



Tuesday, June 9, 2026

701 East Carson Street, Carson, CA 90745
Helen Kawagoe Council Chambers, 2nd Floor
6:30 p.m.

**AGENDA
REGULAR MEETING OF THE
PLANNING COMMISSION**

Members:	Dianne Thomas Chair	Louie Diaz Vice Chair	Frederick Docdocil
	Carlos Guerra	Del Huff	DeQuita Mfume
	Clarence Johnson	Leticia Wilson	
Alternates:	Jaime Monteclaro		
Staff:	Nathan Freeman Community and Economic Development Director	McKina Alexander Planning Manager	Chris Palmer, AICP Economic Dev. Manager
	Benjamin Jones Asst. City Attorney	Laura Gonzalez Planning Secretary	

This Agenda and corresponding staff reports can be found on the City of Carson website at www.carsonca.gov

"In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at 310-952-1720 at least 48 hours prior to the meeting." (Government Code Section 54954.2)

PUBLIC INFORMATION

The public may address the members of the Planning Commission on matters within the jurisdiction of the Planning Commission or on any items on the agenda of the Planning Commission during the designated public comment periods. There will be two oral communication sessions: one for Agendized Items (comment about items ON the agenda) and the other non-Agendized items (comment about items NOT on the agenda). The Oral Communications portion of the agenda is limited to a duration of one hour unless otherwise approved by the Planning Commission. Comment time is normally 3 minutes depending on the number of speakers.

IF YOU ARE NOT ABLE TO ATTEND THE MEETING IN-PERSON, PUBLIC COMMENTS CAN BE SUBMITTED BEFORE THE MEETING VIA:

- Email: planning@carsonca.gov (up to 3 hours prior to the start of the meeting).
- Written: Delivered to the Planning Division at City Hall (up to 3 hours prior to the start of the meeting).

Emailed and written comments received by the Planning Division may not be read aloud during the meeting but will be provided to the Board and incorporated into the record.

PUBLIC VIEWING OF THIS MEETING WILL BE AVAILABLE BY:

- Livestream: www.carsonca.gov

- YouTube: www.youtube.com/@CityofCarsonCalifornia
- Cable TV: Spectrum (Channel 35) and ATT (Channel 99)

RULES OF DECORUM:

1. *person attending a Public Meeting shall engage in disorderly or boisterous conduct, including but not limited to applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, or slanderous utterance-that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.*
2. *All remarks by members of the public shall be addressed to the Mayor or the Chair and not to any other member of the public or to any single Council, Board or Commission Member unless in response to a question from that Member.*
3. *Signs, placards, banners, or other similar items shall not be permitted in the audience during a Public Meeting if the presence of such item disturbs, disrupts or otherwise impedes the orderly conduct of the meeting.*
4. *All persons attending a Public Meeting shall remain seated in the seats provided, unless addressing the body at the podium or entering or leaving the meeting.*
5. *All persons attending a Public Meeting shall obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.*
 - *Treat everyone courteously*
 - *Listen to others respectfully*
 - *Exercise self-control*
 - *Give open-minded consideration to all viewpoints*
 - *Focus on the issues and avoid personalizing debate*
 - *Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and rolls for forging sound decisions*

1. CALL TO ORDER: PLANNING COMMISSION

2. ROLL CALL

3. FLAG SALUTE

4. ORAL COMMUNICATIONS FOR MATTERS NOT LISTED ON THE AGENDA

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once.

5. ORAL COMMUNICATIONS FOR NON-PUBLIC HEARING ITEMS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once.

6. APPROVAL OF MINUTES

6.A. APPROVAL OF MINUTES - APRIL 14, 2026

RECOMMENDED ACTION

- APPROVE the minutes as listed.

7. PRESENTATIONS

7.A. ECONOMIC DEVELOPMENT UPDATE

8. NEW PUBLIC HEARING

8.A. PUBLIC HEARING FOR CONSIDERATION TO ADOPT A RESOLUTION RECOMMENDING THAT THE CARSON CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTIONS 15378 AND 15061(B)(3) AND APPROVE ZONING CODE TEXT AMENDMENT (ZCC) NO. 00001-26 TO MAKE VARIOUS AMENDMENTS TO THE TEXT OF THE CITY'S ZONING ORDINANCE TO ESTABLISH EXPRESS LAND USE REGULATIONS AND SPECIAL DEVELOPMENT STANDARDS AND REQUIREMENTS APPLICABLE TO BATTERY ENERGY STORAGE SYSTEM (BESS) LAND USES.

RECOMMENDED ACTION

- 1. CONDUCT a Public Hearing; and
- 2. ADOPT Resolution No. 26-2902, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTIONS 15378 AND 15061(B)(3) AND APPROVE ZCC NO. 00001-26 TO MAKE VARIOUS AMENDMENTS TO THE TEXT OF THE CITY'S ZONING ORDINANCE TO ESTABLISH EXPRESS LAND USE REGULATIONS AND SPECIAL DEVELOPMENT STANDARDS AND REQUIREMENTS APPLICABLE TO BATTERY ENERGY STORAGE SYSTEM (BESS) LAND USES."

9. MANAGER'S REPORT

10. ORAL COMMUNICATIONS (COMMISSIONERS)

11. ADJOURNMENT

Date Posted: June 4, 2026



Report to Planning Commission

Tuesday, June 9, 2026, 6:30 PM

APPROVAL OF MINUTES 6A.

TO: Planning Commission
FROM: McKina Alexander, Planning Manager
PREPARED BY:
SUBJECT: APPROVAL OF MINUTES - APRIL 14, 2026

I. SUMMARY

The Planning Division is seeking approval of the following minutes:

- Tuesday, April 14, 2026

II. RECOMMENDATION

APPROVE the minutes as listed.

III. ATTACHMENTS

1. Minutes, April 14, 2026

Attachments

[Minutes 04-14-26.pdf](#)



**CITY OF CARSON
MINUTES
PLANNING COMMISSION
APRIL 14, 2026**

1. CALL TO ORDER: PLANNING COMMISSION

The meeting was called to order at 6:33 p.m. by Chair Dianne Thomas in the Helen Kawagoe Council Chambers, Carson City Hall, 701 E. Carson Street, California 90745.

2. ROLL CALL

Planning Secretary Laura Gonzalez noted the roll:

Planning Commissioners Present: Chair Dianne Thomas, Vice Chair Louie Diaz, Commissioner Del Huff, Commissioner DeQuita Mfume, Commissioner Clarence Johnson, Commissioner Leticia Wilson, Commissioner Frederick Docdocil, Commissioner Jaime Monteclaro

Planning Commissioners Absent: Commissioner Carlos Guerra

Also Present: Nathan Freeman, Community and Economic Development Director; McKina Alexander, Planning Manager; Jacob Collins, Assistant Planner; Kameliya Danaei, Administrative Intern III; Benjamin Jones, Assistant City Attorney

3. FLAG SALUTE

Commissioner Johnson led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS FOR MATTERS NOT LISTED ON THE AGENDA

None.

**5. ORAL COMMUNICATIONS FOR NON-PUBLIC HEARING ITEMS LISTED ON THE AGENDA
(MEMBERS OF THE PUBLIC)**

None.

6. APPROVAL OF MINUTES

6.A. APPROVAL OF MINUTES - MARCH 10, 2026

RECOMMENDED ACTION

— APPROVE the minutes as listed.

