

ORDINANCE NO. 1439
AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY WITHIN THE CITY OF WALNUT CREEK FROM LAND USE DISTRICT S (TEMPORARILY UNCLASSIFIED) TO LAND USE DISTRICT C-O (LIMITED COMMERCIAL), AND ADDING AN OVERLAY ZONE TO THE C-O DISTRICT AT 185 LA CASA VIA ON THE EAST SIDE OF LA CASA VIA, AND AMENDING THE WALNUT CREEK MUNICIPAL CODE ACCORDINGLY (REZONING APPLICATION NO. 8177 and OVERLAY ZONE 4)

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

Section 1. The real property shown on the map marked Exhibit A, attached hereto and made a part hereof, is hereby rezoned from land use district S (Temporarily Unclassified) to land use district C-O (Limited Commercial), subject to all provisions of the Walnut Creek Municipal Code, and the Municipal Code is hereby amended accordingly.

Section 2. An Overlay Zone is hereby added to the subject property, and the proposed regulations specified in Title 10, Chap. 2, Article 8, of the Walnut Creek Municipal Code applicable to the C-O (Limited

Commercial) District shall apply to the areas shown on Exhibit B, attached hereto, except as provided below:

1. Uses Permitted — Land use shall be limited to medical offices, hospitals, convalescent hospitals and rest homes only after the granting of a use permit in each case.

2. Development Standards

(a) Front yard. All new construction permitted in this zone shall provide a front yard of not less than 30 feet.

(b) Open space. In granting a use permit, a substantial landscaped buffer zone shall be provided along the southeastern property line between the subject parcel and adjacent residentially zoned property.

3. Immediately upon the adoption of the subject Overlay Zone, a

10-ft. wide open space trail easement along the southeast property line, which includes a triangular area at the eastern corner of the parcel as described on said Exhibit B, shall be dedicated to the City of Walnut Creek or other appropriate open space agency.

4. Conditions No. 4 and 5 of Specific Plan No. 6 pertaining to any street standards and drainage fees (La Casa Via area) shall apply to this zone.

Section 3. The Community Development Director is hereby authorized 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 7th day of August, 1979 by the following called vote:

AYES: Councilmen: Martin, Kovar, Armstrong, Hazard, Mayor Hildebrand

NOES: Councilmen: None
ABSENT: Councilmen: None

/s/ Richard D. Hildebrand
Mayor of the
City of Walnut Creek

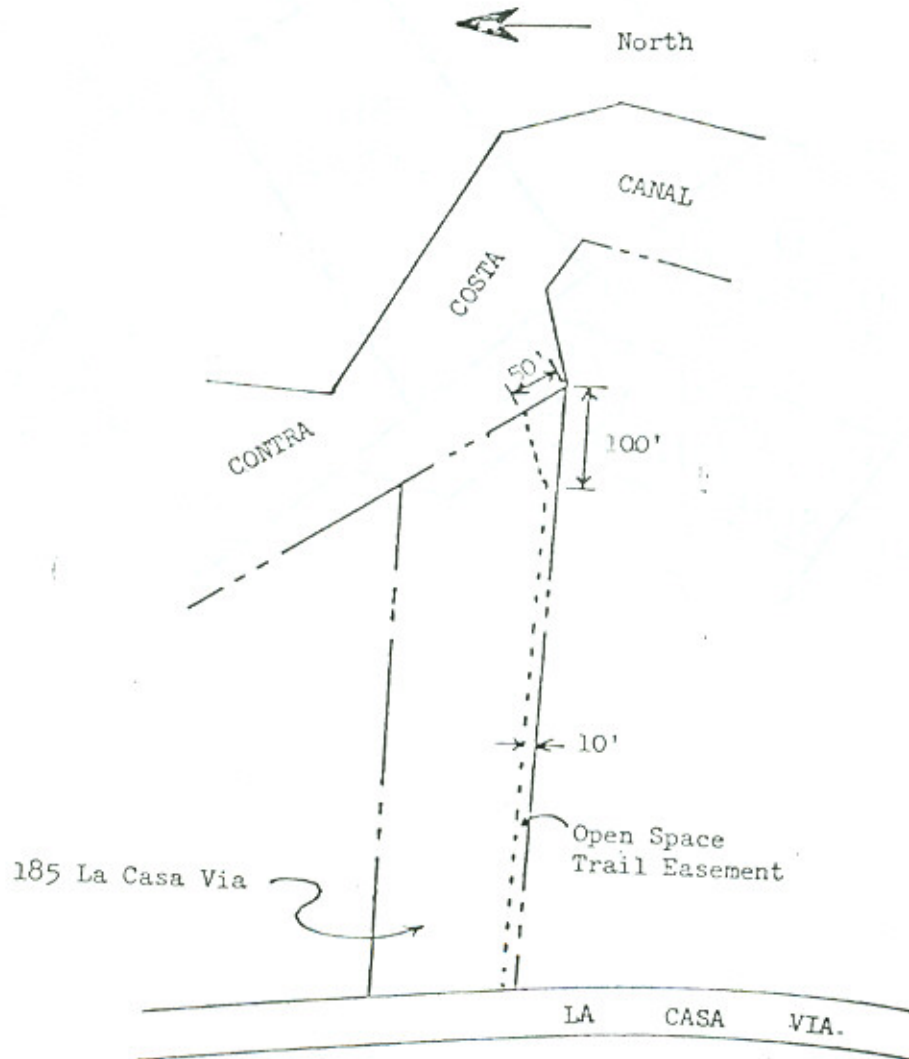
ATTEST:

/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 7th day of August, 1979.

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

EXHIBIT B
OVERLAY ZONE #4



185 LA CASA VIA
EXHIBIT "A"

