

Battery Energy Storage System Facilities  
Development Standards Comparison Table

Land Use/Planning Development Standards for BESS Facilities	Proposed BESS Facility Ordinance	Current Permitting Process for BESS Facilities: 1) Planning/Zoning - Permitted as Minor or Major Impact Utilities 2) Fire Code & Interim Fire Protection Guidelines for BESS Facilities  (In Progress: Developing Land Use/Planning Development Standards for BESS Facilities)	Current Permitting Process for BESS Facilities: 1) Planning/Zoning - Permitted as Electric Distribution Substation 2) Fire Code - Stationary Storage Battery Systems  (In Progress: Updating Renewable Energy Ordinance in Zoning Code to include BESS regulations)	Adopted Energy Storage Facilities Ordinance
Development Standards	County of Orange	County of San Diego	County of Los Angeles	City of Menifee
Applicability	All BESS facilities not subject to California Energy Code, Title 27, Part 6 or being processed through the California Energy Commission Opt-In Certification Program	All BESS facilities	All BESS facilities	Utility-Scale BESS facilities
Approvals	Use Permit to the Planning Commission	Minor Use Permit to Director for Administrative Approval or Major Use Permit to Planning Commission for Approval	Ministerial Review or Conditional Use Permit to the Planning Commission (depending on the zone)	Conditional Use Permit to the Planning Commission
Relation to Other Codes	Compliance with Building and Safety Codes and adopted Fire Code by reference	Compliance with Building and Safety Codes, adopted Fire Code, and Interim Fire Protection Guidelines for BESS facilities	Compliance with Building and Safety Codes and adopted Fire Code by reference	Compliance with Building and Safety Codes and adopted Fire Code by reference
Battery Technology Requirements	Specific battery technology is not required	Specific battery technology is not required	Specific battery technology is not required	Specific battery technology is not required
Siting Requirements	Allowed in all zoning districts Not allowed in very high fire severity area	—	Allowed in the following zones: Commercial Highway, Restricted Commercial, Neighborhood Commercial, General Commercial, Commercial Manufacturing, Major Commercial, Rural Commercial, Rural Mixed Use Development, Light Manufacturing	Restricted to Business Park and Heavy Industrial Zones
Distance from Residential Uses and Community Facilities	500 feet or deviation request subject to review and approval by the Planning Commission	Minimum 100-foot setback from property lines	10 feet setback from property lines and buildings	—
Perimeter Wall Height	Visible: Minimum 6-foot Solid Walls (non-scalable) Not Visible from Public View: Minimum 6-foot Solid Walls or tubular steel or wrought iron fencing (non-scalable)	—	Mininum 8 feet Masonry Wall	Visible: Minimum 6-foot Solid Walls (non-scalable) Not Visible from Public View: Minimum 6-foot Solid Walls or tubular steel or wrought iron fencing (non-scalable)
Perimeter Wall Aesthetics	Require decorative walls (may be customized to the community) Anti-graffiti measured required	—	Masonry Wall or Other Substitution approved by the Planning Commission	Require decorative walls (may be customized to the community) Anti-graffiti measured required
Landscaping	Interior Side: No landscaping required Perimeter: Landscaping required to meet district setbacks and shall not conflict with OCFA vegetation management requirements	—	Require between property line and perimeter wall	Interior Side: No landscaping required Perimeter: Landscaping required to meet district setbacks and requirements
Equipment Height	Not to exceed 6-foot screenwall height for non-enclosed equipment Enclosed equipment not to exceed 15 feet Utility Poles or utility connection equipment, substation switchyard and similar equipment may exceed 15 feet	—	—	Not to exceed 6-foot screenwall height for non-enclosed equipment Enclosed equipment not to exceed 15 feet Utility Poles or utility connection equipment, substation switchyard and similar equipment may exceed 15 feet

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Equipment Enclosure	Required in all zoning districts	Specific technical requirements provided in the Interim Fire Protection Guidelines for BESS Facilities	–	Required in Business Park zone
Parking	Unoccupied Site: 1 parking space  Occupied Site: Comply with off-street parking requirements for non-residential uses per Zoning Code Sec. 7-9-70.6	–	–	Unoccupied Site: 1 parking space  Occupied Site: 1 parking space per employee
Lighting	Comply with lighting and illumination requirements per Zoning Code Sec. 7-9-67	–	–	–
Signage	Comply with signage requirements per Zoning Code Sec. 7-9-114.4	Specific safety signage requirements	Specific safety signage requirements	Require approved signage plan
Hazard Mitigation Analysis (HMA)	Require review and approval by OCFA prior to entitlement approval; approval of all design requirements is ultimately contingent on safety requirements specified by the HMA	Require Hazard Mitigation Analysis (HMA) and Hazard Identification Analysis (HIA)	When required by the fire code official or certain specific design criteria necessitates a HMA	Require review and approval by City Fire Dept prior to entitlement approval; approval of all design requirements is ultimately contingent on safety requirements specified by the HMA
Emergency Response and Emergency Action Plan	Require compliance with Government Code Section 761.3 (Chapter 4 of Division 1 of the Public Utilities Code)	Require Emergency Planning and Training  Require annual training of site personnel and first responders  Require component for cost recovery where owner reimburses emergency response services	–	–
Development Standard Deviation Requests	Subject to review and approval by Planning Commission	–	–	–
Decommissioning Plan	Require prior to building permit issuance  Require submittal of updated decommissioning plan when changes to equipment warrants an update  Require notification to the County upon ownership change	–	–	Require prior to issuance of any permits related to decommissioning activities  Require notification to the City upon ownership change
Financial Assurance for Decommissioning	Require prior to building permit issuance  Require submittal of updated financial assurance when changes to equipment or ownership warrants an update	–	–	–
Finding of Economic Benefit	Consistent with Public Resources Code section 25545.9; project to demonstrate overall net positive economic benefit to the County	–	–	Consistent with Public Resources Code section 25545.9; project to demonstrate overall net positive economic benefit to the City

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Community Benefits Agreement	Consistent with Public Resources Code section 25545.10; owner/operator to enter into an agreement with the County	-	-	Consistent with Public Resources Code section 25545.10; owner/operator to enter into an agreement with the City
Performance Measures and Standard Conditions of Approval	Require to demonstrate compliance with all performance measures and Conditions of Approval	-	-	Require to demonstrate compliance with all performance measures and Conditions of Approval
Additional Technical Documents	As may be required by OCFA or County Building and Safety	Require to submit: 1) Comprehensive Study of the Projects Fire Code Compliance Including Interim Guidelines 2) Plume Modeling 3) Failure Scenario Analysis 4) Proposed Mitigation	As may be required by Fire Code Official or the County	As may be required by Fire Authority or the City