Motion to Approve submitted by Louie Diaz seconded by Del Huff resulting in 8-0-0-0-0

7. PRESENTATIONS

7.A. ECONOMIC DEVELOPMENT UPDATE

Motion to Continue to the next meeting submitted by Louie Diaz seconded by DeQuita Mfume resulting in 8-0-0-0-0

7.B. UPDATE ON THE CITY'S BROWNFIELD GRANT AWARDS

The presentation was provided by Kameliya Danaei, Administrative Intern III.

8. NEW PUBLIC HEARING

8.A. CONSIDER ADOPTION OF RESOLUTION NO. 26-2901 OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING CONDITIONAL USE PERMIT NO. 00001-26 TO ALLOW THE USE AND STORAGE OF HAZARDOUS MATERIALS ASSOCIATED WITH A COSMETIC MANUFACTURING OPERATION LOCATED AT 2136 E. 223RD STREET (APN 7315-008-049)

RECOMMENDED ACTION

- OPEN the public hearing, TAKE public comment, and
- CLOSE the public hearing;
- ADOPT Resolution No. 26-2901, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING CONDITIONAL USE PERMIT NO. 00001-26 TO ALLOW THE USE AND STORAGE OF HAZARDOUS MATERIALS ASSOCIATED WITH A COSMETIC MANUFACTURING OPERATION LOCATED AT 2136 E. 223RD STREET (APN 7315-008-049)"

Assistant Planner Collins - To ensure compliance with the Panattoni IS-MND, staff recommends that a condition be incorporated in the approval stating that prior to the project operations the project applicant shall enter into an operational labor agreement with the City of Carson to implement a local hiring program consisting of reasonable efforts such as local job fairs.

Gerardo Tufano (Applicant) - We are a contract manufacturer of premium skin and hair care products for well-known brands. About 5% of our business involves hazardous materials. Those are handled under very strict protocols and regulatory oversight. We are not changing the nature of our business. We already operate in four different buildings between El Segundo and Torrance. Our company was founded more than thirty years ago. We are proud to say that we have zero safety accidents. We are growing and this will allow us to consolidate our operations into a modern state-of-the-art site to better serve our customers. We have carefully reviewed the conditions of approval, and we're fully aligned with all of them. We are committing to operating in full compliance with all the applicable regulations.

Assistant City Attorney Jones - I want to point out that the title of the resolution as read by Vice Chair Diaz contains some excess wording. The words finding a CEQA exemption are not included in the title of the resolution.

Motion to Approve submitted by Louie Diaz, seconded by Frederick Docdocil resulting in 8-0-0-0

9. MANAGER'S REPORT

Director Freeman - Last week, our mayor and I had a meeting with the owner of the Carson Plaza on Avalon. One of the questions I've been asked most in my short time here with the city is, when is Sprouts going to open? I'm happy to report that we are looking at the end of June. We were able to connect our multi-media team with the contractor who's building the space. In early May they are doing a behind the scenes tour that will be posted on social media. As you recall at the last meeting, you denied a CUP for a BESS project, the developer appealed your decision to the city council and that will most likely be heard by our city council at the first meeting in May.

Planning Manager Alexander - I want to acknowledge Associate Planner Aaron Whiting who worked very hard on the Sprouts project, including to making sure that the design is nice, that there's landscaping, and so forth. He collaborated with building and safety and engineering to make sure that street improvements are made as well. Jacob Collins, our Assistant Planner, is leaving us. He will be sorely missed. He has been a huge asset to the team, not only as a professional planner but as a person. He bloomed from being quiet to this person that doesn't have problems with sharing his opinion, always in a respectful manner. I appreciate his approach to projects, his commitment, and his sincere commitment to our city. He is a voice of reason. He is a voice of making sure that not only our residents but the folks that work, live, and play here are being considered with each project he's handled. One of the sayings that we have within our team is that we want you to stay with us, but we also want to help build your professional development so that you have the opportunity to spread your wings and continue that professional trajectory. This is his last meeting with us.

Assistant Planner Collins - I kind of did a year in Fullerton as a contract planner. Other than that, this is my first full-time position. I feel I've grown so much. I really enjoyed my time here. I accepted a position back in Ohio close to family.

Director Freeman - My job has been made easier by having folks like Jacob and McKina. Jacob is very modest. He has accepted a director's position in his new community. Jacob, you're going to be sorely missed. We hope you will stay in touch with us.

Assistant City Attorney Jones - Congratulations to Jacob. I've seen his growth over the few years that he's been here. He worked on the staff report for tonight's item and it was done excellently. That alone showed he's evolved very fast with a fast-learning curve. I think he's going to do excellent when he goes back to Ohio because California has the most complicated laws and requirements. You're going to do very well having this experience in Carson.

10. ORAL COMMUNICATIONS (COMMISSIONERS)

Commissioner Montecarlo - I've been away for a while. I'm glad to be back.

Commissioner Johnson - Happy to be here and serve. I wish Jacob well in his new adventures.

Commissioner Mfume - Happy to serve. I wish you well in your new job. We will miss you.

Commissioner Wilson - The presentation that was given about the partnerships in the Brownfield project was very exciting. It's amazing to see that we have that partnership with our educational institutions of higher learning. Thank you Jacob for your service. Thank you staff for all your amazing work. Thank you commissioners for being amazing as we do the work on behalf of our entire community.

Commissioner Docdocil - I want to acknowledge all the hard work that staff does. Jacob's presentation was very thorough. It makes our job a lot easier when the heavy lifting has been done prior to the commission meeting. I appreciate the service of my fellow commissioners as well. I have a lot of neighbors in South Carson inquiring about the traffic light at the corner of Main and Lomita. The light on Figueroa has a left turn arrow but the one on Main doesn't. Is that something that we could look into or how does one go about doing that?

Director Freeman - Potentially, at the next commission meeting, we can ask our friends from the Engineering Division to join us and give you a quick update on that.

Commissioner Docdocil - I'm involved with the planning of a couple of community events that are coming up. With the presentation about the Brownfield Act being out in the community, I can get you all connected to get a table at these events. I would like to help get the word out.

Commissioner Huff - Wilmington still needs some attention. There are holes that have been there for a long time. Jacob, congratulations on your new job. We will miss you. You haven't been unnoticed. As McKina said, you've been an asset to us.

Vice Chair Diaz - I want to acknowledge Planning Secretary Laura Gonzalez for the copious notes that were taken. Cammy, excellent job, we appreciate the presentation on the city's brownfield grant awards. We look forward to the Economic Development update at our next meeting. I want to congratulate Jacob on his promotion and move to Ohio. The Dominguez Lincoln Village on the east side of town will be having a blood drive at 21156 South Santa Fe Avenue on Monday, June 29th from 12:00 pm to 5:00 pm.

Chair Thomas - Congratulations Jacob. I've had the honor of working with Jacob and McKina apart from the commission and he's always done a stellar job. Welcome Cammy, it's good to meet you and we look forward to hearing from you. This year's Juneteenth is going to be celebrated on Saturday, June 13th. It's an all-day affair that will take place at Anderson Park located at University and Wilmington. I am honored to serve with all of you here. We have wonderful staff and a wonderful commission. I want us to keep Commissioner Guerra in our prayers as he continues to have health challenges.

