

**BLACK POINT – GREEN POINT COMMUNITY PLAN
ADVISORY COMMITTEE**

Thursday, May 21, 2015
6:00 – 8:00 PM
Novato Atherton Fire Department Training Room
450 Atherton Avenue, Novato, CA 94945

AGENDA

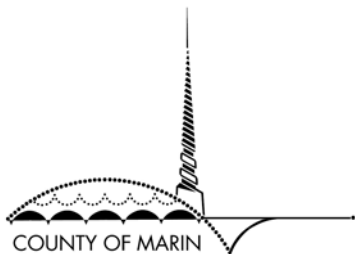
- 1. Review and accept summary minutes from February 19, 2015 5 minutes
- 2. Public Open Time..... 10 minutes
- 3. Review of outcomes from the Community Workshop 30 minutes
- 4. Discuss Proposed Changes to Draft Community Plan..... 45 minutes
- 5. Discuss Planning Commission Hearing 20 minutes
- 6. Next Steps 5 minutes
 - a. Next meeting
 - b. Future agenda items
- 7. Adjournment..... 5 minutes

For additional information contact Kristin Drumm at (415) 473-6290 or kdrumm@marincounty.org.

Visit the Black Point Community Plan Update website at <http://www.marincounty.org/blackpoint>



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**BLACK POINT COMMUNITY PLAN UPDATE ADVISORY COMMITTEE
Meeting Minutes**

Thursday, February 19, 2015

6:00 – 8:00 PM

Novato Atherton Fire Department Training Room
450 Atherton Avenue, Novato, CA 94945

Members Present

Hank Barner
Rob Jaret
Susanna Mahoney
Bill Richards
Michael Barber

Guests

Tanya Albert
Judy Arnold
Jim Bakken
Brady Bevis
Clarence Bracy
Kenneth Henry
Phil Peterson

Staff

Kristin Drumm, Senior Planner

The meeting commenced at 6:05 P.M.

1. Minutes.

The minutes were accepted from December 18, 2014.

2. Public Open Time

Kenneth Henry raised a concern about the differences between Black Point and Green Point and how these might come into play.

Phil Peterson commented that the Marin Audubon Society would like to see the Draft focus more attention on climate change and Sea Level Rise.

3. Review Outcomes from the Planning Commission Workshop.

Staff summarized the outcomes for each of the issues discussed at the Planning Commission workshop.

4. Discuss Community Workshop #3 Scheduled for March 5, 2015

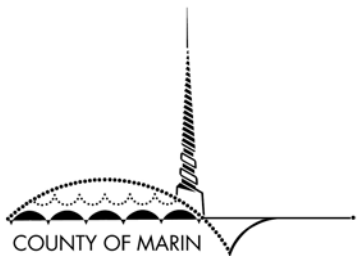
Staff reviewed the proposed workshop format, including the questions that will be facilitated in the small group discussions. Staff's presentation will highlight essential policy changes and potential implications.

5. Next Steps

The community workshop is scheduled for Thursday, March 5, 2015 at 7:00 pm. The next regular Advisory Committee meeting is tentatively scheduled for March 19, 2015 at 6:00 pm. This meeting may be cancelled.

6. Adjournment

The meeting was adjourned at 7:30 pm.



Black Point – Green Point Community Plan
Community Workshop #3 – March 5, 2015
Summary of Public Comments

The following is a summary of the input received at the public workshop held on March 5, 2015 on the Draft Black Point – Green Point community plan. Participants were broken up into small groups and were asked a number of questions, led by a facilitator.

1a. What are the differences between the Black Point and Green Point neighborhoods?

- The neighborhoods are separate but equal; they are distinctly different neighborhoods.
- The two areas share more common characteristics compared to other areas in the county.
- When the community plan was written the Green Point area was not as developed and was more sparsely populated. Today it is more developed with many new neighborhoods that have their own homeowner's associations.
- They are zoned differently and have different development standards.
- Lots in Green Point are generally substantially larger, and many feature agricultural uses with horses and goats.
- Most roads in Green Point are County-maintained while most in Black Point are privately owned and not County-maintained.
- Green Point is geographically larger but has the same population as Black Point, which is smaller in area.
- Homes in Green Point are generally larger and newer (post 70's) while those in Black Point are smaller and older (more funky). Home size in Black Point appears to be more varied.
- Green Point has excellent infrastructure (most roads are county-maintained and publicly owned)
- Green Point is "newer."
- Green Point is more sprawled out and is less dense.
- Green Point has better access.
- Green Point has a variety of home sizes without any issues.
- Green Point is not representative of the entire area.
- Home values in Green Point are generally higher and appears to be more affluent.
- Home size more of an issue in Black Point than in Green Point.
- Septic Systems in Green Point are more modern.
- The geology in Black Point is more constrained.
- Black Point has more constraints with septic and fire issues, and limited access
- Black Point is surrounded by water.

- Black Point has more open space areas to hike.
- Both areas seem to have more in common than differences.
- Combining the two into the name of the Draft is a good idea but there do not seem to be significant differences to warrant separation.
- There is a distinction between the community and the rest of Marin.

1b. How should the updated community plan address these neighborhoods?

- Bifurcate the neighborhoods: if it is time, the time is now.
- Combining the two into the name of the Draft is a good idea but there do not seem to be significant differences to warrant separation.
- Within Green Point, the smaller areas should be noted, such as H Lane, Atherton Oaks, and School Road.
- There should be one plan for the entire community.
- The community plan may need to address each neighborhood with neighborhood specific criteria to protect community character.
- There is a distinction between the planning area and the rest of Marin
- Maintain the existing character.
- Provide better documentation of the history and acknowledge that the area was historically one community and keep the character of the current community.
- Provide a clear description of each community in the Draft, including the historical genesis of each to present day and its evolution (i.e. describe how both communities emerged from a common origin).
- The differences between the two areas are a non-factor and it is difficult to understand the need to identify the differences. Most communities have divisions within them.
- A name change should be a community-wide vote and not based on a few outspoken residents.
- The name should remain “Black Point Community Plan.”
- Black Point welcomes Green Point residents.
- There is a concern that limiting home size will reduce property values.
- Consider signage to indicate the two areas in the community.
- The entire area is Black Point with neighborhoods in Green Point, but all part of Black Point.

2. How should the community plan address home size?

- While many support maintaining the existing development process, overall there seems to be a general consensus that the community supports some level of guidance to regulate the size of homes.
- Septic regulations may be a natural limitation on home size.
- Home size more of an issue in Black Point than in Green Point.
- There is a fear of unintended consequences of imposing additional regulations.
- There is interest and support for size limits.
- Keep in mind that the data used to track home size, such as the Assessor’s data, may not be appropriate since the data was collected for assessment and tax related purposes. Consequently, data on home size may not always be accurate. Is there a better way to determine home size?

- Need clear, defined standards since the Design Review process allows flexibility to review projects on a case-by-case basis.
- It is important to maintain community character.
- Look at how the City of Novato addresses home size. It is not tied to median FAR. Larkspur and Mill Valley are more flexible towards footprint and size, which does not limit additional construction.
- Ensure the Single-family Residential Design Guidelines are applied consistently.
- Keep things the way they are: don't fix what isn't broken.
- The design of a home is a key factor, not the size.
- Like the idea of preventing large homes from being developed on small lots, similar to Option 2. However, the specific details in this Option need to be reconsidered to achieve the same objective to allow for some flexibility. An area surrounded by small homes should not be a limiting factor. There should be allowances for large lots.
- A FAR of 0.3 is significant.
- The home recently approved on Grandview Avenue is an example of a situation where a property needs to be large enough to accommodate both a home and its respective septic system. The size of the home may need to be reduced and the home relocated to accommodate an on-site septic system.
- Support the County's efforts to limit home size but encourage development in compliance with community character

3. How should the community plan address the issue of setbacks?

- Overall there appears to be community support for additional setback regulations.
- The addition of setback standards to the community plan is a substantial change from the current plan.
- Require setbacks for Black Point, not Green Point.
- Setback standards in the ARP-2 zoning district in Green Point should not be the same as the A2 zoning district setback standards in Black Point.
- Setbacks are more of a concern on smaller lots than larger ones.
- There should be setback minimums in ARP-2 (25-foot front setback, which is the same required in the A2 zoning district).
- Need to clarify why the Draft will require consistent setbacks when there already is much variability. Having variable setbacks allows for flexibility in addressing specific site constraints, such as topography. Preference is for variable setbacks; flexibility is important.
- Support the County's efforts to limit setbacks but encourage development in compliance with community character.

4. What types of land uses would you like to see the community plan encourage in the Village Center Area? Please explain why you think this use (or uses) should be encouraged.

Overall there appears to be community support for a policy that spells out preferred land uses in the Village Center area. A number of potential uses were suggested, including:

- Gas station.
- Auto repair.
- Child day care center.

- Coffee shop/bakery.
 - Small neighborhood grocery (not a Safeway or Lucky's style market).
 - Dog park.
 - Community hall (or a place where the community can come together and gather).
 - Community garden.
 - Restaurant (Taqueria).
 - Park (perhaps use Measure A funds?).
 - Playground.
 - Farmer's market.
 - Community serving businesses.
 - Medical marijuana dispensary.
 - Holistic medicine center, including massage and meditation.
 - Art and multi-use studios.
- Other suggestions including restoring the older commercial buildings as a little village area, while some preferred no change and to maintain the area as-is since there is a concern about additional traffic.
 - It was noted that many of the "preferred uses" in the proposed policy may not practical given the area's constraints. However, the community plan should provide guidance on future uses should things may change.
 - Regardless of what uses are preferred, signage and lighting should be limited.
 - Encourage the community center, theatre, etcetera in the VCR zoning. Is there anything to stop those uses now? Are these uses economically feasible?

5. Do you have any other comments or questions?

- Protect paper streets for pedestrian access and as wildlife corridors (multiple).
- Property owners should be able to clear road of overgrowth for sightlines.
- Enforcement of junkyards and speeding.
- Drinking outside of Rossi's Deli is an issue (as well as inside the gazebo).
- Day Island is peaceful and quiet. Keep managing it this way to maintain this.
- Discourage commuters from freeway jumping through the community.
- Work to open the gate on Bay Canyon as an emergency evacuation route.
- Encourage fencing that does not block wildlife.
- Maximize recreational opportunities.
- Better communication with residents (need to improve how residents are notified about meetings).
- Limit landscape lights (ensure they shut off at night, but allow minimal lighting for safety purposes). Encourage motion sensors, low wattage, and timers to reduce cumulative impacts on the night sky.
- Need better signage for hiking trails.
- A connector trail between the community and both Bahia and Bel Marin Keys.
- How will the proposed regulations address existing development? Will it be grandfathered? If a house burns down, can you replace what you had?
- Retain paper streets and wildlife corridors.
- Keep paper streets as a buffer.

DRAFT
BLACK POINT AND GREEN POINT COMMUNITY PLAN
05/21/2015

***THIS IS A TEXT ONLY VERSION TO INDICATE MODIFICATIONS IN TRACK CHANGES AND FORMAT TO
THE JANUARY 7, 2015 DRAFT BLACK POINT COMMUNITY PLAN***

Executive Summary

The Black Point and Green Point Community Plan (Plan) is a planning document ~~which that~~ sets forth goals, policies, and programs to address specific issues and shape future development in the ~~unincorporated community of Black Point – Green Point. Community plans are part of the Marin Countywide Plan.~~ Part of the Marin Countywide Plan, the community plan contains specific policies to carry out community goals and provide guidance to decision makers in the evaluation of development based on the unique concerns, characteristics, and priorities of the community. The ~~c~~Community ~~p~~Plan is a product of a multi-year public engagement process to address issues and opportunities in the planning area. This Plan serves as an update to the original Black Point Community Plan adopted in 1978.

~~The Black Point - Green Point Community Plan (Plan) is a blueprint that shapes present and future development in the community. Based on a multi-year public engagement process, the Plan contains specific policies to carry out community goals and provide guidance to decisionmakers in the evaluation of development projects. Development must be consistent with the Plan's goals and policies. This Plan serves as an update to the original Black Point Community Plan adopted in 1978.~~

The Plan's nine chapters address the following topics: 1) Introduction, 2) Background, 3) Natural Resources, 4) Environmental Hazards, 5) Community Character and Land Use, 6) Transportation, 7) Public Facilities and Services, 8) Parks and Open Space, and 9) Public Safety.-

The Plan discusses a number of ~~issues~~ factors that have shaped how the community has grown over time. Because the area is adjacent to the bay plains and marsh areas, which have limited development opportunities, development has been focused along the hillside areas to preserve the bay plains as scenic vistas and as community separators. The Natural Resources chapter includes new policies to address the protection of wildlife habitat and movement corridors by: 1) encouraging the use of wildlife friendly fencing and avoiding the placement of structures that block wildlife movement; 2) encouraging the use of drought tolerant, fire resistant, and native plants; 3) discouraging the use of pesticides, herbicides, and rodenticides; and 4) encouraging residents to develop an outreach program to inform their neighbors on the importance of maintaining ecological connectivity and to become active stewards of the land. A new policy also encourages property owners to identify and remove trees afflicted with Sudden Oak

~~Death addresses the protection of wildlife habitat and movement corridors, in addition to information on Sudden Oak Death. The combination of vegetation, topography, climate and population density create a significant threat for fire hazards. Fire safety, in addition to the topics of earthquakes, flooding, and sea level rise, are discussed in the Environmental Hazards chapter.~~

~~The Environmental Hazards chapter focuses on fire safety, earthquakes, flooding, and sea level rise. Fire safety 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. The Draft 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 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 future work to determine specific impacts and appropriate adaptation strategies for the community~~

~~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 recommends minimizing light pollution to protect the night sky. Protection of the area's natural and rural residential character is an ongoing theme woven throughout the Plan. The Community Character and Land use chapter includes three potential policy options for regulating home size, in addition to new policies requiring minimum setbacks, minimizing light pollution, and encouraging specific land use types in the Village Center area to maintain a balance between resident-serving and non-resident serving commercial uses.~~

~~Chapter 6 address transportation and related concerns with roads, such as road maintenance, paper streets, speed enforcement, and parking, in addition to public transportation, bicycle and pedestrian access, and equestrian trails. Transportation policies continue to maintain the rural character of the area's streets while allowing improvements for public safety purposes. New policies consider retaining paper streets for public and emergency access, and propose including separate pathways on key neighborhood roads to improve bicycle and pedestrian connections to recreation, open space, and other natural amenities within the community. Existing policies on road improvements in the Gridiron, Bahia area, and on Crest Road are maintained.~~

~~The community's unique development patterns and topography present challenges for access. Many of the roads are winding, narrow and lack shoulders. A significant number are non-County~~

~~maintained. Transportation policies continue to maintain the rural character of the area's streets while allowing improvements for public safety purposes. New policies consider retaining paper streets for public and emergency access, and propose including separate pathways on key neighborhood roads to improve bicycle and pedestrian connections to recreation, open space, and other natural amenities within the community.~~

The Public Facilities and Services chapter addresses water supply, wastewater management, and annexations and sphere of influence. The area's two-acre minimum lot size was established in part to protect soils and water quality since the community relies on on-site septic systems for sewage treatment. The Plan describes how the use of septic systems has helped retain the area's rural character by limiting more intensive development. An existing policy supporting the continued use of septic systems as the primary means of waste disposal is carried forward, as well as an existing policy to maintain the area's unincorporated status.~~policies continue to support the use of septic systems as the primary means of waste disposal; however, development is strongly discouraged below an elevation of 15 feet on bay plain lands due to environmental constraints that may limit the effectiveness of such septic systems. The Plan also supports collaboration with local agencies to exclude the planning area from the City of Novato's sphere of influence and urban growth boundary to limit annexation. Extension of public sewer service to the area is not anticipated in the near future.~~

The Parks and Recreation chapter describes how parks and open space preserves are planned, managed and funded, and includes an overview of the various parks and recreation amenities in and around the planning area. 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 passive recreation uses within the Vince Mulroy Memorial Woodland and Wildlife Preserve.

