MEMORANDUM

DATE: May 16, 2011

TO: Marin County Planning Commission

FROM: Veronica Corella-Pearson, Planner

SUBJECT: Spirit Rock Master Plan Amendment (MP-08-3)

On February 28, 2011, a second hearing was held to discuss the Spirit Rock Master Plan Amendment Initial Study and merits of the proposed project. In summary, during discussion the applicant offered to cap the maximum daily attendance to 791 people, and proposed to limit special events to two per year, with a maximum special events attendance of 1,500 people if the applicant is in agreement with all conditions of approval. Your commission endorsed the applicant's attendance cap and also accepted the primary baseline approach in the Initial Study. Discussion that was continued to a latter hearing date included: 1) potential traffic impacts from the attendance increase and the need for a left turn lane on Sir Francis Drake Boulevard; 2) the location of the Dining Hall within the Stream Conservation Area (SCA); RLUIPA and the proposed attendance cap; 3) conditions of approval requiring Use Permit approval of the Special Events Management Plan (SEMP); 4) approved and vested structures; and 5) mitigation measures and the triggers for compliance. Staff was also directed to analyze the issues identified above and return with additional information regarding the questions raised.

In response to issues raised during the February 28, 2011 hearing, two memos have been produced. One memo is from PMC that addresses the proposed dining hall location, proposed population cap, a left turn lane onto Sir Francis Drake Boulevard, and includes a response to comments regarding environmental review. Also provided in the PMC memo is a revised list of mitigation measures, and a table of all mitigation measure plans with their timing for implementation. The second memo from staff addresses the letters from Paul Berensmeir and the San Geronimo Valley Planning Group regarding the vested square footage for structures approved in the Spirit Rock Meditation Center Master Plan. Supporting documents for this memo are also attached.

Also included is a revised Resolution that incorporates recommended editorial edits and a revised list of conditions of approval that includes modified language to the mitigation measures that were made to clarify mitigation requirements. Edits have been made to the revised Resolution to correct errors to the previously recommended Resolution, such as repeating mitigation measures twice in the conditions of approval. Conditions of approval have also been added requiring the applicant to apply for a Use Permit for the SEMP and limiting the number of special events with more than 791 people to two per year, with the maximum number of people on site capped at 1,500. It should be noted that the applicant has objected to the Use Permit requirement for the Special Event Management Plan (see attachment 12).
Attachments:

1. Revised Recommended Resolution recommending that the Board of Supervisors grant a Mitigated Negative Declaration of Environmental Impact for the Spirit Rock Meditation Center Master Plan Amendment
2. Revised Recommended Resolution recommending that the Board of Supervisors enact an Ordinance approving the Spirit Rock Meditation Center Master Plan Amendment
3. PMC Memo, received May 11, 2011
4. Additional response to comments and Revised Mitigation Monitoring and Reporting Program
5. CDA – Planning Division Staff Memo regarding vesting dated May 16, 2011
6. Spirit Rock Meditation Center Master Plan, Ordinance # 2981
7. Spirit Rock Meditation Center Master Plan Site Map, Exhibit A
8. Table 1: Master Plan Approved Structures and Subsequent CDA Approvals
9. CDA, Planning Division Letter, January 19, 1994
10. CDA, Planning Division Letter, July 14, 1997
11. CDA Memo, May 20, 2002
12. Rob Hart (applicant) comments, received April 5, 2011
MARIN COUNTY PLANNING COMMISSION

RESOLUTION_____

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE SPIRIT ROCK MEDITATION CENTER MASTER PLAN AMENDMENT (MP-08-3)

5000 SIR FRANCIS DRAKE BOULEVARD, WOODACRE

ASSESSOR'S PARCEL 172-350-35

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SECTION I: FINDINGS

I. WHEREAS, on August 30, 1988, the Marin County Board of Supervisors adopted Ordinance No. 2981, which approved a Negative Declaration of Environmental Impact and approved the Spirit Rock Meditation Center Master Plan. On August 30, 1988, the Notice of Determination was filed with the Marin County Clerk. The project was approved for the operation of a nonprofit religious/educational institution for the instruction and practice of silent meditation on the subject property. The Master Plan allowed a maximum of: 20 staff resident on site; 20 monks and nuns resident on site; 150 adult participants in retreats requiring overnight stays (plus no more than 12 children under 18 years of age); 125 participants in daytime retreats or evening classes; 198 days per year where retreat sessions may be scheduled; and maximum of 315 persons on-site peak capacity. Approved buildings include: a meditation hall, a one-story guest house, a two-story guest house, a dining hall, a meeting hall, an administration building, a maintenance building, a children's play room, family housing, staff housing, teacher housing, a gate house, a hermitage with 20 single rooms, and a pavilion. The Master Plan established a development area envelope and defined the location of the approved buildings within the development area. The subject property is located at 5000 Sir Francis Drake Boulevard, Woodacre and is further identified as Assessor's Parcel 172-350-35.

II. WHEREAS, HartMarin has submitted an application, on behalf of Spirit Rock Meditation Center proposing to amend the Spirit Rock Master Plan by relocating approved buildings away from environmentally sensitive areas and adjusting the development area boundary to exclude sensitive habitats and include disturbed areas already served by infrastructure while providing for development of a limited number of new facilities. The proposed Master Plan would replace existing population limits established by conditions of the Master Plan approval with the implementation of a "Resource Protection Plan" to address population related issues through property management practices.

III. WHEREAS, the Marin County Community Development Agency - Planning Division prepared an Initial Study pursuant to the requirements of the California Environmental Quality Act (CEQA) for the project which determined that potential impacts relating to land use and planning policy, geophysical, water, air quality, transportation/circulation, biological resource, hazard, noise, aesthetics/visual
resource, and cultural resource factors are avoided or mitigated to a point where clearly no significant effects would occur because revisions in the project plans have been made by or agreed to by the applicant, and there is no evidence that the project as revised may have a significant impact on the environment.

IV. WHEREAS, the Marin County Community Development Agency - Planning Division prepared a Mitigation, Monitoring and Reporting Program, which encompasses the following:

A. A list of mitigation and monitoring measures required of the applicant at each stage of project approval and development.

B. A checklist to document and verify mitigation measure compliance.

C. A general condition of project approval which requires that all stages of project development shall conform to the adopted Mitigation, Monitoring and Reporting Program and stipulates that the County of Marin will verify compliance with each of the required mitigations.

V. WHEREAS, the Marin County Environmental Coordinator has determined that, based on the Initial Study, a Negative Declaration of Environmental Impact is required for the project pursuant to CEQA.

VI. WHEREAS, on September 27, 2010 a Notice of Availability of an Initial Study and proposed Negative Declaration of Environmental Impact were completed and distributed to agencies and interested parties to commence a 30-day public review period for review and comment on the Negative Declaration. The Notice was also published in a general circulation newspaper pursuant to CEQA.

VII. WHEREAS, after the close of the public review period on October 26, 2010, on January 10, 2011, the Marin County Planning Commission conducted a duly noticed field trip to the Spirit Rock Meditation Center for the purposes of understanding the physical aspects of the project and its relationship to the site and surrounding neighborhood.

VIII. WHEREAS, on January 26, 2011 a Notice of Public Hearing by the Marin County Planning Commission was published in a general circulation newspaper pursuant to CEQA to consider recommending to the Board of Supervisors final approval of the Negative Declaration.

IX. WHEREAS, on February 14, 2011 the Marin County Planning Commission conducted a public hearing to receive public testimony on the adequacy of the Negative Declaration for recommendation of approval to the Board of Supervisors.

X. WHEREAS, the Marin County Planning Commission has reviewed and considered the information contained in the Initial Study, Negative Declaration, and comments and responses thereto.
SECTION II: ACTION

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby makes the following findings and recommends adoption by the Board of Supervisors of a Mitigated Negative Declaration of Environmental Impact and Mitigation, Monitoring and Reporting Program for the proposed project.

1. Notice of the public review and hearing on the Negative Declaration was given as required by law and said hearing was conducted pursuant to Sections 15073 and 15074 of the State CEQA Guidelines and the County CEQA process.

2. All individuals, groups, and agencies desiring to comment on the Negative Declaration were given the opportunity to address the Marin County Planning Commission.

3. The Negative Declaration for the project consists of the Initial Study, Negative Declaration Document, Mitigation Monitoring and Reporting Program, and supporting information incorporated by referenced therein.

4. The Negative Declaration was completed in compliance with the intent and requirements of CEQA, the State CEQA Guidelines, and the County’s EIR process.

SECTION III: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin, State of California, on the 23rd day of February 2011, by the following vote to wit:

AYES:

NOES:

ABSENT:


PETER THERAN, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

______________________________
Debra Stratton
Planning Commission Recording Secretary
SECTION I: FINDINGS

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III. WHEREAS, the Marin County Community Development Agency - Planning Division prepared an Initial Study pursuant to the requirements of the California Environmental Quality Act (CEQA) for the project which determined that potential impacts relating to land use and planning policy, geophysical, water, air quality, transportation/circulation, biological resource, hazard, noise, aesthetics/visual resource, and cultural resource factors are avoided or mitigated to a point where clearly no significant effects would occur because revisions in the project plans have been made by or agreed to by the applicant, and there is no evidence that the project as revised may have a significant impact on the environment.

IV. WHEREAS, on February 14, 2011, the Marin County Planning Commission held a duly-noticed public hearing to consider the merits of the project and hear testimony in favor of, and in opposition to the project.

V. WHEREAS, the Marin County Planning Commission finds that the proposed project, as conditioned, is consistent with the goals and policies of the Marin Countywide Plan as identified in Appendix B (Plan Policy Analysis of the Spirit Rock Meditation Center) of the Initial Study as incorporated herein.

PC ATTACHMENT # 2
and as summarized below:

A. The project has been designed to retain the majority of the site as a natural terrestrial ecosystem. The proposed project will affect 38.6 acres of the 409.3-acre site. This represents 9.43% of the total land area. (CWP Policies BIO-1.3, AIR-4.2)

B. The project as conditioned would retain most of the site in an open, natural condition and would implement a Resource Protection Plan to control or avoid the introduction of invasive species. The project is also subject to standard County requirements that vegetation is to be comprised of drought-tolerant, fire-safe, and native species. (CWP Policies BIO-1.5, 1.6 & 1.7)

C. The project establishes a modified Development Area Boundary (DAB) that avoids areas of the property that contain wetlands and archaeological resources, proposes to increase the separation between improvements and riparian corridors on the project site, and maintains separation from Sir Francis Drake Boulevard. (CWP Policies BIO-2.2, 2.3, 2.4, 2.5, 2.6, 3.1, 4.2, 4.5, 4.6, 4.16 & 4.19, EH-2.1, NO-1.1, HAR-1.1 & 1.3)

D. The project as conditioned is consistent with the Stream Conservation Area (SCA) objectives (BIO-4.1) because: 1) will relocate four previously approved structures to increase separation between structures and blue-lined streams; 2) will remove four structures within the SCA; 3) uses cantilevered bridge structures over stream crossings; 4) minimizes potential impacts that may be greater if development is located outside of the setback requirements as discussed further under the Planned District Development Standards section below; and, 5) incorporates tree replacement measures to mitigate impacts to riparian vegetation.

E. The project as conditioned will improve natural stream channel function by implementing a Creek Restoration Plan as part of the Precise Development Plan which would be based in part on a hydrologic analysis (BIO-4.4, 4.5, 4.19).

F. The project as conditioned will reduce the potential for erosion and sediment discharge by submitting a Storm Water Protection Plan that will require that the project demonstrate that construction activity will be undertaken in a manner that uses effective best management practices to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater discharge. (BIO-4.14, 4.20, WR-1.3, WR-2.1, 2.3).

G. The project as conditioned is consistent with the Wetland Conservation Area (WCA) objectives (BIO-3.1) because: 1) it would adjust the Development Area Boundary to preclude future development in a portion of the site that contains wetland resources; 2) it would provide a buffer between the estuary and the area located in the Teachers and Staff Village where none presently exists; 3) it would establish a 20 foot setback around the wetland area located in the Teachers and Staff Village; and 4) it would require the submission of a Resource Enhancement Plan at the time of filing a Precise Development Plan that includes wetland restoration at a 2:1 ratio. (BIO-3.1, 3.2).

H. The project proposes to install porous/permeable surfaces adjacent to roadway improvements and in parking areas to increase infiltration. (CWP Policies BIO-4.4, 4.18 & 4.20, WR-1.3)

I. The project utilizes existing roads and paths to minimize the number of creek crossings, and proposes to use cantilevered bridges for future creek crossings. (CWP Policies BIO-4.14, EH-3.2)

J. The project would preserve over 90% of the site for open space and agricultural activities and preserve the rural character of the site by keeping improvements on the lower elevations of the project site where they would be screened by existing land forms and vegetation. (CWP Policies WR-1.1, 1.4, CS-2.2, TRL-1.1, AG-1.2, 1.3 & 1.7, CD-8.5, DES-1.1, 1.2 & 4.1)
K. The project includes a Traffic Management Plan to reduce traffic volume, stagger events to avoid peak periods of traffic demand, and promote transit use and carpooling. (CWP Policy AIR-3.1)

L. The project proposes to install photovoltaic services at the site and improve energy efficiency through building orientation and construction practices to reduce reliance on traditional gas and electric services, and to recycle greywater to reduce demand for water and wastewater disposal. (CWP Policies AIR-4.1, PFS-3.2)

M. The project modifies the DAB to increase the separation between improvements and offices, and proposes that improvements be located in areas that have adequate emergency vehicle access and water pressure for fire suppression. (CWP Policies EH-4.1, CD-2.8 & 5.2)

N. The project provides on-site housing for employees. (CWP Policies HS-3.2 & 3.3)

O. The project does not require off-site infrastructure improvements to accommodate access to or to support the proposed development. (CWP Policies TR-1.4 & 1.5)

VI. WHEREAS, the Marin County Planning Commission finds that the proposed project, as conditioned herein, is consistent with the goals and policies of the San Geronimo Valley Community Plan as follows:

A. The project has been designed to retain the majority of the site as a natural terrestrial ecosystem. (SGCP Policy ER-1.8)

B. The project proposes to retain most of the site in an open, natural condition and to implement a Resource Protection Plan to control or avoid the introduction of invasive species. The project is also subject to standard County requirements that vegetation is to be comprised of drought-tolerant, fire-safe, and native species. (SGCP Policies ER-1.7 & 1.12, CD-1.1)

C. The project establishes a modified Development Area Boundary (DAB) that avoids areas of the property that contain wetlands and archaeological resources, and maintains separation from Sir Francis Drake Boulevard. (SGCP Policies ER-1.2, 1.5, 2.1 & 2.4, CD-1.2h, 2.1, 2.2 & 6.1)

D. The project utilizes existing roads and paths to maintain one single access point to Sir Francis Drake Boulevard, preserves existing public roadway design, and minimizes the number of creek crossings. The project also proposes to use cantilevered bridges for future creek crossings and to install porous/permeable surfaces adjacent to roadway improvements and in parking areas. (SGCP Policies T-3.1, 3.2, 5.4 & 6.1)

E. The project would preserve over 90% of the site for open space and agricultural activities and preserve the rural character of the site by keeping improvements on the lower elevations of the project site where they will be screened by existing landforms and vegetation. The project also proposes a DAB that precludes development on identified farmlands of local importance. (SGCP Policies ER-1.3, CD-1.2, 1.7 & 6.3, CF-1.1, AG-1.1 & 2.1)

F. The project proposes development at the low end of the development intensity range allowed by the Marin Countywide Plan. (SGCP Policy NH-3.1)

G. The project proposes to install photovoltaic services at the site and improve energy efficiency through building orientation and construction practices to reduce reliance on traditional gas and electric services, and to recycle greywater to reduce demand for water and wastewater disposal. (SGCP Policies CD-3.1 & 3.4, AG-1.5)
H. The project increases the separation between proposed improvements and slides, and proposes that improvements be located in areas that have adequate emergency vehicle access and water pressure for fire suppression. (SGCP Policies NH-3.5)

I. The project places new utilities underground. (SGCP Policy CD-1.8)

J. The project does not require off-site infrastructure improvements to accommodate access to or to support the proposed development. (SGCP Policies CD-1.12)

VII. WHEREAS, the Marin County Planning Commission finds that several of the housing policies discussed in the Initial Study do not pertain to thresholds of significance for environmental impacts, but rather to the merits of the project. The proposed project is consistent with those housing policies as discussed below.

The Housing Element contains policies encouraging the provision of affordable housing opportunities in Marin. In particular, policy HS-3.18 states: "Require developments with two or more dwellings to provide a percentage of units on-site for very low, low, and moderate income housing; developments with two to four units may pay an in-lieu fee." A strict interpretation of this policy indicates that a development that involves multiple new dwellings that does not provide an affordable unit on site is inconsistent with this policy, but a more liberal interpretation indicates that the policy is unclear because it imposes two different requirements in the same sentence.

Policy HS-3.21 establishes a hierarchy of solutions for providing affordable housing. As noted above, the development of more than four market rate dwelling units requires that an affordable unit be provided on site. The second priority is to construct affordable units off site, or dedicate land and sufficient funds to develop affordable units off site, but within the same planning area. The last priority is to require in-lieu fees to be paid to the County. This policy is implemented in the affordable housing requirements in the Development Code. Marin County imposes those affordable housing requirements that are in effect at the time that: (A) a Vesting Tentative Map is deemed complete for purposes of the California Permit Streamlining Act (PSA), or (B) a Precise Development Plan or Design Review in the absence of a Precise Development Plan is deemed complete for the purposes of the PSA.

Due to their size and nature, the buildings to be constructed on site in the future could accommodate affordable housing units if necessary. Therefore, conformance with affordable housing standards would be feasible without increasing the proposed physical development if the Master Plan Amendment is approved, but a specific determination regarding affordable housing standards would not be required until a Precise Development Plan or Design Review is submitted for future development on the property.

VIII. WHEREAS, the Marin County Planning Commission finds that the proposed project is consistent with the mandatory findings to approve the Master Plan application, for the reasons identified below.

A. Pursuant to Marin County Code Section 22.44.030.C, the Planning Commission shall make a recommendation to the Board of Supervisors regarding a Master Plan application. Subsequent to approval of a Master Plan, the owner or the successors in interest shall submit a Precise Development Plan for the Master Plan area or Design Reviews for individual project components that are consistent with the conditions of the Master Plan.

DISCUSSION

The Planning Commission recommends to the Board of Supervisors that the proposed Master Plan Amendment, as conditioned, should be approved.
B. Pursuant to Marin County Code Section 22.44.030.B "Each application shall be analyzed by the Agency to ensure that the application is consistent with the purpose and intent of this Chapter and with the Countywide Plan and Community or Specific Plans." The purposes and intent of the Development Code are addressed in the "Purpose" and Development Standards sections of the portions of the Development Code dedicated to Planned Districts. Pursuant to Development Code Section 22.44.010 the purpose of Master Plans is the following:

1. Allow for phased developments;
2. Ensure harmony with the natural and built environment and the surrounding neighborhood character;
3. Promote clustering of structures to preserve open land areas and avoid environmentally sensitive areas;
4. Provide general direction on site design and development, and land use issues; and
5. Protect natural resources, scenic quality, environmentally sensitive areas.

DISCUSSION

The proposed project is consistent with the purpose of Master Plans because it is consistent with a conditionally permitted religious use, with the development standards and requirements of the Planned District Development Standards, and can be conditioned to comply with the affordable housing requirements of the Development Code.

IX. WHEREAS, the Marin County Planning Commission finds that the proposed project is consistent with the Mandatory Use Permit Findings (Section 22.48.040 of the Marin County Code) as required for religious uses in Agricultural Residential Planned zoning districts pursuant to Section 22.44.030.C.3 of the Marin County Code.

A. The proposed use is allowed, as a conditional use, within the subject zoning district and complies with all of the applicable provisions of this Chapter.

DISCUSSION

Spirit Rock Meditation Center is considered both a religious place of worship and a religious residential retreat, as defined in Section 22.130 of the Marin County Development Code. The permit requirements listed for these in Development Code Table 2-1 are "MU," meaning that religious uses are conditional uses that may be permitted under a Master Plan with supplemental Use Permit findings. The Use Permit for the Master Plan is revocable following the same procedure as revocation for standard Use Permits.

B. The proposed use is consistent with the Countywide Plan and any applicable Community Plan and Local Coastal Program.

DISCUSSION

For the reasons discussed above in Findings V and VI, and as identified in Appendix B (Plan Policy Analysis of the Spirit Rock Meditation Center) of the Initial Study incorporated herein, the proposed project is consistent with the policies contained in the Marin Countywide Plan and the San Geronimo Valley Community Plan.

C. The approval of the Use Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA).
DISCUSSION

As discussed above in Finding III, a Mitigated Negative Declaration has been prepared for the proposed project, in conformance with CEQA requirements.

D. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

DISCUSSION

Conformance with this standard would be feasible if the Master Plan Amendment is approved, but specific information on designs, locations and sizes of buildings would not be required until a Precise Development Plan or Design Reviews are submitted for the property. Further, as discussed below in Finding X.2., the clustering of the development would be compatible with the character of the Agricultural Residential Planned zoning district governing the subject property. The operating characteristics entailed in the project would be compatible with existing and future land uses in the surrounding area for the reasons discussed below in Finding IX.F.

E. The proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located.

DISCUSSION

Conformance with this standard would be feasible if the Master Plan Amendment is approved, but specific facilities designs would not be required until a Precise Development Plan or Design Reviews are submitted for the property. Further, as discussed below in Finding X.2.a, the clustering of the development would be compatible with the character of the Agricultural Residential Planned zoning district governing the subject property.

F. That granting the Use Permit will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, or injurious to the property or improvements in the vicinity and zoning district in which the real property is located.

DISCUSSION

The applicant proposes to control land use and attendance by implementing a “Resource Protection Plan” in lieu of population limits to regulate Spirit Rock activities. This concept for self-regulation of attendance is based, in the applicant’s view, on the provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA) adopted by Congress in 2000. The applicant contends that RLUIPA protects religious institutions from unduly burdensome or discriminatory governmental land use regulations such as:

- Imposing zoning restrictions that impose a "substantial burden" on a religious institution;
- Treating religious assemblies and institutions differently from secular institutions; or
- Discriminating against any assembly or institution on the basis of religion or religious denomination.

RLUIPA does not prohibit or restrict environmental review in compliance with the provisions of
CEQA. As discussed below, CEQA requires the establishment of the “baseline” (existing conditions) by which a lead agency evaluates a proposed project and increases in intensity of use. For baseline purposes, the Initial Study reviewed the proposed and projected attendance for the proposed Master Plan Amendment based on the following:

- A combined total of 315 people are currently allowed on the Spirit Rock site on a daily basis. A population of 315 people is also a reasonable estimate of current use based on information provided by the applicant (while actual use may be higher, the County will not give “credit” for unauthorized levels of use).

- Based on the approved 1988 Spirit Rock Master Plan limits for open house/special events, the established baseline is a maximum attendance of 150 persons per event and 6 events per year. This is also a reasonable estimate of current use based on information provided by the applicant (while actual use may be higher, the County will not give “credit” for unauthorized levels of use).

Large scale special events have taken place at Spirit Rock over the past 21 years. These events have ranged from 1,200 people in 1983 to a peak of 1,600 people at the largest event in 1995, when a special Buddhist luminary guest was present at the site. Since 1997, peak events have occurred in 2001, 2007, and 2008, when 600 persons, 750 persons, and 750 persons attended, respectively, in a one-day period, most commonly for open houses or a special gathering. Based on the Master Plan Amendment proposal as noted above that (County governmental) regulation of religious use attendance would be replaced by the “Resource Protection Plan” with environmental monitoring, Spirit Rock does not propose to restrict special events that may occur in the future to any specific maximum number and similarly does not specify how peak attendance at events might be limited or project any maximum number of persons potentially attending special events. (Special events are served by portable toilets and are not restricted by septic system capacity.)

The current use level is 900 persons per year (based on a calculation of average annual event attendance). The baseline for open house/special events is a total of 150 persons per event and 6 events per year. While special large events occur infrequently on a year-to-year basis, based on historical records showing a peak attendance at one event of 1,600 persons, it is assumed for purposes of environmental analysis that peak maximum special event attendance of up to 1,600 persons at a single event might occur in the future at the project site, based on a historic past peak special event with 1,600 persons in attendance. Maximum special event attendance includes persons who are on-site for daily activities. When discussing maximum population numbers, it is assumed that potential impacts (e.g. wastewater disposal, water demand, traffic, parking, and emergency services) will require the applicant to either successfully manage project operations and events to avoid impacts, or to limit on-site populations. This maximum attendance would represent an increase of 1,450 persons over the 150-person baseline that is currently permitted for special events attendance.

It is important to note that, although certain assumptions have been made to predict future attendance at special events for the purposes of environmental review, the applicant proposes to remove all population restrictions on the site. The concept of replacing the current cap on attendance with the Resource Protection Plan is well intentioned, but logically flawed. The Resource Protection Plan, as well as the various other mitigation measures for enhancements to the natural environment imoosed as conditions of approval are a proactive way of protecting the natural qualities of the site and protecting those qualities from the adverse effects of the future development associated with the Master Plan. In almost all respects, the development of the Spirit Rock campus proposed in the Master Plan Amendment is far superior to the development approved with the original Master Plan from an environmental perspective, and the additional Open Space and trail offered for dedication will provide an important public benefit. However, the
Resource Protection Plan protects the site from undue impacts from future development, and the
impacts to the area and the public from unregulated participation in religious events at Spirit Rock
are only substantially addressed by the Transportation Management Plan. Other elements of the
Resource Protection Plan, such as tree protection and riparian enhancements, are reasonably
related and roughly proportional to the proposed development, but not to the potential increase in
population on site. The evidence presented in the Initial Study does not support the contention
that the implementation of the Resource Protection Plan would reduce the impacts of increasing
population on site, except for the traffic management and mitigation measures that would be
required. For this reason, it is not necessary or prudent to require that mitigation measures
associated with impacts from development be implemented before the population cap is removed,
and the attendance component of the Master Plan Amendment may be vested prior to
components related to development.

Ample evidence is provided in the Initial Study for the project that, although the Resource
Protection Plan does not adequately address impacts from unrestricted attendance at religious
events, there are other mitigation measures that can be imposed to protect the public that are at
least as effective as a regulatory cap on attendance. In particular, the requirement for the
applicant to submit a Special Events Management Program (SEMP) to the County for review in
consultation with other agencies and first responders would ensure that events are well regulated
without a population cap being imposed. Given their past practices, there is every reason to
believe that Spirit Rock would implement some measures during large scale special events
intended to protect their visitors and the surrounding areas even without such a requirement.
However, the SEMP provides the County with a mechanism to advance the legitimate
government interests of protecting public health and safety as well as managing traffic congestion
in a manner that is coordinated and sufficient to fully address any potentially significant impacts
resulting from large crowds before they occur. The applicant has indicated a willingness to work
constructively with the County to prepare and implement the SEMP.

As a matter of future enforceability, a condition of approval requires that the SEM P include
provisions for special event plans for individual special events. These special event plans would
be submitted to the Planning Division prior to the largest of the events that could occur at Spirit
Rock and would precisely detail how the criteria of the SEM P would be met in the case of that
particular event. In some cases, those special event plans would require that the Fire Department,
County Sheriff, and Public Works Department be consulted and would also indicate means of
notifying the local community of the upcoming event. Review of the special event plans would be
conducted on a ministerial basis to ensure conformance of the operations of the event with the
criteria defined in the SEM P.

Under RLUIPA, it is incumbent on the County to avoid treating Spirit Rock differently from non-
religious institutions. Marin County routinely imposes requirements for non-religious entities
holding large special events to manage traffic effectively, use portable toilets and bottled water,
and put adequate safeguards in place for Sheriffs' Deputies, Fire fighters and medical personnel
to adequately respond to emergencies during large scale special events. These requirements are
not being imposed on Spirit Rock because it is a religious institution or because of the particular
religion practiced at Spirit Rock. Under RLUIPA, it is also incumbent on the County to avoid
substantially burdening Spirit Rock with regulations that are not absolutely necessary to advance
legitimate government interests. By decoupling the vesting requirements for the components
related to future development from the vesting requirements for removing the population cap, the
County is avoiding any unnecessary regulatory burden being placed on Spirit Rock's religious
practices. By requiring the implementation of the SEM P, the County is ensuring that the project
would not adversely affect public health, safety or welfare. Therefore, the proposed project, as
modified by the conditions of approval, would be consistent with the regulatory parameters
established by RLUIPA and consistent with this Finding.
X. WHEREAS, the Marin County Planning Commission finds that the proposed project is consistent with the Planned District Development Standards. Pursuant to Marin County Code Section 22.16.030, the Planned District General Standards provide standards for the development of varied types of land uses designed without the confines of specific yard requirements, where amenities resulting from flexibility of design will benefit the public welfare or other properties in the community, in a manner that will implement the policies of the Marin Countywide Plan, as discussed below.

1. Access:

   a. Roads. In ridge land areas designated by the Marin Countywide Plan, roads shall be designed to rural standards. Generally, not more than 18 feet pavement width, depending on safety requirements. A minimum of 16 feet may be permitted in certain very low use areas, as provided in the improvement standards established in compliance with Title 24, Sections 24.04.020 et seq. of the County Code (Roads). No new roads shall be developed where the required grade is more than 15 percent unless the review authority determines that the roads can be built without environmental damage, comply with State fire safety regulations, and be used without public inconvenience.

DISCUSSION

The proposed project would not result in the construction of any roads that have not been previously approved; however, the project would modify previously approved roads.

As shown on Exhibit A sheet 5b, the road that was approved to lead from the existing terminus of the main road adjacent to the residence hall buildings to access the hermitage commons and cabins would be realigned to better follow the existing contours, and the previously approved bridge across Spirit Rock Creek would be relocated. Since the approved location of the hermitage commons would be moved closer to the existing terminus of the main road, it can be reasonably anticipated that emergency access requirements for road construction would be reduced for the stretch of road that would lead from the proposed location of the hermitage commons to the location of the hermitage cabins. Consistent with the applicant’s intent, a condition of approval requires that the extension of the main road is constructed using the “grasspave” design used by the applicant for the existing main road. This design allows for a greater degree of stormwater infiltration than standard pavement by using interlinked pervious pavers, while still meeting the structural requirements of the Fire Department for roads. As shown on Exhibit A sheet 18, the existing main road will connect to the realigned main road extension leading to the Hermitage. There is a minor discrepancy between the road alignments shown on Exhibit A sheet 5b, and a condition of approval requires that the connection between the existing main road and the realigned extension be clarified/corrected on Exhibit B to avoid any confusion regarding the approved location of the road extension leading to the Hermitage.

As shown on Exhibit A sheet 16, the existing main road leading to the existing residence halls near the terminus of the main road would be realigned to allow the previously approved but unbuilt residence halls to be constructed farther from Spirit Rock Creek than the original Blaster Plan allowed. This modification would increase the buffer between the future residence halls and the creek and provide additional protection to the Spirit Rock stream corridor. The main road would also be realigned near the dining hall to bring it closer to the future dining hall and allow the elimination of the previously approved driveway to the dining hall. As discussed in the driveways standard, this modification would substantially reduce the grading that would otherwise be entailed with constructing the driveway to the dining hall.
Although precise calculations are not available at the Master Plan Amendment stage, it is evident that the proposed modifications to the road extension leading to the homestead would substantially reduce the amount of cut and fill necessary and minimize the degree to which the natural terrain would be reformed for the road extension. Therefore, the proposed project is consistent with this standard.

b. Driveways. Driveways shall be designed in compliance with Title 24, Sections 24.04.240 et seq. of the County Code (Driveways). Driveway length shall be minimized, consistent with the clustering requirements of the following subsection.

DISCUSSION

While specific plans for driveway improvements will not be available until the Precise Development Plan stage, it would be feasible for all proposed driveways to meet the standards of Title 24 because of the amount of area and locations of areas reserved for driveways on the plans. Further, the Master Plan Amendment would eliminate a previously approved driveway leading from the main road to the previously approved dining hall and another driveway to several previously approved residence halls. With respect to the previously approved dining hall driveway shown on Exhibit A sheet 5b, it was originally intended to be designed to provide access to the dining hall for large delivery trucks and would have entailed slope cuts and retaining walls. By relocating the dining hall closer to the main road, the project eliminates the need for this driveway and the attendant grading and impervious surfaces that would be necessary for its construction. With respect to the driveway leading from the main road to the various residence halls, as shown on Exhibit A sheets 5b, 15, and 15, it would have required not only grading and impervious surfaces, but also a bridge over Spirit Rock Creek, which would potentially necessitate streambed alterations. Amending the Master Plan to eliminate these driveways would reduce grading, vegetation removal, and avoid disturbing Spirit Rock Creek. These benefits would be realized because the project would cluster buildings needing better access closer to the main road. Therefore, the proposed project is consistent with this standard.

2. Building location:

a. Clustering requirement. Structures shall be clustered in the most accessible, least visually prominent, and most geologically stable portions of the site, consistent with needs for privacy where multiple residential units are proposed. Clustering is especially important on open grassy hillside; a greater scattering of buildings may be preferable on wooded hillside to save trees. The predominance of construction shall be minimized by placing buildings so that they will be screened by existing vegetation, rock outcroppings or depressions in topography. In agricultural areas, residential development shall be clustered or sited to minimize possible conflicts with existing or possible future agricultural uses.

DISCUSSION

The project site contains open grasslands and coniferous and hardwood vegetation primarily within areas of the site that contain moisture from drainage. The designated development area is a small portion of the full property (35.6 acres of the total property area of 409.3 acres) and located largely within the interior of the property with only the entrance from Sir Francis Drake Boulevard reaching an exterior border. Lands within the Development Area Boundary are well screened by sub-ridgelines, acoustic berms, and trees that surround existing and proposed development. Implementation of the proposed
project would increase clustering on the site and locate development in the most accessible areas within the development area boundary (DAB), as discussed above under the road and driveway standards. Further, development would be clustered in areas that avoid unstable soils as much as possible, as discussed below under the geologic hazards standard.

The project site is most visible from traffic traveling west on Sir Francis Drake Boulevard. Property views from this westbound traffic enjoy comparatively uninterrupted views of the eastern edge of the building envelope for approximately 10 seconds when traveling 55 miles per hour. While individual properties may have views of the project site, views from public roadways on the south side of the San Geronimo Valley looking toward the project site are largely obstructed by existing structures and mature vegetation. Accordingly, views of the project site are "window" views between trees and structures that are visible for relatively brief periods of time when traveling along public trails and roads.

Views from properties located at lower elevations on the south side of the valley are obstructed by topographic features on the project site. Because of steep slopes, views of the project site from higher elevations on the south side of the valley are often looking down on the crowns of mature vegetation that screens the lower development areas of the project site. As can be seen in vantage point 2, often only the ridgeline and upper elevations of the project site are visible over the crowns of existing trees. The proposed DAB is substantially screened from public view from Sir Francis Drake Boulevard and the southern slopes of the San Geronimo Valley by existing topographic features and vegetation.

While the ridgeline is not currently open to the public, it may gain public access in the future. Views from the ridgeline north of the project site looking south consist mostly of distant vistas of the San Francisco Bay to the east, Mt. Tamalpais and rolling hills containing trees and other vegetation to the south, Mt. Barnaby and other bare and vegetated hills to the west, and the ridgelines above Lucas Valley and Nicasio Valley to the north. Portions of the project site are visible from the fire road that traverses the ridgeline, but the development area in the lower portions of the site is largely screened from the fire road by topographic features adjoining the fire road. The topography of the ridge is such that views into the development area are often screened by the ridge itself. The project site is visible from certain vantage points along the ridgeline, but appears very small due to the great distance between the project and the ridgeline. Vegetation directly below the ridgeline partially blocks the view of portions of the project site. All off-site views of the DAB are distant views. Views to the ridgeline north of the project site would remain unobstructed.

The existing project approvals establish a Development Area Boundary (DAB) in order to ensure that site improvements do not conflict with the scenic values of the site. The proposed project would adjust the DAB. Some of the proposed adjustments would reduce the existing DAB and would not result in the potential for impact beyond that which could occur under existing conditions. This analysis focuses on the areas where the project would expand the DAB. As discussed below under standard 6, the Open Space offer of dedication will be increased to permanently protect more area as required by the Open Space District. The DAB expansion areas shown as E-1 through E-8 on Exhibit A, sheet 20 are described below:

E-1 This expansion area contains approximately 0.45 acres of land located adjacent to Sir Francis Drake Boulevard and would contain underground improvements that support wastewater disposal.
E-2 At 0.91 acres, this expansion area would incorporate land that is located on the west side of an existing knoll, and on the north side of an acoustic berm. The knoll is approximately 40 feet in elevation above the surface of the expansion area, and the acoustic berm is approximately 10 feet in elevation above the surface of the expansion area. The project proposes to install a “GrassPave” surface in this expansion area for use as overflow parking.

E-3 Located adjacent to and upslope of the Meeting Hall, this 0.77 acre expansion area would be used for underground wastewater disposal.

E-4 The largest of the expansion areas, this 1.10 acre site is located on a sub-ridge and north of a knoll that is approximately 25 feet in elevation above the proposed expansion area. This site would be used for underground wastewater disposal.

E-5 The project proposes a 0.04 acre expansion west of, and at approximately the same elevation as the existing DAB.

E-6 The project proposes a 0.02 acre expansion north of, and up slope of existing DAB.

Proposed DAB expansion E-1 through E-4 are being made to accommodate underground improvements and would not interfere with existing vistas or detract from important natural features. Proposed DAB adjustments E-5 and E-6 represent minor expansion of the building area that would not be noticeable from off-site locations.

The proposed DAB is substantially screened from public view from Sir Francis Drake Boulevard and the southern slopes of the San Geronimo Valley by existing topographic features and vegetation. The project site is visible from certain vantage points along the ridgeline, but appears very small due to the great distance between the project and the ridgeline. Vegetation directly below the ridgeline partially blocks the view of portions of the project site. All off-site views of the DAB are distant views. Views to the ridgeline north of the project site would remain unobstructed. The project would not significantly alter existing views or natural features, would preserve existing scenic qualities of the project site and would not result in development on ridgelines or open hillsides, or interfere with views to ridgelines or other scenic resources.

For the foregoing reasons, the proposed project is consistent with this standard.

b. Development near ridgelines. No construction shall occur on top of, or within 300 feet horizontally, or within 100 feet vertically of visually prominent ridgelines, whichever is more restrictive, unless no other suitable locations are available on the site. If structures must be placed within this restricted area because of site constraints, they shall be in locations that are the least visible from adjacent properties and view corridors.

DISCUSSION

The proposed and required modifications to the DAB would not allow any development to occur within 300 feet horizontally or 100 feet vertically of a visually prominent ridgeline. Therefore, the proposed project is consistent with this standard.
c. **Energy conservation.** Solar access shall be considered in the location, design, height and setbacks of all buildings. Generally, buildings should be oriented in a north/south fashion with the majority of glazing on the south wall or walls of the buildings.

**DISCUSSION**

Conformance with this standard would be feasible if the proposed project is approved, but specific building designs with information on their orientation would not be required until a Precise Development Plan or Design Reviews are submitted for the property. However, the Master Plan amendment would relocate the previously approved dining hall and eliminate the previously approved driveway to the dining hall, which would make available an excellent area for installing solar collectors. Two arrays of solar collectors would be constructed adjacent to the proposed location of the dining hall and adjacent to the teacher/staff village to reduce Spirit Rock’s use of energy generated off-site. Therefore, the proposed project is consistent with this standard.

d. **Noise mitigation.** Noise impacts on residents in nearby areas shall be minimized through the placement of buildings, recreation areas, roads and landscaping.

**DISCUSSION**

The nearest noise sensitive land uses, in the form of single-family homes, are located approximately 0.25 miles south of the project site in the community of Woodacre. The only noise of a long-term nature that would result from the project would be an increase in traffic noise of less than one decibel. Construction noise occurring along the south perimeter of the project site adjacent to Sir Francis Drake Boulevard would be of most concern to sensitive land uses south of the site. Construction in these areas would take place across a major street from the nearest noise sensitive land uses. Typical hourly average construction generated noise levels are about 78 to 89 dBA measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Project construction would be expected to generate worst-case hourly average noise levels of about 48 dBA to 59 dBA Leq at the nearest noise-sensitive receivers when construction occurs at the perimeter of the site. The increased distance and buffer provided by Sir Francis Drake Boulevard would reduce construction noise levels to less than 60 dB outside of the existing homes. While occasionally audible, temporary construction noise and noise from traffic would not be disruptive to surrounding neighborhoods. Therefore, the proposed project is consistent with this standard.

3. **Facilities.** Where possible, facilities and design features called for in the Marin Countywide Plan shall be provided on the site. These include units with three or more bedrooms, available to households with children; child-care facilities; use of reclaimed waste water; use of materials; siting; and construction techniques to minimize consumption of resources such as energy and water; use of water-conserving appliances; recreation facilities geared to age groups anticipated in the project; bus shelters; design features for bicycle paths to accommodate people with disabilities linked to City-County systems; and facilities for composting and recycling.

**DISCUSSION**

Conformance with this standard would be feasible if the Master Plan Amendment is approved, but specific facilities designs would not be required until a Precise Development Plan or Design Reviews are submitted for the property.
4. **Landscaping.** Introduced landscaping should be designed to minimally disturb natural areas, and shall be compatible with the native plant setting. Landscaping plans should be prepared in compliance with Chapter 22.26 (Landscaping). Landscaping plans should consider fire protection, solar access, the use of native and drought tolerant plant species and minimal water use. Planting should not block scenic views from adjacent properties or disturb wildlife trails. See also Chapter 22.26 (Landscaping).

**DISCUSSION**

Conformance with this standard would be feasible if the Master Plan is approved, but specific landscaping designs would not be required until a Precise Development Plan or Design Reviews are submitted for the property. Further, implementation of the proposed project would entail the following landscape improvements:

- Planting trees near Sir Francis Drake Boulevard
- Use of indigenous, fire-safe, and low water consumption plant materials
- Restoring riparian areas along Spirit Rock Creek
- Restoring the meadow at the current location of the Community Center to a more natural state
- Constructing walking paths and free-span bridges to integrate indoor areas to the their natural surroundings

In addition, the proposed Resource Protection Plan (RPP), as well as the biological and water quality mitigation measures identified in the Initial Study and imposed as conditions of approval would enhance natural areas.

For woodland areas, the RPP proposes the following: (1) Sudden Oak Death Syndrome management and prevention; (2) forest management in creep zones and other recommendations included in the Arborist's Report (McNair & Associates, 2008); and (3) invasive species management and other MALT and Marin County Open Space District (MCOSD) initiatives. For native grasslands, the RPP includes: (1) invasive species management; (2) limitations on access by promoting the use of established paths; and (3) wildfire protection via grazing (currently under way). For wetlands habitat, limitations on access by relocation of the DAB are proposed, in addition to management of invasive species.

Biological and water quality mitigation measures require the implementation of a Resource Enhancement Plan and Construction Management and Revegetation Plan that would entail maximum retention of native trees, replanting or replacement of native trees that would be disturbed by future development, grassland management that would enhance native grassland habitat, and proactive removal and management of invasive species affecting the site.

In combination, these measures would further the “Landscaping Objectives” identified in Marin County Code section 22.25.040. Therefore, the proposed project is consistent with this standard.