11. ADJOURNMENT

The meeting was adjourned by Chair Dianne Thomas at 7:24 p.m.

Dianne Thomas, Chairperson

Attest:

Laura Gonzalez, Secretary



Report to Planning Commission

Tuesday, June 9, 2026, 6:30 PM

NEW PUBLIC HEARING 8A.

TO: Planning Commission
FROM: McKina Alexander, Planning Manager
PREPARED BY: Kaneca Pompey, Senior Planner
SUBJECT: PUBLIC HEARING FOR CONSIDERATION TO ADOPT A RESOLUTION RECOMMENDING THAT THE CARSON CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTIONS 15378 AND 15061(B)(3) AND APPROVE ZONING CODE TEXT AMENDMENT (ZCC) NO. 00001-26 TO MAKE VARIOUS AMENDMENTS TO THE TEXT OF THE CITY'S ZONING ORDINANCE TO ESTABLISH EXPRESS LAND USE REGULATIONS AND SPECIAL DEVELOPMENT STANDARDS AND REQUIREMENTS APPLICABLE TO BATTERY ENERGY STORAGE SYSTEM (BESS) LAND USES.

PROJECT/APPLICATION INFORMATION

Project Summary:	Consideration of recommending that the City Council make a finding of applicability of CEQA Guidelines Sections 15378 and 15061(b)(3) and approve various amendments to the text of the City's Zoning Ordinance related to establishing express land use restrictions applicable to battery energy storage system (BESS) land uses.
Project Location:	City Wide
General Plan/Zoning:	City Wide
Project Applicant:	City of Carson
Project Owner:	City of Carson

I. OVERVIEW

A. Introduction

The California Constitution (Article XI, Sections 5 and 7) states that the City has the police power to make and enforce all ordinances and regulations not in conflict with general laws, and the City may make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in the Charter.

In October 1977, the City adopted Ordinance No. 77-413, entitled the Carson Zoning Ordinance, which has been amended numerous times through subsequent ordinances over the years to update and refine the City's zoning regulations ("Old Code").

On March 19, 2024, the City adopted Ordinance No. 24-2405, Phase 1 of an anticipated two-phase comprehensive update to the Carson Zoning Ordinance, enacting Phase 1 pertaining generally to residential and mixed-use zones, of an anticipated comprehensive update to Chapter 1 of Article IX of the Carson Municipal Code (as amended, "Phase 1 Zoning Code").

The proposed text amendment addresses both the Old Code and Phase 1 Zoning Code, given the current limited applicability of each and the fact that neither expressly permits, prohibits, or otherwise regulates BESS land uses or facilities.

BESS facilities typically utilize large-scale lithium-ion batteries and associated electrical equipment to store and discharge electricity. Such facilities involve the storage and use of hazardous materials, including lithium-ion battery cells and related components. Utility-scale BESS installations are commonly comprised of multiple battery enclosures grouped together within a single site.

BESS operations present potential risks associated with thermal runaway, fire, explosion, and the release of hazardous gases. Recent incidents involving utility-scale BESS facilities in other jurisdictions, including Moss Landing, CA; Otay Mesa, CA; Kearny Mesa, CA; and Surprise, AZ, have highlighted the need for careful site selection, facility design, operational safeguards, emergency response planning, and regulatory oversight. Accordingly, the City finds that the development and operation of BESS facilities warrant specific zoning and performance standards to protect public health, safety, and welfare while supporting the deployment of energy storage technologies .

BESS uses are a recent innovation, with the first such use in the City having been approved in 2024. The City's current zoning regulations were adopted before BESS uses became a common land use and, therefore, do not specifically address these facilities. To date, the City has interpreted the Old Code as requiring a Conditional Use Permit for BESS uses in the industrial zones and being prohibited in all other zones.

While Old Code Section 9141.1 requires a Conditional Use Permit (CUP) for the storage of hazardous materials, it also allows the storage of batteries. In addition, Section 9141.3 provides that "all uses are prohibited except as expressly permitted." As a result, provisions of the Municipal Code create uncertainty regarding the appropriate regulation of BESS projects. Due to this ambiguity, the proposed zone text amendment is intended to clarify where BESS facilities may be located and establish specific development and operational standards to ensure their safe and appropriate operation.

B. Project Description

The proposed text Amendment (ZCC No. 00001-26) proposes modifications to the Old Code, to prohibit BESS uses in the M-L zone and conditionally permit them subject to special development standards and requirements in the M-H zone, and Phase 1 Zoning Code, to expressly prohibit BESS uses in the DMX, CMX and FLX zones. The proposed text amendment includes the following code sections:

Old Code:

- Section 9141.1
- Section 9191.035
- Section 9148.11

Phase 1 Zoning Code:

- Section 9212.2
- Section 9112.3

II. ANALYSIS

A. Proposed Zoning Code Changes to Old Code

1. Section 9141.1 (Uses Permitted in Industrial Zones) of Division 1 (Uses Permitted) of Part 4 (Industrial Zones) of the Old Code would be amended as follows. "C" denotes a conditional use permit requirement and a blank cell denotes a prohibited use.

A new row is added to the table, as a new last row under the heading "Industrial Activities Involving the Following Processes," to read as follows (added text is shown in ***bold italics***):

ML

MH

Battery Energy Storage System (BESS) (in MH zone, must be at least 1,000 feet from any residential or mixed-use zone, City facility, other BESS facility, Fire Station, Police or Sheriff’s Station, public library, public school, public park, medical offices, hospital or long-term health care facility)

C

A new row is added to the table, as a new last row under the heading “Storage,” to read as follows (added text is shown in ***bold italics***):

ML

MH

Battery Energy Storage System (BESS) (in MH zone, must be at least 1,000 feet from any residential or mixed-use zone, City facility, other BESS facility, Fire Station, Police or Sheriff’s Station, public library, public school, public park, medical offices, hospital or long-term health care facility)

C

The following rows of the table under the heading “Storage” are amended to read as follows (added text is shown in ***bold italics***) (“X” in the Old Code land use table denotes an automatically permitted use, and “D” denotes a use that is subject to Director approval):

ML

MH

Electric and gas fixtures, X X
electric appliances, electric
motors and generators,
batteries (***excluding Battery
Energy Storage Systems
(BESS)***), signs (electric,
neon, billboards, etc.)
(indoor).

Electric and gas fixtures, D D
electric appliances, electric
motors and generators,
batteries (***excluding Battery
Energy Storage Systems
(BESS)***), signs (electric,
neon, billboards, etc.)
(outdoor).

The “^” notation is amended to read as follows (added text is shown in ***bold italics***):

“^Designation excludes and does not apply to any existing petroleum refining use that was lawfully established as a permitted use. ***Designation also excludes and does not apply to any land use that is otherwise prohibited (see Ordinance No. 21-2120, 12th recital).***” This change merely clarifies the current ordinance.

2. Part 4 (Industrial Zones) of the Old Code, Division 8. Section 9148.11, Battery Energy Storage System

The following text would be added to the old zoning code, and these development standards and requirements would apply to development of BESS facilities in the M-H zone, which is the only zone in which they would not be prohibited:

A. Location Requirement. As provided in Section 9141.1, BESS uses are prohibited in all zones except Manufacturing-Heavy (MH) and shall not be located within 1,000 feet from any residential or mixed -use zone, City facility, other BESS facility, fire station, police or sheriff's station, public school, public, library, public park, hospital or long-term health care facility, or medical office.

