Greenpoint has no Home Owners Association. We are, and always have been considered "represented" by the Black Point Improvement Club from the position of the Marin County Development Agency and all other County matters. **This needs to stop.**

This incidental combining of 2 vastly different Marin County neighborhoods is not to the benefit of either. We are demographically different. We are geographically in two different locations. Our home values are different. Our access is different.

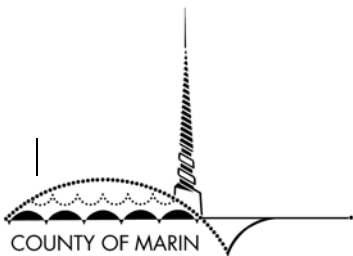
We, on the West side of HWY 37 require individually addressed County notifications, separate and apart from the Black Point Improvement Club notifications.

The Marin County Development Agency is reluctant to do this. We are individuals and we are not in Black Point and need to be treated as such.

Penny Hansen

80 H Lane

Novato, Ca 94945-2601



MEMORANDUM

TO: Marin County Board of Supervisors
FROM: Kristin Drumm, Senior Planner
RE: Errata to the Black Point/Green Point Communities Plan
DATE: March 8, 2016

The following minor technical corrections and edits are proposed to the Planning Commission Recommended Black Point/Green Point Communities Plan (July 27, 2015). Revisions are shown as ~~strike-out~~ and underline.

EXECUTIVE SUMMARY

- **p.i, 2nd paragraph:** ...8) Parks and ~~Open space~~Recreation, and...
- **p.i: 5th paragraph:** “The Environmental Hazards chapter focuses on fire safety risk, earthquakes, flooding, and sea level rise. ~~Fire safety~~The risk of fire is a significant ongoing threat to the community based on the area’s vegetation, topography, and climate. Narrow roads, lack of access, and development patterns also exacerbate the problem.”
- **p.i: 5th paragraph:** “The Draft Plan includes a map of evacuation routes...”
- **p.i: 5th paragraph:** “Flooding is also a concern, and the Draft Plan provides an overview of ongoing efforts...”
- **p.i: 6th paragraph:** Chapter 5 addresses the topics of land use and zoning, home size, setbacks, legal nonconforming lots, light pollution (night skies), and affordable housing. ~~Two potential policy options to regulate home size are provided, as well as a new policy addressing setbacks.~~ The Plan also includes a new policy encouraging specific land use types in the Village Center area ~~to maintain a balance between resident-serving and non-resident serving commercial uses. The Plan also and~~ recommends minimizing light pollution to protect the night sky.
- **p.ii: 1st paragraph:** Existing policies on road improvements in the Gridiron, ~~Bahia area,~~ and on Crest Road are maintained.
- **p.ii: 3rd paragraph:** An existing policy to limit intense recreational use or development within the Day Island State Wildlife Area is continued, while a new policy is added to continue to allow support passive recreation uses within the Vince Mulroy Memorial Woodland and Wildlife Preserve.

SUMMARY OF POLICIES

- **p. iii, Policy NR-2:** Community members are encouraged to develop a neighborhood outreach program to inform those living and working within the community planning area about living with wildlife and the importance of maintaining ecological connectivity...
- **p. iii, Policy NR-6:** 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.
- **p. iv, Policy CC-5:** Retain the existing A2 (Agriculture, Limited Agriculture) zoning in the Gridiron neighborhood to permit continued residential development on a limited scale.
- **p. v, Policy TR-7:** Roads in the Bahia Area Crest Road Connection to Laguna Vista Drive Maintain the connection between Crest Road and Laguna Vista Drive in the northerly component of the Planning planning Area-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.

CHAPTER 1: INTRODUCTION

- **p. viii, text box:** The original Black Point Community Plan (Plan) was first adopted by the Marin County Board of Supervisors in October 1978. The updated Plan-community plan is intended to refine...
- **p. 1, paragraph heading:** The 1978 Black Point Community Plan
- **p. 1, 1st paragraph:** Preparation to update the Black Point Community Plan (Plan) began in early 2013.
- **p. 1, 2nd paragraph:** New issues addressed include wildlife movement and habitat corridors, sudden oak death, sea level rise, ~~home-size~~, dark skies, and other topical areas. . In addition, based on community feedback and in recognition that the community has since evolved into ~~two~~ distinct areas, the Plan has been renamed the Black Point/~~and~~ Green Point Communitiesy Plan (Plan).
- **p. 2, 1st paragraph:** The Black Point Community Plan was updated through ongoing participation of Black Point and Green Point residents. An ~~advisory-Advisory committee~~ Committee of five community representatives first convened in early 2013. The ~~committee~~ Advisory Committee met regularly with County staff over the course of 26 months—including 24 Advisory Ceommittee meetings—to discuss the Plan and provide guidance on the scope, public outreach and engagement, planning process, and policy preparation.
- **p. 2, 2nd paragraph:** In addition to monthly ~~advisory-Advisory committee-Committee~~ meetings, three community-wide public workshops were held to engage residents, enable the sharing of information, ideas and knowledge, and to obtain input and feedback.
- **p. 2, 3rd paragraph:** The Black Point/Green Point Communities Plan was formally considered by the Marin County Planning Commission on July 27, 2015 and ~~ultimately~~ approved by the Board of Supervisors on ~~{insert-date}~~ October 13, 2015.

