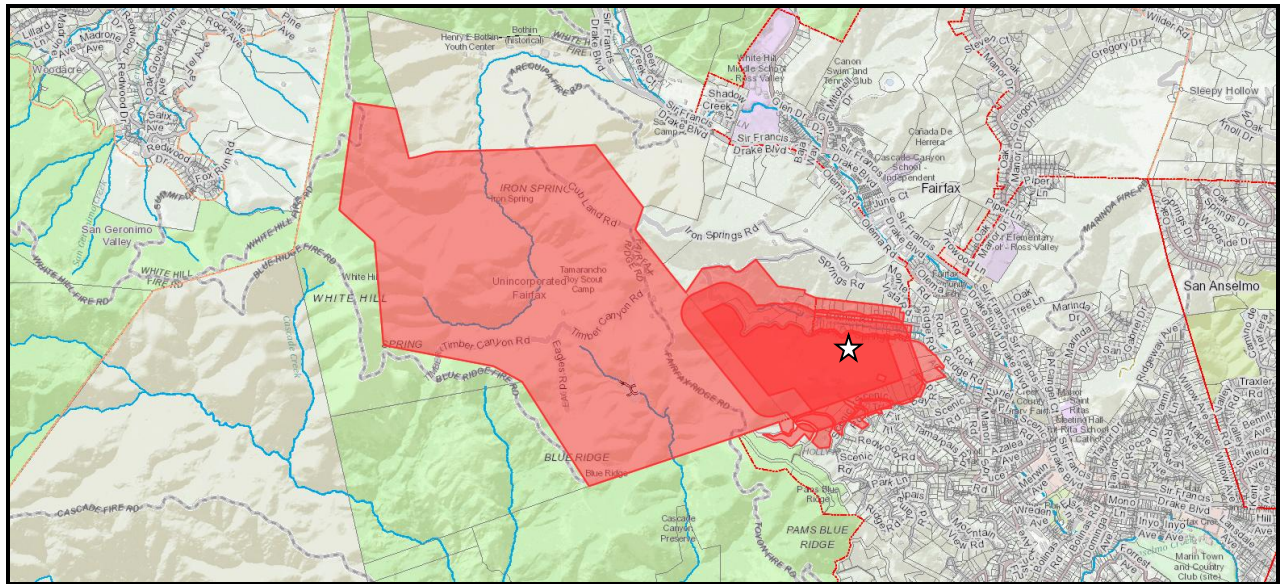


TOWN OF FAIRFAX STAFF REPORT

Department of Planning and Building Services

TO: Planning Commission
DATE: April 17, 2025
FROM: Linda Neal, Principal Planner
LOCATION: adjacent to 100 Iron Springs Road within the public right-of-way
PROJECT: installation of the end of a mountain bike trail originating from the Tamarancho Boy Scout Camp
ACTION: Revocable Encroachment Permit; Application No. 25-06
APPLICANT: Marin Council Boy Scouts of America
OWNER: David and Suzanne Warner
CEQA STATUS: County of Marin, the lead agency, has prepared and circulated for public comment a Negative Declaration determining the project will not have a significant effect on the environment. Mitigation measures have been incorporated into the project and are included in conditions of approval recommended by the Marin County Community Development Agency Planning Division



100 IRON SPRINGS ROAD
APN # 174-052-02

PROJECT DESCRIPTION

Construction of and approximately 8-foot length of 3-foot tall retaining wall along the west side of a graded mountain bike path, installation of a post and block, bike speed reducing feature on either side of the terminus of the trail along with a stop sign atop the last post of the proposed split rail fencing along the eastern side of the bike path, and

placement of backfilled split rails on the ground along the eastern bike trail edge for additional support (See pages L-5, and the revised pages L-9 and L-10 of the project plan set).

BACKGROUND

Estimates provided by Grassetti Environmental Consulting who prepared the project Negative Declaration estimate construction of the first mountain bike trail loop on the Boy Scout Camp site occurred around 1995 with additional trails built after 2005 including Alchemist, Trail, Goldman Trail, Serpentine Trail, Wagon Wheel Trail, B-17 Trail and Broken Dam Trail. Almost all of the existing trails, including the original loop are on Marin Council Boy Scouts of America (MCBSA) property except a segment on White Hill Open Space Preserve property now managed by the Marin County Open Space District.

The unpermitted construction of the Caballo Rojo Trail extension was stopped for lack of the required excavation permit by the County of Marin Public Works Department in 2015. The trail has remained closed since then pending the issuance of the required grading permit from the County of Marin which has yet to be approved.

The 30-day public comment period for the Camp Tamarancho Mountain Bike Trail System Improvements Projects Draft Initial Study/Negative Declaration began on Wednesday, February 26, 2025, and ended on Monday, March 31, 2025, at 4:00 p.m.

The applicant is also requesting Design Review approval from the County of Marin for the construction of the portions of the trail that crosses an open space easement that surrounds the residentially developed property at 100 Iron Springs Road that is located just outside the Town city limit line. The application includes the construction of four new bridges as part of the Caballo Rojo Trail.

DISCUSSION

Approximately the last 8-feet of the retaining wall at the end of the trail will encroach 4-feet into the Iron Springs Road right-of-way. The final post of the 3 ½ foot tall split rail fence along the eastern side of the trail will be approximately 5 ½-feet tall and will have a stop sign posted on it and this post will also be located within the Iron Springs Road right-of-way.

Town Code § 17.008.020 defines a structure as "Anything constructed or erected, the use of which required a location on the ground or attached to something having a location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, fences, pergolas, radio and television towers, masts and aerials". The retaining wall and the fence constitute structures.

Town Code § 12.12.020 requires any property owner wanting to utilize the public right-of-way along their property frontage to erect a structure must obtain the approval of the

Planning Commission. If the Planning Commission determines the area proposed for use by the owner is not currently being used by the public for pedestrian or vehicular travel, they can approve the proposed use by issuing a Revocable Encroachment Permit.

The area proposed for use by the MCBOA is an unimproved area of the Iron Springs Road public easement. For citizens or Commissioners wishing to visit the site, it has been posted with a flyer notifying neighbors of an in-person meeting with the applicant's representatives on a stake where the trail will join the Iron Springs Road easement. The Town has no plans in the near future to widen Iron Springs Road or to install a sidewalk or other roadway improvements in the right-of-way where the trail exit is proposed.

On page L-2 of the plans, under the heading of "Caballo Rojo Trail Construction" the construction staging and process is clarified as follows: The staging area, primary material holding area and temporary toilet will be located on the driveway to 100 Iron Springs Road.

A temporary secondary storage area, where materials needed for the lower portions of the trail will be stored, will be built at stream culvert no. 4. The platform will be used to store items needed for the construction of the retaining wall and fencing, tools to grade the trail, etc. Staff has included a condition in the resolution approving the Revocable Encroachment Permit requiring that the project manager contact the Town of Fairfax when the project is completed, and before the trail is opened for use, so the staff can verify that the temporary platform improvements have been entirely removed and the area has been restored to its natural state.

The applicants have reached out to affected neighbors to make sure they have an opportunity to comment on the project and Negative Declaration and held a meeting on April 3rd, 2025, at Bothin Park to hear neighbor concerns (Attachment C).

Other Agency or Town Department Comments/Request

Department of Planning and Building Services

Include in the project design, trail improvements that will slow users down and/or stop them before they enter the public road (the plans have already been revised to show compliance with this condition which was discussed with the applicants prior to this meeting).

Marin Municipal Water District. The District owns and maintains water facilities with an easement near the southeasterly property line. No construction shall encroach upon or encumber access to said facilities. Update the plans to indicate the location of the retaining wall and fencing in relation to any water facilities.

Ross Valley Sanitary District. Ensure that the proposed retaining wall does not encroach upon, impede access to, or interfere with the public sewer main. Update the plans to indicate the location of the trail improvements in relation to the sewer main.

Staff received no comments or conditions from Ross Valley Fire Department, Fairfax Police Department or Fairfax Public Works Department.

RECOMMENDATION

Move to approve application No. 25-06, based on the findings and the conditions contained within Resolution No. 2025-05.