B. Environmental Impact Report. Completion of an Environmental Impact Report (EIR), prepared and publicly reviewed in accordance with the provisions of the California Environmental Quality Act (CEQA) pertaining to EIRs, is required prior to the Planning Commission public hearing and consideration of a new BESS project. The EIR shall be prepared and circulated for public review, and a final EIR prepared following such review, by the City, at the applicant's cost, prior to scheduling or conducting a public hearing before the Planning Commission for consideration of the BESS project.

C. Fire Department AMMR Review. Any applicable Los Angeles County Fire Department Alternative Materials and Methods (AMMR) review shall be successfully completed by the applicant, and the applicant shall obtain clearance from the Los Angeles County Fire Department and submit proof of same to the City's Planning Division for review prior to any Planning Commission hearing to consider a BESS project.

C. Toxicity Report. Prior to the Planning Commission public hearing, the applicant shall submit a complete toxicity report containing information to the satisfaction of the Director and the Los Angeles County Fire Department, which shall be reviewed by the Director and the Fire Department prior to any Planning Commission hearing on the BESS project. The Planning Commission shall consider the toxicity report in connection with its hearing on the BESS project. The report shall evaluate the potential hazards associated with materials, operations, and emissions related to the proposed BESS use and development and shall demonstrate compliance with all applicable local, state, and federal regulations.

D. Setbacks. All battery enclosures shall be setback a minimum of 35 feet from all property lines.

E. Perimeter Wall. A reinforced CMU block wall, no less than 10' in height, shall be placed around the entire perimeter of the Property, except for the access point(s), which shall be gated. The wall shall be a containment wall, engineered to withstand and contain the blast hazard associated with the BESS facility, to the reasonable satisfaction of the Director or their designee, City Engineer, the Los Angeles County Fire Marshal or their designee. The applicant shall submit blast modeling data to the City's Planning Division, City Engineer and the Los Angeles County Fire Marshal as deemed necessary by the Planning Division, City Engineer and the Los Angeles County Fire Marshal for this purpose. The blast modeling data shall include analysis of the potential for blast hazards escaping from proposed gated access points, and any necessary safety measures recommended by the City Engineer, the Los Angeles County Fire Marshal or their designee to mitigate such hazards shall be incorporated into the project.

F. Pre-Operation Safety Meetings. At least 30 days prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall conduct two safety meetings, to be held at least 30 days apart from one another, in coordination with the Los Angeles County Fire Department for the benefit of the public as it relates to the presence and operation of the BESS facility. The safety meetings shall cover, without limitation, alarm protocols, evacuation routes, and battery energy storage safety basics. The meetings shall be open for the public to attend, and the applicant shall provide mailed written notice to the City and all properties within a 2,500 radius of the subject property at least 10 days prior to each meeting.

G. Annual Safety Meetings. After issuance of a certificate of occupancy for a BESS facility, on an annual basis throughout the life of the facility's operations, the owner or operator of the BESS facility shall conduct a safety meeting in coordination with the Los Angeles County Fire Department for the benefit of the public as it relates to the presence and operation of the BESS facility. The annual meetings shall be open for the public to attend, and the owner or operator of the BESS facility shall provide mailed written notice to the City and all properties within a 2,500 radius of the Property at least 10 days prior to each annual meeting.

H. Emergency Evacuation Plan. Prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall prepare a comprehensive written emergency evacuation plan, detailing protocol, processes and procedures for evacuating affected areas as necessary to protect public health and safety in the event of a fire, explosion, toxic release, or other hazardous or emergency incident that may occur at the facility during the life of facility operations. The plan shall include, without limitation, primary and secondary evacuation routes, staging areas, traffic control, and emergency communication protocols. The applicant shall submit the plan to the Los Angeles County Fire Department and the Los Angeles County Sheriff's Department and must obtain both agencies' approval of the plan and submit to the City's Planning Division a copy of the approved plan, together with proof of such agencies' approval thereof, prior to issuance of a certificate of occupancy for the BESS facility.

I. Telephone Hotline. Prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall establish a telephone hotline, which shall be monitored and responded to by the operator of the BESS facility at all times throughout the life of facility operations, for members of the public and the City to call to ask questions, make comments, submit complaints, or report safety concerns related to the facility operations. The existence of the telephone hotline and the associated telephone number shall be publicized and made publicly available by the applicant and facility operator. The City may also publicize and make publicly available the existence of the telephone hotline and the associated telephone number as the applicant or operator's telephone hotline and may call the telephone hotline for its intended purposes, but the City shall bear no responsibility whatsoever related to the telephone hotline, the associated telephone number, or the calls thereto.

J. Indemnification. The applicant, developer, owner and operator of the BESS facility, on behalf of themselves and their successors and assigns ("Indemnitors") shall agree to indemnify, defend and hold harmless City, its elected and appointed officials, officers, agents, and employees, and each of them ("City Indemnitees"), harmless from and against any and all claims, actions, suits, damages, liabilities, and any other actions or proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature) ("Claims"), asserted against City or City Indemnitees arising out of or in connection with the use or development of the BESS facility, including, without limitation, (i) City's approval of any entitlement, permit, agreement, or other approval granted for the use or development of the BESS facility, including any associated CEQA finding or determination ("Approvals"), (ii) the development or operation of the BESS facility, and (iii) liability for damage or claims for damage for personal injury including death and claims for property damage which may arise from, or are attributable to, Indemnitors' (or Indemnitors' contractors, subcontractors, agents, employees or other persons acting on behalf of Indemnitors or any of them ("Indemnitors' Representatives")) activities pursuant to the Approvals and/or the negligence or misconduct of Indemnitors or of Indemnitors' Representatives which relate to the use or development of the BESS facility.

K. Facility Monitoring. The owner and/or operator of the BESS facility shall maintain at least one employee on-site at all times throughout the life of facility operations to provide on-site monitoring of the BESS facility, in addition to remote monitoring of the facility at all times, to help ensure early detection and prevention of any fires, explosions, toxic releases, or other hazardous or emergency incidents at the facility, and to help ensure that appropriate corrective/mitigating action and notification, alarm and/or evacuation measures are taken without delay if and when such an incident occurs.

L. Decommissioning; Security. At the end of BESS facility life, the facility owner and/or operator shall promptly decommission and remove the BESS facility and all related components and equipment from the project site. Prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall post a cash-funded bond or irrevocable letter of credit with the City in an amount equal to 100% of the estimated cost to decommission and remove the BESS facility and all related components and equipment from the project site, as determined by the City Engineer or designee. The estimated cost, once initially determined, shall automatically increase annually by 3%, and shall be recalculated by the City Engineer or designee every 5 years.

