June 10, 2010

BENICIA PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

REGULAR MEETING AGENDA

Thursday, June 10, 2010

7:00 P.M.

I. OPENING OF MEETING

A. Pledge of Allegiance

B. Roll Call of Commissioners

C. Reference to Fundamental Rights of Public - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. ADOPTION OF AGENDA

III. OPPORTUNITY FOR PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Planning Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda.

Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN

B. PUBLIC COMMENT

IV. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

***Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Planning Commissionmeeting, prior to the reading of the Consent Calendar.**

A. Approval of Minutes of May 13, 2010

V. REGULAR AGENDA ITEMS

A. USE PERMIT FOR AT&T WIRELESS FACILITY LOCATED AT 257 ESSEX WAY

09PLN-00039 - Use Permit

257 Essex Way, APN: 083-210-210

PROPOSAL:

The applicant requests approval of a Use Permit to install a wireless communication facility adjacent to the existing water tanks at 257 Essex Way. The facility consists of 12 pole-mounted panel antennas and an associated equipment enclosure.

Recommendation: Approve the Use Permit (09PLN-00039) to install a new wireless communication facility consisting of twelve (12) panel antennas mounted to twelve (12) ground-mounted poles measuring 19 feet in height and seven (7) equipment cabinets within a 375 square foot equipment

enclosure located near the water tanks at 257 Essex Way, based on the findings, and subject to the conditions listed in the attached resolution and as discussed during the public hearing.

B. LOWER ARSENAL MIXED USE SPECIFIC PLAN – RESOLUTION TO DENY

(CONTINUED)

PROPOSAL:

The Draft Lower Arsenal Mixed Use Specific Plan was prepared to implement the Lower Arsenal Mixed Use Designation of the General Plan. On May 13, 2010 the Planning Commission conducted a public hearing and reviewed the proposed Plan and accompanying Environmental Impact Report.

Recommendation:

Modify and/or confirm the draft resolution recommending that the City Council not adopt the Lower Arsenal Mixed Use Specific Plan and the EIR as written.

VI. COMMUNICATIONS FROM STAFF

A.

CONSIDERATION OF ADDING NEW INDUSTRIAL USES FOR ECONOMIC

VITALITY TO THE ZONING ORDINANCE

Receive a presentation regarding the City Economic Development Strategy initiative to add green and technology uses to industrial and commercial zones to enhance business attraction opportunities; provide feedback to staff on process for changes.

VII. COMMUNICATIONS FROM COMMISSIONERS

VIII. ADJOURNMENT

Public Participation

The Benicia Planning Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Planning Commission allows speakers to speak on agendized and non-agendized matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Planning Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Valerie Ruxton, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.

The Planning Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Planning Commission decisions that are final actions, not recommendations, are considered by the City Council. Appeals must be filed in the Public Works & Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.

Public Records

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Public Works & Community Development Department during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Public Works & Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Council Chambers. If you wish to submit written information on an agenda item, please submit to Gina Eleccion, Management Analyst, as soon as possible so that it may be distributed to the Planning Commission.

May 13, 2010 minutes (pdf)
257 Essex Way (pdf)
LAMUSP Reso (pdf)
Industrial Uses (pdf)

BENICIA PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

REGULAR MEETING MINUTES

Thursday, May 13, 2010
7:00 P.M.

I. OPENING OF MEETING

A. Pledge of Allegiance

B. Roll Call of Commissioners

Present: Commissioners Richard Bortolazzo, Don Dean, Rick Ernst, Lee Syracuse (arrived at 8:55pm), Brad Thomas and Chair Dan Healy

Absent: Commissioner Rod Sherry

Staff Present: Charlie Knox, Public Works & Community Development Director
Kat Wellman, Contract Attorney
Kathy Trinque Administrative Secretary

C. Reference to Fundamental Rights of Public - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. ADOPTION OF AGENDA

On motion of Commissioner Ernst, seconded by Commissioner Thomas, the agenda was adopted by the following vote:

Ayes: Commissioners Bortolazzo, Dean, Ernst, Syracuse, Thomas and Chair Healy
Noes: None
Absent: Commissioners Sherry and Syracuse
Abstain: None

III. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN

None.

B. **PUBLIC COMMENT**

Steve Goetz , 347 Goldenslopes Ct., commented on the community gateway policy that was discussed at the March Planning Commission meeting, specifically the Caltrans landscaping project at 680/780 and north of Benicia/Martinez Bridge. He attended a recently held meeting arranged by City staff with Caltrans and other interested parties to review Caltrans' landscaping plans. Caltrans complied with Benicia citizens' previous request to plant large trees; the plan includes 1300 new oak trees. The current plan compared to the previous project plan was reduced due to State budget constraints. Caltrans does not landscape for areas adjacent to industrial uses. About 10% of the area will be mulched and will remain native grass, which is mowed twice per year. There are several Caltrans programs that the City may pursue to enhance this project.

IV. CONSENT CALENDAR

On motion of Commissioner Ernst, seconded by Commissioner Dean, the agenda was adopted by the following vote:

Ayes:	Commissioners Bortolazzo, Dean, Ernst, Syracuse, Thomas and Chair Healy
Noes:	None
Absent:	Commissioners Sherry and Syracuse
Abstain:	None

A. Approval of Minutes of April 8, 2010

V. REGULAR AGENDA ITEMS

A. LOWER ARSENAL MIXED USE SPECIFIC PLAN.

LOCATION:

The Lower Arsenal is generally bounded by lands adjoining I-780 on the north, lands adjoining I-680 on the east, Port of Benicia land and the Carquinez Strait on the south, and residential neighborhoods extending into downtown Benicia on the west.

PROPOSAL:

The subject of the public hearing is a Specific Plan for the Lower Arsenal site, which is designated for mixed uses in the Benicia General Plan, covers four distinct zones, each of which exhibits a unique physical character. The Specific Plan includes a form-based code to shape future development on the project site, with primary emphasis on the physical form and character of new development. After build-out of the Specific Plan, the area could contain approximately 741,865 square feet of mixed uses, 22 new single-family residential units, and 6.39 acres of open space. The Specific Plan area currently contains approximately 525,000 square feet of mixed uses.

Recommended Action: Confirm or modify the Commission's prior recommendation that the City Council certify the Environmental Impact Report (EIR) and adopt the Lower Arsenal Mixed Use Specific Plan.

Commissioner Richard Bortolazzo recused himself due to economic interest in the Arsenal and left the room.

Charlie Knox gave an overview of the project and reviewed the chronology of the Lower Arsenal Mixed Use Specific Plan process. He summarized the concerns expressed and action taken by the Historic Preservation and Review Commission (HPRC) at its March 25, 2010 meeting. The HPRC recommended against approval of the plan and that the EIR not be certified.

The HPRC issues include:

1. Size of buildings on the Jefferson Ridge (no new buildings larger than the Commanding Officers Quarters).
2. Ratio of historic buildings to new buildings (3:1 preferred).
3. New development could adversely affect the National Register District.
4. Inadequate mitigation measures for potential toxic hazards.

Commissioners asked questions of staff.

The Public Hearing was opened.

Steve Goetz, 347 Goldenslopes Ct, asked for clarification on the format of discussion because the notice said that this was a workshop?

Charlie Knox responded that there was an error in the text (but not title) of the original notice, which was corrected by republishing the corrected notice in the newspaper.

Steve Goetz stated that he wanted to make sure that Belinda Smith's comments were considered. He stated that he is not in support of approval of the Specific Plan and EIR.

Marilyn Bardet stated that she wants to eliminate confusion about what the Arsenal toxic clean-up actually is. She reviewed her efforts with the City and the Department of Toxic Substances Control (DTSC) for cleanup of this area. She spoke against approval of the Specific Plan and the EIR.

Kathleen Olson, Olson Realty, presented a slide show of Arsenal photographs and spoke in favor of the Specific Plan and certification of the EIR. She supported clean up of the Arsenal area, but its clean up should not preclude plan adoption and EIR certification. She expressed concern that the Specific Plan and EIR cost $440,000 of the City's general fund money and it should not be wasted.

Mark Hajjar spoke in support of approval of the Specific Plan and certification of the EIR. He read his letter dated May 12, 2010 into the record.

Charlie Knox clarified that about one-third of the $440,000 spent included work that was done on the Downtown Mixed Use Master Plan.

Jon Van Landschoot stated that he agrees with Marilyn Bardet and Steve Goetz and supports their positions. He is a new HPRC member, but is not speaking for the HPRC. He expressed concern about maintaining the National Historic District designation. He stated that he hopes this action is not about money because parts of the plan can be salvaged. He asked the Commissioners to explain their votes.

Dan Raffanti spoke in favor of moving forward with approval of the Specific Plan and EIR. He expressed concern that we don't waste the money and efforts of many good people. He stated that Jefferson Ridge had a Phase 2 review already completed and the only toxics found were weed killer on one corner of the property.

Dana Dean, representing Amports, spoke against approval of the Specific Plan and EIR based on General Plan inconsistency, insufficient noise analysis and the problem of deferred mitigation measures. She reviewed the key points contained in the documents she submitted to the Commission.

Randy Potter, representing Unico, expressed concern about industrial noise impacting residents. They already receive complaints from existing residents. He stated his concern with the environmental problem and minimal clean up that has occurred. He stated support for more investigative work on toxics. Unico intends to continue its operations in the area.

Belinda Smith apologized for the lateness of her letter and information sent to the Commission. She reviewed the key points of her letter. She is not in support of the Specific Plan and certification of the EIR.

The Public Hearing was closed.

Commissioner Ernst asked Marilyn Bardet what is the timeline for DTSC to do a clean-up of this area.

Marilyn Bardet responded that, a rough ballpark timeframe, is if the cleanup process begins in July 2010, site characterization would take approximately 18 months, depending on what exactly is found, plus some additional time to involve the property owners in the process.

Discussion was held among Commissioners and staff responded to questions.

Commissioners stated their agreement with the decision made by the HPRC at their March 25, 2010 meeting:

"Recommend the Lower Arsenal Mixed Use Specific Plan not be adopted because it includes development that could adversely affect the National Register District, does not appear to meet the Secretary of the Interior Standards, and does not address sustainability goals and policies of the General Plan."

"Recommend the Environmental Impact Report not be certified because impacts to historic resources are not adequately analyzed and adequate mitigation measures are not included."

After discussion, the Planning Commissioners concluded that:

The Specific Plan needs serious modification and rework. They do not accept the EIR as adequate because it should (1) limit the building size for new projects, (2) include a ratio of 3 (or 2) historic buildings to 1 new building; (3) address the issue of the compatibility

of residential use with existing industrial uses; (4) adequately address the impact to the historic integrity of the Historic District in its entirety.

The Commissioners directed staff to draft a resolution for their adoption at the June Planning Commission meeting.

A motion was made by Commission Dean and seconded by Commissioner Ernst as follows:

Recommend that the City Council reject the Specific Plan as written, and further recommend that the Plan include the following specific modifications:

(1) limit the building size for new projects,
(2) a ratio of 3 (or 2) historic buildings to 1 new building;
(3) address the issue of compatibility of residential use with existing industrial uses;
(4) adequately address the impact to the historic integrity of the Historic District in its entirety.

Recommend that the City Council not adopt the EIR until there is appropriate environmental analysis of the Specific Plan modification, that the Council wait until the City has more information on the DTSC clean up characterization process for the lower Arsenal area and that the environmental documents be reviewed again by HPRC, Planning Commission and City Council.

Ayes:	Commissioners Dean, Ernst, Thomas, and Chair Healy
Noes:	None
Absent:	Commissioner Syracuse
Abstain (recused):	Commissioners Bortolazzo and Sherry

VI. COMMUNICATIONS FROM STAFF

A. SUMMARY OF CC MYERS/AMPORTS DESIGN REVIEW APPROVAL AT 2000 PARK ROAD (PINE LAKE).

Charlie Knox distributed exhibits showing the landscaping plans for the CC Myers, 2000 Park Road, project and reviewed the process staff followed for the Decision of Record No. 10-2, that was included in the Commission's agenda packet.

Charlie Knox stated that staff is presenting this information to the Commission and members of the public for information and questions. Staff has worked with CC Myers to craft a solution to improve the view from the 780 freeway. The property owner will do some additional clean up and organization of the material storage. The current zoning does allow for storage of construction materials outdoors.

Dana Dean, representing CC Myers, stated that CC Myers voluntarily brought this application to the City. CC Myers is making an effort to address the City's concerns about gateway views. The new trees will draw the eye upward and the landscaping will mask the on-site storage. The water features were not required. The new trees and water features will be in place soon.

Commissioners asked further questions of Ms. Dean.

Steve Goetz, 347 Goldenslopes Ct, commented that he would like to see that the plant density on the CC Myers project be the same as the Caltrans landscape plan. He offered some comments on the specific plantings and irrigation and asked for elaboration on the water features.

Charlie Knox responded that the water features range from decorative waterways to lakes or ponds. The City Attorney's office has determined that these features meets the terms of the development agreement, therefore staff had the authority to approve the application.

VII. COMMUNICATIONS FROM COMMISSIONERS

None.

VIII. ADJOURNMENT

Meeting was adjourned at 9:32 pm.

