



**AMENDED  
PLANNING DIRECTOR'S HEARING AGENDA**

**Wednesday, January 23, 2013**

**9:00 a.m.  
City Council Chambers  
City Hall**

**200 East Santa Clara Street  
San José, California 95113-1905**

**Hearing Officer**

**Salifu Yakubu, Division Manager  
On Behalf of**

**Joseph Horwedel, Director  
Planning, Building, and Code Enforcement**

## NOTICE

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Support Staff at 408-535-7811 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

### NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **January 23, 2013**. My name is **Sal Yakubu** and I am the Hearing Officer for today's agenda. On behalf of and delegated by the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off your cell phones and pagers as we are broadcasting and recording this meeting. A copy of the agenda is available on the tables by the doors for your convenience. A validation machine is available at the top of the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- I will identify the project as described on the agenda
- Staff will provide a brief report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The public hearing will then be closed and I will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

The City of San Jose is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public. The City Code of Ethics may be viewed on-line at [http://www.sanjoseca.gov/clerk/cp\\_manual/CPM\\_0\\_15.pdf](http://www.sanjoseca.gov/clerk/cp_manual/CPM_0_15.pdf).

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.*

Note: If you have any questions regarding the agenda, please contact Support Staff at 408-535-7811

**AGENDA**  
**ORDER OF BUSINESS**

**1. DEFERRALS**

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Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **TR12-296.** Tree Removal Permit to allow removal of five (5) Redwood trees ranging from 66 to 199 inches in circumference in the A(PD) Planned Development Zoning District, located at 1312 Vine Street (Nguyen Thomas T And Vu Tuyen Thanh, Owner). Council District 3. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Defer to 2/6/13 per staff's request.

**The matter of Deferrals is now closed.**

**2. CONSENT CALENDAR**

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**NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be considered together. There will be no separate discussion of these items unless a request is made by the staff or the public to have an item removed from the consent calendar and considered separately.

- a. **PD12-046.** Planned Development Permit for to allow minor grading modifications at an existing cemetery (no new construction) (Oak Hill Memorial Park) in the A(PD) Planned Development Zoning District, located on the Southwest corner of Monterey Road and Curtner Avenue (300 CURTNER AV).Council District 7. CEQA: Reuse of MND. *Project Manager, Matthew Van Oosteen*

**Staff Recommendation:** Consider the Reuse of MND in accordance with CEQA. Approve a Planned Development Permit for to allow minor grading modifications at an existing cemetery (no new construction) (Oak Hill Memorial Park) in the A(PD) Planned Development Zoning District.

- b. **PDA02-024-01.** Tree Removal Permit and modifications to an approved landscaped plan to remove two (2) Ordinance size Walnut trees 56 inches in circumference and seven (7) non-Ordinance size Walnut trees located along the future Great Oaks Boulevard right-of-way in the A(PD) Planned Development Zoning District on a 78.4 gross acre site, located on the west side of Great Oaks Blvd approx 1,000 feet northwesterly of Highway 85 (Istar San Jose LLC, Owner). Council District 2. CEQA: Exempt. *Project Manager, John Baty*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit and modifications to an approved landscaped plan to remove two (2) Ordinance size Walnut trees 56 inches in circumference and seven (7) non-Ordinance size Walnut trees located along the future Great Oaks Boulevard right-of-way in the A(PD) Planned Development Zoning District on a 78.4 gross acre site.

- c. **PDA71-020-01.** Tree Removal Permit to allow removal of four Ash trees ranging from 59 to 78 inches in circumference, three Pear trees ranging from 57 to 63 inches in circumference, and two Liquidambar trees, both 56 inches in circumference, from the common area of a multi-family lot in the R-1-8 Single-Family Residence Zoning District, located at 3615 Flint Creek Drive (Compass Management, Applicant). Council District 8. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of four Ash trees ranging from 59 to 78 inches in circumference, three Pear trees ranging from 57 to 63 inches in circumference, and two Liquidambar trees, both 56 inches in circumference, from the common area of a multi-family lot in the R-1-8 Single-Family Residence Zoning District.

- d. **PDA84-044-02.** Tree Removal Permit to allow removal of two (2) Raywood Ash trees 66 and 66 inches in circumferences located in the common area of Cedar Glen Apartments in the A(PD) Planned Development Zoning District, located at 2275 South Bascom Avenue (Cedar Glen Associates, Owner). Council District 9. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of two (2) Raywood Ash trees 66 and 66 inches in circumferences located in the common area of Cedar Glen Apartments in the A(PD) Planned Development Zoning District.

