

ORDINANCE NO. 1526

AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY WITHIN THE CITY OF WALNUT CREEK FROM LAND USE DISTRICT P-D-1487 (PLANNED DEVELOPMENT) TO LAND USE DISTRICT M-2.5 (MULTIPLE-FAMILY RESIDENTIAL) AND ADDING AN OVERLAY ZONE 13 TO THE AFFECTED PROPERTY AND AMENDING THE WALNUT CREEK MUNICIPAL CODE ACCORDINGLY (REZONING APPLICATION NO. 8129-A, COUNTRY LANE)

The City Council of the City of Walnut Creek does ordain as follows:

Section 1. The real property described in Exhibit A, attached hereto and made a part hereof, is hereby rezoned from land use district P-D-1487 (Planned Development) to land use district M-2.5 (Multiple-Family Residential) subject to all the provisions of the Walnut Creek Municipal Code and the Walnut Creek Municipal Code is hereby amended accordingly.

Section 2. In addition, the real property as shown on Exhibit A is hereby further rezoned by adding an overlay zone 13, and is subject to all the provisions of the Walnut Creek Municipal Code and subject to the following conditions:

1. The building bulk of any new development shall be limited by floor area ratio (FAR), as defined below:

a. The maximum allowable FAR shall be determined by the gross site area, according to the following schedule:

Gross site area	max. FAR
less than .5 acre	.35
.5 acre or more but less than 1 acre	.40
1 acre or more but less than 2 acres	.45
2 acres or more	.50

b. Actual FAR shall be determined using net site area and shall be calculated by dividing the total rentable floor by the total net site area.

2. The building height shall be limited to a maximum of 25 feet within 25 feet of any lot which contains existing single family development.

3. The required side yards shall be determined by increasing the basic minimum side yard by 6 inches for each foot that a building exceeds 10 feet in height adjacent to such side yard.

4. All new development projects except for an individual single family detached unit are encouraged to apply for a planned development permit.

5. Design Review approval of all new development projects except for an individual single family detached unit and for planned developments are to be finally approved by the City Council.

Section 3. The Community Development Director is hereby directed to amend the zoning map of the Walnut Creek Municipal Code accordingly.

Section 4. This ordinance shall become effective thirty (30) days after the date of its final passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 19th day of January, 1982 by the following vote:

- AYES: Councilmembers: Armstrong, Murray, Mayor Hazard
- NOES: Councilmembers: None
- ABSENT: Councilmembers: Kovar
- ABSTAIN: Councilmembers: Hildebrand

/s/ James L. Hazard
Mayor of the
City of Walnut Creek

ATTEST:

/s/ Mary L. Lucas
City Clerk of the
City of Walnut Creek

I HEREBY CERTIFY that the foregoing ordinance was duly and regularly passed and adopted by the City Council of the City of Walnut Creek, County of Contra Costa, State of California at a regular meeting of said Council held on the 19th day of January, 1982.

MARY L. LUCAS
City Clerk of the
City of Walnut Creek

EXHIBIT "A"

PARCEL ONE:

Portion of Lot 39, as shown on that certain map entitled "Subdivision No. 1, Larkey Rancho," Walnut Creek, California, filed January 5, 1911 in Book 40 of Maps, Page 79, in the Office of the County Recorder of the County of Contra Costa, State of California, described as follows:

Beginning at the intersection of the west line of Oak Road with line between Lots 39 and 40; thence from said point of beginning South 89° 54' West along the line between Lots 39 and 40, 260 feet; thence northerly at right angles to said line to line between Lots 38 and 39; thence North 89° 54' East along said line to center line of Oak Road; thence South 7° 33' West along said line, 165 feet to line between Lots 39 and 40; thence South 89° 54' West along said line to point of beginning.

PARCEL TWO:

A portion of Lot 40, as shown on the map entitled "Subdivision No. 1, Larkey Ranch, Walnut Creek, California," filed January 5, 1911 in the Office of the County Recorder of Contra Costa County in Book 4 of Maps, page 79, described as follows:

Beginning at a point on the southerly line of Lot 40 at the center line of Oak Road described in that certain order of the Board of Supervisors recorded May 5, 1937, Book 440, Page 50, Official Records; thence from said point of beginning, along said south line of Lot 40, South 89° 54' West 255.94 feet to the east line of the land described in the deed to Raymond A. Feichtmeir, recorded March 20, 1963, Book 4326, Page 96, Official Records; thence along said east line North 0° 06' West 163.45 feet to the south line of the land described as Parcel Three in the deed to Martin J. Murphy, et ux, recorded January 28, 1943, Book 735, Page 291, Official Records; thence along said south line, North 89° 54' East 260 feet to a point on the center line of Oak Road which bears North 7° 33' East 165 feet from the point of beginning; thence South 7° 33' West 165 feet to the point of beginning.