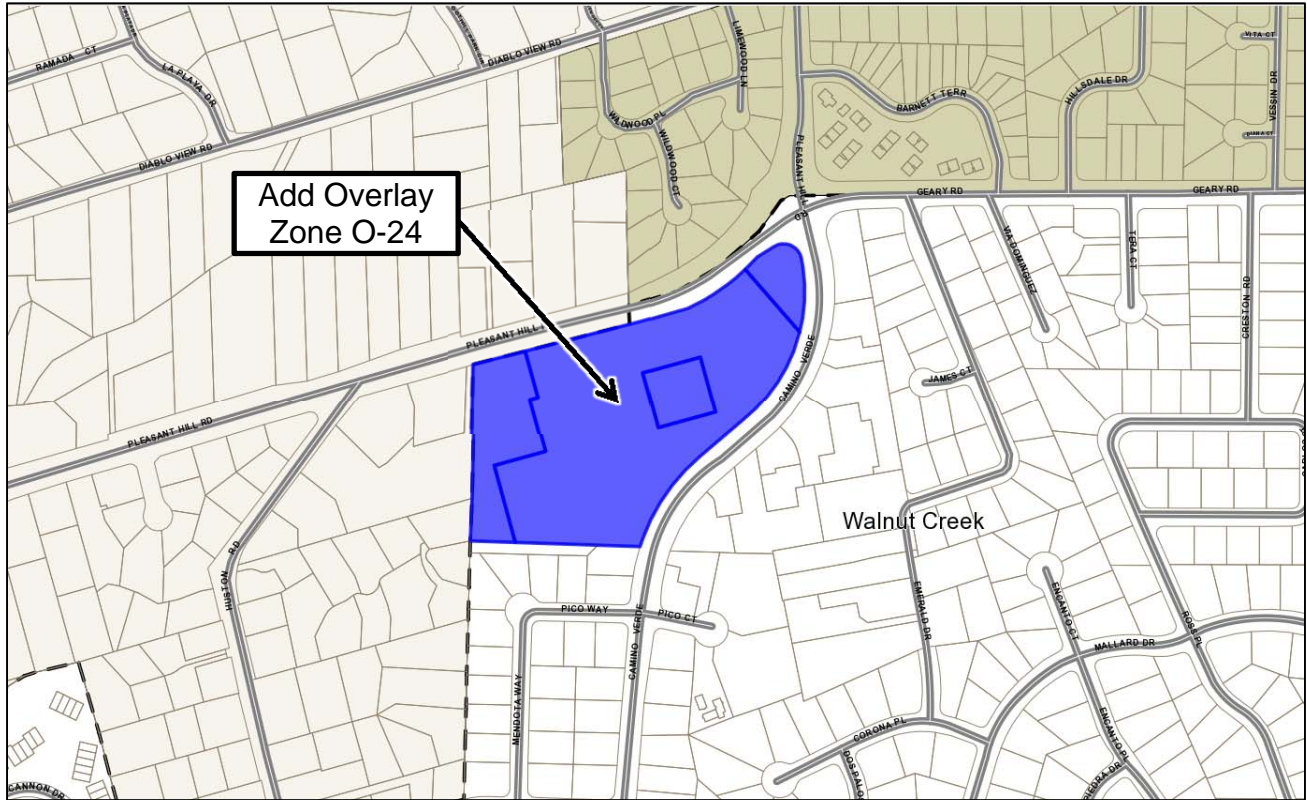


Section 10: Rezoning to add properties to O-24 Palos Verde Mall Overlay Zone.

The properties located within the shaded area labeled as “Add Overlay Zone O-24” on Map 6 below are hereby added to Overlay Zone 24 (O-24), and the Community & Economic Development Director is hereby directed to make the changes on the Land Use Zone Map and Building Height Zone Map of the City of Walnut Creek to reflect this rezoning. The underlying Base District zoning shall remain unchanged.



**Map 6: Create New O-24, Palos Verde Mall Overlay Zone**

**Scale: 1 inch = 500 feet**

Section 11: Create New O-24 Palos Verde Mall Overlay Zone.

Overlay Zone 24 (O-24) is hereby adopted to read as follows:

**Part 1: Purpose and Intent**

The O-24 Overlay Zone is intended to recognize the MU-C, Mixed Use-Commercial Emphasis land use category designation for Palos Verde Mall. The O-24 Overlay Zone is unique from other MU-C designated properties within the City in that it consists entirely of a neighborhood shopping center under a single ownership, subject to a voter-imposed 20-foot building height limitation, and located outside of the Core Area. The uniqueness of the site, combined with its large size (over 10 acres), and its location in a predominantly single family residential neighborhood, makes it appropriate for a P-D, Planned Development District zoning, if it is to be redeveloped to include residential uses (the current C-C, Community Commercial District zoning does not permit residential uses).

**Part 2: Definitions**

The provisions of Title 10, Chapter 2, Part I, Article 3 of the Walnut Creek Municipal Code (Definitions) shall apply to the regulations contained within this Overlay Zone.

**Part 3: Conflict with Municipal Code**

If any provisions of this Overlay Zone conflict with any provisions of the Walnut Creek Municipal Code, the stricter regulations shall apply.

**Part 4: Zoning Regulations for Palos Verde Mall**

Uses described in Sec. 10-2.1.403(A) **Residential Use Classifications** may only be permitted upon rezoning to a P-D, Planned Development District consistent with the MU-C, Mixed Use-Commercial Emphasis land use category contained within the Walnut Creek General Plan.

Section 13. Effective date.

Pursuant to the provisions of Government Code Section 36933, a summary of this Ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this Ordinance along with the names of those City Council members voting for and against this Ordinance or otherwise voting. This Ordinance shall become effective on the 31<sup>st</sup> day after its adoption.