ATTACHMENTS

A – Resolution No. 2025-05
Project plan set

RESOLUTION 2025-05

A RESOLUTION OF THE FAIRFAX PLANNING COMMISSION APPROVING A REVOCABLE ENCROACHMENT PERMIT FOR THE CONSTRUCTION OF A MOUNTAIN BICYCLE TRAIL EXIT INTO THE IRON SPRINGS ROAD RIGHT-OF-WAY ADJACENT TO 100 IRON SPRINGS ROAD, ASSESSOR'S PARCEL NUMBER 174-052-02

WHEREAS, on February 26, 2025, the Marin Council of the Boy Scouts of America submitted an application for a revocable encroachment permit which was deemed complete on March 31, 2025 for improvements associated with a one-way mountain bike trail originating at the Tamarancho Boy Scout Camp and ending within the Iron Springs Road right-of-way including a section of mountain bicycle recreational path, a 3-foot tall retaining wall, post and block, bike speed reducing feature, a stop sign and placement of backfilled split rails; and

WHEREAS, on April 17, 2025, the Planning Commission held a duly noticed public hearing to consider approval of the requested revocable encroachment permit at which time all interested parties were given a full opportunity to be heard and to present evidence, and at which time the Planning Commission approved the Revocable Encroachment Permit; and

WHEREAS, based on the plans and other documentary evidence in the record, as well as testimony at the public hearing, the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary for the Revocable Encroachment Permit as follows:

1. The proposed mountain bike pathway exit within the Iron Spring Right-of-way conforms to the following 2010-2030 Fairfax General Plan Policies:
 - a. Land Use Policy LU-1.1.3: Existing public easements will be utilized to develop a system of pathways as a potential recreational, circulation, and public safety resource.
 - b. Open Space Goal OS-2; Manage, enhance, and restore open space to ensure long term viability and vitality.
2. The area where the improvements will be located is not currently being used by the public.

WHEREAS, the Planning Commission has approved the revocable encroachment permit subject to the applicant's compliance with the following conditions:

The approval is limited to the development illustrated on the plans prepared by WRA Environmental Consultants received by the Town on March 12, 2025, and revised plan pages L-9a and L-10a received March 31, 2025.

ATTACHMENT A

Prior to the start of construction, the applicants shall prepare for approval by the Town of Fairfax the recordable Revocable Encroachment document and then record the document at the Marin County Recorder's Office and provide a copy of the recorded document to the Department of Planning and Building Services.

Prior to opening the new section of trail to the public, the applicants shall remove the temporary storage platform by Stream 4 Culvert, restore the natural area around the installation and contact the Planning Division staff so they can inspect and verify restoration has occurred in a satisfactory manner.

During the construction process, the following shall be required:

All construction-related vehicles, including equipment and supply delivery and materials shall be always situated off the travel lane of the adjacent improved public right-of-way.

Any proposed temporary closure of a public right-of-way shall require prior approval from the Fairfax Police Department and any necessary traffic control, signage or public notification shall be the responsibility of the applicant or his/her assigns.

Any damages to the public portions of Iron Springs Road or other public roadway used to access the site referenced in the Title of this Resolution, resulting from construction activities, shall be the responsibility of the Marin Council of the Boy Scouts of America.

Marin Council of the Boy Scouts of America shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council or Planning Director or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.

The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act and Best Management Practices for Stormwater Pollution Prevention.

Utility Service Alert (811) shall be notified prior to any work taking place within the Iron Springs Road right-of-way.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

Installation of the mountain bicycle recreational path, a 3-foot-tall retaining wall, post and block, bike speed reducing feature, a stop sign and placement of backfilled split rails will not cause significant impacts on neighboring residences and will be a benefit for the general public using Iron Springs Road.

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 17th day of April 2025, by the following vote:

AYES:
NOES:
RECUSED:
ABSENT:

Chair Philip Feffer

Attest:

Jeffrey Beiswenger, Director of Planning and Building Services

CABALLO ROJO TRAIL DESIGN REVIEW SUBMITTAL

Submitted by Access for Bikes on behalf of Marin Council Boy Scouts of America
to the Marin County Community Development Agency



CABALLO ROJO TRAIL

CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM

MARIN COUNTY, CALIFORNIA

DESIGN REVIEW SUBMITTAL



12/12/23 DESIGN REVIEW SUBMITTAL
DATE ISSUES & REVISIONS NO.
PROJECT #25182-1
DATE: 12/12/23
DRAWN BY:
JEANINE STRICKLAND, PLA CA#4285
CHECKED BY:
PAUL CURFMAN, PLA CA #3043
ORIGINAL DRAWING SIZE: 24 X 36

COVER SHEET

SHEET

L-0

DESIGN REVIEW REQUIREMENT

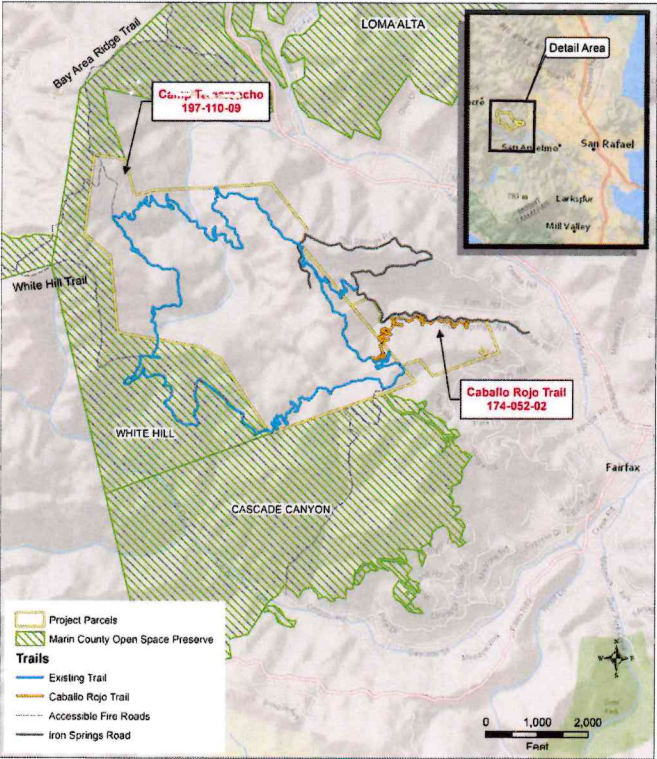
Marin County Design Review is required because the proposed 4-foot-wide by 24-foot-long trail bridge over ephemeral stream 4, will be 8 1/2 feet above the top of bank, which is greater than the six-foot height limit allowed without Design Review. The proposed bridge will not be visible to neighbors nor passers-by on Iron Springs Road

Countywide General Plan Policy Bio 4.1 states:

- Minimum development setback on an ephemeral stream is 20 feet on either side of the channel (40-feet total).
- Allowed uses within the setback: driveway, road and utility [linear] crossings, if no other location is feasible

Requiring a 40-foot bridge for the Caballo Rojo Trail to completely cross development setback *would cause greater impacts* than allowing the trail within the 20-foot development setback, as is allowed for other linear crossings such as roads, driveways and utilities.

FINDING: To complete the objective of the project, all other trail crossing locations are either infeasible, or would cause greater environmental impacts.



VICINITY MAP

PROJECT TEAM

Applicant:
MARIN COUNCIL BOY SCOUTS OF AMERICA
Michael Dybeck, Executive Director
225 West End Avenue
San Rafael, CA 94901
415-454-1081

Financial Supporters:
FRIENDS OF TAMARANCHO
225 West End Avenue
San Rafael, CA 94901
415-454-1081

ACCESS FOR BIKES
Vernon Huffman, Executive Director
2020 Sir Francis Drake
Fairfax, CA 94930
415- 259-7749

ADDITIONAL INDIVIDUAL CONTRIBUTORS

Property Owners
Suzanne and David Warner
36 Professional Center Parkway
San Rafael, CA 94901
415-492-2020

PROJECT CONSULTANTS

Planning and Environmental Design
PAUL CURFMAN, Environmental Planner and Professional Landscape Architect CA #3043
Independent Consultant to WRA Inc.
2169-G East Francisco Blvd.
San Rafael, CA 94901
415-637-8182

Permitting
WRA INC. ENVIRONMENTAL CONSULTANTS
Matt Richmond, Principal in Charge
Jeanine Strickland, PLA CA #4285
2169-G East Francisco Blvd.
San Rafael, CA 94901
415-454-8868

Geotechnical Engineering
MILLER PACIFIC ENGINEERING GROUP
Scott Stephens, Principal in Charge
504 Redwood Blvd.
Novato, CA 94947
415-382-3444

Surveying
R. W. DAVIS and ASSOCIATES
Professional Land Surveyor #6330
45 Leveroni Ct.
Novato, CA 94949
415-883-9099

Structural Engineer
MARK WOODROW, P. E.
Andersson|Woodrow
Structural design and engineering
415-453-3431

PARCEL INFORMATION

Site Location
100 Iron Springs Road
Fairfax, CA 94930

Parcel # and Size
174-052-02, 51.49 acres
Parcel adjacent to the east side of Camp Tamarancho

Jurisdictions
County of Marin
Town of Fairfax on three sides of parcel, including portions of Iron Springs Road.