AGENDA ITEM
PLANNING COMMISSION MEETING: JUNE 10, 2010
REGULAR AGENDA ITEMS

DATE	:	June 3, 2010
TO	:	Planning Commission
FROM	:	Sharon Williams, Development Services Technician
SUBJECT	:	**USE PERMIT FOR 257 ESSEX WAY, AT&T WIRELESS COMMUNICATION FACILITY**

RECOMMENDATION:

Approve the Use Permit (09PLN-00039) to install a new wireless communication facility consisting of twelve (12) panel antennas mounted to twelve (12) ground-mounted poles measuring 19 feet in height and seven (7) equipment cabinets within a 375 square foot equipment enclosure located near the water tanks at 257 Essex Way, based on the findings, and subject to the conditions listed in the proposed resolution and as discussed during the public hearing.

EXECUTIVE SUMMARY:

The applicant requests approval of a Use Permit to install a wireless communication facility adjacent to the existing water tanks at 257 Essex Way. The facility consists of twelve (12) pole-mounted panel antennas and an associated equipment enclosure.

GENERAL PLAN:

Relevant General Plan Policies and Programs:

- Goal 2.43: allow installation of telecommunications equipment and distribution networks that maintain and protect health, safety, and quality of life and avoid visual clutter
    - Program 2.43.1: Minimize the visual impacts of siting exposed commercial antenna structures in scenic corridors and residential and historic districts.

STRATEGIC PLAN:

Relevant Strategic Plan Issues and Strategies:

- Strategic Issue #4: Preserving and Enhancing Infrastructure
    - Strategy #3: Address technology needs

BUDGET INFORMATION:

As a City-owned property, the proposed facility requires a lease between the City of Benicia and AT&T. The lease will result in an upfront payment and a monthly rent paid to the City starting in the middle of year four.

ENVIRONMENTAL ANALYSIS:

Staff has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 that exempts new construction of small facilities or structures.

BACKGROUND:

Applicant/Owner: Shannon McDougall for AT&T Wireless/ City of Benicia
General Plan designation/Zoning: OS, Open Space
Existing use: Public, City of Benicia water tanks
Adjacent zoning and uses:

North: OS, Open Space / RS, Single Family Residential
South: OS, Open Space / RS, Single Family Residential
East: OS, Open Space / RS, Single Family Residential
West: OS, Open Space / RM, Medium Density Residential

The proposed project also requires Staff-Level Design Review approval, which was granted on June 3, 2010.

SUMMARY:

A. Project Description

AT&T Wireless proposes to install twelve (12) panel antennas mounted on twelve (12) individual 19-foot tall ground-mounted poles and associated equipment. The proposed antennas are approximately six feet long and 11 inches wide. The proposed facility will be located adjacent to the existing water tanks at 257 Essex Way near Panorama Drive.

The associated equipment would consist of seven (7) base transceiver stations (BTS) cabinets and be located within a new 15-foot by 25-foot enclosure (375 square feet) and measure six-feet in height. The enclosure consists of a concrete pad surrounded with a six-foot chain link fence with wood slats and a four-foot wide access gate.

Access to the facility is via an existing road at the northern terminus of Essex Way.

B. Project Analysis

Zoning Ordinance Consistency:
The site has a Zoning and General Plan designation of Open Space. Development regulations shall be specified by the use permit. Per Section 17.36.040 of the Benicia Municipal Code, the regulations of the nearest base district shall apply to the use; Single-Family Residential (RS) shall be used as the base district.

Wireless communication facilities are regulated under Section 17.70.250 of the Benicia Municipal code.

General Plan Consistency:
General Plan Goal 2.43 is to "*allow installation of telecommunications equipment and distribution networks that maintain and protect health, safety, and quality of life and avoid visual clutter.*" The installation of the proposed antennas will be consistent with that goal because the coverage those customers receive will be expanded and strengthened. In addition, the facility is located adjacent to existing water tanks, which give the pole-mounted facility a backdrop. The facility is also on a site with several other wireless facilities to consolidate the visual clutter.

Public Health and Safety:
The Federal Communication Commission (FCC) sets the limits for human exposure to radio frequency electromagnetic fields. According to the report dated May 11, 2010 provided by Hammett & Edison, Inc., the maximum calculated field strength in publicly accessible areas of the proposed project will be less than 29% of the applicable public limit for unlimited exposure. The cumulative levels for all carriers at this facility shall be 35% of the applicable limit for unlimited exposure. This is well below the exposure limits set forth by the FCC for human exposure to radio frequency electromagnetic fields. Therefore, the proposed facility installation will not create any nuisance or be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

Findings:
Pursuant to Section 17.104.060, all use permits shall require the following findings:

a) The Planning Commission finds that the proposed development is consistent with the objectives and provisions of Title 17 of the Benicia Municipal Code and the purposes of the Open Space (OS) zoning district. *The purpose of Open Space is to provide a suitable classification for large public or private sites permanently designated for park or open space use. Utilities are a permitted use in the Open Space zoning district and this site currently houses City water tanks and other wireless communication facilities.*

b) The proposed location of the wireless communications facility and the proposed conditions of approval will be consistent with the General Plan and with Title 17 of the Benicia Municipal Code and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, nor detrimental to properties or improvements in the vicinity or to the

general welfare of the city. *The proposed facility is in compliance with all FCC regulations and is consistent with the Benicia Municipal Code and the General Plan.*

c) The proposed use will comply with the provisions of Title 17 (Benicia Zoning Ordinance), including specific conditions required for use in the district in which it will be located. *The proposed wireless communications facility complies with the Benicia Municipal Code and all applicable conditions required in the Open Space (OS) zoning district.*

In addition to the findings listed above, the following five additional wireless communication facility findings are required pursuant to 17.70.250 (H):

a) The proposed location of the project and the conditions under which it would be operated and maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity *because the proposed wireless communications facility will be installed at a site that houses City water tanks and several wireless facilities that is not accessible to the general public.*

b) Development of the proposed facility as conditioned will not significantly affect any designated visual resources, environmentally sensitive resources, community character resources; or, that there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed wireless communications facility as conditioned *because this site currently has several existing wireless facilities and the proposed facility would not pose any significant impact to surrounding parcels.*

c) The proposed facility is in compliance with all FCC regulations *because based on the EMF Study performed by Hammett & Edison, Inc. dated May 11, 2010, the proposed wireless facility complies with the prevailing FCC standards and regulations for limiting public exposure to radio frequency energy.*

d) The proposed location and design of the project and the conditions under which it would be operated or maintained will be consistent with all elements of the Benicia General Plan *because the use is consistent with the Open Space zoning designation and the zoning ordinance.*

e) The proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be visually compatible with the physical design aspects *because there are several other communication facilities at this site, so it will not add to the visual clutter.*

C. Conclusion

Approve the Use Permit to install a new wireless communication facility consisting of twelve (12) panel antennas mounted to twelve (12) ground-mounted poles measuring 19 feet in height

and seven (7) equipment cabinets within a 375 square foot equipment enclosure located near the water tanks at 257 Essex Way, based on the findings, and subject to the conditions listed in the attached resolution and as discussed during the public hearing.

FURTHER ACTION:

The Planning Commission's action will be final unless appealed to the City Council within ten business days.

Attachments:

- Draft Resolution
- Project Plans
- Photographs

DRAFT RESOLUTION

RESOLUTION NO. 10- (PC)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BENICIA APPROVING A USE PERMIT FOR INSTALLATION OF A WIRELESS COMMUNICATION FACILITY AT 257 ESSEX WAY, APN: 083-210-210 (USE PERMIT 09PLN-00039)

WHEREAS, AT&T Mobility has requested Use Permit approval for a wireless communications facility at 257 Essex Way; and

WHEREAS, the Planning Commission at a regular meeting on June 10, 2010, conducted a public hearing and reviewed the proposed project;

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Benicia hereby approves the wireless communications facility; and

BE IT FURTHER RESOLVED THAT the Planning Commission finds that:

a) The proposed location of the project and the conditions under which it would be operated and maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity *because the proposed wireless communications facility will be installed at a site that houses City water tanks and several wireless facilities that is not accessible to the general public.*

b) Development of the proposed facility as conditioned will not significantly affect any designated visual resources, environmentally sensitive resources, community character resources; or, that there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed wireless communications facility as conditioned *because this site currently has several existing wireless facilities and the proposed facility would not pose any significant impact to surrounding parcels.*

c) The proposed facility is in compliance with all FCC regulations *because based on the EMF Study performed by Hammett & Edison, Inc. dated May 11, 2010, the proposed wireless facility complies with the prevailing FCC standards and regulations for limiting public exposure to radio frequency energy.*

d) The proposed location and design of the project and the conditions under which it would be operated or maintained will be consistent with all elements of the Benicia General Plan *because the use is consistent with the Open Space zoning designation and the zoning ordinance.*

e) The proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be visually compatible with the physical design

aspects *because there are several other communication facilities at this site, so it will not add to the visual clutter.*

BE IT FURTHER RESOLVED THAT the Benicia Planning Commission hereby approves the proposed project subject to the following conditions:

1. The plans and maps submitted for approval and development of the site shall be in substantial compliance with the plans dated January 20, 1010 prepared by Streamlining Engineering consisting of five sheets on file in the Public Works & Community Development Department.

2. This approval shall expire two years from the date of approval, unless made permanent by the issuance of a building permit and the commencement of work that is diligently pursued to completion. Alternatively, the time period may be extended, by the Public Works & Community Development Director, if the application for time extension is received prior to the end of the initial two year deadline and there has been no change in the City's development policies which affect the site and there is no change in the physical circumstances nor new information about the project site which would warrant reconsideration of the approval.

3. The project shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.

4. Existing water facilities and appurtenances shall be protected in place. Any damages incurred as a result of this project to City facilities and appurtenances will be immediately repaired at the sole cost and expense of AT&T.

5. Antennas, support structures and related equipment shall be removed within 90 calendar days of the discontinuation of the use of a wireless communication facility and the site shall be restored to its previous condition. The applicant shall notify the Public Works & Community Development Department in writing of the intent to remove the facility within 30 days prior to discontinuance.

6. The operator of a wireless communication facility must correct interference problems experienced by any person or entity with respect to equipment such as television, radio, computer, and telephone reception or transmission that are caused by the facility. The operator shall be responsible for all labor and equipment costs for determining the source of the interference and all costs associated with eliminating the interference.

7. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Public Works & Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval which

action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

* * * * *

On motion of Commissioner , seconded by Commissioner , the above Resolution was adopted by the Planning Commission of the City of Benicia at a regular meeting of said Commission held on June 10, 2010 by the following vote:

Ayes:
Noes:
Absent:

_____
Dan Healy
Planning Commission Chair

PROJECT PLANS

(If viewing online, these attachments are available to view in the Public Works & Community Development Department or in the Benicia Public Library in the June 10, 2010 Planning Commission packet)

at&t

COLUMBUS PARKWAY

CN0772

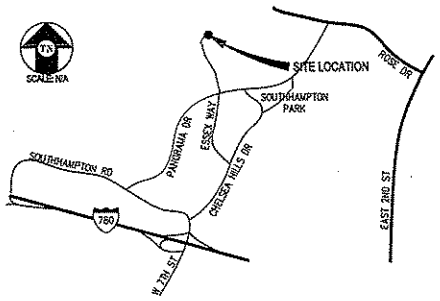
PROJECT DESCRIPTION

A (P) UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF A (P) 15'X25' LEASE AREA W/ (4) (P) 3106 RBS CABINETS, (3) (P) 2106 RBS CABINETS, (12) (P) ANTENNAS & (9) (P) TMA'S.