~~The community's natural surroundings and open space areas provide residents with opportunities to view the area's abundant wildlife, connect with nature, and enjoy various recreational activities such as boating, hiking, and biking. The Plan continues to prohibit intense recreational use or development of Day Island. The Plan also recognizes a number of potential ideas for improvement identified by the community during the community plan process to improve park and recreational opportunities.~~

Public safety is an important aspect of quality of life. While the community is considered a safe place to live and crime rates in the county are relatively low, a small number of recent home break-ins and thefts have created heightened awareness and concern regarding safety. The Public Safety chapter identifies a number of potential strategies ~~that residents~~ can perform~~may utilize~~ to reduce the risk of crime in their neighborhood.

~~Many of the issues and constraints addressed by the 1978 Plan are still relevant today. Since then, new development and a desire to protect natural resources and maintain a semi-rural character have shaped community discussions over planning policies. Through the plan update process, residents provided input on current issues, values and goals for the community.~~

SUMMARY OF POLICIES

The following policies are intended to achieve the goals of the community plan. The Plan policies are found at the end of each chapter, and are summarized below:

Natural Resources

NR-1 Wildlife Habitat and Movement Corridors

Encourage the protection of wildlife habitat and movement corridors, where feasible. Encourage ~~Consider~~ wildlife-friendly gardens that provide food, water, cover and a place for wildlife to raise their young, where appropriate, as well as the use of wildlife-friendly fencing. Fence types, roads, structures, and outdoor lighting that would significantly inhibit or obstruct wildlife movement, especially access to water, should be avoided.

[New Policy]

NR-2 Outreach and Education

Community members are encouraged to develop a ~~public education~~ neighborhood outreach program to inform those living and working within the ~~area~~ community about living with wildlife and the importance of maintaining ecological connectivity, and to ~~encourage~~ educate residents ~~to~~ on how to become active stewards of the land. This program may also include efforts to ~~e~~ Educate residents about the potential effects that pesticides, insecticides, herbicides and rodenticides may have on the ecosystem.

[New Policy]

NR-3 ~~Wildlife Corridor~~ Landscaping in Wildlife Corridors

Encourage the use of drought tolerant, native and fire resistant plants in landscaping areas adjacent to and within a wildlife and habitat and movement corridor, and discourage the use of invasive, non-native plants that can supplant native plants and reduce habitat integrity.

[New Policy]

NR-4 Pesticides, Insecticides, Herbicides, and Rodenticides

Discourage the use of pesticides, insecticides, herbicides, and rodenticides. Encourage natural eradication methods to control rodent populations, such as barn owls. Residents are encouraged to install barn owl boxes near garden and yard areas.

[New Policy]

NR-5 Sudden Oak Death

Encourage property owners to identify and remove trees that are afflicted with Sudden Oak Death, and to consult with experts to determine appropriate best management practices to prevent and treat infestation.

[New Policy]

NR-6 Marsh and Wetlands

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

[Adapted from Policy 5, p. 50]

Community Character and Land Use

CC-1 Rezone Marin Audubon Properties

Rezone the following properties owned by Marin Audubon Society to Open Area (OA) and, where applicable, amend the Countywide Plan land use designation to Open Space (OS) at the request of the property owner:

Rezone to OA:

- Two large marsh parcels along Atherton Avenue: 153-190-23 and 27;

Rezone to OA and amend the Countywide Plan land use designation to OS:

- Three small parcels along Norton Avenue: 157-081-03 and 04; 157-082-04;
The 157-082-04;
- Norton Pond parcel: 157-111-32; and
- Five small parcels in the Gridiron area: 157-132-14 and 21; and 157-143-02, 11, and 32.
157-143-02, 11, and 32.

This request should be considered in the context of a broader initiative by the Community Development Agency to rezone publicly owned and select properties on a countywide basis to OA.

[New Policy]

CC-2 Regulate Home Size

Two options for regulating home size to protect community character are as follows:

Option 1: No Change. Maintain existing procedures and continue to rely on the design review process with additional guidance provided by the Single Family Residential Design Guidelines, where applicable. No additional standards to regulate home size would be included in the community plan.

Option 2: Advisory Committee Recommendation Based on Median FAR. The floor area ratio¹ of the proposed development shall not exceed the median floor area ratio within 600 feet of the surrounding neighborhood by 10%. Proposed development may exceed this standard through the Design Review process and upon determination by the Director, and in consultation with the community, that the proposed development meets all of the criteria below:

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

[New Policy]

CC-3 Require Minimum Setbacks

In circumstances where the required setbacks are waived for substandard and hillside building sites in the A2 zoning district, setbacks should be consistent with the surrounding neighborhood. Setbacks in planned districts, such as the ARP zoning district, should be the same as the

analogous conventional residential zoning district, where feasible. Setback requirements may be modified—increased or decreased—through the Design Review process if it is found that preservation of environmental features on site or impacts of the building off-site require such modification, or to accommodate required on-site parking.

[New policy adapted from the Tamalpais Area Community Plan, Program LU1.4d, p. III-41]

CC-4 The Village Center Zoning

Maintain the existing Village Commercial/Residential District (VCR) zoning to maintain the community's existing small-scale, historical character. While a variety of uses are allowed under the zoning, the following types of uses are encouraged, such as:

- Plant nurseries;
- Small child day-care/small family day-care homes; theaters and meeting halls (for a community center);
- Residential uses;
- Grocery stores and restaurants (including cafes); second hand stores; antique retail stores; studios for art, dance, music, photography, etc.
- Public parks and playgrounds; and
- Community garden.

While the above uses are encouraged, all uses allowed under the VCR zoning are permitted subject to compliance with the Development Code. Further, formula or “chain store” operations that are inconsistent with the village character and scale of the surrounding community are discouraged.

[New Policy]

CC-5 Gridiron Zoning

Retain the existing A2 (Limited Agriculture) zoning in the Gridiron neighborhood to permit continued residential development on a limited scale.

[Adapted from Program 1, p. 46]

CC-6 Merger of Parcels

Continue to promote the ~~amalgamation-merger~~ of substandard sized parcels to minimum lot area requirements commensurate with on-site (septic tank) waste disposal constraints inherent in the area. (See also the Public Facilities and Services chapter).

[Adopted from Policy 2, p. 46]

CC-7 Minimize Light Pollution

Protect the rural night-time atmosphere of the community by minimizing the amount of exterior building and site lighting to that which is necessary for safety purposes. Street lights are not permitted unless required for safety purposes as determined by the Department of Public Works. Refer to the Single-family Residential Design Guidelines for additional guidance.

[Adapted from the Indian Valley Specific Plan, p. 7]

Transportation

TR-1 Maintain Rural Character of Streets

In order to maintain the rural character of the community, new streets and roads should be developed at the minimum scale commensurate with anticipated traffic projections and fire protection purposes.

[Adapted from Policy 3, p.81]

TR-2 Gridiron Road Improvements

Require as a condition of approval within the Gridiron area the improvement of interior roadways subject to further analysis by the Department of Public Works. Cul-de-sacs or similar improvements to accommodate fire protection vehicles near the ends of Norton, Holly and Grandview Avenues should be given priority consideration.

[Adapted from Policy 5, p.82]

TR-3 Crest Road

Consider additional access routes between Atherton Avenue and Crest Road, to improve fire protection access and to help redistribute traffic destined for Crest Road and the cul-de-sacs along Crest Road, where feasible.

[Adapted from Policy 8, p. 84]

TR-4 Paper Streets

Consider retaining paper streets for public and emergency access, as well as for wildlife corridors, where feasible.

[New policy]

TR-5 Road Maintenance of Private Streets

The owner of any private right-of-way easement is responsible for its repair and maintenance, consistent with California Civil Code Section 845. Property owners abutting private streets may establish their own road maintenance program or organization to address repair and maintenance concerns. Advice in such matters and sample road maintenance agreements are available from the Land Development Division of the Marin County Department of Public Works.

[New policy]

TR-6 Gridiron Service Road

~~Maintain~~ Retain the service road that extends around the south base of the Gridiron area and the Vince Mulroy Woodland and Wildlife Preserve, and exits at the golf course as an alternative emergency access route for both residents and emergency service vehicles.

[Adapted from Policy 6, p. 82]

TR-7 Roads in the Bahia Area

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

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

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

[Adapted from Policy 7, p. 83]

TR-8 Public Transportation

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

[Adapted from Policy 2, p. 80]

TR-9 Bicycle and Pedestrian Facilities

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

[New policy]

TR-10 Equestrian Trails

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

[Adapted from Policy 9, p. 84]

Parks and Recreation

PK-1 Day Island

Consider limiting intense recreational use or development within the Day Island State Wildlife Area.

[Adapted from Policy 7, p. 51]

PK-2 Vince Mulroy Memorial Woodland and Wildlife Preserve

Continue to allow passive recreation uses such as walking, hiking, biking, wildlife observation and nature study within the Vince Mulroy Memorial Woodland and Wildlife Preserve.

[New Policy]

Public Facilities and Services

PFS-1 Wastewater Disposal

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

[Adapted from Policy 1, p. 41]

PFS-2 Maintain Unincorporated Status

Maintain the community's unincorporated status ~~of Black Point as an unincorporated community~~.

[Adapted from Policy 3, p. 72]

1. INTRODUCTION

The original Black Point Community Plan (Plan) was first adopted by the Marin County Board of Supervisors in October 1978. The updated Plan is intended to refine policies at the local level, address new issues that did not exist at the time the community plan was initially adopted, and to ~~bring in to consistency~~make it consistent with goals and policies of the Marin Countywide Plan. The updated document has been renamed the Black Point and Green Point Community Plan.

The Black Point Community Plan

Preparation to update the Black Point Community Plan (Plan) began in early 2013. The Marin County Board of Supervisors selected the Plan as a priority candidate under the County's 2012 Community Plan Update Strategy. The updated approach to community planning focuses on a community's unique characteristics and the efficient use of community resources.

The Black Point Community Plan was initially adopted by the Marin County Board of Supervisors in October 1978. The update is intended to refine implementation of specific policies at the local level, to address new issues, and to make the Plan consistent with the Marin Countywide Plan. Based on community feedback and in recognition that the Black Point community has since evolved into two distinct neighborhoods, the Plan has been renamed the Black Point and Green Point Community Plan.

This community plan was updated through ongoing participation of Black Point and Green Point neighborhood residents. An advisory committee of five community representatives first convened in early 2013. The committee met regularly with County staff over the course of ~~24~~25 months—including 23 Advisory committee meetings-- to discuss the Plan and provide guidance on the scope, public outreach and engagement, planning process, and policy preparation.

In addition to monthly advisory 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. These workshops were conducted on March 5, 2015, June 5, 2014, ~~and August 28, 2013, June 5, 2014, and [insert date]~~ (See Figure 1). An initial draft of the community plan was released in early January 2015, and was followed by a public workshop to discuss key issues with the Marin County Planning Commission on January 26, 2015. A revised draft was released in May 2015 and incorporated modifications based on community and Commission feedback obtained from previous workshops. Residents were also offered opportunities to participate through multiple online topic forums via Open Marin and Survey Monkey. Finally, staff attended meetings of the local Black Point Improvement Club to provide updates on the Plan and obtain feedback.

~~A draft Plan was presented to the community in January 2015 and a workshop to discuss key issues with the Planning Commission was held on January 26, 2015. Following revisions based on community and Commission feedback from the workshop, a revised draft was released on [insert date].~~ The Black Point and Green Point Community Plan was formally considered by the

| Marin County Planning Commission on ~~[insert date]~~ June 22, 2015 and ultimately approved by the Board of Supervisors on [insert date].

Relationship to the Marin Countywide Plan

The Marin Countywide Plan applies to all unincorporated areas of the county and establishes an overall policy framework that guides decisions on issues such as land use, transportation, and environmental protection. The Countywide Plan, first adopted in 1973 and most recently updated in 2007, is based on the framework of planning sustainable communities and contains a wide range of goals to address natural systems and agriculture, the built environment, and socioeconomic issues.

The Countywide Plan focuses on the “Three E’s” of sustainability: the environment, the economy, and social equity. Maximizing the balance of a healthy environment, economic viability, and social equity is important for establishing a sustainable future for the County and for individual communities. The Guiding Principles of the Countywide Plan offer the following overarching sustainability goals:

Environmental Quality

- Link equity, economy, and the environment locally, regionally, and globally;
- Minimize the use of finite resources, and use all resources efficiently and effectively;
- Reduce greenhouse gas emissions that contribute to global warming;
- Protect and restore open space, wilderness, and damaged ecosystems, and enhance habitats for biodiversity;
- Protect agricultural lands and work to maintain the County’s agricultural heritage, while supporting the production of healthy, fresh, locally grown food; and
- Reduce the use and minimize the release of hazardous materials.

Social Equity

- Protect and expand fair and affordable housing opportunities to meet a diversity of housing needs;
- Cultivate ethnic, cultural, and socioeconomic diversity within communities; and
- Support public health, safety, and social justice, and provide equal access to amenities and services.

Economy

- Provide affordable, efficient and effective transportation to better connect jobs, housing, schools, shopping and recreation facilities and which reduces dependence on single occupancy vehicles, conserves resources, improves air quality, and reduces traffic congestion;

- Support locally owned businesses and retain, expand, and attract a diversity of businesses that meet the needs of the residents and strengthen the economic base; and
- Educate and prepare our workforce and all sectors of the community to retain meaningful employment and achieve economic independence.

As a component of the Countywide Plan, the Black Point [and Green Point](#) Community Plan, and all community plans, must be consistent with the provisions of the Countywide Plan. Community plans should also strive to implement these sustainability goals where possible by reinforcing the connections between the wellbeing of community members, cultural richness, economic prosperity, and the environment. To that end, community plans provide additional guidance based on the unique concerns, characteristics, and priorities of the community. Specifically, the goals, policies and programs of community plans are intended to:

- Highlight what is unique about the community;
- Identify topics of greatest importance to residents;
- Provide direction on how general policies should be applied in the community;
- Provide guidance to landowners, stakeholders, and County decision makers; and
- Help to shape present and future development in the community.

While community plans must be consistent with the goals of the Countywide Plan, they need not duplicate Countywide Plan policies at a local level or replicate other County programs, regulations, or guidelines that are already in place. Community plans focus on topics regulated by the County. It should be noted that community plans may be updated or amended periodically. However, due to resource limitations, they are generally developed with a longer time horizon than the Countywide Plan, which has been updated every decade since its inception in 1973.

Policies for each topic are presented at the end of each chapter. However, in cases where a topic is already subject to an ongoing County planning process or program (i.e. Marin County Parks and Open Space Strategic Plan, Marin County Unincorporated Bicycle and Pedestrian Master Plan, and the Marin County Watershed Program), the Plan identifies concepts that should be considered as part of those programs, such as in the Environmental Hazards and Parks and Recreation chapters.

Finally, to the extent that certain issues are controlled or heavily influenced by government or public agencies other than the County, the Plan makes reference to those entities and, where appropriate, provides guidance applicable to the regulatory context.

Community Plan Goals

Goals reflect core community values and identify what fundamental outcomes are desired. The goals of the Plan are as follows:

A Sense of Community

Continue to maintain Black Point and Green Point as an independent, identifiable, and semi-rural community in unincorporated Marin County.

A Preserved Natural Environment

Continue to preserve the natural attributes and features within and around the Black Point and Green Point community that contribute to the community's character.

A High Quality Built Environment

Maintain the community's quality of life by ensuring that infrastructure improvements serve to enhance community safety and do not detract from the semi-rural character.

Effective Growth Management

Maintain orderly and managed growth and redevelopment in the community, as well as the surrounding unincorporated and incorporated areas, that tend to influence the character of the Black Point and Green Point community

2. BACKGROUND

~~The Black Point and Green Point community is special because unique due to of its location, setting, and the way in which it has developed. This chapter describes the physical setting, provides context on the relationship on the Marin Countywide Plan's environmental corridors, and includes as well as historic and demographic trends and historical information that set the stage for today's community. By means of this Plan, residents seek to preserve the community's major assets and strengthen its distinguishing characteristics, while providing reasonable standards for new development.~~

Location

Black Point and Green Point 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 with the opportunity to enjoy river activities and its amenities. The area features low lying tree covered hills surrounded by flat and uninhabited bay plains to its south. The area is primarily rural-residential, surrounded by an abundant variety of wildlife and natural vegetation that provide a scenic and serene setting.

Setting

The Black Point and Green Point planning area encompasses approximately 1,560 acres. The planning area is bound on the north west by the Bahia ~~neighborhood~~ (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 southeastern edge borders the City of Novato's The Bay Club Stonetree Golf Club and subdivision, bay plains, and the Olive Ridge area subdivision bound the community to the south of Atherton Avenue. Principal access is provided via Atherton Avenue and State Route 37.