Open Space Easement
2005-0046629
Recorded 23 June 2005
>40-acres donated to the County December 28, 2004 for "educational, recreational, and open space uses that are compatible with the maintenance of the property as open space."

SHEET INDEX

- | | |
|-----|---|
| L-1 | COVER SHEET |
| L-2 | PROJECT DESCRIPTION |
| L-3 | PROPERTY DESCRIPTION |
| L-4 | SITE PLAN (FIGURE 2) |
| L-5 | STREAM CROSSING 2 & 3A TRAIL PLANS & SECTIONS |
| L-6 | STREAM CROSSING 3B TRAIL PLANS & SECTIONS |
| L-7 | STREAM CROSSING 4 TRAIL PLANS & SECTIONS |
| L-8 | USFS SAWN TIMBER BRIDGE STANDARD DETAILS |
| L-9 | RAMP AT TRAIL'S END |
| S-1 | BRIDGE & BOARDWALK FOUNDATION DETAILS |

CABALLO ROJO TRAIL ENCROACHMENT PERMIT APPLICATION

Submitted by Access for Bikes on behalf of Marin Council Boy Scouts of America
to the Town of Fairfax

wra
Environmental
Consultants
2169-G East Francisco Blvd.
San Rafael, CA 94901
(415) 454-8868 Phone
info@wra-ca.com

CABALLO ROJO TRAIL

CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM

MARIN COUNTY,
CALIFORNIA

TOWN OF FAIRFAX ENCROACHMENT PERMIT APPLICATION SUBMITTAL



03/11/24	ENCROACHMENT PERMIT SUBMITTAL	2
12/12/23	DESIGN REVIEW SUBMITTAL	1

DATE ISSUES & REVISIONS NO.
PROJECT #25182-1
DATE: 03/11/24
DRAWN BY:
JEANINE STRICKLAND, PLA CA#4285
CHECKED BY:
PAUL CURFMAN, PLA CA #3043
ORIGINAL DRAWING SIZE: 11 X 17

COVER SHEET

SHEET

L-1



ENCROACHMENT PERMIT REQUIREMENT

Iron Springs Road is a right of way (ROW) along the edge of the Town of Fairfax boundary. The proposed Caballo Rojo Trail (sheet L4) would cross approximately eight-feet of the ROW to complete the final connection to Iron Springs Road (sheet L3, center-top panel). This submittal documents the proposed trail construction, including a three-foot retaining wall (sheet L5) within the ROW.

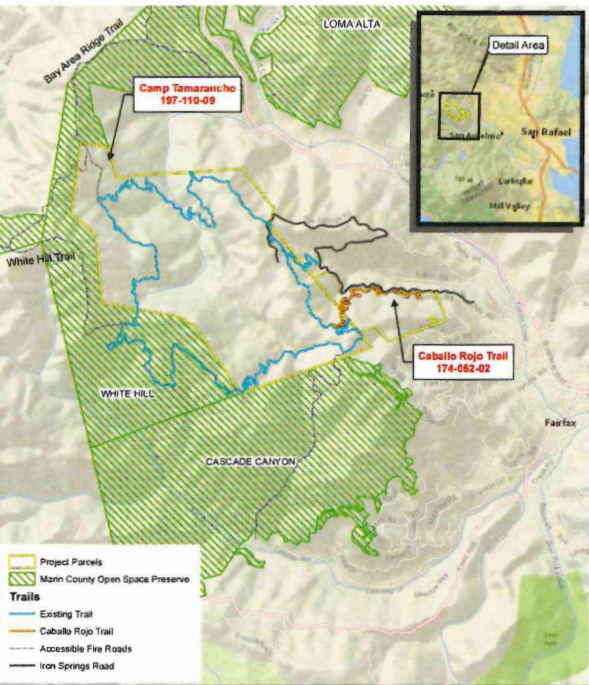
COUNTY DESIGN REVIEW

The County of Marin Community Development Agency (CDA) has reviewed and approved the design review application for the proposed trail structures within County jurisdiction.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study Mitigated Negative Declaration (IS/MND) is being prepared by CDA to evaluate the environmental impacts of the proposed trail. The IS/MND will be provided to the Town of Fairfax upon completion.

VICINITY MAP



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SHEET INDEX

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- L-2 PROJECT DESCRIPTION (CONTINUED)
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- L-10 RETAINING WALL AT TRAIL'S END - SECTION A-A'
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ELEVATION B-B'

SETTING AND BACKGROUND INFORMATION

Proponent

Marin Council Boy Scouts of America (MCBSA) and Access for Bikes (A4B) Non-profit owners and operators of Camp Tamarancho Mountain Bike Trail System, respectively

Camp Tamarancho

Established in 1945, the 410-acre outdoor youth education facility is west of the Project at 1,000 Iron Springs Road.

Mountain Biking at Camp Tamarancho

Camp Tamarancho operates the 7.8-mile mountain bike trail system at no expense to Marin County. This helps to fulfill the County's outdoor recreation goals.

Camp Tamarancho is a keystone property, linking the Town of Fairfax to the **Bay Area Ridge Trail** and surrounding fire roads in White Hill, Cascade Canyon, Loma Alta, and Gary Giacomini Open Space Preserves.

Iron Springs Road

The narrow and winding road provides access to Camp Tamarancho, the mountain biking trails and neighboring properties. The lower paved portion is in Town of Fairfax and the upper unpaved portion is in Marin County jurisdiction.

Friends of Tamarancho

Friends of Tamarancho (FOT) was formed by MCBSA to improve access to appropriate mountain biking trails in Camp Tamarancho. FOT offers season- and day-passes to fund trail maintenance (and now permitting). All cyclists must have an FOT trail pass to ride at Camp Tamarancho.

High School Training

FOT provides a \$5 training pass for students to access the 7.8-mile mountain bike trail loop. The pass is good for the duration of enrollment at all local high schools including Archie Williams, San Rafael, Marin Catholic, Tam and Redwood. Marin high schools have produced some of *the highest-ranking mountain bikers* in California.

CABALLO ROJO TRAIL CONSTRUCTION

Staging Area: 100 Iron Springs Rd. Private Driveway

Primary Material Holding Area: 100 Iron Springs Rd. Private Driveway

Temporary Restroom: 100 Iron Springs Rd. Private Driveway

Secondary Material Transfer Area

Temporary deck on edge of Iron Springs Road at Stream 4 culvert. Deck will not impede culvert, stream flow or traffic. Deck removed upon construction completion.

Sunday Noise Restrictions

Due to the short timeline available for construction, work on Sundays will continue with crews using hand tools only, to limit noise, for dirt work on trails.

Stream Crossing Protections

1. There will be no disturbance of any stream bed, nor stream banks, during construction.
2. In crossing areas, streams will be lined with straw wattles along both banks during construction.
3. A single designated temporary stream crossing will be required for all construction workers.
4. Native seed, straw and jute netting will be installed over steep slopes before end of construction.