PROJECT INFORMATION

SITE NAME:	COLUMBUS PARKWAY	SITE #:	CN0772
COUNTY:	SOLANO	JURISDICTION:	CITY OF BENICIA
APN:	0083-210-210	POWER:	PG&E
SITE ADDRESS:	ESSEX WAY @ PANORAMA DR, BENICIA, CA 94510	TELEPHONE:	AT&T
CURRENT ZONING:	–		
CONSTRUCTION TYPE:	II		
OCCUPANCY TYPE:	U		
PROPERTY OWNER:	CITY OF BENICIA, MARIO GULIANI 250 EAST L STREET BENICIA, CA 94510		
APPLICANT:	AT&T 4420 ROSEWOOD DR BLDG 2, 3RD FLOOR PLEASANTON, CA 94588		
LEASING CONTACT:	ATTN: JOHN STARRET (415) 250-0292		
ZONING CONTACT:	ATTN: SHANNON McDOUGAL (415) 244-6018		
CONSTRUCTION CONTACT:	ATTN: JASON WAHLGEMUTH (916) 995-7963		
LATITUDE: LONGITUDE:	N 38° 04' 41.99" NAD 83 W 122° 09' 40.99" NAD 83		
AMSL:	±567'		

VICINITY MAP



DRIVING DIRECTIONS

FROM: 4420 ROSEWOOD DR BLDG 2, 3RD FLOOR, PLEASANTON, CA 94588
TO: ESSEX WAY @ PANORAMA DR, BENICIA, CA 94510

1.	HEAD EAST ON ROSEWOOD DR TOWARD OLD SANTA RITA RD	0.4 MI
2.	TURN LEFT AT SANTA RITA RD	0.4 MI
3.	MERGE ONTO I-580 W VIA THE RAMP TO OAKLAND	2.7 MI
4.	TAKE THE EXIT ONTO I-680 N TOWARD SACRAMENTO	28.6 MI
5.	TAKE EXIT 58A ON THE LEFT TOWARD BENICIA/VALLEJO	0.6 MI
6.	MERGE ONTO I-780 W	1.8 MI
7.	TAKE THE SOUTHAMPTON RD EXIT	0.2 MI
8.	TURN RIGHT AT SOUTHAMPTON RD	400 FT
9.	TURN RIGHT AT CHELSEA HILLS DR	0.3 MI
10.	TURN LEFT AT ESSEX WAY	0.3 MI

END AT: ESSEX WAY @ PANORAMA DR, BENICIA, CA 94510

ESTIMATED TIME: 39 MINUTES ESTIMATED DISTANCE: 35.4 MILES

CODE COMPLIANCE

ALL WORK & MATERIALS SHALL BE PERFORMED & INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

1. 2007 CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25)
2. 2007 CALIFORNIA BUILDING CODE
3. 2007 CALIFORNIA ELECTRICAL CODE
4. 2007 CALIFORNIA MECHANICAL CODE
5. 2007 CALIFORNIA PLUMBING CODE
6. 2007 CALIFORNIA FIRE CODE
7. LOCAL BUILDING CODES
8. CITY/COUNTY ORDINANCES
9. ANSI/EIA-TIA-222-F

ALONG WITH ANY OTHER APPLICABLE LOCAL & STATE LAWS AND REGULATIONS

HANDICAP REQUIREMENTS

THIS FACILITY IS UNMANNED & NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS & REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH CALIFORNIA STATE ADMINISTRATIVE CODE, TITLE 24 PART 2, SECTION 1105B.3.4.2, EXCEPTION 1

SHEET INDEX

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	A
LS-1	SURVEY	–
A-1	OVERALL SITE PLAN & SITE PLAN	A
A-2	EQUIPMENT PLAN & ANTENNA PLAN	A
A-3	ELEVATIONS	A

APPROVAL

RF

LEASING

ZONING

CONSTRUCTION

AT&T

ERICSSON

COLUMBUS PARKWAY

CN0772
ESSEX WAY @ PANORAMA DR
BENICIA, CA 94510

ISSUE STATUS

△	DATE	DESCRIPTION	BY
	05-13-09	ZD 90%	–
	10-27-09	ZD 100%	–
△	01-20-10	ZD 100%	CL
	–	–	–
	–	–	–
	–	–	–

DRAWN BY: J. LEWIS
CHECKED BY: L. HOUGHTBY
APPROVED BY: B. McCOMB
DATE: 01/20/10

Streamline Engineering and Design, Inc.
11768 Atwood Rd, Suite 20 Auburn, CA 95603
Contact: Larry Houghtby Phone: 916-275-4180
E-Mail: larry@streamlineeng.com Fax: 530-823-8783

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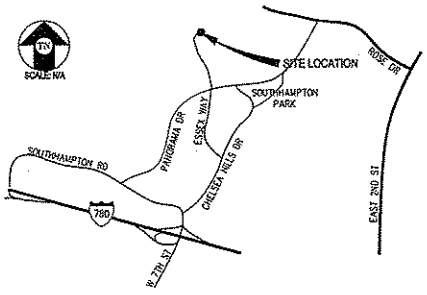
at&t

4420 ROSEWOOD DR, BLDG 2, 3RD FLOOR
PLEASANTON, CA 94588

SHEET TITLE:
TITLE

SHEET NUMBER:
T-1



VICINITY MAP

NOT TO SCALE

SITE DATA

DATE OF SURVEY: 03/27/09

SITE NAME & NUMBER: COLUMBUS PARKWAY, CN0772

SITE ADDRESS: ESSEX WAY @ PANORAMA DRIVE
BENICIA, CA 94510

APN: 0083-210-210

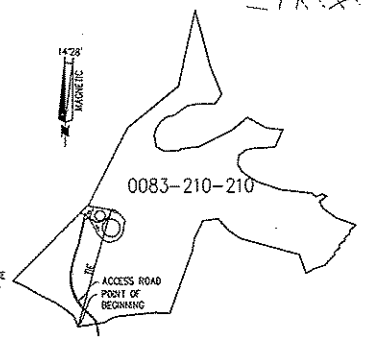
OWNER: CITY OF BENICIA, MARIO GUILIANI
250 EAST "L" STREET
BENICIA, CA 94510

PARCEL LEGAL DESCRIPTION

A PORTION OF PARCEL 8 AS SHOWN ON THE MAP ENTITLED "FINAL MAP OF SOUTHAMPTON UNIT D-3" FILED IN BOOK 61 OF MAPS, PAGE 92, SOLANO COUNTY RECORDS BENICIA, SOLANO COUNTY, CALIFORNIA.

LEASE DESCRIPTION

COMMENCING AT THE SOUTHERNMOST CORNER OF PARCEL 8 AS SHOWN ON THE MAP ENTITLED "FINAL MAP OF SOUTHAMPTON UNIT D-3" FILED IN BOOK 61 OF MAPS, PAGE 92, SOLANO COUNTY RECORDS BENICIA, SOLANO COUNTY, CALIFORNIA; THENCE NORTH 16°05'47" EAST 1104.48 FEET TO THE POINT OF BEGINNING; THENCE NORTH 09°21'18" EAST 15.00 FEET; THENCE SOUTH 80°38'42" EAST 25.00 FEET; THENCE SOUTH 09°21'18" WEST 15.00 FEET; THENCE NORTH 80°38'42" WEST 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING 375 SQUARE FEET.



OVERALL PARCEL

1" =500'

GENERAL NOTES

1. ELEVATIONS SHOWN ARE BASED ON NAVD88 DATUM. BEARINGS SHOWN ARE BASED UPON CALIFORNIA STATE COORDINATE SYSTEM ZONE 3 NAD83 DATUM.

2. THE LOCATION OF EXISTING UTILITY FACILITIES HAS NOT BEEN RESEARCHED. THE CONTRACTOR SHALL CONTACT THE RESPECTIVE UTILITY COMPANIES TO OBTAIN INFORMATION REGARDING THE EXACT DEPTH OF BURIAL AND HORIZONTAL LOCATION OF UTILITY LINES PRIOR TO CONSTRUCTION. STREAMLINE ENGINEERING & DESIGN, INC. ASSUMES NO RESPONSIBILITY FOR THE DELINEATION OF SUCH UNDERGROUND UTILITIES, NOR FOR THE EXISTENCE OF BURIED OBJECTS WHICH ARE NOT SHOWN ON THE PLAN.

3. WE HAVE REVIEWED THE TITLE REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY, ORDER #:0131-616888ALA DATED 12/31/2008. THE PROPERTY LINES SHOWN IS BASED ON RECORD INFORMATION AND FOUND MONUMENTATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON RECORD INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED EXCEPT AS SHOWN ON THIS PLAN. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED EXCEPT AS SHOWN ON THIS PLAN. NO PROPERTY MONUMENTS WERE SET.

FAA 1A CERTIFICATION

LATITUDE AND LONGITUDE WAS OBTAINED FROM INFORMATION PROVIDED BY A GPS SURVEY. THE GEODETIC POSITION SHOWN WAS DETERMINED UTILIZING RTK GPS OBSERVATIONS FROM USGS MONUMENTS USING A TRIMBLE R8 RECEIVER. THE DATA WAS DIFFERENTIALLY CORRECTED WITH TRIMBLE SOFTWARE. LATITUDE AND LONGITUDE SPECIFIED ON THIS PLAN ARE ACCURATE TO WITHIN ±15 FEET HORIZONTALLY AND THE ELEVATIONS SHOWN ARE ACCURATE TO WITHIN ±3 FEET VERTICALLY.

LATITUDE: N 38°04'41.99" (NAD83)
LONGITUDE: W 122°09'40.99" (NAD83)
ELEVATION: 567' (NAVD88) AMSL

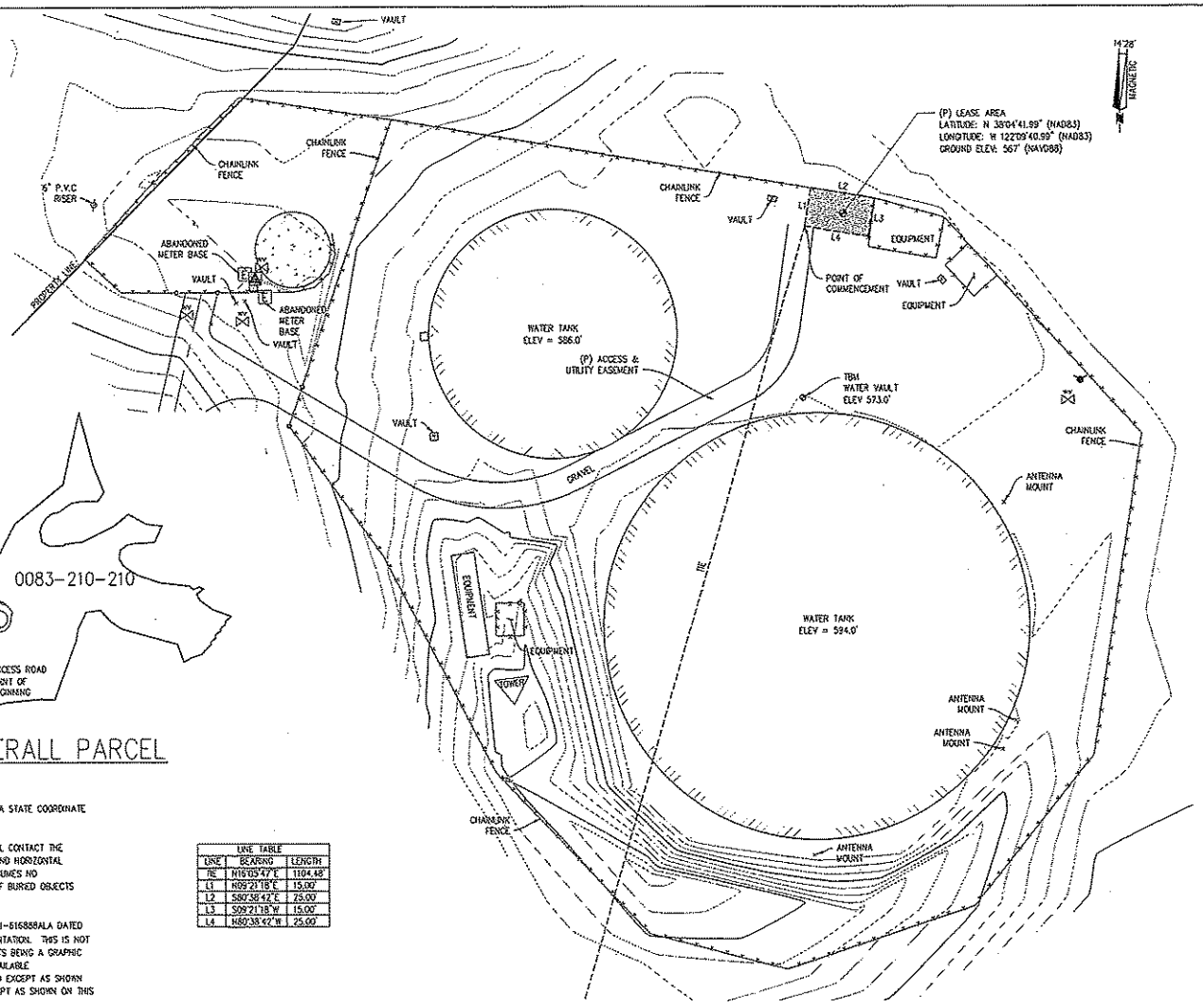
LINE TABLE		
LINE	BEARING	LENGTH
RE	N16°05'47"E	1104.48'
L1	N09°21'18"E	15.00'
L2	S80°38'42"E	25.00'
L3	S09°21'18"W	15.00'
L4	N80°38'42"W	25.00'

SURVEYOR CERTIFICATION

ON BEHALF OF STREAMLINE ENGINEERING & DESIGN, INC., I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY SUPERVISION DURING THE MONTH OF MARCH, 2009. THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

JEFFERY H. GARCIA
LS 6521
EXP. 12/31/10

DATE



SITE PLAN

1" =20'
20 0 10 20

LEGEND

- WATER VALVE
- TRANSFORMER
- ELECTRIC METER
- FIRE HYDRANT
- GATE POST
- P.V.C. MARKER
- MISCELLANEOUS FEATURE AS NOTED

COLUMBUS PARKWAY

CN0772
ESSEX WAY @ PANORAMA DR.
BENICIA, CA 94510

ISSUE STATUS

△	DATE	DESCRIPTION	BY
	05/19/09	90%	-
	06/13/09	90%	A
	07/21/09	100%	-
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: E. SWENSON
CHECKED BY: B. MCCOMB
APPROVED BY: J. GARCIA
DATE: 07/21/09

Streamline Engineering
CIVIL DESIGN INC.
11768 Atwood Rd, Suite 20 Auburn, CA 95603
Contact: Larry Houghby Phone 916-275-4100
E-Mail: larry@streamlineeng.com Fax: 530-823-8783

