



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** See Below

**DATE:** September 29, 2025

**COUNCIL DISTRICT:** Citywide

**SUBJECT:** PP25-004 – Amendments to Various Sections of Title 20 of the San José Municipal Code Related to Temporary Outdoor Uses of Private Property

## **RECOMMENDATION**

The Planning Commission voted 8-0-2 (Commissioners Nguyen and Young absent) to recommend the City Council take the following actions:

- (1) Consider the Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto.
- (2) Approve an ordinance amending various sections of Title 20, Part 16 of the San José Municipal Code (San José Zoning Code or San José Zoning Ordinance) related to temporary outdoor uses of private property to amend:
  - (a) Section 20.80.1450 to simplify and consolidate zoning considerations in subsequent sections;
  - (b) Section 20.80.1450 Subsection 1, to increase days of operation to include Thursdays, as well as Fridays, Saturdays, and Sundays;
  - (c) Section 20.80.1450 Subsection 2, to increase the number of events that can occur in a private parking lot from two events in a six month period to 26 events in a 12 month period;
  - (d) Section 20.80.1450 Subsection 3, to increase the frequency of event days from no more than three consecutive days and two consecutive weeks to no more than four consecutive days in a one week period;
  - (e) Section 20.80.1450 to include a new subsection consolidating and outlining permitting limitations in relation to residential dwelling units;
  - (f) Section 20.80.1460 to remove section and consolidate residential dwelling unit considerations in relation to commercially zoned properties;

- (g) Section 20.80.1470 to remove section and consolidate residential dwelling unit considerations in relation to industrial zoned properties; and
- (h) Section 20.80.1480 to remove limitations on event permitting related to the number of parking spaces used for the purpose of a special event within a private parking lot; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code discussed.

## **SUMMARY AND OUTCOME**

Approval of the proposed amendments to the San José Municipal Code will amend various sections within Title 20 to streamline permitting related to outdoor events in private property parking lots, as described in the Analysis section below.

## **BACKGROUND**

The proposed Zoning Code update to Title 20, Chapter 20.80, Part 16 (Temporary Outdoor Uses of Private Property) of the San José Municipal Code, Sections 20.80.1450, 20.80.1460, 20.80.1470, and 20.80.1480 are all changes based on best practices of major cities nationwide and in alignment with direction from the City Council. These updates will help enhance opportunities for event producers to engage in the local experience economy and prepare for the major events scheduled for 2026 (i.e., NFL Super Bowl, NCAA Men's Basketball Finals, FIFA World Cup).

## **ANALYSIS**

A complete analysis of the issues regarding the Zoning Code update is contained in the attached Planning Commission staff report dated September 10, 2025, for its September 24, 2025 meeting agenda.

## **EVALUATION AND FOLLOW-UP**

If the proposed Zoning Code update changes are approved by City Council, the new ordinance will be effective 30 days after the second reading. Event organizers will be able to use a streamlined permit process for temporary outdoor special events to implement more events on private parking lots.

## **COORDINATION**

The preparation of the proposed ordinance and this memorandum was coordinated with the City Attorney's Office and the City Manager's Office of Economic Development and Cultural Affairs.

## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the October 21, 2025 City Council Meeting.

On July 14, 2025, staff held a community meeting to discuss the proposed changes and updates to the San José Municipal Code. The notification for this community meeting was emailed to approximately 280 recipients who have hosted events in San José in previous years, as well as key stakeholders and property owners. There were approximately 12 members of the public present for the virtual webinar. The webinar was recorded by staff and posted on an information webpage on the City's website on July 23, 2025. Additionally, meeting materials were posted on the webpage. Staff have been available to respond to questions from the public.

Staff followed City Council Policy 6-30: Public Outreach Policy and all legal requirements, in that the notices for the public hearing were posted on the City's website and published in the San José Post-Record at least 20 days prior to the public hearing.