- **p. 4, photo:** Update photo credit to “Susannah Mahoney” (delete the “h”)
- **p. 4, 2nd paragraph:** (~~i.e.e.g.~~, Marin County Parks and Open Space Strategic Plan, Marin County Unincorporated Bicycle and Pedestrian Master Plan, and the Marin County Watershed Program),
- **p. 4, 3rd paragraph:** The Black Point/Green Point Communities Plan will ~~primarily~~ be implemented primarily through the Planning Division’s review of “development projects”, which are discretionary permits such as Design Reviews, Variances, Use Permits, and Subdivisions.
- **p. 5, goals:** Continue to maintain ~~Black Point and Green Point~~the planning area as an independent, identifiable, and semi-rural community in unincorporated Marin County.
- **p. 5, goals:** Continue to preserve the natural attributes and features within and around the ~~Black Point and Green Point~~communityplanning area that contribute to ~~the-its~~ community’s character.
- **p. 5, goals:** Maintain orderly and managed growth and redevelopment in the communityplanning area, as well as in the surrounding unincorporated and incorporated areas, that tend to influence the character of the ~~Black Point and Green Point~~ community.

CHAPTER 2: BACKGROUND

- **p. 6, text box:** The Black Point/~~and~~ Green Point communityplanning area is unique due to its location, setting, and the way in which it has developed. This chapter describes the physical setting, provides context on the relationship on-to the Marin Countywide Plan’s environmental corridors, and includes demographic trends and historical information.
- **p. 7, 1st paragraph:** The unincorporated Black Point/Green Point planning area is ~~an unincorporated community~~ located approximately 35 miles north of San Francisco in the northeastern edge of the county, abutting the Petaluma River at its entrance to San Pablo Bay and bordering Sonoma County (See Map 1). It is one of a very few riverfront communities in Marin County with the opportunity to enjoy river activities and its amenities. The planning area features low lying tree covered hills surrounded by flat and uninhabited bay plains to its south. The planning area is primarily rural-residential, surrounded by an abundant variety of wildlife and natural vegetation that provide a scenic and serene setting.
- **p. 7, 2nd paragraph:** The Black Point/Green Point planning area, encompassing approximately 1,560 acres, ~~The planning area~~ is bound on the west by ~~the~~ Bahia (located within the City of Novato) and the unincorporated Rush Creek neighborhoods, with the Petaluma River and San Pablo Bay to the north and east. The Bay Club Stonetree Golf Club and subdivision, bay plains, and the Olive Ridge subdivision bound the community-planning area to the south. Principal access is provided via Atherton Avenue and State Route 37.
- **p. 8, 1st paragraph:** The “old” Black Point, described in the 1978 Black Point Community Plan as the originally subdivided area...”
- **p. 8, 1st paragraph:** While the Black Point and Green Point ~~areas-communities~~ have developed distinctive identities over time, they still remain part of one integrated community planning area.
- **p. 8, 3rd paragraph:** Local neighborhoods within Green Point include the Atherton corridor, Atherton Oaks, H Lane, and Alpine/Williams Road, among others
- **p. 8, 4th paragraph:** Adjacent incorporated neighborhoods, such as Stonetree and Bahia, are not part of the planning area and, thus, are not subject to the Plan’s policies. Nevertheless,

they are considered part of the wider community because they share relatively similar issues and characteristics.

