

RESOLUTION NO. 3327

A RESOLUTION APPROVING SPECIFIC PLAN NO. 3
(SHELL RIDGE) AND ESTABLISHING CONDITIONS TO
BE CONSIDERED IN IMPLEMENTING SAID PLAN

WHEREAS recommendations for Specific Plan No. 3 were brought before the City Council of the City of Walnut Creek on October 22, 1975, by the Community Development Department after consideration of said plan by the Planning Commission pursuant to Government Code §65450 et seq; and

WHEREAS the reasons and purposes for adoption of said specific plan are contained in the Council Agenda Summary Report prepared by the Community Development Department, a copy of which is attached hereto, marked "Exhibit One" and by this reference incorporated herein; and

WHEREAS this specific plan study was initiated by the City Council by Resolution No. 3273; and

WHEREAS on October 22, 1975, the City Council held a public hearing on the plan; and

WHEREAS a negative declaration has been prepared in compliance with the California Environmental Quality Act and State Guidelines, and the City Council has reviewed and considered such negative declaration,

NOW THEREFORE, the City Council of the City of Walnut Creek does resolve as follows:

Section 1. Specific Plan No. 3 (Shell Ridge) is hereby adopted pursuant to Government Code §65503 as recommended by the staff, with a minor amendment, and said plan consists of "Exhibit A" entitled "Specific Plan No. 3, La Casa Via Area" (diagram), and "Exhibit B" (findings and conditions) which are attached hereto and made a part hereof.

Section 2. The conditions set forth in "Exhibit B" shall be used as guidelines for the implementation of this specific plan.

Section 3. This resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at an adjourned regular meeting thereof held on the 22nd day of October, 1975 by the following called vote:

AYES: Councilmen: Skaggs, Hazard, Schroder, Schiff, Mayor
Kovar
NOES: Councilmen: None
ABSENT: Councilmen: None



Mayor of the City of Walnut Creek

ATTEST:



City Clerk of the City of Walnut Creek

I HEREBY CERTIFY that the foregoing resolution 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 22nd day of October, 1975.



City Clerk of the City of Walnut Creek

EXHIBIT ONE

COUNCIL AGENDA SUMMARY REPORT
OCTOBER 22, 1975

ORIGINATED BY: COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM NO. 2-b

SUBJECT: SPECIFIC PLAN NO. 3 - SHELL RIDGE

BACKGROUND:

The purpose of this meeting is to hold a public hearing on a proposal initiated by the City Council to adopt a specific plan for a portion of Shell Ridge in order to preserve scenic and natural features. This plan was considered by the Planning Commission on August 19, 1975 but was not approved.

FINDINGS:

The Open Space Element of the General Plan calls for the formulation of specific plans for various areas adjacent to the major open space parcels which are currently being purchased by County Service Area R-8. The site of proposed Specific Plan No. 3 includes the sides, top and base of a portion of Shell Ridge which lies within the jurisdiction of Contra Costa County and is generally located between La Casa Via and Marshall Drive. The portion of Shell Ridge immediately north and west of this area falls within the City of Walnut Creek boundaries and is preserved through the regulations set forth in Specific Plan No. 1. The portion of the ridge located south of this subject area falls within the Marshall property and will be purchased with open space bond funds (see Exhibit A).

The purpose of Specific Plan No. 3 is to preserve the segment of Shell Ridge which lies between the area governed by Specific Plan No. 1 and the land being purchased. The specific plan under consideration calls for the designation of a "natural preserve in two areas. One of these preserves includes a knoll parallel to Shell

Ridge which is protected in part by Specific Plan No. 1. The second preserve incorporates the sides and top of Shell Ridge. On the east side of the ridge, land above the 300-foot elevation is proposed to be included within the preserve. On the west side, elevations above 275 feet are recommended for inclusion. There are no existing structures located within these preserve areas.

