

To: Kristin Drumm, Marin County Senior Planner

From: Laraine Voitke, 2 Anton Way, Novato 94945, and

From: Kenneth Henry, 2 Anton Way, Novato 94945

Date: July 31, 2014

RE: Comments on draft recommendations for revision of the Black Point – Green Point Community Plan and Community Meeting June 5, 2014

Dear Kristin,

Firstly, thank you and The County for recognizing the neighborhoods of Green Point as an autonomous and succinct area for planning purposes, as reflected on your excellent outline dated July 17. Such recognition is so significant and appreciated by those of us who call ourselves Green Point residents.

Also, thank you for the extension of time to comment until July 31. We've had individual out-of-area commitments in June and July, so am only now able to provide comments and Survey responses to your Office. These below listed comments are in addition to partial comments previously submitted to you, at the Community meeting on June 5. They are general recommendations based on topics set out in your outline, as follows:

Community Character –

Home size (3.4.1) determination with respects to Green Point should remain as provided for in the current County Plan SFRDG guidelines. More particularly these guidelines are responsible for the great diversity of home sizes and styles that have contributed to the unique character of our neighborhoods and have protected our rural setting. A standardized approach to house sizing (FAR) results in uniformity of house size and is not appropriate for development on large (acre +) parcels in rural County setting. We like our ideal mix of very small to very large and everything in between range of housing in Green Point.

Further consideration for additional limitations should be implemented into the updated Community Plan as they pertain to Old Black Point (Gridiron), Village Center and Harbor Drive neighborhoods only. The proposed FAR formula home size restrictions could be appropriate to designate in these Old Black Point areas, as an under pinning to growth restriction in Old Black Point as set forth in **Section (3.4.2)**. Definitions of floor space, etc. should be consistent with the California Building Code.

Additionally, Old Black Point development restrictions should be tied more closely to the creation of an unincorporated rural road and sewer improvement district, whose jurisdiction is limited strictly to these specific areas and not to the neighborhoods of Green Point. Green Point has excellent county maintained roads, a limited number of private roads and/or multi-house private driveways and has primarily newer, environmentally favorable septic systems to appropriately meet its' infrastructure needs. In contrast, a collective neighborhood sewer system of limited size and paid for by the homes that it serves, may be the only viable solution to prevent pollution of adjacent water ways and ponds from existing development in Old Black Point neighborhoods. The area is adjacent to the public sewer system that services Stone Tree. A feasibility study should be done to see if the existing system can be

upgraded to accommodate old Black Point. In the absence of such, a moratorium on new construction in Old Black Point may be appropriate. Both Black Point and Green Point may want to limit further growth outside of second dwelling units, which should be allowed in Green Point only. Existing and more modern shared road maintenance agreements mostly already exist for properties developed on the relatively few private residential streets in Green Point. For properties located on private roads, their road paving funds should be held in escrow for each owner on a private road and improvement of the affected portion of that road should be brought to standard periodically, or if needed, at the time of sale and from the proceeds of the sale of the property or when certain remodel or construction occurs. All streets throughout the Community should be maintained as prescribed by County Road Standards.

Setbacks (3.4.4) should remain as provided for in the current County Plan SFRDG guidelines or could be made less restrictive as they pertain to Green Point neighborhoods. The current practice has accommodated and produced desirable diversity of development contributing to the rural and more natural appearance of our neighborhoods. Flexibility in setback requirements should be made available to assist and protect property owners on hillside lots in Green Point. Also, parcels that have large public road easements (40 feet wide) in front of their parcels' property line should be allowed to reduce their front setback by a formula value, to offset terrain or lot configuration constraints. Under no circumstance should the lot setback restrictions proposed by the BP Advisory Committee be adopted. Their proposed formula to establish rear lot setback restrictions are strict beyond what is prescribed in the California Building Code for high rise construction setbacks. This is clearly a means to prevent development. Rear lot setbacks should not exceed 5 feet for flat lots and 3 feet for hillside lots. On hillside lots in Green Point, more accommodation should be allowed within the 25-foot front setback as needed for construction of a detached garage, second dwelling unit, site specific off-street parking, out-buildings - (storage sheds, animal shelters, barns, pools, retaining walls, garden features) based on site specific topographic, geologic, engineering, lot configuration, and architectural considerations. This flexibility may be particularly important for remodeling existing structures or for adding a 750 sq. ft. second dwelling unit on an existing home site.

Setbacks for properties on private roads versus those on County roads result in very different and unfair practices. For example, my county maintained road has a 40 foot road easement along the front of my property line and I own no property underlying the road. My front setback is 25 feet from my front property line which is <1 ft to 5 ft from the front edge of the edge of road pavement. My neighbor down the hill on a privately owned and maintained section of street has about 15 feet of road pavement along and within his lot line. His storage shed is built about 3 feet from the edge of pavement. If I had a shed, I would have to put mine 18 to 21 feet from the edge of road pavement and that is difficult with my terrain. There should be more flexibility for siting these structures on hillside lots. Outbuildings which function with roadway accessibility should be allowed within 5 feet of the property line or within 5 feet of the edge of pavement, if the structure is pleasing in appearance or not restrictive to others. Maybe design review allows for this? But, for something like a storage shed, garages, or even second dwelling units, and minor remodels, etc. an applicant shouldn't have to go through design review. The current practice allowing a quicker streamlined review and permit process is more appropriate and should be carried forward, instead of a full on design review.

I would like the Community Plan to safeguard the opportunity to develop a second dwelling unit on existing parcels in Green Point, including lots that are less than two acres in size. Our Green Point neighborhoods are characterized by large lots; newer development, sizable distances between homes, County maintained roads with wide easements, and interesting topography. We've enjoyed the opportunity to develop second units for many years and it has not led to a dirge of units or any problems or abuses. The second units that are developed have added to the desirability of Green Point.

Other (3.4.9) Citizens Advisory Group Policy (p. 71). I would like to see individuals from the community like Marin Audubon, etc. local jurisdiction planners, conservation groups and residents of each of the various neighborhoods - not already belonging to an organized group. No special neighborhood clicks or groups with agenda or political groups with agenda should be allowed to steer neighborhood policy. Outreach should be to the Community at large. Outreach through household email surveys conducted by the County and open County forums may be helpful to find out what people want. The language “maintain a locally represented citizens group” might need to be defined by some parameters or other general considerations to ensure that we don’t have folks with special economic or other interests dictating to the Community at large.

Single family residential Permit applicants should be protected in the design review process from review by people living 4 to 5 miles away from the proposed project. A SFD review should be limited to comment by individuals that can be directly affected by a proposed project and that live in close proximity to the proposed improvement. That would include close (not distant) neighbors on the same or an adjacent street that are directly within sight of the proposed property improvement. If the Applicant has the legal right to pursue the improvement of their property and are necessarily doing so for: maintenance, structurally necessary or desirable design changes, general or environmental upgrade, second dwelling unit, or any other allowable purpose, then the Applicant should be protected from over involvement by individuals or groups that are not directly affected.

Encroachment permits for off street parking should remain the same or be liberalized on hillside lots to accommodate more designated-on site parking and to allow for the designation of County maintained streets as no parking zones.

Thank you for the opportunity to offer our comments. We will stay very active in the Community Plan process.

Best Regards,

Laraine Voitke and

Kenneth Henry