- **P. 10, figure 2:** The area generally contains marshes, tidelands, and diked lands that were once wetlands...
- **p. 10, 1st paragraph:** The hill and upland areas within-of the community-planning area fall within the City-Centered Corridor, while most of the surrounding lowland, bay, and marsh areas are within the Baylands Corridor.
- **p. 10, 3rd paragraph:** In recognition of the community's-planning area's location adjacent to the Petaluma River and San Pablo bay...
- **p. 12, 1st paragraph:** While the community-planning area benefits from considerable advantages in terms of its location, climate and natural beauty...
- **p. 12, 1st paragraph:** Residents must continue to draw-upon-their-considerable-organization-organize and remain engaged~~ment~~ to ensure ~~that~~ their voices are heard and represented.
- **p. 14, 1st paragraph:** According to 2010 Census data, there are approximately 1,306 people living in the Black Point and Green Point communityplanning area.
- **p. 14, 3rd paragraph:** Residents of the community-planning area are predominantly white (90.7 percent).
- **p. 14, 7th paragraph:** In 2010, almost 69 percent of residents were in the labor force, while 31 percent do-not-workwere not employed.
- **p. 16, 2nd paragraph:** This is double the median household income for the state, \$40,000\$45,000 more than the City of Novato and \$30,000\$35,000 more than Marin County (See Figure 8).
- **p. 17, 1st paragraph:** The west half was taken over by the San Francisco Savings Union, while the east half, including the Black Point and Green Pointplanning areas, went to Charles Chase of New York.
- **p. 17, 1st paragraph:** The Chase interests were taken over by the Home of Farm Company, which auctioned off five-5- and ten-10- acre parcels and lots.
- **p. 19, 11th bullet:** In 2013, the Marin County Open Space District acquired the approximately 18-acre parcel of marsh and bay land from the Marin Audubon Society...
- **p. 20, Historic Timeline, 1892:** Land Auction. Ranch land in Black Point was auctioned off in 5-to—10-acre parcels and town lots by Charles Chase of New York.
- **p. 21, Historic Timeline, 1971 – 1998:** The Renaissance Pleasure Faire was located in the oak woodlands of Black Point along State Route Highway-37.

CHAPTER 3: NATURAL RESOURCES

- **p. 22, text box:** The Black Point/~~and~~ Green Point community-planning area is surrounded by tidal salt marshes, mudflats, oak woodlands, and coastal scrub habitats.
- **P. 22, text box:** There is a great deal of community interest in preserving the natural environment and protecting the numerous wildlife resources in and around the communityplanning area.

- **p. 23, 1st paragraph:** The Black Point/~~and~~ Green Point community-planning area enjoys a unique natural setting along the banks of the Petaluma River at its entrance to San Pablo Bay. Much of the community-planning area is located ~~up~~ on ridgelines, separated from the developed Novato area by the bay plain to the west and south.
- **p. 23, 2nd paragraph:** The community-planning area is surrounded by tidal salt marshes, mudflats, coastal oak woodlands, and coastal scrub habitats, with an abundance of wildlife and scenic views.
- **p. 23, 2nd paragraph:** Residents show significant interest in preserving the natural attributes and features located within and around the communityplanning area.
- **p. 23, 3rd paragraph:** A number of key marsh and wetland properties, both small and large, are owned by the Marin Audubon Society in the planning area.
- **p. 23, 3rd paragraph:** Smaller properties include four parcels along Norton Avenue with tidal marshes, including a portion of ~~the~~ Norton Pond, a brackish water pond that provides year-round habitat for migratory waterfowl and wading birds.
- **p. 23, 3rd paragraph:** at some point, there might be enough adjacent parcels to undertake a restoration project in this area.
- **p. 25, 1st paragraph:** The Petaluma River and surrounding marshlands are part of the largest remaining natural tidal brackish marsh in California, supporting primarily pickleweed, cordgrass, alkali bulrush, and saltgrass. Wetland bird species include Willits, Curlews, Dowitchers, Night Herons, and Black-bellied Plovers.
- **p. 25, 3rd paragraph:** While some regional studies identify and map wildlife movement areas (see right for citation: Critical Linkages: Bay Area & Beyond), specific studies have not been conducted for the Black-Point planning area. Therefore, the community-planPlan makes general recommendations to protect wildlife and habitat areas...
- **p. 26, 1st paragraph:** The community-planning area retains much native woodland vegetation.
- **p. 27, 1st paragraph:** Oak woodlands and oak scrub habitat are a valued natural resource within the communityplanning area.
- **p. 28, Policy NR-2:** Community members are encouraged to develop a neighborhood outreach program to inform those living and working within the community-planning area about living with wildlife and the importance of maintaining ecological connectivity...

CHAPTER 4: ENVIRONMENTAL HAZARDS

- **p. 30, text box:** The primary environmental hazards facing the Black Point/~~and~~ Green Point community-planning area include wildfires and earthquakes.
- **p. 31, 4th paragraph:** Fire protection services in the community are provided by the Novato Fire Protection District, which covers an area of 71 square miles. The area is served primarily served by Station 62...
- **p. 31, 5th paragraph:** The combination of vegetation, topography, climate and population density create significant potential for fire hazards and create challenges in providing fire protection services. Black-Point and Green-Point The planning area-are considered high risk...