- e. **PDA90-069-02.** Tree Removal Permit to allow the removal of three Cottonwood trees with circumferences ranging from 75 to 114 inches on the common area of a multi-family lot in the A(PD) Planned Development Zoning District, located at 6990 and 6905 Gregorich Drive (California Maison Owners Association, Applicant). Council District 2. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow the removal of three Cottonwood trees with circumferences ranging from 75 to 114 inches on the common area of a multi-family lot in the A(PD) Planned Development Zoning District.

- f. **PDA93-018-02.** Planned Development Permit Amendment to allow creek bank stabilization work in five areas along Guadalupe Creek, including 12,573 square feet of disturbed area and 16,100 square feet of temporary access roads in the A(PD) Planned Development Zoning District, located along the southwesterly edge of the Guadalupe Landfill property (15999 Guadalupe Mines Rd) (Guadalupe Rubbish Disposal Inc, Owner). Council District 10. CEQA: Mitigated Negative Declaration (MND) to be adopted; public welcome to comment on MND through 12/17/12. Deferred from 12/19/12. *Project Manager, John Baty*

**Staff Recommendation:** Consider the Mitigated Negative Declaration (MND) to be adopted; public welcome to comment on MND through 12/17/12 in accordance with CEQA. Approve a Planned Development Permit Amendment to allow creek bank stabilization work in five areas along Guadalupe Creek, including 12,573 square feet of disturbed area and 16,100 square feet of temporary access roads in the A(PD) Planned Development Zoning District.

- g. [PDA95-009-01](#). Planned Development Amendment to allow a 397 square foot addition to the first floor and a 343 square foot addition to the second floor of an existing single-family detached residence, resulting in a total of 3,397 square feet, and a floor area ratio (FAR) of 48.87% on a 6,950 square foot lot in the A(PD) Planned Development Zoning District, located on the west side of Montelena Drive, approximately 180 feet south of Aborn Drive (3213 MONTELENA DR) (Murty Kurella N And Kurella Rama Trustee, Owner). Council District 8. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Planned Development Amendment to allow a 397 square foot addition to the first floor and a 343 square foot addition to the second floor of an existing single-family detached residence, resulting in a total of 3,397 square feet, and a floor area ratio (FAR) of 48.87% on a 6,950 square foot lot in the A(PD) Planned Development Zoning District.

- h. [T12-045](#). Tentative Map to combine 8 parcels into 1 lot on a 2.9 gross acre site in the HI Heavy Industrial Zoning District, located on the west side of Berryessa Road, approximately 350 feet southwesterly of Commercial Street (1021 Berryessa Road) (Clean Harbors San Jose, LLC, owner). Council District 3. CEQA: Re-use of Solvent Services, Incorporated, Final EIR (Planning Commission Resolution No. 90-77). *Project Manager, Sylvia Do*

**Staff Recommendation:** Consider the Re-use of Solvent Services, Incorporated, Final EIR (Planning Commission Resolution No. 90-77) in accordance with CEQA. Approve a Tentative Map to combine 8 parcels into 1 lot on a 2.9 gross acre site in the HI Heavy Industrial Zoning District.

- i. [TR12-289](#). Tree Removal Permit to allow removal of one (1) Redwood tree approximately 113 inches in circumference on a 0.25 acre single family residential lot in the R-1-5 Single-Family Residence Zoning District, located at 3671 Mace Court (Sinclair, Carolyn Trustee, Owner). Council District 5. CEQA: Exempt. *Project Manager, Emily Lipoma*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one (1) Redwood tree approximately 113 inches in circumference on a 0.25 acre single family residential lot in the R-1-5 Single-Family Residence Zoning District.

- j. [TR12-290](#). Tree Removal Permit to allow removal of one Pine tree 102 inches in circumference and one Pine tree 160 inches in circumference in the side-yard of a single family residential lot of 0.15 acres in the R-1-8 Single-Family Residence Zoning District, located at 4875 Williams Road Road (Chen Liandi, Owner). Council District 1. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one Pine tree 102 inches in circumference and one Pine tree 160 inches in circumference in the side-yard of a single family residential lot of 0.15 acres in the R-1-8 Single-Family Residence Zoning District.

- k. **TR12-291.** Tree Removal Permit to allow removal of one (1) Ash tree with a circumference of 62 inches that is located on a 0.21 single-family lot in the R-1-8 Single-Family Residence Zoning District, located at 15255 Clydelle Ave (Hashemifar Soyla Z And Moinpour Mansour, Owner). Council District 9. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one (1) Ash tree with a circumference of 62 inches that is located on a 0.21 single-family lot in the R-1-8 Single-Family Residence Zoning District.