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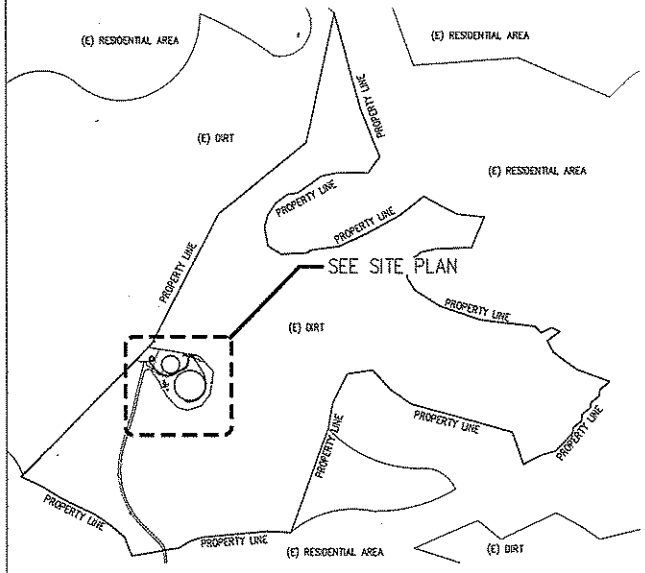
PROFESSIONAL LAND SURVEYOR
JEFFERY H. GARCIA
LS 6521
STATE OF CALIFORNIA

at&t

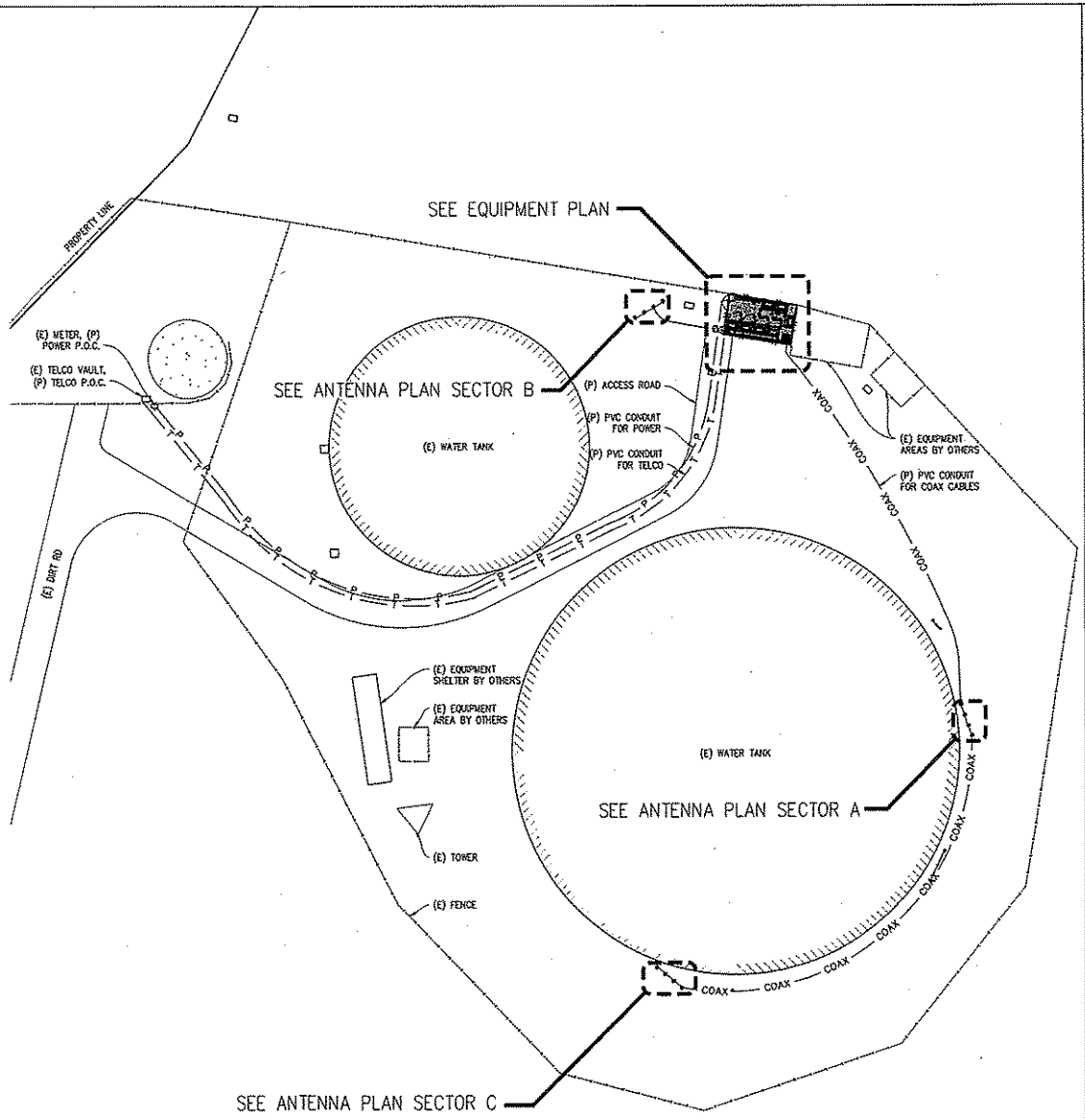
4420 ROSEWOOD DR, BLDG 2 3RD FLOOR
PLEASANTON, CA 94588

SHEET TITLE:
SURVEY

SHEET NUMBER:
LS-1



OVERALL SITE PLAN
1"=300'



SITE PLAN
1"=20'

COLUMBUS PARKWAY

CN0772
ESSEX WAY @ PANORAMA DR
BENICIA, CA 94510

ISSUE STATUS

△	DATE	DESCRIPTION	BY
	06-13-09	ZD 90%	-
	10-27-09	ZD 100%	-
△	01-20-10	ZD 100%	CL
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: J. LEWIS
CHECKED BY: L. HOUGHTBY
APPROVED BY: B. McCOMB
DATE: 01/20/10

Streamline Engineering
11769 Atwood Rd, Suite 30 Auburn, Ca 95603
Contact: Larry Houghtby Phone: 916-276-4180
E-Mail: larry@streamlineeng.com Fax: 530-823-0763

at&t

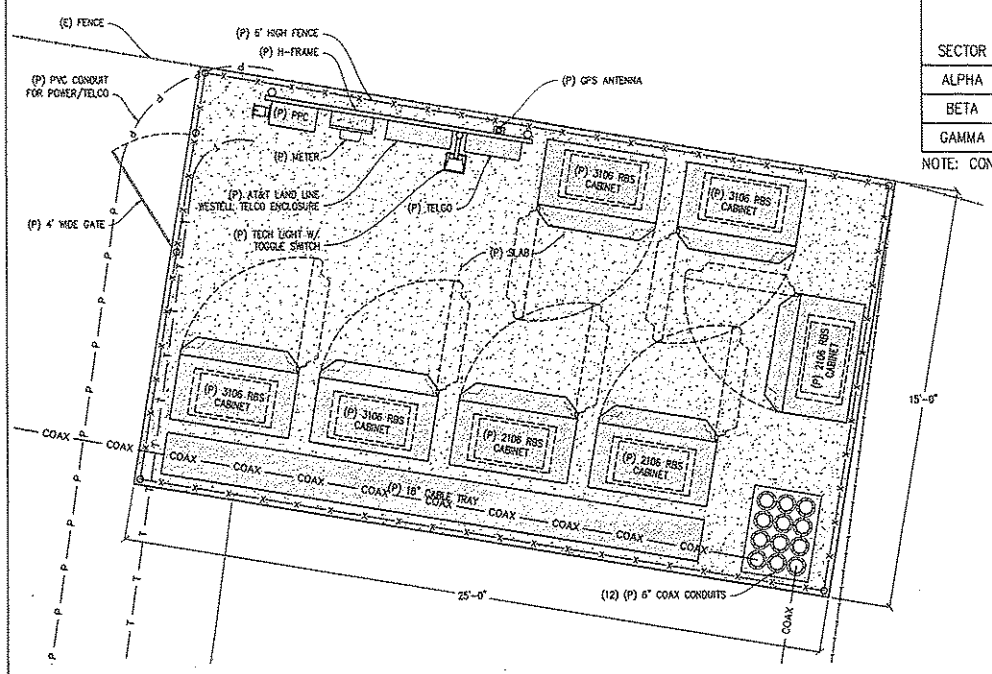
4420 ROSEWOOD DR. BLDG 2, 3RD FLOOR
PLEASANTON, CA 94588

SHEET TITLE:
OVERALL SITE PLAN & SITE PLAN

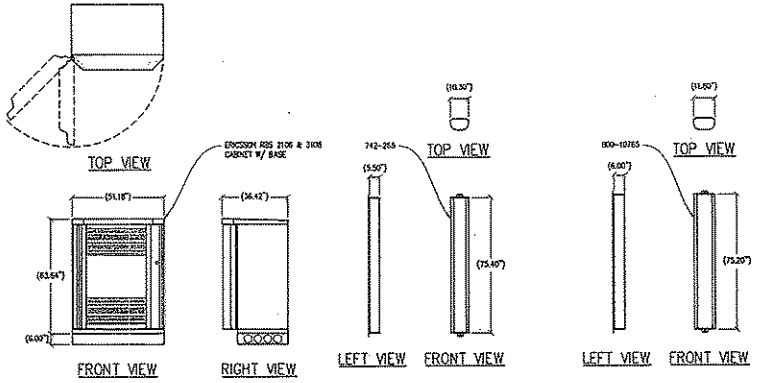
SHEET NUMBER:
A-1

SECTOR	RF CONFIGURATION VERSION: 1.5 DATED: 12-03-09										
	COAX			ANTENNA							
	#	LENGTH	SIZE	MODEL	#	TMA	MDT	EDT	RET	RAD	AZIMUTH
ALPHA	10	165'	1 5/8"	742-265/ 800-10765	3/1	3	0'	0'	YES	16'-0"	70'
BETA	10	55'	7/8"	742-265/ 800-10765	3/1	3	0'	0'	YES	16'-0"	330'
GAMMA	10	340'	1 5/8"	742-265/ 800-10765	3/1	3	0'	0'	YES	16'-0"	220'

NOTE: CONTRACTOR TO VERIFY LATEST RF DESIGN



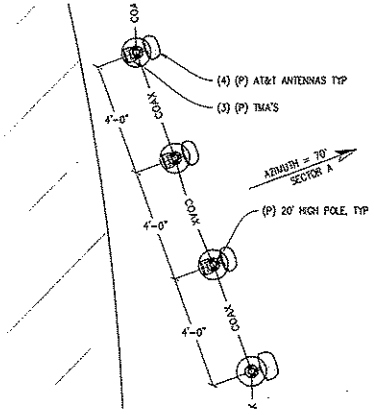
EQUIPMENT PLAN
1/2"=1'



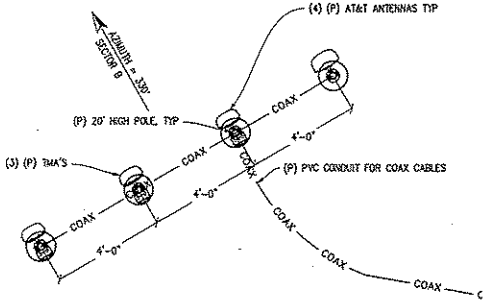
1 RBS DETAIL 1/2"=1'

2 ANTENNA DETAIL 1/2"=1'

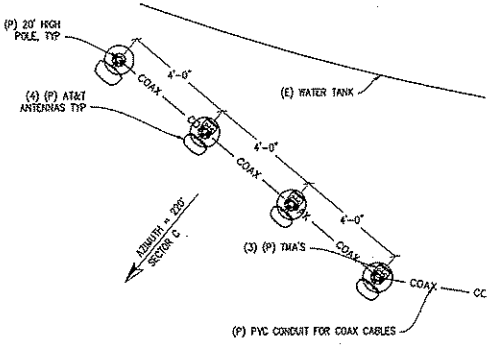
3 ANTENNA DETAIL 1/2"=1'



ANTENNA PLAN SECTOR A
1/2"=1'



ANTENNA PLAN SECTOR B
1/2"=1'



ANTENNA PLAN SECTOR C
1/2"=1'

COLUMBUS PARKWAY

CN0772
ESSEX WAY @ PANORAMA DR
BENICIA, CA 94510

ISSUE STATUS

△	DATE	DESCRIPTION	BY
	06-13-09	ZD 50%	-
	09-27-09	ZD 100%	-
△	01-20-10	ZD 100%	CL
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: J. LEWIS
CHECKED BY: L. HOUGHTBY
APPROVED BY: B. McCOMB
DATE: 01/20/10

Streamline Engineering and Design, Inc.
11768 Atwood Rd. Suite 20 Auburn, CA 95603
Contact: Larry Houghtby Phone: 916-275-4180
E-Mail: larry@streamlineeng.com Fax: 530-823-8783

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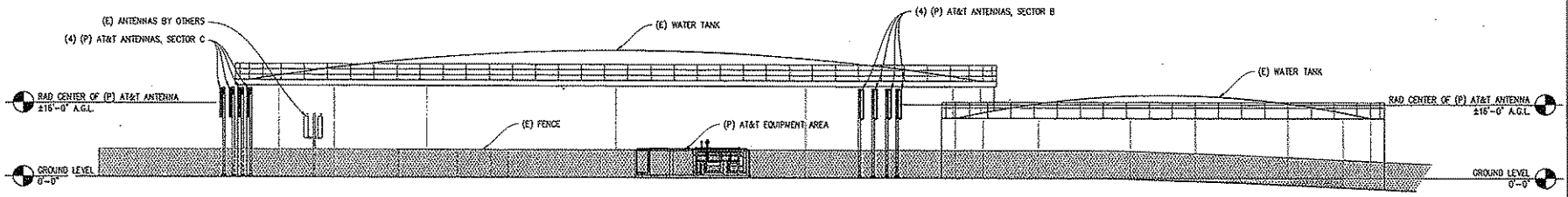
at&t