M. Costs of Incident Responses to Property. The applicant, developer, owner and/or operator of the BESS facility shall be responsible to reimburse the City for its costs of: (1) all law enforcement, public safety and fire department responses (e.g., City Public Safety & Emergency Management Department, Los Angeles County Sheriff's Department as contracted by City, Los Angeles County Fire Department as contracted by City) to the site of the BESS facility throughout the life of facility operations; and (2) temporary relocation of residents in the event that any City residents are required or recommended by the Los Angeles County Fire Department or other relevant government agencies (which may include the City's Public Safety Department or Emergency Operations Center) to evacuate and remain out of their residences for one or more nights due to an incident occurring at the BESS facility. Prior to issuance of a certificate of occupancy for the BESS facility, the applicant shall submit to City an advance deposit in the amount of \$500,000, to be held by the City in a separate account and applied toward these obligations, and the applicant, owner and/or operator of the BESS facility shall thereafter replenish the deposit as requested by the City in writing, within 10 days of City's request, as necessary to maintain a minimum deposit balance of no less than \$250,000. Any deposit balance remaining unspent at the end of the life of the BESS facility operations shall be refunded within 30 days of the applicant, owner and/or operator's (as applicable) written request to City therefor. City shall keep an accounting of the deposit amounts which have been paid to City pursuant to this section. Upon written request, City shall provide an account summary of the account to the applicant, owner and/or operator, which shall include descriptions of the costs incurred, including the date, amount, and the type of activity for which the cost was incurred. Failure of City to provide any accounting shall not excuse the duty of any applicant, owner or operator to perform any act, including the duty to make full and timely deposits required under this paragraph.

3. PART 9, DIVISION 1.

Section 9191.035, "Battery Energy Storage System (BESS)," would be added to Division 1 (Definitions) of Part 9 (Definitions) of the Old Code, to read as follows:

"9191.035 Battery Energy Storage System (BESS)

Shall mean one or more devices, equipment, or facilities—including enclosures, battery modules, power conditioning systems, inverters, and associated balance of plant components—capable of receiving and storing electrical energy from the grid or a distributed generation source and subsequently discharging that stored electricity to supply energy or grid services. The term includes dedicated, sole purpose facilities, as well as those that are incorporated into larger industrial facilities. The term excludes residential and commercial rooftop solar units and associated systems that capture and store solar energy in onsite batteries for later onsite use, or transmission to the electrical grid."

B. Proposed Amendments to Phase 1 Zoning Code, Section 9212.2 (Land Use Regulations)

1. Table 9212.2 (Land Use Regulations) of Section 9212.2 (Land Use Regulations) of Part 2 (Base, Overlay and Special Districts): A new row would be added to the table under the heading "Industrial Use Types," in alphabetical order vis-à-vis the current rows, to read as follows (added text is shown in ***bold italics***) ("X" in the Phase 1 Zoning Code land use table denotes a prohibited use):

District	DMXCMX	FLX	Additional Regulations
<i>Battery Energy Storage System (BESS)</i>	<i>X</i>	<i>X</i>	-

2. Section 9112.3

Section 9112.3 (Terms and Definitions) of Division 2 (Definitions) of Part 5 (General Terms) of the Phase 1 Zoning Code would be amended to add a new definition, in alphabetical order vis-à-vis the current definitions, to read as follows:

“Battery Energy Storage System (BESS). One or more devices, equipment, or facilities—including enclosures, battery modules, power conditioning systems, inverters, and associated balance of plant components—capable of receiving and storing electrical energy from the grid or a distributed generation source and subsequently discharging that stored electricity to supply energy or grid services. The term includes dedicated, sole purpose facilities, as well as those that are incorporated into larger industrial facilities. The term excludes residential and commercial rooftop solar units and associated systems that capture and store solar energy in onsite batteries for later onsite use, or transmission to the electrical grid.”

III. ENVIRONMENTAL REVIEW

The draft Resolution contains the following recommended CEQA finding:

1. ZCC No. 00001-26 is not a CEQA “project” under CEQA Guidelines Section 15378 because it does not have a potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment. Alternatively, ZCC No. 00001-26 is exempt from CEQA review under the “common sense” exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. ZCC No. 00001-26 only makes the City’s land use regulations applicable to BESS facilities more restrictive than at present, and does not permit any new use or development of any BESS facility. Under ZCC No. 00001-26, BESS uses are to be prohibited in all zones except for Manufacturing-Heavy (M-H), and in that zone are to be subject to issuance of a conditional use permit, which is the same land use requirement that presently applies to BESS uses in the M-H zone, and ZCC No. 00001-26 further restricts BESS uses in the M-H zone by imposing radius restrictions from sensitive receptors. Any such proposed use in the M-H zone would be subject to CEQA review prior to issuance of the required conditional use permit for the use.

IV. GENERAL PLAN CONSISTENCY

ZCC No. 00001-26 as recommended in the draft Resolution is consistent with the General Plan. The Land Use and Revitalization Element of the General Plan provides, with respect to the Industrial Heavy (IH) land use designation, that such designation is intended to provide for the full range of industrial uses that are acceptable within the community, but whose operations are more intensive and may have nuisance or hazardous characteristics, which for reasons of health, safety, environmental effects, or general welfare, are best segregated from other uses, and uses handling hazardous materials would be permitted only with proper safeguards and a conditional use permit. The recommended CUP requirement for the M-H zone is consistent with the foregoing.

ZCC No. 00001-26 is also consistent with the policies of the General Plan goals and will not substantially impair achieving the plan’s objectives. ZCC No. 00001-26 will advance numerous General Plan policies and objectives including, without limitation: Guiding Principle 6 (foster harmony between industrial and residential land uses) and Guiding Policies LUR-G-13 (ensure adequate buffers and transitions between industrial and residential land uses as sites are developed or redeveloped), CHE-G-4 (protect community health from pollution by toxics and hazardous materials, especially in areas with vulnerable or sensitive populations), CSES-G-14 (protect Carson residents and workers from hazardous material exposure and minimize the threat to public health and safety and to the environment posed by a release of hazardous materials), and CSES-G-16 (continue mitigating against and restricting hazardous material usage in efforts to reduce pollution and hazard burden on Carson residents).

V. PUBLIC HEARING NOTICE

Public Notice was given in accordance with CMC Sections 9203.16 and 9173.22. Notice of public hearing was posted to the paper by May 19, 2026. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

VI. CONCLUSION AND RECOMMENDATION

The proposed amendments to the Phase 1 Zoning Code and Old Code will establish express land use regulations and special development standards and requirements applicable to battery energy storage system (BESS) land uses to protect and promote public health, safety and welfare.

Staff recommends that the Planning Commission:

(1) CONDUCT a public hearing; and

(2) ADOPT RESOLUTION NO. 26-2902, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTIONS 15378 AND 15061(B)(3) AND APPROVE ZCC NO. 00001-26 TO MAKE VARIOUS AMENDMENTS TO THE TEXT OF THE CITY'S ZONING ORDINANCE TO ESTABLISH EXPRESS LAND USE REGULATIONS AND DEVELOPMENT STANDARDS APPLICABLE TO BATTERY ENERGY STORAGE SYSTEM (BESS) LAND USES."

ATTACHMENTS

1. Planning Commission Resolution No. 26-2902

Attachments

[PC Resolution No. 26-2902.pdf](#)

**CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 26-2902**

AN RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTIONS 15378 AND 15061(B)(3) AND APPROVE ZCC NO. 00001-26 TO MAKE VARIOUS AMENDMENTS TO THE TEXT OF THE CITY'S ZONING ORDINANCE TO ESTABLISH EXPRESS LAND USE REGULATIONS AND SPECIAL DEVELOPMENT STANDARDS AND REQUIREMENTS APPLICABLE TO BATTERY ENERGY STORAGE SYSTEM (BESS) LAND USES

WHEREAS, pursuant to California Constitution Article XI Section 7, the City of Carson ("City"), a charter city, has the police power to make and enforce all ordinances and regulations not in conflict with general laws, and pursuant to California Constitution Article XI Section 5 and the City's Charter, the City may make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in the Charter.