5. **Lighting, exterior.** Exterior lighting visible from off-site should be allowed for safety purposes only; shall consist of low-wattage fixtures, and should be directed downward and
sheltered to prevent adverse lighting impacts on nearby properties, subject to the approval of the Director.

DISCUSSION

The DAB is only partially visible from limited off-site locations and then is only visible as a distant, filtered view. Night lighting under the proposed project would be limited to inside buildings and parking lot safety lights. The parking lot lighting would be limited to the lower part of the valley, which is currently visually screened by existing topographical features. The project site is surrounded by undeveloped areas. Therefore, no significant light, glare, or shadow from adjacent properties would affect the project site, and the proposed project would not cause any significant additional light, glare, or shadow to adjacent properties.

6. Open space areas. Project approval may require the preservation of land as open space to protect rural visual character, wildlife habitat, riparian corridors and wetlands.

a. Open space dedication. Land to be preserved as open space may be dedicated in fee title to the County or other agency designated by the County before issuance of any construction permit, or may remain in private ownership with appropriate scenic and/or open space easements/agreements granted to the County in perpetuity. The County may require reasonable public access across those lands remaining in private ownership, consistent with Federal and State law.

DISCUSSION

The Master Plan Amendment proposes to adjust the boundaries of the 1998 Development Site Area. The acreage of the Development Area as permitted by the SRMC Master Plan is 38.8 acres, or approximately 9.4% of the 409-acre site. This Development Area has been amended over the years to include minor changes. The project sponsor proposes to amend the land conservation easements held by the MCPOSD, resulting in the exchange a total of 3.53 acres of land area contained in 4 small parcels within the existing development site boundaries with a total of 3.31 acres of land contained in 4 small parcels of the MCPOSD-easement area (net increase to MCPOSD is 0.22 acre) in order to grant environmentally sensitive areas (primarily SCA and WCA areas) to the MCPOSD in exchange for land areas more suitable for development (primarily septic field expansion outside of the SCA). This proposed exchange of lands is intended to provide protection for wetlands and riparian zones along the creeks while providing suitable land to SRMC to expand its septic system capacity. In addition, one parcel (identified as parcel E-2, 0.91-acre in size), located off the entrance road just north of Sir Francis Drake Boulevard, is proposed to be grasspaved for overflow parking. The total acreage for the Development Area would be 38.4 acres after these changes are completed, and the lands protected by the MCPOSD easements would be 370.9 acres.

After reviewing the application, MCPOSD staff indicated that they would recommend that the Open Space District Board reject the applicant's proposal to modify the conservation easement. After further negotiation, the MCPOSD and Spirit Rock reached a tentative agreement to an exchange of lands and dedication of a trail that would provide a substantially greater degree of public benefits than the original offer made by Spirit Rock. The tentative agreement is labeled as Exhibit D. Overall, the modification to the Conservation Easement (90-64143/90-052174) would result in an additional 3.83 acres of protected area and would also modify the Pedestrian/Equestrian Easement (90-6414) to add the Gonzales Ranch connector along Los Pinos Road. With this, the ridge top trail could then be opened for public access.
The additional lands that would be granted to MCPOSD under this new agreement are:

- 1.45 acres of oak woodland watershed headwaters above the Hermitage cabins
- 0.82 acres of steep, forested blue-line creek watershed below the Hermitage cabins
- 0.39 acres of Spirit Rock Creek headwaters
- 1.66 acres of Spirit Rock Creek watershed surrounding the existing Meditation Hall

In addition, Spirit Rock would take back control of 0.49 acres of engineered fill slope north of the existing Residence Halls. While all of these additional areas of dedication are valuable, it is important to note that the 1.45 acres of area above the Hermitage cabin sites are densely wooded and their permanent protection in open space substantially reduces the potential tree removal resulting from any future development in this area. Benefits to native forests, grasslands and riparian areas resulting from this exchange would enhance the environmental protection aspects of the project beyond the mitigation measures identified in the Initial Study and would cause no additional environmental impacts. Further, offering for dedication the trail easement would allow for an important trail connection along the ridge that would take advantage of the trail offered for dedication in the Gonzales Ranch. A condition of approval requires that Spirit Rock and the MCPOSD reach final agreement and that the Open Space District Board accepts the revisions to the Open Space easements before vesting any portion of the Master Plan Amendment.

For the foregoing reasons, the proposed project is consistent with this standard.

b. Maintenance. The County or other designated public agency will maintain all open space lands accepted in fee title, as well as public access and trail easements across private property. Open space lands that remain in private ownership with scenic easements shall be maintained in compliance with the adopted policies of the Marin County Open Space District and may require the creation of a homeowners' association or other organization to maintain the private open space.

DISCUSSION

The Open Space District has been responsible for maintaining their open space easement on the property since the time of its original dedication, and the Open Space District would continue to be responsible for maintaining the easement under the terms of any revised easement.

c. Open space uses. Uses in open space areas shall be in compliance with policies of the Marin County Open Space District. Generally, uses shall have no or minimal impact on the natural environment. Pedestrian and equestrian access shall be provided where possible and reasonable.

DISCUSSION

As indicated above, before the Master Plan is vested, the Open Space easement revisions shall be recorded in compliance with the MCPOSD requirements.

7. Project design:

a. Height limits for structures:
i. 30 feet for primary structures, 15 feet for accessory structures; and

ii. The floor level of the lowest floor shall not exceed 10 feet above natural grade at the lowest corner.

iii. Where a ridge lot is too flat to allow placement of the house in compliance with Subsection F.2 above, the maximum height shall be 18 feet.

iv. Where allowed, agricultural accessory structures located below ridgetops may exceed the above height limits with Design Review approval. See Chapter 22.42 (Design Review).

v. These requirements may be waived by the Director if the Director determines site terrain features make the above height limits ineffective, or unnecessary in minimizing the visibility of the proposed structures.

DISCUSSION

Conformance with these standards would be feasible if the Master Plan amendment is approved, but specific building designs would not be required until a Precise Development Plan or Design Reviews are submitted for the property. Further, the project would not be located near any visually prominent ridgelines, which would continue to be protected as permanent open space.

8. Materials and colors. Building materials and colors shall be chosen to blend into the natural environment unobtrusively, to the greatest extent possible.

DISCUSSION

Conformance with these standards would be feasible if the Master Plan amendment is approved, but specific exterior colors and materials samples would not be required until a Precise Development Plan or Design Reviews are submitted for the property.


a. Grading. Grading shall occur in compliance with Title 23, Chapter 23.08 (Excavating, Grading and Filling) of the County Code, but shall be held to a minimum. Every reasonable effort shall be made to retain the natural features of the land: skylines and ridgetops, rolling land forms, knobs, native vegetation, trees, rock outcroppings, and watercourses. Where grading is required, it shall not create flat planes and sharp angles of intersection with natural terrain. Slopes shall be rounded and contoured to blend with existing topography.

DISCUSSION

Overall, the proposed project would reduce the amount of grading that would be entailed in total buildout of the Master Plan. The largest reduction in grading would be the result of realigning the main road and eliminating two driveways that were previously approved. In particular, the driveway leading from the main road to the various residence halls, as shown on Exhibit A sheets 5b, 15, and 16, would have required not only grading and imperious surfaces, but also a bridge over Spirit Rock Creek, which would potentially necessitate streambed alterations associated the grading.
b. Drainage. Areas adjacent to creeks shall be maintained in their natural state as much as possible. All construction shall ensure drainage into the natural watershed in a manner that will avoid significant erosion or damage to adjacent properties. Impervious surfaces shall be minimized.

DISCUSSION

The proposed project would improve protection of riparian resources and improve compliance with the Countywide Plan policies related to SCAs by removing and relocating structures that have been approved, and in some cases constructed, within the SCA to locations that are outside of the SCA. Where the project would result in buildings that are located within the SCA, the building would be located on partially disturbed grasslands that contain no riparian vegetation.

Development associated with the Community Center and Retreat subareas is clustered around Spirit Rock Creek. The project has received entitlements to develop components of the Spirit Rock Master Plan in these locations and within the SCA. The project would relocate previously approved building locations as indicated in the table below.

<table>
<thead>
<tr>
<th>Building</th>
<th>Existing Setback to SCA</th>
<th>Proposed Setback to SCA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Building</td>
<td>Within 70'</td>
<td>100' or more</td>
</tr>
<tr>
<td>Meeting Hall</td>
<td>Within 50'</td>
<td>100' or more</td>
</tr>
<tr>
<td>Residence Halls</td>
<td>Within 15'</td>
<td>Within 30'</td>
</tr>
<tr>
<td>Dining Hall</td>
<td>100' or more</td>
<td>Within 60'</td>
</tr>
<tr>
<td>Hermitage Commons</td>
<td>Within 60'</td>
<td>100' or more</td>
</tr>
</tbody>
</table>

- Administration Building: This approved structure would be relocated from the meadow area of the Community Center where it is within 75 feet of Spirit Rock Creek, to the Village area located west of the main roadway in a location that is more than 100 feet from the nearest creek.

- Meeting Hall: This approved structure would be relocated from the meadow area of the Community Center where it is within 50 feet of Spirit Rock Creek, to the Village area located west of the main roadway in a location that is more than 100 feet from the nearest creek.

- Residence Halls: Three residence halls were approved in the Community Center Area and are proposed to be relocated from the area west of the main road where they are within 25 feet of Spirit Rock Creek, to the retreat area where they would be consolidated in two structures that would be within 30 feet of Spirit Rock Creek.

- Dining Hall: The approved location of this structure is east of, and approximately 0 feet in elevation above the main access road and opposite the gratitude hut. The previously approved Dining Hall was over 100 feet from the top of bank from the ephemeral creek. The project proposes to relocate the Dining Hall approximately 100 feet northwest and down slope of the approved location so that it is closer to the access road and to provide space for a solar panel array. The proposed Dining Hall would be approximately 60 feet from the top of bank from the ephemeral creek.
• Hermitage Commons: The project proposes to relocate the previously approved Hermitage Commons structure from a site that is located within 60 feet of a seasonal drainage course to a site that is more than 100 feet from a watercourse, and to divide the building functions into four structures.

The proposed relocation of four approved, but not yet built structures, the Administration building, Meeting Hall, Residence Halls and Hermitage commons, increases project compliance with SCA policies. The proposed relocation of the Dining Hall requires the County to grant an exception to the SCA policies, as part of the Master Plan decision, to allow the structure to be located within the SCA.

The project would also result in the removal of two existing structures that are located within the SCA, and the relocation of two existing structures to locations that are outside of the SCA as indicated in the table below.

<table>
<thead>
<tr>
<th>Building</th>
<th>Existing Setback to SCA</th>
<th>Proposed Setback to SCA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Trailer</td>
<td>Within 10'</td>
<td>100' or more</td>
</tr>
<tr>
<td>Meeting Hall</td>
<td>Within 35'</td>
<td>100' or more</td>
</tr>
<tr>
<td>Trailer</td>
<td>Within 45'</td>
<td>Removed</td>
</tr>
<tr>
<td>Shed</td>
<td>Within 95'</td>
<td>Removed</td>
</tr>
</tbody>
</table>

The proposed removal and relocation of these existing structures increases project compliance with this standard and SCA policies.

Policy BIO-4.1 grants exceptions to full compliance with all SCA criteria and standards if "Development on the parcel entirely outside the SCA either is infeasible or would have greater impacts on water quality, wildlife habitat, other sensitive biological resources, or other environmental constraints than development within the SCA."

Consistent with the provisions of Policy BIO-4.1, the applicant is seeking an exception to full compliance with all SCA criteria and standards to allow the proposed Dining Hall to be located 60 feet from the ephemeral stream bank. This exception is being requested to accommodate installation of solar panels in the previously approved Dining Hall site. The Dining Hall could be constructed upslope of the proposed location in order to maintain a setback of 100 feet from creek bank, but such development would require greater site disturbance and grading and would be more visible from off-site locations than the proposed Dining Hall location. Physically, there is space within the Development Area Boundary in the vicinity of the dining hall to allow development that would comply with the SCA standards. The request for an exception to the strict application of the SCA policies is being made in order to allow the Dining Hall to be relocated to a site that increases separation from areas of instability, is at a lower and less visible elevation on the property, and requires less grading than the previously approved location.

Because the land ocated between the proposed Dining Hall and the SCA is already disturbed by activity at the project site and is developed with an existing driveway, granting an exception to the SCA would not result in a significant impact as discussed in Section 4 (Water) and 7 (Biology) of the Initial Study, and could reduce potential water
quality impacts from developing the Dining Hall upslope of the proposed location. Granting an exception to SCA criteria would improve compliance with CWP Policies AIR-4.1 and PFS-3.2, and Community Plan Policies CD-3.1, CD-3.4, and AG-1.5 related to use of energy conservation; and CWP Policy DES-4.1 and Community Plan Policy CD-1.12 related to scenic resource protection.

The Master Plan Amendment is consistent with this standard as well as Countywide Plan Policy BIC-4.1 and furthers overall site compliance with the SCA objectives because it:

a) Proposes to relocate four previously approved structures to increase separation between structures and seasonal drainages located at the project site;
b) Proposes to remove four structures that are located within the SCA;
c) Proposes using cantilevered bridge structures at all new drainage crossings;
d) Proposes an exception to the strict application of the SCA policies, consistent with Countywide Plan Policy BIC-4.1, that will be considered and either accepted or rejected by the Planning Commission and Board of Supervisors based on the merits of the request;
e) Is not requesting an exception to policy criteria that would result in a significant effect on the physical environment [refer to Sections 4 (Water) and 7 (Biology)] that cannot be mitigated;
f) Proposes an exception to the SCA setback requirements to avoid greater potential impacts to water quality and aesthetics from increased grading and project visibility than would occur if development was located outside of the SCA;
g) Is requesting an exception to reduce potential impacts to water quality that could result from developing the Dining Hall upslope of the proposed location, and to improve project compliance with CWP Policies AIR-4.1 and PFS-3.2, and Community Plan Policies CD-3.1, CD-3.4, and AG-1.5 related to use of energy conservation; and CWP Policy DES-4.1 and Community Plan Policy CD-1.12 related to scenic resource protection; and
h) Incorporates mitigation measure MM 7.6.2 (Biological Impacts), to protect or replace riparian/bay woodlands adjacent to the new Residence Halls in the retreat area. This mitigation is similar to the mitigation identified in the 1988 CEQA Document requiring tree replacement.

Further, mitigation measures incorporated into the conditions of project approval require that: (a) a stormwater pollution prevention plan (SWPPP) shall be prepared and implemented during construction to avoid erosion or sedimentation from occurring due to construction activities, and; (b) a stormwater control plan (SCP) be prepared as part of future Precise Development Plan applications, which will identify best management practices to minimize post-construction stormwater runoff from the project. Impervious surfaces will be minimized by these best management practices, as well as the applicant's proposed use of "grasspave" for roadsides on the site and other measures proposed in the project's Resource Protection Plan.

For the foregoing reasons, the proposed project is consistent with this standard.

c. **Trees and vegetation.** Every effort shall be made to avoid tree removal, or changes or construction that would cause the death of existing trees, rare plant communities, and wildlife habitats.

**DISCUSSION**

There are densely wooded portions of the property on the west side of Spirit Rock Creek where buildings were previously approved. In particular, as shown on Exhibit A sheets
5b and 5c, several unbuilt residence halls and the unbuilt permanent meeting hall would be relocated from these wooded areas to areas that are already disturbed or less densely wooded. Spirit Rock is making every effort in their application to maintain the forested landscape on the west side of the creek for environmental benefits, but also because such a design would foster a relationship with the natural landscape that is similar to many religious retreats in southeast Asia, where the tranquility provided by forest paths and settings are an integral part of the spiritual experience offered by the retreat. These modified building locations would save trees and preserve riparian plant communities directly, but also because defensible space requirements that would apply to the future buildings can be reasonably anticipated to require substantially less tree and vegetation removal to meet fuel management requirements than the previously approved locations of these buildings. As discussed above under the landscaping standard, a combination of the applicant's proposal as well as biological mitigations would serve to protect and enhance the habitat for native trees and vegetation on the site. Therefore, the proposed project is consistent with this standard.

d. Fire hazards. Development shall be permitted in areas subject to wildfire threat only where the review authority determines there is adequate access for fire and other emergency vehicles, an adequate water supply, a reliable fire warning system, and fire protection service. Setbacks for firebreaks shall be provided if necessary. Projects shall comply with State fire safe requirements including defensible space and residential construction techniques.

DISCUSSION

The proposed project would result in additional structures and an increase in daily visitors, thereby increasing the exposure of structures and people to significant loss, damage or death involving wildland fires. The intent of State and County fire safety regulations is to lessen the vulnerability of a building and resist the intrusion of flames and burning embers projected during a wildland fire. Since the project site is in a wildland urban interface area, a Vegetation Management Plan (VMP) must be submitted to the Marin County Fire Department for review prior to construction or renovation of buildings on the site. The purpose of the VMP is to assess vegetation and topographic features within 100 feet of a proposed structure to determine appropriate fuel modifications around the structure so that a wildfire burning under average weather conditions would not likely ignite the structure. Fuel maintenance may include clearance of vegetation or maintenance of trees, shrubs, or other plants adjacent to or overhanging a structure to keep it free of dead or dying wood, all of which would be feasible with implementation of the proposed project. Further, Sir Francis Drake Boulevard is a readily accessible evacuation route from the project site in the event of a wildland fire. Compliance with existing emergency response plans and fire safety regulations for developing new structures in a Fire Hazard Severity Zone reduces the potential risks of loss, injury, or death involving wildland or structural fires. Therefore, the proposed project is consistent with this standard.

10. Geologic hazards. Construction shall not be permitted on identified seismic or geologic hazard areas such as on slides, on natural springs, on identified fault zones, or on bay mud without approval from the Department of Public Works, based on acceptable soils and geologic reports.

DISCUSSION

The 1988 Master Plan approved structures in locations on the site that have since been identified as exhibiting evidence of a slide or that have been identified as only moderately
stable, as shown on Exhibit A sheets 10, 12, 15, and 17. The Conservation Principle established in the Master Plan amendment application includes the objective of avoiding unstable soils. To implement this objective, the Master Plan Amendment application proposes to cluster buildings away from those areas of identified instability. The project sponsor has submitted a "Geotechnical Feasibility Study, Spirit Rock Phase 4 Improvements," prepared by Purcell, Rhoades & Associates, Inc., dated January 15, 2008 that compares the proposed locations with the previously approved locations and indicates that the Spirit Rock Phase 4 development locations are superior to previously approved locations, but recommended detailed geotechnical investigations be performed for each of the proposed facilities to confirm and/or modify their preliminary assessment. Compliance with these recommendations is required by the mitigation measures identified in the Initial Study, which have been incorporated into the conditions of project approval.

11. Watershed areas. All projects within water district watershed areas shall be referred to the affected district for review and comment. Damaging impoundments of water shall be avoided.

DISCUSSION

The Marin Municipal Water District (MMWD) provides domestic water service to the project site. MMWD has been transmitted plans as well as receiving the draft Initial Study and public notice of the project, and has responded that the District will be able to serve future development on the site. The project site has an existing water service connection that is adequate to serve existing and proposed development. New water lines will be installed to connect new and relocated buildings to the MMWD service connection. As part of the project's Green Development Practices, the application proposes to collect, treat, and recycle surface water and to use greywater from showers and laundry facilities for irrigation and possibly toilet water. The recycled/greywater service is not necessary to serve the proposed project and would be the subject of future permit requirements by the Regional Water Quality Control Board and/or the Marin County Community Development Agency, Environmental Health Department.

No water impoundments are proposed as part of the project, although small check dams are proposed as an environmental protection measure. The check dams have been evaluated for their potential impact on Spirit Rock Creek, and they would not damage the habitat values of the watershed. Therefore, the proposed project is consistent with this standard.

12. Utilities. Street lights in ridge land areas shall be of low intensity and low profile. Power and telephone lines shall be undergrounded in all areas, where feasible.

DISCUSSION

Street lights are not proposed for the project and all utilities are proposed to be installed underground. Therefore, the proposed project is consistent with this standard.

13. Plan consistency. Project approval shall require findings of consistency with the Marin Countywide Plan and any applicable Community Plan that may have more restrictive standards than the preceding provisions of this Section.

DISCUSSION

As discussed above in Findings V and VI as well as in the policy consistency analysis in the Initial Study, which is incorporated by reference herein, the proposed project would be consistent with this standard.
XI. WHEREAS the Marin County Planning Commission hereby incorporates the attached CEQA findings for the project by reference into this Resolution, and recommends their adoption by the Marin County Board of Supervisors.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby recommends approval of the Spirit Rock Master Plan Amendment (MP 08-3) to the Board of Supervisors subject to the conditions enumerated below.

SECTION 1: PROJECT DESCRIPTION

Community Development Agency – Planning Division

1. Pursuant to Marin County Development Code Section 22.42 and 22.45, the Master Plan Amendment is approved for the project described below. The subject property is located at 5000 Sir Francis Drake Boulevard, Woodacre and is further identified as Assessor’s Parcel 172-350-35.

A. Project Summary

The project sponsor proposes amendments to the Master Plan granted for the Spirit Rock Meditation Center in 1988. Following preparation of an Initial Study and adoption of a Negative Declaration, the 1988 Master Plan was approved to establish a development area envelope and provided a framework governing the uses, the intensity of uses, and the development of the site. The proposed Master Plan Amendment is described as “Phase 4” of the project (supplementing, and in some cases modifying, the 1988 Master Plan and its Implementing Precise Development Plans, Phases 1, 2, and 3). The sponsor expresses two main goals that the Master Plan Amendment is intended to accomplish:

1. To relocate approved buildings away from environmentally sensitive areas and adjust the development area boundary to exclude sensitive habitats and to include disturbed areas already served by infrastructure while providing for development of a limited number of new facilities.

2. To implement a “Resources Protection Plan” that addresses development related issues through property management practices.

The Spirit Rock 1988 Master Plan approval was followed by several Precise Development Plans, Design Review, and other planning approvals that have led so far to the development of approximately 50% of the buildings originally authorized in the 1988 Master Plan. The full scope of the 1988 Master Plan included development of a total of 70,560 square feet of floor area, clustered in the four subareas: the Community Center, the Teacher and Staff Village, the Retreat, and the Hermitage Center.

The project sponsor does not propose to amend the religious type of uses that are currently allowed at Spirit Rock to non-religious types of uses. However, the sponsor proposes to modify the size and location of several of those already approved and vested, but not yet constructed buildings. Overall, the sponsor is proposing to increase the total Master Plan square footage authorized on site by 5,924 square feet to a maximum of 76,484 square feet. Although the floor area is proposed to increase, the project sponsor proposes to reduce the number of vested residential retreat units on site by 13 units, from a maximum of 155 to a maximum of 142. The written application materials state that major buildings that were previously approved within SCAs are proposed to be relocated farther from the top of the banks, as summarized below:

23

PC Attachment 2
• The Meeting Hall would be moved from its approved location 45 feet from the top of bank to an increased distance of 125.5 feet from the top of bank.

• The Administration Building would be moved from its approved location 5 feet from the top of bank to an increased distance of 100 feet from the top of bank.

• The Hermitage Commons would be moved downhill from its approved location 30 feet from the top of bank to an increased distance of 171 feet from the top of bank.

Numerous site improvements are also proposed, including modifying the alignment of the existing driveway, constructing additional parking, installing a photovoltaic array, and upgrading the septic system. Environmental enhancements are also proposed, such as planting riparian vegetation along the creekbeds.

The project sponsor is not proposing to have any set limit on the number of daily occupants on the site and is proposing an unrestricted schedule of religious activities and events with an unrestricted number of attendees.

Table 1 below summarizes several important aspects of the proposed amendments.

<table>
<thead>
<tr>
<th>Factor to Assess</th>
<th>Net Change Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relocation of buildings</td>
<td>1) relocated Dining Hall, 2) relocated Meeting Hall, 3) relocated New Administration building, 4) relocated Residence Halls (2), and 5) relocated Hermitage Commons and Cabins</td>
</tr>
<tr>
<td>Increased floor area (in square feet)</td>
<td>Total increase of 5,924 square feet of floor area on the site and decrease in the DAB of a minimum of 0.2 acres or more as required by the Marin County Open Space District</td>
</tr>
<tr>
<td>Increased usage at the site</td>
<td>Unrestricted but subject to safety, traffic, potable water, and environmental health constraints and controls</td>
</tr>
<tr>
<td>Changes in type of use</td>
<td>No change in the type of use as the site would continue to be used as a Buddhist retreat center</td>
</tr>
</tbody>
</table>

B. Proposed Project Components

1. Adjustment of Previously Approved Development Site Boundaries (Building Envelope)

The Master Plan Amendment proposes to adjust the boundaries of the 1988 Development Site Area. The acreage of the Development Area as permitted by the SRMC Master Plan is 38.6 acres, or approximately 9.4% of the 409-acre site. This Development Area has been amended over the years to include minor changes. The project sponsor proposes to amend the land conservation easements held by the MCPOSD, resulting in the exchange a total of 3.53 acres of land area contained in 4 small parcels within the existing development site boundaries with a total of 3.31 acres of land contained in 4 small parcels of the MCPOSD-easement area (net increase to MCPOSD is 0.22 acre) in order to grant environmentally sensitive areas (primarily SCA and WCA areas) to the MCPOSD in exchange for land areas more suitable for development (primarily septic field expansion outside of the SCA). This proposed exchange of lands is intended to provide protection for wetlands and riparian zones along the creeks while providing suitable land to SRMC to expand its septic system capacity. In addition one parcel
(identified as parcel E-2, 0.91-acre in size), located off the entrance road just north of Sir Francis Drake Boulevard, is proposed to be grasspaved for overflow parking. The total acreage for the Development Area would be 38.4 acres after these changes are completed, and the lands protected by the MCPOSD easements would be 370.9 acres.

After reviewing the application, MCPOSD staff indicated that they would recommend that the Marin County Open Space District Board modify the conservation easement proposed by the applicant. The MCPOSD and Spirit Rock reached a tentative agreement to an exchange of lands and dedication of a trail that would provide a substantially greater degree of public benefits than the original offer made by Spirit Rock.

The tentative agreement is labeled as Exhibit D (attachment 3). Overall, the modification to the Conservation Easement (90-64143/86-052174) would result in an additional 3.83 acres of protected area and would also modify the Pedestrian/Equestrian Easement (90-6414) to add the Gonzales Ranch connector along Los Pinos Road. With this, the ridge top trail could then be opened for public access.

The additional lands that would be granted to MCPOSD under this new agreement are:

- 1.45 acres of oak woodland watershed headwaters above the Hermitage cabins
- 0.82 acres of steep, forested blue-line creek watershed below the Hermitage cabins
- 0.39 acres of Spirit Rock Creek headwaters
- 1.66 acres of Spirit Rock Creek watershed surrounding the existing Meditation Hall

In addition, Spirit Rock would take back control of 0.49 acres of engineered fill slope north of the existing Residence Halls.

2. Modification and Relocation of County-approved Structures and Proposed New Structures

As stated above, for planning purposes the project sponsor has divided the site into the "Lower Campus" and the "Upper Campus." For land use and activity purposes, the project sponsor has further divided the site into our land use and activity subareas. The "Lower Campus" consists of the "Teacher and Staff Village" and "Community Center"; the "Upper Campus" consists of the "Retreat" and "Hermitage." The "Retreat" and "Hermitage" are restricted to use by overnight practitioners.

Some of the structures approved by the 1988 Master Plan and the subsequent 1989, 1991, and 1995 Precise Development Plans have been built, either as temporary structures or permanent structures (6 temporary structures are proposed for removal), some of them have not been built. Some structures that are built and some of the structures approved, but not yet built, are proposed to be relocated. Some new structures are proposed in the Master Plan Amendment. (Exhibit A: Plan Sheets 5b and 5c.) The following is a summary discussion of these situations:

**Convert and retain:** Convert the existing temporary dining hall to "flexible" use ("Dharma Hall") on Exhibit A: Plan sheets 5b and 5c.

- 2,644 square foot temporary dining hall (identified as structure D)

**Remove:** Remove 6 existing temporary structures and the gate house shown on Exhibit A: Plan Sheet 5b.
• 5,292 square foot temporary meeting hall structure (identified as structure H)
• 1,480 square foot temporary administration structures (2) (identified as structures I)
• 3,792 square foot temporary staff housing structures (3) (identified as structures K)
• 36 square foot gate house (identified as structure L)

Remove: As-built 1,117 square foot yurt structure to be removed (identified as structure E) (prior to Building Permit and Design Review DM 98-47 approval only for 702 square foot yurt and deck).

Legalize: Legalize the existing gratitude hut constructed without approval through the Master Plan Amendment identified under Existing Structures Exhibit A: 5b and 5c.

• 56 square foot gratitude hut (identified as structure G)

Eliminate from Building Program: Eliminate the not yet built multiple-purpose/playroom structure under Approved Master Plan shown on Exhibit A: Plan sheet 5b (and under Approved Phase 4) and the pavilion structure under the Approved Master Plan from the building program.

• 400 square foot multiple-purpose/playroom structure (identified as structure 5)
• 500 square foot pavilion (identified as structure 11)
• 2,500 square foot family housing (identified as structure 6)

Relocate and Construct: Relocate and construct (modify sizes) the not yet built four residence halls (southwest of the existing temporary dining hall) under Approved Master Plan (two of the four approved through the Phase 2 Precise Development Plan) (Exhibit A: Plan sheet 5c); relocate and replace with two residence halls (Residence Halls 5 and 6) in a new location in the Retreat Area under Proposed Phase 4, south of the existing residences and Council House (Exhibit A: Plan sheet 5c); relocate the Hermitage Cabins/Commons further south toward the Retreat Area (Exhibit A: Plan sheet 5c) thus reducing the overall number of overnight units by 13 units. Relocate and construct a permanent meeting hall with additional facilities, dining hall, administrative building, resident staff housing, and village commons (Exhibit A: Plan sheet 5c).

• proposed 3,716 square foot residence hall 5 structure (identified as structure 1, Proposed Phase 4)
• proposed 3,716 square foot residence hall 6 structure (identified as structure 1, Proposed Phase 4)
• proposed 6,660 square foot hermitage cabins/commons (identified as structure 9, Proposed Phase 4)
• proposed 10,589 square foot meeting hall with additional facilities (identified as structure 3, Proposed Phase 4)
• proposed 7,197 square foot dining hall (identified as structure 2, Proposed Phase 4)
• proposed 4,688 square foot administrative building (identified as structure 4, Proposed Phase 4)

• proposed 3,935 square foot resident staff housing (identified as structure 6, Proposed Phase 4)

• proposed 3,505 square foot village commons (identified as structure 5, Proposed Phase 4)

**Construct:** Construct (modify sizes) the visiting teacher housing under Approved Master Plan (and Phase 3 Precise Development Plan) (Exhibit A: Plan sheet 5b).

• proposed 2,688 square foot visiting teacher housing (identified as structure 8, Proposed Phase 4)

**Maintain:** Maintain the existing structures and facilities under Approved Master Plan (Exhibit A: Plan sheet 5b).

• 11,340 square foot four residence halls and Council House (identified as structures B and C)

• 10,056 square foot meditation hall and annex (identified as structure A)

• maintain the existing utility services

• 2,811 square foot maintenance building (identified as structure J)

**New Construction:** Allow the construction of two new proposed structures consisting of the resident teacher housing and the information kiosk (Exhibit A: Plan sheet 5c) under Proposed Phase 4.

• proposed 1,884 square foot resident teacher housing (identified as structure 7, Proposed Phase 4)

• proposed 100 square foot information kiosk (identified as structure 10, Proposed Phase 4)

3. **Primary Baseline: 1988 Master Plan Approved Structures vs. Proposed Structures at Buildout**

Table 3 below provides the total baseline square footage approved by the vested 1988 Master Plan, Precise Development Plans, Design Reviews, and Building Permits, the total proposed Master Plan Amendment square footage, the resultant proposed buildout square footage, and the change in square footage. The baseline square footage approved by the 1988 Master Plan plus or minus the change in square footage as a result of the proposed Master Plan Amendment equals the proposed square footage buildout.
<table>
<thead>
<tr>
<th>Community Center</th>
<th>Primary Baseline Approved (SF)</th>
<th>Proposed Project (Phase 4) (SF)</th>
<th>Buildout (SF)</th>
<th>Change in SF Subject to Initial Study (SF)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gazebo House</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>(150)</td>
<td>To be relocated from original site</td>
</tr>
<tr>
<td>Administration Building</td>
<td>1,900</td>
<td>4,658</td>
<td>4,655</td>
<td>2,788</td>
<td>To be relocated from original site 450 people</td>
</tr>
<tr>
<td>Meeting Hall</td>
<td>5,400</td>
<td>4,500</td>
<td>4,500</td>
<td>(900)</td>
<td>To be relocated from original site</td>
</tr>
<tr>
<td>Library (part of Mtg. Hall)</td>
<td>803</td>
<td>803</td>
<td>803</td>
<td></td>
<td>Part of new Meeting Hall</td>
</tr>
<tr>
<td>Lobby and Reception (part of Mtg. Hall)</td>
<td>1,785</td>
<td>1,785</td>
<td>1,785</td>
<td></td>
<td>Part of new Meeting Hall</td>
</tr>
<tr>
<td>Breakout Rooms (part of Mtg. Hall)</td>
<td>1,613</td>
<td>1,613</td>
<td>1,613</td>
<td></td>
<td>Part of new Meeting Hall</td>
</tr>
<tr>
<td>Storage, Elevators, Mechanical (part of Mtg. Hall)</td>
<td>1,888</td>
<td>1,888</td>
<td>1,888</td>
<td></td>
<td>Part of new Meeting Hall</td>
</tr>
<tr>
<td>Gratitude Hut</td>
<td>56</td>
<td>56</td>
<td>56</td>
<td></td>
<td>Legalize, built w/o permits</td>
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<tr>
<td>Kiosk</td>
<td>100</td>
<td>100</td>
<td>100</td>
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<td></td>
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<tr>
<td><strong>Subtotal Community Center</strong></td>
<td><strong>7,450</strong></td>
<td><strong>7,543</strong></td>
<td><strong>7,433</strong></td>
<td><strong>7,983</strong></td>
<td><strong>7,983</strong></td>
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<tr>
<td>Retreat and Hermitage Center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary Dining Hall (Dorm C)</td>
<td>2,644</td>
<td>2,644</td>
<td>2,644</td>
<td></td>
<td>To be converted to Dharma Hall</td>
</tr>
<tr>
<td>Four Residence Halls and Council House</td>
<td>12,600</td>
<td>0</td>
<td>11,340</td>
<td>(1,260)</td>
<td>Already built</td>
</tr>
<tr>
<td>Meditation Hall and Annex</td>
<td>10,050</td>
<td>0</td>
<td>10,301</td>
<td>251</td>
<td>Already built</td>
</tr>
<tr>
<td>Residence Hall 5 (Dorm A)</td>
<td>3,716</td>
<td>3,715</td>
<td>3,716</td>
<td></td>
<td>To be relocated from original site, 23 multi-family units</td>
</tr>
<tr>
<td>Residence Hall 6 (Dorm B)</td>
<td>3,716</td>
<td>3,716</td>
<td>3,716</td>
<td></td>
<td>To be relocated from original site, 23 multi-family units</td>
</tr>
<tr>
<td>Hermitage Cabins/Commons</td>
<td>5,660</td>
<td>2,388</td>
<td>2,388</td>
<td>(3,272)</td>
<td>To be relocated slightly to the east</td>
</tr>
<tr>
<td>Dining Hall</td>
<td>6,900</td>
<td>7,197</td>
<td>7,197</td>
<td>297</td>
<td>To be relocated from original site, 196 total seats</td>
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<tr>
<td>Yurt</td>
<td>1,017</td>
<td>1,017</td>
<td>1,017</td>
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<td>To be removed</td>
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<tr>
<td><strong>Subtotal Retreat</strong></td>
<td><strong>35,219</strong></td>
<td><strong>20,679</strong></td>
<td><strong>42,319</strong></td>
<td><strong>7,106</strong></td>
<td></td>
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<tr>
<td>Teacher and Staff Village</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

28  
FC Attachment 2
<table>
<thead>
<tr>
<th></th>
<th>Primary Baseline Approved (SF)</th>
<th>Proposed Project (Phase 4) (SF)</th>
<th>Buildout (SF)</th>
<th>Change in SF Subject to Initial Study (SF)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance Enclosed</td>
<td>1,000</td>
<td>0</td>
<td>2,592</td>
<td>1,592</td>
<td></td>
</tr>
<tr>
<td>Maintenance Unenclosed</td>
<td>0</td>
<td>0</td>
<td>219</td>
<td>219</td>
<td></td>
</tr>
<tr>
<td>Village Dormitories</td>
<td>12,400</td>
<td>3,903</td>
<td>3,609</td>
<td>(8,491)</td>
<td></td>
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<tr>
<td>Staff Housing</td>
<td>8,600</td>
<td>3,035</td>
<td>3,035</td>
<td>(4,565)</td>
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</tr>
<tr>
<td>Family Housing</td>
<td>2,500</td>
<td>0</td>
<td>0</td>
<td>(2,500)</td>
<td>To be omitted from program</td>
</tr>
<tr>
<td>Multipurpose Building</td>
<td>400</td>
<td>0</td>
<td>0</td>
<td>(400)</td>
<td>To be omitted from program</td>
</tr>
<tr>
<td>Visiting Teacher Housing</td>
<td>2,500</td>
<td>2,668</td>
<td>2,668</td>
<td>18</td>
<td>1988 MP approval</td>
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<tr>
<td>Resident Teacher Housing</td>
<td></td>
<td>1,684</td>
<td>1,884</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pavilion</td>
<td>500</td>
<td>0</td>
<td>0</td>
<td>(500)</td>
<td>To be omitted from program</td>
</tr>
<tr>
<td>Village Commons</td>
<td>N/A</td>
<td>3,505</td>
<td>3,505</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal Teacher and Staff</td>
<td>27,900</td>
<td>15,921</td>
<td>18,732</td>
<td>(9,168)</td>
<td></td>
</tr>
<tr>
<td>Village</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GRAND TOTAL</td>
<td>70,560</td>
<td>44,560</td>
<td>76,484</td>
<td>5,924</td>
<td></td>
</tr>
</tbody>
</table>

Note: SF = square feet

a The County's 1989 approval of the original Master Plan allowed up to 70,560 square feet of building area on the site.

4. Site Grading and Creek Improvements

The project proposes to balance most of all cut and fill for project construction on site and limit trucking of off-haul. It is estimated that approximately 7,600 cubic yards of soil would be cut and 7,665 cubic yards of soil would be used as fill on the site, requiring that 35 cubic yards of excess cut material be removed from the site. The proposal includes construction of a berm and drainage improvements between the roadway and creek to protect creek and water quality.

5. On-site Sewage Disposal System

Currently, approximately half of the effluent is treated before dispersal. Under the proposed new system, all of the effluent generated by Spirit Rock will receive advanced treatment. Questa's "Onsite Wastewater Facilities Report" states that "in order to accommodate proposed building modifications and additions, changes to, and expansion of, the wastewater system are now needed." In addition, septic system upgrades are proposed in order to meet recent State water quality regulations. The proposed new advanced wastewater treatment system is intended to improve water quality. (Refer to Section XI.12.d, Sewer or Septic Tanks, of the Initial Study for further discussion.)

The specific wastewater facility changes proposed include:

- Abandon the existing intermittent sand filters and install a new advanced wastewater treatment system for all of the lower area buildings
- Install a new advanced wastewater treatment system for the upper area buildings
- Install a separate greywater collection, treatment, and drip disposal system for laundry and shower water
- Abandon a portion of the existing creekside leachfield system
- Maintain full use of the existing central field leachfield
- Install three new drip disposal fields for treated wastewater to serve the upper area buildings and one new drip field for the lower area buildings

Under the proposed new system, the maximum treatment capacity is estimated to be 11,400 gallons per day (gpd), compared to the current system of 9,000 gpd or a 25.57% increase, with an average daily flow of approximately 8,000 gpd (70% of maximum design flow), compared to the current system of 6,050 gpd, or a 32% increase. The proposed disposal areas can accommodate flows up to 12,400 gpd, allowing for 1,000 gpd of surplus disposal capacity.

6. Traffic, Access, and Parking

Site access would remain the same. The main entrance would be from Sir Francis Drake Boulevard, just east of Railroad Avenue. This access point would continue to prohibit left turns for visitors leaving the on-site access road. Drivers wanting to travel east on Sir Francis Drake Boulevard would be required to turn right from the site access road, continue to Railroad Avenue, and then drive east through the community of Woodacre on San Geronimo Valley Drive until joining Sir Francis Drake Boulevard again.

An additional estimated new 50-space on-site overflow parking lot is proposed to be constructed on the site (identified as exchange area E-2) located approximately 420 feet north of Sir Francis Drake Boulevard. These spaces would be added to the existing 271 parking spaces on the site. Proposed improvements in this area include the "grasspave" parking lot (GrassPave is a structural lawn that supports traffic loads and acts as a bio-swale to filter surface water runoff) and a new kiosk at this location within a divided and landscaped entrance roadway.

The Traffic Study prepared by Robert Harrison puts forth a "Spirit Rock Center Transportation Management Plan" which has been submitted by the applicant as part of the proposal is intended to reduce the number of motor vehicle trips generated at the SRMC site, including increased carpooling, managed schedule of events, and increased use of alternative transportation modes such as bicycles, walking, and transit.

Additional proposed improvements include:

- A paved lot in the western central area converted to overnight residential retreat use
- An eastern gravel parking lot paved and striped for day use with 14 additional spaces
- "GrassPave" overflow lot for 50+ cars during special events
- Existing asphalt-paved access road in front of the meeting hall will be converted to "GrassPave" and featured paving
- One ADA van parking space will be located at the Hermitage Commons
• The road to the Hermitage cabins relocation will be improved to rural standards in accordance with the Marin County Fire Department

• Additional staff, teacher, and ADA parking, approximately five spaces, will be provided in the Village area

7. Site Improvements and Landscaping

Proposed site improvements include:

• Use of "silent retreat gate" in front of dining hall as separation between Upper and Lower Campuses

• Planting of trees at the Sir Francis Drake Boulevard

• Use of indigenous, fire-safe, and low-water-consumption landscaping

• Restoration of Community Center meadow to a more natural state

• Implementation of a creek restoration program

• Creation of walking paths and free-span bridges to meadow (east of access driveway)

• Use of public art with a Buddhist theme

• Undergrounding of all utilities


The Master Plan Amendment proposal contains "green" building practices with the goal of achieving a "carbon-neutral" environment including the following:

• Conservation of water and improved water quality, use of greywater from showers and laundry facilities for irrigation and possibly toilet water

• Green site improvements including "green" streets using curbs to direct drainage into bioswales to filter water runoff before it enters the creeks, "GrassPave" shoulders, use of ground water recharge to slow the impact of stormwater, use of grasspave in low-use overflow parking areas conversion of originally planned creek crossings that had fill and culverts to covered bridges to avoid intrusion into streambanks and riparian habitat, protection of wetlands and riparian zones

• Green buildings using modular design, passive solar heating/cooling, renewable recycled materials, use of fiber cement non-combustible siding, permeable house wrap, fluorescent lighting, efficient appliances, photovoltaic systems for electric power, energy-efficient windows, engineered framing lumber, and other green building materials

• Green construction practices using tree and habitat protection by fencing at driplines, erosion control measures, recycling of job site and demolition waste, salvaging of existing materials, use of componentized construction to make the most efficient use of construction materials

• Green site planning by reducing building site coverage, orientation of buildings for solar
access and wind/climate issues, and infill development to use existing infrastructure such as roads

- Green landscaping including transplanting trees, designing around specimen trees, pruning trees to maintain health, removing nonnative and invasive vegetation, and using recycled landscape materials, use of Xeriscape landscaping

**D. Proposed Construction Phasing**

The project would be divided into construction phases identified as Phases 4A and Phase 4B. It is estimated that Phase 4A would take place between June 2011 and 2015, for the elements shown in Table 4 below. Phase 4B would take place between 2020 and 2025, for the elements shown in Table 4. All elements of the construction phasing are estimates and may be altered subject to future land use entitlements including Precise Development Plan and/or Design Review approvals.