CONSTRUCTION SCHEDULE - SEPT 1 THROUGH OCT 15TH

WEEK 1		WEEK 4	
9/1	End of nesting bird season. Flag trail and bridge layout. Install all required BMPs, including wattles along streams (2), (3A), (3B) and (4) and along stream 5. Stage and haul material for boardwalks	9/27-28	Finalize bridge Ramp beams placed
9/6-7	Set footings and stringers for (2), (3A) and (3B)	9/29	Hand dirt work on trials
9/8	Hand dirt work on trials	WEEK 5	
WEEK 2		10/4-5	Ramp Planking and railing Remove deck at stream 4 culvert
9/13-14	Plank (2), (3A) and (3B) Form bridge footings at stream (4) and pour concrete Lay out ramp footings, begin excavation Place ramp materials, at storm drain 4	10/6	Hand dirt work on trials
9/15	Hand dirt work on trials	WEEK 6	
WEEK 3		10/11-12	Install ramp railing Install all erosion control including seed, straw, wattles and jute fabric Compact trail surfaces
9/20-21	Confirm environmental protections are in place and working Move and place bridge beams, begin plank and rail Form and pour ramp footings	10/13	Hand dirt work to finish trail and all disturbed surfaces, Clean-up.
9/22	Hand dirt work on trials		

KEY FEATURES OF THE CABALLO ROJO TRAIL PROJECT

Caballo Rojo Project Purpose

The Caballo Rojo Project (Project) will improve safety on Iron Springs Road by minimizing the potential for downhill cycling collisions with cars on narrow road.

The project would reduce downhill cycling by providing an alternative trail for experienced mountain bikers to that of using Iron Springs Road.

Caballo Rojo Project Need

Residents and visitors use Iron Springs Road to access Camp Tamarancho. Mountain bikers currently pedal up and glide down the road. Residents are familiar with the twists and turns, though visiting parents driving kids to camp are not. The combination of faster downhill cyclists and unfamiliar visitors poses the potential for dangerous auto-cyclist collisions.

Overall Trail Statistics

- 5,800 feet long with 29 switchbacks
- 370 vertical feet (Figure 2)
- Total area of permanent disturbance = 0.7 Acres
- Total volume of excavation = 655 Cubic yards (CY) [328 CY cut, PLUS fill placement of same material]

Existing Trail - Upper Caballo Rojo

Constructed in 2015

- 4,500-feet with 22 switchbacks
- Environmental protections are in place to minimize erosion and protect habitat.
- Area of Permanent Disturbance = 0.51 Acres
- Volume of Excavation = 537 CY [266 CY cut, PLUS fill placement of same material]

PROPOSED TRAIL - LOWER CABALLO ROJO

Proposed trail features include:

- 1,300 linear feet of new trail with seven switchbacks
- 24-foot-long bridge across ephemeral stream #4. (Pressure treated wood finish, no paint color.)
- Three new 16'-foot-long (2) and 18'-foot-long (1), free-span boardwalks over ephemeral streams #2, 3a and 3b. (Pressure treated wood finish, no paint color.)
- Environmental protections to minimize erosion and protect habitat are included in the project. Refer to Caballo Rojo Erosion Control and Sediment Management Plan (WRA, revised 2022)
- No changes are proposed to any existing structures
- Area of Permanent Disturbance = 0.19 Acres
- Volume of Excavation = 118 CY [59 CY cut, PLUS fill placement of same material]

Proposed Intersection with Iron Springs Road

- Three-foot-tall retaining wall along the last 32' feet of trail would encroach approximately four (4') feet into the eight (8') foot Town of Fairfax Right of Way (ROW) as the trail connects with Iron Springs Road. Wall Materials: Pressure treated wood finish, no paint.
- The point of intersection selected for maximum sight distance of approximately 150-feet both up and down Iron Springs Road.
- Approaching cyclists will be elevated above the road for the best possible sight lines of the road.
- An intersection warning sign will be posted above the trail's last switchbacks to warn cyclists of the road intersection.
- Trail Crossing signs are also recommended for vehicles on Iron Springs Road.



CABALLO ROJO TRAIL

CAMP TAMARANCHO MOUNTAIN BIKE TRAIL SYSTEM

MARIN COUNTY, CALIFORNIA

TOWN OF FAIRFAX ENCROACHMENT PERMIT APPLICATION SUBMITTAL



03/11/24	ENCROACHMENT PERMIT SUBMITTAL	2
12/12/23	DESIGN REVIEW SUBMITTAL	1

DATE	ISSUES & REVISIONS	NO.
PROJECT #25182-1		
DATE: 03/11/24		
DRAWN BY: JEANINE STRICKLAND, PLA CA#4285		
CHECKED BY: PAUL CURFMAN, PLA CA #3043		
ORIGINAL DRAWING SIZE: 11 X 17		

PROJECT DESCRIPTION

SHEET

L-1

ENVIRONMENTAL PROTECTIONS INCLUDED IN THE PROJECT

Best Environmental Alternative

All feasible alternatives to the proposed alignment would result in equal or greater impacts to biological resources as well as 'jurisdictional' (wetlands and waterway) features at the site. (WRA, Biological Site Assessment 2022).

Geotechnical Assessment

Miller Pacific geotechnical assessment (2016) of both upper and lower Caballo Rojo Trial concluded:

- Construction of upper Caballo Rojo trail has not resulted in significant geologic or geotechnical issues
- The lower Caballo Rojo trail can use grading techniques similar to those used on the upper trail.
- Incorporate alignment adjustments to avoid two historic landslides leading up to the bridge over Stream 4 (completed as shown on Sheet L-4),
- Incorporate retaining wall to support trail construction at the approach to the intersection with Iron Springs Road (see Sheet L-5).

Very low potential for special-status species

Special-status species known to occur in this area have "little, to no potential, to occur at the Project site due to either lack of suitable habitat or the limited range of the species." (WRA 2022)
WRA plant biologists confirmed the absence of "special-status plants with the potential to be present in habitats found at the Project site" during surveys conducted in July of 2015 and in 2021.

Tree Avoidance

Caballo Rojo trail alignment avoids trees and any significant impact to them. (WRA Arborist Report, 2016, updated 2023).

No Tree Removal Permits Requested

Tree removal permits are not requested as the licensed Arborist could not identify significant impacts for construction of the Upper Caballo Rojo Trail nor anticipate any such impacts on Lower Caballo Rojo trail.

Ephemeral streams

Only ephemeral streams (flow only during rain storms), are encountered by the Caballo Rojo trail. These streams do not support riparian vegetation, they do not support special status species, nor do they support sensitive natural community types (WRA 2022).

No Anadromous Fishes

There are no anadromous fishes at the site, since Bothin Creek is under Bothin Avenue, in a culvert. Additional salmonid migration barriers are downstream in Fairfax and Corte Madera Creeks, all of which block access to San Francisco Bay (Marin County 2022).

Protection of Federal and State Waters

Bridge, Retaining Walls, and Boardwalk structures would be constructed with hand tools and direct impacts to streams would be prevented by:

- Installation of temporary foot bridges across ephemeral stream channels during construction,
- Placement of straw wattles on either side of each stream feature, and
- Additional erosion control measures in place before, during and after construction.

MCSTOPPP EROSION AND SEDIMENT CONTROL PLAN

Revised April 2022
Erosion Control features were installed at Stream 2, and 3A on October 26, 2015.

- "Trail remains stable and no sedimentation in nearby streams has been observed for six years (2015 -2022) indicating original design and construction were appropriate for site and effective at controlling erosion and sedimentation."
- New erosion control features, specifically straw wattles, shall be installed at all stream crossings and where the trail approaches Iron Springs Road or near the 20-foot setback that parallels Stream 5.

ADVANCE CONSULTATIONS

CDFW

In 2015 the California Department of Fish and Wildlife (CDFW) requested three boardwalks and a bridge be included at the four ephemeral stream crossings. On October 5, 2015, CDFW stated that a Lake or Streambed Alteration Agreement (Sect. 1602) would NOT be needed for the project.

U.S Army Corps

On June 24, 2016 the U. S. Army Corps of Engineers representative confirmed that, "the plan of action to allow for continued use of the trail is to install wooden bridges that will clear-span the tributaries and result in no impacts to potentially jurisdictional waters of the U.S." He continued, "At this time, the Corps considers the investigation closed and that no permit is required."

SFBRWQCB

The San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) will issue a Statewide General Waste Discharge Requirement (WDR) permit after other permits are issued.

Marin County DPW Grading Permit

The Grading Permit application was approved by Marin County Department of Public Works on June 23, 2022.