- l. **TR12-292.** Tree Removal Permit to allow removal of one Valley Oak tree 87 inches in circumference on a 0.14 single family lot in the R-1-8 Single-Family Residence Zoning District, located at 6216 Sager Way (Sweet Sailing Llc, Owner). Council District 10. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one Valley Oak tree 87 inches in circumference on a 0.14 single family lot in the R-1-8 Single-Family Residence Zoning District.

- m. **TR12-293.** Tree Removal Permit to allow removal of two (2) Monterey Pine trees with circumferences of 150 and 168 inches located on a 0.37 acre single family lot in the R-1-5 Single-Family Residence Zoning District, located at 1591 Peregrino Way (Hoppe, Frank I And Monica K, Owner). Council District 6. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of two (2) Monterey Pine trees with circumferences of 150 and 168 inches located on a 0.37 acre single family lot in the R-1-5 Single-Family Residence Zoning District.

- n. **TR12-294.** Tree Removal Permit to allow removal of one Deodora Cedar 88 inches in circumference, from the rear yard of a single family residence on a 0.11 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 6005 Burchell Court (Smith, Charles E And Amy S, Owner). Council District 10. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one Deodora Cedar 88 inches in circumference, from the rear yard of a single family residence on a 0.11 gross acre site in the R-1-5 Single-Family Residence Zoning District.

- o. **TR12-295.** Tree Removal Permit to allow the removal of one (1) Camphor tree, approximately 78 inches in circumference, located in the backyard of a single family lot in the R-1-8 Single-Family Residence Zoning District, located at 3177 Woodmont Drive (Ten Brink, Evan J And Elisabeth Trustee, Owner). Council District 9. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow the removal of one (1) Camphor tree, approximately 78 inches in circumference, located in the backyard of a single family lot in the R-1-8 Single-Family Residence Zoning District.

- p. **TR12-298.** Tree Removal Permit to allow the removal of one Shamel Ash tree 90 inches in circumference on a 0.18 acre single family lot in the R-1-8 Single-Family Residence Zoning District, located at 1651 Shasta Ave (Masterson, Meg and Boes, Leslie C Trustee, Owner). Council District 6. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow the removal of one Shamel Ash tree 90 inches in circumference on a 0.18 acre single family lot in the R-1-8 Single-Family Residence Zoning District.

- q. **TR12-300.** Tree Removal Permit to allow the removal of one (1) Scots Pine, approximately 102 inches in circumference, located in the front yard of a 0.26 acre single family lot in the R-1-8 Single-Family Residence Zoning District, located at 1583 Clarkspur Lane (Cheng, Charles Ting-Hung and Pei Fung-Hsiang, Owner). Council District 1. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow the removal of one (1) Scots Pine, approximately 102 inches in circumference, located in the front yard of a 0.26 acre single family lot in the R-1-8 Single-Family Residence Zoning District.

- r. **TR12-301.** Tree Removal Permit to allow removal of four (4) Eucalyptus trees with circumferences of 75 inches, 78 inches, 94 inches and 82 inches on a single family lot of 0.5 acres in the R-1-2(PD) Planned Development Zoning District, located at 19191 Almaden Road (Ramona Enterprises, Owner). Council District 10. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of four (4) Eucalyptus trees with circumferences of 75 inches, 78 inches, 94 inches and 82 inches on a single family lot of 0.5 acres in the R-1-2(PD) Planned Development Zoning District.

- s. **TR12-302.** Tree Removal Permit to allow removal of one (1) Plum tree with a circumference of 113 inches located on the side yard of a single family residence on 0.19 acres in the R-1-8 Single-Family Residence Zoning District, located at 943 Willow Glen Way (Thompson, Catherine J And Timothy J, Owner). Council District 6. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one (1) Plum tree with a circumference of 113 inches located on the side yard of a single family residence on 0.19 acres in the R-1-8 Single-Family Residence Zoning District.

- t. **TR12-303.** Tree Removal Permit to allow removal of one (1) Pine tree approximately 105 inches in circumference on a 0.14 acre residential site in the R-1-8 Single-Family Residence Zoning District, located at 5134 Leigh Avenue (Kuo-Shiang Hwang, Owner). Council District 9. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of one (1) Pine tree approximately 105 inches in circumference on a 0.14 acre residential site in the R-1-8 Single-Family Residence Zoning District.

**The consent calendar is now closed.**

### **3. PUBLIC HEARING**

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- a. **H12-021.** Site Development Permit to allow an approximately 16,000 square foot addition, exterior alterations, landscape upgrades and the removal of approximately 64 ordinance size trees at an existing office/R&D campus located on a 14.95 Acre Site in IP Industrial Park Zoning District at the northwest corner of Trimble Road and Orchard Parkway (375, 379, 399 W TRIMBLE RD). Council District 4. CEQA: Re-use of North San Jose EIR. *Project Manager, Richard Buikema*

**Staff Recommendation:** Consider the Re-use of North San Jose EIR in accordance with CEQA. Approve a Site Development Permit to allow an approximately 16,000 square foot addition, exterior alterations, landscape upgrades and the removal of approximately 50 ordinance size trees at an existing office/R&D campus located on a 14.95 Acre Site in IP Industrial Park Zoning District.

