

## CHAPTER 2.90: DESIGN REVIEW COMMITTEE

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#### **2.90.010 Established.**

The Design Review Committee (DRC) is established. The DRC shall consist of the Planning Commission Vice Chair and one additional Planning Commission representative, to be appointed by the Planning Commission. One additional member of the Planning Commission shall be designated to serve as an alternate in the absence of a Planning Commission member. This alternate member shall be selected by the Planning Commission. (Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

#### **2.90.020 Purpose.**

The Design Review Committee shall endeavor to reduce the Planning Commission's workload by simplifying its design review responsibilities and incorporating professional architectural advice where it adds value to the design review process. The Design Review Committee shall include all aspects of site and architectural design, including:

- A. The relationship of the building to its surrounding land uses and the street;
- B. Compliance with adopted height limits, setbacks, architectural and landscape design guidelines;
- C. Protection of surrounding land uses and the subject uses from intrusive impacts, such as, noise, glare, dust, chemicals, smells and visual disturbances;
- D. Providing adequate parking and circulation for vehicles and pedestrians;
- E. The overall quality and compatibility of the building materials and architecture with the surroundings. (Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000)

#### **2.90.030 Terms of Office.**

All Design Review members shall have a term of one year, expiring on January 15th of each year, or until a successor is duly appointed.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

#### **2.90.040 Vacancy or Removal.**

Any Design Review Committee member may be removed from the committee by a majority vote of the City Council. If a vacancy occurs including an expiration of a term, it shall be appointed by the Planning Commission.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

#### **2.90.050 Chairperson.**

The chairperson shall be the Planning Commission Vice Chair. The term shall be one year and shall begin on January 15th and be complete on January 15th of the following year, or until a successor is duly appointed.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

#### **2.90.060 Meeting–Quorum.**

A. The DRC shall meet at dates and times prescribed by the committee. Meetings shall be held at City Hall, 10300 Torre Avenue, Cupertino, California. The committee may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment. When so adjourned, such meeting shall be a regular meeting for all purpose.

B. Special meetings of the committee may be called at any time by the chairperson or by any member of the committee upon written notice being given to all members at least twenty-four hours prior to the meeting, unless notice is waived in writing by each member.

C. Two Design Review Committee members or one member and the designated alternate shall be present to constitute a quorum for the purpose of transacting the business of the committee. A majority vote of the quorum is required to approve any decision of the committee. A tie vote constitutes a denial of any application or request.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

#### **2.90.070 Licensed Architect.**

A licensed architect shall make recommendations to the committee. The architect shall be selected by the City Council and shall be compensated based upon a contract with the City for a period not exceeding two years.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

#### **2.90.080 Records.**

A. The committee shall keep an accurate record of its proceedings and transactions and shall render such reports to the City Council and Planning Commission directly after each meeting. The appeal of said decision is governed by Chapter 19.12 of the zoning code. The committee shall also comply with all requirements of the State of California Open Meeting Law (the Brown Act), including the preparation and posting of meeting agendas.

B. These records shall be filed with the City Clerk.

(Ord. 18-2180, § 11 (part), 2018; Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

### **2.90.090 Powers and Functions.**

The powers and functions of the DRC are as identified in Chapter 19.12 of the zoning code and to perform other functions as the City Council requires.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

### **2.90.100 Procedural Rules.**

The DRC may adopt from time to time such rules or procedures as it may deem necessary to properly exercise its powers and functions. Such rules shall be subject to approval by the City Council before becoming effective.

All such rules shall be kept on file with the chairperson of DRC and the City Clerk and a copy of the rules shall be furnished to any person upon request.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

### **2.90.110 Effect.**

Nothing in this chapter shall be construed as restricting or curtailing any powers of the City Council, Planning Commission or City officers.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)