



**STAFF REPORT TO THE MARIN COUNTY
PLANNING COMMISSION
San Domenico School Design Review Amendment
(Precise Development Plan Amendment)**

Recommendation: Approve with conditions
Hearing Date: February 8, 2020

Application No(s):	P2936	Owner(s):	San Domenico School
Agenda Item:	1	Assessor's Parcel No(s):	176-300-30
Last Date for Action:	2/8/2021	Property Address:	1500 Butterfield Road, San Anselmo
		Project Planner:	Immanuel Bereket
		Signature:	
Countywide Plan Designation:		PR (Planned Residential, 1 unit per 1-10 acres)	
Community Plan Area:		N/A	
Zoning District:		RMP-0.1 (Residential, Multi-Family, Planned, 1/ unit per 10-acres)	
Environmental Determination:		Exempt per CEQA Guidelines §15314, Class 14	

PROJECT SUMMARY

The applicants, the San Domenico School and the Sleepy Hollow Homes Association (SHAA), are jointly seeking a Design Review Amendment (Precise Development Plan Amendment) approval to modify the traffic management standards applicable to the San Domenico School. The Master Plan for the school approved by the Board of Supervisors (Board of Supervisors Ordinances No. 3287 and No. 3343) include use and occupancy provisions allowing a maximum enrollment of 680 students and a maximum of 156 faculty and staff, resulting in a total of 836 people attending or working for the school. Of these 836 people, a maximum of 80 people are allowed to live onsite, while the remaining 756 people must reside offsite. Additionally, the Board of Supervisor's (Board) approvals include a Traffic Management Plan (TMP), which imposes maximum daily trips from and to the school, provide exceptions to traffic limits, impose consequences for failure to comply with conditions of approval, and requires regular review and audit to ensure compliance with maximum allowable traffic limits.

The applicants propose to modify TMP measures required in the Board's Ordinances No. 3287 and No. 3343, which are provided as attachments No.2 and No. 3 to this staff report. The joint application is made pursuant to Condition No. 18(a)(8) of the Board's Ordianace No. 3287, which states that amendments to the transportation meausres may be submitted jointly and require a

PC meeting (please use language from the ordinance). Specifically, the applicants request to make the following amendments to Ordinance No. 3287 as follows:

1. Modify Condition of Approval 18(a)(1) to increase daily weekday average trips from 1,476 to 1,626. Additionally, modify this condition to increase allowable weekday special events during the school year from 17 to 20 occurrences;
2. Modify Condition of Approval 18(a)(2) to increase the total daily weekday trips during morning peak hours from 366 to 373, and increase outbound traffic from 130 to 137;
3. Delete Condition of Approval 18(a)(3) in its entirety. This condition limits the total weekday traffic volume during afternoon peak hour to a maximum of 113 trips, including a maximum of 71 outbound trips;
4. Modify Condition of Approval 18(a)(4) to increase total daily weekday traffic during afternoon peak hours (3:00 p.m. to 4:00 p.m.) from 321 to 350 trips;
5. Modify Condition of Approval 18(a)(5) to increase total daily traffic on Saturdays from 895 to 985, and Sundays and holidays from 600 to 660 trips. Additionally, modify this condition to increase allowable special events during the school year (weekends) from 10 to 15 occurrences;
6. Modify Condition of Approval 18(a)(6) to increase allowable special events during summer from four to six. The proposed amendments to conditions 18(a)(5) and 18(a)(6) would increase the total allowable special events from 31 to 38; and,
7. Delete Condition of Approval 18(c). This condition provides enforcement and penalty measures, including mandatory reductions in the school's enrollment of non-resident, day students, and elimination of special events for violations of trip standards.

The applicants also propose to modify traffic and circulation related conditions of approval imposed by Ordinance No. 3343 as follows:

1. Delete Condition of Approval 2(a) in its entirety. This condition limited the total hourly traffic during the weekday morning peak hours to a maximum of 461 trips and outbound traffic during the weekday morning peak hour to a maximum of 164 trips; and,
2. Delete Condition of Approval 2(b) in its entirety. This condition limited the total hourly traffic during the weekday afternoon peak hours to a maximum of 142 trips and outbound hourly traffic during the weekday afternoon peak hours to a maximum of 89 trips.