CABALLO ROJO TRAIL
CAMP TAMARANCHO MOUNTAIN BIKE TRAIL SYSTEM
MARIN COUNTY, CALIFORNIA

TOWN OF FAIRFAX
ENCROACHMENT PERMIT APPLICATION SUBMITTAL

03/11/24	ENCROACHMENT PERMIT SUBMITTAL	2
12/12/23	DESIGN REVIEW SUBMITTAL	1

DATE

ISSUES & REVISIONS

NO.

PROJECT #25182-1

DATE: 03/11/24

DRAWN BY:

JEANINE STRICKLAND, PLA CA#4285

CHECKED BY:

PAUL CURFMAN, PLA CA #3043

ORIGINAL DRAWING SIZE: 11 X 17

PROJECT DESCRIPTION



Jurisdictions Surrounding Warner Parcel



wra
Environmental
Consultants
2169-G East Francisco Blvd.
San Rafael, CA 94901
(415) 454-8868 Phone
info@wra-ca.com

**CABALLO ROJO
TRAIL**

**CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM**

**MARIN COUNTY,
CALIFORNIA**

**TOWN OF FAIRFAX
ENCROACHMENT
PERMIT
APPLICATION
SUBMITTAL**



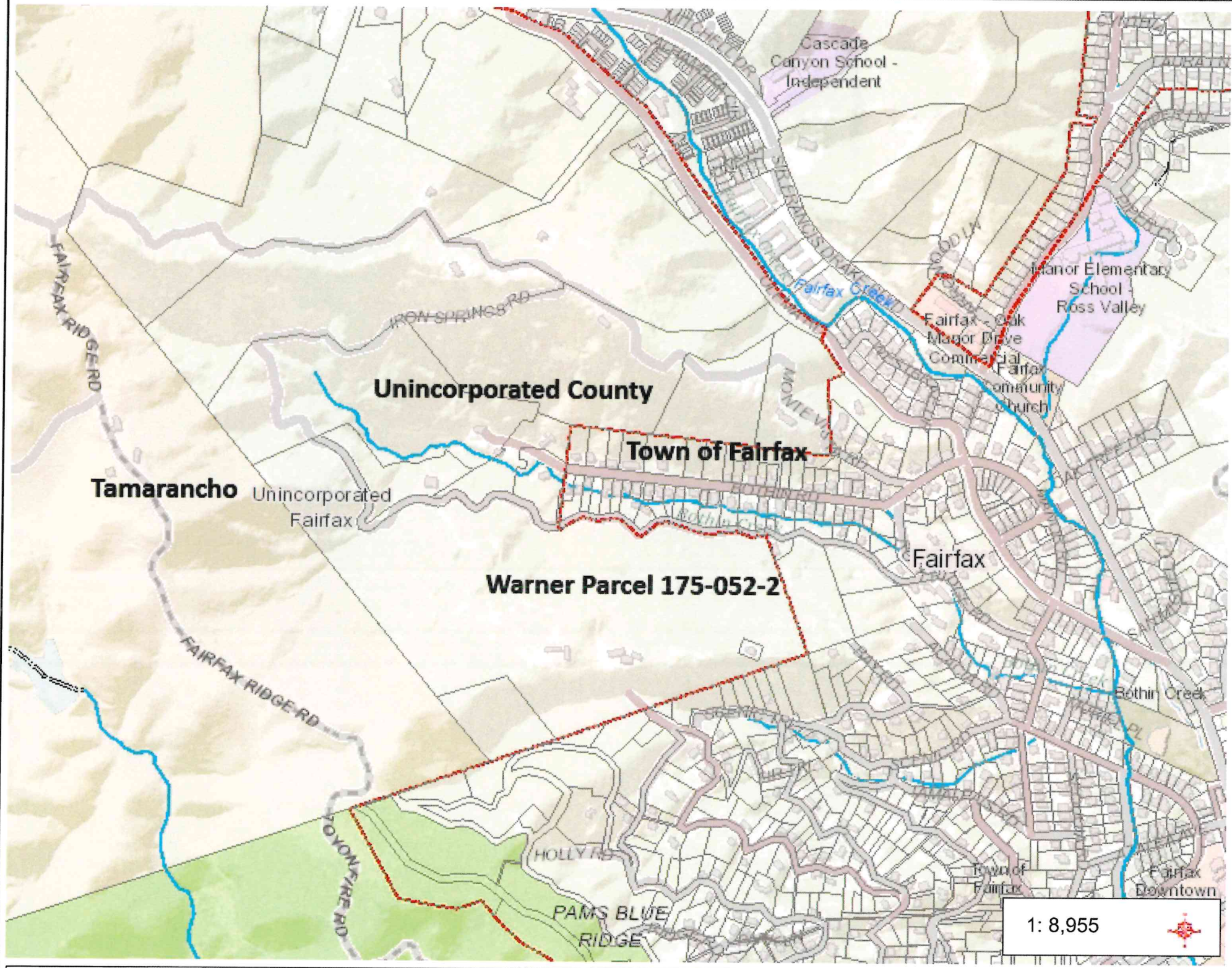
03/11/24	ENCROACHMENT PERMIT SUBMITTAL	2
12/12/23	DESIGN REVIEW SUBMITTAL	1

DATE ISSUES & REVISIONS NO.
PROJECT #25182-1
DATE: 03/11/24
DRAWN BY:
JEANINE STRICKLAND, PLA CA#4285
CHECKED BY:
PAUL CURFMAN, PLA CA #3043
ORIGINAL DRAWING SIZE: 11 X 17

**PROPERTY
DESCRIPTION
JURISDICTIONS
SURROUNDING
WARNER PARCEL**

SHEET

L-3



- Legend**
- Parcel Note
 - easement
 - centerline
 - Parcel
 - Condominium Common Area
 - Mobile Home Pad
 - City
 - Community
 - Marin County Legal Boundary
 - Other Bay Area County
 - Stream - Perennial (NHD)

Notes

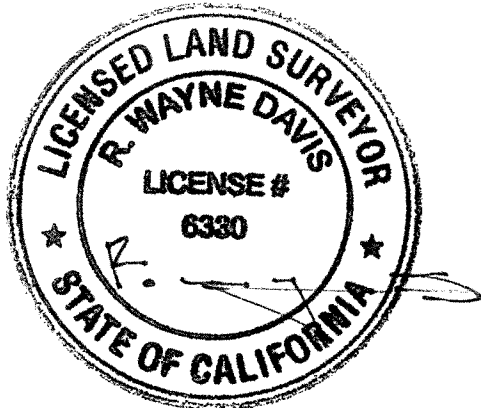
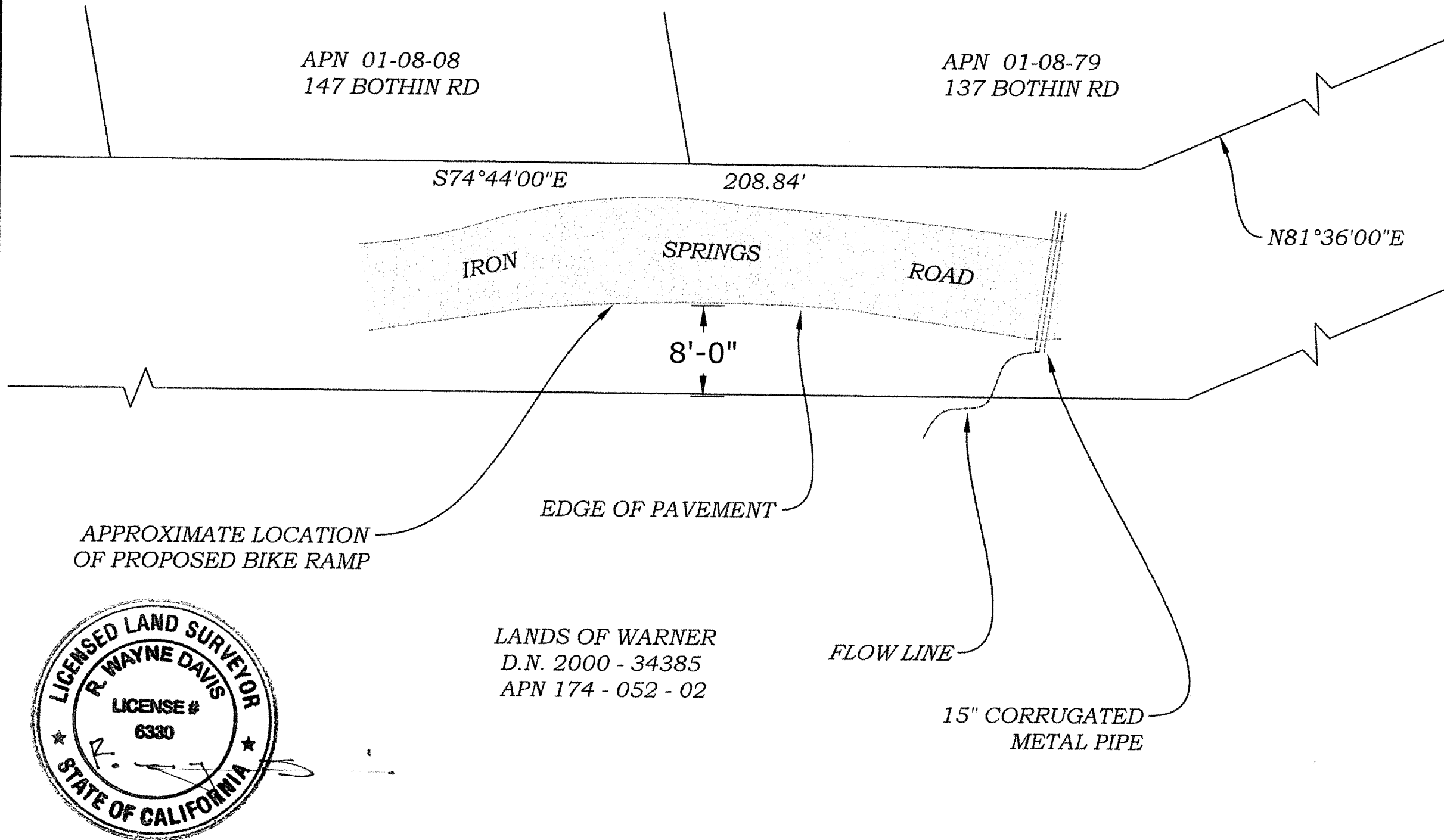
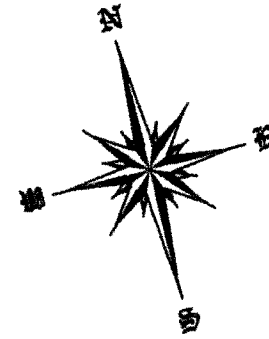
1,492.5 0 746.27 1,492.5 Feet

