

FEB 2 1986

Original

CS

1985 LAND USE POLICY AGREEMENT

POLICIES GOVERNING UNINCORPORATED STANFORD UNIVERSITY LANDS  
IN SANTA CLARA COUNTY

This agreement sets forth the policies of the County of Santa Clara ("Santa Clara County"), the City of Palo Alto ("Palo Alto") and Stanford University ("Stanford") regarding land use, annexation, planning and development of Stanford lands in Santa Clara County.

1. General policies

a. Stanford University differs from other unincorporated areas in Santa Clara County in that it constitutes an integrated community, its lands are held in perpetual trust for educational purposes and may not be sold, its lands are mainly tax-exempt, and it provides its own municipal services to its academic facilities, rather than seeking them from adjacent cities.

b. All parties agree that existing annexation policies for Stanford lands in Santa Clara County should continue in force:

(1) Academic land uses, for which the University provides its own services, should remain unincorporated.

(2) Open space and agricultural uses of lands held in reserve for future academic use should likewise remain unincorporated.

(3) Other non-academic uses of University land should be subject to city annexation.

c. All parties agree that County policies should continue to recognize the unique character of Stanford's academic lands, and that, at the request of any party, any proposed change in general County policy governing unincorporated lands should be preceded by three-party discussion as to whether the proposed new policy should be applied to Stanford lands.

d. Palo Alto and Stanford further recognize that each has a legitimate interest in planning decisions made by the other, to the extent that the actions of one entity may impact housing supply, traffic, parking, and utility systems in the other. For

this reason, each will continue to provide notification, at the earliest possible date, of any projects or proposals that may affect the other.

## 2. Specific policies governing academic use of Stanford lands

a. All Stanford lands are held by the Board of Trustees for ultimate academic use. Those areas designated "Academic Reserve and Open Space" may be used for agricultural and accessory purposes until they are needed for academic use.

b. "Academic" uses of University land, as defined and described in the County General Plan and the University Land Use Plan, include: instruction and research (including teaching hospital facilities); administrative facilities; housing intended for University and Hospital faculty, staff, students and visitors; athletics, physical education, and recreation facilities; support services (such as university-operated campus facilities, U.S. post office and other campus services, infrastructure, storage and maintenance); and non-profit research facilities with close academic ties to the University (such as the Center for Advanced Study in the Behavioral Sciences, the National Bureau of Economic Research and the Carnegie Institution of Plant Biology).

c. Unincorporated Stanford lands in Santa Clara County are subject to the Santa Clara County General Plan and Zoning Ordinance, the general use permit for Stanford University lands adopted by Santa Clara County, and pertinent review and approval procedures employed by Santa Clara County.

d. Stanford intends to continue to provide all municipal services to its academic facilities in the unincorporated area of Santa Clara County. Provision of services may include construction and operation of on-site facilities, purchase from public or private entities, or membership in regional facilities. For mutual benefit, Stanford and Palo Alto, or Stanford and Santa Clara County, may contract with each other for the provision of certain services.

e. Neither Stanford nor Palo Alto seeks annexation to Palo Alto of parcels which are designated for academic use in the University's Land Use Plan. This position is consistent with the County General Plan and County policies regarding annexation and development.

## 3. Specific policies governing non-academic use of Stanford lands

a. The Trustees allow non-academic use of certain designated parcels on an interim basis, to produce income to support the University and its programs.

b. "Non-academic" uses include: commercial and industrial enterprises; housing that is not reserved for University and

Hospital personnel; and for-profit research and professional facilities which are not an integral part of the University's academic program (such as the professional offices on Welch Road and the corporate installations in the Stanford Research Park).

c. Stanford intends to request annexation to the City of Palo Alto of any unincorporated parcel in Santa Clara County for which it proposes an interim non-academic use.

d. Stanford lands annexed to the City of Palo Alto are subject to the Palo Alto Comprehensive Plan and Zoning Ordinance, any area plans adopted by the City of Palo Alto, and pertinent review and approval procedures employed by Palo Alto.

#### 4. Implementation of these policies

a. Staffs of the three parties, in cooperation, will maintain an informational document, known as a Protocol, which outlines all adopted land use designations, regulations, restrictions, and review and referral procedures governing Stanford lands in Santa Clara County. Revisions to the Protocol will be made by the three staffs, to reflect any adopted changes in the County General Plan, the County Ordinance Code and Zoning Ordinance, the general use permit for Stanford lands, pertinent County procedures, and administrative practices and procedures agreed to by the three parties. Any such revisions will be reported to the Board of Supervisors and the City Council.

b. The parties will continue to refer development applications to each other in substantially the same manner that has been employed in the past. Administrative procedures for such referral may be implemented upon concurrence of the three staffs, but will contain at least the following features:

(1) Each party will supply copies to the others of any application or proposal which it has reason to believe might be of interest to the others.

(2) The parties will take account of the concerns of any of them about a proposal made by another.

(3) Any of the parties may comment to the agency having jurisdiction on any project proposed by another of the parties, within the time specified by the agency having jurisdiction.

c. The parties will, as necessary and appropriate, join in requests to other jurisdictions, including but not limited to the Local Agency Formation Commission and the State of California, to recognize the spirit and the provisions of this Agreement in their policies and procedures.

d. This Agreement supersedes and replaces the agreement between Stanford University and the City of Palo Alto dated January 18, 1974, commonly known as the "-cs Zone Agreement".

e. Nothing in this Agreement shall limit the authority of any of the parties to revise its General Plan, Comprehensive Plan, Land Use Plan or zoning ordinance.

THE BOARD OF TRUSTEES OF THE  
LELAND STANFORD JUNIOR UNIVERSITY

By *William F. Massy*  
William F. Massy  
Vice President for Business and Finance

THE CITY OF PALO ALTO  
Approved pursuant to action of the City Council  
on October 7, 1985.

By *Leland D. Levy*  
Leland D. Levy  
Mayor

THE COUNTY OF SANTA CLARA  
Approved pursuant to action of the  
Board of Supervisors on OCT 27 1985.

By *Rod Diridon*  
Rod Diridon  
Chairperson

ATTEST: Donald M. Rains, Clerk  
Board of Supervisors

*Phyllis A. Peck*

Phyllis A. Peck  
Assistant Clerk  
of the Board  
Supervisors