Further, the applicants propose new conditions of approval to replace those conditions proposed for deletion and new requirements to provide additional traffic control measures. The proposed replacement conditions would provide an alternative method to cure any future violations, while the new proposed conditions would allow the school to submit a joint petition with the SHAA for additional special events or to modify the trip limits.

No new construction is proposed, and the student enrollment, including the onsite resident population, would remain unchanged.

The subject property is located at 1500 Butterfield Road, San Anselmo, and is further identified as Assessor's Parcel 176-300-30.

In accordance with Marin County Code Section 22.44.020, Design Review Amendments (Precise Development Plan amendment) is required because the project would amend the previously approved and vested Precise Development Plan. Since Precise Development Plans were eliminated from the Development Code and replaced with Design Review as the governing permit type, a Design Review amendment is necessary to approve the project.

PROJECT SETTING

Characteristics of the site and surrounding area are summarized below:

Lot Area:	512-acres
Adjacent Land Uses:	Residential and open spaces
Topography and Slope:	Flat to steeply sloping
Existing Vegetation:	Native and non-native trees, grasses, and other vegetation
Environmental Hazards:	None identified

The property is approximately 512-acres in size. It is located at the end of Butterfield Road, a major roadway running through the community of San Anselmo, which the surrounding community primarily utilizes to enter and exit San Anselmo. The areas to the south and southeast are developed with the residential communities of San Anselmo. The nearby lots in the residential neighborhood are significantly smaller in size, ranging from approximately ½-acre to 3 1/2-acres. The areas to the north and northwest, including significant portions of the school property, are mostly undeveloped open spaces. Marin County residents frequently access these open space areas through the San Domenico School property. The majority of the school property is undeveloped, and is open for local recreational use and is an excellent asset to the community and residents of Marin.

BACKGROUND

The Planning Commission approved a Use Permit in 1960 to allow a private school to operate at this location. The classroom, sports facilities, dorms and halls are mostly located along the south of the property, abutting Butterfield Road and the neighborhood. The County issued a Conditional Use Permit in 1990 (Use Permit 90-007) to allow expansion of the sports complex, mainly the baseball field, and the classroom. The Board of Supervisors adopted the current Master Plan with Ordinance No. 3287 on December 17, 1998, which replaced and superseded the previously approved conditional use permits. The Master Plan has been amended several times since its adoption in 1998.

The current application was first submitted on November 14, 2020, and was transmitted to the Department of Public Works, and posted online so that outside reviewing agencies, including the Sleepy Hollow Homes Association, could review and provide comments. The application material included a detailed project description and Traffic Study, dated November 4, 2020, prepared by Parisi Transportation Consulting. The Department of Public Works, Traffic Division, provided comments deeming the application complete. No other entity provided comments. The application was deemed complete on December 7, 2020.

KEY ISSUES

The San Domenico Master Plan consists of two functional components. One component establishes the framework within which development may occur on the site over the long term. The other part regulates the use, activity, and occupancy levels on the site. The second component is considered a Use Permit under State law and can be modified with a Use Permit amendment and enforced through Use Permit revocation procedures. The current Master Plan includes a traffic management plan that strictly limits the maximum number of student enrollment, onsite residency, and the amount of traffic the school is allowed to generate, with multiple and ongoing traffic monitoring programs to ensure compliance that the school is not exceeding the numbers permitted by the Master Plan.

The Master Plan currently in effect allows a maximum enrollment of 680 students, 156 faculty members, 80 student and faculty residents, and a maximum of 31 non-instructional special events annually. The traffic analysis prepared as part of the Master Plan allowed up to a maximum of 1,776. The Master Plan required the applicants to prepare a Transportation Management Plan (TMP). The TMP allows a maximum of 1,176 daily weekday school traffic trips in conjunction with 17 special events during the school year; a total of 1,395 daily trips in conjunction with ten special weekend events during the school year; and a total of 610 daily trips during the weekend in conjunction with four special summer weekend events. The Master Plan also allows these traffic standards to be modified with a joint petition from the school and the Sleepy Hollow Homes Association without an amendment to the Master Plan by the Planning Commission.

