

County of Santa Clara
Board of Supervisors
Supervisorial District 5
Supervisor S. Joseph Simitian



100343

DATE: February 11, 2020
TO: Board of Supervisors
FROM: S. Joseph Simitian, Supervisor
Cindy Chavez, Supervisor
SUBJECT: Stanford Community Plan Next Steps

RECOMMENDED ACTION

Approve referral to Administration to move forward with specified items related to implementation or update of the Stanford Community Plan (part of the County's General Plan, now being updated) and 1985 Land Use Agreement. (Simitian/Chavez)

FISCAL IMPLICATIONS

To the extent additional expenditures are necessary, they will be approved by the Board of Supervisors through a separate action. Additional appropriation of funds is not being requested as part of this referral.

REASONS FOR RECOMMENDATION

The County's General Plan is in the process of being updated. The current version of the Stanford Community Plan, part of the County's General Plan, is 20 years old and requires updating.

Updated amendments to the Stanford Community Plan were expected to be enacted upon approval of Stanford's application for a General Use Permit (GUP) this past year. When Stanford withdrew its GUP application, these changes to the Community Plan were not considered by the Board of Supervisors. Therefore, it is appropriate to move forward with a County-initiated update to the Stanford Community Plan.

Stanford University submitted an application for a new General Use Permit in November 2016. For three years the County of Santa Clara processed the permit; on November 1, 2019, the University withdrew the application.

As part of the application review, several public hearings were held. Some of the issues that came up in the public hearings transcend the specific GUP application, and are related to a Community Plan that is now 20 years old and simply requires updating. These issues were publicly discussed, and the County received comments from both the public and the University; consequently, County staff made recommendations to the Board which would have been considered, while independent of the GUP application, at the same hearing as the GUP application. These matters can and should now be pursued independent of an application.

The specific issues staff are directed to consider include:

- Relocation of the “possible future school site” designation.
- Extension of the Academic Growth Boundary for 99-years, subject to the 4/5ths vote requirement to modify.
- Other changes, as suggested by staff.

One of the opportunities presented by the withdrawal of the GUP application is for the County now to conduct the additional research necessary to address more fully the issues raised during the public hearings. Two issues that were raised in the public hearings that require additional review are listed below.

By considering them at this time, we take advantage of an added potential benefit of updating the Stanford Community Plan with these specific issues in mind. Should the University submit a future application for a General Use permit (GUP), these issues will have already been vetted. Consequently, the future application could be considered more quickly by the County, and the Administration could recommend Conditions of Approval that provide the University with more certainty.

- Graduate student housing affordability – this issue was not studied as part of a prior nexus study, and so affordability issues specifically related to graduate student housing were not considered as part of the 2018 GUP application. Staff should take this opportunity to consider available additional measures, if any, that might be taken to ensure the affordability of housing to graduate students.

- Municipal services study – the University raised concerns about the open-ended nature of the municipal services study that was included in the recommended conditions of approval associated with the 2018 GUP. Such a study is warranted based both on the policies, specifically SCP-GD(i)2, contained in the Community Plan which the County continues to implement and based also on the implementation of the 1985 Land Use Agreement. In addition, its completion prior to a new GUP application being submitted by the University will increase certainty for the applicant which should be beneficial.
 - Childcare – because the County is already doing work in this area and has consultants under contract, looking at the childcare needs of faculty, staff and students independent of other municipal services makes sense. The scope of the study should include accessibility, affordability, and location of services.
 - Municipal Services – the 1985 Land Use Agreement clearly states that the University will provide and fund municipal services for its population. It became clear during review of the 2018 GUP application that there was a difference in understanding between the City, the County and the University as to the nature and extent of such services as contemplated under the 1985 Land Use Agreement and furthered in SCP-GD(i)2 of the Community Plan. Specifically, such a study needs to clarify the nature and extent of the University’s obligation, and whether they are meeting it. Because the City of Palo Alto is the other public agency party to the Land Use Agreement, staff must work in collaboration with the City as well.

BACKGROUND

As mentioned, the University withdrew its GUP application on November 1, 2019; however, because the Community Plan states that development at the University must take place under a GUP, they will need to re-apply for a GUP if they want to develop more than about 175,000 net new square feet. Because the University gets development capacity credit for structures that are removed, it’s unclear exactly when the existing permit will be exhausted.

CONSEQUENCES OF NEGATIVE ACTION

There are at least three negative outcomes associated with not moving forward with this referral:

- The regular, periodic update of the County’s General Plan will be incomplete;
- The issues identified for study in this referral will not be studied and will contribute to ongoing uncertainty; and
- The extent to which the University is fulfilling its obligations under the 1985 Land Use Agreement will remain unknown and unaddressed.

STEPS FOLLOWING APPROVAL

Staff will report quarterly to HLUET with updates on progress, and to the Board for acceptance of final studies and consideration and action on Community Plan amendments in accordance with State law provisions to amend general plans.