Neighborhood Areas

The planning area has historically been known as Black Point. Since the original Black Point Community Plan was adopted, the planning area has evolved into two separate neighborhoods with distinct identities: Black Point and Green Point. Because the Black Point neighborhood was settled first, its homes tend to be older than those in Green Point. Black Point homes are also 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 while Green Point has several access points. The two areas are also zoned differently, which means different development regulations and standards may apply. However, despite these differences, all residents share the same goal to maintain the area's semi-rural identity and preserve its unique natural attributes that make it a desirable place to live.

~~The planning area consists of two distinct neighborhoods: Black Point and Green Point.~~ The Black Point neighborhood is located on the hill and canyon area ~~on the northeastern side~~east of State Route 37 and includes both the Gridiron and Village Center areas. The Gridiron area is located in the southern portion of the hills just south of Black Point and extends into the lowlands below the hills. The Village Center area, located adjacent to the Northwestern Pacific Railroad corridor and on Harbor Drive, is a small, commercial zone. The Green Point neighborhood, located to the west of State Route 37, includes the hill and ridge areas with homes along Atherton and Olive Avenues and the bay plain marsh areas south of Atherton Avenue. Local neighborhoods within Green Point include the Atherton corridor, Atherton Oaks, and Alpine/Williams Road, among others. The Petaluma River plain area is also part of ~~in~~ Green Point ~~as well~~ (See Map 2).

Adjacent 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 ~~Black Point~~ community because they share similar issues and characteristics.

Planning Context

The planning area is located within the Countywide Plan designated City - Centered and Baylands Corridors (see Figure 2 and Map 3). These are environmental policy corridors that designate areas suitable for higher density development and public utilities, and areas with less development potential, including the baylands. The hill and upland areas within the community fall within the City-Centered Corridor, while most of the surrounding lowland, bay, and marsh areas are within the Baylands Corridor.

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 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.

In recognition of the community's location adjacent to the Petaluma River and San Pablo bay, and the surrounding bay plain and historic marshlands, protection of the diversity of the bayland's ecosystem and upland areas are significant community concerns. Some desire expansion of the Baylands Corridor within the community to reflect this importance. The Countywide Plan includes a program to study the potential for adding to or omitting parcels from the Baylands Corridor. As such, this Plan does not include a specific program to address modification of the Baylands Corridor.

Community Context

While the community benefits from considerable advantages in terms of its location, climate and natural beauty, it is also influenced by external factors including the land use and transportation decisions of the City of Novato, County of Sonoma, Sonoma Marin Area Rail Transit (SMART), and the California Department of Transportation (Caltrans). These multiple factors – and their

implications – must be considered but cannot be controlled by the Plan. Residents must continue to draw upon their considerable organization and engagement to ensure that their voices are heard and represented.

Demographic Background and Trends

Population

According to 2010 Census data, there are approximately 1,306 people living in the Black Point and Green Point community. The area's population increased 14 percent, or 163 people, since 2000. In comparison, however, Marin's total population grew a mere 2.1 percent over the same period, and California's population grew by 10% (See Figure 3).

The median age for all residents in the planning area is 53 years, older than the 44.5 median age for the county. Over 56 percent of residents are aged 50 years or older, while only 17 percent are 19 years of age or younger.

Race and Ethnicity

Residents of the community are predominantly white (90.7 percent). Seven people (0.5 percent) are African American, 6 (0.5 percent) are Native American, 45 (3.4 percent) are Asian, and 35 (2.7 percent) are from two or more races. Approximately nine percent of residents (112 people) reported being Hispanic or Latino of various races, including Mexican, Puerto Rican, and other.

Ancestry

The community is made up of residents with a diverse range of ethnic backgrounds and heritage. Many report having English, German, Irish, and Portuguese backgrounds, while a smaller number have Italian, Norwegian, Dutch, French, and Scottish ancestry.

Educational Attainment

Residents in ~~Black Point~~the community are well educated, with 100 percent of adults over the age of 25 reporting having graduated from high school. Further, 60 percent of have attained a Bachelor's degree or higher. In 2000, 96 percent of residents were high school graduates and 46 percent received a bachelor's degree or higher.

Marital Status

In 2010, over 61 percent of residents over the age of 15 years were married, 24 percent never married, 2.2 percent are separated, 2.8 percent are widowed, and 9.7 percent are divorced.

Employment Status and Occupation

In 2010, almost 69 percent of residents are in the labor force, while 31 percent do not work. Of those who are employed, 54.5 percent work in management, business, science, and arts; 21.7 percent are in service; 16 percent are in sales and office; 6 percent work in the natural resource, construction, and maintenance fields; and 2 percent work in production, transportation, and material moving. The majority of residents (71 percent) work in the private sector, while 18 percent are self-employed and 11 percent work in the public sector.

Housing Occupancy

In 2010, over 94 percent of homes in the community were occupied, consistent with trends seen in the rest of the county and the state (See Figure 4). In addition, almost 80 percent of homes

are owner occupied, which is significantly larger than comparative figures for the city, county and state. A high rate of owner occupancy indicates fewer properties are rented. Further, homeowner vacancy rates for the community remain very low at less than one percent (See Figure 5). The community's rental vacancy rate was 4.9 percent in 2010 compared to 3.4 percent in 2000 (See Figure 6). Real estate experts contend that 5 percent is considered normal, and rents tend to adjust up or down until a normal vacancy rate is achieved.

Average Household Size

Average household size has shrunk from 2.39 in 2000 to 2.26 in 2010. In addition, the area's average household size is smaller when compared to Novato, Marin County, and the state (See Figure 7). Overall, average household size has been shrinking as the age of the householder is increasing, which mirrors what is occurring in the state and nation.

Income

Residents have one of the highest median household incomes at over \$124,000 per year. This is double the median household income for the state, \$40,000 more than the City of Novato and \$30,000 more than Marin County (See Figure 8). Interestingly, the disparity in median earnings between males and females working full-time and year-round is nearly \$50,000, with men earning \$112,321 and females earning \$61,678.

Background and Historical Timeline

The planning area was originally part of the 8,887 acre Rancho de Novato, which was granted by Governor Alvarado to Fernando Feliz in 1839. The Novato Rancho had many owners before the land was mortgaged in 1892. The west half was taken over by the San Francisco Savings Union, while the east half, including the Black Point and Green Point neighborhoods, went to Charles Chase of New York. The Chase interests were taken over by the Home of Farm Company, which auctioned off five and ten acre parcels and lots. This land split led to the subdivision of the area and initiated the trend towards the rural community that exists today.

The settling of the area occurred a short period after a man named Day settled on what is now called Day Island in 1850. Settlers from this area moved to the community, and for more than a hundred years it was known for fishing and hunting. Boating also became a popular recreational activity.

In 1850, Black Point was an important shipping point for livestock, lumber, and cordwood. Many of the area's oak trees were removed from the hills and used for ship building in the 1880's, which is why the giant oak no longer exists in the area.

In conjunction with the building of Donahues Landing on the Petaluma River during the period from 1879 until 1884, the Northwestern Pacific Railroad operated from the area. Eventually, the trains crossed the Petaluma River and continued on into Sonoma County to Glen Ellen. Primary access to the area was provided by either train or ferries until the County acquired a road right of way in 1884 (now Atherton Avenue). Historic accounts tell of crossing from San Francisco by ferry to Sausalito and then traveling to Black Point by horse and buggy, passing through Novato, and coming across the Old County Road during the early 1900's.

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

List of Significant Historical Events

(see PDF)

Other notable events

(Not in sequence or order of importance)

- Natural gas was brought into the area, which replaced propane, improved the quality of life and encouraged the provision of other utilities. Opening of the railroad through Black Point (early 1900's).
- Bricks were manufactured at the Black Point brick works.
- A quarry located west of Heirloom Storage (formerly House of Daniels) and near the Stone Tree development provided material for the construction of the State Route 37 Petaluma River Bridge.
- Oak trees from Black Point were used to supply Mare Island with masts and provide San Francisco with firewood.
- In the late 1950's, the Marin County Board of Supervisors rejected a proposal by Donald F. Donohue to develop a drive-in theatre at the intersection of Olive Avenue and Atherton Avenue, where the Green Point Nursery is now located, after a wave of protests by Black Point residents.
- A proposed strip mall at Atherton Avenue and State Route 37 was defeated.
- Cliff House Restaurant was located on a hill near the Black Point bridge.
- In 2008, the House of Daniels changed operations from a distributor of wine and distilled beverages to an heirloom and valuables storage facility, now called Heirloom Storage. Storage for RV parking is also provided.
- Rancho Marin Equestrian Center closed in the mid 1980's.
- In 2003, the Marin Audubon Society purchased two properties consisting of approximately 145 acres of marsh and bay land located near the intersection of Olive and Atherton Avenues (next to the Green Point Nursery).
- In 2013, the Marin County Open Space District acquired the approximately 18 acre parcel of marsh and bay land from the Marin Audubon Society, located at the southwest intersection of Atherton Avenue and Olive Avenue.
- Development of the Atherton Oaks subdivision in Green Point.
- A master plan was approved for the Atherton Acres subdivision in Green Point (1979).
- Freight service resumes along the NWP Railroad in Black Point (2011).

3. NATURAL RESOURCES

The Black Point ~~planning area~~ and Green Point community is surrounded by tidal salt marshes, mudflats, oak woodlands, and coastal scrub habitats. These areas are home to wildlife including herons, plovers, barn owls, deer, raccoons, jackrabbits, and foxes. There is a great deal of community interest in preserving the natural environment and protecting the ~~animal~~ numerous wildlife species in and around the community. The ~~community~~ Pplan includes policies to protect wildlife habitat and movement corridors, and to prevent the spread of Sudden Oak Death.

Background

The Black Point ~~and Green Point~~ community enjoys a unique natural setting along the banks of the Petaluma River at its entrance to San Pablo Bay. Much of the community is located up on ridgelines, separated from the developed Novato area by the bay plain to the west and south. From neighboring Sonoma County, it is an important visual entrance to Marin County, offering views of densely vegetated hills rising prominently from the bay plains.

The community is surrounded by tidal salt marshes, mudflats, coastal oak woodlands, and coastal scrub habitats, with an abundance of wildlife and scenic views. Expansive views of Mt. Tamalpais, the San Francisco skyline, Mt. Diablo, Mount Saint Helena, the Petaluma River and San Pablo Bay, and other vista points in Sonoma, Napa, and Contra Costa Counties are visible from various vantage points. These views are a valued community asset and natural resource. Residents show significant interest in preserving the natural attributes and features located within and around the community.

A number of key marsh and wetland properties, both small and large, are owned by the Marin Audubon Society. One such property is the 84-acre former tidal marsh along Atherton Avenue that was purchased in 2000 for restoration and enhancement. ~~A contiguous 60-acre parcel was donated to Marin Audubon Society in 2003. Nearby is a~~ A 19-acre parcel, located at the intersection of Atherton and Olive Avenues adjacent to Olive Avenue that was purchased in 2002 and, subsequently, donated to the Marin County Open Space District. Restoration plans include removing fill and restoring a creek and seasonal wetlands. Smaller properties include ~~four~~ parcels along Norton Avenue, ~~and~~ including a portion of the Norton Pond, a year-round habitat. ~~Five~~ The other small, noncontiguous parcels are located in the Gridiron area along Hemlock and Holly Avenues in diked baylands; at some point there might be enough adjacent parcels to undertake a restoration project in this area.

Marin Countywide Plan

The protection of Marin County's natural environment is one of the overarching goals of the Marin Countywide Plan, which contains a comprehensive list of policies and programs intended to protect, restore, and enhance Marin's watersheds, natural habitats, streams and wetlands, wildlife corridors, and open space areas. Additional protections are also incorporated directly into Marin County's Development Code, such as a Native Tree Preservation Ordinance, and

special zoning regulations for properties in sensitive areas such as the Baylands Corridor. A sample of selected policies relevant to the community is provided in Figure 10. A complete list of natural resource policies can be found in the Natural Systems Element of the Marin Countywide Plan.

The Countywide Plan includes a goal to conserve wetlands. In addition to protecting marsh and wetland areas in the Baylands Corridor, Countywide Plan policies require development to avoid wetland areas so that existing wetlands and upland buffers are preserved and opportunities for enhancement are retained. This is accomplished by implementing a Wetlands Conservation Area. The distance of the setback and buffer depends on the Environmental Corridor in which it is located and the size of the parcel. Additional information is provided in the Biological Resources section of the Countywide Plan.

The following topics are addressed in the Natural Resources chapter:

- Wildlife Habitat and Movement Corridors; and
- Sudden Oak Death.

Wildlife Habitat and Movement Corridors

Wildlife is abundant in the community, both in the upland and bayland areas. 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.

Waterfowl include American Wigeon, Mallard, Northern Shoveler, Snowy and Great Egret.

Migratory bird species use the area most heavily during the fall and winter months, but many can be found year round. The marsh and upland areas, both along the Petaluma River and in the bay plain, also provide habitat for many raptors, including White-tailed Kite, Northern Harrier, Red-tailed Hawk, Red-shouldered Hawk, American Kestrel, and Turkey Vulture. The upland habitat in the area supports deer, raccoons, jackrabbits, and foxes, among others (California Department of Fish and Wildlife, 2014). Birdwatching, fishing, hunting and wildlife viewing are popular activities in the area.

The presence of wildlife helps to define the natural, rural character of the community. However, development has impacted wildlife by reducing historic range areas and blocking animal passage. Identifying and protecting wildlife corridors can allow wildlife movement and promote habitat connectivity. Because the area retains much native woodland vegetation, ~~T~~he Countywide Plan promotes acquiring and managing important habitat areas and wildlife corridors to link permanently protected open space lands.

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 plan makes general recommendations to protect wildlife and habitat areas by avoiding fence types, roads, structures and outdoor lighting that would significantly obstruct wildlife movement or access to water. The community is encouraged to be proactive and develop a public education program to inform and educate their neighbors about the importance of living with wildlife and maintaining ecological connectivity and, more

importantly, become active stewards of the land. Community members can utilize native and drought-tolerant plants and avoid invasive, non-native plants in landscaping within and adjacent to known wildlife and habitat corridors. Reducing or eliminating the use of pesticides, insecticides, herbicides, and rodenticides while instead relying on natural eradication methods is also recommended.

The community retains much native woodland vegetation. Combined with its proximity to the Petaluma River waterfront, the front and back yards of some of the larger properties may provide important habitat for songbirds, woodpeckers, ground dwelling species, and mammals. Residents are encouraged to view their property as wildlife habitat and establish “wildlife friendly” backyards. Figure 11 provides a sampling of suggested best management practices for property located within or adjacent to wildlife corridors. Specific wildlife friendly fence design options are not provided since new fencing materials and designs are continually developed, while new research on the topic will invariably provide added and improved alternatives. Neighbors, other landowners, and staff and experts in land and natural resource management may have observation, information and resources on what has worked, or not, from others who have experience with such fencing. The information here is intended to open the conversation

Tips for Living within or Adjacent to Wildlife Corridors

Landscape with native vegetation

Minimize water runoff into streams

Manage fire risk with appropriate alteration of natural vegetation since many bird species and other wildlife feed, nest, and seek cover in low shrubbery or thicket vegetation. For example, it might be appropriate to remove brush near structures while leaving some elsewhere

Keep pets indoors, leashed, or in enclosures, especially at night

~~*Use pesticides and rodenticides carefully or not at all*~~ *Reduce or restrict the use of pesticides, insecticides, herbicides, and rodenticides. Become aware of the effects these chemicals have throughout the ecosystem*

Direct outdoor lighting toward houses and walkways and away from the linkage area

Use wildlife-friendly fencing on property and pasture boundaries, and wildlife-proof fencing around gardens and other potential wildlife attractants

Discourage the killing of “threat” species such as rattlesnakes

Source: http://corridordesign.org/dl/docs/corridordesign.org_BMPs_for_Corridors.pdf

about fences and wildlife.

Sudden Oak Death

Oak woodlands and oak scrub habitat are a valued natural resource within the community. These ecosystems are threatened by Sudden Oak Death (SOD), a tree disease caused by the plant pathogen *P. ramorum*. Susceptible trees become infected with the fungus via mobile spores that travel through moist soil or air, often transmitted from infected or dead trees. The most significant host plant is the California bay laurel (*Umbellularia californica*), whose presence is the greatest predictor of *P. ramorum*. Other common host species include camellia, madrone, manzanita, rhododendron, and bigleaf maple. On many host plants, symptoms are limited to leaf spots and shoot dieback, and are not lethal (California Oak Mortality Task Force).