Additionally, the Master Plan established a unique mechanism for allowing, monitoring, and enforcing gradual increases to student enrollment by requiring Precise Development Plan approval of any proposed changes to uses or enrollment, even when those changes do not entail any development. Additionally, the Master Plan includes mechanisms to address any violations of the Master Plan. Although Precise Development Plans are not revocable as Use Permits are, requiring a Precise Development Plan before student enrollment may increase, provides an incentive for the school to manage traffic to reduce impacts to the community carefully. In the event that the school does not comply with the traffic management plan, they would not be able to increase their student enrollment above established levels.

RECOMMENDATION

Staff recommends that the Planning Commission review the administrative record, conduct a public hearing, and approve the San Domenico Precise Development Plan amendment.

Attachments:

1. Recommended Resolution
2. Board of Supervisors Ordinance No. 3287
3. Board of Supervisors Ordinance No. 3343
4. CEQA exemption
5. Applicants Project Description
6. Department of Public Works memo, dated December 2, 2020

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE SAN DOMENICO SCHOOL DESIGN REVIEW
AMENDMENT (PRECISE DEVELOPMENT PLAN AMENDMENT)
1500 BUTTERFIELD ROAD, SAN ANSELMO
ASSESSOR'S PARCEL 176-300-30**

SECTION I: FINDINGS

1. **WHEREAS**, the applicants, seeking a Design Review Amendment (Precise Development Plan Amendment) approval to modify the traffic management standards applicable to the San Domenico School. The Master Plan for the school approved by the Board of Supervisors (Ordinances No. 3287 and No. 3343) include use and occupancy provisions allowing a maximum enrollment of 680 students and a maximum of 156 faculty and staff, resulting in a total of 836 people attending or working for the school. Of these 836 people, a maximum of 80 people are allowed to live onsite, while the remaining 756 people must reside offsite. Additionally, the Board of Supervisor's (Board) approvals include a Traffic Management Plan (TMP), which imposes maximum daily trips from and to the school, provides exceptions to traffic limits, imposes consequences for failure to comply with conditions of approval, and requires regular review and audit to ensure compliance with maximum allowable traffic limits.

The applicants propose to modify TMP measures required in the Board's Ordinances No. 3287 and No. 3343, which are provided as attachments No.2 and No. 3 to this staff report. The joint application is made pursuant to Condition No. 18(a)(8) of the Board's Ordianace No. 3287, which states that amendments to the transportation meausres may be submitted jointly and require a PC meeting (please use language from the ordinance). Specifically, the applicants request to make the following amendments to Ordinance No. 3287 as follows:

1. Modify Condition of Approval 18(a)(1) to increase daily weekday average trips from 1,476 to 1,626. Additionally, modify this condition to increase allowable weekday special events during the school year from 17 to 20 occurrences;
2. Modify Condition of Approval 18(a)(2) to increase the total daily weekday trips during morning peak hours from 366 to 373, and increase outbound traffic from 130 to 137;
3. Delete Condition of Approval 18(a)(3) in its entirety. This condition limits the total weekday traffic volume during afternoon peak hour to a maximum of 113 trips, including a maximum of 71 outbound trips;
4. Modify Condition of Approval 18(a)(4) to increase total daily weekday traffic during afternoon peak hours (3:00 p.m. to 4:00 p.m.) from 321 to 350 trips;
5. Modify Condition of Approval 18(a)(5) to increase total daily traffic on Saturdays from 895 to 985, and Sundays and holidays from 600 to 660 trips. Additionally, modify this condition to increase allowable special events during the school year (weekends) from 10 to 15 occurrences;

6. Modify Condition of Approval 18(a)(6) to increase allowable special events during summer from four to six. The proposed amendments to conditions 18(a)(5) and 18(a)(6) would increase the total allowable special events from 31 to 38; and,
7. Delete Condition of Approval 18(c). This condition provides enforcement and penalty measures, including mandatory reductions in the school's enrollment of non-resident, day students, and elimination of special events for violations of trip standards.