NAD_1983_HARN_StatePlane_California_III_FIPS_0403_Feet
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NOTES:

- 1) Boundary Lines based on 4 RM 54 & 35 ROS 86
- 2) The Basis of Bearing for this map is N9°22'32"W (677.66') Between the found Hub & Tag, LS 3775 and the found $\frac{3}{4}$ " Iron Pipe Tagged LS 3775 located at Lots 11 & 12 of 4 RM 54 as shown on 35 ROS 86
- 3) Underground Improvements and Installations have not been located unless otherwise shown.
- 4) Any Discrepancy between the Electronic File and the Signed Sealed Paper Copy or PDF File, the Signed Sealed Paper Copy or Stamped PDF will prevail.



**CABALLO ROJO
TRAIL**

CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM

**MARIN COUNTY,
CALIFORNIA**

TOWN OF FAIRFAX
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**PROPERTY
DESCRIPTION**
**100 IRON
SPRINGS ROAD
BIKE PATH
LOCATION
APN MAP**

SHEET

L-4

100 IRON SPRINGS ROAD
PROPOSED BIKE PATH LOCATION

PROJECT NUMBER
98-037-A

Date: 12-26-22
Scale: 1" = 20'

**CABALLO ROJO
TRAIL**

**CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM**

**MARIN COUNTY,
CALIFORNIA**

**TOWN OF FAIRFAX
ENCROACHMENT
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APPLICATION
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03/11/24	ENCROACHMENT PERMIT SUBMITTAL	2
12/12/23	DESIGN REVIEW SUBMITTAL	1

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JEANINE STRICKLAND, PLA CA#4285
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PAUL CURFMAN, PLA CA #3043
ORIGINAL DRAWING SIZE: 11 X 17

**PROPERTY
DESCRIPTION
GRANT DEED
& LEGAL
DESCRIPTION**

SHEET

L-5

RECORDING REQUESTED BY:
FIRST AMERICAN TITLE COMPANY OF MARIN
AND WHEN RECORDED MAIL TO:

DAVID WARNER and SUZANNE WARNER
181 Toyon Drive
Fairfax, CA 94930



2000-0034385

Recorded
Official Records
County Of
Marin
JOAN C. THAYER
Recorder

REC FEE
TAX
10.00
506.00

08:00AM 30-Jun-2000 Page 1 of 2
THIS SPACE FOR RECORDER'S USE ONLY:

ESCROW NO. 3-044907ME:md TITLE ORDER NO. 3-044907ME

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(s)
DOCUMENTARY TRANSFER TAX is \$ 506.00
☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale.
☒ Unincorporated area ☐ City of , AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ROSS J. CADENASSO AND LILLIAN R. CADENASSO, and their successors Trustee(s) of the Cadenasso Family Trust and EUGENE P. CADENASSO AND NORMA B. CADENASSO, Co-Trustees, or Successor Trustee, of the Cadenasso Family 1994 Revocable Trust dated 12/09/94, as the separate property of Eugene P. Cadenasso

hereby GRANT(s) to:

DAVID WARNER AND SUZANNE WARNER, TRUSTEES OF THE WARNER FAMILY TRUST- 1997, U/T/A DATED SEPTEMBER 19, 1997

the real property in the County of Marin, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND MADE A PART HEREOF.

A.P. #174-050-88 02.
ALSO KNOWN AS: 50 ACRES ON IRON SPRINGS ROAD (APN: 174-050-68), FAIRFAX, CA 94930

DATED June 21, 2000
STATE OF CALIFORNIA
COUNTY OF MARIN
On 6-29-00
before me, Myra Engelkes
a Notary Public in and for said State, personally appeared
Ross J. Cadenasso, Lillian R. Cadenasso, Eugene P. Cadenasso, Norma B. Cadenasso

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature Myra Engelkes

Mail tax statements to: SAME AS ABOVE

ROSS J. CADENASSO AND LILLIAN R. CADENASSO, and their successors Trustee(s) of the Cadenasso Family Trust

ROSS J. CADENASSO, TRUSTEE

LILLIAN R. CADENASSO, TRUSTEE

EUGENE P. CADENASSO AND NORMA B. CADENASSO, Co-Trustees, or Successor Trustee, of the Cadenasso Family 1994 Revocable Trust dated 12/09/94, as the separate property of Eugene P. Cadenasso

EUGENE P. CADENASSO, CO-TRUSTEE

NORMA B. CADENASSO, CO-TRUSTEE

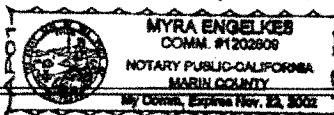


EXHIBIT A LEGAL DESCRIPTION

All that certain real property situate in the County of Marin, State of California, described as follows:

PARCEL ONE:

BEGINNING at a point which bears South 69° 30' West 1200 feet more or less, from the intersection of the two courses, "North 84° 16' West 384.25 feet and South 5° 02' West 347.54 feet", as said courses are set forth in the Deed from Equitec Corp., a California corporation, to Merrett Pollock and William Gottschalk, Jr., recorded January 13, 1964 in Book 1768 of Official Records, at Page 436, Marin County Records, said point of beginning being on the Southwesterly line of the parcel described in said Deed, said Westerly line being defined in said Deed as being "North 39° 34' 40" West 3491.17 feet", thence from said point of beginning along the Southwesterly line as described in the above mentioned Deed, South 39° 34' 40" East to the most Westerly corner of the parcel described in the Deed from William Gottschalk, Jr. to Robert L. Gaut, et ux, recorded December 19, 1960 in Book 1422 of Official Records, at Page 578, Marin County Records; thence North 69° 30' East 400 feet and South 39° 34' 40" East 400 feet to the most Easterly corner of the above mentioned Gaut parcel, thence North 69° 30' East 1393.22 feet to the intersection of the courses, "South 20° 30' East 640 feet more or less" and "South 69° 30' West 1793.22 feet", as said courses are set forth in the Deed from Equitec Corporation, a California corporation to Merrett Pollock and William Gottschalk, Jr., recorded January 13, 1964 in Book 1768 of Official Records, at Page 436, Marin County Records, thence North 20° 30' West 640 feet, more or less, to the Easterly extremity of the course set forth as "North 70° 48' 30" East 65 feet more or less", in the above mentioned Deed to Pollock, et al, thence along the Northerly line of the above mentioned Deed, the following courses and distances: South 70° 48' 30" West 65 feet, more or less; North 71° 58' 45" West 78.81 feet; South 81° 36' West 158.63 feet; North 74° 44' West 208.75 feet; South 82° 13' West 58.65 feet; South 49° 42' 30" West 103.16 feet; North 49° 36' 30" West 117.16 feet; North 67° 42' 30" West 47.57 feet; South 78° 20' West 88.42 feet; North 76° 09' 15" West 88.50 feet; South 69° 50' 45" West 58.13 feet and South 57° 52' West 71.65 feet to a point which bears South 5° 02' West from the Southwesterly corner of Lot 1, Block 3, as shown upon that certain map entitled, "Map of Bothin Park", filed for record September 17, 1913 in Book 4 of Maps, at Page 54, Marin County Records; thence North 5° 02' East 10 feet more or less, to the most Southerly corner of Lot 1, in Block 4 of said map; thence in a Westerly direction along the Westerly extension of the Northerly line of Iron Springs Road as it now exists to a point which bears North 69° 30' East from the point of beginning; thence South 69° 30' West to the point of beginning.

EXCEPTING THEREFROM that portion conveyed by San Rafael Land Title Company, a corporation, to Marin Municipal Water District, by Deed recorded April 24, 1957 in Book 1109 of Official Records, at Page 283, Marin County Records.

ALSO EXCEPTING THEREFROM that portion lying within the lines of Iron Springs Road.

PARCEL TWO:

A TEN foot easement for utility purposes lying Westerly of and adjacent to a line described as follows:

BEGINNING at the Southwesterly corner of Lot 1, in Block 3, as shown on that certain map entitled, "Map of Bothin Park", filed for record September 17, 1913 in Book 4 of Maps at Page 54, Marin County Records; running thence South 5° 02' West 352 feet, more or less, to the Southerly line of Iron Springs Road, as said lot is shown on the above mentioned map.

PARCEL THREE:

AN EASEMENT appurtenant to Parcel One herein and any subsequent subdivision thereof for roadway and utility purposes over that portion of Iron Springs Road, adjacent to and Northerly of the Northern boundary line of Parcel One above lying Easterly of a line drawn North 69° 30' East from the point of beginning of said Parcel One and Westerly of a line drawn South 5° 02' West from the Southern corner of Lot 1 in Block 4, as shown on the map therein referred to.

L-7

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

**CABALLO ROJO
TRAIL**

**CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM**

**MARIN COUNTY,
CALIFORNIA**

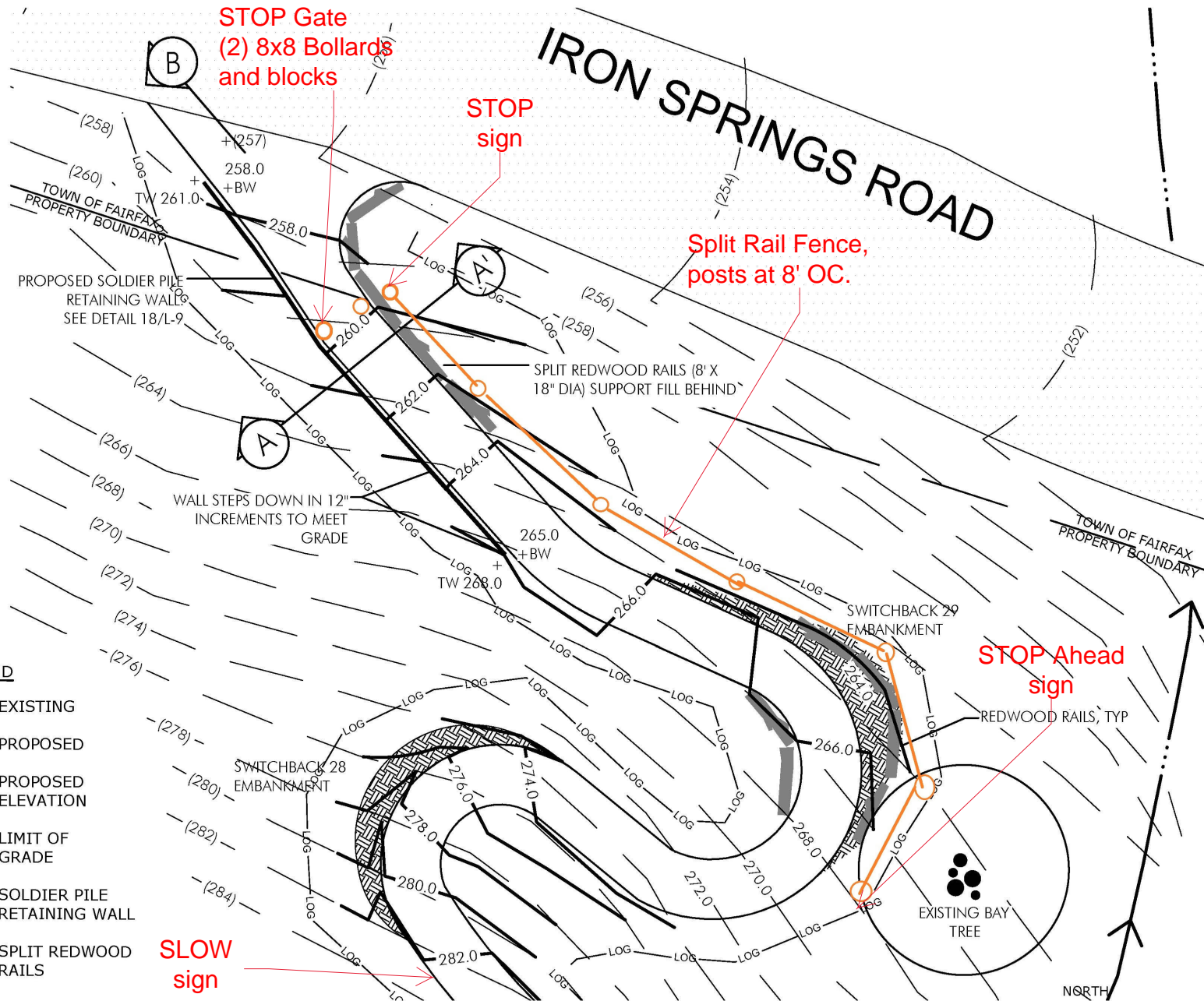
TOWN OF FAIRFAX
**ENCROACHMENT
PERMIT
APPLICATION
SUBMITTAL**



03/11/24	ENCROACHMENT PERMIT SUBMITTAL	2
12/12/23	DESIGN REVIEW SUBMITTAL	1
DATE ISSUES & REVISIONS NO.		
PROJECT #25182-1		
DATE: 03/11/24		
DRAWN BY: JEANINE STRICKLAND, PLA CA#4285		
CHECKED BY: PAUL CURFMAN, PLA CA #3043		
ORIGINAL DRAWING SIZE: 24 X 36		

**RETAINING WALL
AT TRAIL END
PLAN**

SHEET



LEGEND

- (31) — EXISTING
- 31.0 — PROPOSED
- +31 PROPOSED ELEVATION
- LOG — LIMIT OF GRADE
- SOLDIER PILE RETAINING WALL
- SPLIT REDWOOD RAILS

**SLOW
sign**

1

RETAINING WALL AT TRAIL END - PLAN VIEW

SCALE: 1" = 10'-0"

STOP GATE AT TRAIL'S END - PLAN VIEW

0 10 FEET

L-9a

CABALLO ROJO TRAIL

CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM

**MARIN COUNTY,
CALIFORNIA**

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~~APPLICATION~~
~~SUBMITTAL~~**