## **COMMISSION RECOMMENDATION AND INPUT**

On September 24, 2025, the Planning Commission conducted a public hearing on the proposed Zoning Code updates. Staff presented a background and summary of the proposed changes for the Commission.

There were no public comments for the item.

Commissioner Casey asked staff for clarification on what qualifies as one event versus two events. Staff responded, providing clarification that one event can include up to four consecutive event days total. Staff also noted that what constitutes one event is dependent on how an application is presented, clarifying that if any applicant were to apply for a two day event where the event days are within the same week but are not consecutive under one application it would be consider one event or potentially a series event if the there was more than a week between each day of the event.

Commissioner Casey also asked staff for clarification on what processes have been contemplated to review the success or impact of the recommended changes. Staff responded that within the current permitting process, staff review applications internally, assessing time, place, and manner prior to sharing the event proposal with various City departments involved for further assessment. Staff then host a pre-event coordination meeting with the organizer, City departments, and stakeholders to mitigate any potential impacts prior to approving an application. Further, staff noted that a debrief meeting is held after the event to evaluate the success or impacts after the fact and determine whether there were any issues that need to be addressed. Staff can use this information when assessing future application submissions as well, and work to develop strategies to mitigate impacts with the event organizers. Commissioner Casey advised staff to develop some criteria and tracking methodologies to assess the cumulative impacts six months to a year after the implementation of the recommended changes. Staff acknowledged the request and responded, expressing the intent to track impacts, continue to mitigate them for future events through the existing permitting process, and, if necessary, develop further recommendations for amendments in the future to address any major issues.

Commissioner Bickford asked whether staff has conducted any analysis on the impact of the recommended changes based on previous years applications for events on private property and if there is an understanding of the expected increase in events resulting from the changes. Staff responded stating that an assessment of event applications on private property was conducted as part of staff's policy analysis process. Staff also clarified that any increase in events will be contingent on event organizers submitting applications, which is difficult to quantify. Commissioner Bickford asked for clarification on the public outreach process and feedback received. Staff responded that ongoing engagement with event organizers was part of the policy analysis phase of the recommendation development, which was supported by a public outreach meeting that was conducted where anyone was able to provide input. Staff stated feedback received was generally positive. Commissioner Bickford asked for clarification on whether the restrictions would also apply to public spaces or public parks. Staff responded to note that the recommended changes only apply to events in privately owned parking lots. Commissioner Bickford also expressed concern regarding the reduction of the required buffer from residential dwelling units. Staff clarified that the recommended changes in this situation would only affect commercial and industrial zoned properties and is consistent with changes previously made for residential zoned properties and language already in the Municipal Code as part of the City's efforts around Al Fresco dining.

Commissioner Cantrell asked whether the sale of alcohol is available for events that take place in private parking lots. Staff responded confirming that events may apply for a temporary ABC License to serve alcohol as part of their event through the permitting process. Commissioner Cantrell asked for clarification on the relationship and impact of Entertainment Zones (areas where local business can permit alcohol sold on site to leave their premises when an event is occurring nearby. Staff clarified that the

Entertainment Zones have been carefully selected, only eight being created, and are associated with events that take place on public property (i.e., public streets). Commissioner Cantrell expressed concern for the potential impacts to brick-and-mortar businesses that rely in alcohol sales as part of their revenue stream.

Commissioner Rosario expressed his excitement for the recommended change and would like to see more night markets, bike parties, and events that make the City great.

Commissioner Bickford made a motion to recommend approval of the staff recommendations. Commissioner Casey seconded the motion. The Planning Commission voted 8-0-2 (Commissioners Nguyen and Young absent) to recommend the City Council approve this item per staff's recommendation.

## **CEQA**

Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Addenda thereto. A Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto, has been prepared in accordance with the California Environmental Quality Act, as amended. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs.