Slopes on the sides of this segment on the ridge are extremely steep and development of this land would be difficult but certainly not impossible. This portion of the ridge line is especially prominent and is viewed from Ygnacio Valley Road, the BART Station, and numerous existing residential areas. Each lot within the area affected by this proposal has a reasonably level area which would not be regulated by this plan and could be developed. At present, County zoning in this area requires a five-acre minimum lot size.

This specific plan proposal was considered by the Planning Commission on June 3, 1975 and August 19, 1975, but failed to obtain the 4/5ths vote necessary for adoption. Since the City Council initiated this specific plan in Resolution No. 3273, it is not necessary for the Commission to adopt the plan for Council's consideration.

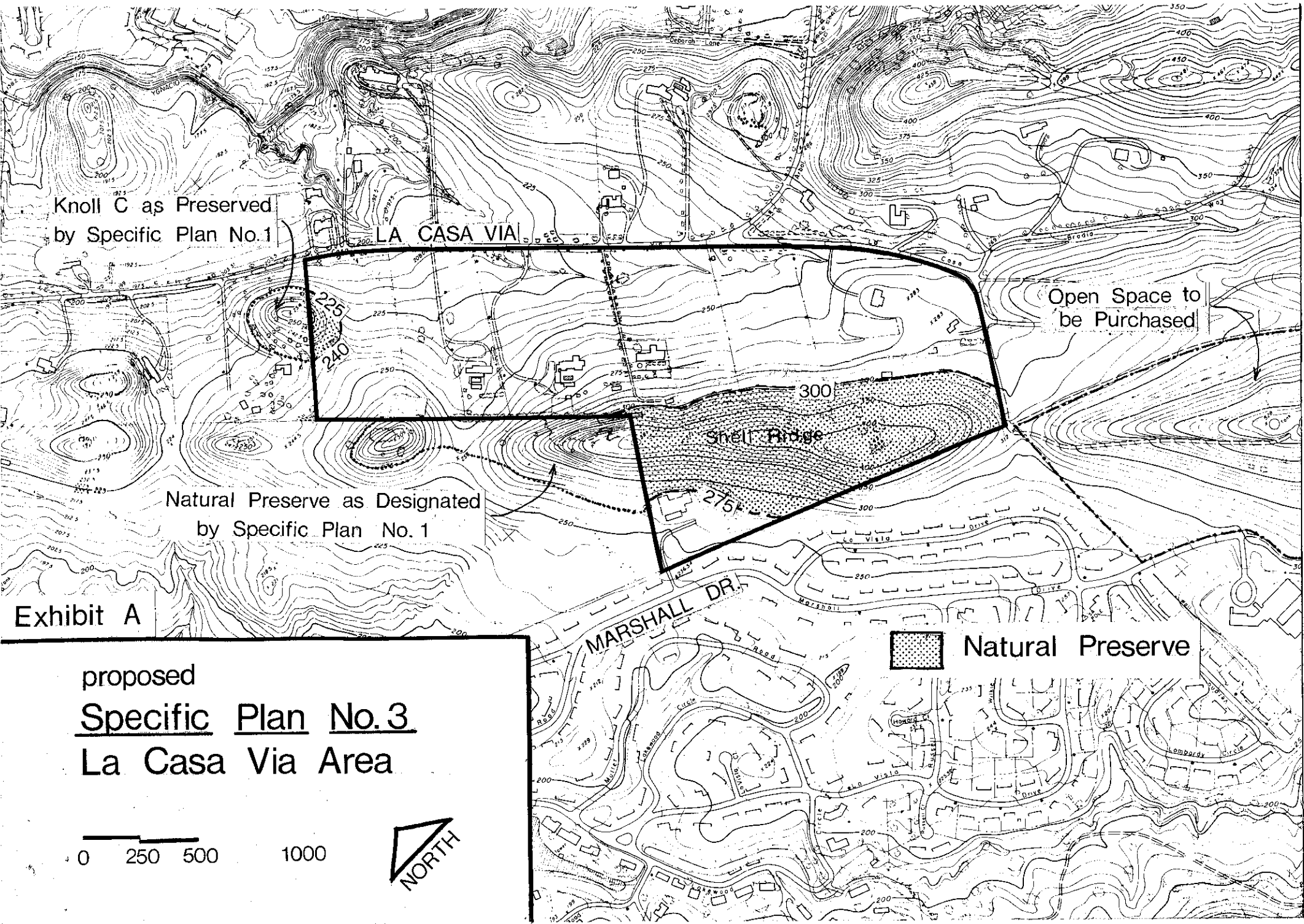
Staff feels that the specific plan is the best of all regulatory devices available which can be used to maintain the natural and scenic values of this ridge line. The particular plan proposes only to preserve open space via the regulation of the location of structures. This situation is analogous to current setback requirements of various zoning districts. If this plan is adopted by the City, staff will then forward it to the County Planning Commission for their consideration.