- **p. 33, 4th paragraph:** ...and adequate clearances from structures and use of fire-resistant plants in any landscaping ~~is-are~~ required.
- **p. 34, 2nd paragraph:** This is one of the first community plans to ~~propose-provide~~ specific emergency evacuation routes. Map 6 shows the ~~proposed~~ fire evacuation routes and staging areas...
- **p. 37, 1st paragraph:** The ~~community's-planning area's~~ ridge and upland areas are composed of ancient conglomerate, a strong, stable rock type made up of well-cemented sand and gravel deposited some 140 million years ago.
- **p. 37, 2nd paragraph:** As shown on Map 7, the ~~community-planning area~~ is not directly located within a boundary of an earthquake fault zone.
- **p. 37, 3rd paragraph:** The ~~community-planPlan~~ does not recommend any new policies because earthquake safety is addressed in the Countywide Plan
- **p. 40, 1st paragraph:** This includes the historic bay plain area formerly subject to tidal action, which is below mean sea level, located to the south of Atherton Avenue and east and west of State Route 37. Novato Creek extends through the area and enters San Pablo Bay near the mouth of the Petaluma River. In addition, during flood events, key roads including State Route 37 may become inundated and impede access both into and out of the community
- **p. 40, 5th paragraph:** The ~~community-planning area~~ is located within Zone 1, which encompasses the entire city of Novato and other unincorporated areas...
- **p. 44, 1st paragraph:** As a bayfront community, portions of ~~Black Point and Green Point~~the ~~planning area~~ may be subject to greater flooding in the future.
- **p. 44, 4th paragraph:** A relatively larger area within the ~~community-planning area~~ (shown in red and orange) is projected to be inundated by near-to-mid-term sea level rise, with a relatively smaller increase in inundated areas from long-term sea level rise (shown in yellow and green).
- **p. 44, 5th paragraph:** Access in and out of the ~~community-planning area~~ via low-lying primary access roads State Route 37, Atherton Avenue and Olive Avenue could be impaired in the near-term by more frequent temporary flooding, and eventually by permanent inundation. The limited capacity of alternate routes increases the ~~community's-planning area's~~ vulnerability when major roadways are flooded.
- **p. 46, 1st paragraph:** Recreational and natural resources will also be affected by sea level rise. Trails will be inundated and eroded, including substantial portions of the proposed Bay Trail route through the ~~communityplanning area~~.
- **p. 46, 2nd paragraph:** Loss of marsh habitat will affect wildlife, and ~~reduce-increase the~~ flood risk ~~management benefits marshes provide~~.
- **p. 46, 4th paragraph:** Elevating development may decrease potential damages from flooding in the short term, though not the long-term and may ~~negatively impactalter~~ the visual character of a neighborhood.

CHAPTER 5: COMMUNITY CHARACTER AND LAND USE

- **p. 48, text box:** Maintaining the ~~planning~~ area's natural and rural character is one of the four goals of the community plan. Residents used adjectives such as quiet, peaceful, unique, spacious, rural, and beautiful to describe the community during the Plan update process.

Homes in Black Point tend to be smaller and older than the more contemporary homes in Green Point. Of the approximately 610 total housing units in the planning area, 231 are located in Black Point and 379 are in Green Point.

- **p. 50, 2nd paragraph:** ...and a small building boom occurred in the post-war period (13 percent)
- **p. 50, 3rd paragraph:** The 1978 Black Point Community Plan (p. 13) reported approximately 297 single family dwelling units in the planning area, indicating the number of homes doubled over the 32 year period.
- **p. 50, last paragraph:** ~~The National Housing Authority advises~~ It is generally advised that rent should be no more than 30 percent of household income.
- **p. 54, Figure 22:** the density for VCR is “1 unit per 2,000 sq.ft. of lot area”
- **p. 56, 3rd bullet:** A land-owner may seek less development than is allowed.
- **p. 56, Figures 23 and 24:** Add footnote: Note that buildout is “Total Theoretical Buildout” and Theoretical buildout is the maximum allowed by zoning.
- **p. 66, Policy CC-5:** Retain the existing A2 (Agriculture, Limited-Agriculture) zoning in the Gridiron neighborhood...