SOD first appeared in Marin County in 1995 and has since killed millions of oak trees throughout coastal California and Oregon. Infected trees develop cankers that seep dark red sap, and the entire crown often turns completely brown. Falling limbs pose a safety threat, and dead trees increase fuel loads and fire danger. Widespread loss of native oak trees threatens many of the species dependent upon them for survival, and has the potential to drastically alter the landscape and natural diversity of the area. Oak trees are part of California's cultural heritage and a key characteristic of the Marin landscape. Only a few cases of SOD have been confirmed so far in the area; however, the disease is prevalent in Marin County and can spread quickly.

The Countywide Plan calls for agency programs and proven methods to limit the impacts of SOD syndrome in Marin County. It also specifies that hazardous vegetation affected by SOD syndrome should be managed according to standards set by the California Oak Mortality Task Force.

An abundance of information is available for residents interested in learning more about SOD. The University of California Cooperative Extension (UCCE) in Marin County provides education and outreach resources on the disease. Locally, the Black Point Improvement Club manages a group contract with a local arborist to spray for the prevention of SOD at a reduced rate for members. This program provides an excellent example of how a community can work together and pool resources to mitigate a problem.

POLICIES

Natural Resources

NR-1 Wildlife Habitat and Movement Corridors

Encourage the protection of wildlife habitat and movement corridors, where feasible. Encourage Consider wildlife-friendly gardens that provide food, water, cover and a place for wildlife to raise their young, where appropriate. the use of wildlife-friendly fencing is encouraged. Fence types, roads, structures, and outdoor lighting that would significantly inhibit or obstruct wildlife movement, especially access to water, should be avoided.

[New Policy]

NR-2 Outreach and Education

Community members are encouraged to develop a ~~public education~~neighborhood outreach program to inform those living and working within the ~~area~~community about living with wildlife and the importance of maintaining ecological connectivity, and to ~~encourage educate~~ residents on how to become active stewards of the land. This program may also include efforts ~~E~~educate residents about the potential effects that pesticides, insecticides, herbicides and rodenticides may have on the ecosystem.
[New Policy]

NR-3 ~~Wildlife Corridor~~ Landscaping in Wildlife Corridors

Encourage the use of drought tolerant, native and fire resistant plants in landscaping areas adjacent to and within a wildlife and habitat and movement corridor, and discourage the use of invasive, non-native plants that can supplant native plants and reduce habitat integrity.
[New Policy]

NR-4 Pesticides, Insecticides, Herbicides, and Rodenticides

Discourage the use of pesticides, insecticides, herbicides, and rodenticides. Encourage natural eradication methods to control rodent populations, such as barn owls. Residents are encouraged to install barn owl boxes near garden and yard areas.
[New Policy]

NR-5 Sudden Oak Death

Encourage property owners to identify and remove trees that are afflicted with Sudden Oak Death, and to consult with experts to determine appropriate best management practices to prevent and treat infestation.
[New Policy]

NR-6 Marsh and Wetlands

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

4. ENVIRONMENTAL HAZARDS

The primary environmental hazards facing the Black Point ~~and Green Point community planning area are include~~ wildfires and earthquakes. This chapter addresses those topics as well as flooding and sea level rise. The County of Marin, ~~and in collaboration with~~ other agencies ~~and organizations~~, work with residents to ~~raise awareness and~~ prepare for emergency situations.

Background

This chapter is intended to raise awareness in an effort to minimize harm to people and property ~~due to environmental hazards~~ from seismic activity, flooding, and fire. A goal of the Marin Countywide Plan Environmental Hazards section is to raise awareness and responses about potential environmental hazards. Efforts to increase hazard awareness is achieved through enhanced public awareness of hazard information and studies, improved information on local hazardous conditions, and support of community emergency response training.

Emergency preparedness is important for both individuals and the community at large. When people are willing to work together for the good of others, communities are stronger. Residents ~~should make can strengthen~~ their community ~~stronger by getting through~~ training ~~ing~~ and getting involved in emergency preparedness. ~~Getting p~~People ~~who are~~ involved ~~is are the~~ key to a disaster resilient community ~~since they may be more willing to look out for themselves and others~~. A resilient community is one that can withstand a disaster and get back to normal quickly, even if normal isn't the same as it was before. Those interested furthering their hazard awareness and obtaining emergency education information should contact Get Ready Marin at www.ReadyMarin.org.

The following topics are addressed in the Environmental Hazards chapter:

- Fire ~~S~~safety;
- Earthquakes;
- Flooding; and
- Sea ~~L~~level ~~R~~rise.

Fire Safety

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

The combination of vegetation, topography, climate and population density create significant potential for fire hazards ~~and create challenges in providing fire protection services~~. ~~The~~ Black

Point and Green Point area is considered ~~one of the highest high~~ risk areas for wildland fire potential ~~as a result of the~~ due to narrow roads, ~~combustible construction materials~~ older structures, limited and difficult access with steep slopes, ~~and chaparral~~ fire prone vegetation, ~~and fuel loading from~~. ~~The absence of large fires in the community has also resulted in areas with high fuel loading. To make matters worse,~~ The presence of Sudden Oak Death has created additional dead fuel loads in the oak woodlands and bay forests that amplify ~~ies~~ the threat of wildland fire and crown fire potential ~~to homes in the urban interface~~. (Refer to Chapter 3: Natural Resources for additional information on Sudden Oak Death). With the historic focus on protecting the natural resources of the bay plain areas from development, residential development within the community was instead directed towards the ridge and hillside areas, ~~which are also~~ within wildland-urban interface zone (as shown in Map 5), ~~and are also considered high fire risk areas~~.

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

Fire protection services to the old Gridiron area of Black Point is particularly challenging due to the areas steep, narrow and minimally improved roads, ~~which are often steep. The area has long roads~~ that extend down the ridgelines, ~~and ending~~ in cul-de-sacs, ~~which that~~ could easily entrap ~~fire~~ emergency responders and equipment ~~should a fire rapidly change direction~~.

~~Widened Wider~~ roads could provide ~~faster response time by improving~~ improve emergency access and ~~a means of turn around~~ maneuvering of vehicles, ~~in addition to allowing vehicles to safely pass each other. It is~~ A goal of this community Pplan is to maintain the community's quality of life by ensuring that infrastructure serves to enhance the community safety; the Y-shaped turnaround installed at the end of Norton Avenue is an appropriate improvement consistent with this goal. Cul-de-sacs may not be as appropriate.

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

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

These and other standards for fire protection are typically administered through the development review process, including the design of roads, driveways and landscaping. The County may also prohibit new land divisions in very high and high fire hazard areas unless the

availability of adequate water for fire suppression is demonstrated and guaranteed; access for firefighting vehicles and equipment is provided from more than one point; necessary fire trails and fuel breaks are provided; fire-resistant materials are used exclusively in construction; and adequate clearances from structures and use of fire-resistant plants in any landscaping is required. In rural areas such as Black Point and Green Point, on-site water storage capacity may be required for each single-family dwelling.

The Novato Fire District has a strong history of working ~~closely~~ with the community to provide information and educational programs to increase awareness of fire hazards and reduce fire risk. ~~A number of t~~These free programs include ~~the following, such as:~~

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

This is one of the first community plans to propose specific emergency evacuation routes. Map 6 shows the proposed fire evacuation routes and staging areas for each neighborhood. Residents are encouraged to evacuate by foot or ~~by~~ vehicle depending on location. With Grandview Avenue as the only road in and out of the Gridiron area of Black Point, and limited access via Crest and School Roads in Green Point, emergency evacuation planning is critical. The Novato fire district, in cooperation with the Marin County Sheriff's Office, the Marin Humane Society and the Novato Police Department, have conducted at least four evacuation drills for the Black Point area since 2005. The Bay Club Stonetree Golf Club has also agreed to allow residents to utilize their property for an evacuation route in ~~the event of a true~~an emergency. As resources allow, future evacuation drills should be conducted on a community-wide scale.

Other issues remain with regards to fire safety. Through surveys and input obtained from community meetings during the community plan update process, residents indicated concerns for improved fire safety and emergency access. As discussed in the Transportation chapter, there are three gates within the Black Point neighborhood that may limit access, particularly in the event of an emergency. For example, the gate on Bay Canyon Road, which is a privately owned road, is locked. Meanwhile, overgrown vegetation may block the unlocked gate at the end of Grandview Avenue, ~~which is not locked~~. The gate to the entrance of Day Island is not locked. In the Green Point neighborhood there are two gates: one locked gate on Crest Road

and another on Lockton Lane. The gate on Lockton Lane is generally closed and locked at night only. Except for the Lockton Lane gate, the fire department maintains keys to unlock the gates; ~~although such gates may only be unlocked~~ in the event of a significant emergency.

Residents also indicated the need for more enforcement of vegetation removal and defensible space requirements, especially on vacant lots. Additionally, regular trimming and removal of brush along the paper streets and informal trails is needed to maintain adequate clearance for emergency access. Maintenance of these paper streets and trails is difficult since many are private property and ~~not~~ county maintained. Finally, residents want to see continuation of the fire district's chipper service provided through the district's neighborhood and homeowner brush removal matching grant funds. This program is dependent on funding availability; residents are required to provide a funding match.

Earthquakes

The community is located some 18 miles east of the San Andreas Fault and approximately four miles ~~to the~~ west of the Hayward Fault. The Burdell Mountain Fault (considered inactive) intersects the community from the northwest, while the Rodgers Creek Fault Zone runs from San Pablo Bay to the northern outskirts of Santa Rosa. The Tolay Fault is considered to be the northward extension of the Hayward Fault. Map 7 shows the location of these faults in relation to the community. The San Andreas and Hayward faults are both active faults that have been sources of caused great earthquakes during the 150 years or so of historical records. Further, and beyond that both exhibit abundant evidence of great displacements over millions of years. Statistically, damaging earthquakes are more likely to occur from large displacements on the San Andreas or Hayward Faults. Both pass sufficiently close that great earthquakes generated from either fault within the region should be expected to have severe seismic impacts in the area. The threat of a large earthquake occurring is highly probable ~~although difficult to and unpredictable~~; ~~however thus this should not prevent the~~ community members should from takeing adequate steps to plan and prepare for the possibility.

An unknown factor ~~in this area~~ is the presence of the Burdell Mountain Fault. This fault, which passes southeasterly through or beneath the marshlands a half mile or so west of the Black Green Point hills, its trace concealed by the bay mud of the bay plains. While there is no conclusive evidence to determine if the fault is potentially active, ~~there is~~ a prominent feature to the northwest where topographic evidence suggests displacement in relatively recent geologic time. ~~Statistically, damaging earthquakes are more likely to occur from large displacements on the San Andreas or Hayward Faults. Both pass sufficiently close that great earthquakes generated from either fault within the region should be expected to have severe seismic impacts in the area.~~

The community's ridge and upland areas ~~of both Black Point and Green Point~~ are composed of ancient conglomerate, a strong, stable rock type made up of well-cemented sand and gravel deposited some 140 million years ago. This material is more resilient to the seismic waves caused by an earthquake than the adjacent bay mud. These flat lands are underlain by weak alluvial deposits of soft, unconsolidated, water saturated clay, silt and vegetative remains (peaty material) accumulated as marshlands in San Francisco Bay within about the last ten thousand

years. This soft bay mud is highly compressible and more susceptible to liquefaction and subsidence. Thus, structures located in the bay plain areas may be subjected to ~~potentially~~ more disruptive shaking than those on rock. Sewer and water pipes in ~~such groundbay mud~~ are also susceptible to rupture during strong earthquakes. Map 8 shows the seismic shaking amplification hazards based on soil types, ~~while and~~ Map 9 shows the level of liquefaction susceptibility for the community.

A goal of the Countywide Plan is to protect people and property from risks associated with seismic activity and geologic conditions. Policies and programs in the Countywide Plan Environmental Hazards section accomplish this goal by requiring development to avoid or minimize hazards from earthquakes and unstable ground conditions, to comply with the Alquist-Priolo Act, and designing and constructing all new buildings to be earthquake resistant. While the San Andreas is the only local fault subject to the Alquist-Priolo Act, which prohibits specified types of habitable structures within 50 feet of an active fault trace, appropriate placement and engineering of foundations can ~~minimize impacts to structures from~~ ~~render buildings less prone to~~ ground shaking and liquefaction. ~~As shown on Map 7, the community is not directly located within a boundary of an earthquake fault zone.~~

The ~~community~~ Plan does not recommend any ~~new~~ policies ~~at this time, since because~~ earthquake safety is addressed in the Countywide Plan. Instead, community members should ~~take the responsibility to~~ work together to make the community stronger ~~through increased awareness and by getting~~ ~~trained~~ in emergency preparedness ~~and getting involved~~. In the event of a large earthquake, residents and businesses may be isolated from basic police, fire and emergency support for ~~a period ranging from~~ several hours to several days.

Flooding

Flooding can originate from storm runoff, tidal activity, tsunamis or storm surge. In Black Point ~~and Green Point~~, flooding tends to occur more frequently in the low-lying areas close to the ~~b~~Bay. This includes the historic bay plain area formerly subject to tidal action, ~~and~~ which is below mean sea level, located to the south of Atherton Avenue and east ~~and west~~ of SR 37. Novato Creek extends through the area and enters ~~Richardson-San Pablo~~ Bay near the mouth of the Petaluma River. In addition, during flood events key roads, ~~including SR 37~~, may ~~become~~ inundated, ~~including SR 37, and~~ ~~impeding~~ access both into and out of the community.

The lowland marsh areas on the ~~west-south~~ side of the Petaluma River are subject to intermittent inundation depending on tides and surface runoff from the ~~adjacent hills to the west~~. Access to this area is minimally available via Channel Drive, which ~~is~~ often ~~floods~~ ~~inundated~~ ~~as well~~ during periods of high tide and heavy ~~surface~~ runoff. ~~Day Island, which primarily consists of low level bay plain extensions and dredged lagoons fronting the bay, attains a maximum elevation of approximately 100 feet and has been identified by the Marin County Flood Control District as essential to the development and implementation of a comprehensive flood plain management program. Day Island also serves as an ecological preserve (see Chapter 8: Parks and Recreation). The bay plain wetland areas, including the 144 acres owned by Marin~~

Audubon Society and the adjacent diked historic tidelands owned by the Novato Sanitary District, provide an important function as a flood basin. Runoff and rain water pond on these properties until drained off by Marin County Flood Control pumps on Novato Creek. This minimizes flood potential on Atherton and Olive Avenues. The importance of these lands and how they are managed will increase as sea level rises.

Protecting people and property from ~~the flooding~~ risks ~~of flooding~~ is an important goal of the Countywide Plan. Regulations require all improvements in the bayfront, floodplain, tidelands, and coastal high hazard zones to be located and designed to be ~~more~~ resistant to damage from flooding, tsunamis, seiches, and related water-borne debris. Flood control is a complex issue ~~that is~~ influenced by ~~a variety of various~~ federal, regional and local agencies in addition to the County of Marin. Due to the complex and technical nature of flood management, detailed direction on this issue is beyond the scope of the community plan.

Background

In 1953, ~~an act of~~ the State Legislature established the Marin County Flood Control and Water Conservation District, which is governed by the Board of Supervisors and staffed by the Department of Public Works. Within the ~~Flood Control~~ District, eight separate flood control “Zones” have been created in areas with specific flooding problems. The goal of the ~~Flood Control~~ District is to help protect residents from flooding by constructing, operating, and maintaining flood control improvements such as pump stations and drainage ways.

Flood Control Zone District 1

The community is located within ~~Flood~~ Zone 1, which encompasses the entire city of Novato and other unincorporated areas--essentially the entire watershed tributary to Novato and Rush Creeks, as shown on Map 10. ~~(See Map 10).~~ The Zone 1 was formed in the 1970-1960's to address flooding issues in downtown Novato and surrounding areas.