## **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Chris Burton  
Secretary, Planning Commission

For questions, please contact Martina Davis, Division Manager, Planning, Building, and Code Enforcement Department at (408) 535-7888 or [martina.davis@sanjoseca.gov](mailto:martina.davis@sanjoseca.gov).

HONORABLE MAYOR AND CITY COUNCIL

September 29, 2025

**Subject: PP25-004 – Amendments to Various Sections of Title 20 of the San José Municipal Code  
Related to Temporary Outdoor Uses of Private Property**

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The principal author of this memorandum is Zacharias Mendez, Senior Events Coordinator, Public Life and Events Manager, City Manager's Office of Economic Development and Cultural Affairs. For questions, please contact (408) 893-8237 or [zacharias.mendez@sanjoseca.gov](mailto:zacharias.mendez@sanjoseca.gov).

**ATTACHMENT**

Planning Commission Staff Report



# Memorandum

**TO:** PLANNING COMMISSION

**FROM:** Christopher Burton - Director of Planning, Building, and Code Enforcement & Jen Baker - Director of Office of Economic Development and Cultural Affairs

**SUBJECT:** Private Property Event Permitting Update

**DATE:** September 10, 2025

<b>Project</b>	Zoning Ordinance Update
<b>Applicability</b>	Citywide in applicable Zoning Districts
<b>Project Description</b>	Adopt an ordinance of the City of San José amending various sections of Title 20, Part 16 of the San José Municipal Code (Zoning Ordinance or Zoning Code) related temporary uses of outdoor private property to: (1) amend (a) 20.80.1450 to simplify and consolidate zoning considerations in subsequent sections; (b) amend 20.80.1450 Subsection 1, to increase days of operation to include Thursdays, as well as Fridays, Saturdays, and Sundays ; (c) amend 20.80.1450 Subsection 2, to increase the number of events that can occur in a private parking lot from two events in a six month period to twenty-six events in a twelve month period; (d) amend 20.80.1450 Subsection 3, to increase the frequency of event days from no more than three consecutive days and two consecutive weeks to no more than four consecutive days in a one week period; (e) amend 20.80.1450 to include a new subsection consolidating and outlining permitting limitations in relation to residential dwelling units; (2) Amend 20.80.1460 to remove section and consolidate residential dwelling unit considerations in relation to commercially zoned properties; (3) amend 20.80.1470 to remove section and consolidate residential dwelling unit considerations in relation to industrial zoned properties; (4) amend 20.80.1480 to remove limitations on event permitting related to the number of parking spaces used for the purpose of a special event within a private parking lot; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code discussed.
<b>CEQA Clearance</b>	Determination of Consistency with the City of San José and Addenda thereto, in accordance with the California Environmental Quality Act as amended.
<b>Project Manager</b>	Zacharias Mendez – Office of Economic Development and Cultural Affairs

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend the City Council take all of the following actions:

1. Consider the Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto; and
2. Adopt an ordinance of the City of San José amending various sections of Title 20, Part 16 of the San José Municipal Code (Zoning Ordinance or Zoning Code) related temporary uses of outdoor private property to: amend (a) 20.80.1450 to simplify and consolidate zoning considerations in subsequent sections; (b) amend 20.80.1450 Subsection 1, to increase days of operation to include Thursdays, as well as Fridays, Saturdays, and Sundays ; (c) amend 20.80.1450 Subsection 2, to increase the number of events that can occur in a private parking lot from two events in a six month period to twenty-six events in a twelve month period; (d) amend 20.80.1450 Subsection 3, to increase the frequency of event days from no more than three consecutive days and two consecutive weeks to no more than four consecutive days in a one week period; (e) amend 20.80.1450 to include a new subsection consolidating and outlining permitting limitations in relation to residential dwelling units; (2) Amend 20.80.1460 to remove section and consolidate residential dwelling unit considerations in relation to commercially zoned properties; (3) amend 20.80.1470 to remove section and consolidate residential dwelling unit considerations in relation to industrial zoned properties; (4) amend 20.80.1480 to remove limitations on event permitting related to the number of parking spaces used for the purpose of a special event within a private parking lot; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code discussed.