4420 ROSEWOOD DR. BLDG 2, 3RD FLOOR
PLEASANTON, CA 94588

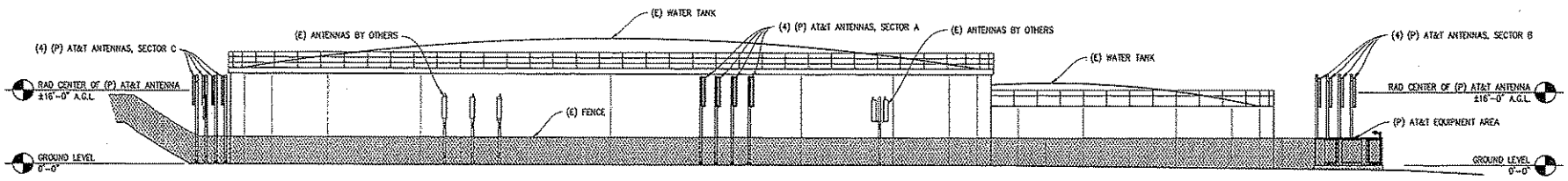
SHEET TITLE:
EQUIPMENT PLAN & ANTENNA PLAN

SHEET NUMBER:
A-2



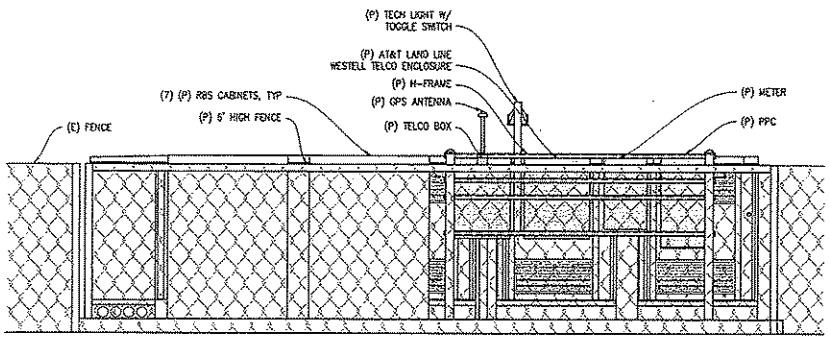
NORTH ELEVATION

3/32"=1'



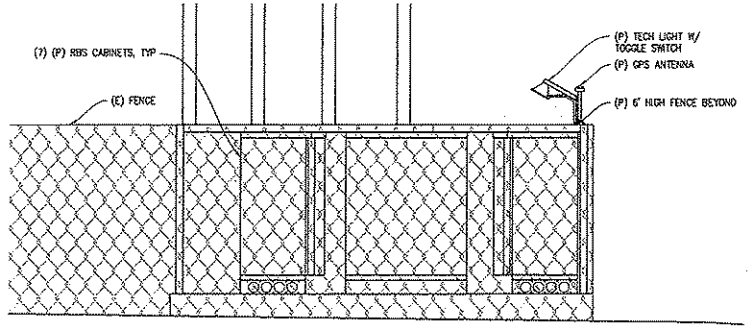
EAST ELEVATION

3/32"=1'



NORTH EQUIPMENT ELEVATION

1/2"=1'



EAST EQUIPMENT ELEVATION

1/2"=1'

COLUMBUS PARKWAY

CN0772

ESSEX WAY @ PANORAMA DR
BENICIA, CA 94510

ISSUE STATUS

△	DATE	DESCRIPTION	BY
	06-13-09	ZD 90%	-
	10-27-09	ZD 100%	-
△	01-20-10	ZD 100%	CL
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: J. LEWIS

CHECKED BY: L. HOUGHTBY

APPROVED BY: B. McCOMB

DATE: 01/20/10

Streamline Engineering
11766 Atwood Rd. Suite 20 Auburn, CA 95603
Contact: Larry Houghtby Phone: 916-275-6180
E-Mail: larry@streamlineeng.com Fax: 530-823-9783

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4420 ROSEWOOD DR. BLDG 2, 3RD FLOOR
PLEASANTON, CA 94588

SHEET TITLE:

ELEVATIONS

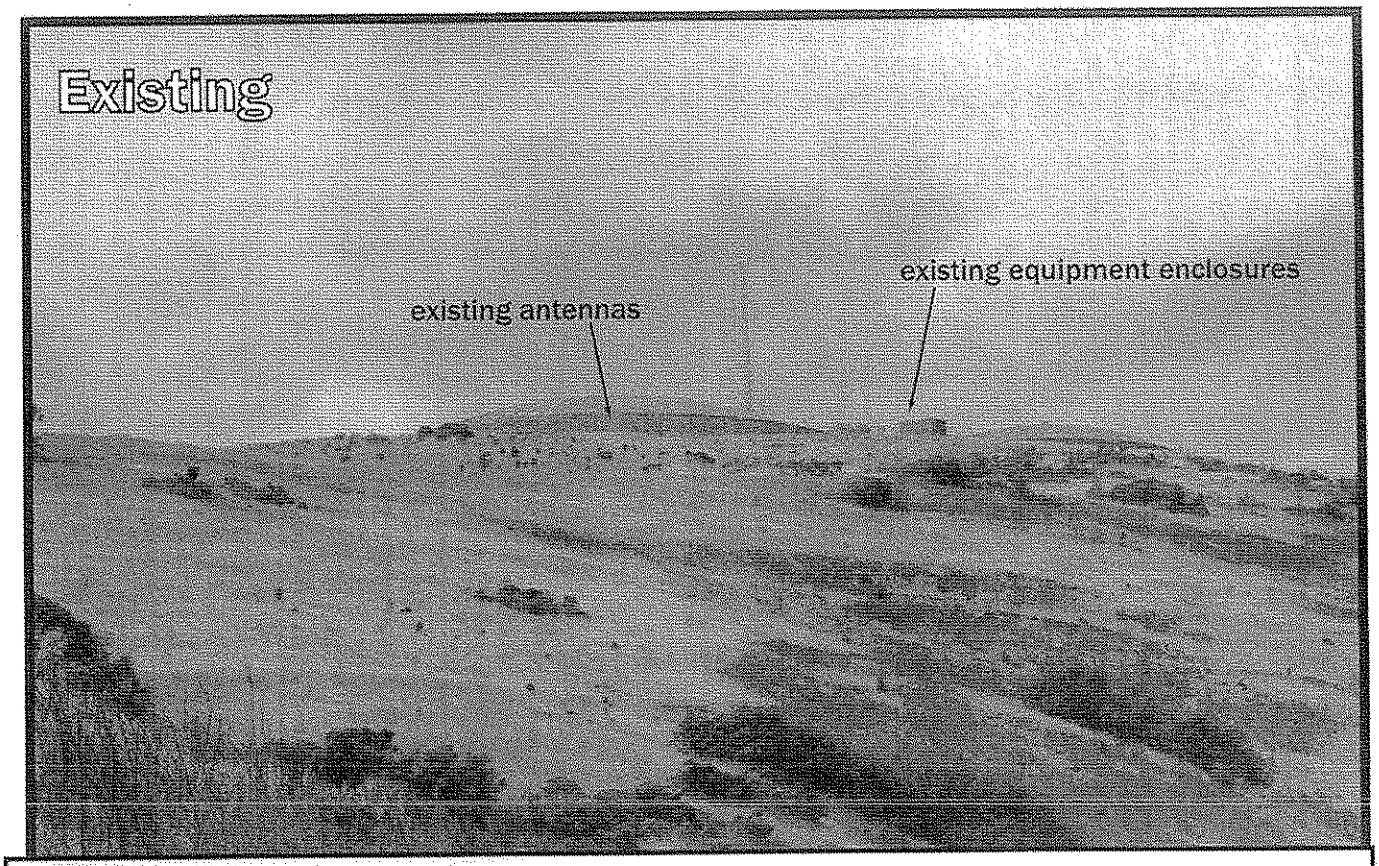
SHEET NUMBER:

A-3

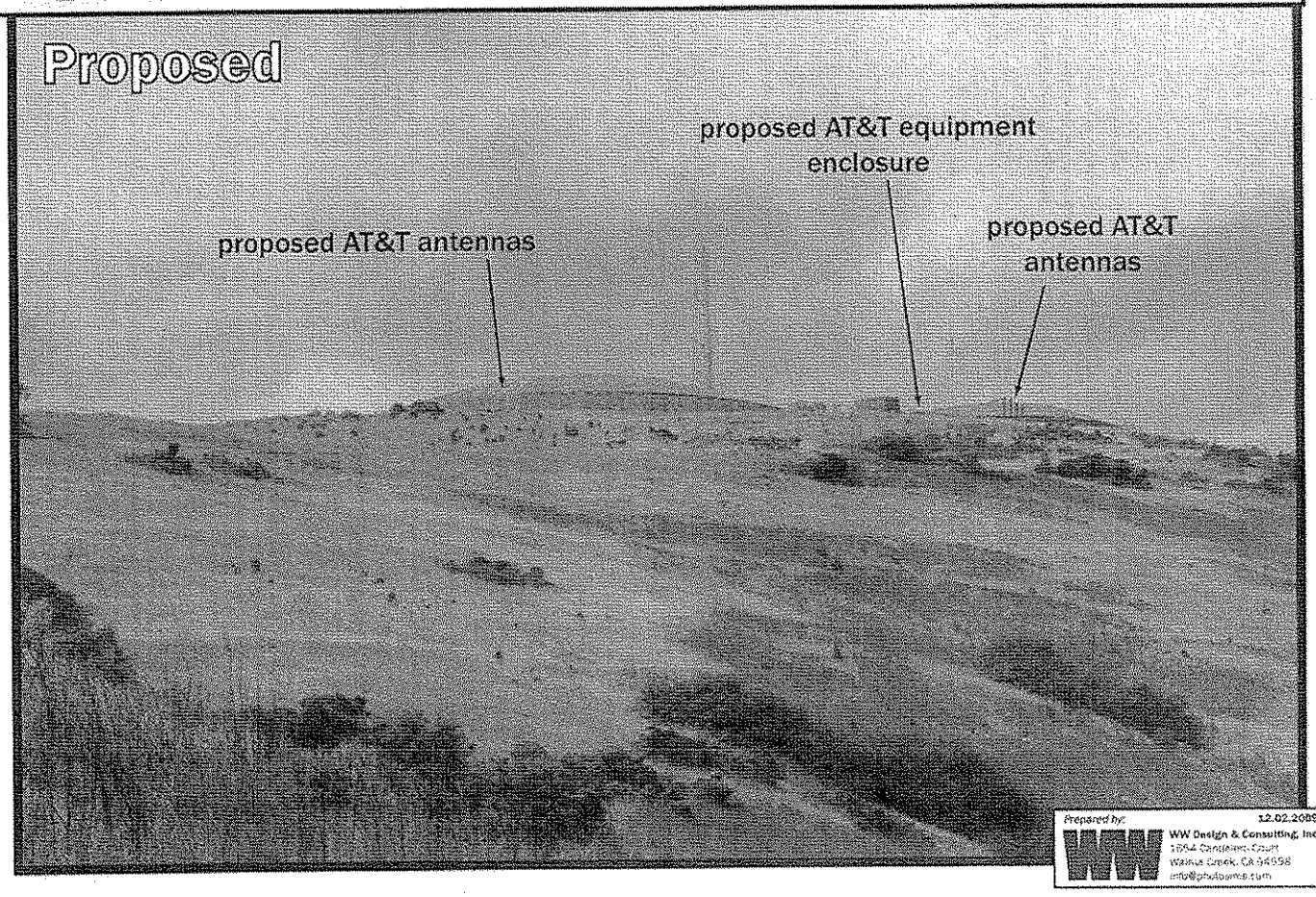
PHOTOGRAPHS

(If viewing online, these attachments are available to view in the Public Works & Community Development Department or in the Benicia Public Library in the June 10, 2010 Planning Commission packet)