The applicants also propose to modify traffic and circulation related conditions of approval imposed by Ordinance No. 3343 as follows:

1. Delete Condition of Approval 2(a) in its entirety. This condition limited the total hourly traffic during the weekday morning peak hours to a maximum of 461 trips and outbound traffic during the weekday morning peak hour to a maximum of 164 trips; and,
2. Delete Condition of Approval 2(b) in its entirety. This condition limited the total hourly traffic during the weekday afternoon peak hours to a maximum of 142 trips and outbound hourly traffic during the weekday afternoon peak hours to a maximum of 89 trips.

Further, the applicants propose new conditions of approval to replace those conditions proposed for deletion and new requirements to provide additional traffic control measures. The proposed replacement conditions would provide an alternative method to cure any future violations, while the new proposed conditions would allow the school to submit a joint petition with the SHAA for additional special events or to modify the trip limits.

No new construction is proposed, and the student enrollment, including the onsite resident population, would remain unchanged.

The subject property is located at 1500 Butterfield Road, San Anselmo, and is further identified as Assessor's Parcel 176-300-30.

2. WHEREAS, on January 25, 2021, the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider the project.

3. WHEREAS, under Condition No. 18(a)(8) of the Board's Ordinance No. 3287, the San Domenico School Master Plan allows the Planning Commission to act on a joint application by the San Domenico School and the Sleepy Hollow Homes Association (SHAA).

4. WHEREAS, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15314, Class 14 of the CEQA Guidelines because the project entails no student population increase, would not result in an increase in traffic above the maximum level permitted by the Master Plan, and would not result in potentially significant impacts to the environment.

5. WHEREAS, the project is consistent with the goals and policies of the Marin Countywide Plan (CWP) for the following reasons:

1. The proposed Precise Plan Amendment is consistent with Policy CD-8.5 because it would not introduce new uses not permitted by the Master Plan. The continued operation of a private school on the subject property would be consistent with a permitted educational use under the governing Planned Residential land use designation for the property

2. The proposed Design Review Amendment is consistent with Policies EQ-1.1, EQ-3.10, A-1.1 because it would not adversely affect the provision of public services for fire protection, roadways, and schools.
3. The proposed Design Review Amendment is consistent with Policy EQ-3.18 because it would not adversely affect the CWP's Ridge and Upland Greenbelt overlay policies because the proposed amendments do not involve physical expansion or construction.
4. The proposed Design Review Amendment will conform to the CWP's Stream Conservation Area Policies EQ-2.4, EQ-2.5, EQ-2.8, EQ-2.9, EQ-2.10, EQ-2.13, EQ-2.24, EQ-2.26 because no construction is proposed. All events and activities would continue to occur in previously designated areas, either indoors or designated outdoor areas.
5. The proposed Design Review Amendment is consistent with Policies EQ-2.19, EQ-2.20, EQ-2.22 because it will not alter the current streamflows, beds, or banks, as no construction is proposed.
6. The proposed Design Review Amendment is consistent with Policy EQ-2.87 because it will not directly or indirectly impact special status species or habitat diversity because no improvements are proposed. Any activity or special event associated with the proposed amendment would be limited to areas of the campus where such events are permitted to occur.
7. The proposed Design Review Amendment is consistent with Policy EQ-3.2 because the project will not result in air, water, and noise pollution because no new construction or improvement is proposed.
8. The proposed Design Review Amendment is consistent with Policy EQ-3.7 because the project will not result in any hazards associated with earthquakes, erosion, landslides, floods, and fires because no new improvement or construction is proposed.
9. The proposed Design Review Amendment is consistent with Policy EQ-3.11 because the project will affect the predominant visual qualities for the natural and built environments as no new construction or improvement is proposed.
10. The proposed Design Review Amendment is consistent with Policy EQ-3.14 because the project will not remove any large, mature, native trees as no new construction is proposed.
11. The proposed Design Review Amendment is consistent with Policy EQ-3.29 because the project would not affect archaeological resources because no development is proposed.
12. The project is consistent with Countywide Plan Policy T1-1 because it will not cause a deterioration of congestion levels in surrounding roadways below a Level of Service D. The Master Plan and the 1995 traffic study conducted in conjunction with the approval of the Master Plan noted that a level of service D is an