Novato Creek is a substantial perennial stream that extends approximately 17 miles from San Pablo Bay to its headwaters ~~above~~ Stafford Lake. This creek, along with its numerous tributaries including Bowman Creek, Simmons Creek, Warner Creek and Arroyo Avichi, drains an approximately 27,500-acre watershed. Ongoing maintenance includes periodic dredging of lower Novato Creek, Warner Creek and Arroyo Avichi, regular servicing of pump stations, tidegates, levees, and drainages, and an annual vegetation maintenance program.

An advisory board meets ~~on a quarterly basis~~ as needed to advise staff. More information on the flood control zone ~~district~~ is available online at www.marinwatersheds.org.

Marin County Watershed Program

~~Historically, environmental impacts were not necessarily a primary consideration in the development and implementation of flood control measures. However, in~~ 2008, the Board of Supervisors established an innovative approach to integrating flood protection and environmental stewardship and restoration, known as the Marin County Watershed Program. The Watershed Program looks at flooding issues from a broader context and looks to solve problems instead of symptoms of problems. As part of the Watershed Program, Department of Public Works staff work with a variety of public and private partners, including the City of

Novato, North Marin Water District, and Novato Sanitary District, which are all part of the Flood Control Zone 1 – Novato Advisory Board, to provide a system-wide analysis of flood protection options and to develop:

- Hydrology and hydraulic models for Novato Creek;
- Stormdrain model for Nave Gardens;
- Historical ecology of the baylands; and
- Conceptual project alternatives.

The Novato Creek Watershed Boundary area is shown in Map 10, ~~which includes the Black Point and Green Point areas.~~

The purpose of the Novato Watershed Program is to identify opportunities to integrate flood protection goals with creek and wetland restoration elements. This process includes evaluating alternatives that would reduce flood protection maintenance costs and impacts and be resilient to sea level rise. This first phase ~~of work~~ would produce a unified hydrology and hydraulics model to evaluate alternatives and a Geographic Information Systems based database to identify restoration opportunities. Once the multi-benefit alternatives are identified, it is anticipated a revenue measure would be proposed and/or grant funds sought to fund implementation. ~~This work would also support efforts to secure grant funds.~~

Information on this program and other watershed areas can be obtained at marinwatersheds.org. ~~Marin County Department of Public Works provides staff support for the watershed program.~~

In Case of a Flood Emergency

If there is a flooding emergency please call 911. They will route the call to whoever is on call with the County of Marin Flood Control ~~Division; District~~, Road Crew or City of Novato. If flooding is not imminent, residents may call and leave a message on the DPW main number (415-473-~~65306992~~) and it will be routed to the appropriate person when offices open.

Resources

National Flood Insurance Program (NFIP)
www.FloodSmart.gov

Sea Level Rise

The Countywide Plan acknowledges the need to address and adapt to the various aspects of climate change. As a bayfront community, portions of Black Point and Green Point may be subject to greater flooding in the future. Over time, sea level rise (~~SLR~~) resulting from climate change is expected to lead to increased erosion, loss of wetlands, more frequent flooding, and ~~the~~ permanent or periodic inundation of low-lying areas. Access ~~into~~ and ~~out from~~ the area may will likely be compromised ~~due to submersion of portions of when~~ SR 37 and other key roadways such as Atherton and Olive Avenues become submerged. as well as portions of other major roadways such as Atherton and Olive Avenues. Further, limited capacity of alternate routes increases vulnerability when major roadways are flooded. Disruptions to ground

transportation will affect commuters and movement of goods through the area, and could cause problems during emergencies if people are unable to evacuate or reach family members. Periodic flooding already occurs in parts of the community during high tide and storm events, giving a preview of the future with rising water levels.

Furthermore, ~~There may be impacts on the area's~~ septic systems, utilities, boat launches, docks, property, and other infrastructure ~~in the community may also be impacted.~~ ~~Intermediate projections of sea level rise of one to two feet by 2015. This impact structures, which could occur by 2015, in the Village Center and some homes~~ other ~~located in~~ low-lying areas along Atherton Avenue, Beattie Avenue, Iolanthus Avenue, Harbor Drive, and Channel Drive. ~~Long range projections of sea level rise of three feet or greater by 2100 show impacts to the fire station on Atherton Avenue.~~ ~~Since most development is located in elevated areas, the primary impacts of sea level rise in the 21st century will be impaired access to the community during periodic flood events, and eventually, from permanent inundation. Septic systems are vulnerable to failures from saltwater intrusion and flooding from a rising groundwater table, posing a threat to water quality and public health.~~

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 community. The Petaluma Marsh is among the tidal marshes throughout the Bay whose accretion process is unable to keep up with sea level rise, and whose inward migration is restricted by inland barriers. Marsh areas surrounding the community may convert to mudflat or subtidal habitat by the end of the century without significant intervention and management to prevent marsh accretion. Loss of marsh habitat will affect wildlife, and reduce the flood risk management benefits marshes provide¹.

Sea level rise projections vary. However, global models indicate that California may see up to a 66-inch (5.5 feet) rise in sea level within this century given the expected rise in temperatures around the world (National Research Council, 2012). In the near term however, the major concern is “extreme events” where more intense, more frequent, and longer-lasting periods of precipitation and greater wind speeds occur in tandem with extreme high tides to result in unusually severe flooding. In low-lying areas of ~~Black Point~~ the community, the temporary but potentially significant impacts of such extreme storm events may occur well before sea level rise itself is noticeable or creates permanently inundated areas within the community.

¹ “Adapting to Rising Tides”. San Francisco Bay Conservation and Development Commission (BCDC). 2012.

Sea Level Rise Adaptation Strategies

Coastal armoring. ~~Linear coastal~~Physical protections such as levees and seawalls.

Floating development. Structures designed to float permanently or periodically.

Elevated development. Raising the elevation of land or structures above flooding levels.

Living shorelines. ~~Utilizing~~Using wetlands to absorb floods, slow erosion, and provide habitat.

Floodable development. Designing structures to withstand flooding or temporarily retain stormwater.

Managed retreat. Planned abandonment ~~of threatened areas~~.

Map 12 shows areas that may be impacted by ~~two-four~~ potential sea level rise scenarios: 1) 25 cm (0'10") sea level rise (SLR) with Annual storm ~~(wave action from a storm of the magnitude predicted to occur once a year), and~~ 2) 50 cm (1'8") SLR with 20-year Storm, ~~(wave action from a storm of the magnitude predicted to occur once every 20 years),~~ 3) 100 cm (3'3") sea level rise with 100 Year Storm, and 4) 200 cm (6'6") sea level rise with 100 Year Storm. The topography of the community area is such that the difference in inundated areas between 25 cm and 50 cm is more pronounced than the difference between 50 cm and 100 cm, or between 100 cm and 200 cm. Data shown on ~~the m~~Map 12 comes from "Our Coast, Our Future (OCOF)", an ~~collaborative project that provides~~ online tools for visualizing SLR flooding scenarios using data from the U.S. Geological Survey (USGS) Coastal Storm Modeling System (CoSMoS). The OCOF Flood Map allows users to view the potential impact of various sea level rise and storm scenarios by visiting the website at: www.data.prbo.org/apps/ocof/.

The scenarios shown on Map 12 are the same as those selected for the Collaboration: Sea-level Marin Adaptation Response Team (C-SMART) project to plan for SLR on Marin's ocean coast. The four scenarios, selected from 40 possible combinations of sea level rise and storm magnitudes, are representative of a range of potential conditions. While the timing of sea level rise impacts is uncertain, Marin County is leading efforts to identify vulnerable assets and develop adaptation strategies to prepare.

From a policy and regulatory standpoint, sea level rise is an issue that should be addressed on a countywide basis to ensure consistent treatment of residents and their properties. For example, modifications to building or zoning regulations to limit development or require elevated construction in areas threatened by sea level rise should apply uniformly throughout the County. However, the impacts of sea level rise will occur locally and appropriate adaptation strategies will vary from one community to another ~~based on local conditions~~.

In general, strategies for addressing sea level rise fall into ~~a number of several~~ broad categories, ~~some of which areas~~ shown in Figure 14. Each ~~of these strategies~~strategy has advantages, and disadvantages, and ~~may require significant~~ trade-offs. For example, coastal armoring may be effective ~~in certain cases~~ but is typically very expensive and ecologically damaging. Elevating development may decrease potential damages from flooding in the short term, ~~though not the long-term and may negatively impact but has implications for~~ the visual character ~~of a neighborhood~~. The suitability of any approach for the Black Point area community would depend on costs, environmental factors, feasibility, and other considerations.

As noted previously, the Novato Flood Protection and Watershed Program process will include evaluating alternatives that ~~would~~ reduce maintenance costs and impacts and be resilient to sea level rise. Existing and historic bay plain and marshland areas bordering the community may also offer a good opportunity to utilize the “living shoreline” approach. Other possible approaches, such as managed retreat, have major implications for ~~factors such as~~ property values and community character, and could only move forward in the future after extensive community input.

A community-specific assessment of sea level rise impacts and appropriate adaptation strategies will require detailed study. Future analysis and planning should build upon the efforts of the Novato Flood Protection and Watershed Program and could include the following:

- Assess local conditions and evaluate potential risks to the community’s buildings, infrastructure, and natural resources;
- Identify locally relevant adaptation strategies to reduce and manage risks; and
- Consider the opportunities and constraints associated with each strategy ~~as well as~~ and potential costs and feasibility.

With the above in mind, the ~~community P~~plan does not recommend specific policies to address sea level rise at this time.

Options for Consideration

During the ~~P~~plan preparation process ~~community members raised a number of several ideas were raised by the community that may~~ deserve further consideration and evaluation. ~~However, While~~ these may not ~~rise to the level of additional~~ become policy requirements in this ~~community P~~plan. ~~Further, the feasibility and funding sources for these concepts have not been determined. Instead, I~~ these ideas are offered for further exploration as part of on-going community discussions about the future of fire protection and emergency preparedness in ~~both Black Point and Green Point~~ the community.

Fire Safety

- Continue to work with the Novato Fire District to educate residents on fire safety and conduct regular evacuation drills. Where resources allow, conduct evacuation drills on a community-wide basis;
- Work with the fire district and property owners to maintain clearance of brush and vegetation from designated evacuation routes;
- In the Gridiron area, require new development to provide roadside pullouts or wider road sections, where feasible, to allow additional room for emergency vehicles to pass or turn around. These improvements should be consistent with and not detract from the area’s semi-rural character;

- Work with FIRESafe Marin and the Novato Fire Department to seek funding for additional “Chipper Days” to remove fuels from the defensible space radius that surroundings homes and to clear vegetation ~~back~~ from access roads~~;~~.
- Work with the Novato Fire District to inform residents about defensible space requirements; ~~and~~.
- Encourage landowners to grant easements across private property for emergency access purposes.

Flooding

- Continue to ~~follow~~ track progress of the Draft Novato Watershed Program, as part of the Marin County Watershed Program, to identify opportunities to integrate flood protection goals with creek and watershed restoration elements.

5. COMMUNITY CHARACTER & LAND USE

Maintaining the 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 the Black Point and Gridiron areas tend to be smaller and older than the more contemporary homes in Green Point.

Background

Maintaining the area's natural and rural character is one of the four goals of the community plan. During the community plan update process, participants continuously expressed the desire to protect the area's character. While it is difficult to define a subjective concept like community character, adjectives such as quiet, peaceful, unique, spacious, rural, and beautiful were used to describe the community. Preserving community character may allow residents and visitors to feel a greater sense of place and a closer connection to their community.

The [Marin](#) Countywide Plan recognizes this relationship and provides policy guidance to protect community character in the Community Design section (See Figure 15). These and other policies are regulated and implemented through the development review process. Depending on the type of development, other guidance may be provided through planning documents such as community plans and the Single-Family Residential Design Guidelines. The community plan may contain customized building and site design standards that reflect the unique character of each area and respond to local design issues.

Topic areas addressed in the Community Character and Land Use chapter include:

- Land Use and Zoning;
- Home Size;
- Setbacks;
- [Legal](#) Nonconforming Lots;
- Light Pollution (Night Skies); and
- Affordable Housing.

Land Use and Zoning

The character of the community is traditional single family detached housing. In contrast to the Green Point neighborhood, which was mostly developed in the latter half of the century and features more contemporary design, many of the homes in the Black Point neighborhood are vintage and were some of the first homes built as summer vacation cottages.

The area's community character features a variety of home styles and ages. Unlike many homogenous tract home subdivisions, the area was slowly subdivided with individual and small clusters of lots. Figure 16 shows the year structures were built. A small percentage of homes (7 percent) were built prior to 1939, and a small building boom occurred in the post war period (13

percent). A large proportion of the area's homes were constructed during the 1970's (35 percent) and 1980's (17 percent). Only 16 percent of the housing stock was built after 2000. With the majority of the homes (66 percent) 45 years or older, many homes may require remodeling to meet modern demands.

According to the 2010 Census, there are 596 housing units in the planning area. The 1978 community plan (p. 13) reported approximately 297 single family dwelling units, indicating the number of homes doubled over the 32 year period. A similar comparison to population is not available since data for that period is not readily available. However, the area's population grew 14 percent from 2000 to 2010, relatively consistent with the 18 percent increase seen in housing units during that time. Additional population characteristics are discussed in Chapter 2: Background.

The median value of homes in the area is over one million dollars. Thirty seven percent are valued between \$500,000 and \$999,999 and 60 percent are valued at \$1,000,000 or more (Figure 18). Eighty-six percent of owner-occupied homes have a mortgage, and 14 percent are owned free and clear. Typical for Marin, 87 percent of those with a mortgage have mortgage costs of at least \$2,000 per month. In addition to mortgage costs, the Census provides information on gross rent. The data shows that 15 percent of renters pay less than \$200, 40 percent pay \$750 to \$999, 17 percent pay \$1,000 to \$1,499, and 28 percent pay \$1,500 or more per month. In terms of housing affordability, 72.3 percent pay 35 percent or more of their household income towards rent. The other 27.7 percent pay less than 15 percent of their income towards rent. The National Housing Authority advises that rent should be no more than 30 percent of household income. This metric indicates that a high number of renters in the community are paying a disproportionate amount of income towards rent. This, factored in with the cost of transportation, advised to be no more than 15 percent of household income, may reduce disposable income further.

Existing Land Use

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

Figure 19 shows the total acreages and percentages of each Land Use Category, and Map 13 shows the distribution of land use for the planning area. The Land Use ~~Categories~~ categories are as follows:

Agriculture (AG1 and AG3). Approximately 17 percent of the area is considered agriculture.

This includes most of the Black Point neighborhood and the bay plain marsh areas south-west

~~and east~~ of Atherton Avenue. Both the AG1 and AG3 land use designations allow for agricultural uses, including nonresidential structures necessary for agricultural production. Residential uses are allowed at a density of one dwelling per 1 to 9 acres under AG3 and one dwelling unit per 31 to 60 acres under AG1. These areas are primarily residential with some agricultural uses generally limited to a nursery and small garden plots.

Rural/Residential (SF3). Over 56 percent of the planning area is designated SF3, Rural/Residential, and is the primary land use designation in the Green Point neighborhood. The Rural/Residential land use category is for single family residential development in areas where public services, such as sewer, are limited and on properties where physical hazards and/or natural resources may restrict development. Densities are allowed within a range of 1 unit per 1 – 5 acres. Additionally, some agricultural uses generally limited to livestock (horses), small garden plots, and kennels are permitted.

~~**Planned Residential (PR).** There is one five-acre parcel designated as Planned Residential with a density of 1 unit per 1 – 5 acres within the community. Uses on this parcel include a riding arena, corral, and barn and paddock facilities.~~

Neighborhood Commercial (NC).

Only one percent of the land area, located in the Village Center area, is developed as Neighborhood Commercial. The Neighborhood Commercial/Mixed Use land use category is established to encourage smaller-scale retail and neighborhood serving office and service uses in conjunction with residential development oriented toward pedestrians and located in close proximity to residential neighborhoods. Additional description of the land use in this area is discussed in the Key Development Sites chapter for the Village Center area.

Recreational Commercial (RC). Less than one percent of the land area is designated Recreational Commercial. This designation provides for resorts, lodging facilities, restaurants, and recreational boat marinas. This area includes the Black Point Boat Launch and an adjacent vacant parcel.

Open Space (OS).

The Open Space designation allows for recreation, watershed, and habitat protection and management. Twenty-four percent, or 343 acres, of the planning area is designated as Open Space. This consists of approximately 164 acres of the bay plain area south west of Atherton Avenue, 125 acres of Days Island, and 54 acres of marsh along the Petaluma River.