WHEREAS, in October 1977, the City of Carson ("City") adopted Ordinance No. 77-413, entitled the Carson Zoning Ordinance, which has been amended numerous times through subsequent ordinances over the years to update and refine the City's zoning regulations ("Old Code").

WHEREAS, on March 19, 2024, as phase 1 of an anticipated 2-phase comprehensive update to the Carson Zoning Ordinance, the City adopted Ordinance No. 24-2405, enacting phase 1, pertaining generally to residential and mixed-use zones, of an anticipated comprehensive update to Chapter 1 of Article IX of the Carson Municipal Code (as amended, "Phase 1 Zoning Code").

WHEREAS, the text amendments in this Ordinance are made to both the Old Code and the Phase 1 Zoning Code, given the current limited applicability of each.

WHEREAS, the Old Code and the Phase 1 Zoning Code currently do not expressly permit, prohibit, or otherwise regulate battery energy storage system (BESS) land uses or facilities.

WHEREAS, BESS operations generally utilize numerous, large-scale lithium-ion batteries intended to store electricity, which constitutes a hazardous materials use of significant intensity with the potential for explosion and fire hazards. The batteries are generally installed on racks in enclosures that are grouped together in large numbers. Lithium-ion batteries are hazardous materials, and BESS facilities also frequently also utilize heavy metals that constitute hazardous materials in the connections for the batteries/battery enclosures.

WHEREAS, BESS facilities suffer from the risk of thermal runaway, fire, explosion, and toxic gas release, and there have been several documented, recent failures of outdoor utility-scale containerized-BESS facilities in other jurisdictions, including Moss Landing, CA, Otay Mesa, CA, Kearny Mesa, CA, and Surprise, AZ.

WHEREAS, BESS facilities are more commonly installed in remote areas, whereas the City generally consists of densely developed areas. If a failure incident occurred in a densely developed area in the City, particularly one that is in proximity to residential uses or other sensitive receptors, the consequences to public health and safety could be far more grave than a similar incident occurring in a remote area, and may require significant evacuations.

WHEREAS, when a failure occurs involving a BESS facility, fire suppression efforts are ineffective and there is little to nothing firefighters can do to safely intervene during these incidents, other than to ensure that the evacuation of the area has occurred (on and off site, depending on the incident type), coordinate site-operator activities as the incident commander, and monitor the situation. Stated differently, a fire involving a BESS facility generally cannot be put out, but rather must be allowed to burn itself out, which would occur only once all the lithium-ion batteries and other involved materials have been consumed and emitted into the air as toxic smoke, which could then be carried by the wind, affecting air quality and leading to severe public health and safety hazards for residents.

WHEREAS, in the event of an explosion involving a BESS facility, there is an expectation of a “rain down effect” whereby projectiles could be launched from the BESS facility high into the air, landing in surrounding areas and potentially causing injury. A perimeter blast wall cannot prevent a “rain down effect,” but if properly engineered and of sufficient height, can help to contain horizontal projectiles from explosions at BESS facilities.

WHEREAS, the Old Code, pertaining to the uses permitted in industrial zones, could create confusion as to the land use regulations applicable to BESS uses by providing, in CMC Section 9141.1, that storage of “hazardous materials,” except as otherwise prohibited by the Old Code, requires a Conditional Use Permit, although indoor storage of batteries is listed as automatically permitted, and providing, in CMC section 9141.3, that “[a]ll uses are prohibited except as expressly permitted by the provisions of this Chapter.” This potential confusion is likely attributable to the reality that the land use regulations of the Old Code, in its current form, were prepared and adopted without awareness or contemplation of BESS uses, as BESS uses are a fairly recent innovation, with the first such use in the City having been approved in 2024. To date, the City has interpreted the Old Code as requiring a Conditional Use Permit for BESS uses in the industrial zones and being prohibited in all other zones.

WHEREAS, the purpose of the zoning ordinance text amendments recommended in this Resolution is to enact clear and express land use regulations and special development standards and requirements applicable to BESS land uses to protect the public health, safety, and general welfare of the City’s residents, businesses and visitors from potential risks associated with BESS land uses. Specifically, the Planning Commission recommends that BESS land uses be prohibited in all zones except the Manufacturing-Heavy (M-H) zone, and in that zone be conditionally permitted (i.e., shall require a conditional use permit) and be subject to specified radius requirements ensuring they remain a safe distance away from sensitive receptors, among other requirements which are designed to protect public health, safety and welfare as it relates to BESS uses and developments. The Planning Commission initiates Zoning Code Text Change/Amendment (ZCC) No. 00001-26, which includes the recommended text amendments to the Old Code and Phase 1 Zoning Code set forth in Sections 3-6 below, for this purpose.

WHEREAS, ZCC No. 00001-26 as recommended in this Resolution is consistent with the General Plan. The Land Use and Revitalization Element of the General Plan provides, with respect to the Industrial Heavy (IH) land use designation, that such designation is intended to provide for the full range of industrial uses that are acceptable within the community, but whose operations are more intensive and may have nuisance or hazardous characteristics, which for reasons of health, safety, environmental effects, or general welfare, are best segregated from other uses, and uses handling hazardous materials would be permitted only with proper safeguards and a conditional use permit. The recommended CUP requirement for the M-H zone is consistent with the foregoing.

WHEREAS, ZCC No. 00001-26 is also consistent with the policies of the General Plan goals and will not substantially impair achieving the plan’s objectives. ZCC No. 00001-26 will

advance numerous General Plan policies and objectives including, without limitation: Guiding Principle 6 (foster harmony between industrial and residential land uses) and Guiding Policies LUR-G-13 (ensure adequate buffers and transitions between industrial and residential land uses as sites are developed or redeveloped), CHE-G-4 (protect community health from pollution by toxics and hazardous materials, especially in areas with vulnerable or sensitive populations), CSES-G-14 (protect Carson residents and workers from hazardous material exposure and minimize the threat to public health and safety and to the environment posed by a release of hazardous materials), and CSES-G-16 (continue mitigating against and restricting hazardous material usage in efforts to reduce pollution and hazard burden on Carson residents).

WHEREAS, ZCC No. 00001-26 is consistent with the applicable requirements of State and federal law, and with the purpose of the Zoning Code to promote the growth of the City in an orderly manner and protect the public health, safety and general welfare. ZCC No. 00001-26 will apply to specific plan areas to the extent consistent with the applicable specific plan.

WHEREAS, on June 9, 2026, the Planning Commission held a duly noticed public hearing to consider the text amendments set forth in this Resolution, and having completed the hearing, now sees fit to recommend that the City Council find that adoption of the text amendments is not subject to, or exempt from, the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15378 and 15061(b)(3) and adopt the text amendments; and

WHEREAS, all of the legal prerequisites to adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA DOES FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are incorporated herein by this reference as findings of fact.

