



Legislation Details (With Text)

<b>File #:</b>	24-0314	<b>Version:</b>	1	<b>Name:</b>	BESS Public Hearing
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Public Hearing
<b>File created:</b>	6/12/2024	<b>In control:</b>		<b>In control:</b>	Development Services
<b>On agenda:</b>	6/25/2024	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Hold a public hearing on an amendment to Chapter 125 of the Code of Ordinances of the City of League City entitled, "Unified Development Code", creating regulations related to Battery Energy Storage Systems (BESS) (Director of Planning)				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance, 2. Excerpt Minutes from the June 17, 2024, Planning and Zoning Commission Meeting, 3. Residents Response to Ordinance

Date	Ver.	Action By	Action	Result
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Hold a public hearing on an amendment to Chapter 125 of the Code of Ordinances of the City of League City entitled, "Unified Development Code", creating regulations related to Battery Energy Storage Systems (BESS) (Director of Planning)

A public hearing is required to consider an amendment to the Unified Development Code.

**Project Timeline:**

**March-April 2024**- The Planning and Zoning Commission heard two requests for BESS systems to locate within League City.

**April 23, 2024** - The City Council held a public hearing and postponed a request to approve a BESS site at the corner of FM 646 and Caroline St. (Stella). At this meeting, the City Council directed staff to create an ordinance regulating BESS sites and hold a work session on the proposed regulations.

**June 11, 2024** - The City Council held a work session and directed staff to move forward with the proposed ordinance amendments.

**June 17, 2024** - The Planning and Zoning Commission held a public hearing and made a recommendation to approve the request, 5-0-0.

**June 25, 2024** - The City Council is scheduled to hold a public hearing and hear the proposed ordinance on first reading.

Over the last two years, City staff has met with numerous companies interested in developing BESS. sites within League City and its ETJ. All the facilities we have spoken with, to date, have proposed a lithium-ion battery system within a series of storage “modules” which are in a grid pattern and interlinked into one system. The proposed locations of these facilities have been near public utility substations. Currently, League City has only one, 10 MW facility, located on Floyd Road on the west side of League City.

The proposed ordinance aims to establish comprehensive regulations for the placement, construction, and operation of Battery Energy Storage Systems to ensure the health, safety, and welfare of the community. The objectives include:

1. Ensuring community health, safety, and welfare.
2. Providing a regulatory framework for suitable property designation for BESS.
3. Mitigating negative impacts of BESS sites.
4. Regulating both new and existing BESS installations.

**Summary:**

The proposed ordinance creates the following regulations:

- Use Classification and SUP Requirements
- 3<sup>rd</sup> Party Inspection and reviews
- Fire and Life Safety
- Emergency Response Plan
- Setbacks and Location
- Landscaping and Screening
- Noise
- Remote Monitoring
- Listing and Testing of Site
- Supervision of Site
- Event Response
- Insurance
- Flood Risks
- Decommissioning
- On-Site Signage
- Plume Modeling
- Property Tax Agreement
- Transfer of Ownership.

On June 11, 2024, the City Council held a work session to discuss the proposed ordinance. No changes were proposed during the meeting. The Council instructed staff to engage with the residents present at the meeting to gather any best practices they might want to include in the ordinance. On June 13, 2024, an email consolidating residents' comments on the proposed ordinance was received. A letter detailing the City's responses to these requests is attached to this data sheet. Several requests resulted in changes to the ordinance, as noted in the

attachment. Additionally, five emails from League City residents have been received in support of the proposed ordinance.

On June 17, 2023, the Planning and Zoning Commission held a public hearing. The Planning and Zoning Commission recommended approval by a vote of 5-0-0 with 3 members absent.

Attachments:

1. Proposed Ordinance
2. Excerpt Minutes from the June 17, 2024, Planning and Zoning Commission Meeting
3. Resident Response Letter

Origination:

Planning Department

FUNDING

NOT APPLICABLE

STRATEGIC PLANNING

Addresses Strategic Planning Critical Success Factor # 8: Quality Built Environment