<table>
<thead>
<tr>
<th>No. of Phase (Starting Month/Year)</th>
<th>Elements of Construction</th>
<th>Activities</th>
<th>Estimated Conclusion</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>4A.1 (June 2011)</td>
<td>Staff Village; Administration Bldg. (Gateway House); Meeting Hall (Community Temple)</td>
<td>Remove temporary housing; Village site work; Admin. Bldg. site work; Meeting Hall site work; removal of excess berm from overflow parking area</td>
<td>June 2012</td>
<td>Use of overflow parking area for staging of equipment, job shack, construction parking, and subcontractor trailers</td>
</tr>
<tr>
<td>4A.2 (September 2011)</td>
<td>Village Commons; Teacher Residential Units; Staff Residential Units; Staff Parking: Admin. Bldg.; Meeting Hall</td>
<td>Prepare one-half parking area for staff/teacher village; build eight staff units; complete Admin. Bldg. and Meeting Hall</td>
<td>January 2013</td>
<td>Use Village parking area for staging as well as overflow parking area</td>
</tr>
<tr>
<td>4A.3 (July 2012)</td>
<td>Overflow Parking Area</td>
<td>Complete overflow parking area</td>
<td>September 2012</td>
<td>Use portion of Staff/Teacher Village parking area for staging</td>
</tr>
<tr>
<td>4A.4 (October 2012)</td>
<td>Removal of temporary Admin. Bldg. and Meeting Hall</td>
<td>Build meadow and meadow accessory parking lot</td>
<td>December 2012</td>
<td>Use portion of Teacher/Staff Village parking area for staging</td>
</tr>
<tr>
<td>4A.5 (April 2015)</td>
<td>Dining Hall site work; Dining Hall; completion of 4A infrastructure</td>
<td>Work on Dining Hall site work and building</td>
<td>June 2017</td>
<td>Use meadow accessory parking area for staging and half of Staff Village parking for construction parking; overflow parking also to be used for staging</td>
</tr>
<tr>
<td>4B.1</td>
<td>Two residence halls; Retreat Center;</td>
<td></td>
<td>April 2021</td>
<td>Access road by</td>
</tr>
<tr>
<td>No. of Phase (Starting Month/Year)</td>
<td>Elements of Construction</td>
<td>Activities</td>
<td>Estimated Conclusion</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------</td>
<td>------------</td>
<td>----------------------</td>
<td>-------</td>
</tr>
<tr>
<td>April 2020</td>
<td>16 staff residential units; two resident teacher residential units; one-half staff parking; road to Hermitage</td>
<td>SRMC open to day use only; work focused in Teacher/Staff Village and Retreat area</td>
<td></td>
<td>residence halls to be used for staging for job shack, trailers, and materials storage; Meadow accessory parking area for additional staging.</td>
</tr>
<tr>
<td>4B.2 (April 2025)</td>
<td>Hermitage</td>
<td>Build cabins and Hermitage Commons; portion of retreat may be closed</td>
<td>June 2026</td>
<td>Same staging as per 4B.1 and moved to Hermitage Commons parking area once it is graded</td>
</tr>
</tbody>
</table>

These construction phases may be modified by the applicant in the future, provided the modifications are consistent with the project mitigation measures.

E. Proposed Resource Protection Plan

Spirit Rock is an overnight facility that provides daytime retreats/classes as well as overnight retreats. Therefore, it is a 24-hour operation, with most of the use occurring during daytime classes and evening classes that generally conclude by 9:00 PM. Some retreats/classes occur on Saturdays and Sundays.

The existing 1988 Master Plan requires that events on Sundays (between the months of May and October) must conclude before 1:00 PM or after 7:00 PM. This restriction was established to minimize conflicts with Sunday traffic associated with beach-goers traveling on Sir Francis Drake Boulevard.

The Resource Protection Plan (RPP) is intended to establish clear and quantifiable criteria for water quality, traffic levels of service (LOS), and preservation of sensitive habitats, although specific set standards and criteria are not set out in the Plan itself. The RPP is proposed to develop future criteria to protect sensitive areas while concentrating religious practices on the least environmentally sensitive land.

Elements of the Resource Protection Plan are summarized below.

Environmental Protection

The RPP proposes to provide ongoing protection and stewardship for the land. The RPP proposes to develop different criteria for each zone of the site, including undeveloped lands, wildlands and managed open space and "settled lands" that have been approved for roads and buildings, exclusive of creeks or riparian zones. An annual monitoring report would be prepared by Spirit Rock and submitted to the Marin County Community Development Agency upon request. The RPP specifies that if any exceedance of future set standards is identified, the SRMC proposes to modify use patterns and/or operations until set criteria are met.

The RPP also includes recommended measures to protect sensitive habitat. For the creek and riparian habitat, the following are proposed: (1) installation of three check dams and one sedimentation basin in accordance with "Spirit Rock Stream Habitat Protection Plan," (2) erosion control measures; (3) invasive species management; (4) Sudden Oak Death Syndrome management and...
prevention; and (5) riparian plantings and creek restoration. Check dams No. 1, 2, and 3 are proposed in proximity to the site’s entrance road along the streams, and one sedimentation basin is proposed at the edge of the pasture near the entrance to the site.

For woodland areas, the RPP proposes the following: (1) Sudden Oak Death Syndrome management and prevention; (2) forest management in creep zones and other recommendations included in the Arborist’s Report (McNair & Associates, 2003); and (3) invasive species management and other MALT and Marin County Open Space District (MCOSD) initiatives.

For native grasslands, the RPP includes: (1) invasive species management; (2) limitations on access by promoting the use of established paths; and (3) wildfire protection via grazing (currently under way). For wetlands habitat, limitations on access by relocation of the Development Area Boundary are proposed, in addition to management of invasive species.

The RPP proposes management of unstable soils by the diversion of groundwater as recommended by the project geotechnical engineer and annual observation of such soils. The RPP also includes proposals for maintenance of planting east of the Teacher/Staff Village to protect visual resources and to screen the project from public view (i.e., Sir Francis Drake Boulevard) and limited access/publicity to protect cultural resources on the SRMC site.

Wastewater Flow
The RPP proposes creation of an Operation, Maintenance, and Reporting Plan for the septic systems. Wastewater flow would be monitored weekly and septic tanks would be inspected to determine the need for pump-out. Wastewater effluent would be sampled routinely on a monthly basis for specific criteria. Groundwater monitoring wells would be installed in each disposal area to measure groundwater levels and to sample water quality. Routine reporting results would be submitted in compliance with the Waste Discharge Requirements issued by the Regional Water Quality Control Board.

Water Quality
The RPP proposes to provide future water quality baseline studies consisting of sampling and testing for chemicals, sediments, and bacteria from the central creek (Spirit Rock Creek) as it leaves the property. These baseline studies are proposed to be undertaken after the implementation of the SRMC Master Plan Amendment.

Traffic
The RPP proposes to implement the Traffic Management Plan (TMP) as set forth in the RPP. Under the TMP, Spirit Rock will monitor the level of service with the minimum criteria for said monitoring being the current levels of service at Spirit Rock as established by the submitted Transportation Analysis (Spirit Rock Mediation Center Master Plan Amendment: Draft Initial Study, Appendix C). While not stated formally as “mitigation measures,” the TMP sets forth recommended “measures” and management elements including: event scheduling to reduce conflicts with peak off-site traffic; installation of a “NO U TURN (R3-4)” regulatory sign on westbound Sir Francis Drake Boulevard at Railroad Avenue to assure that the advised exit route from the SRMC toward the east is observed by drivers; increased carpooling; increased use of bicycles, walking, and transit; and fee reductions waivers for SRMC programs as a way to encourage carpooling and alternative transportation. (Refer to Section XI.6, Transportation/Circulation, of the Initial Study for further discussion of this issue.)

Standards and Monitoring
While the project proposes a RPP, the completion of the mapping of the specified zones, establishment of standards and criteria and monitoring provisions are not proposed to be set forth until after approval of the proposed Master Plan Amendment and these items are proposed to be submitted with the Precise Development Plan, Phase 4 application.
SECTION 2: STANDARD REQUIREMENTS AND OPEN SPACE DEDICATION

2. The applicant/owner hereby agrees to defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations.

3. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated. Construction involving modifications that do not substantially comply with the approval, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

4. The owner shall submit to the County a mitigation monitoring fee for compliance review of all submitted documents at the standard hourly rate established by the Board of Supervisors in the fee schedule Ordinance (currently $128) and they shall also pay the direct costs of any outside technical consultants hired by the County for mitigation monitoring and compliance review at the rate established by the consultant. Decisions regarding outside consultants are made at the sole discretion of the County.

5. BEFORE APPROVAL OF ANY PRECISE DEVELOPMENT PLAN OR THE SPECIAL EVENTS MANAGEMENT PLAN AND BEFORE VESTING OF ANY COMPONENT OF THE PROJECT, Spirit Rock Meditation Center shall obtain approval from the Open Space District Board to amend the Open Space and Trail easements encumbering the property in a manner most beneficial to the Open Space District that allows the Development Area Boundary to be adjusted in substantial conformance with Exhibits A (project plans) and D (draft agreement between the MCPOSD and Spirit Rock Meditation Center) and shall provide copies of recorded easements to such effect to the Planning Division.

6. BEFORE APPROVAL OF ANY PRECISE DEVELOPMENT PLAN OR THE SPECIAL EVENTS MANAGEMENT PLAN AND BEFORE VESTING OF ANY COMPONENT OF THE PROJECT, BUT AFTER RECORDATION OF REVISED OPEN SPACE EASEMENTS, the applicant shall submit a revised set of plans that shows contextual information, the approved Development Area Boundary and approved development, without extraneous details showing the history of previous approvals for development that is no longer intended to be built. The revised plans shall be consistent with all mitigation measures and conditions of approval and shall serve as the exhibit of record for consistency review of future Precise Development Plan applications and special event plans submitted to the County by the applicant, and shall be labeled by the Planning Division as Exhibit B. Exhibit B shall be submitted within 200 days of the Marin County Board of Supervisors' action on the project (this deadline may be tolled in the event of any legal challenge to the project).

7. No planning application shall be deemed complete and no Building Permit for new development on the property shall be issued until the Community Development Agency has accepted Exhibit B and the 1988 Master Plan has been superseded.

8. Those affordable housing requirements that are in effect at the time future Precise Development Plans or Design Review applications are accepted for filing shall be applied to the project.

35 PC Attachment 2
SECTION 3: USE AND OCCUPANCY REQUIREMENTS

Community Development Agency – Planning Division

9. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall obtain Use Permit approval for a Special Event Management Program (SEMP) from the County. A "special event" is defined as any event or combination of activities that results in a total population on site simultaneously that exceeds 315 people. The SEMP shall include, but shall not necessarily limit to, the following elements:

A. A component of the Transportation Management Plan that specifically addresses special events.
B. An Emergency Preparedness Plan for special events.
C. A component of the Waste Water Management Plan that specifically addresses special events.
D. A component of the Water Management Plan that specifically addresses special events.

These plan components shall include various contingencies necessary to account for changes in the development on the site over time, including the construction of additional parking and the construction of additional septic facilities.

The application for the Use Permit for the SEMP shall be accompanied by technical and other information sufficient to demonstrate that the SEMP will result in a reduction of impacts to less than significant levels.

Under the Use Permit for the SEMP, the maximum population allowed on site simultaneously shall be governed by the mitigation measures and other conditions of approval. The maximum number may not exceed 1500 people. This maximum number is not an entitlement, and the number of people allowed on site may be substantially fewer, depending on the applicant’s ability to comply with the mitigation measures and other conditions of approval. In addition, no more than two special events exceeding 791 people simultaneously on site shall be allowed per year.

The Use Permit application will be reviewed by the Marin County Planning Commission.

10. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall submit a special events management program (SEMP) for review and approval by the Marin County Planning Division and Planning Commission in consultation with other agencies as necessary. The SEMP shall address all mitigation measures and conditions of approval contained herein necessary to address impacts from special events. The SEMP shall include provisions that require the applicant to submit a special events plan up to 90 days prior to holding larger scale special events (or less as necessary for smaller special events). These special event plans shall precisely detail how the criteria of the SEMP would be met in the case of a particular event. In some cases, the SEMP shall require that the Fire Department, County Sheriff, and Public Works Department be consulted before approval of the special event plan and that their concerns be adequately addressed and would also indicate means of notifying the local community of the upcoming event. The degree of complexity and control entailed in a special event plan shall be commensurate with the degree of potential impacts associated with the particular special event, taking into account number of people expected to attend, time and duration, shuttle and parking arrangements, and other issues that need to be addressed under the specific circumstances of the event. The SEMP shall contain criteria that guides the development of special event plans, and the following standards shall be incorporated into the SEMP:

- Dashed: OK PEAK OPEN HOUSE EVENT CAPACITY TO MORE THAN 100 PERSONS.
- Deleted: large scale
B. Shuttle buses used to transport visitors to and from the site for special events shall only operate from 9 am until 5 pm, from Monday through Saturday.

11. The use and occupancy requirements are based on the Use Permit Findings in the approved Resolution and as such are subject to revocation procedures contained in Section 22.88.04 and 22.88.045 of the Marin County Code in the event any of the terms of this approval are violated or if the uses are conducted or carried in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the neighborhood, or detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Marin County Environmental Health Services

12. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall submit a Waste Water Management Program (WWMP) that ensures that the demand for sewage disposal does not exceed system capacity or violate the Waste Discharge Requirements. The applicant shall submit this as part of the Waste Water Management Plan for the project site. The WWMP shall include a component governing normal operations as well as components governing special events and shall be incorporated in the Special Events Management Program (SEMP) for larger classes and events that have the potential, in combination with other activities at the project site, to exceed available sewage disposal capacity (i.e., populations in excess of 315 people with the existing septic system and populations exceeding 761 people after the new septic system is installed). The County, in consultation with the RWQCB, will review the WWMP to ensure it contains the following measures (MM12.d.1):

A. Demonstrates that activity at the site will not generate wastewater in excess of 11,400 gallons per day after the new septic system is installed. This may require metering of the wastewater flows to provide early warning that use is nearing system capacity;
B. Incorporates operational practices, such as recycling greywater, actively managing restroom use, and implementing water conservation practices;
C. Provides for monitoring of the wastewater system to ensure compliance with performance objectives;
D. Establishes contingency plans that describe specific actions that shall be taken to prevent peak flows in excess of system capacity. Contingency plans may include immediate cessation of activities, closure of restrooms, and/or partial or total evacuation of the site;
E. To the extent that compliance with wastewater discharge limitation can only be accomplished with temporary facilities (e.g., temporary bathrooms and hand-washing facilities, temporary storage, pumping and removal of wastewater for treatment at a municipal facility) that are not connected to the wastewater disposal system, the WWMP shall include a plan indicating the location and number of such facilities that will be installed at the site and provide appropriate assurances that the temporary facilities will be removed;
F. Enforcement provisions that may include reductions in daily and special event population, cancellation of future events, remediation measures, and financial penalties for any violation of the WWMP or WDRs; and
G. Reporting to document the monitoring results and identify contingency measures that were required in order to adhere to design capacity limitations.

13. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall submit a Water Management Plan to demonstrate that the daily operations would not result in use of more than 7.49 acre-feet of water in a year by providing necessary documentation. As an alternative, the project sponsor may enter into an expanded water service agreement with MMWD to secure an
additional allocation for the project site to serve total projected demand (MM.12.c.1). The Water Management Plan shall demonstrate that water savings from conservation, recycling, and reuse of water at the project site is adequate to offset increases in demand that are expected to result from increased activity at the site, and shall include the following:

A. Demonstrates that activity at the site will not generate demand for domestic water from MMWD in excess the supply that has been allocated to the property (presently 7.46 acre-feet per year);
B. Establishes monitoring equipment and practices to track water consumption to ensure compliance with performance objectives;
C. Establishes contingency plans that describe specific actions that shall be taken to prevent consumption of more than the allocated supply. Contingency plans may include reduction or cessation of classes, events, activities, and maintenance practices, and the elimination of overnight visitation;
D. Enforcement provisions that may include reductions in daily and special event population, cancellation of future events, remediation measures, and financial penalties for any violation of the WMP;
E. Includes contingency plans that describe specific actions that shall be taken to prevent water consumption in excess of the approved allocation; and
F. Identify reporting commitments to document the monitoring results and identify contingency measures that were required in order to adhere to supply limitations.

Marin County Department of Public Works - Land Use and Water Resources Division

14. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall install necessary roadway improvements to ensure safe access to the project site. This mitigation measure will be implemented by submitting improvement plans for approval by the County that have been designed to accommodate daily and special event populations and that include installation of an appropriately designed deceleration lane (estimated to be 530 feet in length) to the satisfaction of the Public Works Department in order to accommodate westbound traffic turning movements into the project site (MM.6.e).

15. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall submit a Traffic Management Plan (TMP) that includes provisions governing special events. The special event component of the TMP shall be incorporated into the Special Events Management Program (SEMP) and shall be subject to County approval before on-site population is allowed to increase. The applicant shall operate special events to avoid overflow parking outside of approved parking areas for special events (MM.6.d).

A. The TMP shall include provisions to govern all activities that could result in an on-site population of more than 382 people.

B. The special events component of the TMP shall include program descriptions (e.g., carpool-matching program, public transportation, private shuttle services from a satellite parking location, a reservation system, communication plans), incentives (e.g., fees and discounts to encourage carpooling, bus use, bicycling and walking), and metrics (e.g., mode targets, level of service at key intersections during open house or special events, parking limits).

C. The special events component of the TMP shall take future development into account and include measures that address parking both before and after the proposed additional parking has been constructed on site.
D. The TMP should include notification requirements that provide the County with annual updates of all scheduled or anticipated large classes and special events, the estimated attendance, and traffic and parking management plans, including emergency access provisions that will be employed during the events.

E. The Transportation Management Plan should also include details on how necessary services will be funded, how adherence to the vehicle limitations will be enforced, and shall include penalties for non-adherence to plan goals and metrics.

10. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall submit a Transportation Management Plan (TMP) demonstrating compliance with the below operational objectives. The site shall be operated to avoid traffic conflicts, preserve emergency vehicle access, and maintain intersection levels of service at or better than the County's level of service "D" threshold. The TMP shall employ a combination of visitor information, directional signs and wayfinding information, to alert guest to circulation issues associated with daily operations. The TMP shall also include Special Event Provisions to govern traffic and circulation operations during larger classes and events. Before increasing daily peak occupancy to more than 315 persons, the project sponsor shall submit a Transportation Management Plan (TMP) for approval by the County that either demonstrates that the following improvements and programs have been implemented, or establishes provisions for their implementation (MM.6.a):

A. The TMP shall include circulation information and direction to assist visitors to the project site. At a minimum, circulation information shall include:

1. A NO U TURN sign shall be installed on westbound Sir Francis Drake at Railroad Avenue to further discourage motorists from making U-turns and instead to use the "advised exit route" from Spirit Rock to eastbound Sir Francis Drake;

2. Provide information to guests and visitors to alert them of the "advised exit route" (i.e., right-turn from Spirit Rock drive to westbound Sir Francis Drake Boulevard, left-turn from Sir Francis Drake Boulevard to Railroad Avenue, left-turn from Railroad Avenue to San Geronimo Valley Drive, and right-turn from San Geronimo Valley Drive to eastbound Sir Francis Drake Boulevard);

3. Incorporate improved wayfinding signage along Railroad Avenue and San Geronimo Valley Drive to clearly designate the advised route and to reduce potential confusion and wrong turns on Woodacre Streets by Spirit Rock drivers;

B. The TMP will establish traffic reduction measures to encourage and require car pooling, private busses from satellite parking areas and use of transit by providing financial incentives to use other than single-occupant vehicles to get access to the project site and by limiting access to the site for vehicles that would exceed the number of parking spaces available;

C. The TMP will include a component that specifically addresses large scale special events that will be incorporated into the Special Events Management Program (SEMP) that includes the following for larger classes and special events:

1. Identify traffic control measures (e.g. cones, directional signs, parking attendants, flag people, etc.) as needed to assist with safe circulation on the project site and in the project vicinity.

2. The special events component of the TMP will establish provisions for providing notification of larger classes and special events to service providers, transportation providers, the community,
3. The special events component of the TMP will establish scheduling measures to avoid traffic conflicts during periods of high traffic volume in the project vicinity and to “meter” in-bound and out-bound traffic, if necessary, to preserve LOS-D operations.

D. The TMP will establish enforcement provisions that may include immediate cessation of activities, reductions in daily and special event populations, and financial penalties for any violation of the TMP;

E. The TMP shall establish monitoring and reporting protocol to document compliance with the TMP, report monitoring results and identify contingency measures that were required to achieve to performance criteria including bussing people to the site from satellite parking locations; and

F. The TMP will be prepared to County standards and specifications and shall include funding provisions to either defray County costs associated with peer review of a TMP prepared by the applicant, or to pay for County preparation of the TMP, at the discretion of the County. The TMP shall also include a funding mechanism to allow for County monitoring of TMP compliance.

Marin County Fire Department

17. Prior to increasing daily peak occupancy to more than 315 persons and prior to Precise Development Plan Approval, the applicant shall submit an Emergency Preparedness Plan that will be incorporated into the Special Events Management Program (SEMP) for approval by the County that will ensure adequate notification and coordination with the Fire Department to ensure staffing and equipment are available for events that include any of the following: 1) total daily attendance by more than 500 people; 2) outdoor cooking or open flames; and/or 3) attendance or activities that generate demand for overflow parking in excess of the spaces available on site. The Emergency Preparedness Plan may include the following:

A. Provisions that include notification to emergency service providers of large events that have the potential to generate an on-site population of more than 500 people;

B. Circulation controls, (e.g., parking attendants, installation of temporary directional signs and pylons, etc.) to preserve emergency vehicle access at the project site;

C. On site police and fire control arrangements and communication systems;

D. Provisions for standby or alternate personnel, equipment and or facilities in the event that attendance exceeds pre-event estimates; and

E. Provisions for emergency medical and first aid services.

Marin County Sheriff

18. Prior to increasing daily peak occupancy to more than 315 persons and prior to Precise Development Plan Approval, the applicant shall submit a

PC Attachment 2
Emergency Preparedness Plan that will be incorporated into the Special Events Management Program (SEMP) that will ensure adequate notification and coordination with the Sheriff Department to establish necessary arrangements, including funding, to ensure that staffing and equipment are available for events that include total daily occupancy of more than 500 people. The special events shall be hosted in a manner that avoids activities that create the risk that law enforcement officers are unable to respond to calls for service at the site (MM 11b.1).

Marin Municipal Water District

19. PRIOR TO INCREASING DAILY PEAK OCCUPANCY TO MORE THAN 315 PERSONS AND PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall enter into a Watershed Protection Agreement with the Marin Municipal Water District to ensure sound stewardship of Spirit Rock land and water resources.

SECTION 4: DEVELOPMENT REQUIREMENTS

Community Development Agency – Planning Division

20. Plans submitted for a Precise Development Plan shall substantially conform to plans identified as "Exhibit A," entitled, "Phase IV Master Plan Amendment Spirit Rock Meditation Center," consisting of 25 sheets prepared by HanMarin and various other firms and designers, with final revisions received on July 13, 2010, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein. Plans approved as Exhibit B shall show the approved project as modified by the conditions of approval and shall be used as the Exhibit of record for Precise Development Plan review.

The project plans shall be revised for Exhibit B as follows:

A. The realigned road extension shown on Exhibit A sheet 5b adjacent to the approved hermitage commons is intended to be aligned precisely with road leading to the hermitage cabins, but is slightly misaligned. This misalignment shall be corrected and shown accurately in Exhibit B. All extensions and realignments to the main road shall be constructed using "grasspave" on the outer portions of the road.

B. The Open Space and trail easements and associated modifications to the Development Area Boundary shall be shown to correspond to the Open Space easement boundaries that area approved by the Marin County Open Space District.

C. In accordance with Mitigation Measure MM 1a.1, the location of the proposed structure in the Teacher and Staff Village area that would result in 0.02 acres of wetland fill shall be relocated on the plans to show that it would not encroach onto wetlands and would maintain a 20 foot buffer from adjacent wetlands.

21. PRIOR TO VESTING ANY COMPONENT OF THE MASTER PLAN AMENDMENT, APPROVAL OF THE SPECIAL EVENTS MANAGEMENT PROGRAM, OR ACCEPTANCE FOR FILING ANY PRECISE DEVELOPMENT PLAN, the applicant shall submit a set of plans that shows all of the development approved pursuant to this Master Plan Amendment and development allowed by previous approvals that is not modified by this Master Plan Amendment. The plan sheets shall include tables and narrative information as necessary to provide a complete description of approved uses for buildings, maximum floor areas and other precise development parameters approved by this Master Plan amendment and development allowed by previous approvals. The plans do not need to provide the specific information required by all of the mitigation measures, but must provide sufficient information to clearly show that implementation of all the mitigation measures is feasible and the plans must be coincident with all the mitigation measures related to site conservation and...
development. The plan set shall serve as a unified record of all approved conservation and development on the Spirit Rock property in accordance with the description set forth in this Master Plan Amendment and the initial Study for this Master Plan Amendment and shall be labeled by the Planning Division as Exhibit B.

Upon acceptance of Exhibit B by the Planning Division as an accurate representation of all current approvals on the subject property, Exhibit B shall supersede all previously approved plans for the subject property in order to maintain a clear record for future discretionary review. The modifications to the previously approved development approved by this Master Plan Amendment shall govern, and all previous approvals for development that is modified by the Master Plan Amendment shall lose their force and effect.

22. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the project sponsor shall demonstrate that future construction will avoid wetland areas and will maintain a minimum separation between wetlands and new structures and improvements of 20 feet. This mitigation measure shall be implemented through submittal of a Precise Development Plan for review and approval by the County that establishes a setback of no less than 20 feet around the two wetland areas located in the Teacher and Staff Village. (MM.1.a.1).

23. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a Construction Management and Revegetation Plan that includes practices to protect trees that are planned to be retained, and to replace trees that are planned for removal, and that incorporates other appropriate management practices in accordance with Section 22.27.100 of the Marin Development Code. The project shall be constructed in a manner that minimizes tree removal and establishes a program for replacing removed trees. The RPP shall include provisions for replacing trees at a 3:1 ratio and shall demonstrate compliance with all other requirements of County tree removal permits (MM.1.a.2).

24. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a Resource Enhancement Plan (REP) in conjunction with their Precise Development Plan application that includes a native grassland restoration component to restore native grasslands that are disturbed by project construction where the native grasslands comprise more than 10% of the groundcover. The grassland restoration component shall ensure the restoration of native grassland communities that are disturbed by or displaced by construction. The restoration shall be planned and carried out by qualified biologists and restoration specialists. The area to be restored will be equal or greater than disturbed native grassland. The restoration plan shall include a monitoring component and shall demonstrate that native grasslands are restored and replaced to meet the following (MM 7.b.1):

   A. Density of native grasses is at least 80% of native grass density in pre-disturbance conditions;
   B. Native species richness is at least 80% of native richness in pre-disturbance conditions; and
   C. No new invasive nonnative species are established in the restored area.

25. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a Construction Management and Revegetation Plan that includes the following provisions to govern construction activity for the relocated residences and Dining Hall in the retreat area adjacent to riparian/bay woodlands consistent with the SCA policies contained in Section 7.b.2:

   A. Vegetation removal will be minimized to the maximum extent practicable during all work activities. Grading limits will be clearly flagged to minimize disturbance from construction equipment.
   B. Native trees greater than 12 inches diameter at breast height that are removed as a result of construction activities will be replaced at a minimum 3:1 ratio with equivalent native species. Native trees less than 12 inches diameter at breast height will be replaced at a 1:1 ratio. All

42 PC Attachment 2
propagules used for native plantings will be obtained from local nursery stock, if available. The applicant shall provide a revegetation plan that identifies the location and container size of all replacement trees for review and approval by the County. The revegetation plan shall incorporate BMPs to prevent transmission of Sudden Oak Death.

C. All disturbed areas will be revegetated with native plantings and/or a native seed mix as soon as practicable to minimize erosion and recruitment of invasive non-native plant species. Best management practices that avoid dispersal of invasive nonnative plants will be used, including using only certified, weed-free materials dominated by native species for erosion control and revegetation.

D. Temporary exclusionary fencing (e.g., silt fence – a piece of synthetic filter fabric, also called a geotextile) will be installed along the periphery of the work areas, including around all riparian areas. This temporary fencing will prevent debris and sediment from entering adjacent habitats during building removal and construction.

E. See MM 7.b.9 of the Initial Study for additional mitigation measures.

28. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a Resource Enhancement Plan in conjunction with the Precise Development Plan application to ensure that the project is constructed in a manner that minimizes disturbance of wetland resources and ensures that impacted wetland areas are replaced at a 2:1 ratio. The Resource Enhancement Plan shall include the following wetland restoration and replacement measures for construction activity consistent with the WCA policies contained in the CWP (MM 7.b.3):

A. Prior to construction, the project sponsor shall obtain appropriate County, state and federal permits for impacts to wetlands and/or other waters of the U.S. This will include, but is not limited to, obtaining permits from the County, U.S. Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, and/or California Department of Fish and Game. The conditions of these agreements shall serve as additional provisions.

B. The project sponsor shall compensate for the loss of the jurisdictional wetland at a ratio of 2:1 (or as agreed upon by the permitting agencies) within the project area. The restoration effort shall include constructing a man-made mitigation wetland in the horse pasture adjacent to Sir Francis Drake Boulevard and wetland plant revegetation. The newly constructed wetland shall be 0.4 acres, a 2:1 impact ratio. It shall be buffered from equestrian activity and development by a 25-foot upland buffer planted with native grass and shrub species, or by other appropriate landscaping or agricultural fencing to protect the wetland area in compliance with the WCA policies of the CWP. It shall require implementation of a 5-year monitoring program with applicable performance standards, including but not limited to, establishing 80% survival rate of restoration plantings, absence of invasive plant species, absence of erosion features, and presence of a functioning, self-sustainable wetland system.

27. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN AND PRIOR TO CONSTRUCTION, the applicant shall submit a Resource Enhancement Plan that ensures that the project is constructed in a manner that avoids bat roosting habitat that includes the following species protection measures for site construction activity (MM 7.b.5):

A. Prior to commencing work, a qualified biologist will survey the site for bat roosts. If occupied roosting habitat is identified, removal of roost trees would not be allowed until the roost is unoccupied.

B. All construction crew members will be trained by a qualified biologist on the status, life history characteristics, and avoidance measures for bats.

C. Construction will be limited to daylight hours to avoid interference with the foraging abilities of bats.
28. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN AND PRIOR TO CONSTRUCTION, the applicant shall submit a Resource Enhancement Plan that ensures the following avian species protection measures for site construction activity (MM 7.b.6):

A. Construction activities should occur outside of the critical breeding period (mid March through mid August). If activities must occur during the normal breeding season, work areas will be surveyed by a qualified biologist prior to commencing.
B. If active nests or behavior indicative of nesting are encountered, those areas plus a 50-foot buffer for small songbirds and 250-foot buffer for larger birds (e.g., owls, raptors) designated by the biologist will be avoided until the nests have been vacated.
C. Ongoing construction monitoring will occur to ensure no nesting activity is disturbed.
D. If state and/or federally listed birds are found breeding within the project area, activities will be halted and consultation with the California Department of Fish and Game and U.S. Fish and Wildlife Service will occur; the conditions of these agreements will serve as additional provisions.

29. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN AND PRIOR TO CONSTRUCTION, the applicant shall submit a Resource Enhancement Plan that ensures the project is constructed in a manner that avoids special status reptile and amphibian habitat and includes the following species protection measures for site construction activity (MM 7.b.7):

A. A preconstruction survey for special-status western pond turtle, California red-legged frog, and foothill yellow-legged frog will occur prior to beginning work within 100 feet of streams and wetlands, and work will only occur in areas that have been surveyed and have either been found to contain no special status reptile and amphibian species, or have been adequately protected from construction activity by fencing and/or other barriers that protect the habitat as directed by a qualified biologist.
B. All construction crews will be trained by a qualified biologist on the status, life history characteristics, and avoidance measures for special-status and common reptile and amphibian species.
C. Temporary wildlife exclusionary fencing (e.g., silt fence – a piece of synthetic filter fabric, also called a geotextile) will be installed along the periphery of the work areas, including around all wetlands and riparian areas. This temporary fencing will preclude animals from entering the work site and prevent construction debris from entering adjacent aquatic habitats.

30. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN AND PRIOR TO CONSTRUCTION, the applicant shall submit a Resource Enhancement Plan that ensures the project is constructed in a manner that avoids common terrestrial species habitat and includes the following species protection measures for site construction activities (MM 7.b.8):

A. A preconstruction survey (on the day preceding work and/or ahead of the construction crew) will be performed prior to any major site disturbance, such as grading. Where terrestrial species are observed within the project area or immediate surroundings, these areas will be avoided until the animal(s) has (have) vacated the area, and/or the animal(s) will be relocated out of the project area by a qualified biologist.
B. The site will be surveyed periodically during construction to ensure that no terrestrial species are being impacted by construction activities (MM 7.b.8).

31. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN AND PRIOR TO CONSTRUCTION, the applicant shall submit a Resource Enhancement Plan that ensures that the project is constructed in a manner that avoids aquatic habitat and species. The Resource Enhancement Plan shall include the following species protection measures for site construction activity (MM 7.b.9):

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A. Work will be performed in isolation of any flowing water.
B. Erosion control measures will be utilized throughout all phases of construction where sediment runoff from exposed slopes threatens to enter the water. At no time will silt laden runoff be allowed to enter stream channels or wetlands or be directed to where it may enter these habitats.
C. Excavated material will be disposed of properly with erosion control measures in place.
D. Throughout construction, a qualified biologist will monitor to ensure water quality standards are being met and sediment is not entering the watercourse.
E. A preconstruction training session will be provided for construction crew members by the qualified biologist. The training will include a discussion of the sensitive biological resources within the project area and potential impacts of accidental sediment releases. This will include a discussion of species habitat, protection measures to ensure species are not impacted by project activities, and project boundaries.
F. New development will be designed, constructed, and maintained to result in no increase in runoff to adjacent aquatic habitats. Low Impact Development (LID) techniques, including pervious pavements and path surfaces, and bioswales will be used to interrupt the flow of water and allow it to percolate into the soil.
G. Additional water withdrawals will be minimized through development of alternative water sources.

32. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN AND PRIOR TO CONSTRUCTION, the applicant shall submit a Resource Enhancement Plan that ensures that the project is constructed in a manner that avoids introducing or facilitating the spread of invasive plant species. The Resource Enhancement Plan shall include the following provisions to avoid introduction of nonnative species to the site (MM 7.c.1):

A. Any seed, straw, or mulch brought into the site will be free of nonnative invasive species.
B. Construction vehicles and other landscaping equipment will be cleaned of seed and soil from other sites before entering new areas.
C. Revegetation of disturbed soil will occur promptly after disturbance.
D. Restoration activities for wetland mitigation and native bunchgrass mitigation will entail soil disturbance. BMPs will be carefully followed at all times. Both restoration sites and donor sites will be monitored post-installation for any increases in invasive nonnative species; see Initial Study Impact B1. A plan will be developed for control of any invasive species detected in these areas.

33. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the plans shall include notes informing grading contractor(s) of the potential for encountering paleontological sites by including the following directive in contract documents (MM 14.a.1):

"The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 50 feet shall be redirected and the Community Development Planning Division shall be contacted as well as other consulting agencies as appropriate, and a qualified paleontologist to assess the situation, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa, and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber-tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks."

34. Adverse effects to paleontological deposits should be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance by a
paleontologist. If the resources are not significant, avoidance is not necessary. If the resources are significant, the adverse effects of project ground disturbance shall be mitigated. A paleontologist shall prepare a Paleontological Mitigation Plan for submittal to the Marin County Community Development Agency for review, comment, and approval. Upon approval of the Paleontological Mitigation Plan, the Marin County Community Development Agency shall be responsible for ensuring that the stipulations of the plan are fulfilled (MM 14.a.1).

35. The applicant shall undertake construction in a manner that avoids historic and prehistoric resources. Before beginning construction within the Teacher and Staff Village subarea and of the proposed Meeting Hall, the applicant shall establish, and secure County approval of, a 50-foot exclusionary buffer with high visibility temporary construction fencing at P 21.000655/CA-MRN-554 and P 21.002253. No project activities, including equipment staging or other ground-disturbing activities, shall occur within the exclusionary buffer. The construction contractor shall be responsible for installing and maintaining the temporary fences. and installation will be done in coordination with a qualified archaeologist and a FIGR representative. The 50-foot exclusionary buffer shall be determined by a field review, which may include presence/absence auger testing or shovel test pits, as needed, to determine the resources' boundaries. Staff from the Marin County Community Development Agency shall conduct site visits prior to construction, and periodically thereafter during the course of construction, to verify that the exclusionary fences have been installed, are properly maintained, and that no project activities are occurring within the exclusionary fence perimeter.

36. The construction contractor shall be responsible for installing and maintaining the temporary fences, and installation will be done in coordination with a qualified archaeologist and a FIGR representative. The 50-foot exclusionary buffer shall be determined by a field review, which may include presence/absence auger testing or shovel test pits, as needed, to determine the resources' boundaries. Staff from the Marin County Community Development Agency shall conduct site visits prior to construction, and periodically thereafter during the course of construction, to verify that the exclusionary fences have been installed, are properly maintained, and that no project activities are occurring within the exclusionary fence perimeter.

37. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit building permit plans for approval by the County that include notes informing contractors that if human remains are encountered, these remains shall be treated in accordance with HSC Section 7050.5. The project applicant shall inform its contractor(s) of the cultural sensitivity of the project area for human remains by including the following directive in contract documents (MM 14.b.3):

If human remains are encountered during project activities, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the Marin County Community Development Agency and the Northwest Information Center.
38. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a letter from the Marin Municipal Water District indicating that the proposed landscaping complies with all conditions of the District’s Water Conservation Ordinance.

39. The applicant shall undertake construction in a manner that avoids historic and prehistoric resources. Before beginning construction, the applicant shall retain a qualified archaeologist and a FIGR representative to monitor project ground-disturbing activities associated with construction at the Teacher and Staff Village subarea and of the Meeting Hall. Archaeological and Native American monitors shall be empowered to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while the finds are being evaluated.

If deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 50 feet of the discovery shall be redirected until the archaeologist assesses the finds, consults with agencies as appropriate, and makes recommendations for the treatment of the discovery. Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible, the archaeologists deposits shall be evaluated for their eligibility for listing in the California Register of Historical Resources. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits shall be mitigated.

If mitigation is determined necessary by the archaeologist, mitigation procedures shall be developed by the archaeologist and in coordination with the Marin County Community Development Agency. Mitigation may include excavation of the archaeological deposit in accordance with a data recovery plan (see CCR Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility.

Upon completion of the archaeological monitoring, the archaeologist shall prepare a report of methods and findings for submittal to the Marin County Community Development Agency and the Northwest Information Center at Sonoma State University (MM 14.b.2).

40. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties.

41. All construction activities shall comply with the following standards:

a. Construction activity is only permitted between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday. No construction shall be permitted on Sundays and the following holidays (New Year’s Day, President’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at the construction site from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Minor jobs (e.g., painting, hand sanding, sweeping) with minimal or no noise impacts on the surrounding properties are exempted from the limitations on construction activity. At the applicant’s request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.

b. It shall be the responsibility of the applicant to ensure that all construction materials and equipment are stored on-site (or secured at an approved off-site location) and that all contractor vehicles are parked in such a manner as to permit safe passage for vehicular, pedestrian, and bicycle traffic at all times.
42. All utility connections and extensions (including but not limited to electric, communication, and cable television lines) serving the development shall be undergrounded from the nearest overhead pole from the property, where feasible as determined by the Community Development Agency staff.

Marin County Environmental Health Services

43. Future development shall comply with the environmental health standards that are in effect at the time that Building Permits for future development are being reviewed.

44. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the sewage disposal system will require review from both SFROCB and EHS Land Use staff.

Marin County Department of Public Works - Land Use and Water Resources Division

45. Future development shall comply with those Department of Public Work's standards (MCC Title 24) that are in effect at the time when future Building Permits are being reviewed.

46. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a site Hydrologic Analysis prepared by a civil engineer. The hydrologic analysis shall demonstrate that the project does not substantially change drainage patterns, or the rate or volume of surface runoff for the 10-year, 25-year, 50-year and 100-year storm events from site changes in impervious/permeable surfaces, and that the change in topography, drainage areas, and runoff volumes shall not be substantial. The Precise Development Plans shall not significantly affect site hydrology by substantially changing drainage patterns or the rate or volume of surface runoff. The project shall be constructed in a manner that prevents an increase in pre-development peak stormwater runoff discharge rates, for the design storms regulated by the Small MS4 Permit, through “green” practices (e.g. bioswales and “GrassPave” for roads and parking areas) and design. (MM 4.a.1).

47. PRIOR TO PRECISE DEVELOPMENT PLAN APPROVAL, the applicant shall provide a Stm Water Pollution Protection Plan for review and approval.

48. BEFORE ISSUANCE OF A BUILDING OR GRADING PERMIT AND DURING CONSTRUCTION OF THE PROJECT, the applicant shall construct the project in a manner that avoids erosion and the discharge of sediment and/or pollutants into seasonal drainages located at the project site through implementation of a Storm Water Pollution Protection Plan. Prior to construction at the project site, consistent with the requirements of the Construction General Permit, and the County in its implementation of the Small MS4 Permit, the project sponsor shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the project construction period and shall demonstrate that construction activity will be undertaken in a manner that uses effective best management practices (BMPs) to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater discharges. The SWPPP shall be prepared by a qualified SWPPP developer. The SWPPP shall include, as applicable, all BMPs required in Construction General Permit Attachment D for Risk Level 2 dischargers or Construction General Permit Attachment E for Risk Level 3 dischargers (as appropriate based on final determination of the project’s risk level status). The SWPPP shall include a construction site monitoring program that includes requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate (depending on the risk level), sampling of the site effluent or receiving waters (receiving water monitoring is only required for some Risk Level 3 dischargers). The project sponsor shall also prepare a Rain Event Action Plan as part of the SWPPP. BMP implementation shall be consistent with the BMP requirements in the California Stormwater Quality Association Stormwater Best Management Handbook-Construction (2003). Following are the types of BMPs that shall be implemented for the project, subject to review and approval by the County and the San Francisco Bay Regional Water Quality Control Board (RWQCB). (MM 4.c.1)
Scheduling
A. To reduce the potential for erosion and sediment discharge, schedule activities to minimize ground disturbance during the rainy season. (Per Marin County Municipal Code Section 24.04.625, grading operations shall not be conducted during the rainy season (October 15 through April 15) without prior approval from the County.)