- b. **PD12-036.** Planned Development Permit to allow a 166 unit attached residential development on 3.26 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of North 10th Street, between Vestal Street and East Mission Street (825 N 10TH ST) (825 N. Tenth Street, Llc, Owner). Council District 3. CEQA: Use of MND for PDC06-069. *Project Manager, Jeff Roche*

**Staff Recommendation:** Consider the Use of MND for PDC06-069 in accordance with CEQA. Approve a Planned Development Permit to allow a 166 unit attached residential development on 3.26 gross acre site in the A(PD) Planned Development Zoning District.

- c. **PD12-050.** Planned Development Permit to allow a new 37 unit apartment building with an internal parking garage in the A(PD) Planned Development Zoning District, located on the east side of S. 3rd street, approximately 500 feet north of Keyes Street (1010 S 3RD ST) (Nguyen Long And Dang Thuy, Owner: Pacific West Communities Inc., Developer). Council District 3. CEQA: Reuse of MND. *Project Manager, Jeff Roche*

**Staff Recommendation:** Consider the Reuse of MND in accordance with CEQA. Approve a Planned Development Permit to allow a new 37 unit apartment building with an internal parking garage in the A(PD) Planned Development Zoning District.

- d. **SP12-028**. Special Use Permit to allow two retaining walls greater than two feet in height in the R-1-8 Single-Family Residence Zoning District on 0.83 gross acre site, located on the east side of Lookout Bend, approximately 590 feet southerly of Leyland Park Drive (6728 LOOKOUT BEND) (Schweizer Earle III And Stephanie, Owner). Council District 10. CEQA: Exempt. Deferred from 11/28/12 & 12/19/12 & 1/16/13. *Project Manager, Kristinae Toomians*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Special Use Permit to allow two retaining walls greater than two feet in height in the R-1-8 Single-Family Residence Zoning District.

- e. **TR12-285**. Tree Removal Permit to allow removal of two Bay trees, 96 and 92 inches in circumference; one Elm tree 85 inches in circumference; one Cedar tree 87 inches in circumference; and one Oak tree 76 inches in circumference on a 0.177 acre residential lot in the R-1-8 Single-Family Residence Zoning District, located at 1064 Broadway Avenue (AME Investments LLC, Owner). Council District 6. CEQA: Exempt. *Project Manager, Mike Enderby*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of two Bay trees, 92 and 96 inches in circumference; one Elm tree 85 inches in circumference; one Cedar tree 87 inches in circumference; and one Oak tree 76 inches in circumference on a 0.177 acre residential lot in the R-1-8 Single-Family Residence Zoning District.

- f. **TR12-299**. Tree Removal Permit to remove seven Ash trees ranging from 69 to 100 inches in circumference, one Redwood tree 65 inches in circumference and two trees of unknown species 72 and 81 inches in circumference located on a 4.3 acre commercial site in the R-1-8 Single-Family Residence Zoning District, located at 467 North White Road (Emmanuel Baptist Church Of Milpitas, Owner). Council District 5. CEQA: Exempt. *Project Manager, Emily Lipoma*

**Staff Recommendation:** Consider the exemption in accordance with CEQA. Approve a Tree Removal Permit to allow removal of two Ash trees, with circumferences of 70 inches and 73 inches, specified as 'Tree C and Tree J' on the tree removal and mitigation diagram, and two trees of unknown species with circumferences of 81 and 72 inches specified as 'Tree H and Tree I; and to deny the removal of five Ash trees with circumferences of 69, 75, 73, 100, 70 inches, specified as 'Tree A, Tree B, Tree D, Tree E, and Tree F' on the tree removal and mitigation diagram and one Redwood tree with a circumference of 65 inches specified as 'Tree G' on the tree removal and mitigation diagram located on a 4.3 acre commercial site in the R-1-8 Single-Family Residence Zoning District.

**This concludes the Planning Director's Hearing for January 23, 2013. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/DefaultDH.asp>

PUBLIC INFORMATION COUNTER  
CITY OF SAN JOSÉ (408) 535-3555

## **CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS**

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

### **1. Public Meeting Decorum:**

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

### **2. Signs, Objects or Symbolic Material:**

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
  - No objects will be larger than 2 feet by 3 feet.
  - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
  - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN  
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
  - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
  - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
  - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
  - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
  - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
  - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.