



## **Entertainment District and Uses** **A Proposed Approach**

The Downtown Specific Plan Steering Committee initiated interest in creating an Entertainment District in Downtown Napa in conjunction with the Downtown Specific Plan, but no consensus was reached regarding how big the area should be; more information was requested. Staff researched other cities with entertainment districts and reviewed the City's current entertainment regulations to come up with a tiered approach.

This tiered approach would provide:

- 1) A small geographic Entertainment District shown on the draft Strategy Diagram where entertainment uses are encouraged to concentrate, where future housing is cautioned about the potential conflict of uses, and where entertainment marketing can be targeted. In this area, entertainment uses would be encouraged through a simplified administrative permit process if they meet certain performance standards.
- 2) Outside of the Entertainment District, entertainment uses would still be encouraged in the downtown commercial areas, but would require a use permit and need to address potential conflicts with nearby uses.
- 3) A third component of the approach is that minor and incidental entertainment uses meeting certain standards would simply be allowed as accessory uses.

This proposed approach and information about potential performance standards is for discussion purposes and is a place to start, not an end point. If you like the approach, boundaries can more easily be adjusted. Potential performance standards are included to illustrate how the approach might work but will be reviewed in more detail when zoning standards are developed. Staff appreciates comments in the interim period as to how they might be revised for future discussion.

This approach is designed to encourage location of entertainment uses within the District due to the ease of the planning process, but not preclude or discourage entertainment uses in other commercial areas.

For this evening's discussion we'd like to know:

***Are we on the right track with the proposed tiered approach?***

***Do the proposed entertainment district boundaries need adjustment?***

## PROPOSED APPROACH

Anticipated Types of Entertainment Uses under these regulations:

- Live music
- Live performances
- Karaoke
- Comedy
- Dancing

\*Theatres (including performances and plays in a theatre setting) would not be regulated under the “entertainment” regulations. The issues related to theatres are more complex and a use permit is typically needed.

Framework:

1. In district, give entertainment uses priority over conflicting uses (such as residential)
2. Allow some uses as permitted with no permit necessary.
3. Allow entertainment uses with an administrative permit or license  
-- Lower cost and faster processing time than a use permit
4. Set specific performance standards to be maintained
5. Continue to encourage in broader areas with use permit

<u>Proposed Approach</u>		
	<b>Inside Entertainment District</b>	<b>Outside Entertainment District</b>
<b>Level 1: Incidental to Primary Use</b> <ul style="list-style-type: none"> <li>○ Ancillary to a permitted use (restaurant, specialty retail, coffeehouse, music or bookstore etc.)</li> <li>○ Indoor performance</li> <li>○ Performance area does not exceed 80 square feet</li> <li>○ No dance floor</li> <li>○ One or two performers at a time</li> <li>○ Not audible outside the building</li> <li>○ While primary use is operating or 9am to 10pm</li> </ul>	Permitted	Permitted
<b>Level 2: Entertainment Permit or License</b> Required where: <ul style="list-style-type: none"> <li>○ Performance area in excess of 80 square feet</li> <li>○ Dedicated stage (max height 16")</li> <li>○ Designated dance floor</li> </ul> Permit/License process: <ul style="list-style-type: none"> <li>○ 30 days for permit issuance</li> </ul>	Administrative Permit	Use Permit with Public Hearing

<ul style="list-style-type: none"> <li>○ Not transferable</li> <li>○ Renewable if performance standards met</li> <li>○ suspendable/revocable for violation of performance standards</li> <li>○ Submittal Requirements: floor plan showing dance floor; security and safety plan and training plan; copy of ABC license if alcoholic beverages are sold; Reviewed by Fire, Building, Police for meeting code</li> </ul> <p>Performance Standards</p> <ul style="list-style-type: none"> <li>○ Noise level limitation</li> <li>○ Hours of Operation: 9am to 10pm Sunday through Thursday; 9am to 12am Friday and Saturday (9am to 10pm Friday and Saturday if within 200 feet of a residential district or on a case by case basis where a use permit is granted), unless an exception is granted to allow extension until 2am on Friday and/or Saturday</li> <li>○ Security</li> <li>○ Crowd control</li> <li>○ Lighting</li> <li>○ Signage</li> <li>○ Loading Areas</li> </ul>		
<p><b>Level 3: Outdoor Live Entertainment</b></p> <ul style="list-style-type: none"> <li>○ Ancillary to a permitted use (similar to Level 1)</li> </ul> <p>Performance Standards</p> <ul style="list-style-type: none"> <li>○ Acoustical buffering required</li> <li>○ Not allowed within 100 feet of a residential district,</li> <li>○ Hours allowed 9am to 9pm unless an exception is granted to noise level and hours allowed due to no residential use within 200 feet</li> <li>○ Noise level limitation</li> <li>○ Amplified music allowed</li> </ul>	<p>Administrative Permit</p>	<p>Use Permit with Public Hearing</p>

### Current Regulations

- Currently, all entertainment uses require a use permit and public hearing.

Noise	<ul style="list-style-type: none"> <li>• Should not be heard outside of the building</li> <li>• Commercial uses shall create no noise at the property line between 9pm and 7am</li> <li>• A use that doesn't comply with these limitations requires a permit</li> <li>• In conjunction with a use permit, the following noise standards apply:             <ul style="list-style-type: none"> <li>○ Non residential projects that could generate noise that would, at the boundary of adjacent residential district properties, increase the ambient noise levels by 5 dB CNEL or more, or in excess of 60 dB CNEL, shall prepare a noise analysis as part of the project's CEQA review to identify anticipated noise levels and recommend noise attenuation measures to maintain ambient levels and to keep levels below 60 dB CNEL. Such measures shall be incorporated into the project approval.</li> <li>○ Nonresidential projects adjacent to residential districts shall locate or design potential noise generation areas, such as but not limited to truck parking and loading docks, garbage collection areas, to minimize impacts on adjacent sensitive uses to the extent feasible.</li> </ul> </li> </ul>
Uses allowed in "Downtown Commercial"	<p>Conditional Uses with Specific Standards</p> <ul style="list-style-type: none"> <li>• Cocktail lounges</li> <li>• Bars</li> <li>• Restaurants</li> <li>• Food service with a bar, live entertainment or dancing</li> <li>• Theatres (Conditional only, no specific standards)</li> </ul>
Site and Use Regulations	<ul style="list-style-type: none"> <li>• Cocktail lounges, bars, nightclubs, billiard parlors, pool halls, video arcades and other similar commercial place of entertainment require use permit that considers the following:             <ul style="list-style-type: none"> <li>○ Police dept comments</li> <li>○ Hours of operation</li> <li>○ Potential for loitering</li> <li>○ Adequacy of lighting for security purposes</li> <li>○ Distance to public/private schools</li> <li>○ Distance to areas used and zoned for residential use</li> <li>○ Potential to serve alcoholic beverages</li> <li>○ Potential need for annual review of use permit</li> <li>○ Other information deemed necessary on a case by case basis</li> </ul> </li> </ul>