SECTION 2. CEQA. Based on its independent review of the analysis set forth in the staff report and incorporated herein by this reference as a finding of fact, and the administrative record as a whole, pursuant to CEQA Guidelines Section 15061(b)(3), the Planning Commission, in the exercise of its independent judgment, hereby recommends the City Council find as follows:

A. ZCC No. 00001-26 is not a CEQA “project” under CEQA Guidelines Section 15378 because it does not have a potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment. Alternatively, ZCC No. 00001-26 is exempt from CEQA review under the “common sense” exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. ZCC No. 00001-26 only makes the City’s land use regulations applicable to BESS facilities more restrictive than at present, and does not permit any new use or development of any BESS facility. Under ZCC No. 00001-26, BESS uses are to be prohibited in all zones except for Manufacturing-Heavy (M-H), and in that zone are to be subject to issuance of a conditional use permit, which is the same land use requirement that presently applies to BESS uses in the M-H zone, and ZCC No. 00001-26 further restricts BESS uses in the M-H zone by imposing radius restrictions from sensitive receptors. Any such proposed use in the M-H zone would be subject to CEQA review prior to issuance of the required conditional use permit for the use.

SECTION 3. RECOMMENDED TEXT AMENDMENTS TO OLD CODE

SECTION 9141.1. The Planning Commission recommends that Section 9141.1 (Uses Permitted in Industrial Zones) of Division 1 (Uses Permitted) of Part 4 (Industrial Zones) of the Old Code be amended as follows:

A. A new row is added to the table, as a new last row under the heading “Industrial Activities Involving the Following Processes,” to read as follows (added text is shown in ***bold italics***):

	ML	MH
<i>Battery Energy Storage System (BESS) (in MH zone, must be at least 1,000 feet from any residential or mixed-use zone, City facility, other BESS facility, Fire Station, Police or Sheriff’s Station, public library, public school, public park, medical offices, hospital or long-term health care facility)</i>		<i>C</i>

B. A new row is added to the table, as a new last row under the heading “Storage,” to read as follows (added text is shown in ***bold italics***):

	ML	MH
<i>Battery Energy Storage System (BESS) (in MH zone, must be at least 1,000 feet from any residential or mixed-use zone, City facility, other BESS facility, Fire Station, Police or Sheriff’s Station, public school, public library, public park, medical offices, hospital or long-term health care facility)</i>		<i>C</i>

C. The following rows of the table under the heading “Storage” are amended to read as follows (added text is shown in ***bold italics***):

	ML	MH
--	----	----

Electric and gas fixtures, electric appliances, electric motors and generators, batteries (<i>excluding Battery Energy Storage Systems (BESS)</i>), signs (electric, neon, billboards, etc.) (indoor).	X	X
Electric and gas fixtures, electric appliances, electric motors and generators, batteries (<i>excluding Battery Energy Storage Systems (BESS)</i>), signs (electric, neon, billboards, etc.) (outdoor).	D	D

D. The “^” notation is amended to read as follows (added text is shown in *bold italics*):

“^Designation excludes and does not apply to any existing petroleum refining use that was lawfully established as a permitted use. *Designation also excludes and does not apply to any land use that is otherwise prohibited (see Ordinance No. 21-2120, 12th recital).*”

SECTION 4. RECOMMENDED TEXT AMENDMENT TO OLD CODE PART 9, DIVISION 1. The Planning Commission recommends that Section 9191.035, “Battery Energy Storage System (BESS),” be added to Division 1 (Definitions) of Part 9 (Definitions) of the Old Code, to read as follows:

“9191.035 Battery Energy Storage System (BESS)

Shall mean one or more devices, equipment, or facilities—including enclosures, battery modules, power conditioning systems, inverters, and associated balance of plant components—capable of receiving and storing electrical energy from the grid or a distributed generation source and subsequently discharging that stored electricity to supply energy or grid services. The term includes dedicated, sole purpose facilities, as well as those that are incorporated into larger industrial facilities. The term excludes residential and commercial rooftop solar units and associated systems that capture and store solar energy in onsite batteries for later onsite use, or transmission to the electrical grid.”

SECTION 5. RECOMMENDED TEXT AMENDMENTS TO OLD CODE PART 4, DIVISION 8. The Planning Commission recommends that Section 9148.11, “Battery Energy Storage System (BESS),” be added to Division 8 (Special Requirements For Certain Uses) of Part 4 (Industrial Zones) of the Old Code, to read as follows:

“9148.11, Battery Energy Storage System (BESS)

“The following special development standards and requirements shall apply to development of Battery Energy Storage System (BESS) facilities:

- A. **Location Requirement.** As provided in Section 9141.1, BESS are prohibited in all zones except Manufacturing-Heavy (M-H) and shall not be located within 1,000 feet from any residential or mixed-use zone, City facility, other BESS facility, fire station, police or sheriff's station, public school, public library, public park, hospital or long-term health care facility, or medical office.
- B. **Environmental Impact Report.** Completion of an Environmental Impact Report (EIR), prepared and publicly reviewed in accordance with the provisions of the California Environmental Quality Act (CEQA) pertaining to EIRs, is required prior to the Planning Commission public hearing and consideration of a new BESS project. The EIR shall be prepared and circulated for public review, and a final EIR prepared following such review, by the City, at the applicant's cost, prior to scheduling or conducting a public hearing before the Planning Commission for consideration of the BESS project.
- C. **Fire Department AMMR Review.** Any applicable Los Angeles County Fire Department Alternative Materials and Methods (AMMR) review shall be successfully completed by the applicant, and the applicant shall obtain clearance from the Los Angeles County Fire Department and submit proof of same to the City's Planning Division for review prior to any Planning Commission hearing to consider a BESS project.
- D. **Toxicity Report.** Prior to the Planning Commission public hearing, the applicant shall submit a complete toxicity report containing information to the satisfaction of the Director and the Los Angeles County Fire Department, which shall be reviewed by the Director and the Fire Department prior to any Planning Commission hearing on the BESS project. The Planning Commission shall consider the toxicity report in connection with its hearing on the BESS project. The report shall evaluate the potential hazards associated with materials, operations, and emissions related to the proposed BESS use and development and shall demonstrate compliance with all applicable local, state, and federal regulations.
- E. **Setbacks.** All battery enclosures shall be setback a minimum of 35 feet from all property lines.
- F. **Perimeter Wall.** A reinforced CMU block wall, no less than 10' in height, shall be placed around the entire perimeter of the Property, except for the access point(s), which shall be gated. The wall shall be a containment wall, engineered to withstand and contain the blast hazard associated with the BESS facility, to the reasonable satisfaction of the Director or their designee, City Engineer, the Los Angeles County Fire Marshal or their designee. The applicant shall submit blast modeling data to the City's Planning Division, City Engineer and the Los Angeles County Fire Marshal as deemed necessary by the Planning Division,

City Engineer and the Los Angeles County Fire Marshal for this purpose. The blast modeling data shall include analysis of the potential for blast hazards escaping from proposed gated access points, and any necessary safety measures recommended by the City Engineer, the Los Angeles County Fire Marshal or their designee to mitigate such hazards shall be incorporated into the project.