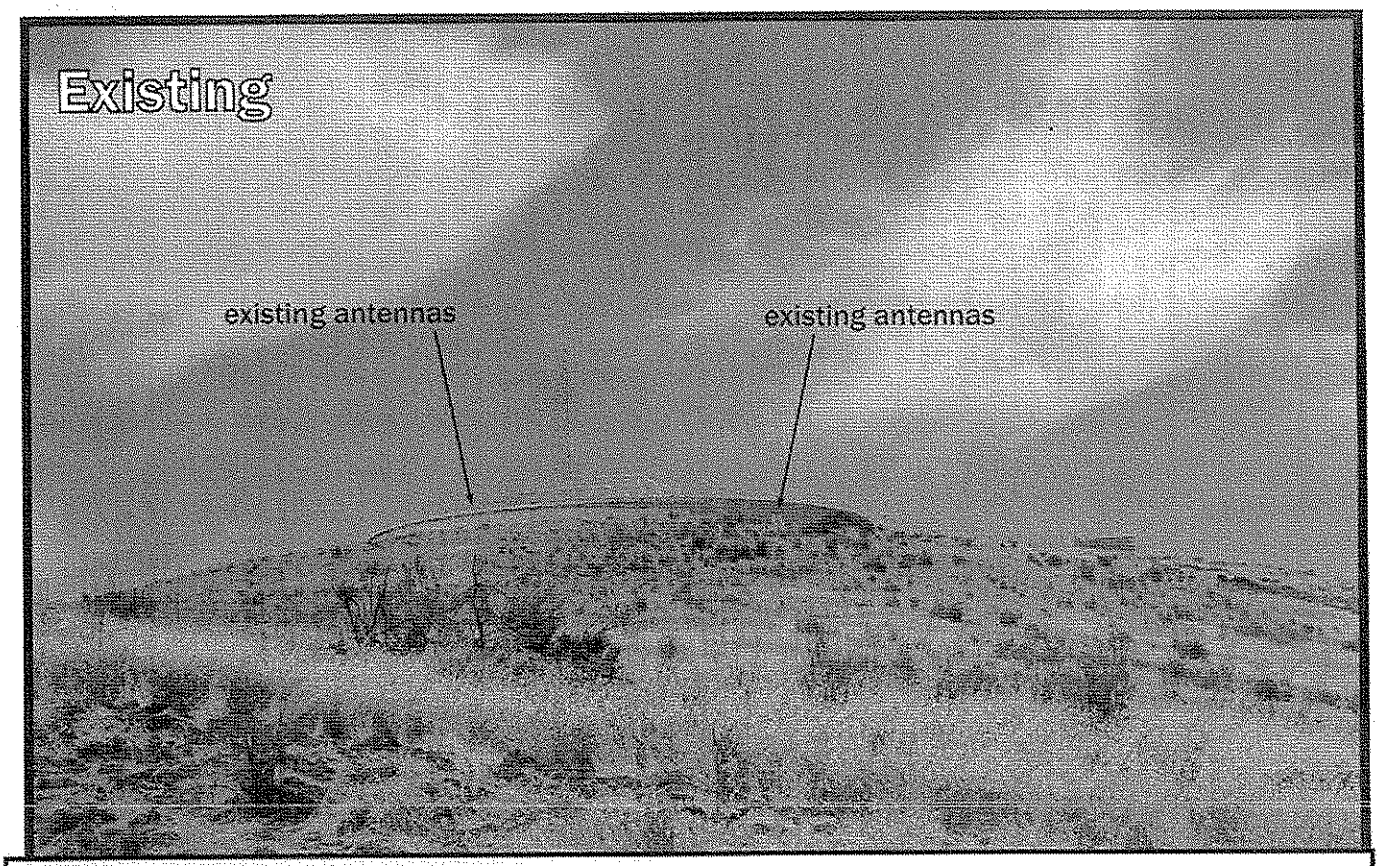
Photosimulation of the proposed telecommunication facility as seen looking southwest from Rose Drive



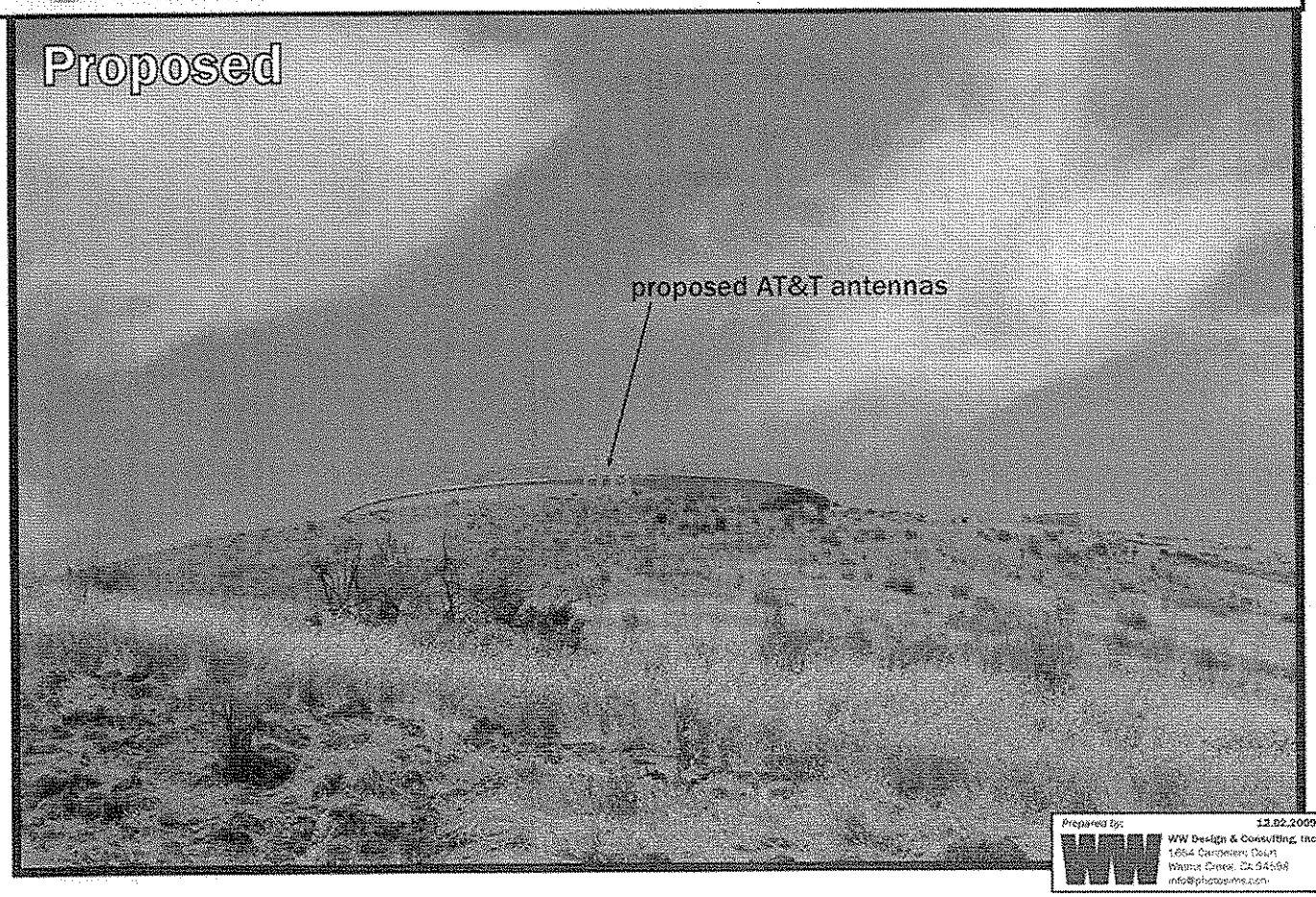
at&t **CN0772** **Columbus Parkway** Essex Way & Panorama Dr.
Benicia, CA 94510



Prepared by: 12.02.2009
WW Design & Consulting, Inc.
1804 Candelero Court
Walnut Creek, CA 94598
info@photowrks.com

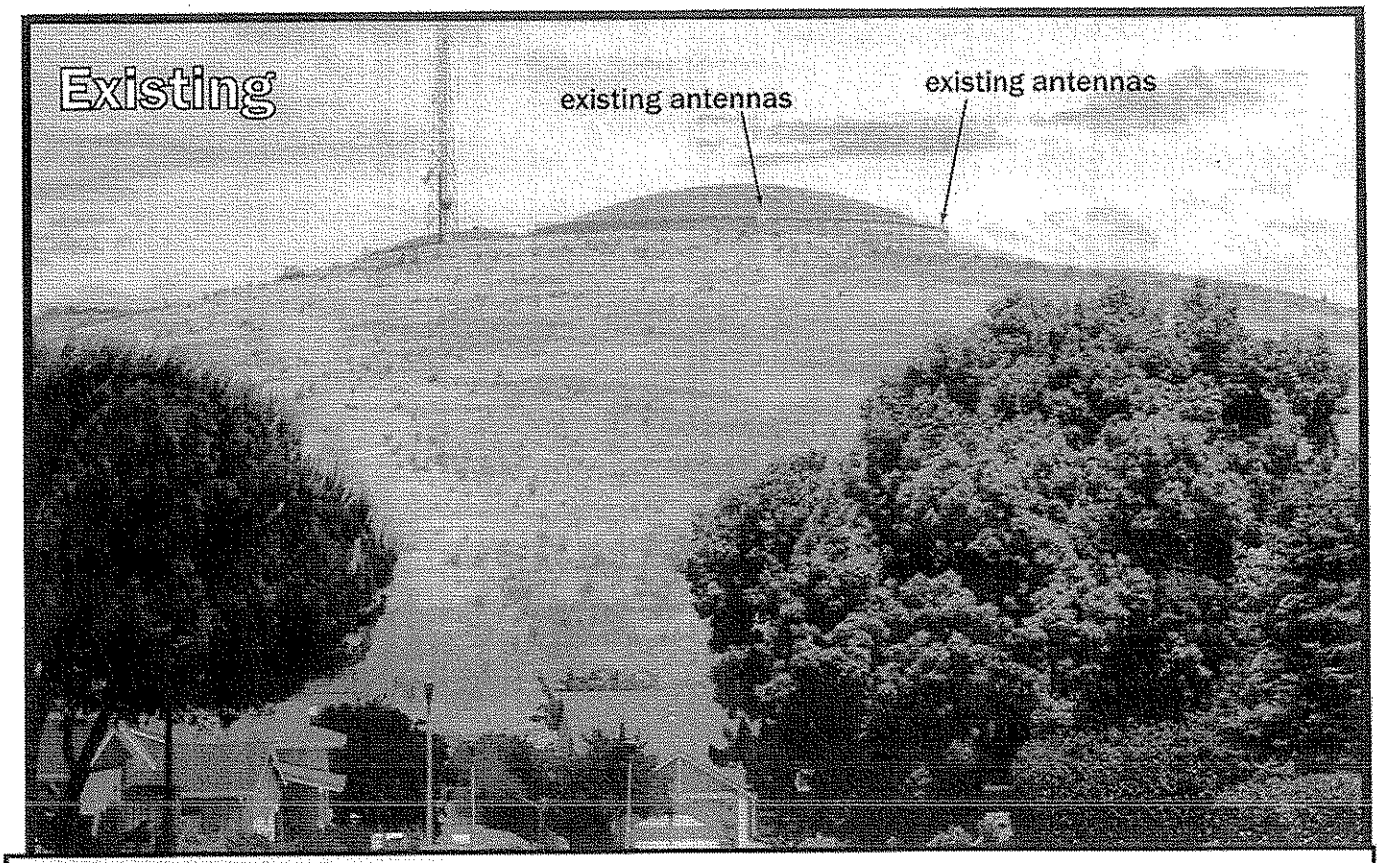


at&t **CN0772** **Columbus Parkway** Essex Way & Panorama Dr.
Benicia, CA 94510

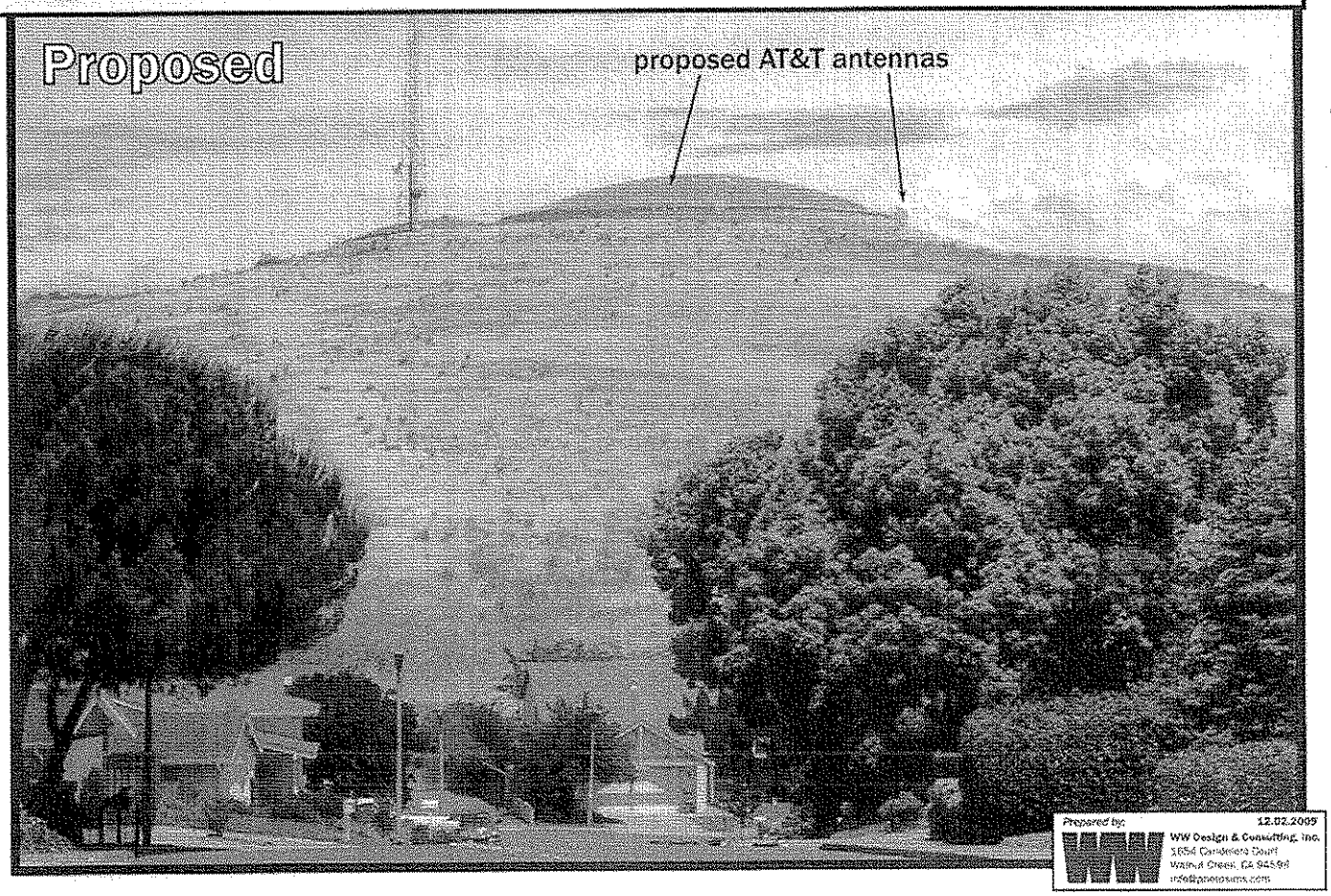


Prepared by: 12.02.2009
WW Design & Consulting, Inc.
1654 Carpenter Court
Walnut Creek, CA 94598
info@photosims.com