B. Sequence construction activities to minimize the amount of time that soils remain disturbed.

C. Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work.

D. Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities.

Erosion and Sedimentation
A. Preserve existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date.

B. Stabilize and revegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch (e.g., straw or hay, erosion control blankets, hydromulch, or other similar material) except in actively cultivated areas.

C. Install silt fences, coir rolls and other suitable measures around the perimeter of the areas affected by construction and staging areas and around riparian buffers, storm drains, temporary stockpiles, spoil areas, stream channels, swales, down-slope of all exposed soil areas, and in other locations determined necessary to prevent off-site sedimentation.

D. Install temporary slope breakers during the rainy season on slopes greater than 5% where the base of the slope is less than 50 feet from a water body, wetland, or road crossing at spacing intervals required by the RWQCB.

E. Use filter fabric or other appropriate measures to prevent sediment from entering receiving waters.

F. Detain and treat stormwater using sedimentation basins, sediment traps, baker tanks, or other measures to ensure that discharges to receiving waters meet applicable water quality objectives.

G. Install check dams in channels and drainage ditches to reduce flow velocities and erosion, and to allow sediment to settle out of runoff.

H. Install outlet protection/energy dissipation, where applicable, to prevent scour of the soil caused by concentrated high velocity flows.

I. Implement control measures such as spraying water or other dust palliatives to alleviate nuisance caused by dust.

Groundwater/Dewatering
A. Prepare a dewatering plan prior to excavation specifying methods of water collection, transport, treatment, and discharge of water generated by construction site dewatering.

B. Impound water generated by dewatering in sediment retention basins or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Locate sedimentation basins and other retention and treatment facilities away from waterways to prevent sediment-laden water from reaching creeks.
C. Control discharges of water produced by dewatering to prevent erosion.

Tracking Controls
A. Grade and stabilize construction site entrances and exits to prevent runoff from the site and to prevent erosion.
B. Install a tire washing facility at the site access to allow for tire washing when vehicles exit the site to prevent offsite tracking of sediment.
C. Remove any soil or sediment tracked onto paved roads during construction by street sweeping.

Non-stormwater Controls
A. Place drip pans under construction vehicles and all parked equipment.
B. Check construction equipment regularly for leaks.
C. Wash construction equipment regularly in a designated enclosed area.
D. Contain vehicle and equipment wash water for percolation or evaporative drying away from the stormwater drainage system and creeks.
E. Refuel vehicles and equipment away from the stormwater drainage system and creeks, contain the area to prevent run-on and run-off, and promptly clean up spills.
F. Cover all storm drain inlets when paving or applying seals or similar materials to prevent the discharge of these materials.

Waste Management and Hazardous Materials Pollution Control
A. Remove trash and construction debris from the project area daily.
B. Locate sanitary facilities a minimum of 300 feet from creeks. Maintain sanitary facilities regularly.
C. Store all hazardous materials in an area protected from rainfall and stormwater run-on and prevent the off-site discharge of hazardous materials.
D. Minimize the potential for contamination of receiving waters by maintaining spill containment and cleanup equipment on site, and by properly labeling and disposing of hazardous wastes.
E. Locate waste collection areas close to construction entrances and away from roadways, the stormwater drainage system, and creeks.
F. Inspect dumpsters and other waste and debris containers regularly for leaks and remove and properly dispose of any hazardous materials and liquid wastes placed in these containers.
G. Train construction personnel in proper material delivery, handling, storage, cleanup, and disposal procedures.
H. Implement construction materials management BMPs for:
   - Road paving, surfacing and asphalt removal activities.
   - Handling and disposal of concrete and cement.
BMP Inspection, Maintenance, and Repair
A. Inspect all BMPs on a regular basis to confirm proper installation and function. Inspect BMPs daily during storms.

B. Immediately repair or replace BMPs that have failed. Provide sufficient devices and materials (e.g., silt fence, coir rolls, erosion blankets, etc.) throughout project construction to enable immediate corrective action for compromised BMPs.

Monitoring and Reporting
A. Provide the required documentation for SWPPP inspections, maintenance, and repair requirements. Personnel that will perform monitoring and inspection activities shall be identified in the SWPPP.

B. Maintain written records of inspections, spills, BMP-related maintenance activities, corrective actions, and visual observations of off-site discharges of sediment or other pollutants, as required by the RWQCB.

C. Monitor the water quality of discharges from the site to assess the effectiveness of BMPs.

Post-construction BMPs
A. Revegetate all temporarily disturbed areas as required after construction activities are completed.

B. Remove any remaining construction debris and trash from the site upon project completion.

C. Phase the removal of temporary BMPs as necessary to ensure stabilization of the site.

D. Maintain post-construction site conditions to avoid formation of unintended drainage channels, erosion, or areas of sedimentation.

Training
A. Train construction site personnel on components of the SWPPP and BMP implementation. Train all personnel that will perform inspection and monitoring activities.

49. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the project applicant shall submit a Stormwater Control Plan (SCP) to the County, in accordance with guidance developed by MCSTOPPP. The SCP shall describe the site design, source control, and treatment control best management practices (BMPs) such as riparian buffer zones and designs for bioswales, that would be implemented at the site to minimize imperviousness, retain or detain stormwater, match pre-project peak flow rates, and reduce pollutants in runoff to the maximum extent practicable, for the design storms regulated by the Small MS4 Permit. The SCP shall evaluate the consistency of using riprap for creek outlet protection with the project’s Stream Restoration Plan and evaluate whether using riprap would cause impacts greater than if natural restoration methods are used. If the use of riprap is found to be inconsistent with the Stream Restoration Plan, biotechnical measures shall be used in lieu of riprap for outlet protection. The SCP shall include an Operation and Maintenance Plan that identifies the individuals responsible for maintenance of treatment control BMPs (MM 4.3.2).

50. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a Creek Restoration Plan that includes hydrologic analysis confirming that the debris diversion berm removal and the installation of three in-creek check dams would not alter flow rates or water movement in a way that would undermine the bank stabilization efforts implemented to date by the RCD in Spirit Rock Creek in the areas where in-creek check dams are proposed. The project shall be constructed a manner that avoids alteration to flow rates or changes in the direction of water
movement, and that contributes to the long-term health and natural functions of the watershed (MM 4.b).

51. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall submit a Dust Control Plan for approval by the County that specifies dust control measures that would be employed during grading and construction activities and that would be regulated by the Department of Public Works through Grading Permits and Building Permits. The applicant shall construct the project in a manner that avoids emission of fugitive dust by employing dust control measures (e.g., watering of active grading areas and preventing vehicles from tracking dirt onto public roads) to reduce potentially significant construction-related impacts on air quality to a less than significant level (MM 5.e).

52. PRIOR TO APPROVAL OF A PRECISE DEVELOPMENT PLAN, the applicant shall provide a detailed system design plans that demonstrate that groundwater from the interceptor drains will not discharge as surface runoff. The interceptor drains shall be designed to avoid discharge as surface water runoff that could result in localized flooding and erosion. To the extent that the project design includes surface runoff, conveyance of any runoff shall be incorporated into the SCP to ensure that the surface runoff does not cause localized flooding or erosion (MM 4.e.1).

Marin County Fire Department

53. Future development shall comply with all Fire Department development requirements that are in effect at the time Building Permits for future development are reviewed.

54. PRIOR TO APPROVAL OF THE PRECISE DEVELOPMENT PLAN, the applicant shall submit a detailed Landscaping and Vegetation Management Plan that identifies the locations of emergency access and utility access. The project plans shall demonstrate conformance with emergency vehicle access and fire suppression standards, defensible space, and landscape management requirements established by applicable codes for approval by the County. The project plans shall demonstrate to the greatest extent possible the use of fire-resistant construction techniques, automatic fire sprinklers, automatic fire alarm systems, and other applicable life safety systems. The project plans shall be reviewed and approved by the Marin County Fire Department. If the vegetation management plan involves removal of grasslands, the plan shall also be reviewed by a qualified biologist and, if warranted, the Department of Fish and Game (MM 11.a.1).

55. PRIOR TO APPROVAL OF THE PRECISE DEVELOPMENT PLAN, the applicant shall provide a Landscaping and Vegetation Management Plan that demonstrates compliance with adopted County landscape and defensible space standards, and includes provisions for the maintenance of defensible space. The project shall be maintained in a manner that preserves vegetative clearing and acceptable landscaping to comply with County landscaping and defensible space requirements (MM 11.a.2).

56. PRIOR TO APPROVAL OF THE PRECISE DEVELOPMENT PLAN, the applicant shall provide a site plan for approval by the County that demonstrates conformance with emergency vehicle access and fire suppression standards and ensures adequate emergency vehicle access and fire suppression facilities (MM 11.a.3).

SECTION III: VESTING

NOW, THEREFORE, BE IT RESOLVED that the applicant must vest the components of this Master Plan Amendment approval that are associated with development by securing a Precise Development Plan or Design Review approval within four years of the date this Master Plan Amendment is approved by the Board of Supervisors, or all rights granted in this approval shall lapse unless the applicant

- [Deleted: Scheduling]
- [Deleted: To reduce the potential for erosion and sediment discharge, schedule activities to minimize ground disturbance during the rainy season. (Per Marin County Municipal Code Section 22.75.500)]
- [Deleted: The operations shall not be conducted during the rainy season (October 15 through April 15) of any year after approval from the County.]
- [Deleted: Sequence construction activities to minimize the amount of time that soils remain disturbed.]
- [Deleted: Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work.]
- [Deleted: Install erosion and sediment control BMPs prior to the start of any ground disturbing activities.]
- [Deleted: Frosting and Sedimentation]
- [Deleted: Pre existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date.]
- [Deleted: Stabilize and revegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch (e.g., straw or hay, erosion control blankets, hydromulch, or other similar material) except in actively cultivated areas.]
- [Deleted: Install all fences, curbs, and other suitable measures around the perimeter of the areas affected by construction and staging areas and around erodible boundaries, temporary stockpiles, spoil areas, stream channels, swales, down-slope of all exposed soil areas, and in other locations determined necessary to prevent off-site sedimentation.]
- [Deleted: Install temporary slope breakers during the rainy season on slopes greater than 5% where the base of the slope is less than 30 feet from a water body, wetland, or road crossing at spacing intervals required by the RVCC.]
- [Deleted: Use fabric or other appropriate measures to prevent sediment from entering receiving waters.]
- [Deleted: Detain and treat stormwater using sedimentation basins, sediment traps, baffle traps, or other measures to ensure that discharges to receiving waters meet applicable water quality objectives.]
- [Deleted: Install check dams in channels and drainage ditches to reduce flow velocities and erosion, and to allow sediment to settle out of runoff.]
- [Deleted: Install outlet protection/energy dissipation, where applicable, to prevent scour of the soil caused by concentrated high velocity flows.]
- [Deleted: Implement control measures such as spraying water or other dust palliatives to alleviate nuisance caused by dust.]

Deleted: are
applies for an extension at least 30 days before the expiration date above and it is approved by the Director. Master Plan extensions for a total of not more than two additional years may be granted for cause pursuant to MCC Section 22.44.050.

The components of this Master Plan amendment associated with use and occupancy as approved by the Use Permit findings shall be vested upon compliance with the conditions of approval related to use and occupancy and shall be valid upon timely vesting of the approval and will remain valid in perpetuity, unless the conditions of approval are violated, in which case the Use Permit may be revoked. The use and occupancy components of the project must be vested within two years of the date that the Board of Supervisors approves this Master Plan Amendment, but may be extended concurrently with the other components of this Master Plan Amendment.

The Building Permit approval expires if the building or work authorized is not commenced within one year from the date of such permit. All permits shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within two years from the date of such permit. If the Building Permit lapses after the vesting date stipulated in the Master Plan Amendment and Design Review approval (and no extensions have been granted), the Building Permit and Design Review approvals may become null and void.
SECTION IV: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin, State of California, on the 14th day of February, 2011, by the following vote, to wit:

AYES:
NOES:
ABSENT:

__________________________
PETER THERAN, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

__________________________
Debra Stratton
Planning Commission Recording Secretary
prior to increasing daily occupancy to more than 315 persons, or peak occupancy for open house/events to more than 150 persons, the applicant shall submit a Special Events Management Program (SEMP) for review and approval by the County. The SEMP shall establish provisions for coordinating special events with emergency service providers to ensure safe circulation and emergency vehicle access throughout the events. The SEMP may include the following:

Provisions that include notification to emergency service providers of large events that have the potential to generate an on-site population of more than 500 people;
Circulation controls, (e.g., parking attendants, installation of temporary directional signs and pylons, etc.) to preserve emergency vehicle access at the project site;
On site police and fire control arrangements and communication systems;
Provisions for standby or alternate personnel, equipment and or facilities in the event that attendance exceeds pre-event estimates; and
Provisions for emergency medical and first aid services.

Prior to increasing daily peak occupancy to more than 315 persons or peak open house/event capacity to more than 150 persons, and prior to Precise Development Plan Approval, the applicant shall submit a Special Events Management Program (SEMP) for approval by the County that will ensure adequate notification and coordination with the Fire Department to ensure staffing and equipment are available for events that include any of the following and shall host special events in a manner that avoids activities that create the risk of fire, and to ensure that emergency personnel are able to respond to calls for service at the site. This condition of approval shall be implemented prior to increasing daily occupancy to more than 315 persons, or peak occupancy for open house/events to more than 150 persons by: 1) total daily attendance by more than 500 people; 2) outdoor cooking or open flames; and/or 3) attendance or activities that generate demand for overflow parking in excess of the 321 spaces available on site (MM 11.a.4).

Scheduling
To reduce the potential for erosion and sediment discharge, schedule activities to minimize ground disturbance during the rainy season. (Per Marin County Municipal Code Section 24.04.625, grading operations shall not be conducted during the rainy season (October 15 through April 15) without prior approval from the County.)
Sequence construction activities to minimize the amount of time that soils remain disturbed.
Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work.
Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities.

Erosion and Sedimentation
Preserve existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date.
Stabilize and revegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch (e.g., straw or hay, erosion control blankets, hydromulch, or other similar material) except in actively cultivated areas.
Install silt fences, coir rolls, and other suitable measures around the perimeter of the areas affected by construction and staging areas and around riparian buffers, storm drains, temporary stockpiles, spoil areas, stream channels, swales, downslope of all exposed soil areas, and in other locations determined necessary to prevent off-site sedimentation.

Install temporary slope breakers during the rainy season on slopes greater than 5% where the base of the slope is less than 50 feet from a water body, wetland, or road crossing at spacing intervals required by the RWQCB.

Use filter fabric or other appropriate measures to prevent sediment from entering receiving waters.

Detain and treat stormwater using sedimentation basins, sediment traps, baker tanks, or other measures to ensure that discharges to receiving waters meet applicable water quality objectives.

Install check dams in channels and drainage ditches to reduce flow velocities and erosion, and to allow sediment to settle out of runoff.

Install outlet protection/energy dissipation, where applicable, to prevent scour of the soil caused by concentrated high velocity flows.

Implement control measures such as spraying water or other dust palliatives to alleviate nuisance caused by dust.

**Groundwater/Dewatering**

Prepare a dewatering plan prior to excavation specifying methods of water collection, transport, treatment, and discharge of water generated by construction site dewatering.

Impound water generated by dewatering in sediment retention basins or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Locate sedimentation basins and other retention and treatment facilities away from waterways to prevent sediment-laden water from reaching creeks.

Control discharges of water produced by dewatering to prevent erosion.

**Tracking Controls**

Grade and stabilize construction site entrances and exits to prevent runoff from the site and to prevent erosion.

Install a tire washing facility at the site access to allow for tire washing when vehicles exit the site to prevent offsite tracking of sediment.

Remove any soil or sediment tracked onto paved roads during construction by street sweeping.

**Non-stormwater Controls**

Place drip pans under construction vehicles and all parked equipment.

Check construction equipment regularly for leaks.

Wash construction equipment regularly in a designated enclosed area.

Contain vehicle and equipment wash water for percolation or evaporative drying away from the stormwater drainage system and creeks.

Refuel vehicles and equipment away from the stormwater drainage system and creeks, contain the area to prevent run-on and run-off, and promptly clean up spills.

Cover all storm drain inlets when paving or applying seals or similar materials to prevent the discharge of these materials.
Waste Management and Hazardous Materials Pollution Control
Remove trash and construction debris from the project area daily.
Locate sanitary facilities a minimum of 300 feet from creeks. Maintain sanitary facilities regularly.
Store all hazardous materials in an area protected from rainfall and stormwater run-on and prevent the off-site discharge of hazardous materials.
Minimize the potential for contamination of receiving waters by maintaining spill containment and cleanup equipment on site, and by properly labeling and disposing of hazardous wastes.
Locate waste collection areas close to construction entrances and away from roadways, the stormwater drainage system, and creeks.
Inspect dumpsters and other waste and debris containers regularly for leaks and remove and properly dispose of any hazardous materials and liquid wastes placed in these containers.
Train construction personnel in proper material delivery, handling, storage, cleanup, and disposal procedures.
Implement construction materials management BMPs for:
   Road paving, surfacing and asphalt removal activities.
   Handling and disposal of concrete and cement.

BMP Inspection, Maintenance, and Repair
Inspect all BMPs on a regular basis to confirm proper installation and function. Inspect BMPs daily during storms.
Immediately repair or replace BMPs that have failed. Provide sufficient devices and materials (e.g., silt fence, coir rolls, erosion blankets, etc.) throughout project construction to enable immediate corrective action for compromised BMPs.

Monitoring and Reporting
Provide the required documentation for SWPPP inspections, maintenance, and repair requirements. Personnel that will perform monitoring and inspection activities shall be identified in the SWPPP.
Maintain written records of inspections, spills, BMP-related maintenance activities, corrective actions, and visual observations of off-site discharges of sediment or other pollutants, as required by the RWQCB.
Monitor the water quality of discharges from the site to assess the effectiveness of BMPs.

Post-construction BMPs
Revegetate all temporarily disturbed areas as required after construction activities are completed.
Remove any remaining construction debris and trash from the site upon project completion.
Phase the removal of temporary BMPs as necessary to ensure stabilization of the site.
Maintain post-construction site conditions to avoid formation of unintended drainage channels, erosion, or areas of sedimentation.

Training
Train construction site personnel on components of the SWPPP and BMP implementation. Train all personnel that will perform inspection and monitoring activities.
The project shall comply with the Dust Control Plan and be constructed in a manner that avoids emission of fugitive dust by employing dust control measures (e.g. watering of active grading areas and preventing vehicles from tracking dirt onto public roads) to reduce potentially significant construction related impacts on air quality to a less than significant level (MM.5.e).
MEMO

To: Rachel Warner, Environmental Coordinator

From: Scott Davidson

Date: May 11, 2011

Re: Spirit Rock ISMND – Supplemental Information and Response to Comments

INTRODUCTION
The County of Marin, serving as the lead agency, prepared a Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) to evaluate the potential environmental effects of the proposed Spirit Rock Meditation Center – Master Plan Amendment (Project).

The Draft IS/MND was released for public and agency review on September 27, 2010 for a 30-day review and comment period that ended on October 26, 2010. Three comment letters were received during the public and agency comment period. The County of Marin prepared a Final IS/MND that included response to the submitted comments.

After the close of the public comment period, the Planning Commission held public hearings on April 14, and 28, 2011 to consider the recommendation that the Planning Commission forward the Master Plan Amendment to the Board of Supervisors for approval and adoption of the IS/MND. Additional written comments were received at, and around the time of the hearings. Though formal responses to comments received are not required under CEQA, additional responses to the comments submitted at the public hearings are provided in Attachment 3.

In addition to containing the response to comments, Attachment 3 also contains clarifications to mitigation measures and an updated Mitigation Monitoring Program. Please note that while many of the more recent comment letters discuss environmental issues, several also include opinions about the relative merit of the proposed project. The supplemental response to comments only addresses the potential for environmental impact, merit issues will be addressed in the Staff Report to the Commission.

In addition to providing supplemental response to comments, this memorandum contains additional information requested by the Planning Commission related to: 1) issues considered when selecting the proposed Dining Hall site, 2) the potential for establishing population limits, 3) the relationship between the various property management plans and programs required by the IS/MND, and 4) site constraints to creating a left turn lane exiting from the project site.

1) DINING HALL LOCATION
Since April 28, 2011, the project sponsor has submitted a letter and a graphic (Attachment 1) that identify considerations they believe support the proposed relocation of the Dining Hall as environmentally superior to the previously approved location. The information provided
indicates that there is greater separation between the proposed dining hall and the nearest Stream Conservation Area. The information also supports the IS/MND conclusions that the proposed relocation would reduce site disturbance by relocating the building down slope and eliminating a previously approved driveway. The applicant represents that these changes would reduce grading from approximately 10,000 cubic feet to approximately 1,000 cubic, and eliminate approximately 9,000 cubic feet of soils export. The material submitted by the applicant does not alter remaining IS/MND conclusions related to water quality, biology, energy conservation, and scenic resource protection.

2) **POPULATION CAP**

The project sponsor has indicated a willingness to limit special events to two events per year with a population limit of 1,500 people, provided the sponsor finds all the conditions of approval acceptable. While this change in land use would reduce potential activity at the project site in a way that may be more compatible with the site and surrounding community, it would not eliminate any of the potentially significant impacts identified in the IS/MND because the population would still exceed the various population limits that have the potential to result in impact.

The IS/MND evaluated potential impacts from activities that could generate a population of up to 1,600 people. A population of 1,600 people would result in 1,143 vehicle trips; demand for 1,143 parking spaces where 273 spaces are proposed; and demand for sewage disposal for 1,600 people where proposed capacity is for 791 people. These conditions would result in potentially significant impacts to parking/circulation, emergency services, and water quality. To mitigate these potential impacts, the IS/MND establishes graduated population limits. To exceed the following population thresholds, the applicant will need to prove they have established appropriate operational controls (including possible population limits) to avoid the indicated issue:

1) 315 (Preserve safe circulation, acceptable levels of service, and adequate wastewater disposal);
2) 382 (Ensure parking demand does not exceed on-site parking capacity);
3) 500 (Ensure emergency vehicle access and services remain available); and
4) 791 (Ensure that demand for sewage disposal does not exceed capacity).

As a practical matter, parking and access constraints will likely make it difficult for the project sponsor to host events with populations of up to 1,500 or 1,600 people. Never-the-less, by limiting the number and size of such special events as suggested by the applicant, there would likely be a reduction in the potential for impacts in comparison with the analyzed project. Such a population cap would not result in the need for any additional mitigation measures or changes to the existing mitigation measures.

3) **PLANS AND PROGRAMS**

Among other things, the above summarized issues are addressed by requiring mitigation plans and programs to govern project construction and operations. The Initial Study/Mitigated Negative Declaration employs a variety of plans and programs to address potential environmental impacts, including those summarized in the above discussion of population limits.
(Section 2). During the public hearings, Planning Commissioners asked for clarification about the relationships between, timing for, and function of the various mitigation plans. The mitigation plans and programs were established to replace the applicant’s proposal to monitor potential impacts and address them as impacts arose, with more specific land use controls at various population thresholds where the potential for impact could occur. Additional plans and programs have been proposed by the project sponsor, but this analysis only discusses plans and programs that are necessary to mitigate potential impacts.

Table 1 summarizes the population thresholds that trigger implementation of the mitigation plans and programs and identify the potential impact the mitigation measure is to address. The SEMP will include four separate technical components: (1) a special events component of the Transportation Management Plan (TMP); (2) a special events component of the Waste Water Management Program (WWMP); (3) A special events component of the Water Management Plan (WMP), and; (4) an Emergency Preparedness Plan.

Table 1: SEMP Requirements for Large Scale Special Events (events exceeding 315 people)

<table>
<thead>
<tr>
<th>Occupancy</th>
<th>Issue</th>
<th>Detailed Plan</th>
<th>Mitigation Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>315</td>
<td>Traffic</td>
<td>A special events component of the TMP.</td>
<td>Avoid traffic conflicts, preserve emergency vehicle access, and maintain level of service D.</td>
</tr>
<tr>
<td></td>
<td>Waste Water</td>
<td>A special events component of the WWMP</td>
<td>Comply with sewage disposal capacity limits and Waste Discharge Requirements</td>
</tr>
<tr>
<td></td>
<td>(existing septic</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>system)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Potable Water</td>
<td>A special events component of the WMP</td>
<td>Comply with water allocation from MMWD</td>
</tr>
<tr>
<td>382</td>
<td>Parking</td>
<td>A special events component of the TMP.</td>
<td>Avoid overflow parking and preserve emergency vehicle access.</td>
</tr>
<tr>
<td>500</td>
<td>Emergency Services</td>
<td>An Emergency Preparedness Plan</td>
<td>Ensure emergency vehicle access, and ensure adequate services from medical personnel, Sherriff’s office personnel, and fire personnel.</td>
</tr>
<tr>
<td>791</td>
<td>Waste Water</td>
<td>A special events component of the WWMP</td>
<td>Comply with sewage disposal capacity limits and Waste Discharge Requirements</td>
</tr>
<tr>
<td></td>
<td>(proposed septic</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>system)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Initial Study identifies impacts that fall into one of two categories, potential impacts associated with site development, and potential impacts associated with operations (including an increase in population). For the purposes of this project, the County considers any event that results in a simultaneous on-site population of more than 315 people a special event. This population threshold was selected to coincide with the lowest population threshold that has the potential to result in impacts as described in Table 1.
Development Impacts

As part of the Spirit Rock Master Plan Amendment application, the project sponsor proposed to develop a Resource Protection Plan (RPP) that would define property management objectives and practices that would govern a variety of activities and operations at project site. The RPP includes various “green” practices, including those that protect trees and water quality, promote alternative energy, and conserve water through recycling. These practices are expected to result in environmental enhancements. In evaluating the potential impacts that could result from site development, the Initial Study/Mitigated Negative Declaration identified additional mitigation measure that were added to the RPP to further protect site resources by incorporating tree protection and creek restoration measures. Potential impacts from development are mitigated by, among other things, the creation of a Stormwater Control Plan (SCP), a Stormwater Pollution Prevention Plan (SWPPP), and a Construction Management Plan (CMP). These construction related mitigation plans are described in greater detail in Table 2 below. All of the plans and programs related to design and construction must be submitted in conjunction with the Precise Development Plan and approved prior to issuance of any building permits.

Operational Impacts

As it relates to occupancy, the primary potential for impact is associated with population increases. The Initial Study had demonstrated that there would be no impact on natural or cultural resources or from exposure to geologic hazards as the result of increasing the on-site population. There is the potential, however, that the population increase could result in impacts resulting from a lack of adequate parking, emergency vehicle access, emergency preparedness, septic capacity, and potable water. Table 3 summarizes the plans and programs that mitigate these potential impacts, indicates how they will work together, references the mitigation measure that establishes the required plan/program, and clarifies the events that trigger plan implementation. All of the plans and programs related to property operations must be submitted to and approved by the County before the population on site can be increased above 315 people at any one time.

Mitigation Timing

The Master Plan application is by definition a conceptual plan. As such, project details related to building design, construction and property operation are developed and refined in subsequent, more detailed project phases. For this reason, the ISMND requires that many of the mitigation measures be developed in subsequent project phases where mitigation success will be enhanced from more detailed project information. This common practice allows project sponsors to prepare more detailed plans in order to demonstrate that the desired mitigations are implemented in subsequent stages of the development process. In order to ensure that plans, programs and studies adequately implement the mitigation measure, each mitigation measures:
1. Includes objective performance standards;

2. Identifies the agency(s) that is responsible for evaluating compliance with the mitigation measure; and

3. Indicates when the mitigation is to be implemented.

By clearly defining performance criteria, responsibility and timing for mitigations, the County has identified the information necessary to reasonably justify an expectation of effective mitigation. This practice is consistent with Public Resources Code §21080(c)(2), California Code of Regulations §15070(b)(1), and case law related to mitigation, and allows for mitigation refinement in order to ensure that subsequent Use Permit and Precise Development Plan applications continue to achieve the objectives established by the mitigation measure.
### Table 2: Development Mitigation Plans

<table>
<thead>
<tr>
<th>Plan/Program</th>
<th>Issues/Impacts Addressed</th>
<th>Mitigation Measure</th>
<th>Threshold/Timing for Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource Protection Plan (RPP)</td>
<td>The sponsor shall construct the project in a manner that minimizes tree removal and establishes a program for replacing removed trees.</td>
<td>1.a.2</td>
<td>Before PDP approval</td>
</tr>
<tr>
<td>Tree Protection</td>
<td>The applicant shall construct the project in a manner that avoids alteration to flow rates or changes in the direction of water movement, and that contributes to the long-term health and natural functions of the watershed.</td>
<td>4.b &amp; 4.e.2</td>
<td>Before PDP approval</td>
</tr>
<tr>
<td>Creek Restoration</td>
<td>A Stormwater Control Plan (SCP) will prevent increases in pre-development peak stormwater runoff discharge rates through &quot;green&quot; practices (e.g. bioswales and &quot;GrassPave&quot; for roads and parking areas) and design.</td>
<td>4.a.2</td>
<td>Before construction can begin</td>
</tr>
<tr>
<td>SCP</td>
<td>A Stormwater Pollution Prevention Plan (SWPPP) will govern construction activity to protect water quality and prevent erosion.</td>
<td>4.c.1</td>
<td>Before construction can begin</td>
</tr>
<tr>
<td>SWPPP</td>
<td>A Construction Management Plan and Revegetation Plan (CMRP) shall govern construction activity to control dust and ensure tree protection near the relocated residences and Dining Hall area adjacent to riparian/bay woodlands consistent with the SCA policies contained in the CWP.</td>
<td>5.e &amp; 7.b.2</td>
<td>Before construction</td>
</tr>
<tr>
<td>CMRP</td>
<td></td>
<td>7. b.1, 7.5.b, 7.b.6, 7.b.7, 7.b.9, and 7.c.1</td>
<td>Before PDP approval</td>
</tr>
<tr>
<td>Resource Enhancement</td>
<td>The resource enhancement plan will govern construction activity to protect biological resources including native grasslands, bats, birds, reptiles, amphibians, aquatic habitat species and habitat, as well as to prevent the introduction of invasive species.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table 3: Operational Mitigation Plans and Programs

<table>
<thead>
<tr>
<th>Plan/Program</th>
<th>Issues/Impacts Addressed</th>
<th>Mitigation Measure</th>
<th>Threshold/Timing for Implementation</th>
</tr>
</thead>
</table>
| Special Events Management Program (SEMP) | **Traffic**  
The project sponsor shall operate the project site in a manner that will avoid traffic conflicts, preserve emergency vehicle access, and maintain intersection levels of service at or better than the County's level of service “D” threshold.  

The applicant shall conduct activities at the project site in a manner that ensures demand for sewage disposal does not exceed system capacity or violate the Waste Discharge Requirements.                                                                                                                                                                                                 | 6.a                 | Before increasing occupancy above 315 people |
|                                   | **Sewage Disposal (existing septic system)**                                                                                                                                                                                                                                                                                                                             | 12.5.1             |                                      |
|                                   | **Parking**  
The project sponsor shall operate special events to avoid overflow parking outside of approved parking areas for special events that could result in an on-site population of more than 382 people.  

A special events component of the Transportation Management Plan (TMP) will be incorporated in the Special Events Management Program (SEMP).                                                                                                                                                                                                 | 6.d                 | Governs events with more than 382 people on-site |
|                                   | **Emergency Preparedness**  
The project sponsor shall operate the site to ensure emergency vehicle access and services are preserved and that vegetation is managed to reduce fire hazards.  

The project sponsor shall operate special events to ensure that adequate fire protection, medical and Sherriff’s Office personnel are available to respond to emergencies.                                                                                                                                                                                                 | 6.c, 11.a.1, 11.a.2, 11.a.4, and 11.b.1 | Governs property management and maintenance |
|                                   | **Sewage Disposal (proposed septic system)**  
The applicant shall conduct activities at the project site in a manner that ensures demand for sewage disposal does not exceed system capacity or violate the Waste Discharge Requirements. The applicant shall implement this mitigation measure by submitting a Waste Water Management Program (WWMP) that includes provisions governing special events. The WWMP shall be incorporated into the Special Events Management Program (SEMP) for larger classes and events that have the potential to generate a population in excess of 791 people. | 12.d.1             | Governs events with more than 791 people on-site |
<table>
<thead>
<tr>
<th>Plan/Program</th>
<th>Issues/Impacts Addressed</th>
<th>Mitigation Measure</th>
<th>Threshold/Timing for Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Management</td>
<td>The applicant shall conduct activities at the project site in a manner that ensures demand for water does not exceed available supply limits (presently 7.49 acre-feet per year) by preparing a Water Management Plan (WMP). The WMP will establish plans to monitor and adjust property use to remain with the allocated supply, including special events.</td>
<td>12.c.1</td>
<td>Before increasing occupancy above 315 people</td>
</tr>
</tbody>
</table>
4) LEFT TURN LANE
The project sponsor has submitted an e-mail and a graphic (Attachment 2) describing the physical and environmental constraints that were considered when evaluating a possible left turn lane exiting the project site onto Sir Francis Drake Boulevard (SFD). The information provided indicates that SFD would need to be widened to create an acceleration lane or "turn pocket" for vehicles exiting the project site and turning left onto SFD. The applicant represents such a widening would either infringe on wetlands located north of SFD or require a taking of neighboring property and construction of a fill embankment in order to support road widening to the south of SFD.

The ISMND for this project did not include analysis of a road widening in order to create a turn pocket, but it did evaluate road widening to accommodate a deceleration lane on the north side of SFD (DISMND p. 159). The analysis of a deceleration lane confirms that there are wetlands located north of SFD that could potentially be impacted by road widening. The ISMND found that these potential impacts could be reduced to a less than significant level by creating replacement habitat at a 2:1 ratio as required by MM 7.b.3.

The ISMND did not evaluate the potential impacts of widening SFD to the south. Because the graphic submitted by the applicant does not label the SFD Right-of-Way, it is not possible to confirm or deny that such widening would result in a property taking. The topographic information contained in the graphic, however, does indicate that there is a substantial grade separation between the road surface and land located south of SFD. This grade separation would require substantial fill and possibly construction of a retaining wall in order to accommodate a road widening. Because the ISMND did not evaluate the potential impacts associated with a road widening to the south of SFD, there would need to be supplemental analysis of traffic, air quality, noise, cultural resources and biological resources associated with construction activity and post-construction conditions.

Should the Commission want to require construction of a left turn exit from the project site, the applicant at their own expense would need to develop more detailed plans and additional technological reports to describe and address the issues identified above. Analysis of these plans and reports may result in new information or potential impacts that would need to be evaluated pursuant to CEQA, and may result in the need to recirculate the environmental document for public and agency review.

CONCLUSION
Based on the information provided in this memorandum and in the attached response to comments, PMC has evaluated the comments related to environmental issues that were submitted after the public comment period closed, and has proposed minor modifications to mitigation measures MM 1.a.2, 6.a, 6.c, 6.d, 6.e, 11.a.2, 11.a.3, 11.a.4, 11.b.1, 12.c.1, and 12.d.1. The revised mitigation measures are shown with revision marks in the Mitigation Monitoring and Reporting Program contained in Attachment 3. The recommended mitigation modifications have no effect on the significance conclusions contained in the ISMND. Pursuant to CEQA Guidelines Section 15074.1(a), prior to approving the project, the lead agency may conclude that certain mitigation measures identified in the MND are infeasible or otherwise undesirable. Prior to approving the project, the lead agency may delete mitigation
measures and substitute for them other measures which the lead agency determines that the
modified measures are equivalent or more effective in mitigating or avoiding the potential
significant effects and that in itself will not cause any potentially significant effect on the
environment. The recommended modifications are insignificant and merely clarify the
relationship between mitigation plans and programs.

No new information has been submitted that substantively changes the findings or conclusions
in the IS/MND. Pursuant to CEQA Guidelines Section 15073.5(c)(1), there is no need to
recirculate the environmental document because the revised mitigation measures are simply
replaced with equal or more effective measures.

A Supplemental Response to Comments and Revised Mitigation Monitoring and Reporting
Program are provided in separate attachments.
INTRODUCTION

The County of Marin, serving as the lead agency, prepared the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) to provide the interested public and responsible and trustee agencies with information about the potential environmental effects of the proposed Spirit Rock Meditation Center – Master Plan Amendment Project (Project).

As set forth in the provisions of CEQA and implementing regulations, public agencies are charged with the duty to consider the environmental impacts of proposed development and to minimize these impacts where feasible.

This Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) has been prepared in accordance with the California Environmental Quality Act (CEQA) and is comprised of the Draft Initial Study/Mitigated Negative Declaration, the response to comments, a project errata, and the Mitigation Monitoring and Reporting Program (MMRP). The Draft IS/MND is intended to evaluate the environmental impacts of the proposed project as required by law and to be used to modify, approve, or deny approval of the proposed project based on the analysis in the environmental documents.

The Draft IS/MND was released for public and agency review on September 27, 2010 and the 30-day review and comment period ran through October 26, 2010. According to the State Clearinghouse, no State agency commented on the proposed project. Three comment letters were received during the public and agency comment period. Following the close of the public comment period, the Marin County Planning Commission held a public hearing on February 14 and 28, 2011. Prior to and during the public hearings, additional letters of comment were submitted for Commission consideration.

Edits were made to clarify text. Nothing in the content of comments or the responses to comments triggered the need to recirculate the Draft IS/MND, nor is the preparation of an Environmental Impact Report necessary.

- According to CEQA Guidelines 15073.5, recirculation of a Draft IS/MND is not required when:
  - mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1,
  - new project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects,
  - measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect, and
  - New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

The Supplemental Response contains a copy of the comments and responses to those comments. The Supplemental Response also contains an Errata with revisions to the Draft IS/MND that are a result of responses to comments. The Supplemental Response additionally contains a Mitigation, Monitoring, and Reporting Program (MMRP) that reflects the errata. An MMRP is
required for the proposed project because the Draft IS/MND identified potentially significant impacts of the proposed project and measures were identified to mitigate those impacts to less than significant.

SUPPLEMENTAL RESPONSES TO COMMENTS

This section includes responses to comments submitted following the close of public hearing. Where there are text edits to the Draft IS/MND that result from responding to comments, those changes are identified in the response and demarcated with revision marks (underline for new text, strike-out for deleted text) for easy reference.
Stratton, Debra

From: Tejidian, Jeremy
Sent: Monday, February 14, 2011 9:28 AM
To: Stratton, Debra
Subject: FW: Spirit Rock - Planning Commission 2/14/11

From: yanie chaumette (mailto:ychaumette@sbcglobal.net)
Sent: Friday, February 11, 2011 10:03 AM
To: Tejidian, Jeremy (mailto:tejidian@spiritrock.org)
Subject: Spirit Rock - Planning Commission 2/14/11

Greetings-

I submit this letter of SUPPORT for this project in lieu of my personal testimony at the Planning Commission hearing on 2/14/11.

The proposed meditation hall is a permanent structure that will replace crumbling trailers and temporary buildings. Under consideration are the greenest and most progressive building plans. Clearly, this project is a vast improvement on the structures that are currently on the property. Your approval of this project will enable the Meditation Center to operate more efficiently. Thank you for your consideration of my views.

Yanie Chaumette

2/14/2011
Response: The comment is noted for the consideration of the decision makers.
Feb. 14, 2011

To: Marin County Planning Commission
From: Paul Berensmeier, Forest Knolls
Re: Spirit Rock Meditation Center – Master Plan Amendment
Draft Initial Study/Mitigated Negative Doc

Dear Planning Commissioners,

I am Paul Berensmeier, Valley resident for 46 years. I have three concerns:
1) Baseline numbers;
2) RPP; and

The Initial Study states, "315 people are currently allowed on a daily basis." This is a mistake. Ordinance #2981 says "315 persons on-site peak capacity." "Peak capacity" was intended to occur rarely. Ordinance #2981 says "Daytime retreats may overlap with overnight retreats not more than 4 times a year, and evening classes may overlap 27 times a year. There are only 31 days a year where overlap occurs, only 8%. So 92% of the year attendance was intended to be 190. This dramatically changes the increase of proposed attendance from 25% to 41%.

The RPP sets no limit on attendance. If the County releases control, the Valley would be faced with an organization with "unrestricted" potential for growth. Historically, Spirit Rock repeatedly exceeds ordinance #2981 maximum levels. The Initial Study says future attendance of 1,600 attendees at a single event is "reasonably foreseeable." That's 1000% over the 150 limit! The ramifications of the RPP, its governance, and its future impact on the land and Valley community need to be looked at carefully.

The applicant contends the Religious Land Act protects religious institutions from "unduly burdensome or discriminatory governmental land use regulations." The County has bent over backwards to accommodate Spirit Rock. There are no grounds for "unduly burdensome or discriminatory regulations." What worries me is the Act can be used by the institution to waive any kind of County control in order to become "unrestricted" and get bigger and bigger. I've heard Spirit Rock has good intentions. I think the County should question that because they're already playing the Religious Act card, have had 7 events of 750+ attendance, and repeatedly exceed the 150 max. Their track record is not trustworthy.

Lastly, based on the Master Plan and what they told the Planning Group, Spirit Rock was never intended to have such populations. I'm asking the Commission to look at the overall picture: what was originally proposed, what is before us now, and what this "25-year trend" will likely present the Valley community in 2028, the proposed completion date.
Response: The Draft IS/MND repeatedly identifies that the 315 number represents peak capacity allowed as approved on the project site. Specifically, the Draft IS/MND states on pages 25, 50, and 56 that the 1988 approved Master Plan capped maximum total onsite occupancy peak capacity at 315 persons per 24 hours. Furthermore, the Draft IS/MND discusses the proposed increase in occupancy and use of the site in Sections IV.C. and IV.D. (County governmental) regulation of religious use attendance would be replaced by a “Special Event Management Program” (SEMP). As stated on page 58 of the Draft IS/MND, when discussing maximum population numbers, it is assumed that potential impacts (e.g., wastewater disposal, water demand, traffic, parking, and emergency services) would be mitigated to a less than significant level through the required SEMP. Where applicable, the Draft IS/MND requires the project sponsor to either successfully manage project operations and events to avoid impacts, or to limit on-site populations. The SEMP will require modifications to project operations in order to adhere to quantifiable criteria established through the environmental review and analysis for mitigation. As such, the Draft IS/MND concludes that all project operational impacts would be reduced to a less than significant level through implementation of mitigation measures.

While the commenter’s opposition to the proposed project is noted for the consideration of the decision makers, the commenter does not identify issues or information that change the determinations regarding environmental impacts contained in the IS/MND.
Feb. 14, 2011
To: Marin County Planning Commission
From: Dan McKenna, Forest Knolls, Member of the SCV Planning Group
Read by Tina Whyte, Forest Knolls
Re: Comments for Spirit Rock Resource Protection Plan (RPP)

We have a concern related to water quality monitoring. Under Table 8, Nitrogen and Nitrate levels are recommended to be tested in effluent on a monthly basis, we recommend that they also be tested prior to and after large events in order to determine stress on the system.

Page 34 states that incentives are currently in place to encourage carpooling. Documentation should be included as an addendum supporting this assertion. It also states that events will be scheduled for off-peak traffic times. The project sponsor should add that events that are not scheduled during off-peak hours be subject to approval by the County Traffic Engineer.