**OUTCOME**

Approval of the proposed Municipal Code amendments will amend various sections within Title 20 to streamline permitting related to outdoor events in private property parking lots, as described in the Analysis section below.

**PROJECT BACKGROUND**

As part of the Mayor's March Budget Message for Fiscal Year 2024-25, night markets and special events on public and private property were recognized as a critical part of establishing a vibrant entertainment economy. The entertainment economy fuels job creation, small business growth, and cultural production by supporting industries such as music, film, nightlife, and live events. It attracts visitors, retains talent, and enhances a city's reputation as a vibrant and dynamic place to live and work. Vibrant public life is essential to the health and identity of San José's neighborhoods and downtown. As such, the City Manager was directed to explore municipal code changes that can make it easier to host special events on private property and explore reducing red tape and fees for event permitting. This included exploring expanding the ability for the Office of Economic Development and Cultural Affairs to permit outdoor special events on private property.

Currently, the permitting process for events on private property is often complex, duplicative, difficult to navigate, and expensive. These barriers can discourage organizers, particularly those



without extensive resources or experience. Streamlining the event approval process and removing redundancies in the Municipal Code will make it easier for community members to activate their spaces and comply with requirements. Events are a powerful tool for bringing people together, fostering a sense of belonging, and animating underutilized spaces. Whether it's a local music performance, a cultural market, or a community festival, events enrich daily life and help tell the story of San José's diverse communities. By expanding opportunities for events on private property, San José can create more inclusive and accessible experiences for residents and visitors alike, while providing a platform for local artists, performers, and event producers to thrive.

Based on Mayor and Council direction, staff explored updates to the Municipal Code to increase the number and diversity of events on private property. After extensive policy analysis, the amendments proposed in this staff report to Title 20 (Zoning Ordinance or Zoning Code) Part 16 (Temporary Uses of Private Property) of the San José Municipal Code, Section 20.80.1450, 20.80.1460, 20.80.1470, and 20.80.1480 are all changes based on best practices of major cities nationwide and in alignment with direction from the City of San José's Mayor and Council. These updates will help enhance opportunities for event producers to engage in the local experience economy and prepare for the major events schedule for 2026 (i.e. NFL Superbowl, NCAA Men's Basketball Finals, FIFA World Cup).

### **CURRENT ZONING REQUIREMENTS**

Chapter 20.80 Part 16 (Temporary Uses of Private Property) of the San José Municipal Code outlines the permitting requirements for special events in private parking lots. This section of the Municipal Code defines what an outdoor private property event is, establishes when a permit is required, and what type of permit is required. An outdoor private property event may be permitted through a Temporary Special Event Permit approved by the Director of Cultural Affairs. The issuance of a Temporary Special Event Permit depends on the event meeting the zoning-based criteria listed below, the duration of the event, and how much of the existing parking lot is used for the event. For events that do not meet the requirements outlined in Part 16 of the Municipal Code, a Special Use Permit approved by the Director of Planning, or a Conditional Use Permit approved by the Planning Commission may be issued to allow the event to take place.

Currently, for outdoor private property special events in residential zoning districts to qualify for a Temporary Special Event Permit, the following requirements apply:

1. The outdoor private property special event shall occur only on Fridays and/or Saturdays between the hours of 9:00 a.m. and 10:00 p.m. and/or Sundays between the hours of 9:00 a.m. and 9:00 p.m.
2. No more than two (2) outdoor private property special events may be held at the same location within any six (6) month period.
3. The outdoor private property special event may not exceed three (3) consecutive days and shall not occur on more than two (2) consecutive weekends.
4. All outdoor private property special events in a residential district, other than at a school or church/religious assembly use, shall be located at least fifty (50) feet from the nearest residential dwelling structure.

