

**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING COMMISSION  
ORANGE COUNTY, CALIFORNIA  
Wednesday, September 10, 2025, 1:30 P.M.**

COUNTY CONFERENCE CENTER  
400 W. Civic Center Dr, Multipurpose Room 101  
Santa Ana, California 92701

**TRUNG “JOE” HA**  
CHAIRMAN  
First District

**KEVIN RICE**  
VICE-CHAIR  
Third District

**JOHN KOOS**  
COMMISSIONER  
Fourth District



**MARIA CEJA**  
COMMISSIONER  
Second District

**DAVID E. BARTLETT**  
COMMISSIONER  
Fifth District

ATTENDANCE: Commissioners: Ha, Rice, Ceja, Koos & Bartlett.

PRESENT:	EXECUTIVE OFFICER	Justin Kirk
	COUNTY COUNSEL	Nicole Walsh
	SECRETARY	Marissa Leahy

PLEDGE OF ALLEGIANCE: Commissioner Koos, Fourth District Commissioner, led the assembly in the Pledge of Allegiance.

**I. CONSENT ITEMS**

**ITEM #1. MINUTES OF MAY 28, 2025.**  
The meeting minutes of May 28, 2025 were motioned for approval by Commissioner Bartlett and seconded by Commissioner Koos and the motion was approved 3:0. Commissioner Ceja abstained.

**II. DISCUSSION ITEMS**

**ITEM #1. PUBLIC HEARING – ZONING CODE AMENDMENT CA 24-03 – BATTERY ENERGY STORAGE SYSTEM FACILITIES ORDINANCE, APPLICANT – OC DEVELOPMENT SERVICES, LOCATION – UNINCORPORATED AREAS OF ORANGE COUNTY, ALL SUPERVISORIAL DISTRICTS**

Consider recommendation for adoption by the Board of Supervisors the proposed Zoning Code Amendment CA 24-03 to include development standards for Battery Energy Storage System (BESS) facilities located within unincorporated areas of the County of Orange. The intent of BESS facility regulations is to advance and protect public health, safety, and welfare by establishing regulations for the installation and use of BESS Facilities within unincorporated Orange County.

**RECOMMENDED ACTION(S):**

OC Development Services/Planning recommends the Planning Commission:

1. Receive staff report and public testimony.
2. Adopt Planning Commission Resolution No. 25-05 to:
  - a. Find that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA), Common Sense Exemption, pursuant to CEQA Guidelines Section 15061 (b) (3).
  - b. Recommend to the Board of Supervisors adoption of the proposed Zoning Code Amendment CA 24-03 (Attachment 2) to add Section 7-9-122 “County of Orange Battery Energy Storage System Facilities” and amend Section 7-9-134.6 to include Battery Energy Storage System Facilities definition.

**Special Notes:**

Scarlet Duggan, Planning Land Use Manager, County of Orange Development Services presented this item and answered questions from the Commission. Commissioner Koos recused himself. Nick Freeman from the Orange County Fire Authority was present to answer questions from the Commission.

**Public Hearing:**

Stephen Halligan – OC Power Authority – asked the Commission to postpone voting on this item until the state of California has released their ordinance. Concerned that this ordinance is being rushed and will create limitations on BESS facilities considering the technology is rapidly changing.

**The following is the action taken by the Orange County Planning Commission:**

The motion to take the recommended actions as set forth in the staff report for item #1 was made by Commissioner Bartlett. The motion was seconded by Commissioner Ceja. The motion was approved by a vote of 3:0.

APPROVE ☒  
DENIED ☐

OTHER ☐

UNANIMOUS ☐

(1) Ha: Y      (2) Ceja: Y      (3) Rice: Y      (4) Koos: A      (5) Bartlett: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

**III. EXECUTIVE OFFICER UPDATE**

- Anticipating two more Planning Commission meetings this year.

**IV. COUNTY COUNSEL UPDATE**

- No update.

**V. PLANNING COMMISSIONER COMMENTS**

- Commissioner Bartlett inquired about an update on the County's Regional Housing Needs Allocation (RHNA) numbers and if progress was being made.

**VI. PUBLIC COMMENTS**

- None.

**VII. ADJOURNMENT**

- Planning Commission meeting adjourned at 2:26 pm.