



## Legislation Details (With Text)

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**Status:** Public Hearing

**File created:** 9/1/2022 **In control:** Planning Commission

**On agenda:** 9/8/2022 **Final action:**

**Title:** GONTERMAN ENCROACHMENT (PA2022-127)  
Site Location: 2304 Cliff Drive

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ITEM NO. 2 STAFF REPORT

Date	Ver.	Action By	Action	Result
9/8/2022	1	Planning Commission		

### **GONTERMAN ENCROACHMENT (PA2022-127)**

**Site Location: 2304 Cliff Drive**

#### **Summary:**

A request to waive City Council Policy L-6 for proposed private improvements consisting of stairs, handrails, retaining walls, and planters that encroach up to eight (8) feet-five (5) inches into the Cliff Drive public right-of-way. The Cliff Drive parkway extends approximately 12 feet from face of curb to the property line. Council Policy L-6 ("Policy") prohibits the proposed stairs, handrails, retaining walls and planters since structures are limited to a 1-foot projection into the right-of-way and the height of encroachments are limited to three (3) feet from the top of curb elevation.

#### **Recommended Action:**

1. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 Class 3 (New Construction or Conversion of Small Structures), because it has no significant effect on the environment;
2. Find Waive City Council Policy L-6, *Encroachments in Public Rights-of-Way*, for non-compliant private improvements consisting of stairs, handrails, retaining walls, and planters that encroach into the Cliff Drive public right-of-way, contingent upon all conditions of the Encroachment Permit process being met; and
3. Adopt Resolution No. PC2022-021 waiving City Council Policy L-6 and approving Encroachment Permit No. N2022-0147.