
Chapter 5 OVERLAY ZONES

Sections:

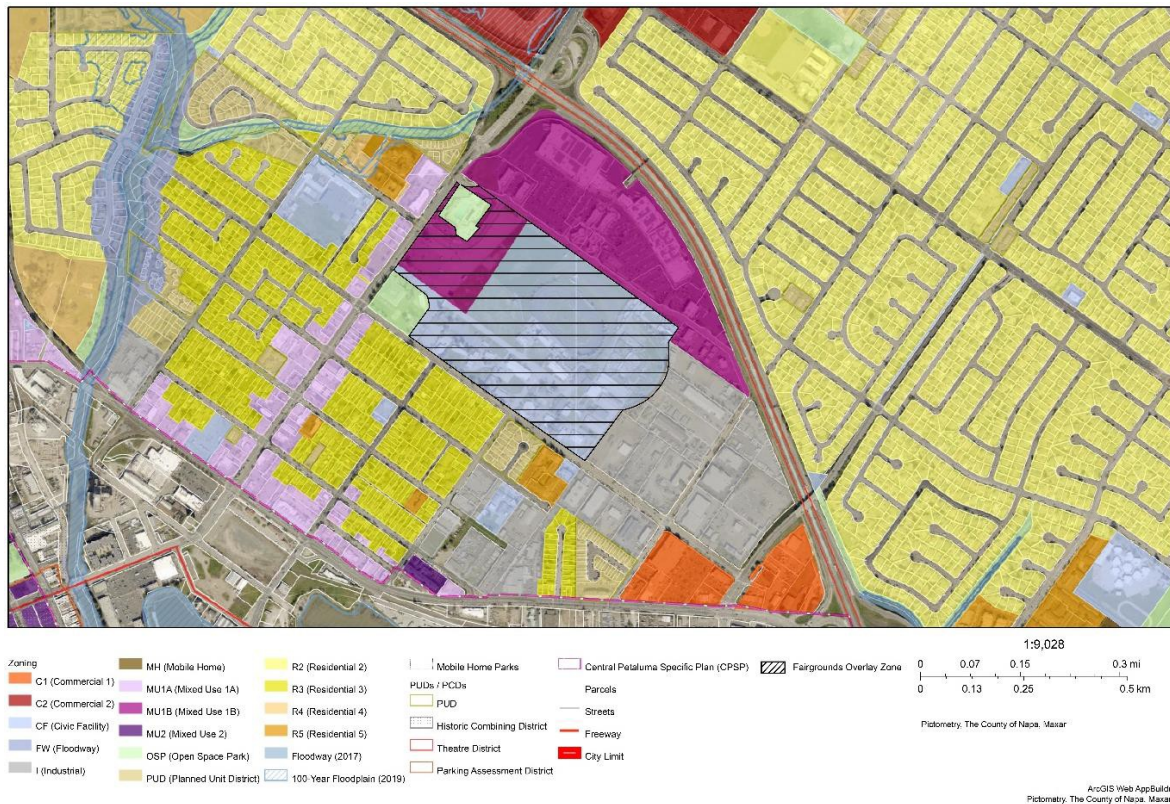
5.010	Purpose.
5.020	Applicability of Overlay Zones.
5.030	Flood Plain Overlay Zone.
5.040	Historic District Overlay Zone.
5.050	Theater District Overlay Zone.
5.060	Senior Mobilehome Overlay District
5.080	Fairgrounds Overlay Zone

5.080 Fairgrounds Overlay Zone.

- A: **Purpose and Intent.** The purpose and intent of the Fairgrounds Overlay Zone is to allow operation of existing uses on the City-owned Fairgrounds property, provide specifications for establishment of new, beneficial uses of the Fairgrounds, including temporary uses, permanent uses and structures and site improvements as set forth in subsection D, consistent with the Guiding Principles adopted in City Council Resolution 2022-167 N.C.S., and to ensure ongoing operation of the site and its uses are in the best interest of the public health, safety, and welfare while a master plan and associated land use policies and zoning are prepared and adopted for the Fairgrounds property.
- B: **District Boundaries.** The proposed Fairgrounds Overlay Zone applies to areas of the city-owned property, generally referred to as the Fairgrounds, identified as Assessor's Parcel Numbers (APNs) 007-031-004 and 007-031-005 and zoned Civic Facility (CF) and Mixed Use 1B (MU1B) as shown in Figure 5.1 below. The boundaries of the Fairgrounds Overlay Zone are generally described follows:

The Fairgrounds Overlay Zone is generally bounded by East Washington Street to the west, Kenilworth Drive to the north (excluding the area known as the Petaluma Swim Center), APNs 005-010-008, -037, -038, -039, 005-020-049, and 007-473-042 to the east, and Payran Street to the south (excluding the area known as the Petaluma Regional Library, Kenilworth Teen Center, and Kenilworth Park).

**Figure 5.1: District Boundaries
Fairgrounds Overlay Zone**



C: Definitions

1. **Mobile Food Vendor.** A transient business selling goods in the city in a manner that is intended to be temporary or is capable of being moved from one location to another.
2. **Public Benefits.** Examples of public benefits concerning uses within the Fairgrounds Overlay Zone include, but are not limited to, uses that: have an educational component; provide access to arts and cultural programs and events; offer recreational opportunities; improve transit access and mobility options; and any other uses that help support maximizing public access to and use of the Fairgrounds property, and/or that promote the public health, safety, welfare, and sustainability consistent with the City Council's adopted Guiding Principles concerning the Fairgrounds.
3. **Site Improvements.** Horizontal improvements made on the land such as landscaping, drainage, circulation, parking, utilities, signage, and fencing.
4. **Temporary Use.** A use of land that is designed, operated and occupies a site for a limited period of time, typically less than 90 60 days or less.

D: Existing and New Permitted Uses and Activities

1. **Existing Uses Permitted.** The existing uses listed in Table 5.1 below are expressly permitted within the Fairgrounds Overlay Zone, subject to the terms and conditions in applicable license agreement(s) between the City of Petaluma and licensee(s). In addition to the terms and conditions in license agreements and other permits or other authorizations issued by the City to allow use of the Fairgrounds, all such licenses, permits or other authorizations

allowing use of the City's Fairgrounds property shall also be subject to the requirements in a-e of this subsection.

Table 5.1

Licensee	Use
El Roy's	Mobile Food Vendor
Java Hut	Restaurant, Café, Coffee Shop
Airport Express	Parking Facility, Commercial
Happy Hearts Preschool	Child Care Center
Rebuilding Together	Office (Professional/Administrative)
Play Dog Play	Kennel, Animal Boarding
Playland	Commercial Recreation, Outdoor
Live Oak Elementary and Middle School	School
Glad Enterprises	Commercial Recreation, Outdoor

- a. *Modifications to Existing Permitted Use.* Permitted uses existing as of the effective date of this section or subsequently approved in accordance with this section shall not be enlarged, extended, or relocated except as expressly authorized in accordance with the applicable license agreement, and applicable regulations in the Zoning Ordinance.
 - b. *Change of Existing Permitted Use.* Permitted uses existing as of the effective date of this section or subsequently approved in accordance with this section shall not be changed to another permitted use, except as allowed in accordance with Section 22.030(C) of the Zoning Ordinance, and subject to a license agreement, permit, or other City authorization.
 - c. *Change of Operator.* Permitted uses existing as of the effective date of this section or subsequently approved in accordance with this section shall not be transferred from one operator to another without prior approval by an authorized City official or body, subject to a new or amended license agreement, permit, or other City authorization.
 - d. *Discontinuation of a Use.* Absent express authorization of an authorized City official or body, a use shall be considered abandoned and may not be renewed but shall require a new use application and issuance of a new authorization in accordance with all applicable requirements of D(2) of this Section if such use has been discontinued for a period of 3 months or more.
 - e. *Maintenance and Repair.* Nothing in this section shall be deemed to prohibit normal maintenance and repair of any use or structure permitted pursuant to this section, subject to all requirements of any applicable license, permit or other City authorization, or the carrying out, upon the issuance of a building or other permit as required for structural alterations, demolition or other alterations necessary or desirable in the interest of public safety as determined by an authorized City official or body. Where applicable, modifications to existing structures and site improvements shall address historic eligibility of the structure or improvement as set forth in the Sonoma-Marín Fairgrounds Historic Resources Documentation, prepared by Page & Turnbull, July 1, 2022, and shall carry out modifications in a manner that will not result in a substantial adverse change in the significance of a
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historic resource. Where applicable, a Historic Site Plan and Architectural Review (HSPAR), or Site Plan and Architectural Review (SPAR) permit shall be obtained for exterior modifications meeting the criteria set forth in Section 24.050.