Photosimulation of the proposed telecommunication facility as seen looking west from Gallagher Drive



at&t **CN0772** **Columbus Parkway** Essex Way & Panorama Dr.
Benicia, CA 94510



Prepared by: 12.02.2009
WW Design & Consulting, Inc.
1654 Candelero Court
Walnut Creek, CA 94598
info@photosims.com

Photosimulation of the proposed telecommunication facility as seen looking north from Essex Way

AGENDA ITEM
PLANNING COMMISSION MEETING: JUNE 10, 2010
REGULAR AGENDA ITEMS

DATE : May 20, 2010

TO : Planning Commission

FROM : Charlie Knox, Public Works & Community Development Director

SUBJECT : **LOWER ARSENAL MIXED USE SPECIFIC PLAN AND EIR**

As discussed at the May 13, 2010 Planning Commission meeting, attached is a draft resolution, to confirm or modify, recommending that the City Council not adopt the Lower Arsenal Mixed Use Specific Plan and the EIR as written.

/kt

Attachment: Draft Resolution

DRAFT RESOLUTION

RESOLUTION NO. 10- (PC)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BENICIA RECOMMENDING THAT THE CITY COUNCIL NOT ADOPT THE LOWER ARSENAL MIXED USE SPECIFIC PLAN AND THE EIR AS WRITTEN

WHEREAS, the Lower Arsenal Mixed Use Specific Plan to implement the Lower Arsenal Mixed Use Designation of the Benicia General Plan has been prepared and subject to public review; and

WHEREAS, the Planning Commission held a public hearing on April 12, 2007 to solicit public comment on the scope of the Draft Environmental Impact Report (DEIR); the DEIR was published July 19, 2007, and the public comment period ran until September 6, 2007; and

WHEREAS, the Hazards and Hazardous Materials Section and the Cultural and Paleontological Resources Section of the DEIR were recirculated from April 22, 2008 to July 22, 2008 to disclose significant new information and the Planning Commission held a public hearing on June 12, 2008 to receive public comment; and

WHEREAS, the Global Climate Change, Energy Use and Sustainability Section and the Noise Section of the DEIR were recirculated from August 21, 2009 to October 22, 2009; and

WHEREAS, the Planning Commission and Historic Preservation Review Commission held a joint public hearing on October 22, 2009 to receive public comment on the DEIR including the recirculated sections; and

WHEREAS, the Historic Preservation Review Commission at its regular meeting of March 25, 2010 held a public hearing on the draft Lower Arsenal Mixed Use Master Plan and Final Environmental Impact Report, and considered other pertinent documents, information and public comment and recommended that the Plan not be adopted and the EIR not be certified; and

WHEREAS, at a regular meeting on May 13, 2010, the Planning Commission conducted a public hearing and reviewed the proposed Plan and EIR.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Benicia hereby recommends that the City Council not adopt the Lower Arsenal Mixed Use Specific Plan in its present form, and recommends that the Plan be modified, at a minimum, to:

1. Limit the size of any new buildings on the Jefferson Ridge to no larger than the Commanding Officers Quarters;
2. Allow no more than one new building for every three historic buildings, both in each National Register Sub-district and in the Specific Plan area as a whole; and
3. Definitively determine whether and which, if any, type(s) of residential development will be allowed in each of the proposed zoning districts.

BE IT FURTHER RESOLVED THAT the Planning Commission recommends that the EIR for the Lower Arsenal Mixed Use Specific Plan not be adopted as written, and instead be revised appropriately to reflect the above recommended changes, and that the modified Specific Plan and environmental documents be reviewed again by the Historic Preservation Review Commission and the Planning Commission prior to any action by the City Council.

* * * * *

On motion of Commissioner , seconded by Commissioner , the above Resolution was adopted by the Planning Commission of the City of Benicia at a regular meeting of said Commission held on June 10, 2010 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

_____
Dan Healy
Planning Commission Chair

PLANNING COMMISSION MEETING: JUNE 10, 2010
COMMUNICATIONS FROM STAFF

DATE : June 3, 2010

TO : Planning Commission

FROM : Amalia Lorentz, Economic Development Manager
Mark Rhoades, Interim Land Use and Engineering Manager

SUBJECT : **CONSIDERATION OF ADDING NEW INDUSTRIAL USES FOR ECONOMIC VITALITY TO THE ZONING ORDINANCE**

RECOMMENDATION:

Receive a presentation regarding the City Economic Development Strategy initiative to add green and technology uses to industrial and commercial zones to enhance business attraction opportunities; provide feedback to staff on process for changes.

EXECUTIVE SUMMARY:

One of the primary goals of the City's 2007 Economic Development Strategy is to "Update zoning code to include clean energy, high-tech, R&D uses in industrial districts" (See Strategic Action 5.C of Goal #3]. As an economic development initiative supported by the City of Benicia's Economic Development Board (EBD), the Benicia Industrial Park Association (BIPA), and the City's adopted policy documents, the objectives of the proposed changes to the Zoning Ordinance are to expand opportunities for high-tech and cleantech type businesses to locate in Benicia, and better define what is allowed in the various industrial zones, thus reducing uncertainty and processing time. They will "put out the welcome mat" for even more types of businesses. The City has an opportunity to be a leader by doing this groundwork now so that we are ready when "the next Google" walks through the door.

BUDGET INFORMATION:

There are no fiscal impacts to the General Fund, other than limited staff time, as a result of this action. There is a strong potential that the implementation of policy changes for the business park will result in greater city revenues and substantial new job creation.

ENVIRONMENTAL ANALYSIS:

This action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262, which applies to planning studies for possible future actions that the Commission has not approved, adopted, or funded. Any proposed zoning changes and

General Plan amendments will be subject to CEQA review that will be conducted concurrently with policy review and analyses.

BACKGROUND:

Updating the City's zoning regulations to encourage more clean energy, high-tech, research and development (R&D) uses in industrial districts by clarifying that they are allowed, is a concept that originated at the Economic Development Board (EDB) in 2006 during the development of the City's new Economic Development Strategy. This goal was ultimately approved by the City Council in September 2007. The EDB was cognizant of the Benicia Industrial Park's (BIP) strengths in traditional manufacturing, as well as the emergence of industries that did not yet exist when the zoning regulations were drafted. As one EDB member put it, "If the next Google walked through the door, would they be approved to go in the industrial park?"

After much discussion at their public meetings, the EDB adopted language in the Strategy that reflected this concern and transition. After the Strategy was approved by the City Council, the Community Development staff thought there might be an opportunity to do a full zoning code update, of which this BIP piece would be a part, but that didn't come to pass. As that became clear, the Economic Development Manager drafted the proposal for internal and external review. It was "workshopped" with an EDB subcommittee (called the BIP Needs Assessment Committee, comprised of two EDB members, two BIPA members, and one "at-large" member of the public) in summer 2008, which supported carrying it forward to dialogue with the Benicia Industrial Park Association (BIPA).

In 2009, the initiative was reviewed with planning staff and BIPA, which submitted a formal letter of support (attached). During the Spring 2009 budget development process, the project was included in the 2009-11 Strategic Plan. "Update zoning code to include clean energy, high-tech, R&D uses in industrial districts" is Strategic Action 5.C. in Goal #3, Strengthening Economic and Fiscal Conditions.

This request from Economic Development is a part of a larger strategy to re-evaluate the role that the business park plays in the local and regional economy. These efforts include:

1. BIPA/EDB Proposal to expand uses for green tech/economy (Council adopted 2009-2011 Strategic Plan) (the current discussion item);
2. MTC Grant funding for an intermodal Transit Plan – Rail Stop/Station Area; and
3. Proposed Strategic Growth Council Grant (submittal approved by Council 5/18, submittal date TBD) to create Benicia Strategic Infill Plan to look at a clean/green tech office/business park at the Seeno location, balanced by housing infill opportunities in other parts of the city.

Benicia has a significant opportunity to prepare itself for new market economies and emerging business and technology sectors. Benicia is strategically located at the southern tip of Solano County. An expanded business park with a regional rail stop as a centerpiece would provide job destinations to decrease commuting to points south. It would also allow Benicia to capture

revenues and jobs that would otherwise locate in jurisdictions or locations that provide more favorable land use and entitlement conditions.

SUMMARY:

The intent is to expand opportunities for high-tech and clean-tech type businesses in Benicia as part of the City's larger economic development strategy. The result of the process will include better definitions for what is allowed in the various industrial zones, thus reducing uncertainty and processing time. The process will include expanding the types of businesses that are allowed in order to specify Benicia's desire to attract a greater variety of clean and green technology businesses. The City has an opportunity to be a leader by doing this groundwork now so that we are ready when "the next Google" walks through the door.

The General Plan currently includes a number of policies and provisions relevant to expanding the uses in the industrial park area. Policies also include diversifying Benicia's economic base. One of the main General Plan policies relevant to industrial uses is Policy 2.6.1, which states,

> "Preserve industrial land for industrial purposes and certain compatible "service commercial" and ancillary on-site retail uses."

This and other policies require the City to carefully review proposed changes to insure that they are not incompatible with existing industrial businesses.

As initially envisioned, the edits as shown would be zoning ordinance text amendments. However, Planning staff is considering the best, most thorough way to process them, as will be discussed in more detail at the meeting, and as outlined under "Further Action," below.

The changes proposed by Economic Development follow.

Revised Use Classifications:

Additions and ~~deletions~~ are shown. Any part of the existing code that is not shown does not have any changes proposed for it.

17.16.060 (B): Industry, General. Manufacturing of products primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, oil and gas refining, stonework and concrete products manufacture (excluding concrete ready-mix plants) within an enclosed building, and accessory power generation facilities of five megawatts or less in conjunction with a permitted use. This use also includes recycling facilities, cleantech, information technology, computer server farms, and manufacturing and assembly operations for computer equipment, communications equipment, electronic components and accessories, household audio and video equipment, semiconductor manufacturing equipment, nanotechnology, and biotechnology. Examples of packaging include facilities for bottling beverages, canning and wrapping foods, and boxing electronic components.

17.16.060 (C): Industry, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services; both within an enclosed building. Industry, Research and Development (as further defined in 17.16.060(D)) also allowed. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, food processing, and "vehicle/equipment sales and services." Examples of allowed uses include but are not limited to cleantech, information technology, manufacturing and assembly operations for computer equipment, communications equipment, electronic components and accessories, household audio and video equipment, semiconductor manufacturing equipment, nanotechnology, and biotechnology.

17.16.060 (D) Industry, Research and Development. ~~Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but prohibits uses that may be objectionable, in the opinion of the community development director, by reason of production of offensive odor, dust, noise, vibration, or storage of hazardous materials. Uses include biotechnology, films, and nontoxic computer component manufacturers.~~ Establishments engaged in the theoretical or applied study, testing, engineering, product design, analysis and development of devices, products, processes, or services related to current or new technologies. Research and development may include limited manufacturing, fabricating, processing, assembling or storage of prototypes, devices, compounds, products or materials, or similar related activities, where such activities are incidental to research, development, or evaluation. Examples of uses include, but are not limited to, computer software and hardware firms, computer peripherals and related products, electronic research firms, biotechnical and biomedical firms, instrument analysis, genomics, robotics, pharmaceuticals, and related educational development. Research and development may include the storage or use of hazardous materials not in excess of the exempt quantities listed in *Title 15* of the Municipal Code, or etiological (biological) agents up to and including Risk Group 3 or Bio Safety Level 3 classifications as defined by the National Institute of Health (NIH) or the Center for Disease Control (CDC). Higher classification levels of etiological (biological) agents are not allowed without express permission of the Fire Chief.

Related administrative uses (for example, finance and human resources); provisions of services to others on or off-site; and related educational uses may also be included provided they remain supportive of the primary uses of "research and development" and are part of the same research and development firm or a directly related subsidiary thereof.