For outdoor private property special events in commercial zoning districts to qualify for a Temporary Special Event Permit, the following requirements apply:

1. Except in the downtown core area, the outdoor private property special event shall be located at least one hundred and fifty (150) feet from any residential use or at least fifty (50) feet from any residential use if it meets all of the following:
  - a. The outdoor private property special event falls within a designated Neighborhood Business District under the Envision San José 2040 General Plan.
  - b. The outdoor private property special event shall occur only on Fridays and/or Saturdays between the hours of 9:00 a.m. and 10:00 p.m. and/or Sundays between the hours of 9:00 a.m. and 9:00 p.m.No more than two (2) outdoor private property special events, which have a setback of less than one hundred and fifty (150) feet, may be held at the same location within any six (6) month period.
2. No more than five (5) outdoor private property special events shall take place at the same location within a four (4) month period, of which two (2) may be less than one hundred and fifty (150) feet from the nearest residential building.
3. An outdoor private property special event shall not exceed three (3) consecutive days and shall not occur on more than two (2) consecutive weekends.
4. The hours of the outdoor private property special event shall be consistent with the business hours of the location at which the event is to be held except that the outdoor private property special event shall conclude no later than midnight.

For outdoor private property special events in industrial zoning districts to qualify for a Temporary Special Event Permit, the following requirements apply:

1. The outdoor private property special event shall be located at least one hundred and fifty (150) feet from any residential use.
2. No more than five (5) outdoor private property special events shall occur at the same location within any four (4) month period.
3. The maximum duration of each outdoor private property special event shall not exceed three (3) consecutive days.
4. The outdoor private property special event shall conclude no later than 1:00 a.m., regardless of the conclusion of any related activities occurring in an indoor venue.

Events that do not meet the above criteria and/or use more than 50% of a parking lot or more than 250 spaces may be allowed through a Special Use Permit if the event does not exceed 30 consecutive days or 45 days in a calendar year or a Conditional Use Permit if it exceeds 30 consecutive days and/or 45 days in a calendar year.

#### **PROPOSED DRAFT ORDINANCE AMENDMENTS**

Temporary Special Event Permits are relatively inexpensive and are designed around the needs and constraints of event organizers while including provisions to ensure community safety and neighborhood compatibility. Although there is flexibility to permit events that do not meet the Temporary Special Event Permit criteria through a Special Use Permit or Conditional Use

Permit, staff recognize that the time and cost to obtain these permits is prohibitive for nearly all event organizers. A Special or Conditional Use Permit can cost anywhere between \$15,000 and \$30,000 and takes several months to process, whereas a Temporary Special Event Permit costs \$875.00 for a first-time event, \$477.00 for a returning event, and takes approximately 45 days to process. The proposed amendments to Title 20 to allow a broader variety of events to be permitted through a Temporary Special Event Permit are in alignment with direction from the City of San José's Mayor and Council, to enhance opportunities for local event organizers and residents to engage in the experience economy and prepare for the major events schedule for 2026 (i.e. NFL Superbowl, NCAA Men's Basketball Finals, FIFA World Cup). See further analysis of each item below:

1. Amend Section 20.80.1450,

- a. To simplify and consolidate zoning considerations in subsequent sections of Chapter 20, Part 16;

*Analysis: The proposed change consolidates the event restrictions that are currently divided into three different separate sections based on zoning type (i.e., residential, commercial, and industrial) with different restrictions. The change will improve the ability of event organizers to comprehend and easily navigate permitting requirements for special events on private property adjacent to residential dwelling units.*

- b. Subsection 1 – To consolidate limitations on days and hours of operations under new Subsection 3: Residential Dwelling Unit Adjacency Considerations;

