

**CITY OF ENCINITAS
PLANNING AND BUILDING DEPARTMENT
LEGAL NOTICE OF PUBLIC HEARINGS
By The City Council**

PLACE OF MEETING: **Council Chambers, Civic Center
505 South Vulcan Avenue
Encinitas, CA 92024**

THE CITY OF ENCINITAS IS AN EQUAL OPPORTUNITY PUBLIC ENTITY AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICE. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE PLANNING AND BUILDING DEPARTMENT AT (760) 633-2710 AT LEAST 48 HOURS BEFORE THE MEETING IF DISABILITY ACCOMMODATIONS ARE NEEDED.

It is hereby given that a Public Hearing will be held on **Wednesday, July 21, 2010 at 6:00 p.m.**, or as soon as possible thereafter, by the Encinitas City Council to discuss the following hearing item of the City of Encinitas:

CASE NUMBER: 09-197 ADRMOD/CDP

FILING DATE: December 15, 2009

APPLICANT: Clearwire, Inc./Sprint

LOCATION: 1950 N. Coast Highway 101

DESCRIPTION: A public hearing to consider an appeal of the Planning and Building Director's decision approving an application for Administrative Design Review Permit Modification and Coastal Development Permit request to allow for the construction of a co-location wireless telecommunications facility and associated equipment. The proposed antennas and equipment will be placed on the existing roof of an existing commercial building. The original permit being modified is Case No. 02-026 ADR/CDP.

ZONING: The subject property is located in the North 101 Corridor Specific Plan Visitor Serving Commercial zone (N-VSC), the Scenic Visual Corridor Overlay (S/VCO) zone, the Coastal Appeal Zone and the Leucadia Community Area of the City of Encinitas.

ENVIRONMENTAL STATUS: The project has been determined to be exempt from environmental review pursuant to Section 15303(d) of the California Environmental Quality Act (CEQA) Guidelines. Section 15303(d) exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes water mains, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.

Under California Government Code Section 65009, if you challenge the nature of the proposed action in court, you may be limited to raising only the issues you or someone else presented regarding the matter described in this notice or written correspondence delivered to the City at or before the time and date of the determination. The action of the City Council in this matter may be appealed to the California Coastal Commission. For further information, or to review the project application prior to the hearing, contact Todd Mierau, Associate Planner, at (760) 633-2693, or the Planning and Building Department at (760) 633-2710, 505 South Vulcan Avenue, Encinitas, CA 92024-3633.