- Note L13 (applies to IL and IG): Medical/dental offices (other than occupational health clinics), insurance brokerage offices, and real estate brokerage offices not permitted.

- Add Information Technology as allowed in IP/CG/TC/TC-O.

New Definitions:

Biotechnology: technology that uses living organisms (or parts of organisms) to produce or modify products, to improve plants or animals, or to develop microorganisms for specific uses. May encompass office, industrial, dry lab, wet lab, and/or vivarium as primary or accessory land uses. (new use at 17.16.060(B)2)

Cleantech: companies whose operations result in an environmentally sensitive, low-emissions, and/or energy-efficient process, product, or innovation. This sector can include but is not limited to renewable energy, recycling, water and wastewater treatment, and hybrid engines. (17.16.060(B)3)

Dry Lab: facility associated with biotechnology, such as computational labs combined with office uses, not involving testing of living organisms or chemicals in that space. (17.16.060(B)4)

Information Technology: Multimedia services, software development, web design, website operation, video production/post-production, electronic commerce, and other computer/Internet-based technology services, provided either to the general public or to the business community. (17.16.050(FF))

Nanotechnology: Companies engaged in research, development, or manufacturing of matter on the atomic and molecular scale, generally 100 nanometers or smaller, and the fabrication of devices or materials that lie within that size range. (17.16.060(B)5)

Occupational health clinic: Medical office or clinic exclusively used for occupational health (workers' compensation-related) evaluation. (17.16.050(GG))

Vivarium: Facility associated with biotechnology that is a laboratory comprised of enclosed areas for keeping and raising animals for observation or research; animal facilities supporting research and development labs by using animals in experiments such as efficacy and toxicology testing prior to clinical trials in humans. They are classed in BSL[1] categories 1-4. (17.16.060(B)6)

Wet Lab: facility associated with biotechnology where EPA-licensed and non-licensed chemicals, and FDA-licensed and non-licensed drugs are analyzed. Low-level nuclear materials as well as biological materials also may be analyzed. These uses require water, direct ventilation, and specialized piped utilities. These are classified in BSL categories 1-4. (17.16.060(B)7)

FURTHER ACTION:

The national economic recovery is progressing and public and private investments in clean and green technologies are underway. An efficient land use effort will allow Benicia to capitalize on this emerging sector.

The proposed changes will have a broad effect on the land uses in approximately 1,200 acres of Benicia's existing industrial and business park. The proposed land use process for the Seeno lands could add another 500+ acres to the business park component, with a potential rail stop as a centerpiece to Benicia's largest revenue and employment area.

It is anticipated that a process will include the following components:

---

[1] Biosafety levels

1. Identify staff and resources necessary to manage the policy and CEQA effort;
2. Strategic Plan/General Plan/Climate Action Plan review and analyses of policies relevant to the proposed zoning modifications;
3. Analyses of proposed zoning modifications, and major/minor policy changes;
4. Recommendations for implementing zoning changes that are not General Plan Amendment level changes;
5. Recommendations for implementing zoning changes that also require General Plan amendments; and,
6. CEQA review appropriate to the level of policy change.

There are General Plan policies in place that seek to protect the current employment and use base in the industrial park area. These policies must be analyzed with the proposed changes so that Benicia's policy makers can make informed and considered decisions relevant to any new uses or policies. Some of the proposed changes may in fact be consistent with existing policies, and some may not be. The choices for amending policies will be clearly identified for the Planning Commission's and the public's consideration in the future.

Review with Economic Development and Planning staff should also include key issues including but not necessarily limited to:

- Process
- Any parking implications
- Including/excluding vivaria
- Hazardous materials standards

Attachments:

- ☐ Excerpt from Economic Development Strategy (2007), p. 9
- ☐ Benicia Industrial Park Association letter

ATTACHMENT A: Excerpt from Economic Development Strategy (2007), p. 9

II. Increase research and development and campus-style office uses in the Benicia Industrial Park.

The Benicia Industrial Park (BIP) is in many ways the economic engine in Benicia, as well as a significant employment center in Solano County. Benicia's industrial area is second only to Fairfield's in square footage in the county. Although the BIP is referred to as if it were one entity, in fact it is a business park with many property owners, developed over many years, and housing a variety of industrial and office uses, from biotech sales to construction yards to manufacturing lines. Anchored by the Valero refinery and its supplier companies, the BIP has diversified beyond petroleum into pipe organs, nutriceuticals, and motocross accessories.

The policy recommendations in this section are intended to ease the BIP area into the future without damaging the base. We know that in the future, the addition of the Benicia Business Park acreage will add about 25% more property to the developed BIP, which otherwise has only a couple infill sites remaining. Many factors go into companies' site selection process, such as proximity to workforce, customers, and suppliers, business costs, quality of life (crime, schools, weather), and infrastructure needs (transportation and technology). Each of these will be ranked differently by different companies, and no single community can meet all the criteria for all companies. The recommendations in this section aim at strengthening Benicia's position within the context of a competitive site selection process that offers partial opportunities to influence the outcome.

Update Zoning Code to encourage clean energy, high-tech, research and development (R&D) uses in industrial districts, and/or create new overlay for certain technology uses without discouraging existing businesses.

The existing Zoning Code divides the BIP mainly into Limited (IL) and General (IG) industrial districts, with smaller areas designated as Water-related Industrial (IW) and Industrial Park (IP). Research and development (the Zoning Code definition of which is not detailed) is allowed in all industrial districts except IW. Software design, medical device testing, green energy system designs, and other technology-related uses could fall into a number of categories, including "office", depending on the specifics. Stand-alone office uses are not allowed in any industrial district except IP (which is a very small corner of the BIP covering Bio-Rad).

Better defining the uses the community would like to encourage, and clarifying in which districts they are allowed, is a process through the Community Development Department that will assist in attracting those businesses. As staff and the EDB have frequently heard from brokers, adding certainty to the development process is good.

A great example of that is in one of our Solano County neighbors. The City of Dixon recently defined and added "bioscience" to its Zoning Code as allowed in light industrial districts to help bring in those uses to the community. Result: A Genentech research and development campus. The zoning was not necessarily the deciding factor, but according to Dixon City staff, it gave Dixon an advantage because it minimized the company's entitlement time and costs.

BENICIA INDUSTRIAL PARK ASSOCIATION
601 First Street, Suite 100
Benicia, California 94510

RECEIVED
NOV 19 2009
CITY MANAGER'S OFFICE
CITY OF BENICIA

November 17, 2009

Amalia Lorentz,
Economic Development Manager
CITY OF BENICIA
250 East L Street
Benicia, California 94510

Dear Amalia:

Thank you for the opportunity to work with you on the proposed zoning code changes for Benicia's Industrial Park. The Benicia Industrial Park Association Trustees reviewed the proposed changes as reflected in the attached document and are in acceptance as submitted.

Sincerely,

Lauren Bird

Lauren Bird, President
Benicia Industrial Park Association

enc

Zoning Code Proposed Changes – 8-26-09 DRAFT

As proposed by Economic Development Manager Amalia Lorentz

Goals: To expand opportunities for high-tech and cleantech type businesses to locate in Benicia, and better define what is allowed in the various industrial zones, thus reducing uncertainty and processing time.

Process: These edits as shown would be zoning ordinance text amendments, provided to Community Development staff for review and processing through the Planning Commission.

Revised Use Classifications:

Additions and ~~deletions~~ are shown. Any part of the existing code (attached) that is not shown does not have any changes proposed for it. August 2009 edits shown in red.

17.16.060 (B): Industry, General. Manufacturing of products primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, oil and gas refining, stonework and concrete products manufacture (excluding concrete ready-mix plants) within an enclosed building, and accessory power generation facilities of five megawatts or less in conjunction with a permitted use. This use also includes recycling facilities, cleantech, information technology, computer server farms, and manufacturing and assembly operations for computer equipment, communications equipment, electronic components and accessories, household audio and video equipment, semiconductor manufacturing equipment, nanotechnology, and biotechnology. Examples of packaging include facilities for bottling beverages, canning and wrapping foods, and boxing electronic components.

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Benicia Municipal Code
Excerpts dealing with Commercial and Industrial Zoning Definitions

17.16.050 Commercial use classifications.

A. Adult Businesses. A business based primarily upon materials or performances that depict, describe, or relate to "specified sexual activities" or "specified anatomical areas," as defined in Chapter 17.12 BMC. This includes businesses regulated under Chapter 5.44 BMC.

B. Ambulance Services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

C. Animal Sales and Services.

1. Animal Boarding. Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care.

2. Animal Grooming. Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.

3. Animal Hospitals. Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (30 days) boarding of animals is included if incidental to the hospital use.

4. Animals – Retail Sales. Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours.

D. Artists' Studios. Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.

E. Banks and Savings and Loans. Financial institutions that provide retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money.

1. With Drive-up Service. Institutions providing services accessible to persons who remain in automobiles.

F. Building Materials and Services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes retail sales of paint and hardware, except as an accessory use to a lumber yard, and activities classified under "vehicle/equipment sales and services."

G. Catering Services. Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also "eating and drinking establishments.")

H. Commercial Filming. Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year.

I. Commercial Recreation and Entertainment. Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, pinball arcades or electronic games centers having three or more

coin-operated game machines, card rooms, subject to the regulation of Chapter 5.08 BMC, and facilities used exclusively for bingo games, as regulated by Chapter 5.12 BMC.

1. Card room, game center, billiard parlor.

2. Limited. Indoor movie theaters and performing arts theaters.

J. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding "Utilities (Major)." This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices.

K. Conference and Meeting Facilities. Facilities providing indoor and/or outdoor event space for conferences, meetings, weddings, banquets, luncheons or similar events on a commercial basis.

L. Eating and Drinking Establishments. Businesses serving prepared food or beverages for consumption on or off the premises.

1. With Wine and Beer Service. Alcoholic beverages served are limited to wine and beer.

2. With full alcoholic beverage service.

3. With Live Entertainment. Establishments offering live entertainment, as defined in Chapter 17.12 BMC.

4. With Take-Out Service. Establishments at which 20 percent or more of the transactions are sales for off-site consumption, and which serve or deliver prepared food to persons in vehicles or have more than two work stations at which employees package or service prepared food and receive payment.

a. Drive-Up. Service from a building to persons in vehicles through an outdoor service window.

b. Limited. Establishments that do not serve persons in vehicles.

5. Truck Stop. A facility geared primarily to providing services for truckers, including on-site fueling, repair and servicing of freight trucks; restaurant facilities; restrooms; towing services; overnight accommodations and related services.

M. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as "catering services" or "eating and drinking establishments."

N. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries.

O. Horticulture, Limited. The raising of vegetables, flowers, ornamental trees and shrubs as a commercial enterprise; provided, that no nursery equipment or materials shall be stored and no structures erected. Commercial horticulture accessory to a dwelling unit shall be regulated as a home occupation.

P. Laboratories. Establishments providing medical or dental laboratory services, or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as "limited industry."

3. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks, but excludes body and fender work or repair of heavy trucks or vehicles.

4. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, auto detailing shops, body and fender shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.

5. Vehicle/Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, and similar equipment, including storage and incidental maintenance.

6. Vehicle Storage. Storage of operative or inoperative vehicles. This classification includes storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but does not include vehicle dismantling.

DD. Visitor Accommodations.

1. Bed and Breakfast Inns. Establishments offering lodging on a less than weekly basis typically in a converted single-family or multifamily dwelling, with incidental eating and drinking service, for lodgers only, provided from a single kitchen.

2. Hotels and Motels. Establishments offering lodging on a less than weekly basis, and having kitchens in no more than 60 percent of guest units. This classification includes eating, drinking, and banquet service.

EE. Warehousing and Storage, Limited. Provision of storage space for household or commercial goods within an enclosed building. This classification includes mini-storage facilities but excludes "wholesaling, distribution and storage," and "vehicle storage." (Ord. 93-11 N.S. § 6, 1993; Ord. 92-15 N.S. § 5, 1992; Ord. 89-1 N.S. §§ 6 – 10, 1989; Ord. 87-4 N.S., 1987).

17.16.060 Industrial use classifications.

A. Industry, Custom. Establishments primarily engaged in off-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment.

1. Limited. Includes mechanical equipment not exceeding two horsepower or a single kiln not exceeding eight kilowatts and the incidental direct sale to consumers of those goods produced on-site. Typical uses include ceramic studios, candle-making shops, and custom jewelry manufacture.

2. Boat Building.

B. Industry, General. Manufacturing of products primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, oil and gas refining, stonework and concrete products manufacture (excluding concrete ready-mix plants) within an enclosed building, and accessory power generation facilities of five megawatts or less in conjunction with a permitted use.

1. Water-Related. Industrial activities that use water for transportation of raw materials or finished products, including the following:

2. Warehousing and Transportation. Storage of products or goods, including household goods, with related local or long-distance trucking and transfer of stored items.

3. Trucking Terminal/Freight Transfer Station. A facility where goods and products are transferred, often directly, from one vehicle to another without the storage of such goods and products on a long-term basis within a warehouse building or storage yard. Includes break-bulk facilities. May include related maintenance facilities and incidental storage of trucks on-site when not in use.

4. Package Distribution. A warehousing and distribution facility used primarily to gather and distribute for delivery, packages and mail. (Ord. 93-11 N.S. § 5, 1993; Ord. 89-1 N.S. §§ 11, 12, 1989; Ord. 87-4 N.S., 1987).