

GREEN POINT ADVISORY COMMITTEE

25 Alpine Rd
Novato, CA 94945

February 24, 2016

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

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

Dear Supervisors,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,



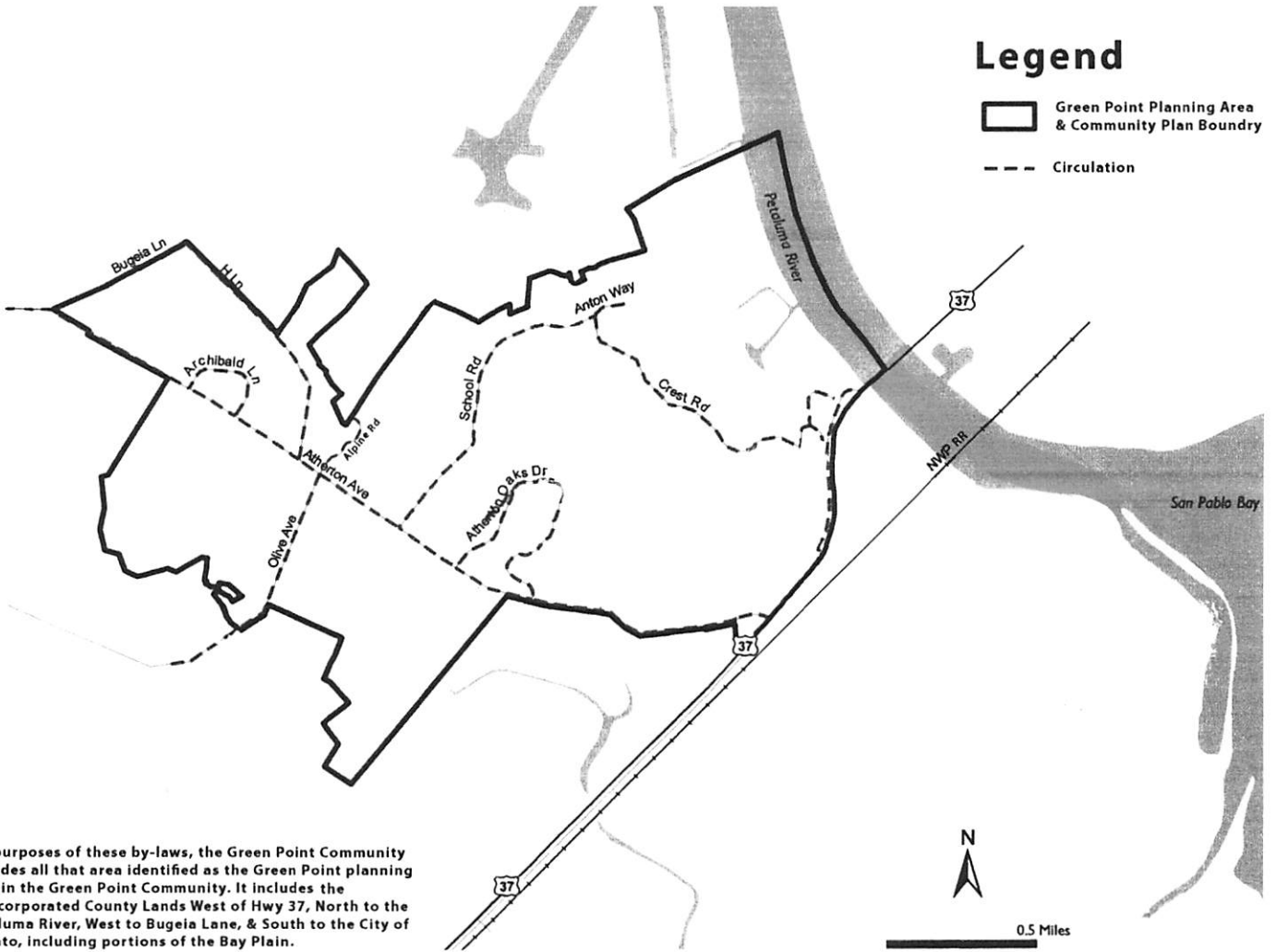
Matthew H. Fleumer
President of GPAC



Roberta DiPrete
Vice President of GPAC

Attachments:

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



Legend

- Green Point Planning Area & Community Plan Boundary
- Circulation

For purposes of these by-laws, the Green Point Community includes all that area identified as the Green Point planning area in the Green Point Community. It includes the unincorporated County Lands West of Hwy 37, North to the Petaluma River, West to Bugeia Lane, & South to the City of Novato, including portions of the Bay Plain.



COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

**STAFF REPORT TO THE MARIN COUNTY
PLANNING COMMISSION**

BLACK POINT AND GREEN POINT COMMUNITY PLAN

**Recommendation: Recommend approval to the Board of
Supervisors**

Hearing Date: July 27, 2015

Agenda 5
Item:

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

Signature: *Kristin Drumm*

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

SUMMARY

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

2, 3, +6

BACKGROUND

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

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

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

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

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

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

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

KEY ISSUES

While almost 35 years old, many issues addressed in the 1978 Black Point Community Plan are still relevant today. These include maintaining the community's existing zoning, retaining the rural character of roadways, and continuing to rely on septic systems as the primary means of waste disposal. The Plan continues to maintain the area's semi-rural identity and preserve the natural attributes and features that contribute towards its unique community character and quality of life.

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

Issue 1: Community Identity

Discussion: The name of the community plan and how the document identifies the neighborhoods within the community have given rise to divergent points of view. The name of the 1978 Black Point Community Plan reflects the community's historical identity and residents' sense of place at the time of its writing. The Black Point name goes back to the 1850's when the area was initially known as an important shipping point for livestock and lumber. Over time, the area has evolved from a rural countryside of a few farms, ranches and small hunting cabins for weekend summer residents into the semi-rural, quiet, residential bedroom community of today.

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

Map 2 in the Plan describes the community's neighborhood areas. The Black Point area consists of the hill and canyon area east of State Route 37 and includes both the Gridiron and Village Center neighborhoods. The Green Point area, located to the west of State Route 37, includes the hill and ridge areas with homes along Atherton and Olive Avenues and the bay plain marsh areas south of Atherton Avenue. Local neighborhoods within Green Point include the Atherton corridor, Atherton Oaks, and Alpine/Williams Road, among others.

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

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

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

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

NATURAL RESOURCES

Issue 2: Development within Marsh and Wetlands

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

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

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

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

Original Message

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

a Posting in the Neighborhood on Feb 17 - the Treasurer

Susanna Mahoney, Greenpoint

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

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

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

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

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

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

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

Feb 16 in General to Greenpoint

[View or reply](#)

[Thank](#) · [Private message](#)

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

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

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

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

Roberta DiPrete

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

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

North of Highway (33 total)

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

South of Highway (34 total)

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

City of Novato billing address = 3

July 24, 2015

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

Re: Blackpoint and Greenpoint Community Plan

Commissioners,

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

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

- **Home size**

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

- **Blackpoint – Greenpoint**

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

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

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

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

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

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

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

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

Thank you,

Michael Barber
15 Bridge Road
Novato CA 94949

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

I. Purpose

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

II. Background

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

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

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

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

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

Dear Neighbors,

February 20, 2016

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

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

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

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

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

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

See the community plan here:

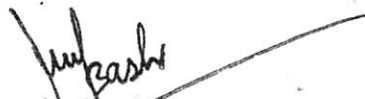
<http://www.marincounty.org/depts/cd/divisions/planning/projects/blackpoint/black-point-and-green-point-community-plan>

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

Sincerely,

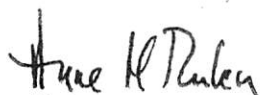
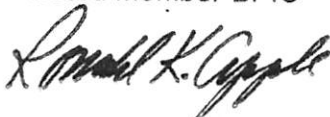


Susanna Mahoney
41-year Crest Rd. Resident
President-BPIC



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

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



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

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

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

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

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

2. **“A large commercial solar facility in Green Point is back on the table”**

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

3. **“There is a Cannabis Dispensary proposed for our backyard”**

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

4. **“If you want to build a chicken coop, this plan prevents that.”**

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

Original Message

n: Nextdoor Greenpoint <reply@rs_email.nextdoor.com>
businessmuse <businessmuse@aol.com>
t: Wed, Feb 17, 2016 6:34 pm
ject: Re: Green Point Community Meeting

*on Feb 17 - the Tues.
a Posting in the Neighborhood*

Susanna Mahoney, Greenpoint

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

Page 2

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

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

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

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

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

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

Feb 16 in General to Greenpoint

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

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

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

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

The Treasurer was out sick – no report was available.

Committee Reports

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

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

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

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

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

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

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

Old Business

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Susanna: 30 days or so.

Ken: then it needs to be destroyed.

Susanna: it would be as it writes over itself.

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

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

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

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

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

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

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

Ken: the cameras that are already located on the pole and fence are on illegal structures.

Simultaneous discussions erupted. Hank chimed in to stop the discussion.

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

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

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

Announcements –

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

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

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

The meeting was adjourned at 9:37pm.

Respectfully Submitted,

Laraine Woitke, BPIC Secretary



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

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

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

Part 2. County and City Defined Natural Hazard Zones

HAZARD MAPS IN THE LOCAL GENERAL PLAN

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

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

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

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

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

REPORTING STANDARDS

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

PUBLIC RECORDS VS. ON-SITE EVALUATIONS

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

PROPERTY USE AND PERMITTING

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

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