The traffic plan component also calls for increased use of bicycles and walking to SR. A specific fund by the project sponsor should be created to improve pedestrian and bicycle routes in the Valley.

Page 35 makes an attempt to point to specific actions that apply to Developed lands and as allowed by MALTCOS on undeveloped lands. The following comments apply to those alleged activities:

Section 1.b. Erosion control. Sites are not listed and significant erosion observed in Winter 2011 without any signs of mitigation projects.
Section 1.d. Soils are prevalent throughout the property and the RPP states that management practices are in place, but it does not list practices that have been employed.
Section 1.e. Observations riparian plantings are very limited. Sites that have been replanted should be listed and mapped.
Section 2.b. Arborist report should be included as an addendum.
Section 3.c. Beyond the horse paddock area, what areas have been grazed?
Section 6.a. Limited plantings have been observed during 2010 site visits in the Teacher/Staff Village area.

The Stream Habitat Plan calls for the removal of sediment in a newly constructed sedimentation basin, as well as 3 check dams. Plans that indicate adequate staff for these activities should be created with a dedicated funding line in the SR annual budget.
Response: Comment noted. All of the comments in this letter address the content of the Resource Protection Plan (RPP) that was prepared by the project sponsor and submitted as part of their application materials. While the application information was used to evaluate the project, the site information and technical reports prepared for the Master Plan Amendment application were also subject to peer review by independent consultants who contributed to preparation of the Draft SSMND. Specifically, the ISMND analysis of the identified issues can be found in the following sections: sewage disposal (§X.12 Utilities and Service Systems, p. 178); traffic (§X.6 Transportation/Circulation, p. 130); erosion control and water quality (§X.4 Water, p. 102); and stream habitat (§§X.4 Water, and X.7 Biological Resources, p. 102 and 138). As described in the above referenced sections, the independent peer review concluded that mitigation measures were warranted to address potential impacts to the identified resources.
February 14, 2011

San Geronimo Valley Planning Group
Eric Morey
PO Box 322
Woodacre CA 94973-0322

Comments on Spirit Rock Master Plan Amendments

Northstar Engineering letter, dated March 18, 2010, Per Questa, project will require a substantial upgrade to the “septic tanks”. Waste Discharge Requirements (WDR) will need to be updated and whole system reviewed and approved by SFBWQCB.

“The proposed waste water system has the ability to impact surface and groundwater”, the site has “perched groundwater” which is a concern for the dispersal component of the proposed system. The proposed intercept drains may increase turbidity in the receiving water of the outfalls.

Dispersal Area A has the potential to “daylight” water along the driveway from the groundwater dispersal drains.

Required disinfaction may have an impact on the shallow groundwater.

Page 4, 1988 MP, has a wet weather groundwater level determination and mounding study been done? Have the potential landslides on the central field been addressed or impacts of leachfield on slope stability? Has the monitoring been done? Will the leachfields accommodate all aspects of the project?

Additional study to demonstrate septic capacity is recommended for full Master Plan buildout, with groundwater testing and soil stability analysis.

Section 4, 1988 MP (Page A309). The treatment and disposal concepts have historically represented operational difficulties under similar conditions and circumstances as found at the Spirit Rock site.

Page 191, “the project has the potential to result in potentially significant impacts should activities exceed capacity and result in failure of the septic system.”

Page 186, “The proposed changes would increase peak flow capacity to 11,400 gallons per day.”

Page 150, When more water and nutrients are available to plants, invasive species are more readily able to exploit those resources and outcompete natives.

Native grassland communities on the project site are likely to be negatively impacted by both the installation and operation of the proposed wastewater drip dispersal field. To install the drip lines, the areas would be plowed. Individuals of native perennial species, including the purple needlegrass dominant in native grassland in the project area, at this site, are not likely to survive the soil disturbance of plowing.

Further, natural regeneration of natives after installation is complete is likely to be hindered by the addition of relatively nutrient-rich water throughout the year. Nonnative
annual grasses and forbs are likely to establish in their place, resulting in a loss of native diversity and abundance. The total acreage of native grassland that would be directly affected by the wastewater disposal system is approximately 1.66–1.91 acres.

Page 114, On-Site Sewage Disposal, the project proposes installation of new on-site wastewater treatment and greywater systems with expanded leachfield areas that could have a potentially significant impact on groundwater quality. In addition, the long-term effects of land application of greywater on groundwater quality are not well understood. Any activity that generates demand that exceeds the treatment capacity of the system would result in inadequate treatment of wastewater pollutants and would result in potentially significant impacts to groundwater quality.

Page 103, Based on the site profile, groundwater appears to be seasonally perched on top of the lower, less permeable soil horizons at approximately 42 inches bgs near the front entrance and approximately 30 inches bgs in the area upgradient of the proposed Meeting Hall.

Page 102, The 1988 CEQA Document considered Hydrologic and Watershed Factors (Section C) and found that the proposed project would have potentially significant impacts on the environment as it related to wastewater disposal and protection of watershed resources.

Page 92, The project sponsor estimates that the Master Plan Amendment would provide accommodations for approximately 195 overnight visitors, 321 daily visitors, and 1,600 special event attendees.

Page 42, Quota states that one concern to be aware of is that the buffer area between the site of the new administration building and the leachfield is a very sensitive area, which is important to the operation of the leachfield. The treated water dispersed by the shallow leachfield migrates laterally through this area in the shallow topsoil.

Page 2 of 1988 Master Plan says that "repart proposal introduces an average of 50 to 80 people and vehicles on site during high fire months."

Page 10, "Traffic generated by the site will incrementally increase demand for road maintenance."

Workshops should also be prohibited on Saturdays from 1 to 7 PM.
No left turn out of SRMC is not working. Increases traffic through Woodacre, sends people down an unfamiliar road, encourages illegal u-turns. People turn left out of the golf course without any problem.

Carpooling program does not seem to be working.

Woodacre is being used as an overflow parking lot by SRMC patrons.

Traffic study compared SRMC to a "residential alternative of 20 houses" on the same property, but a housing project would never move hundreds of people leaving at the same time.

Most people who attend classes at SRMC come from over the hill. This is not a sustainable design and it would be best if they held their classes at a satellite edifice.

County feels that carpooling data for GTG traffic report is too low. They use 3 people per car for retreats and 1.5 people per car for classes. Suggests people use Nicasio Valley Rd to Loomis Valley Rd for returning to 101.

Recommends that SRMC modify the operational schedule so that those who do not exit the project in significant numbers during weekends.

SFD is operating at near capacity during PM hours.

Traffic safety issues should be further investigated, and that public transit should be increased. Better signage.

Peak Traffic, Page 2 (A362). Weekdays: 245 vehicle trips currently, 312 projected. 564 trips on Mondays, 120 at night, increasing to 369. 230 daily trips on weekends, increasing to 204. If 1000 people show up that is 143 daily trips (including carpooling).

Vehicle trips on Railroad on Monday nights would increase from 169 to 195 vehicles.

"Compared to traffic levels that would be anticipated under 1983 Master Plan Approval conditions, the project would result in about 171 additional weekday (non-Monday) vehicle trips, or a 121% increase." Page 3

On Mondays when there are night classes, the project would result in about 281 additional nightly trips compared to 1983 Master Plan Approval conditions, or a 120% increase. The project would result in about 161 more trips on weekends compared to 1988 Master Plan Approval conditions, or a 120% increase.

According to the 1981 Master Plan Approval conditions, the maximum number of people allowed on-site during an Open House or Special Event is 150 people. This would be equivalent to about 107 vehicles if all trips were by vehicle, including carpooling (i.e., no buses, shuttles, or walking and bicycling). The project would
generate about 1,143 vehicle trips, an increase of about 1,036 vehicle trips, or a 968% increase. The July 2008 report did not include level of service analysis for intersections or include an on-site parking analysis during open houses or special events at Spirit Rock. It is recommended that a detailed Transportation Management Plan is required as a mitigation measure and that the plan include program descriptions, incentives, and metrics. See below for more information.

Harrison Transportation Planning, page 5 (10-8, A381), highest peak hour trip generation occurred on a Monday at 9 PM with 184 cars in the driveway, and 9 AM on a Saturday with 62 cars in the driveway.

Page 159, it is also possible that implementation of the deceleration lane mitigation measure could result in wetland disturbance or the loss of wetlands, a potentially significant impact, from construction activity.

Page 135, "operations and functions at the project site are expected to support populations that would generate a maximum demand for 586 parking spaces throughout the day if all residents, visitors and staff were on site at the same time as the Monday evening class."

It is possible that the project could result in parking capacity on-site or off-site during large classes or special events that generate an on-site population of more than 382 people, a potentially significant impact. Implementation of mitigation measure 6.6 will ensure that the project has a less than significant impact on parking.

Page 132, Special events are likely to attract visitors who are unfamiliar with the project site, parking arrangements, and circulation requirements; the exit route for eastbound traffic on Sir Francis Drake Boulevard. This lack of familiarity could result in drivers attempting to make traffic movements that are unsafe or that cause circulation delays. By implementing mitigation measure MM 6.6 to improve traffic directional signs and wayfinding, this potentially significant impact could be reduced to a less than significant level.

Page 131, Monday night classes typically require about 202 parking spaces.

After traffic lets out following Monday night classes, the volume of vehicles turning left from Sir Francis Drake to Railroad Avenue increases and the left-turn functions at LOS E, (eight on the border of LOS E, which is unacceptable).

Page 123, The project would add new traffic trips that would lead to increased emissions of air pollutants.
Mitigation, Monitoring and Reporting Program

(page 65) Agricultural easements over upland areas plus the meadow area near Sir Francis Drake Boulevard should be used to ensure continued agricultural use of the most agricultural acreage on the property.

Page 58. This maximum attendance would represent an increase of 1,450 persons over the 150-person baseline that is currently permitted for special events attendance.

Page 49. Column 4 "Master Plan Amendment" of Chart A indicates the Master Plan Amendment proposes a peak daily use (attendance) of 721 and an average daily use on site of 348.

For purposes of this Initial Study analysis, it is assumed the maximum persons per day to be present on the site could increase by 476 persons over the 315 persons baseline (both primary and alternate baseline) population, for a total peak of 791 persons occupying the site daily if the proposed Master Plan Amendment is approved (refer to Table 5).

The proposed Master Plan Amendment does not propose a maximum daily occupancy nor restrict daily occupancy of the site. The additional projected 476-person figure is derived from the numbers calculated in the application design for the proposed on-site wastewater system (engineers typically base design on conservative projections for maximum number of persons for carrying capacity of the system) and the related application study considerations for protection of water quality, health, and traffic control.

Page 46. Because standards and monitoring methods have not been established, it is not determined how the RPP will affect or regulate occupancy and attendance for daily use and activities, special events, or large events.

Page 45. "Resource Protection Plan" (RPP) to control land use, although the RPP does not identify specifically how land use occupancy would be controlled or provide any set limit to the number of persons attending during daily operations or events. The RPP is intended to establish clear and quantifiable criteria for water quality, traffic levels of service (LOS), and preservation of sensitive habitats, although specific set standards and criteria are not set out in the Plan itself.

Page 29, the County determined that the overall square footage authorized by the 1988 Master Plan could not be exceeded and in the future, any submitted Precise Development Plan and/or Building permits for future construction must reflect a reduction in the overall square footage of development at SRMC in compliance with the square footage allowed by the 1988 Master Plan.

Therefore, the required reduction in the size of future phases of construction at SRMC remained at 975 square feet.

Page 25. Allowance for open houses, but with limitation to a maximum of 100 vehicle trips at site.
Page 13. Based on the approved 1988 Spirit Rock Master Plan limits for open house/special events, the established baseline is a maximum attendance of 150 persons per event and 6 events per year. This is also a reasonable estimate of current use based on information provided by the applicant (while actual use may be higher, the County will not give "credit" for unauthorized use).

Table 1. The net change includes 791 persons for future daily activities within the 315 persons currently permitted. Open house events for up to 150 persons per event have been previously permitted. 1,600 persons for special events have occurred in the past and are reasonably projected in the future.
CHART D. SPIRIT ROCK CENTER PERSONS ON THE LAND PER DAY 2006-2008 STATISTICAL PATTERN
Table 11
Impact of the Project on Existing Level of Service (LOS)
Intersection of Railroad Avenue with Sir Francis Drake Boulevard
Following a Major Monday Night Chase at Spirit Rock Center

<table>
<thead>
<tr>
<th>Intersection / Turning Movement</th>
<th>LOS Delay (Existing)</th>
<th>LOS Delay (Project)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railroad Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northbound Left Turn</td>
<td>D 22.0</td>
<td>D 22.0</td>
</tr>
<tr>
<td>Right Turn</td>
<td>A 3.0</td>
<td>A 5.0</td>
</tr>
<tr>
<td>Sir Francis Drake Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Westbound Left</td>
<td>A 8.5</td>
<td>A 8.5</td>
</tr>
<tr>
<td>Westbound Left Turn Queue</td>
<td>1.16 veh.</td>
<td>1.37 veh.</td>
</tr>
<tr>
<td>Design Length</td>
<td>2 vehicles</td>
<td>2 vehicles</td>
</tr>
</tbody>
</table>

Because through traffic volume on Drake is lower in the late evening (9:00 p.m. to 10:00 p.m.), the project's Monday night trip generation would not adversely impact LOS at Railroad Avenue. All movements would operate at LOS D or better. The required westbound left turn queue storage length would continue to be no more than two vehicles. The available westbound left turn storage at the intersection is 75 feet or space for three vehicles.

Project Impact on Cumulative LOS: The cumulative analysis is based on the projects now under review by the Marin County Community Development Agency and on an estimate of potential residential infill. Two projects in west Marin that are accessed via Sir Francis Drake Boulevard are under review by the County. These are the Great building in Pt. Reyes Station and the Harriman Lodge in Glen. Many of the trips generated by these projects would remain in west Marin and would not impact the roadways near the project site. However, in order not to underestimate the impact of these projects on Drake near the Spirit Rock Center, 75% of the Harriman Lodge potential trip generation and 50% of the Great building trips are assumed to use Sir Francis Drake Boulevard past the project site.

In addition to the two projects described above, it is assumed that up to 50 residential dwelling units would be developed in the San Geronimo Valley and areas to the west. Most, 95%, of these trips are assumed to use Drake near the project site. The trips that would be generated by the cumulative projects are shown in Table 12.

Robert L. Harris, Transportation Planning
July 2007

LO-19
Spirit Rock Meditation Center Transportation Study

Existing Traffic Operations

The operation of the public road intersections near the Spirit Rock Center, Sir Francis Drake Boulevard at Railroad Avenue and at San Geronimo Valley Drive, was studied for Level of Service (LOS) in the late afternoon peak traffic hour on both weekday days and on week days. The Spirit Rock Center driveway intersection with Drake was counted both at late afternoon on a Sunday and at the start of a major Moody night event at the Center.

Description of Level of Service (LOS). The quality of traffic movement is reported in terms of LOS ranging from a letter grade of A to a grade of F. A LOS A an intersection experiences little or no congestion while LOS E and F indicate long and unacceptable delays for drivers. LOS is measured in terms of average stopped delay per vehicle for a fixed study period. LOS D is set by Marin County as an indication of the maximum acceptable delay.

A description of LOS is given in Table 3. A summary of LOS for each intersection studied is shown in Table 4. The calculation of LOS is provided in the Appendix to this report.

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>Description</th>
<th>Seconds</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Little or no delay.</td>
<td>&lt;10</td>
</tr>
<tr>
<td>B</td>
<td>Short traffic delay.</td>
<td>10-20</td>
</tr>
<tr>
<td>C</td>
<td>Average traffic delay.</td>
<td>20-25</td>
</tr>
<tr>
<td>D</td>
<td>Longer but acceptable traffic delay.</td>
<td>25-35</td>
</tr>
<tr>
<td>E</td>
<td>Very long unacceptable traffic delay.</td>
<td>&gt;35-50</td>
</tr>
<tr>
<td>F</td>
<td>Excessive traffic delay.</td>
<td>&gt;50</td>
</tr>
</tbody>
</table>

*Average control delay per vehicle.

Table 3

Sir Francis Drake Boulevard at Railroad Avenue. The existing LOS in both the weekday and weekend day afternoon peak hour at the intersection of Drake with Railroad Avenue is level C for the northbound left turn, level B for the northbound right turn and level A for the westbound left turn. The existing operation of the intersection meets the County's LOS standard.

Sir Francis Drake Boulevard at San Geronimo Valley Drive. The existing peak hour LOS at the San Geronimo Valley Drive intersection is LOS B or better for all turning movements. Again, the existing operation of this intersection meets the County's LOS standard.

Robert L. Harrison Transportation Planning

July 2007

10-10
Response (Re: North Star Engineering Letter dated March 18, 2010): Hydrology and water quality impacts associated with the proposed project are addressed on pages 110 through 122 of the Draft IS/MND. As discussed on page 115 of the Draft IS/MND, issuance of Waste Discharge Requirements (WDRs) is the primary mechanism used by the San Francisco Regional Water Quality Control Board (DFRWQCB) to mitigate water quality impacts from on-site wastewater treatment systems. Page 115 of the Draft IS/MND also notes that the project would comply with the new WDRs, which, according to the North Star Engineering letter (March 18, 2010) referenced by the commenter, would “provide the SFRWQCB an opportunity to review the system and revise the WDR to mitigate water quality and public health concerns” and would “serve as a means to mitigate for potential discharge of pollutants to surface or groundwater systems.” Furthermore, mitigation measure MM 12.d.1 requires the project sponsor to develop a Waste Water Management Program (WWMP), components of which will be incorporated into the SEMP and the Resource Protection Plan for the project site. The SEMP and the RPP and all their component plans were developed before the population on site is allowed to increase and at the time the project applicant submits their next Precise Development Plan application, and is not required to be drafted as part of the environmental review of the project. The WWMP will establish operational controls to ensure that activity at the site will not generate demand for sewage disposal in excess of the capacity. The County would have to approve and monitor the WWMP.

Response (Re: Page 4 of 1988 MP): Based on review of County records, the 1988 mitigation measures requiring detailed testing and system design as part of the subsequent Development Plan have been implemented. Implementation of the mitigation measures included groundwater testing of the southeast field and groundwater testing/stability analysis for the central field (page 115 of the Draft IS/MND). The Draft IS/MND includes substitute mitigation measures (MM 12.c.1 and MM 12.d.1) to continue addressing watershed management and septic system design issues.

Response (Re: Section 4, page A309 of 1988 MP): The comment correctly indicates that the Draft IS/MND acknowledges on page 190 that the project has the potential to result in potentially significant impacts should activities exceed capacity and result in failure of the septic system. In recognition of this potential, the project sponsor has proposed creating a Resource Protection Plan (RPP) to ensure proper functioning of the on-site sewage disposal system under all conditions. As discussed above, mitigation Measure MM 12.d.1 requires the project sponsor to develop a Waste Water Management Plan, which will establish operational controls to ensure that demand for sewage disposal does not exceed system capacity or violate the Waste Discharge Requirements.

Response (Re: Page 190 and 186 of the Draft IS/MND): The commenter cites two sentences from the Draft IS/MND. No comments on the citation are provided. Both citations pertain to the project’s potential impacts associated with sewer or septic tanks. The Draft IS/MND discusses these impacts on pages 190 and 191 and finds that incorporation of mitigation measure MM 12.d.1 would reduce impacts to a less than significant level by requiring the project sponsor to submit a Wastewater Management Program (WWMP) to demonstrate that special events would not exceed system capacity or violate Waste Discharge Requirements.

Response (Re: Page 150 of the Draft IS/MND): The commenter cites several sentences from pages 150 and 151 of the Draft IS/MND. No comments on the citations are provided. The citations pertain to the project’s potential impacts associated with biological resources. The Draft IS/MND discusses these impacts on pages 138 through 165 and finds that the project, as mitigated, would result in less than significant impacts on biological resources when analyzed under both the Primary and Alternate Baseline conditions.
Response (Re: Page 114 of the Draft IS/MND): The commenter cites several sentences from pages 114 and 115 of the Draft IS/MND. No comments on the citations are provided. The citations pertain to potential water quality impacts resulting from the on-site wastewater system. The Draft IS/MND discusses these impacts on pages 114 and 115 and finds that compliance with the revised WDRs issued by the SFRWQCB and implementation of mitigation measures MM 12.d.1 would reduce groundwater quality impacts associated with operation of the on-site wastewater treatment system to a less than significant level. In addition, page 102 of the Draft IS/MND notes that mitigation measures (MM 12.c.1 and MM 12.d.1) would continue addressing watershed management and septic system design issues in place of mitigation measures required by the 1988 IS/MND.

Response (Re: Pages 102 and 103 of the Draft IS/MND): The commenter cites several sentences from pages 102 and 103 of the Draft IS/MND. No comments on the citations are provided. The citations pertain to potential water quality impacts resulting from the on-site wastewater system. The Draft IS/MND discusses these impacts on pages 114 and 115 and finds that compliance with the revised WDRs issued by the SFRWQCB and implementation of mitigation measure MM 12.d.1 would reduce groundwater quality impacts associated with operation of the on-site wastewater treatment system to a less than significant level. In addition, page 102 of the Draft IS/MND notes that mitigation measures (MM 12.c.1 and MM 12.d.1) would require the project sponsor to prepare a Water Management Plan and a Wastewater Management Program to ensure that use of the property does not exceed available water supply limits or sewage treatment capacity. These mitigation measures will address watershed management and septic system design issues in place of mitigation measures required by the 1988 IS/MND.

Response (Re: Page 92 of the Draft IS/MND): The commenter cites visitor accommodations on the project site after implementation of the project as found on page 92 of the Draft IS/MND. No comments on the citation are provided. Potential impacts resulting from population growth, displacement of affordable housing are discussed on pages 90 through 93 of the Draft IS/MND. These impacts are found to be less than significant when analyzed under both the Primary and Alternate Baseline conditions.

Response (Re: Page 42 of Draft IS/MND): As discussed on page 115 of the Draft IS/MND, sewage flows from the new wastewater treatment system would discharge to an Advantex textile filter prior to discharge to the leachfields. The Advantex filter would remove additional biodegradable organics, suspended solids, and nitrogen. A submerged gravel constructed wetland would be used to treat the greywater (via subsurface flow) prior to discharge to a dispersal field. The analysis in the Onsite Wastewater Facilities Report projects that nitrate concentrations in groundwater from the existing and proposed new septic and greywater systems would be below the 10 mg/L total nitrogen maximum contaminant level; therefore nitrate discharging from the on-site wastewater treatment systems would not adversely impair groundwater quality.

Response (Re: Page 2 of the 1988 MP): As discussed on pages 138 and 139 of the Draft IS/MND, to reduce fire hazard impacts to a less than significant level, the 1988 IS/MND imposed mitigation measures on the project, including implementing a grass and brush clearance program around all the buildings, requirements for fire-retardant roofing and landscaping, and requirements for sprinklers. Although these mitigation measures have been implemented, the California Building Code and the Marin County Code have been amended since 1988 to require fire sprinklers, brush clearance and fire retardant building materials (page 139 of the Draft IS/MND) for all new projects. As such, future improvements will be required, as part of the County's Building Permit process, to comply with the requirements of the California Building Code, and the 1988 mitigation measure are no longer necessary.
Response (Re: Transportation and Circulation): The commenter cites various portions of the Draft IS/MND, the Spirit Rock Transportation and Parking Review (Parish Associates Transportation Consulting, June 2010), and the 1988 IS/MND that pertain to transportation and circulation. The Draft IS/MND discusses transportation and circulation impacts on pages 130 through 137 and finds that implementation of mitigation measures MM.6.a through MM.6.e would establish property management practices and physical improvements (e.g., a Transportation Management Plan and the installation of a deceleration lane) to reduce potential transportation and circulation impacts to less than significant levels.

Response (Re: Page 65 of the Draft IS/MND): The commenter cites a mitigation measure imposed via the 1988 IS/MND requiring agricultural easements over upland areas plus the meadow area near Sir Francis Drake Boulevard. As stated on page 65 of the Draft IS/MND, the mitigation measure requiring recertification of agricultural easements has been satisfied and is no longer applicable to the proposed project.

Response (Re: Pages 13, 29, 45, 46, 49 and 58 of the Draft IS/MND): The commenter cites portions of the project description, CEQA compliance, approval history, and baseline discussion describing changes to the 1988 Master Plan resulting from the proposed project. No comments on the citations are provided. As the citations are copied directly from the Draft IS/MND and pertain to the background and description of the proposed project, no further response can be provided.

Response (Re: Chart D of the Draft IS/MND): The Draft IS/MND acknowledges that data provided by the applicant indicates past special event attendance has periodically ranged above this amount over the years, to a peak single event attendance of 1,600 persons (page 8 of the Draft IS/MND). As such, the Draft IS/MND analyzes the environmental impacts of a projected future maximum attendance of 1,600 attendees at a single event in one year. This projection is compared to 150 persons per event approved for open house/special events.

Response (Re: page 16 and 17 Spirit Rock Meditation Center Transportation Study): As discussed above, the Draft IS/MND discusses transportation and circulation impacts on pages 130 through 137 and finds that implementation of mitigation measures MM.6.a through MM.6.e would establish property management practices and physical improvements (e.g., a Transportation Management Plan and the installation of a deceleration lane) to reduce potential transportation and circulation impacts to less than significant levels.
The San Geronimo Valley Stewards are in favor of the proposed changes for Spirit Rock Meditation Center.

We've met with representatives from Spirit Rock for a tour of the facility and a review of their plans with members of SGV Stewards. Any questions or concerns that the Stewards raised or shared were addressed completely and satisfactorily by the representatives of Spirit Rock.

The Stewards believe that the Spirit Rock request is simple: Will Spirit Rock be allowed to be proactive while providing a plan smarter and more environmentally beneficial design than was approved by previous county officials over twenty years ago? If they are told NO, what will that say to our community, the San Geronimo Valley? It will tell us don't bother trying to be innovative, don't even bother trying to make smart decisions based on the latest concepts and technologies.

The Stewards are willing to assist the County and Spirit Rock Meditation Center in implementing the proposed design that will improve their property and will benefit the entire valley.

Over three years ago, Spirit Rock provided a plan to create an environmentally sound design to improve their land. The SPIA lawsuit blocked this well thought out plan. The Stewards ask that the Spirit Rock Meditation Center Master Plan be approved without delay.
Response: The comment is noted for the consideration of the decision makers.
Febr. 14, 2011
To: Marin County Planning Commission
From: Jean Berensmeier, SGV Planning Group Chair
Re: Spirit Rock Meditation Center – Master Plan Amendment
Draft Initial Study/Mitigated Negative Doc
Oral Presentation: Excerpted from the following letter

Dear Planning Commission,

In preparation for the meeting, Planning Group Steering Committee members attended the Planning Commission Tour, met with staff and one of our Steering Committee met with the consultants.

My following comments have nothing to do with the value or appropriateness of Buddhist teachings but has everything to do with the occupancy, usage and buildings we agree to in 1987/88, what the land and community has lived with for 20 years and includes comments on what Spirit Rock proposes for the future.

Spirit Rock Meditation Center (SRC) believes that their approved, vested plan from 16 years ago was supported in the 1988 ordinance and subsequent 1989 and 1991 Development Plan; and now they are anxious to "move on." They state that their Master Plan amendment will improve the environment and allow them to expand their program to meet their desires. We need to look at some history and facts... .

Here is what Insight Meditation West (now Spirit Rock) proposed in 1987. It was what the Planning Group supported and the County approved:

- 20 Staff (including teacher's) and 20 monks and nuns resident (in huts on site in the far west portion of the property)
- 150 participants in 6 retreats requiring overnight stays.
- 125 participants in 12 daylong retreats per year
- or 125 participants in a Monday evening class.

This results in a maximum 315 persons on-site peak capacity. (This 315 figure is not and never was a number that meant total people allowed daily. See attachment.)

I am the only PG Committee member still alive and living in the Valley when we supported there above request. Concerned about occupancy and possible expansion we were assured by the board liaison Jack Tseerdsma representing the founder Jack Kornfield and the board, that expansion of the Monday night class would go elsewhere (Fairfax pavilion for instance) and operation expansion would go probably to the east bay as an Insight Meditation East satellite.

The PG compared this proposal to the prospect of 20 houses that this zoning would allow. We would welcome twenty families (60 people) who lived in the community and shared our values but had concerns about construction and land...
Impacts. We decided that a small Buddhist retreat with occupancy and usage controls would have the least impact on the land and was in keeping with two major Community Plan goals: Preserving and enhancing the Valley environment and assuring that the type of impact would be consistent with maintaining the Valley’s rural character.

Instead, here’s what has transpired over the last 20 years. It has been no secret but no one in authority has prevented the excesses of use that began almost immediately. Deadlines for building removal were constantly extended at their request:

- 125 people in the Monday Night class is now more than double in size.
- Additional dozens of classes offered that we never agreed to. Requests for numbers is met with. “We have no records prior to 2006.” (Where were CDA and DPW on this?)
- The Open House limit of 150 has gone as high as 1600. (Where were CDA and DPW on this?)
- Required registration was never implemented.
- Open Houses designed for designated groups in specific geographic areas never happened.
- Spirit Rock requested that buildings be allowed in the SCA and the county agreed. A subsequent variance request put a building 13’ from a stream bank. As a result the bank has been abused by significant grading, infilling and impacts on the creek, wetlands and sensitive riparian habitat. Staff is now wrestling with fixing these regrettable impacts.
- In 1991, 3 temporary buildings were approved and built for a 3 year life. 20 years later after repeated extensions and exemptions they are still there. (Why continual exemptions?)
- The car pool program has been a disaster and is now window dressing. (Where was DPW?)
- Autos (for years) arrive with 1.4 riders in them. Attendees pay more if they don’t car pool.
- A 380 sq. ft. maintenance shed ended up over 1000 sq. ft. with offices on top. (Where was the building inspector?)
- In years past the smell of effluent has been complained about.
- The Hermitage with 2 monks and 2 nuns living in little huts never happened. (What ever happened to this community?)
- We still can’t figure out where the 70,000 sq. ft. for buildings came from.

The future:
If we read the negative doc correctly Spirit could have an unlimited number of occupants on the site and an unrestricted schedule of religious activities and events with an unrestricted number of attendees. The initial study estimates this will result in a peak increase of 475 people attending normal daily events, and a peak increase of 1,450 people attending large scale special events where 150 is allowed in the 1986 Master Plan. The study concludes that this will result in a maximum of 781 people during a typical period and a maximum of 1600 during large scale special events. These projected numbers to be controlled by a
vaguely defined Resource Protection Plan SR proposes and will monitor. The
figures used in these calculations are made from an erroneous assumption (see
attached). It is difficult to believe that a project can be approved and invested
when the figures the approvals are based on are wrong.

The PG does not support SR having an unlimited number of occupants, an
unrestricted schedule of religious activities and events or an unrestricted number
of attendances. We simply want the land protected with the fewest on it, as we
agreed. We are frustrated that our request for complete attendance records has
been met with the response, “We only have figures going back to 2005.” Only
limited traffic information is available. This makes it more difficult to detail the
effects and impacts on the land and the community.

Their desire to remove their buildings from the SCA is laudable but comes at a
price. SR wants the Open Space District to give them land for this purpose and
their future development. In exchange the District gets the land that has been
abused and will need to maintain and possibly restore it. This would be a serious
precendent.

After twenty years of unauthorized excess Spirit Rock Meditation Center has
become a religious and commercial success meeting the needs of the
community east of the Valley with very little participation from the Valley or West
Marin residents.

The Spirit Rock Master Plan Amendment violates everything the PG agreed to.
Therefore, it is difficult to find any merit in their proposal, but the essential fact
remains – SPIRIT ROCK BROKE THEIR PROMISE.
Response: The comments are noted for the decision-makers.

The projected peak occupancy figure assumed in the IS/MND is based on a reasonable assumption for environmental review of the maximum number of persons conservatively calculated to be served by the applicant's design for the on-site wastewater system and related provisions of the application for resource water quality, health protection, and projected traffic generation (page 50 of the IS/MND). As discussed above, based on the Master Plan Amendment proposal, (County governmental) regulation of religious use attendance would be replaced by a SEMP. The SEMP would be prepared to address potential impacts from the population maximums analyzed in the IS/MND and will be monitored by the Marin County Community Development Agency (page 46 of the IS/MND). Where applicable, the Draft IS/MND requires the project sponsor to either successfully manage project operations and events to avoid impacts, or to limit on-site populations.
Tejirian, Jeremy

From: Randy Greenberg (greenberg11@gmail.com)
Sent: Tuesday, February 15, 2011 8:56 AM
To: Tejirian, Jeremy
Cc: Laf, Thomas
Subject: Split Rock

Jeremy—

I write you in advance of the upcoming Split Rock hearing so that you can be prepared to address the following issues, which I will raise at that hearing. You may need to consult with the Open Space District.

The applicant is asserting a right to an unlimited number of attendees at an unlimited number of events. I am concerned that there are currently no provisions to limit the use of the site to the area of the DAB. While I assume that attendees are respectful of the environment, without specific and material limits on site use, I expect people will wander all over the hillside in search of peace and quiet, which may be difficult to find inside the DAB when there are 100's, sometimes 1,000's, in attendance. This scenario raises liability and environmental impact issues.

At the hearing you noted that the conservation easements mostly belong to the Open Space District and that they would have to craft an agreement with the applicant, if limits on people movement were considered appropriate.

I am requesting that, in advance of the next hearing, staff consult with the District about this issue. Given the potential population numbers, it seems to me that restrictions are in order and that they not only be oral or written suggestions to attendees to stay in a certain area, but that physical markers, indicating that people are not to go beyond a certain point are in order.

Thanks for your consideration.

Randy

Randy Greenberg
greenberg11@gmail.com
415-435-2769

2/15/2011
Response: Comment noted. Should the Open Space District Board want to include language in the open space agreements that limits activity and properly use outside of the Development Area Boundary (DA8), such language would not alter the determinations regarding environmental impacts contained in the IS/MND. Decisions regarding the Open Space easement are the exclusive purview of the Open Space District Board, and the Planning Commission has no authority over the boundaries of the Open Space easement.
February 17, 2011

79 Templar Place
Oakland, CA 94616
510-547-0757
rshankman@earthlink.net

Subject: Letter in Support of Spirit Rock Meditation Center Master Plan

Dear Sirs and Madams,

I am the co-founder of Mindful Schools and am very happy for the opportunity to write in support of Spirit Rock and their development plans. Here is a brief overview of what our organization does and the important role Spirit Rock has played in enabling us to offer our programs.

Since 2007 we have taught more than 10,000 children and 450 classroom teachers, primarily in low-income, inner city schools how to focus, manage their emotions, handle their stress, and resolve conflicts. Instead of simply telling children to do these things, we show children how — through direct experience.

We have also taught an additional 1200 adults nationwide and internationally, including several dozen in Marin, many of whom are delivering our training program in their local community schools.

Most of the Mindful Schools teachers, those whom we send into schools to deliver our training program, received a substantial amount of their training at Spirit Rock. In fact, if it were not for Spirit Rock and the programs they offer it is not clear to me where we could have found our pool of teachers.

Spirit Rock has been more than supportive of our activities; it has been crucial to our ability to offer our program.

Spirit Rock is a tremendous force for positive engagement in society, encouraging participants in its programs to become active in benefiting their community. I feel strongly that anything which supports Spirit Rock in its ability to continue and expand its rich array of programs is of great benefit to both the individuals who participate and the greater community.

Sincerely,

Richard Shankman
Response: The comment is noted for the consideration of the decision makers.
February 24, 2011

To: Marin County Planning Commission

Re: Spirit Rock Traffic

Dear Planning Commission Members,

At your February 14th meeting regarding the Spirit Rock Neg Dec I heard many of you note that no one from the local communities discussed the impact of the proposed amendments to the 1988 Master Plan.

As a longtime Woodacre resident I can assure you that our little community is very impacted by activities at Spirit Rock Meditation Center. When this project was originally approved we thought that it would be nothing more than a retreat center with a cap of 315 people daily, 196 days out of the year, not every day of the year. Instead, it is more like a college campus, with daily classes and events that attract hundreds of visitors, with 93% of attendees driving in from over the hill.

The biggest problem for Woodacre is the hundreds of attendees that go from mindfulness to mindlessness once they get back in their cars after an event or class. I have personally watched many of these people make illegal left turns from the Spirit Rock driveway or illegal U-turns from Railroad Avenue onto Sir Francis Drake Blvd. I have seen so many cars trying to make this illegal U-turn at the same time that they essentially block the intersection, preventing others from making a legal left turn onto Railroad Ave from SFD Blvd. I have complained to Spirit Rock about this in the past but eventually the problem returns.

The drivers that obey the laws are then routed through Woodacre in a seemingly endless parade of cars that make it almost impossible to complete a left turn from Railroad Ave onto SFD Blvd. Trying to leave the Woodacre post office driveway is also impossible until this traffic dies down. Woodacre should not be used as an exit route for Spirit Rock.

Carpooling to SR is also a joke. Attendees park their cars all over Woodacre, even taking up the parking at the post office, and then they carpool from Woodacre to Spirit Rock. Public transit southbound stops at 5 PM so that is not a solution, since many classes end at 9 PM on weekdays. During large events at SR, Woodacre becomes their overflow parking lot. During these same events, attended by over 1600 people, which is larger than the total population of Woodacre, you can stand at the top of White's Hill and see nothing but a sea of cars parked on the Spirit Rock open space. It looks more like the parking lot at a county fair than that of a meditation center with a cap of 315 people.

Add into all of this the traffic that makes illegal left turns into the nearby Creekside Equestrian Center and you are looking at a major accident waiting to happen. This Neg Dec also hints that it won’t be long until West Marin has their very first traffic light at
this intersection. The Neg Dec predicts that traffic at this intersection will be within a
microwave of "unacceptable", Level of Service (LOS) E.

Until the key issues raised above can be mitigated the Neg Dec is inadequate. Please do
not approve it. It is also inadequate unless the current population cap is required and
enforced.

Sending all of this traffic into our sleepy little valley is not sustainable, adds to the
carbon footprint and reduces air quality. Spirit Rock should remain as it was originally
intended, as a lightly used retreat center. All Spirit Rock classes and events should be
held at a satellite center closer to the freeway to reduce the traffic impact on us all.

Thank you for your time and consideration.

Sincerely,

Eric Morey
PO Box 322
Woodacre CA 94973-0322
415-488-0049
Response: The Draft IS/MND discusses transportation and circulation impacts on pages 130 through 137. Mitigation measure MM.6.a requires the applicant to operate the project site in a manner that will avoid traffic conflicts, preserves emergency vehicle access, and maintain intersection levels of service at or better than the County’s level of service “D” threshold. This mitigation measure will be implemented by submittal of a Transportation Management Plan (TMP) demonstrating compliance with operational objectives. Mitigation measure MM.6.a addresses drivers attempting to make traffic movements that are unsafe or that cause circulation delays (e.g., u-turns, illegal turns) by requiring the project to improve traffic directional signs and wayfinding. Mitigation measure MM.6.a requires a NO U TURN sign to be installed on westbound Sir Francis Drake at Railroad Avenue to further discourage motorists from making U-turns and provide information to guests and visitors to alert them of the "advised exit route". In addition, MM.6.a specifically includes measures to reduce potential confusion and wrong turns on Woodacre Streets by Spirit Rock drivers. All of these mitigation measures will be monitored to ensure that the project is responsive to future potential impacts to traffic and circulation.
February 22, 2011
To: Marin County Planning Commission
From: SGV Planning Group Steering Committee - Joan Bernzmoeller, chair
Re: Spirit Rock Meditation Center - Master Plan Amendment
Draft Initial Study/Mitigated Negative Decl

Dear Commissioners,

At the conclusion of the Planning Commission hearing of February 14, 2011, Commissioner Wade Helfand stated that the community had not communicated the impact of Spirit Rock's presence in the San Geronimo Valley. This letter addresses that issue and makes specific requests for action by the Commission.

The Planning Group was established to save the San Geronimo Valley from literally being paved over. Since 1972, we have fought to preserve the rural character of our valley. But for the introduction of Valley residents who formed the Planning Group, the San Geronimo Valley would look very much like the 101 corridor. As members of the Steering Committee of the Planning Group, we are charged with preserving our valley for generations to come, and it is in this spirit that we vigorously oppose both the proposed expanded physical development of Spirit Rock and any waiver of limits on attendance at the site.

The County's records reflect receipt of our November 2, 1987 letter in which we "remained overall supportive of the design concept, the type of use and the small footprint that the proposal would make on this sensitive viewshed in our valley." (Emphasis added).1 We expressed concern then that limits on the maximum number of persons on site be set at a low number.

At over 76,000 square feet of buildings alone, the footprint Spirit Rock proposes is no longer small. At the February 14, 2011 hearing, we asked the Planning Commission to direct staff to explain how Spirit Rock's proposed development grew to over 70,000 square feet of buildings and identify if and when Spirit Rock's rights to develop its property to over 70,000+ square feet of buildings was vested. We have been unable to trace the purported approval of what is for our valley an immense project. The 1988 Spirit Rock Center Master Plan Initial Study/Negative Declaration attached as Appendix A to the September 2010 Draft Initial Study/Mitigated Negative Declaration is devoid of any discussion of total square footage of buildings outside of the Stream Conservation Area. In light of the continued use, since 1991, and occupancy of "temporary" buildings beyond the period of time anticipated by the Freccia Development Plans, we question whether Spirit Rock's rights to build over 70,000 square feet of buildings have indeed been vested.

No Environmental Impact Report has ever been conducted for Spirit Rock's development. In light of the density of the development, cumulative site, and proximity to vital Streamside Conservation Areas, we question whether the proposed mitigations are sufficient. For example, there is no discussion of the effect of storm water runoff. During a year with average rainfall of

1 See Richard Gray's letter attached as Exhibit A

PC ATTACHMENT #3

Spirit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program

County of Marin
May 2011
45 inches, 350,000 square feet of roofing displaced 924 million gallons of water. How will this
run-off comply with the Salmon Enhancement Plan’s (SEP) goals, objectives and
recommended ones?

PLANNING GROUP PROPOSAL
We respect the Split Rock community. We are asking that they as keepers of the land and you as
advocates and protectors of the land take the time to go deeper into the following issues:

1. Limit attendance to 888 Master Plan. Ordinance 2881 stated that there would be a cap on
attendance and SR would have people register for Open House. The designated groups
would come in batches or car pools. We request that SR adhere to those limits and
requirements. A capacity attendance is the only way to ensure that impact on environment
& community (e.g., traffic and pedestrian safety) will be managed. Alternatively, cap
vehicular traffic to the 2008 study or require that a new traffic study be conducted upon special
event attendance of 1000 people be conducted, including alternatives for 2000 and 3200
people to allow for continued growth and future increases in attendance. In addition, the
traffic study should be expanded to include traffic impact along the railroad Avenue/San
Geronimo Valley Drive eastbound exit route. The traffic study should be presented to the
Commission prior to any further Commission deliberation.

2. Do not approve any buildings within the SCA, and utilize the SEP in order to determine if
impacts are truly being mitigated.

3. Detain how staff determined that 70,000 square feet was vested for building structure.

4. Require assessment of the environmental impact on native plants and endangered and
threatened species.

5. Require that septic capacity and any additional portable toilets match maximum allowed
septic capacity at key one event.