*Analysis: The proposed change is to streamline limitations on the permitting of special events on private property. The change will allow for one additional day of event activation (Thursdays), adding to the previously allowed Friday, Saturday, and Sunday days of operation for special events adjacent to residential dwelling units. Changes to this section would also standardize the hours of operation on Thursdays, Fridays, and Saturdays to be 9:00 AM to 10:00 PM, consistent with standard practice for the permitting of events in public spaces (i.e., streets, paseos, and plazas). The current text only allows for events to take place on Fridays, Saturdays, and Sundays from 9:00 AM to 9:00 PM for events adjacent to residential dwelling units.*

- c. Subsection 2 – to increase the number of permissible events;

*Analysis: The proposed change is to enhance the opportunity for event organizers to engage in the entertainment economy. The current text only allows for five events in a four-month period to take place on private property for events on commercial or industrial zoned properties, and two events in a twelve-month period on private property for events on a residential zoned property. Changes to this section would allow for up to 26 events to take place in a twelve-month period, regardless of zoning district.*

- d. Subsection 2 – to allow more frequent events within a one-week period;

*Analysis: The proposed change is to accommodate the event organizers standard practice of activating event spaces Thursday through Sunday. The current text only allows for three consecutive event days to occur within two consecutive weekends. Changes to this section would allow for up to four consecutive event days (i.e., Thursday, Friday, Saturday, Sunday) within a one-week period.*

- e. Subsection 3 – to streamline the code by including a new subsection consolidating residential dwelling unit agency considerations for permitting events on private property;

*Analysis: The proposed change is to enhance resident understanding of limitations for permitting events adjacent to residential dwelling units. The current text delineates permitting limitations into three sections of code (20.80.1450, 20.80.1460, 20.80.1470) in relation to residential, commercial, and industrial zoned properties. Proposed changes will consolidate all residential dwelling unit adjacency considerations into one consistent policy. The consolidated section will align the residential adjacency buffer for commercial and industrial zoned areas with the current 50-foot restriction that applies to residential zoned areas. Additionally, changes will make days and hours of operation for temporary special events consistent across all zoning types.*

2. Amend Sections 20.80.1460 and 20.80.1470, to remove the sections and consolidate considerations related to commercial and industrial zoned properties adjacent to residential dwelling units;

*Analysis: The proposed change will streamline the process, address event organizer confusion, and make consistent limitations regarding adjacency to residential dwelling units. The current text delineates permitting limitations into three sections of code (20.80.1450, 20.80.1460, 20.80.1470) in relation to residential, commercial, and industrial zoned properties.*

3. Amend Section 20.80.1480, to remove the section regarding limitations on the use of parking spaces in relation to a proposed event on private property.

*Analysis: The proposed change is to facilitate the activation of private property parking lots as event spaces by removing limitations on the number of parking spaces within the property that can be used for the event, ensuring public safety. Current text limits event organizers by prohibiting the displacement of over fifty percent of the existing parking for the existing use or uses on the site, or a maximum of two hundred and fifty spaces, whichever is less. Changes would allow staff the ability to work with event organizers to flexibly manage parking needs and impacts, while allowing for a viable event layout.*

## **ANALYSIS**

### **General Plan Conformance**

The Envision San José 2040 General Plan encourages the periodic review of the Zoning Ordinance and other supporting Ordinances in the Municipal Code to ensure that the document conforms to State mandates and requirements, is consistent with General Plan approvals, and reflects the goals, policies, and implementation of the General Plan.

### **General Plan Goals and Policies: Title 20 - Zoning Ordinance**

The proposed amendments to Title 20 would update and clarify certain sections of the Zoning Code to allow for conformance with changes to the General Plan. The proposed amendments to Title 20 are consistent with the following General Plan policy:

General Plan Land Use Policy LU-1.10: Review criteria in the Zoning Ordinance and update it as appropriate to reflect Land Use goals, policies, and implementation actions in this Plan.