2. *Annual Sonoma-Marin Fair.* The Sonoma-Marin Fair shall be permitted to operate, subject to the terms and conditions in applicable license agreement(s) between the City of Petaluma and licensee(s), and all applicable requirements of this section and applicable law, including applicable rules and regulations of the City.
3. *Temporary Uses.* The Planning Director may approve a Zoning Permit for temporary uses in the Fairgrounds Overlay Zone in accordance with applicable requirements in Section 7.070 of the Zoning Ordinance.
4. *New Public Benefit Uses Allowed Administratively.* The Planning Director may approve a minor use permit to allow new uses that are not otherwise allowed pursuant to Subsection (D) of this Section in the Fairgrounds Overlay Zone pursuant to the findings set forth in Section 24.060(E) of the Zoning Ordinance and affirmative findings that:
 - a. The use will not involve construction of new permanent structures.
 - b. The use is consistent with Guiding Principles adopted in City Council Resolution 2022-167 N.C.S.
 - c. The use provides a public benefit.
 - d. The use satisfies all applicable requirements of this section, and is subject to a license agreement, permit, or other City authorization as approved by an authorized City official or body.
5. *New Uses Allowed by City Council.* The City Council, upon recommendation of the Planning Commission may approve new conditional use permits for new uses on the City's Fairgrounds property that are currently otherwise permitted by-right or conditionally permitted within the base zoning districts in which they are located. Such approvals shall be subject to and in accordance with the review criteria and findings set forth in Section 24.060(E), and additional affirmative findings that:
 - a. The use is consistent with the Guiding Principles adopted in City Council Resolution 2022-167 N.C.S.
 - b. The use provides a public benefit.
 - c. The use satisfies all applicable requirements of this section, and is subject to a license agreement, permit, or other City authorization as approved by an authorized City official or body, subject to approval of the use by the City Council.
6. *Major Site Improvements.* The City Council, upon recommendation of the Planning Commission, may approve a Site Plan and Architectural Review (SPAR) permit to allow major site improvements such as new construction of buildings in the Fairgrounds Overlay Zone pursuant to the findings set forth in Section 24.050(E) of the Zoning Ordinance. The Director may grant administrative site plan and architectural review approval to minor additions or modifications, or may refer such development proposals to the Planning Commission.

E: Prohibited Uses and Activities

1. *New Permanent Structures and Uses.* No new permanent structures, other than those permitted in accordance with subsection (D) of this Section shall be permitted within the Fairgrounds Overlay Zone.
 2. *New Uses.* No new uses, other than those permitted in accordance with subsection (D) of this Section, shall be permitted within the Fairgrounds Overlay Zone.
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Mixed Use Zones					
TABLE 4.3 Allowed Land Uses and Permit Requirements for Mixed Use Zones	P(16)	Permitted Use			
	CUP	Conditional Use Permit Required			
	S	Permit Requirement in Specific Use Regulations			
	A	Accessory Use			
	—	Use Not Allowed			
LAND USE TYPE (1)	Permit Required by Zone				Specific Use Regulations
	MU1A	MU1B ²²	MU1C	MU2	

Notes:

²² Refer to Section 5.080 for parcels in the Fairgrounds Overlay Zone

Civic Facility Zone		
TABLE 4.5 Allowed Land Uses and Permit Requirements for Civic Facility Zone	P(16)	Permitted Use
	CUP	Conditional Use Permit Required
	S	Permit Requirement in Specific Use Regulations
	A	Accessory Use
	—	Use Not Allowed
LAND USE TYPE (1)	Permit Required by Zone	Specific Use Regulations
	CF ²⁰	

Notes:

²⁰ Refer to Section 5.080 for parcels in the Fairgrounds Overlay Zone