acceptable condition while levels of service E and F are unacceptable. As proposed, the project will not increase in student population beyond the maximum cap imposed by the Master Plan or increase the maximum number of people permitted to attend or to work at the School. Further, as documented in Traffic Study, dated November 4, 2020, prepared by Parisi Transportation Consulting, all nearby intersections currently operate at a level of service "C" or better except the stop sign-controlled movement from Green Valley Court. With the proposed amendments, all nearby intersections would continue to operate at the same level or better. The proposed amendments will not result in traffic levels beyond those approved by the Master Plan. The Department of Public Works, Traffic Division, reviewed the traffic study and concurred with its findings.

6. WHEREAS, the Planning Commission finds that the proposed project is consistent with the requirements of the governing RMP-0.1 (Residential Multiple Planned, one unit per ten acres) zoning district because:

1. The proposed project, with an approved Master Plan, is a conditionally permitted use for the RMP-0.1 zoning district. No new uses are included with the proposed amendments.
2. While the applicant is amending the Design Review to potentially allow for additional traffic, the project will adhere to the levels permitted by the previous Master Plan. Student enrollment, faculty, and staff population will remain unchanged.

3. WHEREAS, the project is consistent with the mandatory findings to approve the Design Review (Section 22.44.070(3) of the Marin County Code) as specified below:

1. The Design Review amendment is consistent with the goals, policies, objectives, and programs of the Countywide Plan because the proposed amendments will not increase student population, nor increase the maximum total number of people permitted attending or working at the School, nor introduce new uses or events not permitted by the original Precise Development Plan. Further, as documented in Traffic Study, dated November 4, 2020, prepared by Parisi Transportation Consulting, all nearby intersections currently operate at a level of service "C" or better except the stop sign-controlled movement from Green Valley Court. With the proposed amendments, all nearby intersections would continue to operate at the same level of service, and that traffic congestion on local streets would not be worsened by the proposed amendments.
2. The Design Review amendment is consistent with the requirements of the governing RMP-0.1 (Residential Multiple Planned, one unit per ten acres) zoning district because: (1) the proposed uses are consistent with conditionally permitted uses in the governing zoning district; (2) no new construction is proposed that would alter the surrounding hillsides and ridgelines that overlook the campus; and (3) the project will not involve grading, tree removal, and other adverse environmental impacts.
3. The project is suitable for the site. The approximately 478-acre hillsides surrounding the 34-acre campus area and the area along the banks of Sleepy

Hollow Creek have scenic, habitat, and natural qualities that are desirable for preservation. The proposed amendment would retain the undeveloped character of the hillsides as no new construction is proposed. All future projects on the site would be required to ensure that new construction would maintain adequate setbacks from the top of banks for the creek for the duration of the Master Plan.

4. The proposed Design Review Plan amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County because the proposed amendments will not result in traffic levels beyond those approved by the Master Plan. As discussed in Section 4(12) above, the proposed amendment will not cause a deterioration of congestion levels in surrounding roadways below an acceptable level. The Master Plan, and the 1995 traffic study conducted in conjunction with the approval of the Master Plan, noted that a level of service D is an acceptable condition while levels of service E and F are unacceptable. As proposed, the project will not increase in traffic volume beyond those permitted by the Master Plan. With the proposed amendments, all nearby intersections would continue to operate at the same level of or better. Additionally, the project will not increase in student population beyond the maximum camp imposed by the Master Plan or increase the maximum number of people permitted to attend or work at the School.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Planning Commission and is subject to the conditions of project approval.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

SECTION III: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Planning Commission hereby approves the San Domenico School For Girls Precise Plan Amendment, subject to the conditions listed below.