CHAPTER 6: TRANSPORTATION

- **p. 68, text box:** The community's planning area's unique development patterns and topography present challenges for access. A combination of County-maintained and privately owned streets, mostly with little to no shoulders, serve as primary access routes and ~~for~~ provide recreational opportunities. This chapter focuses on roads, public transportation, bicycle and pedestrian access and equestrian trails.
- **P. 70, 1st paragraph:** Primary access to the planning area is provided by State Route 37 (~~SR 37~~) and Atherton Avenue. State Route 37 is a four-lane highway that runs northeast from its junction at U.S. Route 101 (US 101), and bisects the community planning area as it passes over the Petaluma River into Sonoma County. Atherton Avenue is a two-lane arterial road that traverses the area in an east-west direction. The remaining public roads within the community planning area are identified as either collector or minor roads, while many of the other roads are unclassified and are not the responsibility of the county to maintain.
- **p. 70, 2nd paragraph:** 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 community planning area boundary.
- **p. 71, 1st paragraph:** ...however this same quality can often create ~~a~~ challenges for pedestrians, bicyclists, and equestrians.
- **p. 73, 1st paragraph:** Many paper streets exist within the community planning area.
- **p. 74, 4th paragraph:** Due to the community's relatively small population and location, public transportation service to or within the community 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 community 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.

- **p. 74, last paragraph:** The community plan recommends considering establishing regular transit or commuter bus service from the community-planning area to San Francisco that links to existing local routes and destinations, where feasible.
- **p. 75, 1st paragraph:** Biking and walking are popular recreation activities within the community planning area.
- **p. 75, 2nd paragraph:** The community-planning area has the benefit of being located within a four-mile radius from downtown Novato, providing opportunities to increase the number of residents who ride bicycles for everyday transportation.
- **p. 75, 1st paragraph:** Bicycles are also allowed on State Route 37, also part of the primary bikeway network, since it is the major access route for those travelling to Sonoma and Napa Valleys... The proposed Bay Trail route through the community-planning area would establish a vital connection between existing trails in Bel Marin Keys and the Port Sonoma Marina in Sonoma County. However, some expressed concern that it is not appropriate to route the Bay Trail through the Gridiron neighborhood due to narrow, privately-owned roads that may not be ADA compliant without making costly improvements.
- **p. 78, 1st paragraph:** Several ranches with horses (along with cows, chickens and sheep) are within the community planning area. There is general interest in continuing efforts to providing provide equestrian trails.
- **p. 80, Policy TR-7:** Roads in the Bahia Area Crest Road Connection to Laguna Vista Drive Maintain the connection between Crest Road and Laguna Vista Drive in the northerly component of the Planning-planning Area-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.

CHAPTER 7: PUBLIC FACILITIES AND SERVICES

- **p. 83, 1st paragraph:** This is important since the community-planning area is a semi-rural, unincorporated area flanked by the City of Novato to the west and south, Sonoma County to the north, and served by various special districts, as discussed below.
- **p. 83, 3rd paragraph:** Domestic water to the community-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.
- **P. 83, after 3rd paragraph:** New paragraph: 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.
- **p. 84, 1st paragraph:** Property owners must ensure their individual sewage disposal system is functioning properly functioning.
- **p. 85, 1st paragraph:** The planning area is an island of unincorporated territory, surrounded by the City of Novato on one side and San Pablo Bay on the other. One of the goals of the

~~original 1978 Black Point community Community plan Plan~~, and one that continues to resonate with residents, is to maintain the community-planning area as an independent and unincorporated village. The ~~community-plan Plan~~ carries forward this goal, in addition to language supporting efforts to maintain ~~an urban-growth boundary and sphere of influence to prevent parcel annexation to the City of Novato and Novato Sanitary District~~ the planning area's unincorporated status.

- **p. 85, 2nd paragraph:** In 2002 the Marin Local Agency Formation Commission (LAFCO) amended the sphere of influence of the City of Novato to remove publicly owned open space, the Indian Valley, and the ~~Black Point (including Green Point) planning areas~~ from the City's sphere.
- **p. 86, 1st paragraph:** As described above in the Wastewater Management section, residents expressed concern that the extension of sewer services ~~to the community~~ would change the area's rural character by encouraging ~~increased growth-potential~~. While the planning area is currently outside of the Novato Sanitary District's (NSD) service boundary, it is included within NSD's SOI. A 2002 Municipal Service Review of the Novato area spheres of influence stated that ~~Black Point (including Green Point) planning are are is~~ included in the NSD SOI on an interim basis in order to allow Marin LAFCO to respond to environmental health problems known to exist in the area.