Existing Zoning

A description of the zoning and distribution of acreage is shown in Figure 21, and the area's zoning is shown in Map 14. Generally, the majority of the Green Point neighborhood is zoned ARP-2, and the Black Point neighborhood is zoned A2. ARP-2 has a density of 1 unit per 2 acres, and A2 requires a minimum lot area of 2 acres.

A2 (Agriculture, Limited) District

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

ARP (Agriculture, Residential Planned)

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

Planned Development and Build Out

The planning area encompasses approximately 1,431 acres containing 788 parcels. Today, approximately 610 housing units and 53,400 nonresidential square feet exist on these parcels. Of the total housing units, approximately 231 units are in Black Point and 379 are in Green Point. Figure 22 shows the breakdown of existing and potential buildout of housing units within each area. Theoretically an additional 105 housing units in Black Point and 97 units in Green Point, for a total of 202 additional units, including second units could be built. A total of 812 total units are anticipated at build out, representing a 33 percent increase for the entire planning area.

Of the nonresidential square footage, approximately 74 percent (39,509 square feet) is concentrated along a small corridor along Harbor Drive in what is commonly called “The Village Center” area. Refer to the Village Center Area discussion following this section. The remaining 26 percent (13,889 square feet) is distributed throughout the planning area, as shown in Map 15. Total nonresidential square footage at build out is anticipated to be approximately 57,686 square feet. In the Green Point area, no additional nonresidential square footage is anticipated beyond what already exists. An additional 4,288 square feet is anticipated in the Village Center area.

The build out figures are a projection of potential development if land vacant in 2014 were fully developed according to the zoning designations shown in Map 13. In some cases, build out figures may be greater than the development that could be realized due to a number of factors, including:

- Environmental constraints;
- Policies or regulations (e.g. parking, setbacks, septic); and
- A land owner may seek less development than is allowed.

The only proposed change to land use or zoning designations is to property owned by the Marin Audubon Society. The Marin Audubon Society owns a large number of properties within the community and has requested rezoning several properties to Open Area and changing the land use designation to Open Space, as shown in Policy CC-1. These properties are located near

the intersection of Olive and Atherton Avenues, and around Norton Pond in the Grandview Swale area.

The Village Center Neighborhood

The Village Center neighborhood is a small, locally serving commercial area along Harbor Drive, shown in Map 15. The area along the northern-northwest side of Harbor Drive consists of five parcels containing a small number of single-family residences and commercial uses, including an automotive and maintenance shop and a convenience store and deli. An antique store, now closed, formerly operated out of one of the residential units. On the southeastern side of Harbor Drive and adjacent to the Northwestern Pacific rail line are several large parcels owned by the Northwestern Pacific Railroad and five parcels owned by Kelleher Lumber Company. These five lots combine to form the distribution center for the company. Adjacent to Kelleher Lumber is the former House of Daniels site, now a warehouse and self-storage for RV's and boats, which was annexed to the City of Novato in 2002.

The zoning for the Village Center is VCR, Village Commercial/Residential. This zoning district 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. 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. Lack of parking and septic are also constraints. Despite these limitations, survey results and feedback from community workshops indicated a strong community desire to accommodate some future growth. Such growth should respect the area's history, be local serving, sensitive to the small scale nature of the existing properties, and consider the area's unique natural and scenic values.

While VCR zoning allows several uses (refer to Marin County Code Chapter 22.12), many may not be an appropriate fit for the location. Survey and resident feedback indicates ~~that~~ there is community support to encourage certain uses, such as:

- Plant nurseries;
- Small child day care/small family day-care homes; theatres and meeting halls (for a community center);
- Residential uses; and
- Grocery stores and restaurants (including cafes); second hand stores; antique retail stores; studios for art, dance, music, photography, etc.
- Public parks and playgrounds; and
- Community garden.

While the above uses are encouraged, this does not preclude other uses allowed under the VCR zoning from being developed, subject to compliance with the Development Code. Further, formula or “chain store” operations that are inconsistent with the village character and scale of the surrounding community are discouraged. The community plan recommendation for the Village Center area is described in the Policies section at the end of this chapter.

Home Size

Concerns about home size, particularly in relationship to lot size, were raised as a potential threat to the area’s identity and semi-rural community character as new development mixes in with the area’s smaller, older, and more traditional homes. Because there is no factual measure or definition to objectively judge community character, it is difficult to determine what it is, especially since there is a wide range of architectural styles, scale, and ages within the area.

Home size is generally not regulated in the County’s unincorporated areas. Depending on the type of development, the size of homes is addressed through the Design Review process and through the guidance of the Single-family Residential Design Guidelines. Figure 24 describes what types of new structures or physical improvements would be subject to Design Review. The Design Review process is a discretionary process that looks at the design and physical improvements of a project to implement the goals of the Countywide Plan. The process is intended to ensure that site planning and building design respects and preserves the natural beauty of the County and its environmental resources, and that exterior appearances, including landscaping and parking, are harmonious with the design, scale, and context of the surrounding properties.

In recognition of the Countywide Plan’s goal of protecting community character, the County developed guidelines to address design considerations for both single-family and multi-family residences. Together, the Marin County Single-family and Multi-family Residential Design Guidelines are intended to establish clear and comprehensive standards for evaluating residential projects. A brief summary of the Single-family Residential Design Guidelines is provided in Figure 25.

These guidelines are not intended as absolute standards; rather, they allow for flexibility in design to take into consideration the local climate, building materials and colors, landscaping, unique topographic and hydrologic features, visibility, and any environmental constraints to identify the most suitable site for development. Since the Design Guidelines are advisory, more formal policy standards may be necessary to regulate the size of homes to protect the area’s community character. Two policy options for regulating home size are provided in the Policies section at the end of this chapter.

Setbacks

Setbacks were also discussed as an important feature of community character. As previously mentioned, 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 significantly throughout the planning area, in part because many of the residences are older and were constructed prior to the initiation of comprehensive design standards.

Setbacks are one of several design components that should be considered when designing projects because they can influence privacy, views, light, solar access, and noise effects on neighboring properties. Standards for setbacks, including front, side, corner side, and rear setbacks, in addition to height and minimum lot area, are provided in Marin County Code Chapters 22.08, 22.10, and 22.16 and are summarized in Figure 26.

Minimum setbacks are required in the A2 zoning district. In the ARP zoning district, setbacks are determined through the Master Plan and/or Design Review process in accordance with Chapters 22.44 (Master Plan and Precise Development Plans) or 22.42 (Design Review).

Exceptions to the setback standards ~~in the A2 zoning district may be~~ allowed for parking structures on steep slopes of 20 percent or steeper. Further, setback standards may be waived for substandard lots, common in the Gridiron neighborhood.

In addition to the Development Code, guidance on setbacks is provided in the Single-family Residential Design Guidelines ~~(SFRDG)~~. Relevant guidelines pertaining to setbacks are summarized in Figure 27. The ~~SFRDG~~ Single-family Residential Guidelines recommend that new development and remodel/additions should not be disharmonious with the existing street patterns. In hillside areas with average slopes of 25 percent or more, varied and staggered front setbacks are encouraged to reduce the monotony of repetitive setbacks and for consistency with the hillside character. Projects 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.

Community input during the ~~P~~lan update process indicated a desire for setback standards to be more consistent with the surrounding neighborhood. The Plan recommendation for setbacks is provided in Policy CC-3 in the Policies section at the end of this chapter.

Legal Nonconforming Lots

Many of the existing lots in the old Gridiron neighborhood are considered to be legal nonconforming. This neighborhood was created as a subdivision in 1905 with the lots measuring 25 feet wide by 100 feet deep. Access to the lots was to be provided via 25-foot wide right-of-way roadways. The Gridiron is a “paper” subdivision that did not take into consideration the steepness of terrain (ranging beyond 40 percent slope in many instances) or the lowland floodplains when originally plotted. The area was zoned A2, Limited Agriculture in 1942.

The 1985 Merger Program

On December 20, 1985 the Marin County Deputy Zoning Administrator approved the merger of approximately 149 of lots within the Gridiron Area, though several substandard lots remain. In the Gridiron area (zoned A-2 Limited Agriculture), the minimum lot size is two acres. Analysis

shows there are approximately 283 parcels zoned A-2. Of these parcels, more than 250, or 90 percent, are one acre or smaller.

Figure 28 shows the distribution of parcels by size. Figure 29 shows the distribution of ARP zoned parcels by lot size for comparison purposes. Unlike the A2 zoning district, the ARP zoning district does not have a minimum lot size.

Because the majority of lots in the Gridiron remain substandard, the community plan continues to promote the amalgamation of substandard sized parcels to minimum lot area requirements commensurate with on-site (septic tank) waste disposal constraints inherent in the area. Septic issues are discussed in more detail in the Public Facilities and Services chapter.

Existing Development Regulations

Regulations governing nonconforming lots (and nonconforming structures and uses) are spelled out in the Marin County Development Code, Title 22, Article VII, Chapter 22.112 (see Figure 30). These standards describe when nonconforming uses and structures may continue. For example, a nonconforming use of land may be continued or sold as long as the existing use is not enlarged, increased, intensified, or extended to occupy a greater area than it lawfully occupied prior to becoming a nonconforming use. The nonconforming use may not be relocated to another location on the lot, or moved from the inside to an outside location.

Lots that are nonconforming due to substandard lot area are prohibited from being reduced in lot area if the lot is located in a conventional zoning district. This would include the A2 zoned areas in the Gridiron area.

Nonconforming structures may be allowed to continue being used unless the structure is demolished. However, if the nonconforming structure is demolished by a natural disaster, such as fire, flood, earthquake, or as the result of an emergency, the structure would be allowed to be rebuilt subject to a number of conditions, spelled out in Section 22.112.020(E).

A nonconforming use of land or a nonconforming use of a conforming structure is considered abandoned if the use is discontinued for continuous period of one year or is moved, and shall lose its nonconforming status.

Additional Information and Resources

Contact the Marin County Community Development Agency for more information.

Light Pollution (Night Skies)

The night sky is an important visual and natural resource. The absence of much artificial, exterior lighting in the community enhances the area's rural and natural character, and affords residents the opportunity to enjoy the night sky. Preventing light pollution to protect the night sky and minimize impacts on the area's wildlife was identified as an important issue. Light pollution is generated from installing unpleasant light fixtures that cast light on an otherwise natural or

low-light setting, and potentially competing with starlight. Sources of light pollution within the community may include exterior building lighting and streetlights.

While there are no specific policies in the Countywide Plan that address light pollution, the Marin County Code (Section 22.16.030) requires that exterior lighting be allowed for safety purposes only, shall consist of low wattage fixtures, and should be directed downward and shielded to prevent adverse lighting impacts on nearby properties. This section also requires that street lights be of low intensity and profile. In addition, the Single-family Residential Design Guidelines provide additional direction on design solutions to address lighting concerns. Although these guidelines are specific to residential development, they also apply to the commercial development in the planning area. The community plan recommends minimizing light pollution from existing and new development to protect the area's rural character.

Affordable Housing

Marin County offers varied and attractive residential environments due to its unique combination of natural beauty and proximity to San Francisco. Many of the housing problems that exist today, such as low vacancy rates, escalating housing prices and rents, and the overall demand for housing and pressure for growth, are a result of these attractive qualities.

Housing affordability is an issue for all communities in Marin, including Black Point and Green Point. While the area's rural zoning, limited access to public transportation, and lack of public sewer limit the amount of housing compared to more urban areas of the county, affordable and low income housing may be encouraged through the addition of second units. As a matter of policy, the County encourages second unit development as a valuable infill and intensification strategy. Second units are allowed in all residential zoning districts as a permitted use subject to non-discretionary review, including in the ARP-2 and A-2 zoning districts, the area's predominant zoning. All new development, including second units, would be evaluated to ensure consistency with site and environmental constraints.

The Marin County Housing Element, adopted on December 9, 2014, proposes one site on Tamarin Lane in the Green Point neighborhood for affordable housing. The Tamarin Lane site is listed in the Available Land Inventory. The 6.4 acre site received planning entitlements in 2007 for three lots, two of which must have second units, per conditions of approval. However, the project applicant has not recorded the Parcel Map and secured a building permit for the approved work to vest the project.

Figure 33 shows Selected Housing Policies from the Countywide Plan. Please refer to the Countywide Plan Housing Element for policies and programs regarding affordable housing.

POLICIES

Community Character and Land Use

CC-1 Rezone Marin Audubon Properties

Rezone the following properties owned by Marin Audubon Society to Open Area (OA) and, where applicable, amend the Countywide Plan land use designation to Open Space (OS) at the request of the property owner:

Rezone to OA:

- Two large marsh parcels along Atherton Avenue: 153-190-23 and 27.;

Rezone to OA and amend the Countywide Plan land use designation to OS:

- Three small parcels along Norton Avenue: 157-081-03 and 04; 157-082-04;
The 157-082-04;
- Norton Pond parcel: 157-111-32; and
- Five small parcels in the Gridiron area: 157-132-14 and 21; and 157-143-02, 11, and 32.
157-143-02, 11, and 32.

This request should be considered in the context of a broader initiative by the Community Development Agency to rezone publicly owned and select properties on a countywide basis to OA.

[New Policy]

CC-2 Regulate Home Size

Two options for regulating home size to protect community character are as follows:

Option 1: No Change. Maintain existing procedures and continue to rely on the design review process with additional guidance provided by the Single Family Residential Design Guidelines, where applicable. No additional standards to regulate home size would be included in the community plan.

Option 2: Advisory Committee Recommendation Based on Median FAR. The floor area ratio of the proposed development shall not exceed the median floor area ratio within 600 feet of the surrounding neighborhood by 10%. Proposed development may exceed this standard through the Design Review process and upon determination by the Director, and in consultation with the community, that the proposed development meets all of the criteria below:

6. Maintains adequate setbacks from property lines and surrounding development.
7. 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.
8. Is adequately screened by existing and proposed vegetation.
9. Is adequately screened by the topography of the property or of surrounding properties.
10. Would not significantly limit or reduce sun and light exposure to adjacent properties

[New Policy]

CC-3 Require Minimum Setbacks

In circumstances where the required setbacks are waived for substandard and hillside building sites in the A2 zoning district, setbacks should be consistent with the surrounding neighborhood. Setbacks in planned districts, such as the ARP zoning district, should be the same as the analogous conventional residential zoning district, where feasible.

Setback requirements may be modified—increased or decreased—through the Design Review process if it is found that preservation of environmental features on site or impacts of the building off-site require such modification, or to accommodate required on-site parking.

[New policy adapted from the Tamalpais Area Community Plan, Program LU1.4d, p. III-41]

CC-4 The Village Center Zoning

Maintain the existing Village Commercial/Residential District (VCR) zoning to maintain the community's existing small-scale, historical character. While a variety of uses are allowed under the zoning, the following types of uses are encouraged, such as:

- Plant nurseries;
- Small child day-care/small family day-care homes; theaters and meeting halls (for a community center);
- Residential uses;
- Grocery stores and restaurants (including cafes); second hand stores; antique retail stores; studios for art, dance, music, photography, etc.
- Public parks and playgrounds; and
- Community garden.

While the above uses are encouraged, all uses allowed under the VCR zoning are permitted subject to compliance with the Development Code. Further, formula or “chain store” operations that are inconsistent with the village character and scale of the surrounding community are discouraged.

[New Policy]

CC-5 Gridiron Zoning

Retain the existing A2 (Limited Agriculture) zoning in the Gridiron neighborhood to permit continued residential development on a limited scale.

[Adapted from Program 1, p. 46]

CC-6 Merger of Parcels

Continue to promote the amalgamation-merger of substandard sized parcels to minimum lot area requirements commensurate with on-site (septic tank) waste disposal constraints inherent in the area. (See also the Public Facilities and Services chapter).

[Adopted from Policy 2, p. 46]

CC-7 Minimize Light Pollution

Protect the rural night-time atmosphere of the community by minimizing the amount of exterior building and site lighting to that which is necessary for safety purposes. Street lights are not permitted unless required for safety purposes as determined by the Department of Public Works. Refer to the Single-family Residential Design Guidelines for additional guidance.

[Adapted from the Indian Valley Specific Plan, p. 7]

6. TRANSPORTATION

The community'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 routes and for recreational opportunities. This chapter focuses on roads, public transportation, bicycle and pedestrian access and equestrian trails.