6. Require that the Resource Protection Plan be fully drafted prior to approval of a negative
declaration and that it identify how it will mitigate impact from large events and daily
activities.

CONCLUSION
We seek to protect our valley for generations to come — as do you members of the Commission.
Every living creature that depends upon the land that Split Rock proposes to excavate, and upon
which it seeks to build, lives. The habitat that Split Rock’s buildings will never again exist for the wild flora and fauna that depend on it. Our community exists of more than just
humans. We seek protection of all wildlife — plants, birds, and view sheds for future generations.

In consistently exceeding agreed on and required attendance levels and in proposing a total build
out of over 75,000 square feet of facilities on the Split Rock campus, Split Rock’s weight on the
land is significant and detrimental. This land was Nature Conservancy land. It was our first and
most precious open space preserve, Roy’s Redwoods. It is sacred to us. We request that you
postpone a decision until the six issues stated above are thoroughly vetted.

Sincerely,

Jean Bissonnette
SGV Planning Group Chair
SGV Planning Group Steering Committee

cc: CDA Partner, Jeremy Tajiri

County of Marin
May 2011

Split Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SAN GERONIMO VALLEY PLANNING GROUP
P.O. BOX 57, FERGUSON, CA 9263

November 2, 1987

Scott Hochstrasser
Marin County Planning Dept.
Civic Center
San Rafael, CA 94901

Res. IMW – Spirit Rock Property

Dear Scott,

The Planning Group has not had an opportunity to review this application at a general meeting. However, the steering committee offer the following comments.

When this proposal was first presented to us Dec. 3, 1986 IMW's plan was for a retreat center to accommodate over 150 participants. At the April 1987 presentation to the community at large the maximum loading of the property was increased to 375 people. The present proposal would allow a maximum of 215 people all of whom would be permanent residents.

Through these changes, as the proposal has evolved, the steering committee has remained overall supportive of the design concept, the type of use and the small footprint that the proposal would make on this sensitive viewshed in our valley. Our contacts to date with IMW have shown us their sincere desire to be good stewards of this land and good neighbors to the valley community.

Never the less we do have some concerns which we feel should be addressed by the Master Plan. The numbers to us seem too high. A limit should be set for the maximum number on site for retreats in particular we feel that the number of permanent residents should be reduced. We do not feel, given the projected use of the property, that 20 staff need to live on site. We are also resistant to the idea of establishing a hermitage on the site for this and other reasons.

Sincerely,

[Signature]

Spirit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program

County of Marin
May 2011
The hermitage in the location shown would be visible from both sides of the driveway. A fire safety plan would require setback from the trees which might screen the building(s). Use of the knoll would require setting the building(s) on a hillside or in a forest where a fire risk would be present. The hermitage is described as "not part of the forest service" (page 8) and "must be isolated geographically from the forest service facilities" (page 11). It would be occupied by a group other than INW. For all these reasons we feel that the hermitage should not be approved as part of the Master Plan.

A focused study of the traffic impacts of the proposal is required. This should address the traffic flow, any changes in the location of the access road from Sir Francis Drake Blvd. The safety of the current access to the property from the West. A careful analysis of the site plan showed that the proposed access road from Sir Francis Drake Blvd. to the West would increase the site line distance. Cars often travel beyond the speed limit on this stretch of highway. Mitigation measures should be recommended as part of this study.

Recent events suggest that a fire management plan would be advisable for the property including brush and grass cutting. Public use may create a fire risk. Are there mowed, cleared areas of brush and grass?

The ponds shown on the plan could be beneficial for fire protection. However, they will dry up or experience drying during the summer. Are they used for irrigation during the summer? Are they used for irrigation during the summer? The water source is to be used for irrigation during the winter? Are they used for irrigation during the winter? Are they used for irrigation during the winter?

Several aspects of the property are developed within riparian conservation zones. As we agree that the visual benefits of using these areas as opposed to more open areas are paramount, the limits of the ecoregions around the buildings shown which are to be developed should be defined. In some cases, stabilization of banks may be needed. Improvement of the riparian habitat in other areas of the property would offer enhancement in other areas of the property. A plan for riparian enhancement should be part of the Master Plan. A plan for riparian enhancement should be part of the Master Plan. A plan for riparian enhancement should be part of the Master Plan. A plan for riparian enhancement should be part of the Master Plan.

An agreement with N.A.T.F. should be concluded before a building permit is issued, however the general areas to be included within the following agreement should be defined as part of the Master Plan. Responsibility for funding the areas should be decided as well as the type of materials to be used.

INW has understandable concerns about privacy from intrusive bikers, however the problem could be addressed by sign posting any trail access or through the property. Inclusion of the trail easement on the fire road on the ridge should take effect with the Master Plan.
This property adjoins the Roy's Redwoods open space and the trail can be well utilized without the Flanders property connection. An acceptable trail loop can be achieved down the nose of the hill both on the Western and Eastern borders of the property without coming close to the developed areas. We request these trail easements.

Under the proposed plan visual impacts are minimal. To assure that this remains so it is our desire that Scenic Easements be secured not only for "portions of the upland slopes" but for the entire ridge and slopes and particularly the fields around Spirit Rock. These agreements should be part of the Master Plan.

It is understood that a leachfield was located behind Spirit Rock and that this will require fencing and perhaps mounding. This should be accomplished in the least intrusive way, by installing the mound edge and using agricultural type barbed wire fencing. (It is assumed that "disposal of effluent in the field near Spirit Rock" (page 87) means the leachfield.)

We would prefer to see electric and other utility lines into the property buried rather than overhead.

In conclusion, we strongly recommend approval of this proposal subject to conditions which respond to our concerns outlined above. In our opinion due to the confined areas of impact on the property and the type of use proposed, an EIR is not necessary. A focused traffic study would provide the only additional information required.

We encourage the Planning Department to move swiftly in recommending approval of the Master Plan.

Sincerely yours,

Richard Gray
Vice-Chairman
Response (Re: SGVPG): The comment is noted for the consideration of the decision makers.

Response (Re: Square footage of buildings): The Split Rock 1988 Master Plan approval was followed by several Precise Development Plans, Design Review, and other planning approvals that have led to the development of approximately 50% of the buildings originally authorized in the 1988 Master Plan. The Marin County Community Development Agency has determined that the Master Plan approval was vested by the subsequent Development Plan approvals and associated building permits. The project sponsor proposes to maintain all vested rights to implement the full scope of the development authorized in the 1988 Master Plan. The full scope of the 1988 Master Plan included development of a total of 70,560 square feet of floor area, clustered in the four subareas: the Community Center, the Teacher and Staff Village, the Retreat, and the Hermitage Center (Page 9 of Draft IS/MND). Supplemental discussion of the permit history, project vesting, and approved building area may be found in the memo pertaining to Split Rock's permit history prepared by the County of Marin.

Response (Re: Stormwater runoff and Salmon Enhancement Plan): The Draft IS/MND addresses stormwater runoff on pages 110 through 114, noting that the project must include Best Management Practices (BMPs) such as low impact development site design that meet the performance design standards in Attachment 4 of the Small MS4 Permit, the corresponding County Requirements for an Stormwater Control Plan (SCP), and the County Urban Runoff Pollution Prevention Ordinance. As described in mitigation measure MM 4.a.2, the Stormwater Control Plan (SCP) must detail the site design, source control, and treatment control BMPs that would be implemented at the site to minimize imperviousness, retain or detain stormwater, match pre-project peak flow rates, and reduce pollutants in runoff to the maximum extent practicable. Furthermore, the Salmon Enhancement Plan (SEP) referenced by the commenter is not a regulatory document, but will be considered in development of future habitat protection programs. One such program, a draft Riparian Vegetation Ordinance for the Laguna Creek Watershed, was released for public review and may be applicable to the Split Rock Master Plan Amendment either as an advisory document or as an Ordinance depending on the timing of County action (Page 4 of Draft IS/MND).

Response (Re: #1): The commenter’s request to cap attendance on the project site is noted for the consideration of the decision makers. In regards to the commenter’s request that a traffic study be prepared, a traffic study has already been conducted for the proposed project. The transportation and circulation analysis in the Draft IS/MND was based on the Split Rock Meditation Center Transportation Study (Robert L. Harrison, July 2008) and an independent review of the study by Parisi Associates Transportation Consulting in June 2010. The independent review updated the previous report’s assumptions, methodologies and findings, as appropriate, consistent with the current proposal for the Split Rock site. The commenter is referred to Appendix C of the Draft IS/MND for copies of the Split Rock Meditation Center Transportation Study, as well as the peer review of this traffic study by Parisi Associates, for further details.

Response (Re: #2): The commenter’s request to not approve buildings within the Stream Conservation Area is noted for the consideration of the decision makers. In addition, as discussed above, the SEP is not a regulatory document, but will be considered in development of future habitat protection programs (Page 4 of Draft IS/MND).

Response (Re: #3): As stated above, the full scope of the 1988 Master Plan included development of a total of 70,560 square feet of floor area, clustered in the four subareas: the Community Center, the Teacher and Staff Village, the Retreat, and the Hermitage Center (Page 9 of Draft IS/MND).
Response (Re: #4): The Draft IS/MND discusses biological resource impacts on pages 138 through 165. Impacts to endangered/threatened species and native species are addressed extensively in this discussion. The Draft IS/MND finds that the project, as mitigated, would result in less than significant impacts on biological resources, including endangered/threatened species and native species.

Response (Re: #5): The commenter's request to limit attendance to septic and portable toilet capacity is noted for the consideration of the decision makers and is required by Mitigation Measure 12.d.1.

Response (Re: #6): The commenter’s request that the Resource Protection Plan be fully drafted prior to approval of a negative declaration is noted for the consideration of the decision makers. It is common to require project sponsors to prepare more detailed plans subsequent to project approval in order to demonstrate that the desired mitigations are implemented in subsequent stages of the development process. In order to ensure that plans, programs and studies adequately implement the mitigation measure, each mitigation measure includes objective performance standards, identifies the agency(s) that is responsible for evaluating compliance with the mitigation measure, and indicates when the mitigation is to be implemented. By clearly defining performance criteria, responsibility and timing for mitigations, the County has identified the information necessary to reasonably justify an expectation of effective mitigation. This practice is consistent with Public Resources Code §21060(c)(2), California Code of Regulations §15070(b)(1), and case law related to mitigation.

Response (Re: Conclusion): The comment is noted for the consideration of the decision makers.
Hi Rachel,

It was fascinating to watch the county of Marin protest the resources and land here. I wish such care were taken with more corporations.

We were talking on the way out. Here is something we were discussing about the turns out of Spirit Rock which you might pass on to Jeremy.

I am a former resident of Woodacre and live in Marin County. I’ve driven between Woodacre and Berkeley over a period of 3 years and eight months in two contiguous stretches.

Woodacre has about 1,490 residents. You may have the exact count of houses. A rough estimate is 35 per household, about 3 cars to each household that is about 900 cars. If we estimate 2/3 or half of those cars go somewhere to work, then that's 450-600 cars turning off of Railroad or San Geronimo and back onto San Geronimo and Railroad with no intervention in their turning strategy. While it’s true that the line of sight from Spirit Rock's view out toward Railroad may not be as long as that of Railroad, it may in fact be sufficient for most times of the day and during most events that the turn could be allowed. In fact, most people are making turns on their own every day without this kind of intervention such as might be compared to the Golf Course.

As Commissioner Holland mentioned, there is no wet bar at the Spirit Rock campus, nor will one be installed within the new Temple :)”

Sincerely

Denise Forest
415.488.0684

3/1/2011
Response: The comment is noted for the consideration of the decision makers.
February 28, 2011
To: Marin County Planning Commission
From: Paul Berensmeier, Parent Knolls
Re: Spirit Rock Meditation Center—Master Plan Amendment and Draft EIR/Mitigation Plan

Paul Berensmeier, Valley resident for 45 years. I know you really want to move on the merits, but our Vesting Study Committee continues to feel that there is a mistake in the vested 70,000 square foot total. We have very carefully added up all the square footage listed in the Master Plan, PDPs 1-III, and the PDU’s amendments, which were vested on approval of Phase III on December 7, 1988. The total square footage adds up to 56,335 (see below). We also believe there was no intent to have 70,000 sq. ft. in these early stages. We double checked our numbers using steps from the Initial Study and got the same total.

"Baseline", listed in the Initial Study, exceeds this total by 14,000 feet, or 20%. This is significant enough to revisit what is vested. For an accurate comparison, we need to have the correct number of square footage "vested."

Important: The Initial Study (page 28 #7) states that on July 14, 1997 the County listed Spirit Rock a determination that the 1988 Master Plan was "vested" with the approval of PDP, Phase 3. At this point the total is 56,335 feet. Then CDA staff (page 25 #9) issued a puzzling memo, dated May 20, 2002, stating the 1988 Master Plan approval was 70,500 feet. Where are the documents that show where the extra 14,000 feet came from between 1997 and 2002? There are no PDPs on record totaling 14,000 between 1997 & 2003.

What also concerns me is the magnitude of the proposed. It seems predestined to compare 76,000 square feet of Spirit Rock proposed development to residential development. The zoning is ARP-20, meaning 20 homes for these 400 acres. The average house also in our villages is 1200 - 1500 sq. ft. which helps give us the rural character we prize. 1500 sq. ft. x 20 homes is 30,000 sq. ft. To reach 76,000, each of the 20 homes would have to average 3800 sq. ft. This detracts from our rural character.

Given the magnitude of the proposed project and the confusing nature of the vested 76,000 feet, I ask the commission to please take the necessary additional time to double check the records, I am hoping our research and calculations prove correct. Note that the 30,000 is just over half the square footage that we have calculated below. Clearly, the impact of the Spirit Rock development is far beyond what might have been had the Planning Board supported homes instead of a Buddhist retreat. Why is this not included in your deliberations?

Note: Please review the numbers used below. They correlate exactly with the Initial Study (see pages 27 & 28) and 1988 MP, PDP/Ph. 1-III, and amendments.

<table>
<thead>
<tr>
<th>Building</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting hall</td>
<td>3,602 (Phase II Amendment)</td>
</tr>
<tr>
<td>Dining hall</td>
<td>9,281 (MP &amp; Phase II)</td>
</tr>
<tr>
<td>Dormitories</td>
<td>13,030 (Phase III)</td>
</tr>
<tr>
<td>Meditation hall</td>
<td>10,050 (MP &amp; Phase III)</td>
</tr>
<tr>
<td>Staff housing</td>
<td>3,702 (MP &amp; Phase III)</td>
</tr>
<tr>
<td>Teacher housing</td>
<td>1,770 (MP &amp; Phase III)</td>
</tr>
<tr>
<td>Family housing</td>
<td>1,879 (Phase III)</td>
</tr>
<tr>
<td>Multipurpose bld.</td>
<td>1,768 (Phase III)</td>
</tr>
<tr>
<td>Commons bld.</td>
<td>3,554 (Phase III)</td>
</tr>
<tr>
<td>Maintenance bld.</td>
<td>3,920 unenclosed/646 enclosed (Phase III)</td>
</tr>
<tr>
<td>Hangers</td>
<td>5,914 (Phase III)</td>
</tr>
<tr>
<td>Total square footage</td>
<td>56,335</td>
</tr>
</tbody>
</table>

County of Marin
May 2011

Spirit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program

43
Response: The 1988 Master Plan-approved square footage broken down by use is shown in Table 2 of the Draft IS/MND. As shown, the approved square footage totals 70,560 square feet. Supplemental discussion of the permit history, project vesting, and approved building area may be found in the memo pertaining to Spirit Rock's permit history prepared by the County of Marin.
Taylor, Tammy

From: Stratton, Debra
Send: Friday, February 25, 2011 4:01 PM
To: Tejani, Jeremy; Warner, Rachel; Taylor, Tammy; Lie, Thomas
Subject: PW: Spirit Rock Meditation Center’s building plans

I will forward this to the PC by email.

Debra Stratton
Senior Secretary
Marin County Community Development Agency
201 Civic Center Drive, Fourth Floor
San Rafael CA 94901
Phone 415-499-3279 Fax 415-499-3860
stratton@co.marin.ca.us

From: BOS
Send: Friday, February 25, 2011 3:44 PM
To: tplatok@jocx.com
Cc: Stratton, Debra; Tejani, Jeremy
Subject: RE: Spirit Rock Meditation Center’s building plans

I’m sending your email to Community Development Agency staff because the Spirit Rock matter is scheduled for the Planning Commission’s meeting on Monday.

Lyn Schott
Deputy Clerk
Marin County Board of Supervisors

From: tplatok@jocx.com [mailto:tplatok@jocx.com]
Send: Friday, February 25, 2011 3:43 PM
To: BOS
Subject: Spirit Rock Meditation Center’s building plans

Hi,

I have been unable to attend the meetings regarding the building plans for Spirit Rock and won’t be able to be there on Monday, but I wanted to express my concern.

I am a Valley resident for over 30 years and am tired of having to drive around Spirit Rock when it hosts large events. I am under the impression that the parking lot is being doubled in size. I am in favor of this. The current parking lot is too small for the number of visitors. I live on Mediterranean Dr. and the increased traffic is a problem. I live near the park and I think the parking lot is essential. I do not want to drive around the park when I have to go to work.

Rather than giving them unlimited attendance, wouldn’t it be better if they had to petition for a permit for the events needing larger attendance? For the larger events, traffic control and parking issues could be addressed on an individual basis.

I have no problem with their building plans other than the impact to traffic and safety. Spirit Rock seems to be trying to build in the greenest way possible. They just don’t seem to be taking into the consideration those of us who actually live out here.

Thank you for your time and hearing me out.

Terry Platok
PO Box 298
Lagunitas, CA 94938

3/1/2011

County of Marin
May 2011

Split Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program
Response: The Draft IS/MND discusses transportation and circulation impacts on pages 130 through 137. Mitigation measure MM.6.a requires the project sponsor to operate the project site in a manner that will avoid traffic conflicts, preserves emergency vehicle access, and maintain intersection levels of service at or better than the County's level of service "D" threshold. This mitigation measure will be implemented by submittal of a Transportation Management Plan (TMP) demonstrating compliance with operational objectives. Mitigation measure MM.6.a requires that a special events component of the TMP be incorporated into the Special Events Management Program (SEMP) that identifies traffic control measures, establishes provisions for providing notification, and establishes scheduling and other measures to avoid traffic conflicts during periods of high traffic volume for larger classes and special events. In addition, emergency access associated with the project is discussed on page 135 of the Draft IS/MND. Implementation of mitigation measure MM.6.c will ensure that the project has a less than significant impact on emergency vehicle access by requiring the SEMP to establish provisions for coordinating special events with emergency service providers to ensure safe circulation and emergency vehicle access throughout the events.
February 28, 2011
To: Marin County Planning Commission
From: SVG Planning Group Steering Committee - Joan Bertauweiler, chair
Re: Spirit Rock Meditation Center - Master Plan Amendment and
Draft Initial Study/Mitigated Negative Doc

Dear Commissioners,

Regarding the Negative Doc merits,

1. Require a new traffic study based upon special event attendance of 1,600 persons, including alternatives for 2,400 and 3,200 persons to allow for continued growth and future increases in attendance. Include impacts along the Railroad Avenue/San Geronimo Valley Drive eastbound exit route as well as a survey of the impacted residents in Woodacre.

2. Require that the Resource Protection Plan be fully drafted prior to approval of a negative declaration. As stated on pg. 19 of the Staff Report, the RPP does not protect the site from unregulated use. Require the RPP to identify how it will mitigate impact from large events and daily activities.

3. Require that the SEMP define the difference between special events and individual special events. Require a permit after 150 persons rather than 500. Require advanced reservations and a shuttle system in place when the event is advertised.

4. Limit attendance to 1988 Master Plan and Ordinance 2981 requirements. Require advanced registration for all events and activities and require backup shuttle service if carpooling is ineffective. A cap on attendance is the only way to ensure that impact on the environment and community, both traffic and pedestrian safety, will be managed.

5. Require that septic capacity and any additional portable toilets match maximum allowed capacity at any use event.

6. Detail how staff determined that 70,000 square feet was vested for building structures.

7. Objective ER 1 and ER 2 and Objective T – 1 will be addressed by another speaker so that I can propose an option and mention merits.

Alternative option: After a final review of the Master Plan Amendment Draft Initial Study/Mitigated Neg Doc and the Resource Protection Plan, the Planning Group failed to find what would be the negative impact to Spirit Rock if the existing Master Plan was implemented with the existing vested options in play. The development rights could then be reviewed with SEP guidelines incorporated. This would be like exploring the "do nothing" option in the normal CEQA process. The Planning Group did not see a compelling argument made that Spirit Rock would experience hardship or a loss of organizational viability. Consider directing staff to provide you with information on this option.
Meditation:
The Spirit Rock Meditation Center has met the requirements of protecting the major part of the property by providing a conservation easement to protect agricultural land. An easement along the ridge, once connected to the north side trail, will provide increased recreational opportunities for multi-use and an easement parallel to Drake accommodates equestrians that connect to Reyes Redwoods. We are grateful that they accommodated these requests.

Many of us agree with the programs and functions and believe the programs offered and the philosophies taught support harmony with the land and is mostly consistent with principles found in our Community Plan but the numbers and proposal is excessive and not community (read Valley) based.

93% of their huge numbers came from outside of the Valley at 1.4 persons to a car. Only 7% are from West Marin and that includes the SGV. This is not in keeping with the spirit of our Community Plan and violates at least 3 goals:
1. The impact of huge numbers of unregulated people and cars from outside of the Valley does not "Preserve and enhance the Valley's natural resources and rural setting."
2. The Master Plan amendment does not "Assure that the type and amount of growth will be consistent with maintaining the Valley's rural character."
3. Current practice and inadequate recommendations do not "Provide for a safe well-maintained circulation system."

Regarding Spirit Rock Meditation Center relationship to the community and community support:
We followed up on the claim of community support expressed at the last hearing and found:
1. SR met with the Planning Group to request input in preparation for their Master Plan Amendment. Strange given that they wouldn’t be here if they had not received the PG blessing.
2. They never resolved the concerns about traffic expressed by Woodacre individuals over the years at least three former directors.
3. They never hosted a meeting for Valley residents to present their Amendment Plan.
4. They hosted a one day Community Open House in 2007. A few local organizations set up tables. I stayed the whole day. Nobody from the community attended.
5. Nothing on their web site gives a sense of belonging to the Valley community.
6. We note that St. Cecilia’s, the Presbyterian Church and Gan Hillel are supported by members in the community and thrive. They are also supported by many local residents not of their religious persuasion. That cannot be said of Spirit Rock. We hope that our reach is coming and will be successful.

Sincerely,

Jessi Barsamian
SGV Planning Group Chair
SGV Planning Group Steering Committee

cc: CDA Planner, Jeremy Tejirian
Response (Re: #1-7): Refer to the response to comments provided by the San Geronimo Valley Planning Group in their letter dated February 22, 2011 (Comment 10) for a discussion of building area, stormwater runoff, and salmon enhancements, on-site populations, biological resources, sewage disposal, and project history.

Response (Re: Alternative Option): The objectives of the proposed project are described on pages 34 and 35 of the Draft IS/MND. The suggestions of the commenter are noted for the consideration of the decision makers. Consideration and discussion of alternatives to the proposed project is only required during the preparation of an Environmental Impact Report (EIR) in order to identify alternatives to the project or its location which are capable of avoiding or substantially lessening significant effects of the project (§15126.6 of the CEQA Guidelines). Analysis of the proposed project identified no significant effects that could not be mitigated to a less than significant level, and found that there was no need to prepare an EIR to evaluate alternatives.

Response (Re: Merits): The comments are noted for the consideration of the decision makers.
February 27, 2011

Ms. Debra Strelow
Marin County Planning Commission
2501 Civic Center Drive, Rm. 30 E
San Rafael, CA 94903

Agenda Item: Spirit Rock Meditation Center Master Plan Amendment & mitigated Negative Declaration of Environmental Impact

Dear Marin County Planning Commissioners:

I am a 20 year resident of the San Geronimo Valley and support the programs and functions provided by the Spirit Rock Meditation Center. I believe that the programs offered by Spirit Rock and the philosophies taught there support harmony with the land, and are consistent with the values shared by many in the San Geronimo Valley. The current Master Plan for Spirit Rock is mostly consistent with the principles found in the San Geronimo Valley Community Plan.

However, the agenda item before you, amending the existing Master Plan for Spirit Rock, should be closely reviewed and evaluated for its consistency with the aforementioned Community Plan, as well as the Sausalito Enhancement Plan, and the draft Vegetation Management Plan. Prior to embarking on amending the Spirit Rock Master Plan amendments to the Marin County Board of Supervisors, I believe you should consider the following:

Objective ER-1.0 of the Community Plan states the need to Maintain and Enhance the Natural Environment by Protecting Scenic Attractions, Trails, Views and Entrances into the Valley and by Preserving and Enhancing Air and Water Quality. I cannot believe that increased traffic and increasing use of the center will preserve and enhance Air Quality, when the Spirit Rock website indicates few car parking visitors and the program seems to be little used. It seems the well intentioned ten discounts for car pooling have not proven to be an effective incentive to reduce single ridership, and the timing of Spirit Rock events have not been scheduled to coincide with existing public transit programs. Should you not be asking how will Air Quality be enhanced with increased use and the potential for increased single passenger vehicles trips into the Valley? Should you not request that perhaps a shuttle system be created and bring visitors from the East Marin Freeway Corridor? Should you not ask how they will specifically enhance the existing Valley bike and pedestrian networks? I cannot find answers to these questions and therefore must conclude that Objective 1.0 of the Community Plan has not been met.

The Spirit Rock Resource Protection Plan states that trees are being protected, native plants have been planted and an arborist report has been prepared. The lesser detailed Resource Protection Plan provides little detail on those activities, but promises to be more specific once the Master Plan amendments have been approved. On personal visits to the property conducted last summer to look at these activities I found limited native plantings, extensive Sudden Oak Death infected trees, many trees in poor condition, and hazardous. I have been unable to review the complete arborist report. Should you ask why more extensive efforts have not been undertaken in anticipation of seeking approval for the Master Plan amendments? At the very least, would not such efforts be considered as a sign of good faith? Has County Staff reviewed the arborist report for completeness and consistency with the County Tree Ordinances?

Objective ER-2.0 of the Community Plan states the need to Protect and Maintain San Geronimo Valley Creek and its Major Tributaries as a Scenic Asset and Wildlife and Agrostis Habitat. Although the Master Plan calls for moving some existing trail heads out of SCA areas, building footprint still exist within the sensitive habitat. Increased time slopes associated with the increased building square footage will concentrate storm flows into waterways. Erosion areas, although identified in the Resource Protection Plan have not been addressed as of this writer's rainy season. Should you not ask why the 17 principles of the SEP are not part of the proposed amendments? Should you not ask why mitigation of increased water flows be addressed in the Resource Protection Plan? Should you not ask why simple erosion control measures have not at least been initiated? Once again, these basic principles of environmental stewardship are conspicuously missing from the various documents before you for consideration. Should you not ask the project sponsor why?

Objective T-4 of the Community Plan To Encourage Transportation Modes Other Than the Automobile for Trips Within and Beyond the Valley in Order to Reduce congestion, Preserve Air Quality and Reduce Condensation Emissions, will be a hard one for the project. As an initial consultation with the Spirit Rock website will show limited use of the existing car pooling tool for visits to existing Spirit Rock programs. When reviewing a request to increase attendance thresholds for Spirit Rock programs, should you not ask if the existing car pool program has proven effective, and if not, what alternative programs will be implemented? It seems rather superficial to accept an excuse we have tried to get visitors in to car pool, but they would rather just drive as an acceptable mitigation.

Objective OF-1.0 To Provide a Variety of Diverse Recreational, Cultural and Educational Opportunities Priority for Valley Residents and Provide for Adequate Community Services and Facilities. I noted that additional parking open space access will be provided and explained that provision. As an additional mitigation...
Response (Re: Objective ER-1.0 of the Community Plan): The Draft IS/MND discusses air quality impacts on pages 123 through 129. Although the project would add new traffic trips that would lead to increased emissions of air pollutants, project emissions would be below the significance thresholds adopted by the Bay Area Air Quality Management District (BAAQMD) for judging the significance of project air pollutant emissions. As a result, the project would not be expected to substantially cause or contribute to existing or projected air quality violations on a regional basis. Furthermore, as stated on page 132 of the Draft IS/MND, there are no designated pedestrian or bicycle facilities along Sir Francis Drake in proximity of Spirit Rock and pedestrian and bicycle travel to and from Spirit Rock is low due to the location of the site.

Response (Re: Trees): As discussed on page 83 of the Draft IS/MND and in Response A-5 of the Final IS/MND, the project sponsor submitted a report prepared by a qualified arborist that was subject to peer review. The analysis identified 29 trees which would qualify for protection under Marin County Code (County Tree Ordinance) that are located in the project vicinity. Of these trees, one valley oak and 11 coast live oaks would be removed for construction or potentially impacted by construction. Mitigation for the loss of any trees will be at a ratio of 3:1 for in-kind species. Location of the plantings will be determined during the restoration efforts by a qualified vegetation ecologist based on where the greatest habitat value can be achieved. In addition, the Resource Protection Plan (RPP) includes recommended measures for Sudden Oak Death Syndrome management and prevention (page 46 of the Draft IS/MND) and mitigation measure MM.7.b.2 requires the revegetation plan to incorporate Best Management Practices (BMPs) to prevent transmission of Sudden Oak Death.

Response (Re: Objective ER-2.0 of the Community Plan): Potential erosion impacts, including degradation of stormwater quality, receiving water impacts, and local and downstream hydrology impacts are discussed on pages 100 and 102 through 122. Mitigation measure 4.0.1 requires the applicant to construct the project in a manner that prevents an increase in pre-development peak stormwater runoff discharge rates and mitigation measure MM 4.c.1 requires the project to construct the project in a manner that avoids erosion and the discharge of sediment and/or pollutants into seasonal drainages located at the project site through implementation of a Stormwater Pollution Prevention Program (SWPPP). The Draft IS/MND addresses stormwater runoff on pages 110 through 114, noting that the project must include Best Management Practices (BMPs) such as low impact development site design that meet the performance design standards in Attachment 4 of the Small MS4 Permit, the corresponding County Requirements for an Stormwater Control Plan (SCP), and the County Urban Runoff Pollution Prevention Ordinance. As described in mitigation measure MM 4.c.2, the Stormwater Control Plan (SCP) must detail the site design, source control, and treatment control BMPs that would be implemented at the site to minimize imperviousness, retain or detain stormwater, match pre-project peak flow rates, and reduce pollutants in runoff to the maximum extent practicable.

Response (Re: Objective T-4 of the Community Plan): Mitigation measure MM.6.a requires the Transportation Management Plan (TMP) for the project to establish traffic reduction measures to encourage or require car pooling and use of transit by providing financial incentives to use other than single-occupant vehicles to get access to the project site. In addition, mitigation measure MM.6.a requires the TMP to establish enforcement provisions and monitoring and reporting protocols to document compliance with the TMP, report monitoring results, and identify contingency measures that were required in order to adhere to performance criteria. As such, the proposed project includes measures to encourage carpooling consistent with Objective T-4 of the Community Plan.
Response (Re: Objective CF-1.0 of the Community Plan): The commenter’s suggestion for discounts for Valley residents to attend Spirit Rock is noted for the consideration of the decision makers.

Response (Re: Objective CF-4.0 of the Community Plan): The commenter’s suggestion for Spirit Rock structures to be used for emergency shelters is noted for the consideration of the decision makers.

Response (Re: Overall observation): As previously discussed, the Salmon Enhancement Plan (SEP) referenced by the commenter is not a regulatory document, but will be considered in development of future habitat protection programs. One such program, a draft Riparian Vegetation Ordinance for the lagunitas Watershed, was released for public review and may be applicable to the Spirit Rock Master Plan Amendment either as an advisory document or as an Ordinance depending on the timing of County action (Page 4 of Draft IS/MND). Furthermore, mitigation measure MM 11.a.1 requires the project’s Precise Development Plan application for approval by the County to incorporate a detailed landscaping and vegetation management plan.
Good afternoon. My name is Phil Sotter and I live in Woodacre. I’ve been a long-time fan of Spirit Rock but, in this case, I feel they may have been ill-advised by their developers to go for unlimited use of this very fragile land and appear to minimize the impacts on the surrounding community. No private developer would be given such unlimited rights, and I think it’s misleading for their lawyers to argue that they would be substantially and unfairly burdened by following the same guidelines that any other developer would have to follow.

I’m particularly troubled by the idea of replacing attendance caps with a ‘Resource Protection Plan’ which has not yet been defined. If you were to send such a poorly defined plan to the Board of Supervisors, it seems likely to turn into a messy political process, rather than one which is guided by reason and by facts.

It’s clear that the Planning Commission has not yet been given enough information to make a valid assessment of the traffic impacts of unlimited attendance for so-called ‘special events’. Even with the assumption of only six special events annually, and no more than the 1500 person maximum achieved historically, it is not clear what the traffic and safety impacts would be. The traffic and parking analyses provided did not adequately take such special events into consideration.

Even if the proposed expansion of on-site parking was environmentally sound, it wouldn’t come anywhere close to handling the thousand-plus vehicles for such events. Where would several hundred additional cars park? If they park on local streets, where would Woodacre residents park during these events? And how would attendees then cross over Sir Francis Drake? If attendees use bicycles, as has been proposed, how could they do so safely if such an event lets out in bad weather or after dark? If attendees walk to the event, as proposed, how would they cross Sir Francis Drake safely with 55mph traffic going past in both directions, without at least pedestrian crossing signals? If they use public transportation, as proposed, how many could fit on the four small West Marin stages that go through the Valley each day? It’s clear that much more thought needs to be given to the idea of moving 1600 people in and out of this very sensitive land within a rural community.
Finally, with the removal of any caps on attendance, there is absolutely no guarantee that special events will be limited to six times a year, nor any guarantee that they will be limited to 1600 people, especially if the facility continues to grow as it has since the original Master Plan was approved.

I therefore request the Commissioners to deny the Negative Declaration as submitted and to either (a) require an EIR, or (b) leave the existing caps in place until such time as a fully articulated Resource Protection Plan is presented for public review, one that considers all possible attendance scenarios, and clearly defines actions to protect resources under each of these scenarios, and specifically assigns responsibility for enforcing these actions.

While I'm willing to trust the good folks currently running Spirit Rock, I feel the existing Neg Dec offers no protection at all in the event that the property is eventually sold to others who would merely seek to extract maximum economic value from the land.

Thank you very much for your consideration.
Response (Re: Attendance cap and RPP): The commenter's suggestion for Spirit Rock population controls is noted for the consideration of the decision makers. As discussed above, the Draft IS/MND discusses the proposed increase in occupancy and use at the site in Sections IV.C. and IV.D. Where applicable, the Draft IS/MND requires the project sponsor to either successfully manage project operations and events to avoid impacts, or to limit on-site populations. The SEMP will require modifications to project operations in order to adhere to quantifiable criteria (such as preserving a Level of Service (LOS) standard of D or better) to reduce traffic and parking impacts. Similarly, the property owner will need to identify alternative modes of transportation to the project site, stagger events to avoid overlapping activities, increase car pooling by event attendees, and/or establish on-site parking controls to ensure that parking demand does not exceed the anticipated supply of 273 parking spaces located on-site. As such, the Draft IS/MND concludes that all operational impacts that could occur as a result of the proposed project would be reduced to a less than significant level. No changes to the determinations regarding environmental impacts contained in the IS/MND are warranted to address these comments.

Response (Re: Traffic Impacts): The Draft IS/MND discusses transportation and circulation impacts on pages 130 through 137. Mitigation measure MM.6.a requires the project sponsor to operate the project site in a manner that will avoid traffic conflicts, preserves emergency vehicle access, and maintain intersection levels of service at or better than the County's level of service "D" threshold. This mitigation measure will be implemented through a Transportation Management Plan (TMP) demonstrating compliance with operational objectives. Page 136 of the Draft IS/MND acknowledges that it is possible that the project could result in parking capacity on-site or off-site during large classes or special events that generate an on-site population of more than 382 people. However, mitigation measure MM.6.d would reduce this impact to a less than significant level by requiring the project to operate special events to avoid overflow parking outside of approved parking areas for special events. This mitigation measure will be implemented by incorporating a component of the TMP that specifically addresses large scale special events into the Special Events Management Program (SEMP). The special events component of the TMP will address all important aspects of special event traffic and parking management, so that parking in residential neighborhoods across Sir Francis Drake will not be necessary for those attending events at Spirit Rock. Alternate means of transportation, such as bicycles and transit, are discussed as valuable but not necessarily sufficient measures to mitigate impacts, but other contingency measures, (as referred to in MM.6.a and MM.6.c) such as timing events appropriately and/or providing private shuttle services from satellite parking areas may also be considered for some of the largest special events. The details of traffic and parking management for large scale special events will be stipulated in the special event component of the TMP prior to approval of the SEMP. The special events component of the TMP may also include contingency alternatives for traffic and parking impact reductions for the project before and after development of the proposed additional parking and required deceleration lane leading to the entrance of Spirit Rock.

Response (Request for denial): The comments are noted for the consideration of the decision makers.

The proposed project would replace population caps with more active property management that would be designed to protect resources. The IS/MND found that this proposal had the potential to result in potentially significant impacts to transportation/circulation (Section X.6), public services (Section X.11), and wastewater disposal (Section X.12). To mitigate these potential impacts, the IS/MND establishes graduated population limits that may only be increased if the project sponsor demonstrates that they have established appropriate operational controls (including possible population limits) to avoid potential impacts:

\[ \text{Spirit Rock Master Plan Amendment} \]
\[ \text{Mitigation, Monitoring, and Reporting Program} \]

County of Marin
May 2011
1) 315 (Mitigation Measure 6.d);
2) 382 (Mitigation Measure 6.d);
3) 500 (Mitigation Measure 11.a.4); and
4) 791 (Mitigation Measure 12.d.1).

Applicant Response to Questions: In response to comments contained in Phil Sotter’s letter, the applicant provided the following e-mail. County staff does not endorse the applicant’s statements and is providing the e-mail as information only, not to indicate concurrence with the representations made by the project sponsor.
Scott Davidson

From: Warner, Rachel [RWarner@co.marin.ca.us]
Send: Monday, March 14, 2011 8:14 AM
To: Scott Davidson
Subject: FW: SR4 - Phil Sottor Responses

Scott,
FYI - below from applicant. I'm not sure if the responses here will be helpful, but take a look.

Thanks,
Rachel

From: Brian Swartz [bswartz@hartmarin.com]
Send: Sunday, March 13, 2011 8:29 PM
To: Warner, Rachel; Tejian, Jeremy
Cc: Amanda Ishih; Brian Swartz
Subject: SR4 - Phil Sottor Responses

Rachel -
As you requested the following are responses to Phil Sottor's questions.

1. In the past 30 years we have never been involved in nor heard of a private development having use limits imposed upon them. Spirit Rock has offered a use cap for daily use and special events.

2. The Resource Protection Plan provides clear and quantifiable criteria for water quality, traffic levels of service and preservation of sensitive habitats. Proposals from the scientists and engineers who would perform the tests are included within the Resource Protection Plan. Should occupancy impacts cause environmental criteria to exceed set standards [existing conditions], then Spirit Rock will be required to modify use patterns and/or operation until those criteria are met. Spirit Rock has agreed to accept all currently proposed mitigation measures and conditions of approval which further detail the Resource Protection Plan via course sub-plans including a Resource Enhancement Plan, Transportation Management Plan, Special Events Management Plan and Water Quality Control Plan to provide the necessary detail once the master plan has been approved.

3. Spirit Rock hired a Traffic Engineer that completed a detailed traffic analysis and it was peer reviewed by the County and its environmental and traffic consultants. They all found that the Spirit Rock Master Plan Amendment would have no significant impact on traffic nor on parking. This finding was made prior to Spirit Rock offering a use cap for daily use and special events.

4. While the property could theoretically be sold, the Use Permit and ordinance solely applies to Spirit Rock. Any other occupant or owner of the land would at a minimum be required to secure the approvals for a new Use Permit.

Please let me know if you have any other questions or comments. Thank you.

Brian

Brian Swartz | HARTWEST | HARTMARIN | 415.897.4400 (o) | 415.272.6897 (c)
Real Estate Development Consultants

Spirit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program

County of Marin
May 2011
Mitigation, Monitoring and Reporting Program

A Mitigation, Monitoring, and Reporting Program (MMRP) is required for the proposed project because the Draft IS/MND identified potentially significant impacts and measures were identified to mitigate those impacts.

MMRP has been prepared pursuant to the California Public Resources Code, which requires a "reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment."

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft IS/MND.

The County of Marin Community Development Agency (CDA) will be the primary agency, but not the only agency, responsible for implementing the mitigation measures. CDA will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures**: The mitigation measures are taken from the Draft IS/MND, in the same order that they appear in the Draft IS/MND. No revisions were necessary to the mitigation measures included in the Draft IS/MND.

- **Mitigation Timing**: Identifies at which stage of the project mitigation must be completed.

- **Monitoring Responsibility**: Identifies the party that is responsible for mitigation monitoring.

- **Compliance Verification Responsibility**: Identifies the party that is responsible for verifying compliance with the mitigation. In some cases, verification will include contact with responsible state and federal agencies.

1988 Mitigation Measures

The MMRP also includes a reference to Mitigation Measures that were adopted at the time the 1988 Master Plan was approved. In all instances, the 1988 mitigation measures have either been implemented and are complete, will now be implemented by new mitigation measures created as part of this Master Plan Amendment, or will be implemented by new ordinances (e.g., water conservation ordinance) that were adopted after 1988. The final section of the MMRP identifies the 1988 mitigation measures and indicates whether the measure has been completed, or identifies the new mitigation or ordinance that will be used to implement the measure in conjunction with the Master Plan Amendment.