CHAPTER 8: PARKS AND RECREATION

- **p. 90, text box:** ...Many residents chose to live in the community-area because of the area's natural beauty, air quality, micro climate, wildlife, and abundance of trees. Trails in and around the community-planning area provide opportunities for recreation and access to nature, though limited connections are available between residential and recreational areas...
- **p. 91, 2nd paragraph:** ~~A sample of selected~~ Selected policies of particular interest and relevance to the community-planning area are provided in Figure 44
- **p. 91, 4th paragraph:** Day Island State Wildlife Area is located on San Pablo Bay, and the Vince Mulroy Memorial Woodland and Wildlife Preserve (formerly the Black Point Preserve) is ~~adjacent to the golf course area immediately south and adjacent to the~~ situated between the golf course and the Gridiron ~~area~~... Other well-used recreational areas just outside the community-planning area boundary includes the Rush Creek and Deer Island Open Space Preserves. Residents also enjoy walking and jogging on neighborhood streets such as Crest ~~and~~, School Roads and, Grandview, and Iolanthus Avenues, among others.
- **p. 93, 2nd paragraph:** Wetland bird species include Willits, Courlews, Dowitchers, Night Herons, and Black-bellied Plovers.
- **p. 93, 5th paragraph:** This small preserve is just a few minutes from Highway 101 and State Route 37 but it is peaceful and quiet.
- **p. 94, 1st paragraph:** Perhaps the most popular asset of the 522--acre Rush Creek Open Space Preserve... Marin County Parks acquired this 200--acre ridge parcel after the Marin Audubon Society spearheaded a major fundraising effort
- **p. 94, 1st paragraph:** This preserve is managed by Marin County Parks and is located just outside of the community-planning area ~~plan~~ boundary.
- **p. 94, 3rd paragraph:** The onsite wetlands are used by Great Blue Herons, Great and Snowy Egrets, American Widgeon, Northern Shoveler, Mallard, Northern Pintail, Cinnamon Teal, Canvasback and other migratory species. During the summer months, when the

seasonal wetlands are dry, foraging habitat for raptors such as Red-tailed Hawk and White-shouldered Kite, is provided.

- **p. 96, 2nd paragraph:** The ~~community plan~~Plan recommends carrying forward an existing policy to ~~prohibit-support limiting~~ intense recreational use or development ~~of~~within the Day Island State Wildlife Area and a new policy to support passive recreation uses within the Vince Mulroy Memorial Woodland and Wildlife Preserve.

CHAPTER 8: PUBLIC SAFETY

- **p. 99, 1st paragraph:** Statistics for the ~~Black Point and Green Point~~planning areas are not available.
- **p. 100, 2nd paragraph:** The ~~community~~planning area is served by the Marin County Sheriff's Patrol Division.
- **p. 101, 1st paragraph:** During the Plan preparation process, a number of ideas were raised by the community that may deserve further consideration and evaluation but may not rise to the level of additional policy requirements in this ~~community plan~~Plan

Marin County Community Development Agency
Community Plan Update Strategy

I. Purpose

Establish an effective and efficient process for updating community plans to refine implementation of the Countywide Plan and, where necessary, to address unresolved land use planning issues unique to a particular community.

II. Background

Marin County is characterized by a diverse group of individual communities ranging from small coastal villages to more urbanized residential neighborhoods along the Highway 101 corridor. Over the years, development within 16 of these communities has been guided in part by community plans containing policies related to land use, design, transportation and environmental quality in that particular community. The County's earliest community plans date from the early 1970s (Blackpoint and Muir Beach) but the majority were prepared and adopted in the 1980s and 90s. Even the most recent community plan is almost ten years old (Indian Valley, 2003).

In 2007, the County completed an exhaustive planning process leading to adoption of the Marin Countywide Plan, which establishes a comprehensive and detailed framework of policies on the built environment, natural systems and agriculture, and socioeconomic issues, with an overarching theme of "planning sustainable communities." The Countywide Plan recognizes that existing community plans may need to be updated, both to bring them into consistency with the policies and programs of the Countywide Plan as well as to refine implementation of specific Countywide Plan policies or programs at a more local level. For example, Countywide Plan goals strongly support increasing the supply of affordable housing in Marin County as a whole (Goal CD-2) while also encouraging community plans to identify specific sites that may be appropriate for affordable housing at the neighborhood level (Program CD-2.q). Similarly, built environment policies restrict development near visually prominent ridgelines within Ridge and Upland Greenbelt (RUG) areas (Policy DES-4.1, Programs DES-4.d and 4.e) while acknowledging that the precise RUG boundary may need to be refined as part of a community plan update (Program CD-4.a).

In addition to ensuring consistency with the Countywide Plan, work on community plans may be needed for other reasons.

- Community plans may contain outdated information (such as population and land use statistics) or include land use recommendations (such as rezonings and infrastructure improvements) that have been implemented and are no longer relevant.
- Community plans commonly contain policies that have been duplicated or superseded by similar policies or guidelines in more recently adopted documents, such as the Marin Countywide Plan or the Marin County Single Family Residential Design Guidelines.
- New planning issues may have arisen in a community plan area that did not exist at the time the plan was developed.