Background

Similar to the rest of Marin County, residents travel primarily by automobile. Estimates show that over 90 percent of trips originating in Marin are made in automobiles, and the number of daily trips per household has increased steadily over the past 25 years, a trend that is expected to continue. According to the 2000 U.S. Census and 2007-2011 American Community Survey, the number of residents who commuted to work by driving alone increased from 56 percent in 2000 to 69 percent by 2011. The Marin Countywide Plan acknowledges that measures used to address this issue in the past, such as road widening, can no longer keep up with demand. Instead, the Plan supports creating an efficient and effective transportation system that manages congestion and increases mobility by providing residents with a variety of transportation options.

The following topics are addressed in the Transportation chapter:

- Roads (including road maintenance, paper streets, speed enforcement, and parking);
- Public Transportation;
- Bicycle and Pedestrian Access; and
- Equestrian Trails.

Roads

Primary access to the planning area is provided by State Route 37 (SR 37) and Atherton Avenue. SR 37 is a four-lane highway that runs northeast from its junction at U.S. Route 101 (US 101), and bisects the community 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 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.

The trail network consists of officially maintained trails and bike routes, paper streets, fire roads, and unofficial footpaths through private lands and along community thoroughfares. Due to the community's somewhat remote location and small population, public transit service to the area has always been limited. There is currently only one bus route that runs within proximity to the

planning area, stopping at a point beyond the southern edge of the community boundary. Public transportation is discussed in more detail below.

The North Coast Railroad Authority operates general freight rail service on a section of an existing railroad line that travels in a northeasterly direction from southern Novato, through [the heart of Village Center area](#)~~Black Point~~, and over the Petaluma River to Schellville in Napa and Lombard in American Canyon. Freight includes aggregate materials, lumber, grain, and potentially solid waste in enclosed containers. The swing railroad bridge across the Petaluma River is normally kept in the open position until approaching trains necessitate its closure by a bridge tender. This permits unimpeded use of the river for watercraft and prevents unsafe trespassing on the bridge itself.

Road maintenance

Many roads in the planning area are winding and rural with a scenic quality enjoyed by motorists, however this same quality can often create [a dangerous environment](#)~~challenges~~ for pedestrians, bicyclists, and equestrians. Many of the roads are narrow and lack shoulders or sidewalks. Roads in the Gridiron are extremely narrow and circuitous. Furthermore, Grandview Avenue provides the only access both into and out of the neighborhood. In the Green Point area, however, most roads are generally straighter and wider, having been designed and built to prevailing County road improvement standards.

Many streets were originally mapped without regard to topographic conditions. Few of the private roads within the community meet [existing-current](#) County road standards. Consequently, the County has not accepted these roads, which means those roads are not County-maintained. County-maintained roads are shown in Figure 36.

While it may be possible to bring some roads up to current standards, such improvements could be costly. The County may consider accepting the roads once they were brought up to current standards. However, the County will need to consider the cost of taking such roads into the County-maintained road system. Since including additional roads into the system increases the overall maintenance costs without additional revenue, it has been County policy not to take additional roads into the County system. All County-maintained roads are public.

The maintenance and repair of private rights-of-way is the responsibility of each landowner owning the easement. Landowners utilizing such easements may enter into a private road maintenance agreement. For example, the California Civil Code, Section 845, requires the cost of maintenance for privately owned rights-of-way road to be shared equitable by the landowners benefiting from those roads. In the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each

County-maintained Roads

Anton Way (to cul de sac)
Archibald Lane
Atherton Avenue
Atherton Oaks Drive
Bridge Road
Crest Road (to Guisela Court)
Grandview Avenue (from Harbor Drive to the top of Bay Canyon Road)
H Lane
Harbor Drive
Oak Ridge Terrace
[Olive Avenue \(between Atherton Avenue and Rose Court\)](#)
School Road

owner. This is enforced through civil action. Since private road maintenance agreements vary by jurisdiction, local laws should be consulted for specific requirements.

Paper streets

Many paper streets exist within the community. These paper streets were created when subdivisions were plotted and recorded prior to the adoption of the first county subdivision ordinance, resulting in legal lots of record. However, portions of these subdivisions were not physically developed or improved. In numerous instances the designated streets were mapped without regard to topography, soil conditions, potential or actual slides, presence of drainage ways, or other safety concerns. These streets have not been graded and paved, and utilities such as electric power, water mains, and fire hydrants were never installed. Further, the County does not maintain paper streets since they are not used as roadways. However, public access is allowed. Maintenance of trees and other conditions on paper streets are usually the responsibility of the abutting property owners.

While paper streets may eventually be developed to provide access to lots that are currently vacant, in the interim they are considered a valuable community asset in their undeveloped state. Paper streets can act as property separators, provide emergency access, serve as pedestrian and equestrian pathways, provide connections to open space and recreation areas, and serve as wildlife habitat and movement corridors.

The community has expressed interest in retaining paper streets for local and emergency access purposes, in the event a paper street is considered for abandonment, where feasible. When a street is proposed for abandonment, the application process requires a review to determine whether there are any present or future public needs for the easement. The community plan recommends retaining paper streets for public and emergency access.

Speed Enforcement

Community members have periodically expressed concerns about the safety of pedestrians and wildlife from speeding vehicles within the neighborhood and have requested increased enforcement and other measures to reduce speeding. Speed limits on County roadways are enforced by the ~~County Sheriff's Department~~California Highway Patrol, and complaints regarding frequent speeding can also be submitted to the County Department of Public Works (DPW) for further investigation. If persistent speeding is found to occur, a number of options may be considered. On local neighborhood streets, traffic calming may be appropriate considered if the majority of area 67 percent of residents approve, with additional support required by the local fire department. Residents on private streets are responsible for installing, maintaining, and being liable. Other measures such as signage, striping, radar trailer deployment, speed feedback signs, speed enforcement, or flashing signs may be considered.

Parking

On-street parking on many of the community's narrow and winding residential streets has caused some concern for emergency access and other safety issues. Vehicles parked on the shoulder reduce the effective width of the roadway to one travel lane. County regulations require

a minimum distance of at least six feet be maintained to the centerline or to the center of the improved main traveled portion of any roadway. It is also unlawful to park a vehicle on a street for a period over seventy-two consecutive hours. Enforcing parking regulations and having sufficient off-street residential parking are key solutions to this problem. Residents should encourage neighbors to utilize garages and driveways to park vehicles in areas with limited on-street parking.

Parking enforcement is conducted by the Marin County Sheriff's Office. All other non-emergency traffic concerns should be reported to the California Highway Patrol.

Public Transportation

Marin Countywide Plan policies support the use and expansion of public transportation options throughout the County. Decisions regarding the routes, service frequency, and passenger fares are determined by Marin Transit, which provides local transit service within Marin County, and Golden Gate Transit, which provides regional fixed-route bus service in San Francisco, Marin, and Sonoma counties. Due to the community's relatively small population and location, public transportation service to or within the community 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 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 SR 37. This location is a helpful connection point for carpooling commuters. Bus service is not provided to this Park & Ride.

Some residents have informally opined that use of public transportation is low because service is virtually nonexistent within the community, and reason that usage would increase if opportunities and access were available. A shuttle service linking the community to the future site of the Sonoma-Marina Area Rail Transit (SMART) station in North Novato, located at Redwood Boulevard at Atherton Avenue, was suggested and should be considered. The community plan recommends considering establishing regular transit or commuter bus service from the community to San Francisco that links to existing local routes and destinations, where feasible. Linkages to the North Novato SMART station are also encouraged.

Bicycle and Pedestrian Access

Biking and walking are popular recreation activities within the community. A survey of residents at community plan workshops indicate that favorite bicycle and walking destinations in the community include Day Island, the Black Point Boat Launch, and Rush Creek Open Space Preserve, and on local roads within the neighborhoods. Many residents also walk and bike on Atherton Avenue and other neighborhood streets, but cite concerns about lack of sidewalks, trails and paths and have concerns with overall safety from speeding vehicles and driver awareness of pedestrians.

Although often a recreational activity, bicycling and walking can also be a mode of travel that replaces a vehicular trip, and therefore can help to reduce traffic congestion and assist in reducing greenhouse gas emissions. The community 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. This is consistent with the goal of the Marin County Unincorporated Bicycle and Pedestrian Master Plan to make the bicycle an integral part of daily life, particularly for trips of less than five miles. This is also significant given the future location of the SMART station in North Novato, near US 101 and a large concentration of jobs.

As noted previously, the Marin Countywide Plan policies strongly support bicycle and pedestrian circulation for recreational purposes and as alternative modes of transportation. More specific guidance on bicycle and pedestrian improvements is provided by the Marin County Unincorporated Area Bicycle and Pedestrian Master Plan. This plan contains detailed goals, policies, and objectives related to bike and pedestrian facilities and programs, identifies a series of specific recommended improvements, explains local, state, and federal design guidelines for bicycle and pedestrian facilities, and outlines an implementation strategy that addresses feasibility, estimated costs, and funding opportunities. The County's current Bicycle and Pedestrian Master Plan was adopted in 2008, and efforts are underway to update this document in 2015. The update process will include a series of public workshops that will give residents additional opportunities to provide input on recommended bikeway and walkway improvements in the community.

Existing Conditions

As in most older communities, bicycle facilities in Marin—including Black Point and Green Point—range from existing popular paths to serious gaps in connections between communities and activity nodes. The same can be said of pedestrian conditions. While many walk within the community, pedestrians must still negotiate streets with no sidewalks or shoulders.

Bicycles are allowed on all paved public roadways in Marin (except where specifically prohibited). Atherton Avenue, considered part of the County's primary bikeway network, includes a Class II bicycle lane along its entire length. Figure 38 shows the three major classes of bicycle facilities used in the County's Bicycle and Pedestrian Master Plan. Bicycles are also allowed on SR 37, also part of the primary bikeway network, since it is the major access route for those travelling to Sonoma and Napa Valleys. Destinations from these facilities include the small, local commercial area on Harbor Avenue, Bay Club Stone Tree Golf Club, the Black Point Boat Launch, and Rush Creek Open Space Preserve.

Recent additions to the bikeway system include a half mile, Class II bikeway to close the gap on Olive Avenue from Richardson's Way to the intersection of Atherton Avenue. Another is an extension of signage for Route 50 on Harbor Drive, from Atherton Avenue to the boat launch.

Planned Facilities

Proposed facilities focus on connecting existing segments of the bikeway system in order to create a comprehensive, complete network. ~~A proposed Class II bikeway on Olive Avenue will close the gap from Richardson's Way to the intersection of Atherton Avenue, linking to an~~

~~existing Class II bikeway ending farther west on Olive near Robinhood Way. This half-mile project is identified as a High-Priority project in the Marin County Unincorporated Area Bicycle and Pedestrian Master Plan. Other p~~Planned improvements include the extension of the Bay Trail along SR 37. The Bay Trail is a planned recreational corridor that, when complete, will encircle San Francisco and San Pablo Bays with a continuous 500-mile network of bicycling and hiking trails. The proposed Bay Trail route through the community 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.

During the community plan update process, a number of bicycle and pedestrian improvements were identified by residents through surveys, community workshops, and the advisory committee. The majority of responses indicated that sidewalks or separate paths were needed on many of the neighborhood roads, particularly along busier roads such as Atherton and Olive Avenues, and along Harbor Drive to the Black Point Boat Launch.

Periodic sweeping of the existing bike lane and shoulder along Atherton Avenue was also suggested. Routine maintenance of bikeways such as sweeping, debris removal, trimming vegetation and minor spot repairs to the pathway surface is managed through the Marin County Department of Public Works road maintenance programs.

Improvements were also suggested with regards to accessibility. There are three gates within the Black Point neighborhood that may limit access for those pushing children in strollers or using a wheelchair. These gates are located on Bay Canyon Road, at the end of Grandview Avenue, and at the entrance to Day Island Road. In the Green Point neighborhood gates are located at the end of Crest Road and on Lockton Lane. As discussed in the Environmental Hazards chapter, the gates may limit emergency access. Alternative designs that limit vehicle passage while allowing access for pedestrian and bicyclists are available. Because some of the gates are privately owned, such as on Lockton Lane and Bayview Avenue, residents are advised to work with the corresponding gate owners to develop an appropriate solution since these particular gates are not publicly maintained.

Community feedback also indicated mechanisms, such as signage, were needed to increase driver awareness of the potential for bicyclists and pedestrians using the roadway. “Share the Road” or other advisory signs at key locations, such as along Crest and Grandview Avenues, may be appropriate. In sum, community members suggested a number of potential circulation improvements. These improvements will need to be further evaluated to determine their feasibility and potential impacts, including:

- Retain paper streets for public and emergency access, and wildlife corridors;
- Consider speed bumps or signage to reduce speeding;
- Consider separate pathways for bicyclists and pedestrians on key neighborhood roads, including but not limited to: Atherton and Olive Avenues, Crest Road, School Road, and Harbor Drive;

- Provide regular sweeping of the existing bike lane on Atherton Avenue, including the proposed bike lane on Olive Avenue when constructed;
- Community members work with landowners to develop appropriate solutions to improve accessibility at the three locked gates; and
- Consider signage at key locations to increase driver awareness of the potential for bicyclists and pedestrians on the road.

Equestrian Trails

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

POLICIES

Transportation

TR-1 Maintain Rural Character of Streets

In order to maintain the rural character of the community, new streets and roads should be developed at the minimum scale commensurate with anticipated traffic projections and fire protection purposes.

[Adapted from Policy 3, p.81]

TR-2 Gridiron Road Improvements

Require as a condition of approval within the Gridiron area the improvement of interior roadways subject to further analysis by the Department of Public Works. Cul-de-sacs or similar improvements to accommodate fire protection vehicles near the ends of Norton, Holly and Grandview Avenues should be given priority consideration.

[Adapted from Policy 5, p.82]

TR-3 Crest Road

Consider additional access routes between Atherton Avenue and Crest Road, to improve fire protection access and to help redistribute traffic destined for Crest Road and the cul-de-sacs along Crest Road, where feasible.

[Adapted from Policy 8, p. 84]

TR-4 Paper Streets

Consider retaining paper streets for public and emergency access, as well as for wildlife corridors, where feasible.

[New policy]

TR-5 Road Maintenance of Private Streets

The owner of any private right-of-way easement is responsible for its repair and maintenance, consistent with California Civil Code Section 845. Property owners abutting private streets may establish their own road maintenance program or organization to address repair and maintenance concerns. Advice in such matters and sample road maintenance agreements are available from the Land Development Division of the Marin County Department of Public Works.

[New policy]

TR-6 Gridiron Service Road

~~Maintain~~ Retain the service road that extends around the south base of the Gridiron area and the Vince Mulroy Woodland and Wildlife Preserve, and exits at the golf course as an alternative emergency access route for both residents and emergency service vehicles.

[Adapted from Policy 6, p. 82]

TR-7 Roads in the Bahia Area

Maintain the connection between Crest Road and Laguna Vista Drive in the northerly component of the Planning Area to serve as:

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

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

[Adapted from Policy 7, p. 83]

TR-8 Public Transportation

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

[Adapted from Policy 2, p. 80]

TR-9 Bicycle and Pedestrian Facilities

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

[New policy]

TR-10 Equestrian Trails

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

[Adapted from Policy 9, p. 84]

7. PUBLIC FACILITIES AND SERVICES

Public services are essential to support existing communities. This includes water supply, on-site sewage disposal or sewer systems, transportation, including transit ~~as well as~~ and road access, and annexations and spheres of influence. Transportation related services are discussed in the Transportation chapter.

Background

A goal of the Marin Countywide Plan is to coordinate planning with other jurisdictions and special districts. Policies in the Countywide Plan discourage development requiring urban levels of service from locating outside of urban service areas. Instead, development should be focused in infill areas where services such as water, sewer, police, and fire protection can be provided more efficiently. This is important since the community 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.

The following topics are addressed in the Public Facilities and Services chapter:

- Water Supply;
- Wastewater Management; and
- Annexations and Sphere of Influence.

