

CC 3-5-2024

Study Session #1

Council Procedures Manual

Presentation

Council Procedures Manual Update

March 5, 2024



**CITY OF
CUPERTINO**

Background

- **Feb. 2023:** Council adopts Cupertino City Council Procedures Manual
- City Attorney directed to return to Council in six months to consider potential revisions
- **Sept. 2023:** Council elects to continue item for additional six months.

Potential Revisions to Manual

- **Section 4:** Clarify the distinctions between and naming conventions for advisory bodies.
- **Section 5.6:** Incorporate additional training requirements.
- **Section 8.2:** Revise the rules of order to improve the efficiency and effectiveness of Council deliberations.
- **Section 8.3:** Formalize written reports of Council activities.
- **Section 8.4:** *Consider modifications to procedures for removing items from the consent calendar.*

Potential Revisions to Manual

- **Section 8.5:** *Improve procedures for shortening and consolidating time; consider adopting overall time limits for comments by individual speakers.*
- **Section 8.8:** Consider revisions to procedures to improve Council deliberations and implementation of related procedural rules.
- **Section 10:** Include more detailed enforcement provisions.



Recommended Action

- Provide input regarding revisions to City Council Procedures Manual



Questions?

CC 3-5-2024

#6

Appeal of Planning
Commission Decision –
Shane Co. Sign Exception

Presentation

**APPEAL OF THE PLANNING COMMISSION'S
DECISION TO APPROVE A SIGN EXCEPTION TO
ALLOW TWO WALL SIGNS FOR A SINGLE TENANT
(SHANE CO) AT AN EXISTING RETAIL BUILDING
EXC-2022-004**

19900 Stevens Creek Blvd.

December 12, 2023



**CITY OF
CUPERTINO**

Background

- Retail Building with three(3) tenants.
- September 28, 2023, Shane Co. received ASA-2023-004 approval for façade improvements.
- On December 12, 2023, Planning Commission approved Sign Exception with modifications, limiting it to one unlighted wall sign by a 4-0 vote.



Appeal

December 20, 2023, the applicants / appellant, representing Shane Co., appealed Planning Commission's decision to modify sign exception.

- Building set further back from Stevens Creek Boulevard, obscured by mature street trees.
- Design of retail building has the front entrance along the east façade and not along Stevens Creek Boulevard
- Design of building is more industrial/office than retail.

Council's review of the Planning Commission's determination is *de novo*

North Elevation – Stevens Creek Blvd.

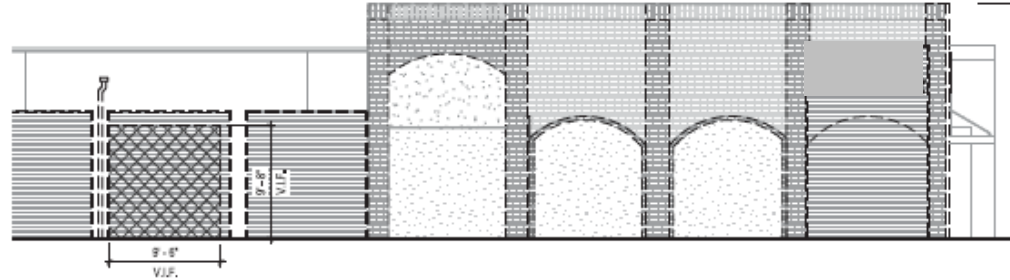


1 ELEVATION - NORTH DEMO
A-3 SCALE: 1/8" = 1'-0"



2 ELEVATION - NORTH PROPOSED
A-3 SCALE: 1/8" = 1'-0"

East Elevation


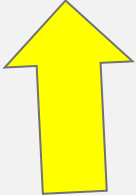
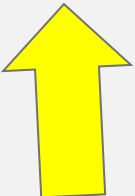


3 ELEVATION - EAST DEMO
SCALE: 1/8" = 1'-0"



4 ELEVATION - EAST PROPOSED
SCALE: 1/8" = 1'-0"

CMC 19.104 Signs – Wall Signs

	Permitted	Wall Signs		
		North Façade(Existing)	Location One (Proposed)	Location Two (Proposed)
Number of Wall Signs	<p>One sign per business with exterior frontage. One additional for:</p> <ul style="list-style-type: none">- Businesses with no ground sign and adjacent to more than one street or shopping center driveway.- Sign directed to interior of project and not visible from any public right-of-way.- Single tenant building pad with more than 5,000 s.f.	<p>Permitted</p> 	<p>Although adjacent to a shopping center driveway, the business is not permitted to have a second wall sign since they are utilizing space on an existing ground sign.</p> 	<p>A single business is not permitted to have a third wall sign.</p> 



Findings

- That the literal enforcement of the provisions of this title will result in restrictions inconsistent with the spirit and intent of this title;
- That the granting of the exception will not result in a condition which is materially detrimental to the public health, safety, or welfare; and
- That the exception to be granted is one that will require the least modification of the prescribed regulations and the minimum variance that will accomplish the purpose.