Mitigation Clarification

Where comments have resulted in modifications to mitigations to clarify the timing and focus of implementation, the changes have been shown in the MMRP with revision marks (underline for new text, strike-out for deleted text) for easy reference. These revisions reflect input provided during the public comment period as well as revisions that respond to input provided during Planning Commission hearings on February 14 and 28, 2011.
### Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Proposed Mitigation</th>
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<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
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</tr>
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<tbody>
<tr>
<td><strong>1. Land Use and Planning</strong></td>
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<tr>
<td>MM 1.a.1</td>
<td>The project sponsor shall undertake construction to avoid wetland areas and to maintain a minimum separation between new structures and improvements of 20 feet. This mitigation measure shall be implemented through submittal of a Precise Development Plan for review and approval by the County that establishes a setback of no less than 20 feet around the two wetland areas located in the Teacher and Staff Village.</td>
<td>CDA</td>
<td>Prior to approval of the Precise Development Plan</td>
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<tr>
<td>MM 1.a.2</td>
<td>The sponsor shall construct the project in a manner that minimizes tree removal and establishes a program for replacing removed trees. This mitigation measure shall be implemented through development and submittal of a Construction Management and Revegetation Plan that includes practices to protect trees that are planned to be retained, and to replace trees that are planned for removal, and that incorporates other appropriate management practices in accordance with Section 22.27.100 of the Marin Development Code. The RPP shall be submitted for review and approval by the County in conjunction with the Precise Development application and shall include provisions for replacing trees at a 3:1 ratio and shall demonstrate compliance with all other requirements of County tree removal permits.</td>
<td>CDA</td>
<td>Prior to and during construction</td>
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<td><strong>4. Water</strong></td>
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<tr>
<td>MM 4.a.1</td>
<td>The applicant shall construct the project in a manner that prevents an increase in pre-development peak stormwater runoff discharge rates, for the design storms regulated by the Small MS4 Permit, through &quot;green&quot; practices (e.g., biovales and &quot;GrassHive&quot; for roads and parking areas) and design. At the time a Development Plan application is submitted for review, the applicant shall submit a site hydrologic analysis prepared by a civil engineer. The hydrologic analysis shall demonstrate that the Precise Development Plan shall not substantially change drainage patterns, or the rate or volume of surface runoff for the 10-year, 25-year, 50-year and 100-year storm events from site changes in impervious/permeable surfaces, and that the change in topography, drainage areas, and runoff volumes would not be substantial. The Precise Development Plans shall not significantly affect site hydrology by substantially changing drainage patterns or the rate or volume of surface runoff.</td>
<td>CDA and DPW</td>
<td>Prior to Precise Development Plan approval</td>
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<tr>
<td>MM 4.a.2</td>
<td>The project applicant shall submit a Stormwater Control Plan (SCP) to the County for the Precise Development Plans, in accordance with guidance developed by MCSTOPPP. The SCP shall describe the site design, source control, and treatment control best management practices (BMPs) such as riparian buffer zones and designs for bioswales, that would be implemented at the</td>
<td>CDA and DPW</td>
<td>Prior to Precise Development Plan approval and during</td>
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Split Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program

County of Marin
May 2011
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<tr>
<td>MM 4.b</td>
<td>The applicant shall construct the project in a manner that avoids alteration to flow rates or changes in the direction of water movement, and that contributes to the long-term health and natural functions of the watershed. To implement this mitigation, the applicant shall submit a Creek Restoration Plan as part of their Precise Development Plan that includes hydrologic analysis confirming that the debris diversion removal and the installation of three in-creek check dams would not alter flow rates or water movement in a way that would undermine the bank stabilization efforts implemented to date by the RCD in Spirit Rock Creek in the areas where in-creek check dams are proposed.</td>
<td>CDA</td>
<td>Prior to Precise Development Plan approval</td>
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<tr>
<td>MM 4.c.1</td>
<td>The project sponsor shall construct the project in a manner that avoids erosion and the discharge of sediment and/or pollutants into seasonal drainages located at the project site through implementation of a SWPPP. Prior to construction at the project site, consistent with the requirements of the Construction General Permit, and the County in its implementation of the Small MS4 Permit, the project sponsor shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the project construction period and shall demonstrate that construction activity will be undertaken in a manner that uses effective best management practices (BMPs) to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater discharges. The SWPPP shall be prepared by a qualified SWPPP developer. The SWPPP shall include, as applicable, all BMPs required in Construction General Permit Attachment D for Risk Level 2 dischargers (as appropriate based on final determination of the project’s risk level status). The SWPPP shall include a construction site monitoring program that includes requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate (depending on the risk level), sampling of the site effluent or receiving waters (receiving water monitoring is only required for some Risk Level 3 dischargers). The project sponsor shall also prepare a Rain Event Action Plan as part of the SWPPP, BMP implementation shall be consistent with the BMP requirements in the California Stormwater Quality Association Stormwater Best Management Handbook-Construction (2003). Following are the types of BMPs that shall be implemented for the project, subject to review and approval by the County and the San Francisco Bay Conservation and Development Commission.</td>
<td>DPW</td>
<td>Prior to and during construction</td>
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<tr>
<td>Bay Regional Water Quality Control Board (RWQCB).</td>
<td>Scheduling</td>
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<tr>
<td>• To reduce the potential for erosion and sediment discharge, schedule activities to minimize ground disturbance during the rainy season. [Per Marin County Municipal Code Section 24.04.625, grading operations shall not be conducted during the rainy season (October 15 through April 15) without prior approval from the County.]</td>
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<td>• Sequence construction activities to minimize the amount of time that soils remain disturbed.</td>
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<td>• Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work.</td>
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<tr>
<td>• Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities.</td>
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<tr>
<td>Erosion and Sedimentation</td>
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<tr>
<td>• Preserve existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date.</td>
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<td>• Stabilize and revegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch [e.g., straw or hay, erosion control blankets, hydromulch, or other similar material] except in actively cultivated areas.</td>
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<td>• Install silt fences, coir rolls, and other suitable measures around the perimeter of the areas affected by construction and staging areas and around riparian buffers, storm drains, temporary stockpiles, spoil areas, stream channels, swales, down-slope of all exposed soil areas, and in other locations determined necessary to prevent off-site sedimentation.</td>
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<td>• Install temporary slope breakers during the rainy season on slopes greater than 5% where the base of the slope is less than 50 feet from a water body, wetland, or road crossing at spacing intervals required by the RWQCB.</td>
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<td>• Use filter fabric or other appropriate measures to prevent sediment from entering</td>
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<td>Delineate and treat stormwater using sedimentation basins, sediment traps, baffle tanks, or other measures to ensure that discharges to receiving waters meet applicable water quality objectives.</td>
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<td>Install check dams in channels and drainage ditches to reduce flow velocities and erosion, and to allow sediment to settle out of runoff.</td>
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<td>Install outlet protection/energy dissipation, where applicable, to prevent scour of the soil caused by concentrated high velocity flows.</td>
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<td>Implement control measures such as spraying water or other dust palliatives to alleviate nuisance caused by dust.</td>
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<tr>
<td>Groundwater/Dewatering</td>
<td>Prepare a dewatering plan prior to excavation specifying methods of water collection, transport, treatment, and discharge of water generated by construction site dewatering.</td>
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<td>Impound water generated by dewatering in sediment retention basins or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Locate sedimentation basins and other retention and treatment facilities away from waterways to prevent sediment-laden water from reaching creeks.</td>
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<td>Control discharges of water produced by dewatering to prevent erosion.</td>
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<td>Tracking Controls</td>
<td>Grade and stabilize construction site entrances and exits to prevent runoff from the site and to prevent erosion.</td>
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<td>Install a tire washing facility at the site access to allow for tire washing when vehicles exit the site to prevent offsite tracking of sediment.</td>
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<td></td>
<td>Remove any soil or sediment tracked onto paved roads during construction by street.</td>
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County of Marin
May 2011

Split Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program

63
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<thead>
<tr>
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<tr>
<td>sweeping.</td>
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<tr>
<td><strong>Non-stormwater Controls</strong></td>
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<td>• Place drip pans under construction vehicles and all parked equipment.</td>
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<td>• Check construction equipment regularly for leaks.</td>
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<td>• Wash construction equipment regularly in a designated enclosed area.</td>
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<td>• Contain vehicle and equipment wash water for percolation or evaporative drying away from the stormwater drainage system and creeks.</td>
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<td>• Refuel vehicles and equipment away from the stormwater drainage system and creeks; contain the area to prevent run-on and run-off, and promptly clean up spills.</td>
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<td>• Cover all storm drain inlets when paving or applying seals or similar materials to prevent the discharge of these materials.</td>
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<td><strong>Waste Management and Hazardous Materials Pollution Control</strong></td>
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<td>• Remove trash and construction debris from the project area daily.</td>
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<td>• Locate sanitary facilities a minimum of 300 feet from creeks. Maintain sanitary facilities regularly.</td>
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<td>• Store all hazardous materials in an area protected from rainfalls and stormwater run-on and prevent the off-site discharge of hazardous materials.</td>
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<td>• Minimize the potential for contamination of receiving waters by maintaining spill containment and cleanup equipment on site, and by properly labeling and disposing of hazardous wastes.</td>
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<td>• Locate waste collection areas close to construction entrances and away from roadways, the stormwater drainage system, and creeks.</td>
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<tr>
<td>Inspect dumpsters and other waste and debris containers regularly for leaks and remove and properly dispose of any hazardous materials and liquid wastes placed in these containers.</td>
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<tr>
<td>Train construction personnel in proper material delivery, handling, storage, cleanup, and disposal procedures.</td>
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<td>Implement construction materials management BMPs for:</td>
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<tr>
<td>- Road paving, surfacing and asphalt removal activities.</td>
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<td>- Handling and disposal of concrete and cement.</td>
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<td>BMP Inspection, Maintenance, and Repair</td>
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<td>Inspect all BMPs on a regular basis to confirm proper installation and function. Inspect BMPs daily during storms.</td>
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<td>Immediately repair or replace BMPs that have failed. Provide sufficient devices and materials (e.g., silt fence, cairn rolls, erosion blankets, etc.) throughout project construction to enable immediate corrective action for compromised BMPs.</td>
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<tr>
<td>Monitoring and Reporting</td>
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<td>Provide the required documentation for SWPPP inspections, maintenance, and repair requirements. Personnel that will perform monitoring and inspection activities shall be identified in the SWPPP.</td>
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<td>Maintain written records of inspections, spills, BMP-related maintenance activities, corrective actions, and visual observations of off-site discharges of sediment or other pollutants, as required by the RWQCB.</td>
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<td>Monitor the water quality of discharges from the site to assess the effectiveness of BMPs.</td>
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<tr>
<td>Post-construction BMPs</td>
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County of Marin
May 2011

Split Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program
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<td>• Revegetate all temporarily disturbed areas as required after construction activities are completed.</td>
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<td>• Remove any remaining construction debris and trash from the site upon project completion.</td>
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<td>• Phase the removal of temporary BMPs as necessary to ensure stabilization of the site.</td>
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<td>• Maintain post-construction site conditions to avoid formation of unintended drainage channels, erosion, or areas of sedimentation.</td>
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<tr>
<td>Training</td>
<td>• Train construction site personnel on components of the SWPPP and BMP implementation. Train all personnel that will perform inspection and monitoring activities.</td>
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</table>

**MM 4.e.1**
The applicant shall design the interceptor drains associated with the wastewater treatment system to avoid discharge as surface water runoff that could result in localized flooding and erosion. This mitigation measure shall be implemented by preparation of detailed system design plans which shall be submitted with the Precise Development Plan application that demonstrates that groundwater from the interceptor drains will not discharge as surface runoff. To the extent that the project design includes surface runoff, conveyance of the runoff shall be incorporated into the SCP to ensure that the surface runoff does not cause localized flooding or erosion.

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<tr>
<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
<th>Verification (Date and Initials)</th>
</tr>
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<tr>
<td>CDA, DPW and RWQCB</td>
<td>Prior to Precise Development Plan approval</td>
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**MM 4.e.2**
The applicant shall construct the project in a manner that contributes to the long-term health and natural functions of the watershed. To implement this mitigation, the applicant shall submit a Creek Restoration Plan as part of their Precise Development Plan that includes hydrologic analysis confirming that the debris diversion berm removal and the installation of three in-creek check dams would not alter flow rates or water movement in a way that would undermine the bank stabilization efforts implemented to date by the RCD in Spirit Rock Creek in the areas where in-creek check dams are proposed.

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<th>Monitoring Responsibility</th>
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<th>Verification (Date and Initials)</th>
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<tr>
<td>CDA</td>
<td>Prior to Precise Development Plan approval</td>
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5. Air Quality

**MM.5.e**
The applicant shall construct the project in a manner that avoids emission of fugitive dust by employing dust control measures (e.g., watering of active grading areas and preventing vehicles

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<tr>
<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
<th>Verification (Date and Initials)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPW</td>
<td>Prior approval of the Precise Development</td>
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<td>Proposed Mitigation</td>
<td>Summary of Measure</td>
<td>Monitoring Responsibility</td>
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<td>from tracking dirt onto public roads; to reduce potentially significant construction related impacts on air quality to a less than significant level, in conjunction with their Precise Development Plan application, the applicant shall submit a dust control plan for approval by the County that specifies dust control measures that would be employed during grading and construction activities and that would be regulated by the Department of Public Works through Grading Permits and Building Permits.</td>
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6. Transportation/Circulation

**MM.4.a**

The project sponsor shall operate the project site in a manner that will avoid traffic conflicts, preserves emergency vehicle access, and maintain intersection levels of service at or better than the County's level of service "D" threshold. This mitigation measure shall be implemented through a Transportation Management Plan (TMP) demonstrating compliance with the above operational objectives. The TMP shall employ a combination of visitor information, directional signs and wayfinding information, to alert guest to circulation issues associated with daily operations. The TMP shall also include Special Event Provisions to govern traffic and circulation operations during larger classes and events. Before increasing daily peak occupancy to more than 315 persons, the project sponsor shall submit a Transportation Management Plan (TMP) for approval by the County that either demonstrates that the following improvements and programs have been implemented, or establishes provisions for their implementation:

a. The TMP shall include circulation information and direction to assist visitors to the project site. At a minimum, circulation information shall include:

1. A NO U TURN sign should be installed on westbound Sir Francis Drake at Railroad Avenue to further discourage motorists from making U-turns and instead use the "advised exit route" from Split Rock to eastbound Sir Francis Drake;

2. Provide information to guests and visitors to alert them of the "advised exit route" (i.e., right-turn from Split Rock driveway onto westbound Sir Francis Drake Boulevard, left-turn from Sir Francis Drake Boulevard to Railroad Avenue, left-turn from Railroad Avenue to San Geronimo Valley Drive, and right-turn from San Geronimo Valley Drive to eastbound Sir Francis Drake Boulevard);

3. Incorporate improved wayfinding signage along Railroad Avenue and San Geronimo Valley Drive to clearly designate the advised route and to reduce potential confusion.

| DPW | Prior to increasing daily peak occupancy to more than 315 persons and prior to Precise Development Plan Approval | |

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<th>Proposed Mitigation</th>
<th>Summary of Measure</th>
<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
<th>Verification (Date and Initials)</th>
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<td></td>
<td>and wrong turns on Woodacre Streets by Spirit Rock drivers:</td>
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<td><strong>b.</strong> The TMP will establish traffic reduction measures to encourage and require car pooling, private buses from satellite parking areas and use of transit by providing financial incentives to use other than single-occupant vehicles to get access to the project site and by limiting access to the site for vehicles that would exceed the number of parking spaces available:</td>
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<td></td>
<td><strong>c.</strong> The TMP will include a component that specifically addresses large scale special events that will be incorporated into the Special Events Management Program (SEMP) that includes the following for larger classes and special events:</td>
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<td>1. Identify traffic control measures (e.g. cones, directional signs, parking attendants, flag people, etc.) as needed to assist with safe circulation on the project site and in the project vicinity;</td>
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<td>2. The special events component of the TMP will establish provisions for providing notification of larger classes and special events to service providers, transportation providers, the community, and the County for all special and large attended events. A master schedule of all site events shall be posted prominently on-line at least four weeks before all scheduled events;</td>
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<td>3. The special events component of the TMP will establish scheduling measures to avoid traffic conflicts during periods of high traffic volume in the project vicinity and to &quot;meter&quot; in-bound and out-bound traffic, if necessary, to preserve LOS D operations.</td>
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<td><strong>d.</strong> The TMP will establish enforcement provisions that may include immediate cessation of activities, reductions in daily and special event populations, and financial penalties for any violation of the TMP;</td>
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<td><strong>e.</strong> The TMP shall establish monitoring and reporting protocol to document compliance with the TMP, report monitoring results and identify contingency measures that were required in order to adhere to performance criteria including busping people to the site from satellite parking locations; and</td>
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<td><strong>f.</strong> The TMP will be prepared to County standards and specifications and shall include funding provisions to either defray County costs associated with peer review of a TMP</td>
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<td>MM.6.c</td>
<td>The project sponsor shall operate the site to ensure emergency vehicle access and to prevent overflow parking on surrounding streets. This mitigation shall be implemented through a component of the TMP that specifically addresses special events that will be incorporated into a Special Events Management Program (SEMP) for review and approval by the County prior to increasing daily occupancy to more than 315 persons. The SEMP shall establish provisions for coordinating special events with emergency service providers to ensure safe circulation and emergency vehicle access throughout the events. The SEMP may include the following:</td>
<td>Marin County Fire Department</td>
<td>Prior to increasing daily peak occupancy to more than 315 persons, and prior to Precise Development Plan Approval</td>
<td>Deleted by submitting or peak open house/event capacity to more than 150 persons. Deleted: or peak occupancy for open house/events to more than 150 persons.</td>
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<td>MM.6.d</td>
<td>The project sponsor shall operate special events to avoid overflow parking outside of approved parking areas for special events. This mitigation measure will be implemented by submitting a Traffic Management Plan (TMP) that includes provisions governing special events. The special event component of the TMP shall be incorporated into the Special Event Management Program (SEMP) and shall be subject to County approval before on-site population is allowed to increase. The TMP shall include provisions to govern all activities that could result in an on-site population of more than 302 people. The special events component of the TMP shall include program descriptions (e.g., concert matching program; public transportation; private shuttle services from a designated parking location; a reservation system; communication plans; incentives (e.g., fees and discounts to encourage carpools, bus use, bicycling and walking), and metrics (e.g., mode targets, level of service at key intersections during open house or special events, parking limits). The special events component of the TMP shall take future development into account and include measures that address parking, both before and after the proposed additional parking has been constructed.</td>
<td>CDA and DPW</td>
<td>Prior to Increasing daily peak occupancy to more than 315 persons and prior to Precise Development Plan Approval</td>
<td>Deleted: submitted in conjunction with the Precise Development Plan application for review and approval by the County. Deleted: or peak open house/event capacity to more than 150 persons. Deleted: or peak open house/events to more than 150 persons. Deleted: or peak open house/events to more than 150 persons.</td>
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<td>MM.6.e</td>
<td>The project sponsor shall install necessary roadway improvements to ensure safe access to the project site. This mitigation measure will be implemented by submitting improvement plans for approval by the County that have been designed to accommodate daily and special event populations and that include installation of an appropriately designed deceleration lane (estimated to be 500 feet in length) to the satisfaction of the Public Works Department in order to accommodate westbound traffic turning movements into the project site.</td>
<td>DPW</td>
<td>Prior to increasing daily peak occupancy to more than 315 persons and prior to Precise Development Plan Approval</td>
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7. Biological Resources

| MM 7.b.1            | The project sponsor shall restore native grasslands that are disturbed by project construction where the native grasslands comprise more than 10% of the groundcover. To implement this mitigation, the applicant shall submit a resource enhancement plan in conjunction with their Precise Development Plan application that includes a native grassland restoration component. The grassland restoration component shall ensure the restoration of native grassland communities that are disturbed or displaced by construction. The restoration shall be planned and carried out by qualified biologists and restoration specialists. The area to be restored will be equal or greater than disturbed native grassland. The restoration plan shall include a monitoring component and shall demonstrate that native grasslands are restored and replaced to meet the following:  
  - Density of native grasses is at least 80% of native grass density in pre-disturbance conditions;  
  - Native species richness is at least 80% of native richness in pre-disturbance conditions; and  
  - No new invasive non-native species are established in the restored area. | CDA                        | Prior to approval of the Precise Development Plan, and during and after construction |

Deleted: Prior to hosting special events that exceed the 1988 operating limits.
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<th>Proposed Mitigation</th>
<th>Summary of Measure</th>
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<td>MM 7.b.2</td>
<td>The project sponsor shall submit a construction management and revegetation plan in conjunction with their Precise Development Plan application that includes the following provisions to govern construction activity for the relocated residences and Dining Hall in the retreat area adjacent to riparian/boy woodlands consistent with the SCA policies contained in the CWP:</td>
<td>CDA</td>
<td>Prior to approval of the Precise Development Plan, and during and after construction</td>
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<td>- Vegetation removal will be minimized to the maximum extent practicable during all work activities. Grading limits will be clearly flagged to minimize disturbance from construction equipment.</td>
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<td>- Native trees greater than 12 inches diameter at breast height that are removed as a result of construction activities will be replaced at a minimum 3:1 ratio with equivalent native species. Native trees less than 12 inches diameter at breast height will be replaced at a 1:1 ratio. All propagules used for native plantings will be obtained from local nursery stock, if available. The applicant shall provide a revegetation plan that identifies the location and container size of all replacement trees for review and approval by the County. The revegetation plan shall incorporate BMPs to prevent transmission of Sudden Oak Death.</td>
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<td>- All disturbed areas will be revegetated with native plantings and/or a native seed mix as soon as practicable to minimize erosion and recruitment of invasive non-native plant species. Best management practices that avoid dispersal of invasive nonnative plants will be used, including using only certified, weed-free materials dominated by native species for erosion control and revegetation.</td>
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<td>- Temporary exclusionary fencing (e.g., sit fence – a piece of synthetic filter fabric, also called a geotextile) will be installed along the periphery of the work areas, including around all riparian areas. This temporary fencing will prevent debris and sediment from entering adjacent habitats during building removal and construction.</td>
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<td>- See MM 7.b.9 for additional mitigation measures.</td>
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<td>MM 7.b.3</td>
<td>The project sponsor shall ensure that the project is constructed in a manner that minimizes disturbance of wetland resources and ensure that impacted wetland areas are replaced at a 2:1 ratio. To implement this mitigation measure, the applicant shall submit a resource enhancement plan at the time they file the Precise Development Plan that includes the following wetland restoration and replacement measures for construction activity consistent with the WCA policies contained in the CWP.</td>
<td>CDA</td>
<td>Prior to, during, and after construction</td>
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<td>MM 7.b.5</td>
<td>Prior to construction, the project sponsor shall obtain appropriate County, state and federal permits for impacts to wetlands and/or other waters of the U.S. This will include, but is not limited to, obtaining permits from the County, U.S. Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, and/or California Department of Fish and Game. The conditions of these agreements shall serve as additional provisions. The project sponsor shall compensate for the loss of the jurisdictional wetland at a ratio of 2:1 (or as agreed upon by the permitting agencies) within the project area. The restoration effort shall include constructing a man-made mitigation wetland in the horse pasture adjacent to Sir Francis Drake Boulevard and wetland plant revegetation. The newly constructed wetland shall be 0.4 acres, a 2:1 impact ratio. It shall be buffered from equestrian activity and development by a 25-foot upland buffer planted with native grass and shrub species, or by other appropriate landscaping or agricultural fencing to protect the wetland area in compliance with the WCA policies of the CWP. It shall require implementation of a 5-year monitoring program with applicable performance standards, including but not limited to, establishing 80% survival rate of restoration plantings, absence of invasive plant species, absence of erosion features, and presence of a functioning, self-sustainable wetland system.</td>
<td>CDA</td>
<td>Prior to Precise Development Plan Approval, and prior to and during construction</td>
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| MM 7.b.6            | The project sponsor shall ensure that the project is constructed in a manner that avoids bat roosting habitat. To implement this mitigation measure, the applicant shall, at the time of Precise Development Plan application, submit a resource enhancement plan that includes the following species protection measures for site construction activity: Prior to commencing work, a qualified biologist will survey the site for bat roosts. If occupied roosting habitat is identified, removal of roost trees would not be allowed until the roost is unoccupied. All construction crew members will be trained by a qualified biologist on the status, life history characteristics, and avoidance measures for bats. Construction will be limited to daylight hours to avoid interference with the foraging abilities of bats.                                                                 | CDA                          | Prior to Precise Development Plan approval, and prior to                             |                                  |

**Shirley Rock Master Plan Amendment**

*Mitigation, Monitoring, and Reporting Program*

County of Marin

May 2011
<table>
<thead>
<tr>
<th>Proposed Mitigation</th>
<th>Summary of Measure</th>
<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
<th>Verification (Date and Initials)</th>
</tr>
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<td>measures for site construction activity:</td>
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<td>• Construction activities should occur outside of the critical breeding period (mid March through mid August). If activities must occur during the normal breeding season, work areas will be surveyed by a qualified biologist prior to commencing.</td>
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<td>• If active nests or behavior indicative of nesting are encountered, those areas plus a 50-foot buffer for small songbirds and 250-foot buffer for larger birds (e.g., owls, raptors) designated by the biologist will be avoided until the nests have been vacated.</td>
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<td>• Ongoing construction monitoring will occur to ensure no nesting activity is disturbed.</td>
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<td>• If state and/or federally listed birds are found breeding within the project area, activities will be halted and consultation with the California Department of Fish and Game and U.S. Fish and Wildlife Service will occur; the conditions of these agreements will serve as additional provisions.</td>
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<td>MM 7.b.7</td>
<td>The project sponsor shall ensure that the project is constructed in a manner that avoids special status reptile and amphibian habitat. To implement this mitigation measure, the applicant shall, at the time of Precise Development Plan application, submit a resource enhancement plan that includes the following species protection measures for site construction activity:</td>
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<td>• A preconstruction survey for special-status western pond turtle, California red-legged frog, and foothill yellow-legged frog will occur prior to beginning work within 100 feet of streams and wetlands, and work will only occur in areas that have been surveyed and have either been found to contain no special status reptile and amphibian species, or have been adequately protected from construction activity by fencing and/or other barriers that protect the habitat as directed by a qualified biologist.</td>
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<tr>
<td>• All construction crews will be trained by a qualified biologist on the status, life history characteristics, and avoidance measures for special-status and common reptile and amphibian species.</td>
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<td>• Temporary wildlife exclusionary fencing (e.g., silt fence – a piece of synthetic filter fabric, also called a geotextile) will be installed along the periphery of the work areas, including around all wetlands and riparian areas. This temporary fencing will preclude animals from entering the work site and prevent construction debris from entering adjacent aquatic</td>
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County of Marin
May 2011

Spirit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program
<table>
<thead>
<tr>
<th>Proposed Mitigation</th>
<th>Summary of Measure</th>
<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
<th>Verification (Date and Initials)</th>
</tr>
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| **MM 7.b.8**        | The project sponsor shall ensure that the project is constructed in a manner that avoids common terrestrial species habitat. To implement this mitigation measure, the applicant shall, at the time of Precise Development Plan application, submit a resource enhancement plan that includes the following species protection measures for site construction activity:  
  - A preconstruction survey (on the day preceding work and/or ahead of the construction crew) will be performed prior to any major site disturbance, such as grading. Where terrestrial species are observed within the project area or immediate surroundings, these areas will be avoided until the animal(s) has (have) vacated the area, and/or the animal(s) will be relocated out of the project area by a qualified biologist.  
  - The site will be surveyed periodically during construction to ensure that no terrestrial species are being impacted by construction activities. | CDA | Prior to Precise Development Plan approval and prior to construction |  |
| **MM 7.b.9**        | The project sponsor shall ensure that the project is constructed in a manner that avoids aquatic habitat and species. To implement this mitigation measure, the applicant shall, at the time of Precise Development Plan application, submit a resource enhancement plan that includes the following species protection measures for site construction activity:  
  - Work will be performed in isolation of any flowing water.  
  - Erosion control measures will be utilized throughout all phases of construction where sediment runoff from exposed slopes threatens to enter the water. At no time will silt laden runoff be allowed to enter stream channels or wetlands or be directed to where it may enter these habitats.  
  - Excavated material will be disposed of properly with erosion control measures in place.  
  - Throughout construction, a qualified biologist will monitor to ensure water quality standards are being met and sediment is not entering the watercourse.  
  - A preconstruction training session will be provided for construction crew members by the qualified biologist. The training will include a discussion of the sensitive biological resources within the project area and potential impacts of accidental sediment releases. This will include | CDA | Prior to Precise Development Plan approval and prior to and during construction |  |
<table>
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<td>MM 7.c.1</td>
<td>The project sponsor shall ensure that the project is constructed in a manner that avoids introducing or facilitating the spread of invasive plant species. To implement this mitigation measure, the applicant shall, at the time of Precise Development Plan application, submit a resource enhancement plan that includes the following provisions to avoid introduction of nonnative species to the site:</td>
<td>CDA</td>
<td>Prior to Precise Development Plan approval, and prior to and during construction</td>
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<td>• Any seed, straw, or mulch brought into the site will be free of nonnative invasive species.</td>
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<td>• Construction vehicles and other landscaping equipment will be cleaned of seed and soil from other sites before entering new areas.</td>
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<td>• Revegetation of disturbed soil will occur promptly after disturbance.</td>
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<td>Restoration activities for wetland mitigation and native bunchgrass mitigation will entail soil disturbance. BMPs will be carefully followed at all times. Both restoration sites and donor sites will be monitored post-installation for any increases in invasive nonnative species; see Impact 81. A plan will be developed for control of any invasive species detected in these areas.</td>
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<td>11. Public Service</td>
<td>The project plans shall demonstrate conformance with emergency vehicle access and fire suppression standards, defensible space, and landscape management requirements established by applicable codes. This mitigation measure will be implemented by submitting a Precise Development Plan application for approval by the County that incorporates a detailed landscaping and vegetation management plan and identifies the locations of emergency access and utility access. To further reduce potential fire hazards, the project plans shall demonstrate to the greatest extent possible the use of fire-resistant construction techniques, automatic fire</td>
<td>Marin County Fire Department</td>
<td>Prior to approval of Precise Development Plans</td>
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County of Marin  
May 2011  
Spirit Rock Master Plan Amendment  
Mitigation, Monitoring, and Reporting Program  
75
### Proposed Mitigation

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<td>MM 11.a.2</td>
<td>The project shall be maintained in a manner that preserves vegetative clearing and acceptable landscaping to comply with County landscaping and defensible space requirements. This mitigation measure shall be implemented by submitting a Precise Development Plan application for approval by the County that incorporates a landscaping and vegetation management plan that demonstrates compliance with adopted County landscape and defensible space standards, and includes provisions for the maintenance of defensible space.</td>
<td>Marin County Fire Department</td>
<td>Prior to approval of Precise Development Plan, on-going</td>
<td></td>
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<td>MM 11.a.3</td>
<td>The project shall construct the project in a manner that ensures adequate emergency vehicle access and fire suppression facilities. This mitigation measure shall be implemented by submitting a Precise Development Plan application for approval by the County that demonstrate conformance with emergency vehicle access and fire suppression standards.</td>
<td>Marin County Fire Department</td>
<td>Prior to approval of Precise Development Plans</td>
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| MM 11.a.4           | The applicant shall host special events in a manner that avoids activities that create the risk of fire, and to ensure that emergency personnel are able to respond to calls for service at the site. This mitigation measure shall be implemented prior to increasing daily occupancy to more than 315 persons by submitting an Emergency Preparedness Plan that will be incorporated into the Special Events Management Program (SEMP) for approval by the County that will ensure adequate notification and coordination with the Fire Department to ensure staffing and equipment are available for events that include any of the following:  
  a. Total daily attendance by more than 500 people;  
  b. Outdoor cooking or open flames; and/or  
  c. Attendance or activities that generate demand for overflow parking in excess of the spaces available on site.  
The Emergency Preparedness Plan may include the following:  
- Prior to increasing daily peak occupancy to more than 315 persons and prior to approval of the Precise Development Plan application. | Marin County Fire Department   | Prior to increasing daily peak occupancy to more than 315 persons and prior to approval of the Precise Development Plan application. |                                 |

**Deleted:**
- or peak occupancy for open house/events to more than 150 persons.
- or peak open house/event capacity to more than 150 persons.
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<th>Monitoring Responsibility</th>
<th>Timing/Implementation</th>
<th>Verification (Date and Initials)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MM 11.b.1</td>
<td>Provisions that include notification to emergency service providers of large events that have the potential to generate an on-site population of more than 500 people;</td>
<td>Marin County Sheriff Department</td>
<td>Prior to increasing daily peak occupancy to more than 315 persons, and prior to approval of Precise Development Plan</td>
<td>Deleted: or peak occupancy for open house/events to more than 150 persons by submitting</td>
</tr>
<tr>
<td></td>
<td>Circulation controls, e.g., parking attendants, installation of temporary directional signs and pyramids, etc., to preserve emergency vehicle access at the project site;</td>
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<td>Deleted: or peak open house/event capacity to more than 150 persons.</td>
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<td></td>
<td>On-site police and fire control arrangements and communication systems;</td>
<td></td>
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<td>Deleted: attendance</td>
</tr>
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<td></td>
<td>Provisions for standby or alternate personnel, equipment and/or facilities in the event that attendance exceeds pre-event estimates; and</td>
<td></td>
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<td></td>
<td>Provisions for emergency medical and first aid services.</td>
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</tbody>
</table>

12. Utilities and Service Systems

<table>
<thead>
<tr>
<th>MM.12.c.1</th>
<th>The project sponsor shall operate the property in a manner that does not result in water use that exceeds the available supply limits for the site (presently 7.49 acre-feet of water in a year). This mitigation measure shall be implemented by submitting a Water Management Plan to demonstrate that the daily operations would not result in use of more than 7.49 acre-feet of water in a year by providing necessary documentation prior to increasing daily occupancy to more than 315 persons to comply with the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. The project sponsor shall submit a Water Management Plan to demonstrate that use of the project site would not result in the use of more water than is allocated under the water service agreement with MMWD (presently 7.49 acre-feet of water in a year). A component of the WMP shall specifically address large-scale special events. As an alternative, the project sponsor may enter into an expanded water service agreement with MMWD to secure an additional allocation for the project site to serve total projected demand. The Water Management Plan</td>
</tr>
<tr>
<td>Proposed Mitigation</td>
<td>Summary of Measure</td>
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<td>---------------------</td>
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<tr>
<td>MM12.d.1</td>
<td>The applicant shall conduct activities at the project site in a manner that ensures demand for sewage disposal does not exceed system capacity or violate the Waste Discharge Requirements. The applicant shall implement this mitigation measure by submitting a Waste Water Management Program (WWMP). The WWMP shall include a component governing normal operations as well as a component governing special events that shall be incorporated in the CDA Environmental Health Department.</td>
</tr>
</tbody>
</table>

**Deleted:** In conjunction with their Precise Development Plan application

**Deleted:** or peak open house/event capacity to more than 150 persons.

**Deleted:** provisions

**Deleted:** and
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<tr>
<th>Proposed Mitigation</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Special Events Management Program (SEMP) for larger classes and events that have the potential, in combination with other activities at the project site, to exceed available sewage disposal capacity (e.g., populations in excess of 315 people with the existing septic system and populations exceeding 791 people after the new septic system is installed). The County, in consultation with the RWQCB, will review the WWMP to ensure it contains the following measures:</td>
<td></td>
<td>and RWQCB</td>
<td>construction</td>
<td>Deleted: e.g.:</td>
</tr>
<tr>
<td>a. Demonstrates that activity at the site will not generate wastewater in excess of 11,400 gallons per day after the new septic system is installed. This may require metering of the wastewater flows to provide early warning that use is nearing system capacity;</td>
<td></td>
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<tr>
<td>b. Incorporates operational practices, such as recycling greywater, actively managing restroom use, and implementing water conservation practices;</td>
<td></td>
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<tr>
<td>c. Provides for monitoring of the wastewater system to ensure compliance with performance objectives:</td>
<td></td>
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<tr>
<td>d. Establishes contingency plans that describe specific actions that shall be taken to prevent peak flows in excess of system capacity. Contingency plans may include immediate cessation of activities, closure of restrooms, and/or partial or total evacuation of the site:</td>
<td></td>
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<tr>
<td>e. To the extent that compliance with wastewater discharge limitation can only be accomplished with temporary facilities (e.g., temporary bathrooms and hand-washing facilities, temporary storage, pumping and removal of wastewater for treatment at a municipal facility) that are not connected to the wastewater disposal system, the WWMP shall include a plan indicating the location and number of such facilities that will be installed at the site and provide appropriate assurances that the temporary facilities will be removed.</td>
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<tr>
<td>f. Enforcement provisions that may include reductions in daily and special event population, cancellation of future events, remediation measures, and financial penalties for any violation of the WWMP or VDES; and</td>
<td></td>
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<tr>
<td>g. Reporting to document the monitoring results and identify contingency measures that were required in order to adhere to design capacity limitations.</td>
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</table>

County of Marin
May 2011

Spirit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program
<table>
<thead>
<tr>
<th>Proposed Mitigation</th>
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</tr>
</thead>
</table>
| 14. Cultural Resources | The applicant shall undertake construction in a manner that avoids historic and prehistoric resources. Before beginning construction, the project sponsor shall submit plans for approval by the County that include notes informing their grading contractor(s) of the potential for encountering paleontological sites by including the following directive in contract documents:  

"The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 50 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoan, and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber-tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks."  

The Marin County Community Development Agency shall verify that the language has been included in the contract documents before issuing the required permits.  

Adverse effects to paleontological deposits should be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance by a paleontologist. If the resources are not significant, avoidance is not necessary. If the resources are significant, the adverse effects of project ground disturbance shall be mitigated. A paleontologist shall prepare a Paleontological Mitigation Plan for submittal to the Marin County Community Development Agency for review, comment, and approval. Upon approval of the Paleontological Mitigation Plan, the Marin County Community Development Agency shall be responsible for ensuring that the stipulations of the Mitigation Plan are fulfilled. | CDA | Prior to project ground-disturbing activities | |
<p>| MM 14.b.1 | The applicant shall undertake construction in a manner that avoids historic and prehistoric resources. Before beginning construction within the Teacher and Staff Village subarea and at the proposed Meeting Hall, the applicant shall establish, and secure County approval of a 50-foot exclusionary buffer with high visibility temporary construction fencing at F-21-000485/CA-MRN-554 | CDA | Fencing shall be erected prior to project activities and monitored periodically | |</p>
<table>
<thead>
<tr>
<th>Proposed Mitigation</th>
<th>Summary of Measure</th>
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</tr>
</thead>
<tbody>
<tr>
<td>and P-21-002634. No project activities, including equipment staging or other ground-disturbing activities, shall occur within the exclusionary buffer. The construction contractor shall be responsible for installing and maintaining the temporary fences, and installation will be done in coordination with a qualified archaeologist and a FGR representative. The 50-foot exclusionary buffer shall be determined by a field review, which may include presence/absence auger testing or shovel test pits, as needed, to determine the resources’ boundaries. Staff from the Marin County Community Development Agency shall conduct site visits prior to construction, and periodically thereafter during the course of construction, to verify that the exclusionary fences have been installed, are properly maintained, and that no project activities are occurring within the exclusionary fence perimeter.</td>
<td></td>
<td></td>
<td>for the duration of project activities within the Teacher and Staff Village subarea and proposed Meeting Hall site.</td>
<td></td>
</tr>
<tr>
<td><strong>MM 14.b.2</strong></td>
<td>The applicant shall undertake construction in a manner that avoids historic and prehistoric resources. Before beginning construction, the applicant shall retain a qualified archaeologist and a FGR representative to monitor project grounds. Ground-disturbing activities associated with construction at the Teacher and Staff Village subarea and Meeting Hall construction activities at the location of a discovery to review possible archaeological materials and to protect the resource while the finds are being evaluated.</td>
<td>Archaeological and FGR monitors shall be retained prior to project grounds activities. Monitoring will occur during project grounds activities at those areas identified above.</td>
<td></td>
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<td></td>
<td>If deposits of prehistoric or historic archaeological materials are encountered during project activities, all work within 50 feet of the discovery shall be redirected until the archaeologist assesses the finds, consults with agencies as appropriate, and makes recommendations for the treatment of the discovery. Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historical Resources. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits shall be mitigated.</td>
<td></td>
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<td></td>
<td>If mitigation is determined necessary by the archaeologist, mitigation procedures shall be developed by the archaeologist and in coordination with the Marin County Community Development Agency. Mitigation may include excavation of the archaeological deposit in accordance with a data recovery plan (see CCR Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and access/ation of archaeological materials and a technical data recovery report at a curation facility.</td>
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<td></td>
<td>Upon completion of the archaeological monitoring, the archaeologist shall prepare a report of</td>
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County of Marin
May 2011

Sptrit Rock Master Plan Amendment
Mitigation, Monitoring, and Reporting Program
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</thead>
</table>
| MM 14.b.3           | The applicant shall undertake construction in a manner that avoids historic and prehistoric resources. Before beginning construction, the project sponsor shall submit plans for approval by the County that include notes informing contractors that if human remains are encountered, these remains shall be treated in accordance with HEC Section 7030.5. The project applicant shall inform its contractor(s) of the cultural sensitivity of the project area for human remains by including the following directive in contract documents:  

If human remains are encountered during project activities, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.  

The Marin County Community Development Agency shall verify that the language has been included in the contract documents before issuing the required permits.  