CDA-Planning Division

1. The project shall remain consistent and meet all current conditions and limitations of use previously approved by all past administrative and public hearing decisions, resolutions, and ordinances, including the San Domenico School Master Plan (Ordinance No. 3287 and Ordinance No. 3343), except as modified by the listed conditions herein:
 - a. During the school year, the total daily (weekday) traffic shall not exceed an average of 1,626 trips; however, the total daily (weekday) traffic may exceed this in varying

degrees up to a maximum of 1,776 trips in conjunction with 20 special events during the school year.

- b. During the school year, the total daily (weekday) morning peak hour (7:45 a.m. to 8:45 a.m.) traffic shall not exceed 373 trips, including a maximum of 137 outbound trips.
- c. During the school year, the total daily (weekday) afternoon school peak hour (3:00 p.m. to 4:00 p.m.) traffic shall not exceed an average of 350 trips.
- d. During the school year, the total daily traffic during the weekend shall not exceed 985 trips per day on Saturdays and 660 trips per day on Sundays and holidays; however, the total daily traffic during the weekend may exceed this in varying degrees up to a maximum of 1,395 trips in conjunction with 12 special weekend events during the school year.
- e. During the summer, the total daily and weekend traffic during summer shall not exceed 410 trips per day and 780 trips per day during the School's five-week summer program; however, the total daily traffic during the weekend shall not exceed 610 trips in conjunction with six special summer weekend events.
- f. The San Domenico School shall pay for fees and expenses incurred in connection with the traffic monitoring program, to be administered by the Department of Public Works for a three-year period. The frequency of independent audits of the School shall be reduced from three to two.
- g. The school shall continue to administer the traffic management plan, and may be required to provide data, upon request, to the County to demonstrate compliance with the traffic standards. In addition, the County, through the Department of Public Works, reserves the right to require an independent audit of the School's traffic management plan to verify compliance with the standards. All costs for the independent audit shall be borne by the School.
- h. The currently applicable consequences and penalties(Condition of Approval No. 18(c) of ordinance No. 3287) penalties for non-compliance shall be deleted in their entirety, and replaced with the following:
 - i. The School shall be permitted a cure period of 60 days after the first violation of a limit in any one of the performance standards, with no penalty except to retest at the School's expense within 60 days.
 - ii. Penalties for second, third, and fourth violations in a rolling 24 month period shall be \$15,000 second, \$35,000 third, and fourth. Cure and retest each time at the School's expense.
 - iii. Penalties for a fifth violation in a rolling 24 month period shall be \$50,000 and eliminate two event exceptions.

- iv. Enrollment rollbacks in the amounts set forth in the original TMP after the sixth violation of any standard within a rolling 24 month period. Cure and retest to remove rollback.
- v. No penalty is triggered unless the violation is 4% or more of the standard.
- vi. Penalty dollar amounts to be adjusted annually by CPI.
- i. Delete Condition of Approval 18(a)(3) of Ordinance No. 3287 18(a)(3) in its entirety (~~During the school year, the total daily (weekday) afternoon peak hour (5:00 p.m. to 6:00 p.m.) traffic shall not exceed 113 trips, including a maximum of 71 outbound trips.~~)
- j. Delete Condition of Approval 2(a) of Ordinance No 3343 in its entirety. ~~The maximum total hourly traffic during the weekday morning peak hour shall not exceed 461 trips. The maximum hourly traffic leaving the School during the weekday morning peak hour shall not exceed 164 trips.~~
- k. Delete Condition of Approval 2(b) of ordinance No 3343 in its entirety. ~~The maximum total hourly traffic during the weekday afternoon peak hour shall not exceed 142 trips. The maximum hourly traffic leaving the School during the weekday afternoon peak hour shall not exceed 89 trips.~~

SECTION V: APPEAL RIGHTS

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County Board of Supervisors. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision.

SECTION VI: VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin held on this 8th day of February 2021, by the following vote:

AYES: COMMISSIONERS

NOES:

ABSENT:

Margaret Curran
MARIN COUNTY PLANNING COMMISSION

Attest:

Ana Hilda Mosher
Planning Commission Recording Secretary