



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.28

MEETING DATE: 08/12/2025

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Shandell Levine

DEPT HEAD/DIRECTOR: Abraham Prado

SUBJECT:

RESOURCE MANAGEMENT AGENCY - A. PRADO, PLANNING AND BUILDING DIRECTOR

Adopt Resolution adopting findings consistent with the Board's June 24, 2025 decision denying the appeal (PLN250040) and upholding the Planning Commission's denial of a Conditional Use Permit for County Planning File PLN240053 (a proposed wireless telecommunications facility at 358 Seely Avenue, APN 025-320-001).

SBC FILE NUMBER: 790

RESOLUTION NO.: 2025-50

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

County Planning File PLN250040 proposes that the San Benito County Board of Supervisors adopt a Resolution denying the appeal (PLN250040) and upholding the Planning Commission's denial of a Conditional Use Permit for County Planning File PLN240053, which proposed construction of a 90-foot monopine wireless telecommunications facility at 358 Seely Avenue (APN 025-320-001).

On April 16, 2025, the Planning Commission denied the Conditional Use Permit (CUP) and associated Variance through adoption of Resolution No. 2025-03. The proposed project includes a new, unmanned wireless telecommunications facility designed as a 90-foot-tall monopine with up to twelve panel antennas, six remote radio units (RRUs), a two-foot microwave dish, and a GPS antenna, with the antennas mounted at a centerline height of 81 feet and a tip height of 85 feet. Ground-mounted support equipment would be installed at the base of the structure. The applicant sought approval of a CUP and Variance to permit construction of the facility at the proposed location.

The Planning Commission held a duly noticed public hearing on March 19, 2025, and subsequently adopted its resolution on April 16, 2025, denying the CUP and Variance. The Commission's findings concluded that the project is inconsistent with the San Benito County General Plan, fails to comply with applicable Zoning Code requirements, and does not satisfy the necessary findings under both local and federal standards. The Commission also found substantial evidence that the proposed facility would negatively impact public health, safety, and welfare due to its proximity to sensitive receptors, including adjacent residential properties and an undisclosed daycare facility. Additionally, the applicant did not adequately demonstrate that alternative sites or co-location opportunities were infeasible, as required by the County's wireless facility siting standards.

The applicant subsequently filed an appeal challenging the Planning Commission's decision.

The Board of Supervisors held a duly noticed public hearing on June 24, 2025, during which staff and the applicant presented and received public comment. Following deliberation, the Board voted to deny the appeal and uphold the Planning Commission's decision, directing staff to return with findings in support of its action.

This item returns to the Board for formal adoption of those findings.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

N/A

RFP AND BID HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

CONTRACT HISTORY (Describe all amendments and previous contracts):

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

Yes

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

Adopt Resolution adopting findings consistent with the Board's June 24, 2025 decision denying the appeal (PLN250040) and upholding the Planning Commission's denial of a Conditional Use Permit for County Planning File PLN240053 (a proposed wireless telecommunications facility at 358 Seely Avenue, APN 025-320-001).

ATTACHMENTS:

- [Resolution - Denial of PLN240053 MCKIE Appeal](#)
- [Resolution - Denial of PLN240053 MCKIE Appeal \(REDLINES FOR REFERENCE ONLY\)](#)
- [June 24, 2025 Presentation PLN250040](#)
- [June 24, 2025 Vertical Bridge Appeal presentation](#)
- [June 24, 2025 BOS STAFF REPORT PLN240053 APPEAL](#)
- [March 19 2025 PC Staff Report PLN240053](#)
- [April 16 2025 PC STAFF Report PLN240053](#)
- [Freelance Notice 2025-06-24](#)