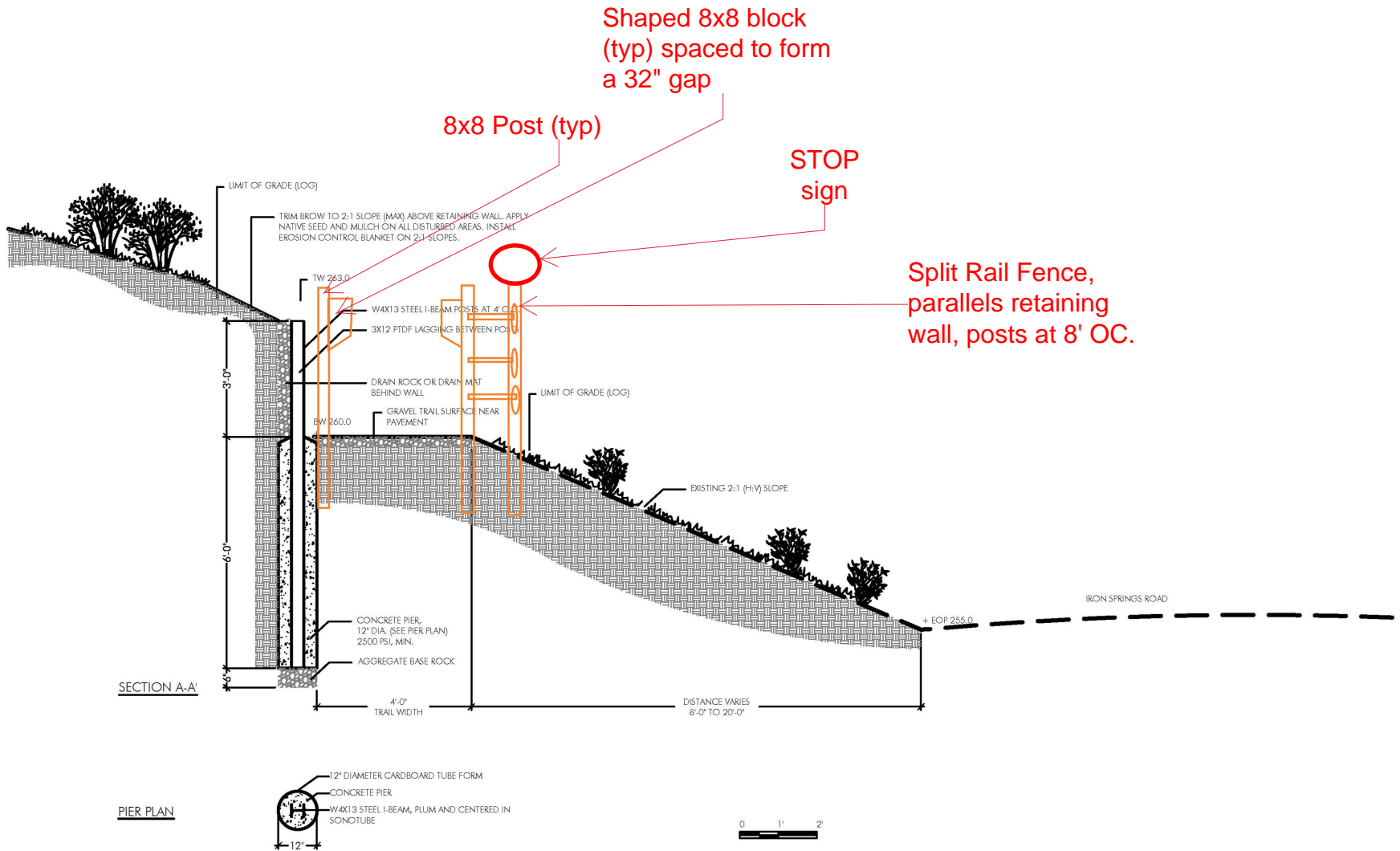


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ORIGINAL DRAWING SIZE: 24 X 36		

**RETAINING WALL
AT TRAIL END
CROSS SECTION**

SHEET

L-10a



STOP GATE AT IRON SPRINGS ROAD

~~RETAINING WALL AT TRAIL END SECTION A-A'~~

SCALE: 1/4" = 1'-0"

**CABALLO ROJO
TRAIL**

**CAMP TAMARANCHO
MOUNTAIN BIKE
TRAIL SYSTEM**

**MARIN COUNTY,
CALIFORNIA**

**TOWN OF FAIRFAX
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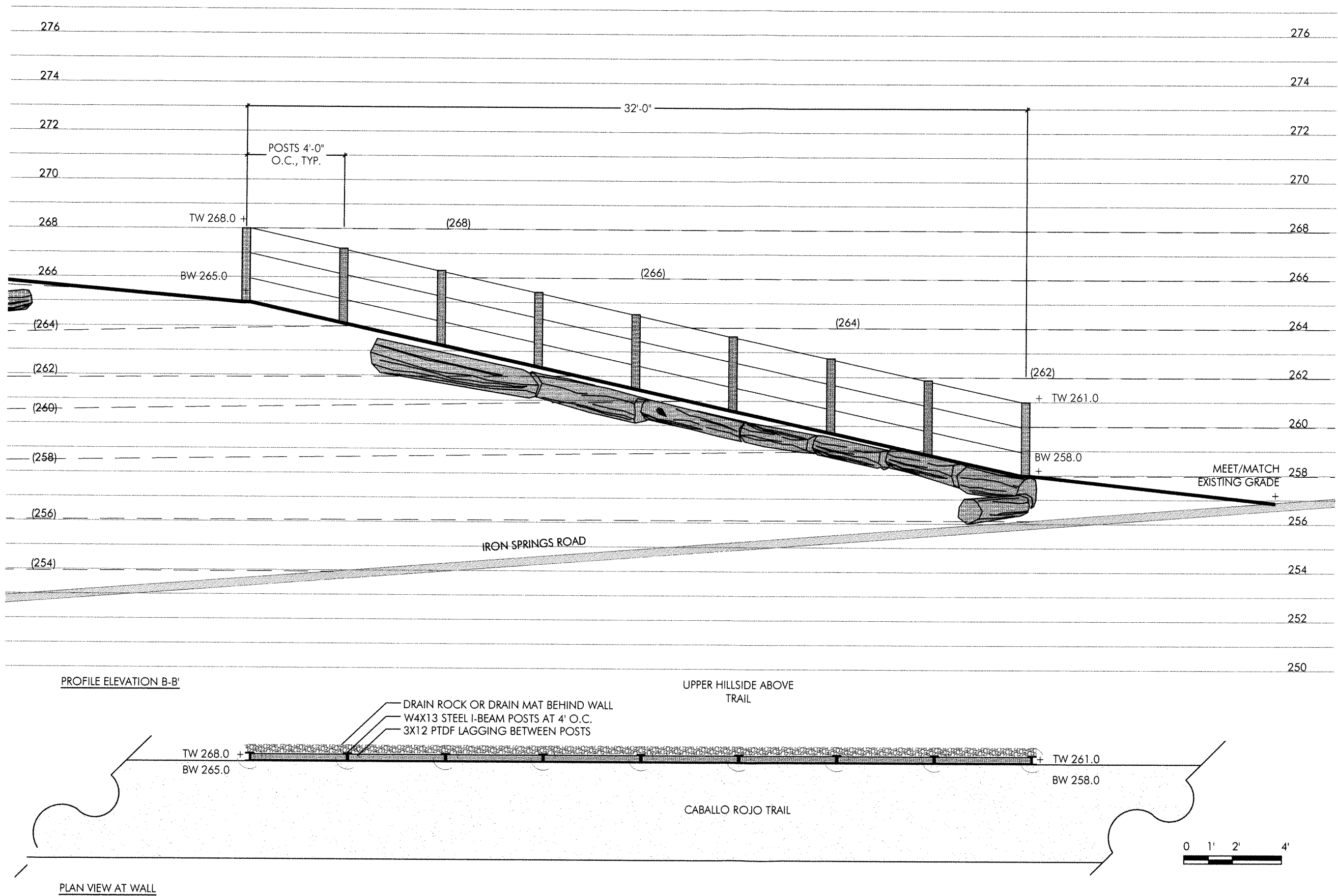
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**RETAINING WALL
AT TRAIL END
PROFILE
ELEVATION**

SHEET

L-11



CABALLO ROJO TRAIL AT IRON SPRINGS ROAD - ELEVATION B-B'

SCALE: 1/4" = 1'-0"

3