*Analysis: The amendments to Title 20, Part 16, sections 20.80.1450, 20.80.1460, 20.80.1470, and 20.80.1480 are all proposed as part of changes directed by the Mayor and City Council in the Mayor's March Budget Message for Fiscal Year 2024-25. These changes help ensure that the Zoning Ordinance is maintained and is consistent with any General Plan amendments.*

**General Plan Goals and Policies: Economic Development**

IE-1.11 Allow interim development of employment lands with alternative employment uses such as small expansions of existing uses when the interim development would not limit the site's ability to be redeveloped in the future in accordance with the long-term plan for the site.

IE-1.13 Achieve goals related to Quality Neighborhoods, including diverse housing options, a walkable/bikeable public street and trail network and compact, mixed-use development where infrastructure exists to distinguish San José as a livable and attractive city, to promote interaction among community members, and to attract talented workers to the city.

*Analysis: The proposed ordinance update to the permitting of temporary uses of private property for special events encourages economic development because the conditions of issuance for the permits promote maximum utilization of the site, vibrant and attractive use of private parking lots, and community and neighborhood interaction on a temporary basis. The current conditions of the permits available for special events on private parking lots limit the economic viability of events that play a role in helping to establish vibrant public life and public spaces. As the City continues to encourage investment in the local entertainment economy, a change in the conditions for permitting special events is needed to adapt and be written to help better facilitate special events that make San José a more livable and attractive city. The proposed draft ordinance update follows the goals and policies of the General Plan, one that envisions a future for the City to 2040; therefore, the draft ordinance update is consistent with the General Plan.*

**General Plan Goals and Policies: Complete Neighborhoods**

VN-1.2 Maintain existing and develop new community services and gathering spaces that allow for increased social interaction of neighbors (i.e., community centers and gardens, libraries, schools, commercial areas, churches, and other gathering spaces).

VN-1.3 Encourage the development and maintenance of compatible neighborhood retail and services within walking distance of residences as a means to promote the creation of "complete" neighborhoods.

*Analysis: The draft ordinance update will allow for a streamlined permit process for event organizers and local businesses to encourage more special events in private parking lots throughout the city. One of the main barriers to applying for permits has been the cost of the permit and the limitations on number of event days permittable. By updating the existing ordinance, event organizers may increase applying for permits to have outdoor dining and other outdoor uses. This use of private parking lots as outdoor spaces for special events will help in creating a "complete" neighborhood—that is, one that encourages compatibility with public life, businesses, and neighboring residential communities.*

***Other Agency Coordination***

Staff referred the proposed ordinance amendment to the Airport Land Use Commission (ALUC) meeting scheduled on July 23, 2025, to determine if the amendment is consistent with the San José International Airport (SJC) and Reid-Hillview Airport (RHV) Comprehensive Land Use Plans (CLUP). During the meeting on July 23, 2025, the ALUC voted to find the proposed amendments to be consistent with the current CLUP.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

A Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto, has been prepared in accordance with the California Environmental Quality Act, as amended. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs.

**PUBLIC OUTREACH**

On July 14, 2025, staff held a community meeting to discuss the proposed changes and updates to the San José Municipal Code. The notification for this community meeting was emailed to approximately 280 recipients who have hosted events in San Jose in previous years, as well as key stakeholders and property owners in the Downtown. There were approximately 12 members of the public present for the virtual webinar. The webinar was recorded by staff and posted on an information webpage on the City's website on July 23, 2025. Additionally, meeting materials were posted on the webpage. Staff have been available to respond to questions from the public.

Staff followed Council Policy 6-30: Public Outreach Policy and all legal requirements, in that the notices for the public hearing were posted on the City's website and published in the San José Post-Record at least 20 days prior to the public hearing.

**Project Manager:** Zacharias Mendez

**Approved By:** /s/ Martina Davis, Division Manager, for Christopher Burton, Director of Planning, Building & Code Enforcement

/s/ Jen Baker – Director of Office of Economic Development and Cultural Affairs

**ATTACHMENTS:**

[Exhibit A: CEQA Determination](#)

[Exhibit B: Draft Municipal Code Changes](#)