



**SAN BENITO COUNTY  
AGENDA ITEM  
TRANSMITTAL FORM**

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**Item Number: 6.3**

**MEETING DATE:** 04/16/2025

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**AGENDA ITEM PREPARER:** Jonathan Olivas

**SUBJECT:**

**RESOURCE MANAGMENT AGENCY- A. PRADO, DIRECTOR - PLANNING AND BUILDING-  
Adopt a resolution to deny County Planning File PLN240053, a Conditional Use Permit (CUP) and  
variance for the construction of a new unmanned wireless telecommunications facility (cell  
tower) in the form of a 90-foot-tall monopine at 358 Seely Avenue, APN 025-320-001. The  
proposed facility would include up to twelve panel antennas, six remote radio units (RRUs), a  
two-foot microwave dish, and a GPS antenna, with associated equipment mounted at a centerline  
height of 81 feet and a tip height of 85 feet. Ground-mounted equipment would be installed at the  
base of the facility.**  
**SBC FILE NUMBER: 790**

**AGENDA SECTION:**

CONSENT AGENDA

**BACKGROUND/SUMMARY:**

The Planning Commission considered this item at a duly noticed public hearing on April 16, 2025, and directed staff to return with a resolution denying the Conditional Use Permit and Variance for County Planning File PLN240053. The Commission determined that the project is inconsistent with applicable General Plan policies, does not comply with the San Benito County Zoning Code, fails to satisfy required findings, and does not present adequate justification for approval under local or federal law. Specifically, the Commission heard evidence that the proposed wireless facility would have adverse effects on public health, safety, and welfare due to its proximity to sensitive receptors, including residential dwellings and a daycare facility that was not disclosed by the applicant. Additionally, the applicant did not sufficiently demonstrate that no feasible alternative sites or co-location opportunities were available.

**STRATEGIC PLAN GOALS: 1. Operational Development & Excellence**

No

**STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth**

Yes

**STRATEGIC PLAN GOALS: 3. Technology**

No

**STRATEGIC PLAN GOALS: 4. Community Engagement**

No

**STRATEGIC PLAN GOALS: 5. Health & Safe Community**

No

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt the attached resolution denying the Conditional Use Permit and Variance for PLN240053. The proposed wireless facility fails to meet required findings under the San Benito County Code for both a Conditional Use Permit and a Variance. As detailed in the resolution, the project would adversely affect public health, safety, and general welfare due to its proximity to sensitive receptors, including nearby residences and a daycare that was not disclosed by the applicant. The project also does not comply with applicable design, siting, and zoning standards, and lacks sufficient justification regarding alternative sites or co-location. The denial is consistent with federal law, as it is based on local zoning and land use standards—not radio frequency emissions. Additionally, under CEQA Guidelines Section 15270(a), no further environmental review is required because the project has been denied.

**ATTACHMENTS:**

[Resolution](#)

[Staff Summary](#)

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