Based on these factors, it is appropriate to consider a comprehensive strategy that will accomplish the goal of developing and updating Marin County's community plans in an efficient and effective manner.

III. Approach

Historically, preparing and updating community plans has been a time consuming and staff intensive undertaking. For example, the update process preceding the most recent version of the Point Reyes Station Community Plan (adopted 2001) took over five years to complete. The agency's current budget and staff constraints, as well as the breadth of available countywide planning tools, have created the opportunity to reconsider the community planning update process and develop a more strategic approach that focuses on several questions:

- 1) Are there Countywide Plan policies and programs which should be implemented more specifically for a particular community through a community plan?
- 2) Are there unique planning issues in a particular community that are not already addressed by existing policies, programs, or regulations, and if so, would a community plan be the appropriate vehicle to address those issues?
- 3) Is there a demonstrated broad community interest in and commitment to a Community Plan process?

In cases where the above questions can be answered affirmatively and a new or updated community plan is determined to be appropriate, the update process should embody the following guiding principles:

- Address implementation of relevant Countywide Plan policies at a detailed community level (i.e. RUG boundary, affordable housing sites, home size limits, zoning changes, etc.)
- Focus on issues that are truly unique to a particular planning area and avoid duplication or inconsistency with:
 - Policies, guidelines and regulations that are already in place (i.e. Marin Countywide Plan, Local Coastal Program, Single Family Residential Design Guidelines, Marin County Development Code, County Green Building and Energy Efficiency ordinances, etc.); or
 - Issues that are more appropriately addressed on a uniform basis throughout the County (i.e. stream and wetland setbacks, tree removal, storm water runoff and water quality, etc.)
- Focus on topical issues that are best suited for a community plan and avoid addressing “non-land use” issues (see Content discussion below)
- Coordinate with appropriate agencies on issues within their jurisdiction with the understanding that ongoing programs should not be duplicated (i.e. Marin County Watershed Program, Unincorporated Area Bicycle and Pedestrian Plan, Parks Master Plan, etc.) and budget constraints may limit their level of involvement
- Anticipate issues that may arise in the future (sea level rise, planned transit or transportation improvements, proposed development projects, etc.)
- Minimize inclusion of extensive background information or data which is quickly outdated or has limited relevance to the regulatory process
- Work with a selected group of community representatives in a “task force” format to help define issues and review policies but also utilize appropriate means, including new technology to encourage widespread community input and participation
- Utilize a document design format which incorporates illustrations, photographs, maps and other graphic elements to create more concise, useful, and engaging plans
- Incorporate a predetermined schedule of “task force” and community meetings and public hearings to keep the update process on track
- Conduct the work in a fiscally prudent manner and utilize County staff time and resources as efficiently as possible

The community planning process in each particular community will likely vary depending on factors such as community size, neighborhood issues, and level of public interest. However, the guiding principles outlined above are applicable countywide and would help ensure that the community plan and update process results in a useful and relevant document that furthers implementation of the Countywide Plan at a local level.

IV. Content

In Marin County, community plans are most often used in conjunction with the review process for development applications. Therefore, community plan policies and guidelines are most relevant to the extent that they contain guidance on land use and design issues which are regulated by the County and can be applied to a particular development project. Some examples of appropriate topics to address within a community plan might include:

- Preferred land uses and site specific land use recommendations
- Potential affordable housing sites
- Visually prominent ridgeline areas (refining RUG boundaries) or other unique local topographic or natural features
- Preferred trail, bicycle, and safe route to school alignments
- More detailed mapping of environmental resources
- Sea level rise adaptation
- Structures or neighborhoods of historic or architectural interest or other special neighborhood characteristics that warrant unique design standards

Conversely, recommendations on issues which are not land use-related or which are within the jurisdiction of other local districts, state and federal agencies, or adjoining cities or towns, should not be the focus of a community plan. Examples of issues which might be of concern to residents in a particular area but are largely outside the scope of a community plan might include:

- Public safety issues such as police and fire service levels
- Economic issues such as job opportunities or home prices
- FEMA requirements or flood insurance rates
- Septic system standards or requirements
- Transit service routes or frequency
- Nearby development, transportation, or infrastructure projects outside the County's jurisdiction

As noted previously, community plans should also avoid issues that are already addressed in other documents and regulations or are more appropriately implemented on a uniform basis throughout the County, unless there is a clear justification for varying from existing policies and guidelines. In other words, "special rules" should be developed only when justified due to unique characteristics in a particular area. For example, Marin County's Single Family Residential Design Guidelines provide extensive direction on developing site and building designs that minimize grading and site disturbance, reduce building mass and bulk, protect privacy and views, and respect the character of surrounding development. Therefore, these types of guidelines do not need to be duplicated in a community plan. Similarly, the Marin Countywide Plan and Local Coastal Plan (currently under review) contain detailed policies and standards related to issues such as natural resource protection, which are best applied consistently throughout the County. Therefore, it would be unnecessary for a community plan to include policies or detailed direction on issues such as stream and wetland setbacks, water quality, storm water runoff, tree removal, or habitat protection where these topics are already addressed somewhere else.