Water Supply

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

Wastewater Management

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

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

When properly designed, constructed, and maintained, septic systems ~~have are~~ highly ~~degree~~ ~~of~~ reliability over a reasonable life period. ~~It is the responsibility of the property~~ Property owners ~~to must~~ ensure their individual sewage disposal system is properly functioning. ~~Historically, there were past instances of septic tank drainfield failures along the waterfront of the Petaluma River and some failures in the bedrock areas, primarily due to the general impermeability of the area's hardpan layer and saturated soils. However, there is~~ This had concern ~~raised concern~~ that faulty septic systems may ~~have be~~ contributing nutrient and pathogen contamination ~~contaminated in~~ local waterways ~~or and may be threatening~~ threatened the public's health. Since that time, however, more stringent septic regulations have been adopted by the County. Moreover, many of the area's existing septic systems have also been upgraded ~~are aging and it is unknown if these systems are being properly maintained and or replaced. There have been past septic tank drainfield failures along the waterfront of the Petaluma River and some failures in the bedrock areas of Black Point primarily due to the general impermeability of the hardpan layer and saturated soils.~~ Inspections of septic systems may be triggered by a complaint, a homeowner initiated upgrade, or a building permit adding a bedroom. ~~The~~ County is pursuing a number of potential initiatives to revise County septic regulations to streamline the regulatory process, prioritize monitoring of on-site wastewater systems, and providing incentives for homeowners to repair their systems. In addition, a new Graywater program ~~has been~~ was implemented.

The Novato Sanitary District extended public sewer service to the former House of Daniels property in 2002 to abate a threat to public health and safety stemming from a failing septic system on the property. The property was concurrently annexed to the City of Novato. While residents have informally expressed interest in limiting the expansion of public sewer to the community, under certain circumstances a property may be required to connect when repairing or modifying an existing system. Marin County regulations require connection to a public sewer system if the nearest sewer is within 400 lineal feet of a parcel. This requirement may be waived if the connection to a public sewer is found to be physically or legally impossible. In this instance, property owners may file for a permit for an individual OWTS of sewage disposal. Extending sewer services to the area, however, may be prohibitively expensive for a property owner s ~~Since much of the area is already built out, it may be uneconomical to extend sewer services to the area since~~ and the cost of infrastructure is sensitive to distance.

The Plan continues to recommend OWTS as the primary means of waste disposal for the planning area. These and other recommendations are found in the Policies section at the end of this chapter.

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

Annexations and Sphere of Influence

The ~~Black Point~~ 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 community plan, and one that continues to resonate with residents, is to maintain ~~Black Point and Green Point~~ the community as an independent and unincorporated village. The community plan carries forward ~~This goal has been carried forward in this plan~~, in addition to language supporting efforts to maintain an urban growth boundary and sphere of influence to prevent parcel annexation of parcels to the City of Novato and Novato Sanitary District.

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 and Green Point areas from the City's sphere. This action was largely in response to the City's adoption of an urban growth boundary (UGB) coterminous with the City's boundary. Except for narrowly defined circumstances, the adoption of the City's UGB made annexations of territory to the City unlikely ~~for the foreseeable future~~. The annexation of the House of Daniels property in 2002 is one such exception to allow a sewer connection and ~~to~~ abandon a failing septic system.

Novato voters approved ~~The the City of Novato's~~ UGB ~~was adopted by Novato voters~~ in 1997 to constrain the expansion of urban development (e.g., ~~that which development required requiring~~ sewer and water utilities) into the rural areas surrounding the incorporated City limits. The UGB can be amended only by a vote of the City's Novato residents, ~~but does provide for a~~ However, annexations are allowed under ~~certain exceptions~~ the following circumstances:

- To provide low and very low income housing;
- To avoid an unconstitutional taking of private property;
- To promote the public health, safety, and welfare by developing public schools or parks;
- or
- To address a significant threat to the public health, safety, or welfare.

This voter approved initiative will expire in 2017 unless extended or amended.

Marin's LAFCO has responsibility for reviewing, approving, or disapproving changes in boundaries of all jurisdictions within county boundaries, including annexations, detachments, new formations, and incorporations. In addition, the agency performs Municipal Service Reviews and establishes a sphere of influence (SOI) for each city – its probable boundary and

service area. Within each SOI is an urban service area, ~~which is designated by LAFCO for each jurisdiction,~~ where development can best be accommodated over the next 5 to 10 years. Development proposals in urban service areas are reviewed by both the affected city or town and the County, and unincorporated land within an urban service area may be annexed to ~~the a~~ city at the time of development. The 1996 Novato General Plan recommends continued implementation of the policies of the Black Point Community Plan excluding those areas in the Urban Services Area (USA) as defined by LAFCO, which specifies residential densities from 1 unit per acre to 1 unit per five acres.

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 Black Point and Green Point are currently outside of the Novato Sanitary District's (NSD) service boundary, the community is included within NSD's SOI. A 2002 Municipal Service Review of the Novato area spheres of influence stated that Black Point and Green Point are 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. A follow up Municipal Services Review in 2007 maintained the district's existing SOI since NSD has the treatment capacity to provide service to all areas within its SOI. In addition, the report stated that LAFCO may consider approval of annexations of property to the NSD in cases where connection to a sewer is needed to provide service to parcels that cannot feasibly support septic systems. It also stated that extensions of sewer service could be considered either to replace existing septic facilities or to new development, and would remain an option until the NSD SOI is again reviewed. In 2016, the Marin LAFCO is anticipated to undertake a 5-year review of both the City of Novato and the NSD SOI boundaries.

The community plan continues to promote the use of Onsite Wastewater Treatment Systems as the primary means of waste disposal and to maintain the area's unincorporated status~~recommend Black Point planning area is excluded from the City of Novato's SOI and UGB.~~ Furthermore, the extension of sewer service to the area is not anticipated.

POLICIES

Public Facilities and Services

PFS-1 Wastewater Disposal

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

PFS-2 Maintain Unincorporated Status

Maintain the community's unincorporated status ~~of Black Point as an unincorporated community.~~
[Adapted from Policy 3, p. 72]

8. PARKS AND RECREATION

The planning area's natural surroundings and open spaces provide opportunities to connect with nature and enjoy recreational activities like hiking, jogging and biking. Many residents chose to live in ~~Black Point~~the community because of the area's natural beauty, air quality, micro climate, wildlife, and abundance of trees. Trails in and around the community provide opportunities for recreation and access to nature, ~~while-though~~ limited connections are available between residential and recreational areas. Expanses of open marsh along the Petaluma River and San Pablo Bay provide wildlife habitat and offer recreational opportunities. The Petaluma River itself is a community asset and is a popular recreation destination for boating, kayaking, fishing, birdwatching, wildlife viewing and other activities.

Background

Marin County's park lands and open space preserves both offer recreational opportunities in beautiful outdoor settings. However, they are each part of a separate system within Marin County Parks and each fulfills different community needs. Parks such as the Black Point Boat Launch are designed and developed to accommodate "active" recreation with facilities such as restrooms and developed picnic areas, while open space preserves are managed primarily for natural resource preservation and "passive" recreation, such as hiking.

Marin Countywide Plan

Marin County has a long history of acquiring and protecting open space and park lands for the benefit of the public. Accordingly, Countywide Plan goals strongly support providing a high-quality park and recreation system and ensuring that open space resources are protected for future generations. This is particularly relevant where land acquisition or other methods of preservation would create or enhance community separators, wildlife corridors, watershed and baylands protection, riparian corridors, sensitive habitat, or trail connections. A sample of selected policies of particular interest and relevance to ~~Black Point~~the community are provided in Figure 43. A complete list of Open Space and Parks and Recreation policies can be found in the Countywide Plan.

While the Countywide Plan provides a general framework for the County's park and public open space system, more specific guidance related to parks and open space planning and management is provided by the Marin County Parks Strategic Plan, last updated in 2008, which incorporates a detailed plan for both park lands (~~Marin County Parks Master Plan~~) ~~as well as~~ and open space preserves (~~Marin County Land Conservation Plan~~). Together, these documents are utilized by the Marin County Parks to guide decisions related to the planning, funding, and management of existing and future parks and open space preserves ~~in Black Point and~~ throughout the County.

A number of ~~parks and~~ open space areas, ~~as well as and~~ wildlife preserves, are within or adjacent to the planning area. 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 Gridiron area. Green Point State Wildlife Area is a marsh along the Petaluma River ~~northeast of~~located north of Channel Drive in Green Point. The Black Point Boat Launch offers scenic views of the Petaluma River and waterfront areas, and is equipped with picnic tables and restrooms. Other well-used recreational areas just outside the community boundary include ~~the~~ Rush Creek and Deer Island Open Space Preserves. Residents also enjoy walking and jogging on neighborhood streets such as Crest, School, Grandview, and Iolanthus Avenues, among others. A brief overview of these resources and their major features are described below.

Vince Mulroy Memorial Woodland and Wildlife Preserve

This 64-acre wildlife preserve, ~~managed owned~~ by Marin County Parks, ~~formerly called the Black Point Nature Preserve~~, is a densely wooded forest area that was once part of a larger 238 acre parcel that was the location of the Renaissance Pleasure Faire. The other 174 acres was subdivided and developed into ~~the~~ 53 luxury Stonetree estates and golf course in the late 1990's and early 2000s. The preserve provides valuable upland habitat adjacent to the flood plains and wetlands. This area was formerly known as the Black Point Nature Preserve.

Day Island State Wildlife Area

The 128-acre Day Island State Wildlife Area is part of the 4,191-acre Petaluma Marsh Wildlife Area, managed by the California Department of Fish and Wildlife. The Petaluma River Unit is the largest remaining natural tidal brackish marsh in California, supporting primarily pickleweed, cordgrass, alkali bulrush, and saltgrass. Migratory bird species use the area most heavily during the fall and winter months, but many can be found year round.

Wetland bird species include willits, curlews, dowitchers, night herons, and black-bellied plovers. The Marin County Open Space District was instrumental in participating in the purchase of Day Island. ~~There are t~~Two residential units are located within Day Island State Wildlife Area: one is ~~a~~ privately owned ~~residence~~ while the other is publicly owned ~~and is currently or has been used as a residence~~ for use by Department of Fish and ~~Game Wildlife~~ staff.

Green Point State Wildlife Area

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

Black Point Boat Launch

The Black Point Boat Launch is a very popular two acre site ~~in east Novato~~ managed by Marin County Parks, with a ~~renovated~~ single-lane ramp and dock for motorized and non-motorized boat launching at the mouth of the Petaluma River. Facilities include permanent bathrooms, ~~and~~ fish cleaning stations, ~~as well as and~~ picnic tables. The restrooms, dock, parking, and picnic tables are ADA accessible. The site is a great popular place location to fish for sturgeon and

striped bass, enjoy a picnic, and bird watch. Dogs are allowed on leash and must not enter wetland areas because of sensitive habitat and wildlife species.

Deer Island Open Space Preserve

Located outside the planning area off of Olive Avenue in the bay planes, the Deer Island Open Space Preserve, managed by Marin County Parks, is a popular recreational area for the community. This 154 acre preserve rises above the eastern edge of Novato from an area that was once part of the extensive wetlands in the Petaluma River Delta. Many users walk or jog the relatively level loop trail as a morning or evening exercise routine. This small preserve is just a few minutes from Highways 101 and SR 37 but it is peaceful and quiet. Remnants of the property's dairy farming days are visible around the preserve. Weathered outbuildings still stand near the entrance, including a small farmhouse that serves as the offices of the Marin County Parks Environmental Education Program.

Rush Creek Open Space Preserve

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

Rush Creek Park

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

Simmons Slough Wildlife Corridor

The 84-acre Simmons Slough Wildlife Corridor, purchased by Marin Audubon Society with contributions from the Marin County Open Space District, Marin Baylands Advocates Fund, and the Coastal Conservancy, provides wetland habitat for resident and migratory birds and other wildlife. 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.

Options for Consideration

Residents suggested ~~A number of potential several~~ ideas ~~were suggested by residents, gleaned from input obtained from~~ public workshops, surveys, and advisory committee meetings during

the community plan process, to improve park and recreation opportunities in the community, including:

- Develop a multi-use trail for all ages and user groups, including pedestrians, joggers, dog walkers, equestrians, and bicyclists that link to other areas in the community. Examples include expanding the trail from the Rush Creek Open Space Preserve along Atherton Avenue east to School Road, and to include a trail along Olive Avenue to the Deer Island Open Space Preserve;
- Purchase the vacant, privately owned 28-acre parcel located behind June Lane and Bahia Hill for open space;
- Develop a playground at the Black Point Boat Launch;
- Provide parking at the entrance to Day Island since parking in the area is limited, or consider allowing vehicle access; and
- Provide pathways along key local roads, such as Crest Road and Bay Canyon, for pedestrians and bicyclists.

Many of the suggested ideas may overlap with similar input described in the Transportation chapter. In addition, further analysis to evaluate the feasibility, impacts and costs of providing such improvements, and relationship to existing County priorities will need to be conducted. These improvements would require significant community support as well as consistency with other plans and regulations. The community plan recommends carrying forward an existing policy to prohibit intense recreational use or development of Day Island.

POLICIES

PK-1 Day Island

Consider limiting intense recreational use or development within the Day Island State Wildlife Area.

[Adapted from Policy 7, p. 51]

PK-2 Vince Mulroy Memorial Woodland and Wildlife Preserve

Continue to allow passive recreation uses such as walking, hiking, biking, wildlife observation and nature study within the Vince Mulroy Memorial Woodland and Wildlife Preserve.

[New Policy]

9. PUBLIC SAFETY

Crime in Marin County is relatively low for almost all types of crime. While ~~Black Point~~ the community is considered to be a very safe place to live, there has been some concern regarding crime and safety ~~within the community with~~ given a small number of home break-ins and thefts occurring in recent years. This chapter provides ~~a~~ brief overview of neighborhood safety and law enforcement resources, and identifies a number of potential strategies that residents ~~can take~~ may utilize to reduce the risk of crime in their neighborhood.

Background

Crime rates in Marin County are significantly lower than the statewide and national averages. Both violent crime and property crime have fallen to a 10-year low in Marin County's unincorporated areas, according to the California Department of Justice's annual report on crime statistics. Separate statistics for each of the unincorporated neighborhoods, including Black Point and Green Point, were not available.

This chapter provides a brief overview of neighborhood safety ~~and law enforcement~~ and identifies a number of potential strategies that residents ~~can take~~ may utilize to reduce the risk of crime in their neighborhood, such as home and landscape design to encourage more "eyes on the street" as well as suggestions for improving neighborhood safety through ~~design and~~ community involvement. Threats from Fire safety, sea level rise, and emergency preparedness are addressed in the Environmental Hazards chapter.

Marin Countywide Plan

The Marin Countywide Plan seeks to improve public safety levels by encouraging residents to participate in community policing. Despite the relatively low and dropping rates for almost all types of crime in Marin, crime prevention in the county needs to be more widespread. The Countywide Plan includes a number of programs to achieve the goals of safe neighborhoods and decreased crime. Figure 44 provides a summary of selected public safety programs in the Countywide Plan.

Neighborhood Safety and Law Enforcement

In 2013 and 2014, cases of home break-ins ~~within the community have~~ led residents to seek action against property crime. ~~For example, residents considered several alternatives~~, including the installation of security cameras on private property.

The ~~Black Point~~ community is served by the Marin County Sheriff's Patrol Division. The Patrol Division performs general law enforcement services provided by uniformed deputies in marked patrol units. Sheriff's deputies are available to give crime prevention advice, conduct residential or commercial security inspections, and speak on child safety issues. Generally, residents are

urged to lock doors and windows when they are away from home, and to lock cars and avoid leaving valuable items inside. Being aware of the neighborhood and reporting suspicious activity and vehicles can help prevent crime.

Options for Consideration

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. The feasibility and funding sources for these concepts have not been determined. Instead, the ideas are offered for further exploration as part of on-going community discussions regarding public safety in the community. These ideas include:

- Encourage “eyes on the street” by using site design and building orientation to reduce the likelihood of crime through the strategic placement of windows, entries, outdoor private and shared spaces, play areas, and walkways. Design and locate features to provide clear site lines;
- Improve visibility through the use of windows and other openings on otherwise blank walls;
- Provide adequate outdoor lighting in order to see and be seen, provided that unnecessary light and glare are avoided to minimize light pollution;
- Avoid visual barriers such as solid high fences and tall hedges;
- Landscaping should take into consideration the growth and final height of plants to ensure that the original designed sight lines do not get obscured over time;
- Provide signs and information;
- Organize and join a neighborhood watch program to watch out for criminal and suspicious behavior and report it to local law enforcement; and
- Consider installing security cameras.