

**County of Santa Clara
Department of Planning and Development**



98788 – Supplemental Memorandum

DATE: November 5, 2019

TO: Board of Supervisors

FROM: Sylvia Gallegos, Deputy County Executive
Jacqueline R. Onciano, Director, Dept. of Planning and Development

SUBJECT: Withdrawal of General Use Permit Application by Stanford University

On November 1, 2019, Stanford University submitted a letter to the Director of the Department of Planning and Development withdrawing its development application, which includes the General Use Permit (GUP), the Stanford Community Plan amendments, Zoning Map amendments, and the Development Agreement application.

The County Zoning Ordinance (§5.20.090) authorizes the withdrawal of development applications by the applicant at any time as follows:

An application may be withdrawn by the applicant at any time.
The withdrawal shall be without prejudice to the application.
Any resubmittal of the application shall be accompanied by the required filing fee.

The General Use Permit application is on the agenda as a public hearing (Item No. 9) for the Board meeting on November 5, 2019. Because the GUP application has been withdrawn, there is no basis for holding a public hearing and it is recommended that the public hearing be canceled.

Development on Stanford University's Campus under the 2000 GUP

Under the existing 2000 GUP, Stanford has authorization to construct 175,257 square feet of net new academic and academic support space. The demolition of existing buildings and the replacement with new buildings that do not result in a net increase in square footage do not count towards the calculation of net new square footage. Under the existing GUP, Stanford has developed approximately 98,000 square feet of academic development per year, not including housing. At this rate, and assuming that the University does not demolish existing buildings, the remaining 2000 GUP square feet allocation would be exhausted in approximately two years.

In addition to academic space, Condition F.7 of the 2000 GUP authorizes Stanford to construct additional housing units with approval of the Planning Commission, and subject to further environmental review. The Planning Commission's decision may be appealed to the Board of Supervisors by any interested person. Under this provision, Stanford University previously requested the approval of additional graduate student housing at Escondido Village.

A New GUP is Required for Future Campus Growth

Community Plan policy SCP-GD 6 specifies that development within Stanford's Academic Growth Boundary (AGB) may only be permitted through a GUP. Thus, Stanford could not apply for individual use permits for each building project for new academic development within the AGB. The Community Plan requires all new development to occur within the AGB.

Under the County's Zoning Ordinance (§ 5.20.200) and Condition B.3 of the 2000 GUP, Stanford may apply to modify the GUP to allow future campus growth. The time needed to process a proposed GUP modification and extent of environmental review required would depend upon the nature of the modification proposed.

Stanford may also submit an application for a new GUP at any time.

The Environmental Impact Report (EIR)

The EIR prepared for Stanford's proposed GUP was not certified by the Board of Supervisors and thus is not a final document. If Stanford University applies for a modification to the 2000 GUP or a new GUP, the information and reports prepared for the EIR or the withdrawn GUP application could be utilized subject to additional analysis and updating. A new environmental review process would be initiated for any new application.

The Stanford Housing Ordinances

Two housing ordinances were adopted by the Board in September 2018 applicable to development within the Stanford Community Plan area – the Inclusionary and Housing Impact Mitigation Fee Ordinances. The Inclusionary Ordinance became operative on July 1, 2019 and applies to any new faculty/staff housing of three units or more proposed on lands within the Stanford Community Plan area. This Ordinance requires 16 percent of all new faculty/staff housing to be affordable for 55 years.

The Housing Impact Mitigation Fee Ordinance, applicable to new academic development, does not apply to any development under the current 2000 GUP, as amended in 2015.

Traffic Conditions for Remaining 2000 GUP Development

Traffic conditions pertaining to Stanford's academic campus would continue to be governed by the 2000 GUP Conditions of Approval. These conditions require a No Net New Commute Trips (NNNCT) standard in the morning and afternoon peak hour in the peak direction. Absent a modified or new GUP approval, no new traffic requirements would be in effect.