Analysis

- Require least modification of regulations and the minimum variance.
 - Exception for three (3) wall signs is far above allowed number of wall signs permitted for a single business.
 - Allocating multiple signage to a single business is contrary to providing architectural and aesthetic harmony of signs as they relate to building design and quantity to allow for good visibility for public and needs of the business.
- An allowance for one additional wall sign along the east façade could be seen as a minor deviation from the Municipal Code.



Recommended Action

Staff recommends that the City Council adopt a resolution upholding the appeal in part, approving an exception for one of the two-requested wall signs along the east façade.



Next Steps

Should the project be approved, the City Council's decision on this project is final unless a reconsideration is filed within 10 calendar days of the date of the decision. All approvals granted by the City Council shall go into effect after 14 days.

CC 3-5-2024

#6

Appeal of Planning
Commission Decision –
Shane Co. Sign Exception

Applicant Presentation

Cupertino Signage

Shane Co.[®]

Things to Know

- ❖ Shane Co. has been in the city of Cupertino since 1988
- ❖ Shane Co. is in the top 25 tax contributors for the city of Cupertino
- ❖ Shane Co. draws over 100K customers year
- ❖ Since moving to our new location in 2021 our traffic is down 12%

Reasons for Signage

- ❖ Our new store has some unique visibility challenges making it hard for customers to find us and contributing to our traffic being down thus creating a need for additional signage.

Challenges:

- ❖ Previously in The Oaks where there was much more natural traffic with the other retail in the center
- ❖ Our new store is not a retail destination
- ❖ The building itself is mid-block and has a large set-back making the building hard to see at times
- ❖ Westbound Steven's Creek Traffic cannot turn directly into the parking lot

OPEN HOUSE

We hosted an open house on February 8. We had four residents attend with no opposition to the signage.



You're Invited, Cupertino Residents!

Join us at Shane Co. to learn more about our plans for additional signage, & enjoy light refreshments. We'd love input from the community!

WHEN:

