

ORDINANCE NO. 1876

AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY WITHIN THE CITY OF WALNUT CREEK BY ADDING AN OVERLAY ZONE TO 1716 AND 1721 STOW AVENUE (APN'S 178-130-022, 178-140-004, 178-140-007) WHICH ARE ZONED OFFICE COMMERCIAL (O-C) AND AMENDING THE WALNUT CREEK MUNICIPAL CODE ACCORDINGLY (OVERLAY ZONE NO. 20).

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 by adding an Overlay Zone to 1716 and 1721 Stow Avenue (APN'S 178-130-022, 178-140-004, 178-140-007) which is presently zoned Office Commercial (O-C), subject to all provision of the Walnut Creek Municipal Code , and is subject to the following conditions, and the Municipal Code is hereby amended accordingly.

1. The purpose of this overlay zone is to maintain the residential character of the lots on Stow Avenue until such time as an appropriate mixed use project is proposed. The intent is to discourage commercial traffic from entering the Almond/Shuey residential neighborhood to access commercial parcels. The existing land uses to the north, south and west are all residential and Stow Avenue is a dead end street which is separated from California Boulevard by a steep slope.

2. A mixed use project appropriate for the area would entail ground floor commercial (fronting onto and taking access from California Boulevard, or another appropriate non-residential location) and a residential component accessed via Stowe Avenue on the upper portion of the lots (which would act as a buffer for the residential area).

3. Until such time as an appropriate mixed use project is proposed and approved, the permitted and conditionally permitted uses shall be as stipulated in the **Duplex Residential** zoning district (see **Chapter 10, Part II, Article 2.**). The development regulations as stipulated in the **Duplex Residential** shall also apply until such time as an appropriate mixed use project (as outline in 2. above) is proposed and approved.

Section 2. The Community Development Director is hereby authorized to amend the zoning map of the Walnut Creek Municipal Code accordingly.

Section 3. The ordinance shall become effective thirty days after the date of its adoption.

PASSED AND ADOPTED BY THE City Council of the City of Walnut Creek at an adjourned regular meeting thereof held on the 12th day of December 1995, by the following called vote:

AYES: Councilmembers: Beagley, Hicks, Wolfe, Dimmick, Mayor Regalia

NOES: Councilmembers: None

ABSENT: Councilmembers: None

/s/ Gwen Regalia
Mayor of the City of Walnut Creek

Attest:

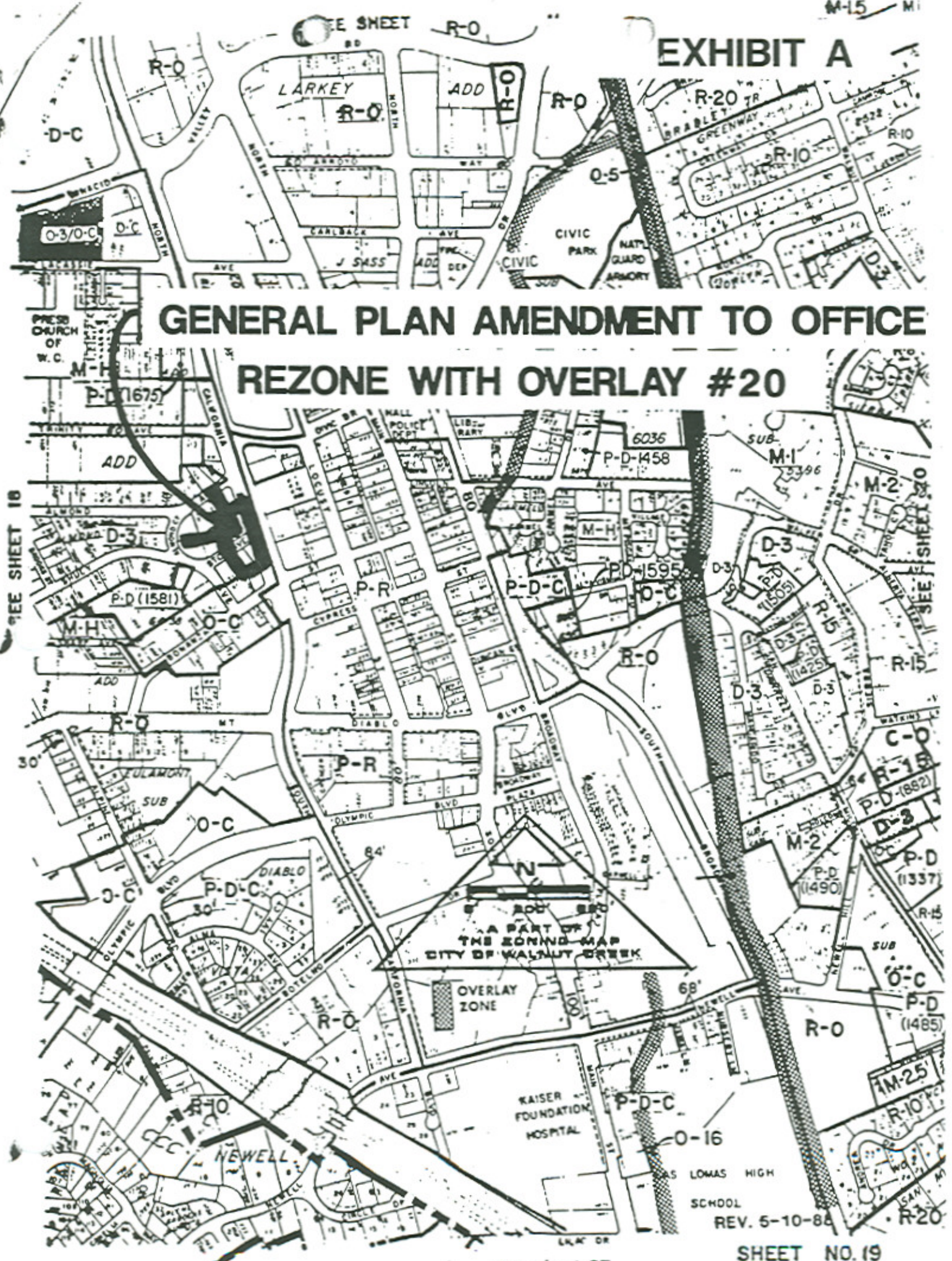
/s/Barbara M. Rivara, CMC
City Clerk of the City of Walnut Creek

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 an adjourned regular meeting of said Council held on the 12th day of December 1995.

City Clerk of the City of Walnut Creek

EXHIBIT A

GENERAL PLAN AMENDMENT TO OFFICE REZONE WITH OVERLAY #20



REV. 5-10-86