

# San José Municipal Code (Title 20) Zoning Ordinance (Part 16) Temporary Outdoor Uses of Private Property Update – 2025/26

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# Special Events Permitting Background

- Temporary Special Events Permitting
  - Special Event Application Submitted to the Office of Economic Development and Cultural Affairs (OEDCA).
  - OEDCA reviews application to ensure conformance with San Jose Municipal Code (SJMC) requirements.
    - If event conforms, OEDCA continues with planning facilitation process and issuance of event authorization.
  - Challenges faced by event organizers:
    - SJMC places limitations on event days, durations, frequencies, use of space, etc.
    - Limitations often not in alignment with best practices for economically viable event implementation.
- Alternative Permitting Options
  - Conditional Use Permit/Special Use Permit
    - In the event submitted application does not meet requirements to qualify for permitting as a temporary event.
    - Costly alternative that requires the property owner support to secure the permit.

# Policy Update Background

- Mayor March Budget Message Fiscal Year 24/25
  - Acknowledges the importance of events on private property and their roll in building community and supporting local business and artists
  - Staff directed to explore opportunities to reduce barriers to implementing events on private property
- Policy Analysis and Recommendation Development– March 12, 2024, to September 2025
  - Staff identify key goals for potential changes to municipal code
  - Staff conducted an analysis of over 15 different Cities nation wide to determine best practices for achieving goals
  - Staff finalize recommendations, conduct outreach, manage interagency coordination and prepare for implementation

# Goals

## Update SJMC Title 20, Part 16 to:

- Facilitate more events on private properties by lowering barriers to activation within the municipal code.
- Relax event frequency limits, expands eligible event days, and provide zoning clarifications while considering events and residential adjacency.



# Proposed Changes 20.80.1450, .1460, .1470

## Event Frequency:

- Current code limits residential outdoor private property special events to **two events in a six-month period**.
- Current code limits commercial and industrial private property special events to **four events in a five-month period**.
  - **Change** - allow **twenty-six (26) events per year** at the same location.
  - Change is applicable to residential, commercial, and industrial private properties.



# Proposed Changes 20.80.1450

## Duration of Events:

- Current code limits events to **three consecutive days**.
  - **Change** - extends this to **four consecutive days**.

## Days and Hours for Events:

- Previous code only allows events **on Fridays, Saturdays, and Sundays when adjacent to residential zoning**.
  - **Change** – expands this limitation to include **Thursdays** as well.
  - **Change** – include exception for downtown core and at school or church/religious assembly use for hours of operation.

# Proposed Changes 20.80.1450, .1460, .1470

## Event Location and Proximity to Residential Dwelling Units:

- **Overall Change** – consolidation of limitations by zoning to one section under “Residential Dwelling Unit Adjacency Considerations” (20.80.1450).
- **No change** – code require events in residential districts to be at least **50 feet from the nearest residential dwelling**.
- **Change** - in **commercial and/or industrial zones**, events must be **50 feet from residences** (reduction from 150ft).
- **Addition** - exception in designated **Urban Villages, Neighborhood Business Districts, or Mixed-use Commercial zones**.

# Proposed Changes 20.80.1480

## Parking Lot Use:

- **Change** – Remove limitation preventing special events from displacing more than 50% of the existing parking lot for its intended use, or a maximum displacement of 250 spaces (or whichever is less).



# Other Policy Items Underway

## **Fees and Charges**

- Seeking opportunities to lower or remove costs where possible.

## **SJ Places**

- Established as a pilot program in 2024, SJ Places removed permitting costs for qualifying events at select locations in the downtown. Staff are currently working to implement changes identified during the pilot period and transition to a permanent program.

## **Entertainment Zones**

- In alignment with California State Senate Bill 969, staff are in the process of developing a policy to allow for alcoholic beverages sold within a brick-and-mortar restaurant to be consumed outside as part of a special event.

# Questions or Comments?

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