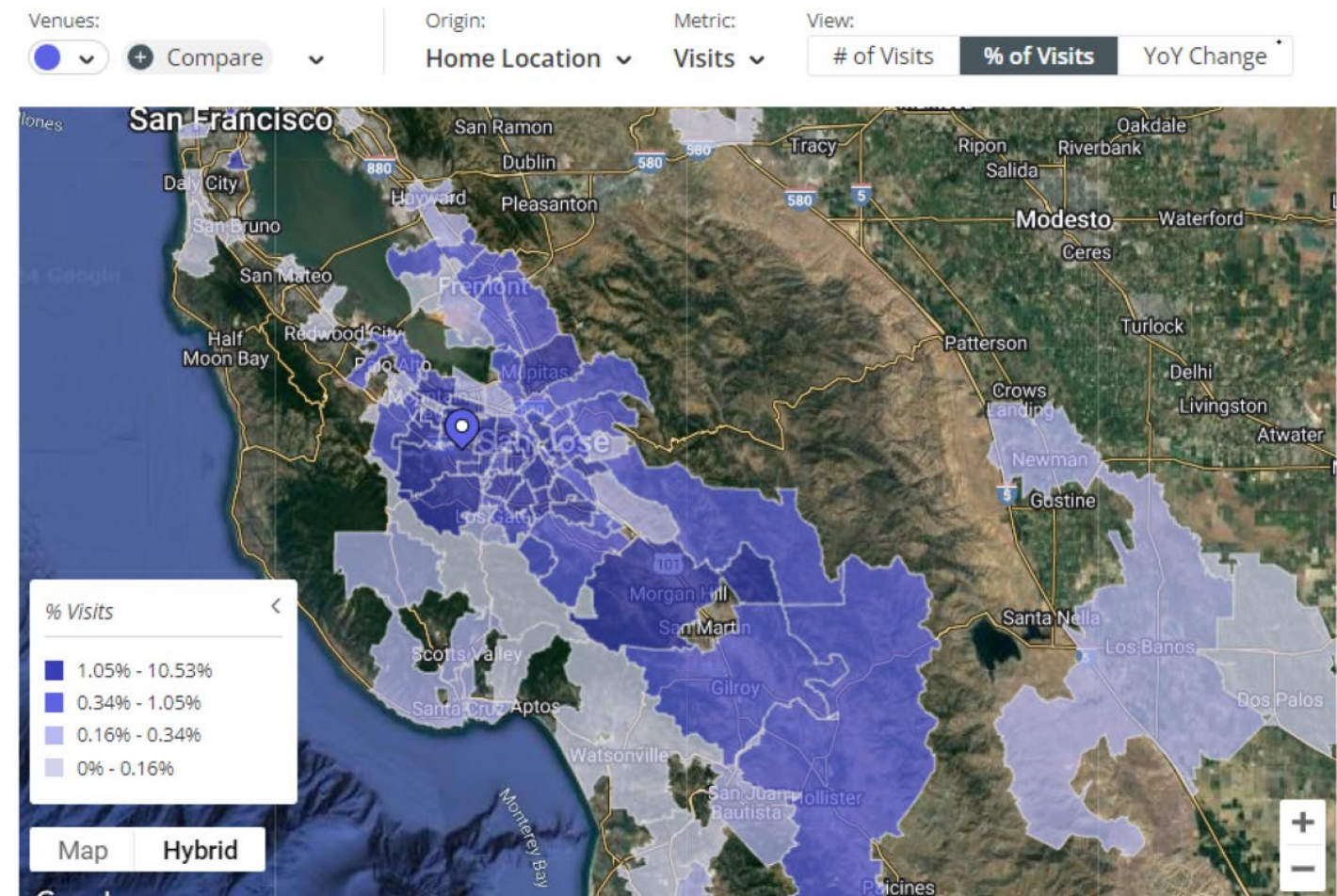
Thursday, February 8, 12-2PM & 5-7PM

WHERE:

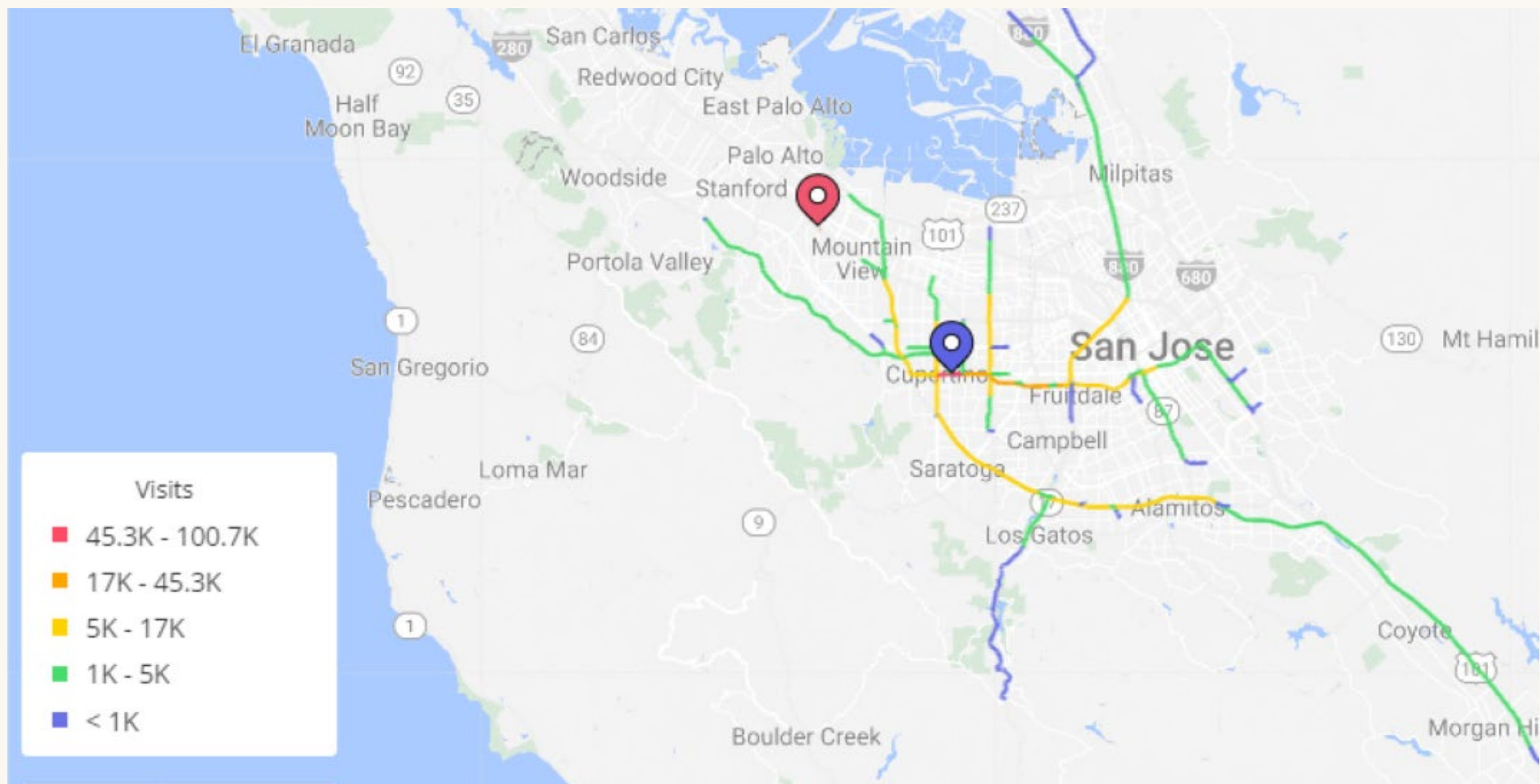
Shane Co.
19900 Stevens Creek Blvd.
Cupertino, CA 95014