Finally, it should be noted that not every issue can best be addressed by a policy or guideline in a community plan. For example, neighborhood crime concerns would be better addressed by organization of a neighborhood watch program than by a plan policy supporting public safety, while local flooding issues could be more effectively addressed by ongoing programs and flood protection facilities managed by the Marin County Flood Control District than by a land use policy in a community plan. In cases where these types of issues arise, staff may be able to assist community members to identify a method of addressing the problem outside of the community plan process. In summary, a community plan will be most useful and relevant when it focuses on issues that are truly unique to that community and provides direction where necessary on implementing more general Countywide Plan policies at a local level.

V. Community Plan Update Phasing

Due to staff and budget constraints, the process of updating all 16 of Marin's community plans will extend over a number of years. Community planning issues in West Marin are currently being addressed as part of the Local Coastal Program update, which will incorporate community-specific policies drawn from eight coastal community plans directly into the Local Coastal Plan (including Bolinas, Dillon Beach, East Shore, Inverness, Muir Beach, Point Reyes Station, Stinson Beach and Tomales). However, eight additional communities in the Inland and City-Centered Corridors (including Blackpoint, Indian Valley, Kentfield/Greenbrae, Marin City, Nicasio Valley, San Geronimo Valley, Strawberry, and the Tamalpais Area) have plans that may need updating.

It is likely that no more than two community plan updates could be undertaken simultaneously in a given year due to staffing limitations. Therefore, an overall phasing program for the community plan update process will be needed. Ultimately, the order and timing of individual community plan updates would be determined by the Board of Supervisors. However, factors that should be considered in determining the priority of community plan updates include:

- Demonstrated community interest in and commitment to an update process
- Existing community plan age and relevancy of policies
- Acknowledged need to refine Countywide Plan policies at a local level
- Extent of development potential (general or related to a specific development site)
- Degree to which community issues are being addressed by other planning efforts (i.e. LCP, watershed program, etc.)
- Community size

Of the factors noted above, community interest is a particularly important component for a successful community planning effort. To that end, staff proposes that, at a minimum, appropriate community organizations be requested to submit a letter indicating their interest in participating in a community plan or update process and identifying the primary issues they hope to see addressed. Other substantive means by which a community could demonstrate interest in such a process could also include: 1) submitting the results of community meetings, surveys, or other efforts designed to gather community input on priority issues; 2) collecting resident signatures on a petition requesting a community plan or update; or 3) contributing or obtaining matching funds toward the costs of a community plan or update. Overall, this type of approach could be helpful in ensuring there is genuine and widespread interest in undertaking a community plan or update and determining the potential scope of the process. Understanding a community's goals may also help to establish realistic expectations for what might be accomplished through a community plan.

VI. Schedule and Budget

The schedule and budget of each community plan or update are likely to vary depending on factors such as the number and complexity of planning issues, community size, and level of public interest. More detailed time and cost estimates would be developed prior to the start of any formal planning process after meeting with the community to: 1) identify issues of concern and relevant Countywide Plan policies needing refinement at the local level; 2) determine whether a community plan would be an appropriate way to address identified issues; and 3) establish an agreed-upon scope of work for the plan. However, in general, staff's goal would be to complete each update according to a predetermined schedule of approximately 18 months following the general timeline shown below:

- 2 to 3 months – assembly of background materials and advisory group
- 8 to 12 months – preparation of draft community plan including 4 to 6 advisory group meetings and 2 to 3 community meetings
- 2 to 3 months – Planning Commission and Board hearings

The primary cost associated with a community plan would be attributed to County staff time. However, additional funds may be required for various indirect costs, such as those associated with community outreach, plan production, environmental review, charges by other County departments for their staff time, and potentially, outside consulting costs to address particular technical issues. As noted above, a detailed cost estimate for each community plan could be developed once the scope and duration for the process have been developed in more detail.

VII. Recommendation

In order to proceed with implementation of Countywide Plan community planning policies, staff recommends that your Board approve the proposed Community Plan Update Strategy, including the strategic approach and community selection criteria outlined above, with the understanding that individual communities will have an opportunity to demonstrate their interest in participating in an update process. The phasing schedule for community plan updates could be approved by the Board based on staff recommendations, or alternatively, the Board could delegate the decision to the Agency Director.