

Napa Music Industry: Entertainment Permitting In Napa

Commentary By Dalton J. Piercey 12-29-17



As a Music Business Professional and Music Artist having a home base in Napa I have been familiar with performance venues, clubs and dinner houses for the many years of my experience locally and regionally.

This is my first commentary on the Music Industry here in Napa Valley and I would like to address the issue of Entertainment Permitting and the “Cabaret License”.

The idea that there exists or existed a Cabaret License for entertainment in Napa City proper is a term that has metaphorically been applied to the music entertainment permitting process. Yet there is a problem, there never ever was a “Cabaret License”. Historically I have researched and found that there are two historic movements permitting music in Napa City. I find no language in which Cabaret appears in the municipal code. So to educate and inform I have contacted the City Planning Department with questions and it was verified there never ever was a “Cabaret License”. Now it may be a term that is used by downtown professional business individuals to describe their experience of going through the entertainment permitting process or it may be a term used by a contracted city planner whom has a flair for verb-o-logy exciting a permitting applicant, however once again there never ever was a “Cabaret License”. So to whom ever, please stop, you are only confusing the already confused in concern of music entertainment permitting.

In the history of the Napa Municipal Code our city government enacted permitting for entertainment in the 1970’s and then again in 2012 with the establishment of the Downtown Entertainment District. We find, Title Zoning 17, 17.06 Definitions and 17.10.020 Land Use Regulations from 1970. Additionally, adjoining Title 8.08 Noise Control Regulations. These are the specific codes that have existed for many years in our entertainment industry. In 2012 the Downtown Specific Planning Commission with City Planning and City Council approved the Downtown Entertainment District with a revamping of the permitting requirements for music entertainment in the Napa Municipality. These are found in Chapter 4 of the Downtown Specific Plan for Land Use Designations And Zoning Districts. Table 4:2 The Entertainment Use’s Framework Permit.

I have come to understand that entertainment incidental to use is permitted City wide. That would be acoustic music from 5pm to 8pm. It would be 10% of your business operation only. For example if your business operates 40 hours a week it would be 4 hours available for entertainment weekly. And if your floor space was 1200 square feet then it would be 120 square feet for your entertainment music performance to be used.

For the accuracy of this math I always say double check with Napa City Planning and check it twice. Now for any operation of a business outside of the entertainment district to operate as a music venue/night club you will have to meet compliance standards to be permitted to have music and dancing and that is on a case by case evaluation. Now that I mention dancing, I want to stop you right there as with the Cabaret license, there is none and never has been, a municipal dancing permit. I will discuss that another time.

The descriptions and definitions that we find in Chapter 4 are a much better tool for determining exactly what you are doing with your music venture and how it is permitted. Last summer I was hired by Burgerfi to help sort out their music permit issue. It turned out that they did not need a Cabaret License (remember it does not exist) and Burgerfi is in the Entertainment District. Sadly though they went out of business. Too bad, the patio would have made a great little spot for tourist to discover music.

I began my participation advocating for changes in our music industry in 2006. I am a known individual amongst our City servants. In 2012 the changes came. But it is not perfect. There are two changes that can be made administratively by City Planning and City Council. First the Oxbow is a Commercial district and has grown to be very busy. Music is only allowed until 8pm for some music venues. While others are allowed performances until 10pm. Additionally the Brown Street and Second Street block facing the Historic Court House can have some small venues. Yet we see that the entertainment district boundary cuts the block in half from Second to Third Street. The intent behind the maneuver was to authorize only the businesses facing Main Street.

I would offer that Downtown and the Oxbow should have a greater liberal position for music in the “Music Entertainment District”.

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