Shane Co.

Visitors By Origin



Zipcode / City	Visits (% of Total)
94087 Sunnyvale, CA	10.5K (10.5%)
95014 Cupertino, CA	8.7K (8.7%)
95051 Santa Clara, CA	6.8K (6.9%)
95129 San Jose, CA	5.7K (5.7%)
94040 Mountain View, CA	4.2K (4.2%)
95125 San Jose, CA	3.3K (3.3%)
94086 Sunnyvale, CA	3K (3%)
95124 San Jose, CA	2.9K (2.9%)
95050 Santa Clara, CA	2.7K (2.7%)



INO

APPROVED

#

S-2020-001

Application Number(s)

Approval Body: Director / Staff

Approval Date 12/11/20

Signature Gian Paolo Martire

Case Manager



North Elevation - Scale 1" = 20'-0"



East Elevation - Scale 1" = 20'-0"

DASHED RED LINE
INDICATES ROOF LINE

DASHED RED LINE





Thank you

CC 3-5-2024

#7

City Commissions and Committees

Presentation

City Commissions and Committees

March 5, 2024



**CITY OF
CUPERTINO**

Background

- Commission Governance Reform Package identified as a priority item on FY 2023-2024 City Work Program.
 1. Revise the Commissioners Handbook.
 2. Review potential Municipal Code violations by City commissioners.
 3. Realign and regularize commissioner terms of office.
 4. Establish or revise commissioner qualifications.



Ordinance and Policy Updates

- **Ordinance No. 24-_____**: Regularize commission appointments schedule/terms and revise certain commissioner qualifications.
- **Resolution No. 24-_____**: Revise advisory bodies appointments resolution.
- **Resolution No. 24-_____**: Revise Commissioners' Handbook.

Commissioner Terms

- **Ordinance No. 24-____:**
 - Uncodified ordinance to ensure that commissioner vacancies ensure at regular, biannual intervals.
 - Amendments to Chapters 2.86 and 2.94 to remove business representatives from Housing and Sustainability Commissions.



Advisory Bodies Appointments

- Provides for removal of commissioners who fail to meet training or conflict of interest requirements.
- Establishes process for developing subject-matter specific qualifications for commissioners.
- Ends practice of appointing alternative commissioners.
- Revisions to reflect changes to administrative procedures.



Commissioners' Handbook

- Clarifies the role of the City Clerk's Office and City Attorney's Office in the administration of commissions and committees.
- Clarifies commissioners' role in the City Work Program process.
- Includes new process for developing commissioner qualifications.
- Revisions to ensure consistency with the City Council Procedures Manual and revised Ethics Code.
- Addresses applicability of the Commissioners' Handbook to appointed members of City committees.



Recommended Action

1. Conduct the first reading of Ordinance No. 24-____.
2. Adopt Resolution No. 24-____, to repeal and replace Resolution No. 16-137, regarding City advisory bodies.
3. Adopt Resolution No. 24-____, revising the Commissioners' Handbook.



Questions?