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the Marin County Community Development Agency and the Northwest Information Center. | CDA                       | The italicized language shall be included in appropriate contract documents executed prior to project ground-disturbing activities.                                                                                                                                   |                            |

_Spirit Rock Master Plan Amendment_  
_Mitigation, Monitoring, and Reporting Program_  
County of Marin  
May 2011
## Mitigation Monitoring and Reporting Program

### 1988 Mitigation Measures

<table>
<thead>
<tr>
<th>Proposed Mitigation</th>
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<tbody>
<tr>
<td><strong>GEOPHYSICAL FACTORS</strong></td>
<td></td>
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</tr>
<tr>
<td>1</td>
<td>Require the submission of a detailed soils report for each of the buildings in the retreat center as part of the precise development plan application.</td>
<td>CDA</td>
<td>Prior to Precise Development Plan approval</td>
<td>Completed as the result of the Master Plan Amendment pursuant to compliance with the California Building Code (CBC)</td>
</tr>
<tr>
<td><strong>BIOLOGY</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1</td>
<td>Mitigate the tree removal by a tree replacement program that provides three new trees for every one removed.</td>
<td>CDA</td>
<td>Prior to building occupancy</td>
<td>Superseded by MM.1.0.2 &amp; MM.7.b.2</td>
</tr>
<tr>
<td>2</td>
<td>Mitigate the potential impacts of development in proximity to the stream by planting riparian vegetation and woodland species along the stream channel south of the main parking lot.</td>
<td>CDA</td>
<td>Prior to building occupancy</td>
<td>Superseded by MM.7.b.7 &amp; MM.7.b.9</td>
</tr>
<tr>
<td>3</td>
<td>Agricultural easements over upland areas plus meadow area near Sir Francis Drake Boulevard should be used to ensure continued agricultural use of the most agricultural acreage on the property.</td>
<td>CDA</td>
<td>Prior to issuance of a building permit</td>
<td>Complete as confirmed by review of recorded documents</td>
</tr>
<tr>
<td>4</td>
<td>Reduce the potential fire hazard by implementing a grass and brush clearance program around all the buildings.</td>
<td>CDA</td>
<td>Ongoing</td>
<td>Superseded by MM.1.1.a.1</td>
</tr>
<tr>
<td>5</td>
<td>Fire-retardant materials should be used on the roofs of the buildings and landscaping near</td>
<td>CDA</td>
<td>Prior to issuance of a building permit</td>
<td>Superseded by</td>
</tr>
<tr>
<td></td>
<td>Buildings should be fire-resistant plants.</td>
<td>building permit</td>
<td>MM.11.a.1</td>
<td></td>
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<tr>
<td>6</td>
<td>Buildings in high hazard locations should use fire sprinklers to improve fire suppression.</td>
<td>CDA</td>
<td>Prior to issuance of a building permit</td>
<td>Superseded by MM.11.a.1</td>
</tr>
</tbody>
</table>

**HYDROLOGY (also see Utilities below)**

<table>
<thead>
<tr>
<th></th>
<th>Require execution of a standard watershed protection agreement with Marin Municipal Water District.</th>
<th>CDA</th>
<th>Prior to issuance of a building permit</th>
<th>Superseded by MM.12.c.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Final approval for full project buildout should be contingent on the satisfactory detailed testing and system design as part of subsequent Development Plan. The study should include groundwater testing of the southeast field and groundwater testing and slope stability analysis for the central field. This more detailed investigation should be done in conjunction with the more detailed site design in the precise development plan stage.</td>
<td>CDA</td>
<td>Prior to Precise Development Plan approval</td>
<td>Superseded by MM.12.d.1</td>
</tr>
</tbody>
</table>

**COMMUNITY/CULTURAL FACTORS**

|   | Archaeological monitoring of the site during construction should be required to ensure identification and protection of any resources discovered during construction. | CDA | Ongoing | Superseded by MM.14.a.1, MM.14.b.1, MM.14.b.2, & MM.14.b.3 |

|   | Construction activity should be limited to 8 AM to 5 PM, Monday through Saturday. | CDA | Ongoing | Superseded by §6.70.030 of the Marin County Code pursuant to the Master Plan Amendment |

|   | Construction equipment should be properly muffled and shut-off when not in use. | CDA | Ongoing | Superseded by §6.70.030 of the Marin County Code |

_Spirit Rock Master Plan Amendment_  
_Mitigation, Monitoring, and Reporting Program_  
_County of Marin_  
_May 2011_
<table>
<thead>
<tr>
<th><strong>TRANSPORTATION</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td>Sponsor should develop and maintain a program to encourage carpooling for retreat participants.</td>
<td>CDA</td>
<td>Prior to issuance of a building permit</td>
</tr>
<tr>
<td><strong>2</strong></td>
<td>Driveway approach shall be designed as wide-flare commercial type approach.</td>
<td>CDA</td>
<td>Prior to building occupancy</td>
</tr>
<tr>
<td><strong>3</strong></td>
<td>Landscaping shall be selected to protect sight lines for 1000 feet in either direction from driveway approach.</td>
<td>CDA</td>
<td>Prior to Precise Development Plan approval</td>
</tr>
<tr>
<td><strong>4</strong></td>
<td>A westbound deceleration lane shall be constructed (standard design given traffic speeds would be 3500 feet in length).</td>
<td>CDA</td>
<td>Prior to building occupancy</td>
</tr>
<tr>
<td><strong>5</strong></td>
<td>An eastbound acceleration lane shall be constructed consistent with Caltrans’ standards. As an alternative, left turns from the site should be prohibited, and eastbound traffic direct first to head west, then turn left, looping through Woodacre, to head east on Sir Francis Drake Boulevard.</td>
<td>CDA</td>
<td>Prior to building occupancy</td>
</tr>
<tr>
<td><strong>6</strong></td>
<td>No workshop should conclude between hours of 1 PM and 7 PM on Sunday afternoons.</td>
<td>CDA</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td><strong>UTILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1</strong></td>
<td>Require use of water conserving devices and fixtures.</td>
<td>CDA</td>
<td>Prior to building permit issuance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CDA</td>
<td>Water District Code 513.02.021 pursuant to the Master Plan Amendment</td>
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<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>2</strong></td>
<td>Require submission of detailed grading and drainage plan as part of precise development plan application.</td>
<td>Prior to Precise Development Plan approval</td>
<td>Eliminated as the result of the Master Plan Amendment subject to MM.4.a.1, MM.4.a.2, and MM.4.c.1</td>
</tr>
</tbody>
</table>
MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

MEMORANDUM

TO: Marin County Planning Commission

FROM: Veronica Corella-Pearson

RE: Spirit Rock Vested Square-footage Calculations

DATE: May 16, 2011

The history of the Planning permits issued and vested for the Spirit Rock Meditation Center is complicated, and it is reasonable for decision makers and the public at large to have difficulty fully understanding the history. Outlined below is the response to questions raised by Paul Berensmeir and the San Geronimo Valley Planning Group in the letter dated February 28, 2011, regarding how the County determined that 70,560 square feet was vested for the Spirit Rock Meditation Center. Section I details the various approvals from the Community Development Agency (CDA) for the Spirit Rock Meditation Center. Section II addresses correspondence between CDA and Spirit Rock Mediation Center regarding vesting the Spirit Rock Meditation Center Master Plan, and the vesting calculations from Paul Berensmeir's letter compared to the vesting determination made by CDA. Lastly, Section III addresses Marin County Code Section 22.44.050 and how the County currently determines Master Plan vesting approval.

I. Spirit Rock Meditation Center Planning Approvals

Since approval of the Spirit Rock Medication Center Master Plan on August 30, 1988 (Ordinance 2981, Attachment 1), numerous changes were made to the names and sizes of the approved structures in the following subsequent permits: Precise Development Plans I (November 30, 1989) Precise Development Plan II (October 11, 1991), Precise Development Plan Amendment 93-004 (February 25, 1993) Precise Development Plan Amendment 03-13 (April 21, 2003), Precise Development Plan III (December 7, 1995), Precise Development Plan Amendment 02-05 (May 22 2002) and Design Review 91-004 (October 18, 1990), 97-61 (September 30, 1996), and 98-47 (June 29, 1998). To further complicate the permit history, certain structures are renamed by the proposed Master Plan Amendment. Table 1, Master Plan Approved Structures and Subsequent CDA Approvals, details the various approvals and the names and approved square footage for each structure under each approval, along with the current proposal. Table 2 refers to the February 28, 2011 letter from Paul Berensmeir and addresses the approved and vested square footage calculation from his letter.

As shown in Table 1, the total square footage approved in the Master Plan was 70,560 square feet. Details on the allotted square footage for each structure are detailed on the Spirit Rock Meditation Center Master Plan Exhibit A (Attachment 2). Exhibit A of the Master Plan Map shows a "Total Project Building Area" of 67,200 square feet. The difference of 3,360 square feet is due to the exclusion of unenclosed areas from the building area calculation. When the Master Plan was approved in 1988, the County did not have an adopted definition of building area. It was not until the Marin County Code Amendments in 2003 that Building Area was defined. Therefore, there are some discrepancies in the square-footage terms used in the various approval documents. The total vested square footage was clarified in the memo dated May 20, 2002, discussed further below.

PC ATTACHMENT #5
II. CDA Vesting Determination
On January 19, 1994 the Marin County Planning Department Staff issued a letter to Spirit Rock Meditation Center outlining the procedures for obtaining Master Plan vesting approval. In summary, the County stated that pursuant to then county code Section 22.45.0601 the Spirit Rock Master Plan would be vested in its entirety upon the recordation of a Record of Survey reflecting all recorded easements and a lot line adjustment for the 2.5 acre gift of land deeded to the MCOSD, and issuance of a building permit to vest Precise Development Plan Phase III. On November 21, 1996 the Record of Survey was recorded and the Precise Development Plan Phase III was approved on December 7, 1995 (DP 95-010). The building permits for the Residence Halls (Dormitories) and Council House, approved under Precise Development Plan III, were approved in May of 1997. Therefore, on July 14, 1997 the County sent a letter to Hart and Associates stating that the Spirit Rock Master Plan was vested in its entirety and on May 20, 2002 a memo was sent to Spirit Rock Meditation Center confirming the vested buildings and total vested gross square-footage of 70,550. While the term “square-footage” is not defined, in this context it refers to a combination of building area and areas that are covered, but unenclosed.

In his letter, Paul Berensmeir uses the approved square-footage of buildings under limited portions of the Master Plan, as well as the square footage approved by PDP II and PDP III to arrive at a total square-footage calculation. As discussed above, the Master Plan was determined to be vested in its entirety after Precise Development Plan III, for the Master Plan approved total square-footage of 70,560 square-feet. Table 2 provides a comparison of the calculated square-footage from Mr. Berensmeir letter, to that of the approved vested square-footage and identifies any discrepancies.

Table 2: Paul Berensmeir’s Vesting Calculations

<table>
<thead>
<tr>
<th>Structures</th>
<th>Square-footage per February 28, 2011 letter from Paul Berensmeier</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Hall</td>
<td>5,400 sq.ft.</td>
<td>Not constructed, temporary structure approved, vested square-footage is 5,400 sq.ft. from MP</td>
</tr>
<tr>
<td>Dining Hall</td>
<td>9,282 sq.ft.</td>
<td>Not constructed, approved and vested is 6,900 sq.ft. from MP</td>
</tr>
<tr>
<td>Dormitories</td>
<td>13,030 sq.ft.</td>
<td>Building Permit approved for 14,061 sq.ft.</td>
</tr>
<tr>
<td>Meditation Hall</td>
<td>10,056 sq.ft.</td>
<td>Building Permit approved for 10,301 sq.ft.</td>
</tr>
<tr>
<td>Staff Housing</td>
<td>3,792 sq.ft.</td>
<td>Not constructed, temporary structure approved for 2,880 sq.ft., vested square-footage is 8,600 sq.ft. from MP</td>
</tr>
<tr>
<td>Teacher Housing</td>
<td>1,770 sq.ft.</td>
<td>Not constructed, approved and vested is 2,500 sq.ft. from MP</td>
</tr>
<tr>
<td>Family Housing</td>
<td>1,879 sq.ft.</td>
<td>Not constructed, approved and vested is 2,500 sq.ft. from MP</td>
</tr>
<tr>
<td>Multipurpose Bldg.</td>
<td>1,784 sq.ft.</td>
<td>Not constructed, approved and vested as the Playroom for 400 sq.ft. in the MP</td>
</tr>
<tr>
<td>Commons Bldg.</td>
<td>3,505 sq.ft.</td>
<td>No constructed, and not proposed in the MP</td>
</tr>
<tr>
<td>Maintenance Bldg.</td>
<td>380 sq.ft. unenclose/646 sq.ft. enclosed</td>
<td>Building approved and constructed for 2,592 sq.ft.</td>
</tr>
<tr>
<td>Hermitage</td>
<td>5,014 sq.ft.</td>
<td>Not constructed, approved and vested as the Hermitage Cabins and Commons for 5,690 sq.ft. in MP</td>
</tr>
<tr>
<td>Total</td>
<td>56,538 square feet</td>
<td>Mr. Berensmeir uses approved square-footage in PDP II and III, and limited portions of the MP rather than recognizing that the MP was vested in its entirety. His calculations also do not include Retreat Housing constructed at 14,061 sq.ft., the Administration Building, Resident Housing, the Gate House, and the Pavilion</td>
</tr>
</tbody>
</table>
III. Marin County Code 22.44.050
MCC Section 22.44.050.A1 states the following, "An approved Master Plan shall not expire if, prior to the expiration date, a Precise Development Plan or a tentative subdivision map is approved in compliance with this development Code. An approved Precise Development Plan shall not expire if, prior to the expiration date, a Building Permit, Parcel or final map is issued for the project." As described under Section II above, Spirit Rock Meditation Center received approval of PDP III and building permit approvals were granted. Therefore, the Spirit Rock Meditation Center Master Plan is vested.
BOARD OF SUPERVISORS OF THE COUNTY OF MARIN

ORDINANCE NO. 2981

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN,
STATE OF CALIFORNIA, APPROVING THE SPIRIT ROCK CENTER MASTER PLAN
FOR ASSESSOR'S PARCEL NO. 172-350-04.

* * * * * * * * * * *

SECTION I: Findings. After due consideration of: the recommendation of the Marin
County Planning Commission, the administrative record from the Planning Commission
hearing; the testimony of staff, the applicant and members of the public, the Board of
Supervisors finds and declares:

I. WHEREAS the Marin County Board of Supervisors held a duly noticed public
hearing on August 16 and 30, 1988 to consider a Mitigated Negative Declaration;
and

II. WHEREAS the Board of Supervisors finds that, based on the Initial Study revised
through June 21, 1988 and amended by the Board of Supervisors and the
documents referenced in the Initial Study, the proposed project incorporates all
necessary mitigations in the modifications and conditions contained herein and
therefore will not have a significant effect on the environment and moved to
approve the mitigated Negative Declaration of Environmental Impact; and

III. WHEREAS the Board of Supervisors held a duly noticed public hearing on August
16 and 30, 1988 to consider the merits of the Spirit Rock Center Master Plan
application of Insight Meditation West; and

IV. WHEREAS the Board of Supervisors finds that the proposed project, with the
modifications and conditions contained herein, is consistent with the policies of
the Marin Countywide Plan, particularly the Streamside Conservation area
policies and the policies for the Inland Rural Corridor because although
development is proposed in the streamside setbacks, it is adequately setback
from the watercourse to preclude adverse impact, does not require the removal
of any riparian vegetation, and proposes additional streamside enhancement; and

V. WHEREAS the Board of Supervisors finds that the proposed project, with the
modifications and conditions contained herein, is consistent with the policies of
the San Geronimo Valley Community Plan and zoning because the use of
religious/education-institution is allowed in the zone and the intensity of use is
similar to that of the maximum allowed residential development of the site; and

VI. WHEREAS the Board of Supervisors finds that the proposed project with the
modifications and conditions contained herein, is consistent with the Master Plan
Design Requirements and Permitted Uses of the A-RP (Agricultural, Residential
Planned) Zoning District as set out in Marin County Code Sections 22.47.105 and
22.47.102 respectively because it is clustered in the least visible, most level area
of the site and proposes to preserve the majority of the site under non
development/private open space, and agricultural easements; and

PC ATTACHMENT #6
WHEREAS the Board of Supervisors finds that the proposed use of the property as a non-profit religious/educational institution for the practice of and instruction in silent meditation will not be detrimental to the health, safety, morals, comfort, convenience or welfare of persons residing or working in the neighborhood of this use and will not, given the modifications and conditions contained herein, be detrimental to the public welfare or injurious to property or improvements in the neighborhood;

SECTION II:

NOW THEREFORE BE IT RESOLVED, the Marin County Board of Supervisors hereby approves the Spirit Rock Center Master Plan subject to the following conditions.

The Planning Department

1. The Spirit Rock Center Master Plan is hereby approved and subsequent development and use of the property shall be in substantial conformance with the Master Plan application on file with the Marin County Planning Department, consisting of:

   A. Plan set entitled, "Spirit Rock Center Master Plan," prepared by Schwartz Waag Associates, Inc. dated 1-15-88 consisting of nine (9) sheets and labeled Exhibit "A" in Planning Department files; and

   B. Application text entitled, "Spirit Rock Center Master Plan Application," submitted by Insight Meditation West, dated October 8, 1987 and labeled as Exhibit "B" in Planning Department files; and

   C. Text entitled, "Spirit Rock Center - Environmental Mitigation Program" prepared by John Roberto Associates dated January 15, 1988 and labeled Exhibit "C" in Planning Department files;

except as modified herein and subject to the following conditions.

2. No development or use may occur on the site except in accordance with a Development Plan approved pursuant to this Master Plan. Application for the Development Plan must be made while the Master Plan is in effect. The Master Plan will be considered to remain in effect while the Development Plan is being processed, and while the Development Plan is in effect. Should the Development Plan not be vested while it is in effect, both the Development Plan and the Master Plan shall be considered to have expired.

3. The Development Plan may be acted on by the Planning Director and shall not require a public hearing before the Planning Commission, except on appeal or where the Planning Director determines there is a matter of policy or controversy involved and directs that the Development Plan be heard before the Planning Commission.

4. The general siting and scale of the proposed buildings, as shown in Exhibit "A" are approved, except for the following:

   A. the hermitage (Building # 14) shall be resited outside of the 100 foot setback measured from the top of bank of the adjacent intermittent stream. The resiting shall be subject to the review and approval of the Planning Director and shall minimize tree removal and visual impacts of the hermitage and access to the hermitage.
the pavilion (Building #15) shall be resited away from the hilltop. The resiting shall be subject to the review and approval of the Planning Director and shall minimize tree removal and visual impacts.

C. the dormitory housing (Building #1) shall be reduced from 79 beds (38 double rooms and 3 singles) to a maximum of 71 beds, not more than 7 to be provided as single rooms.

The required revisions shall be shown on the Development Plan application. The building designs shall incorporate passive solar design to the extent possible.

5. The specific design, exterior materials and colors are specifically not approved as part of the Master Plan, but shall be evaluated and approved as part of the Development Plan.

6. As offered by the applicant and approved as part of this Master Plan approval, the applicant shall submit at the Development Plan stage, plans showing the exact location and proposed language for the following:

A. Agricultural easements to be offered to Marin Agricultural Land Trust over the flat meadow area in the southeast corner of the site adjacent to Sir Francis Drake Boulevard and for the upland slope areas at least from the ends of the lower valleys with the treed areas to the southerly side of the proposed ridgeline trail as generally shown on Sheet 1 of Exhibit "A".

B. Non-development, Private-Open Space easements over all portions of the site outside of the development area as marked by hand and labeled "General Development Area" shown on Sheet 1 of Exhibit "A". The development area may be modified slightly to accommodate resiting of the Hermitage, the pavilion and the detailed siting of the remaining buildings. The development area may also be modified to include proposed septic field areas and outdoor use areas and landscaping adjacent to retreat center facilities. The easements shall provide that no buildings or roads may be constructed within the easement areas. The easements may provide that the trails proposed for public use, trails for retreat use, shrines, on-grade meditation platforms, agricultural fencing and similar structures may be constructed within the easement areas, subject to Design Review, Design Review Waiver or exemption.

C. Public pedestrian/equestrian trail easement to be offered to Marin County Open Space District or another entity acceptable to the Planning Director in the alignment generally shown on Sheet 1 of Exhibit "A". The easement may be subject to a condition that public use of the trail shall not begin until the trail is extended onto the ridgeline of the property immediately to the east of the subject property.

D. A gift of land of approximately 5 acres, as proposed by the applicant, immediately adjacent to the western boundary of the subject property, on the ridgeline to include the knoll top as marked by hand and labeled, "General Location of Gift of Land," on Sheet 1 of Exhibit "A".

E. The equestrian easement along the frontage of the property from the existing underground cattle crossing of Sir Francis Drake Boulevard west to the property boundary as generally shown on Sheet 1 of Exhibit "A" by hand marking and labeled "General Location of Equestrian Easement."
part of the development plan, the applicant shall submit a detailed landscaping plan that shall include at least the following:

A. All trees over four (4) inches in diameter measured 4 feet above the ground that must be removed to accommodate the buildings or site improvements for the proposed project shall be clearly marked and identified by species and diameter size.

B. As proposed in the applicant's Riparian Enhancement Program described on page 2 of Exhibit "C", all trees removed within the 100 foot setback from the top of banks of the ephemeral water course shall be replaced on a 3 for 1 basis by a planting program along the ephemeral watercourse south of the main parking lot. The location, species and specimen size of the proposed replacement trees shall be clearly indicated. Further, the landscape plan shall include a description of the proposed maintenance program intended to ensure the establishment of these new trees. This planting shall also be designed to increase the screening of parking areas within the retreat center.

C. Revegetation of areas disturbed during construction with ground cover similar to what is already present on the site. The landscaping plan shall include the proposed species, specimen size where appropriate and the planting program to ensure the establishment of the replanted areas.

D. As part of the Development Plan application, the applicant shall submit land management plans for the area marked by hand and labeled 'General Development Area' on Sheet 1 of Exhibit "A" to include the following:

1. proposal for long term erosion control plans. This may include the repair of slumping hillsides where necessary to protect the hillside from erosion and/or to control sedimentation.

2. proposal for streamside preservation and restoration plans. This may include the repair of watercourse banks where necessary to protect the watercourse from erosion and to control sedimentation.

The implementation of the land management plan shall be a condition of the Development Plan.

/ 8. The use approved by this Master Plan is the conduct of a nonprofit religious/educational institution for the instruction in and practice of silent meditation on the subject property, AP# 172-350-04 pursuant to Section 22.1.0.020.b(13) of Marin County Code subject to the following conditions:

A. Minor changes in the occupancy and operation of the retreat center may be considered as part of the Development Plan, or through Development Plan Amendment provided that the use remains substantially consistent with the project as generally described in Exhibits B and C and does not result in environmental impacts beyond those evaluated in the Initial Study revised through June 21, 1988 and as amended by the Board of Supervisors.
The occupancy and operation of the retreat center shall conform to the following maximum allowable levels:

- A maximum of: 20 staff resident on site
- 20 monks and nuns resident on site
- 150 participants in retreats requiring overnight stays. This shall include adult participants (18 years of age and older) that stay at the retreat center during the retreat session and the teachers of the retreat sessions that stay at the retreat center during the retreat session. The number of children (persons under 18 years of age) that stay at the retreat center overnight that are not participants shall not increase overnight occupancy to greater than 162 persons.
- 125 participants in daytime retreats or evening classes. Daytime retreats may overlap with overnight retreats not more than four (4) times per year, and evening classes may overlap with overnight retreats not more than twenty seven (27) times per year.
- 198 days per year during which retreat sessions may be scheduled
- 315 persons on-site peak capacity

C. While the initial Phase Improvements only are in place, occupancy of the retreat center shall comply with the operation description contained in Exhibit "B" which includes:

- A maximum of: 60 overnight retreat participants
- 125 daylong or evening session participants
- 3 staff resident on site
- 0 monks and nuns resident on site

D. One mobile home may be allowed on the site temporarily to provide for housing for staff. The location and utilities for the mobile home shall be shown as part of the Development Plan application and may be permitted provided that there are no visual impacts or adverse environmental impacts and conditions in place to ensure its removal within three (3) years.

E. The occupancy and operation of the retreat center shall be subject to the monitoring programs to verify the adequacy of on-site parking, the accuracy of the projected vehicle occupancy for overnight retreat participants, and the capacity of the on site septic area to accommodate full buildout and use of the project. If the monitoring programs indicate that the projected parking demand, vehicle occupancy or septic capacity are incorrect, the conduct of the retreat center use may be subject to additional conditions of approval or limitations in occupancy levels.

F. The applicant may be permitted to conduct open houses at the retreat center subject to the review and approval of a specific program proposal as part of the development plan. Evaluation of the open house program proposal shall be primarily based on limiting the number of round trips to the site to a maximum of 100 per open house. Methods for limiting traffic impacts of the open houses include but are not limited to:
o conducting several smaller open houses instead of two larger annual open houses
o use of registration for open houses to control the number of attendees
o car pooling
o open houses held for people living in designated areas only
o operation of shuttle buses from a parking area outside San Geronimo Valley.

G. The approved retreat program from the retreat center shall be subject to review by the County of Marin to verify that no off-site traffic safety or circulation problems result directly from the operation of the retreat center. Should the County find that the maximum operation and occupancy of the retreat results in a traffic safety or circulation problem; the conduct of the retreat may be subject to additional conditions of approval, changes in retreat schedules or limitations in occupancy levels. The review period shall extend for one calendar year (365 days) after written notification by Insight Meditation West to the Marin County Planning Department that the retreat is operating at maximum approved occupancies. Full occupancy may occur before full buildout of physical facilities.

9. The application for Development Plan approval may be phased, so that the first Development Plan application is only for approval of improvements shown as the "Initial Phase" on Sheet 9 of Exhibit "A" subject to the following requirements:

A. The first Development Plan application must fulfill the following Master Plan conditions: 4, 6, 7, 15, 16, 17, 18, 20, 21, 22, 24, 25, 27, and 34. Fulfillment of other conditions, particularly Conditions # 22, 23, and 26(c), may be done incrementally as related to the phasing of the development.

B. The first Development Plan shall propose the phasing of the remainder of the development and the related levels of occupancy for each stage of the phasing.

C. The applicant may receive authorization from the County of Marin through a Design Review approval to grade portions of the access road on-site, and install water, sewer, electrical and phone facilities prior to submittal of all the information required in the first Development Plan application.

✓ 10. An archaeologist shall be present on site and monitor construction work during all site grading to ensure the identification and protection of any resources discovered during construction.

✓ 11. Construction activity on site is limited to 8:00 AM to 5:00 PM, Monday through Sunday, and 8:00 AM to 7:30 PM, Monday through Sunday, from May 1st to September 30th. No heavy machinery shall be operated on site on Sundays or after 5:00 PM. Exceptions to these hours may be granted by the Planning Director based on written request to accommodate special construction circumstances. The applicant shall actively organize and encourage carpooling of construction workers on the site, particularly for weekend volunteer workers.

✓ 12. Construction equipment used on site shall be properly muffled and shut-off when not in use.
14. All electrical service on the site and any electric line extension needed to service the site shall be undergrounded.

Marin Municipal Water District (MMWD)

15. As part of the Development Plan application, the applicant shall provide the following:

A. documentation from MMWD indicating that arrangements have been made with the District to provide for the extension of the Water District's facilities to service the property.

B. A draft agreement to be recorded against the property prior to issuance of building permit indicating that should the property be further subdivided, arrangements would have to be made with the District to upgrade or install the necessary facilities to serve the additional development.

16. The landscaping plans for the property shall comply with MMWD's water conservation ordinance.

17. Prior to issuance of any building permits or permits to allow site work, the property owner shall enter into a Watershed Protection Agreement with MMWD to ensure the long term protection of the waters of Lagunitas Creek.

Department of Public Works

18. In order to substantiate the actual traffic and parking demand generated by this project, the applicant shall be required to conduct a monitoring program to provide the Department of Public Works with the actual traffic volume data and the number of parking spaces short or left over every six months for the first two years of the operation. The applicant shall then increase the number of parking spaces, to be located in areas with minimal visual and tree removal impacts, modify the operations hours or reduce the retreat program or occupancy as required by the Director of Public Works in consultation with the Planning Director. As part of the Development Plan application, the applicant shall submit a description of how the applicant will fulfill this monitoring program requirement.

19. No retreat session shall end between 1:00 PM and 7:00 PM on a Sunday from May 1 to October 1.

20. As part of the Development Plan application, the applicant shall submit a design for the intersection of the site access road with Sir Francis Drake Boulevard that includes the following:

A. The driveway approach shall be designed as a wide flare commercial type approach.

B. There should be a minimum of one thousand (1,000) feet of unobstructed sight distance on both sides of the access point. No landscaping of over 2.5 feet high is allowed in this zone and any landscaping used shall require minimum or no maintenance.
A westbound deceleration lane and a westbound acceleration lane shall be designed and constructed according to standards of Figures 405.7 of the Highway Design Manual using a 50 foot radius curve, and geometric configuration of the taper subject to approval of the Department of Public Works.

D. As part of the development plan, the applicant shall propose a program to implement a no left turn policy from the site driveway. The program shall include traffic signs on site and handouts to advise retreat participants of alternative routes. The applicant shall be responsible to implement the no left turn policy as part of the first retreat use of the property. The Marin County DPW will monitor the operation of the no left turn policy and the traffic safety on Sir Francis Drake Boulevard in the vicinity of the site driveway for one (1) year from when the applicant advises that the retreat is operating at 50% occupancy and this level of operation is verified by the County. At any time up to the end of the one (1) year monitoring period, the applicant shall be required to design and construct an eastbound acceleration lane on Sir Francis Drake Boulevard if the Marin County Department of Public Works determines that traffic safety problems are not sufficiently mitigated by the no left turn policy and/or the no left turn policy is not effectively implemented. At the end of the one (1) year monitoring period, if the eastbound acceleration lane has not been required, the County may require that the applicant construct a traffic island as part of the intersection of the site driveway with Sir Francis Drake Boulevard to direct traffic leaving the site into a right turn only.

This mitigation of traffic safety impacts for the driveway is a condition of the Master Plan. The failure of the applicant to comply with this condition shall mean that the use of the site is being conducted in violation of the Master Plan and the County may proceed to abate the use and no further Building Permits for construction of facilities on the site shall be issued while the applicant is not in compliance with this condition. Alternatively, the applicant may seek a Master Plan Amendment to substitute other requirements for the mitigations of traffic safety provided for in this condition.

21. The applicant is required to develop and maintain a program to encourage carpooling for retreat participants. As part of the Development Plan application, the applicant shall describe how this requirement will be fulfilled.

22. As part of the Development Plan, a detailed soils report consistent with the recommendations of the Herzog Geologic Reconnaissance, dated 4-10-87 and supplement dated 12-23-87 shall be provided based on subsurface investigation and recommending detailed siting, foundation and construction design.

23. At the Development Plan stage, a complete grading and drainage plan shall be submitted together with appropriate calculations to cover the phase of development proposed. Improvements to both on site and off site drainage facilities may be required at the building permit stage depending upon this grading and drainage plan.

24. As part of the Development Plan application, design of the access roadway fulfilling the following shall be submitted:

A. The access drive shall be constructed on a shallow fill in an alignment as generally shown on Sheet 3 of Exhibit "A" and the sheet flow drainage from the meadow accommodated through a proper engineered approach - either with a
longitudinal ditch (if there is sufficient grade), intermittent drainpipes or another approach developed by the applicants' engineer.

B. The design shall be supported by a report from a soils engineer recommending a suitable roadway section can be constructed which is not susceptible to deterioration as a consequence of either rainfall or sustained local groundwater.

25. The development plan application shall include plans for repair of "V" ditch drainage system just west of existing access at the property frontage.

Marin County Fire Department

26. Plans submitted at the Development Plan stage meet the requirements of the Marin County Fire Department and may include the following:

A. Installation of new water mains, capable of delivering required fire flow from fire hydrants spaces so that no structure is further than 350 feet from a hydrant. The 350 feet is to be measured along the access road or driveway which provides access to the building(s).

B. Minimum required fire flow shall be approximately 2,200 gallons per minute.

C. Access roadways shall extend to within 150 feet of all structures. Subject to the approval of Marin County Fire, this distance may be increased when additional safeguards are incorporated into buildings such as the installation of automatic fire sprinkler systems.

27. As part of the Development Plan, a proposed grass and brush clearance program around all the buildings shall be submitted.

28. Fire retardant materials shall be used on the roofs of the buildings and landscaping near buildings shall be fire resistant plants.

29. Smoking shall be strictly controlled on site, particularly in the out of doors. The applicant shall post signs at the entrance to the retreat center as necessary indicating that there is no smoking. The applicant may designate limited indoor locations as smoking areas subject to review by Marin County Fire Department.

Marin Environmental Health Services, State Regional Water Quality Control Board

30. Septic system location and design shall be consistent with the Order for septic discharge issued by the State Regional Water Quality Control Board (RWQCB) dated May 2, 1988 and approved on May 18, 1988.

31. The septic areas identified in the Questa Engineering Corp. report dated August 1987 as the "southeast field" and the "ridgetop area" are specifically not approved as areas for septic systems. However, the applicant has the option to propose the use of these two fields in the future, as part of this Master Plan Approval.

32. As part of the Development Plan application, the specific system design to provide sewage disposal for the Initial Phase shall be provided and shall subject to review and approval by the Marin Environmental Health Services and RWQCB.

33. As part of the Development Plan application, a description of the proposed septic monitoring program shall be submitted.
Permission to develop beyond the level of development shown as the Initial Phase on Sheet 9 of Exhibit "A" shall be subject to the demonstration of adequate septic capacity to the satisfaction of the Marin Environmental Health Services and RWQCB.

Marin County Board of Supervisors

35. As offered by the applicant and accepted as part of this Master Plan, the applicant will pay an annual fee to the County for the retreat center's impact on County police, fire and paramedic services. The amount will be $5,000/year in 1988 dollars and will be increased annually by 2%. Until the retreat center reaches full occupancy, the fee will be phased in, starting at 20% for the first year in which a Building Permit is issued for construction on the property, increasing by 20% per year so that the fee is at 100% in five (5) years. This rate of phasing in may be adjusted if development of the retreat center proceeds more slowly so that full occupancy will not be achieved in five (5) years. Prior to issuance of the first Building Permit for construction on the site, the applicant will enter into a contract with the County setting out the administration and timing of the payments as offered by the applicant.

SECTION III: This Ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for and against the same in the Independent Journal, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin, State of California, on the 30th day of August 1988, by the following vote to wit:

AYES: Supervisors: Gary Giacomini, Harold Brown, Al Aramburu

NOES: Supervisors: None

ABSENT: Supervisors: Bob Stockwell, Bob Roumiguieres

CHAIRMAN OF THE BOARD OF SUPERVISORS
COUNTY OF MARIN

CHIEF J. Council

ATTEST:

Margaret Council
Clerk of the Board
<table>
<thead>
<tr>
<th>TABLE 1: MASTER PLAN APPROVED STRUCTURES AND SUBSEQUENT CDA APPROVALS</th>
</tr>
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<tbody>
<tr>
<td><strong>Teacher and Staff Village</strong></td>
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<tr>
<td><strong>Master Plan</strong></td>
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<td><strong>Teacher Housing</strong></td>
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<td><strong>Pavilion</strong></td>
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<td><strong>Commons Bldg.</strong></td>
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<td><strong>Community Center</strong></td>
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<td><strong>Maintenance bldg</strong></td>
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<tr>
<td><strong>Admin Bldg.</strong></td>
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<td><strong>Meeting Hall</strong></td>
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<tr>
<td><strong>Retreat</strong></td>
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<tr>
<td><strong>Dining Hall</strong></td>
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<tr>
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<td><strong>Retreat Participant Housing</strong></td>
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<tr>
<td><strong>Gate House</strong></td>
</tr>
<tr>
<td><strong>Guest Accommodations</strong></td>
</tr>
</tbody>
</table>

**TOTAL** 70,560

**Notes:**
- No square footage specified
- No time limit placed
- The total square footage proposed in the Master Plan Amendment of 77,443 square feet is calculated by adding the size of the proposed new structures and those that have already been constructed.

**Note:** Not included in the table are approvals for extensions for the temporary modular buildings.

PC ATTACHMENT #8
January 19, 1994

Arlene De Vries
Spirit Rock Meditation Center
P.O. Box 909
5000 Sir Francis Drake B.vd.
Woodacre, CA 94973

RE:  Spirit Rock Center Master Plan Vesting
     5000 Sir Francis Drake Boulevard, Woodacre
     APN: 172-350-35

Dear Ms. De Vries:

Thank you for your patience in awaiting a response to your October 8 letter requesting a time extension to vest the Spirit Rock Center Master Plan. Upon further review of this matter, the Planning Director has determined that an extension is not necessary because the Master Plan is still in effect. The County considers the Master Plan to be valid while a Development Plan is in effect or while a Development Plan application is being processed. Based on this, the Master Plan is valid until October 9, 1995, when the approved Development Plan Phase II expires, unless you file an extension prior to the expiration date.

Marin County Code Title 22 (Zoning)

Marin County Code Section 22.45.060 provides that a master plan shall be valid for a period of two (2) years from the date the ordinance approving the master plan was adopted. Similarly, this section provides that a development plan shall be valid for a period of two (2) years from the date the development plan was approved. It further notes that an approved master plan shall not expire if prior to the expiration date a development plan or a tentative subdivision map is approved in accordance with County code, and that an approved development plan shall not expire if prior to the expiration date a building permit or final map or parcel map is issued for the project. Extensions to the vesting period may be granted for up to a maximum period of four (4) years pursuant to Section 22.45.063 of the Marin County Code provided the master plan or development plan is consistent with Countywide or any community plan.

Development History

The Spirit Rock Center Master Plan was approved by the Board of Supervisors in August 1988, while Development Plan Phases I and II were approved by the Planning Director in November 1989 and October 1991, respectively. I acknowledge your concern that due to the nature of the Spirit Rock Center, construction of the entire retreat center may require a longer time period to accomplish depending on factors such as the center’s ability to obtain contributions through various fund-raising events. In addition, the Center still needs to secure approval of the final Development Plan Phase for the remaining components of the Master Plan, including most of the permanent structures and the final infrastructure extension. Therefore, you have inquired about the proper procedure to vest the entire Master Plan to allow build-out of the retreat over a longer time period without necessitating extensions from the County.
The County considers both of the approved Development Plans (Phases I and II) to be vested because the Center has secured at least one building permit for each of the phases and completed a substantial amount of the infrastructure improvements in accordance with the approvals. In addition, the Center has precluded future development of the 416.3 acre property by (1) dedicating 263.4 acres as a non-development, private open space conservation easement to the Marin County Open Space District (MCOSD), (2) granting 107.0 acres as an agricultural easement to the Marin Agricultural Land Trust, (3) dedicating 4.8 acres as an equestrian and pedestrian easement along the ridgetop and Sir Francis Drake Boulevard frontage of the property, and (4) providing a 2.5 acre gift of land to the MCOSD, as required by Development Plan Phase I conditions of approval. These restrictions have effectively limited the development potential of the 416.3 acre property to the 38.6 acre development area that was originally approved by the Spirit Rock Center Master Plan as a retreat center.1

Vesting

In light of the circumstances surrounding this project, I would suggest the following steps to secure vesting of the Spirit Rock Center Master Plan. The Center could file a Record of Survey with the County Surveyor by October 9, 1995 to reflect all recorded easements and a lot line adjustment for the 2.5 acre gift of land that was deeded to the MCOSD and that effectively adjusted the common property line between the subject property and the adjoining MCOSD parcel (APN: 172-350-36). This should be done in conjunction with the Development Plan Phase III application for the remaining components of the Master Plan. While the County cannot require a tentative map, parcel map, final map, or Record of Survey for this lot line adjustment under Section 66412(d) of the Subdivision Map Act, the Map Act does not prohibit the Center from filing any of these maps to document this adjustment. Based on this, it seems that the simplest way to secure vesting of the Master Plan would be to file a Record of Survey. Upon approval by the County, the recorded Record of Survey would be deemed to be substantially equivalent to a Final or Parcel Map. Pursuant to Section 22.45.060 of the Marin County Code, the Spirit Rock Center Master Plan will be vested upon recordation of the Record of Survey and issuance of a building permit to vest Development Plan Phase III.

Please call me at 499-6292 if you have further questions regarding this matter. Pursuant to our conversation of January 3, 1994, I have returned your $440.00 filing fee for the Master Plan extension on the understanding that you will submit $375.00 for this determination.

Sincerely,

[Signature]

Thomas Lai, AICP
Planner

cc: John Roberto
    Jack Tjeerdsma
    Robert San Chez, County Counsel
    Mark Riesenfeld
    Scott Davidson
    Robert Beaumont, DPW-Land Development
    Ron Miska, Open Space District
    San Geronimo Valley Planning Group

1 The various acreages were derived from the letter and map prepared by John Roberto in the fax of January 4, 1994.
July 14, 1997

Rob Hart
Hart & Associates
25 Pebble Beach Drive
Novato, CA 94949

RE: Vesting of Spirit Rock Master Plan/Phase III Precise Development Plan

Dear Rob:

This letter will confirm our previous conversations and your letter faxed to me on June 25, 1997, regarding the vesting status of the Spirit Rock Center Master Plan. The Master Plan was vested with the approval of the Spirit Rock Center Phase III Precise Development Plan on December 7, 1995 (DP 95-010). This vesting determination does not, however, include the pavilion building located to the south of the hermitage which was excluded from the project description for the Phase III Precise Development Plan. The Phase III Precise Development Plan has been vested because building permits have been issued for the Residence Hall and Council House.

Please contact me with any questions or if you would like to discuss this matter further.

Sincerely,

Brian C. Crawford
Principal Planner

cc. Arlene DeVries, Spirit Rock Center

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MEMORANDUM

TO: Spirit Rock Center
Rah Hart
San Gerónimo Valley Planning Group
Save the Valley

FROM: Tom Lai, Principal Planner

DATE: May 20, 2002

SUBJECT: Spirit Rock Center Precise Development Plan 02-05
5000 Sir Francis Drake Boulevard, Woodacre
Assessor’s Parcel 172-350-35

Since issuance of the approval of the Spirit Rock Center Precise Development Plan 02-05, it has come to my attention that the table of building sizes (Table 1) needs to be corrected to reflect a calculation error in the total gross floor area under the approved Master Plan, which should be 70,560 square feet, and not 70,060 square feet. The pavilion that was originally approved in the Master Plan will remain. In the following, corrected table, deleted figures have been struck through, while new figures have been bolded and italicized. In order to clarify the change in the size of the maintenance building that was approved, I have added another column, entitled “Modification.” These corrections do not materially modify the findings or conclusions to Precise Development Plan 02-05, and the required reduction in the size of future phases of construction at Spirit Rock Center remains at 975 square feet, which represents the difference between 71,535 and 70,560 square feet.

Table 1: Comparison of Building Sizes

<table>
<thead>
<tr>
<th></th>
<th>Master Plan</th>
<th>Approved/Built</th>
<th>Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Hall</td>
<td>5,400</td>
<td>5,292</td>
<td></td>
</tr>
<tr>
<td>Meditation Hall</td>
<td>10,050</td>
<td>10,056</td>
<td></td>
</tr>
<tr>
<td>Administration Building</td>
<td>1,900</td>
<td>1,480</td>
<td></td>
</tr>
<tr>
<td>Dining Hall</td>
<td>6,900</td>
<td>9,282</td>
<td></td>
</tr>
<tr>
<td>Dormitories (Woods)</td>
<td>12,600</td>
<td>11,340</td>
<td></td>
</tr>
<tr>
<td>Dormitories (Meadow)</td>
<td>12,400</td>
<td>13,030</td>
<td></td>
</tr>
<tr>
<td>Maintenance Building</td>
<td>1,000</td>
<td>1,026</td>
<td>2,811</td>
</tr>
<tr>
<td>Gate House</td>
<td>150</td>
<td>Eliminated</td>
<td></td>
</tr>
<tr>
<td>Staff Housing</td>
<td>8,600</td>
<td>3,792</td>
<td></td>
</tr>
<tr>
<td>Teacher Housing</td>
<td>2,500</td>
<td>1,770</td>
<td></td>
</tr>
<tr>
<td>Family Housing</td>
<td>2,500</td>
<td>1,879</td>
<td></td>
</tr>
<tr>
<td>Multi-Purpose/Playroom</td>
<td>400</td>
<td>1,784</td>
<td></td>
</tr>
<tr>
<td>Commons Building</td>
<td>N/A</td>
<td>3,505</td>
<td></td>
</tr>
<tr>
<td>Hermitage</td>
<td>5,600</td>
<td>5,014</td>
<td></td>
</tr>
<tr>
<td>Pavilion</td>
<td>500</td>
<td>Eliminated-500</td>
<td></td>
</tr>
<tr>
<td>TOTAL GROSS AREA</td>
<td>70,960</td>
<td>70,560</td>
<td>975</td>
</tr>
</tbody>
</table>

PC ATTACHMENT #11
Jeremy,

In the past two Spirit Rock Planning Commission [PC] hearings there has been ample documentation, testimony and evidence that special events at Spirit Rock have had only a beneficial effect and no adverse impact on the environment or the community. There has been no documentation, testimony or evidence to the contrary. Spirit Rock's track record in this regard is exemplary.

Nevertheless, there has been some discussion by the Planning Commission on the desire to require Spirit Rock to get a Use Permit [UP] for the Special Events Management Plan [SEMP]. Please consider:

1. Since there is no documentation, testimony or evidence that this is necessary, this would seem to be overly burdensome with no nexus leading to its requirement.

2. As you have seen, Spirit Rock has tried in every way to be respectful, straightforward, environmentally responsible and flexible in this planning process and with the community around them.

3. The current conditions of approval have a comprehensive SEMP as an administrative approval, whereas a UP is a discretionary approval. As such, the time, cost and preparation is much greater, and the risk of approval is uncertain. The process could certainly take a year or more, only to lead to ultimate denial.

4. The County has never required a UP for a SEMP like this before thus there is no precedent to put this onerous, uncertain and unjustified burden on Spirit Rock.

5. Spirit Rock only agreed to a cap on daily and special event use if acceptable conditions of approval were put forth by the Planning Commission.

6. Depending on the specific language, requirement of a UP could essentially shut down all or part of Spirit Rock's non-profit religious operations and I wanted you to be fully mindful of the consequences that might flow from that possibility.

I hope that the PC will carefully consider the damage that a UP could inflict upon Spirit Rock before taking further actions in that direction.

Thank you,
Rob Hart & Brian Swartz, HartMarin; Jack Kornfield, Louise Franklin & Guy Armstrong, Spirit Rock