FINANCIAL IMPACT OF RECOMMENDATION: None

DOCUMENTS ATTACHED: Proposed Specific Plan No. 3: Exhibits A and B

COUNCIL ACTION REQUIRED:

Adopt resolution adopting Specific Plan No. 3 - or - Do not adopt Specific Plan No. 3.



Knoll C as Preserved
by Specific Plan No.1

LA CASA VIA

Open Space to
be Purchased

Natural Preserve as Designated
by Specific Plan No.1

Shell Ridge

MARSHALL DR.


 Natural Preserve

Exhibit A

proposed
Specific Plan No.3
La Casa Via Area

0 250 500 1000



EXHIBIT "B"

FINDINGS:

1. The purpose of the specific plan is: (1) to preserve the scenic and natural resources found on Shell Ridge as identified in the adopted Open Space Element of the General Plan, and (2) to provide for the protection of the segment of Shell Ridge lying between the area regulated by Specific Plan No. 1 and the publicly-purchased land.
2. The Open Space Element calls for the preparation of specific plans to preserve open space ". . . within developed or soon to be developed areas by demonstrating in advance . . . the specific conditions to be met prior to submission of tentative subdivision maps or development applications and prior to issuance of building or other permit . . ."
3. The City of Walnut Creek adopted Specific Plan No. 1 for the purpose of regulating scenic open space lands on Shell Ridge, which fall within the incorporated sector of the Walnut Creek community. The area encompassed by this plan falls within the jurisdiction of Contra Costa County and coordination between the City and County is required to preserve this ridgeline.
4. The portion of Shell Ridge which is identified in Exhibit "A" is visible from many areas of Walnut Creek, including major transportation corridors and numerous neighborhoods. The areas of most important scenic value and open space value lie above the 300-foot elevation on the east side of the ridge and above 275 feet on the west side.
5. The slopes of Shell Ridge in the area identified on Exhibit "A" are generally in excess of 30 percent and often much greater. Development in this area would be difficult and probably require extensive grading.

CONDITIONS:

1. This plan requires that a natural preserve be maintained on the sides and top of Shell Ridge as identified in Exhibit "A" and that no structures such as homes, barns, swimming pools, garages or patios which would require issuance of a building permit or other entitlement be placed within this preserve.
2. Any existing structure which may fall within this preserve shall be permitted to remain in its present location and be maintained as needed but not expanded.
3. The designation of this preserve does not require that public access be granted to the properties that fall within this area.
4. No substantial grading shall be permitted within the preserve and slopes should essentially be left in their natural state.
5. Knoll "C", as preserved in part by Specific Plan No. 1, shall also be preserved as designated on Exhibit "A" at a contour interval sloping from 225 feet on the east to 240 feet on the west.
6. The City of Walnut Creek should encourage the County to consider designating these areas into a "scenic easement" status.
7. At such time when the properties affected by this plan are developed further, development rights from the steeper hill areas should be transferred to the flatter portions of each parcel.