- G. **Pre-Operation Safety Meetings.** At least 30 days prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall conduct two safety meetings, to be held at least 30 days apart from one another, in coordination with the Los Angeles County Fire Department for the benefit of the public as it relates to the presence and operation of the BESS facility. The safety meetings shall cover, without limitation, alarm protocols, evacuation routes, and battery energy storage safety basics. The meetings shall be open for the public to attend, and the applicant shall provide mailed written notice to the City and all properties within a 2,500 radius of the subject property at least 10 days prior to each meeting.
- H. **Annual Safety Meetings.** After issuance of a certificate of occupancy for a BESS facility, on an annual basis throughout the life of the facility's operations, the owner or operator of the BESS facility shall conduct a safety meeting in coordination with the Los Angeles County Fire Department for the benefit of the public as it relates to the presence and operation of the BESS facility. The annual meetings shall be open for the public to attend, and the owner or operator of the BESS facility shall provide mailed written notice to the City and all properties within a 2,500 radius of the Property at least 10 days prior to each annual meeting.
- I. **Emergency Evacuation Plan.** Prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall prepare a comprehensive written emergency evacuation plan, detailing protocol, processes and procedures for evacuating affected areas as necessary to protect public health and safety in the event of a fire, explosion, toxic release, or other hazardous or emergency incident that may occur at the facility during the life of facility operations. The plan shall include, without limitation, primary and secondary evacuation routes, staging areas, traffic control, and emergency communication protocols. The applicant shall submit the plan to the Los Angeles County Fire Department and the Los Angeles County Sheriff's Department and must obtain both agencies' approval of the plan and submit to the City's Planning Division a copy of the approved plan, together with proof of such agencies' approval thereof, prior to issuance of a certificate of occupancy for the BESS facility.
- J. **Telephone Hotline.** Prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall establish a telephone hotline, which shall be monitored and responded to by the operator of the BESS facility at all times throughout the life of facility operations, for members of the public and the City to call to ask questions, make comments, submit complaints, or report safety concerns related to the facility operations. The existence of the

telephone hotline and the associated telephone number shall be publicized and made publicly available by the applicant and facility operator. The City may also publicize and make publicly available the existence of the telephone hotline and the associated telephone number as the applicant or operator's telephone hotline and may call the telephone hotline for its intended purposes, but the City shall bear no responsibility whatsoever related to the telephone hotline, the associated telephone number, or the calls thereto.

- K. **Indemnification.** The applicant, developer, owner and operator of the BESS facility, on behalf of themselves and their successors and assigns ("Indemnitors") shall agree to indemnify, defend and hold harmless City, its elected and appointed officials, officers, agents, and employees, and each of them ("City Indemnitees"), harmless from and against any and all claims, actions, suits, damages, liabilities, and any other actions or proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature) ("Claims"), asserted against City or City Indemnitees arising out of or in connection with the use or development of the BESS facility, including, without limitation, (i) City's approval of any entitlement, permit, agreement, or other approval granted for the use or development of the BESS facility, including any associated CEQA finding or determination ("Approvals"), (ii) the development or operation of the BESS facility, and (iii) liability for damage or claims for damage for personal injury including death and claims for property damage which may arise from, or are attributable to, Indemnitors' (or Indemnitors' contractors, subcontractors, agents, employees or other persons acting on behalf of Indemnitors or any of them ("Indemnitors' Representatives")) activities pursuant to the Approvals and/or the negligence or misconduct of Indemnitors or of Indemnitors' Representatives which relate to the use or development of the BESS facility.
- L. **Facility Monitoring.** The owner and/or operator of the BESS facility shall maintain at least one employee on-site at all times throughout the life of facility operations to provide on-site monitoring of the BESS facility, in addition to remote monitoring of the facility at all times, to help ensure early detection and prevention of any fires, explosions, toxic releases, or other hazardous or emergency incidents at the facility, and to help ensure that appropriate corrective/mitigating action and notification, alarm and/or evacuation measures are taken without delay if and when such an incident occurs.
- M. **Decommissioning; Security.** At the end of BESS facility life, the facility owner and/or operator shall promptly decommission and remove the BESS facility and all related components and equipment from the project site. Prior to issuance of a certificate of occupancy for any BESS facility, the applicant shall post a cash-funded bond or irrevocable letter of credit with the City in an amount equal to 100% of the estimated cost to decommission and remove the BESS facility and all related components and equipment from the project site, as determined by the City Engineer or designee. The estimated cost, once initially determined, shall automatically increase annually by 3%, and shall be recalculated by the City Engineer or designee every 5 years.

N. **Costs of Incident Responses to Property.** The applicant, developer, owner and/or operator of the BESS facility shall be responsible to reimburse the City for its costs of: (1) all law enforcement, public safety and fire department responses (e.g., City Public Safety & Emergency Management Department, Los Angeles County Sheriff’s Department as contracted by City, Los Angeles County Fire Department as contracted by City) to the site of the BESS facility throughout the life of facility operations; and (2) temporary relocation of residents in the event that any City residents are required or recommended by the Los Angeles County Fire Department or other relevant government agencies (which may include the City’s Public Safety Department or Emergency Operations Center) to evacuate and remain out of their residences for one or more nights due to an incident occurring at the BESS facility. Prior to issuance of a certificate of occupancy for the BESS facility, the applicant shall submit to City an advance deposit in the amount of \$500,000, to be held by the City in a separate account and applied toward these obligations, and the applicant, owner and/or operator of the BESS facility shall thereafter replenish the deposit as requested by the City in writing, within 10 days of City’s request, as necessary to maintain a minimum deposit balance of no less than \$250,000. Any deposit balance remaining unspent at the end of the life of the BESS facility operations shall be refunded within 30 days of the applicant, owner and/or operator’s (as applicable) written request to City therefor. City shall keep an accounting of the deposit amounts which have been paid to City pursuant to this section. Upon written request, City shall provide an account summary of the account to the applicant, owner and/or operator, which shall include descriptions of the costs incurred, including the date, amount, and the type of activity for which the cost was incurred. Failure of City to provide any accounting shall not excuse the duty of any applicant, owner or operator to perform any act, including the duty to make full and timely deposits required under this paragraph.”

SECTION 6. RECOMMENDED TEXT AMENDMENTS TO PHASE 1 ZONING CODE.

A. The Planning Commission recommends that Table 9212.2 (Land Use Regulations) of Section 9212.2 (Land Use Regulations) of Part 2 (Base, Overlay and Special Districts) of the Phase 1 Zoning Code be amended to add a row to the table under the heading “Industrial Use Types,” in alphabetical order vis-à-vis the current rows, to read as follows (added text is shown in *bold italics*):

District	DMX	CMX	FLX	Additional Regulations
<i>Battery Energy Storage System (BESS)</i>	<i>X</i>	<i>X</i>	<i>X</i>	

B. The Planning Commission recommends that Section 9112.3 (Terms and Definitions) of Division 2 (Definitions) of Part 5 (General Terms) be amended to add a definition of “Battery Energy Storage System (BESS)”, to read as follows:

“Battery Energy Storage System (BESS). One or more devices, equipment, or facilities—including enclosures, battery modules, power conditioning systems, inverters, and associated balance of plant components—capable of receiving and storing electrical energy from the grid or a distributed generation source and subsequently discharging that stored electricity to supply energy or grid services. The term includes dedicated, sole purpose facilities, as well as those that are incorporated into larger industrial facilities. The term excludes residential and commercial rooftop solar units and associated systems that capture and store solar energy in onsite batteries for later onsite use, or transmission to the electrical grid.”

SECTION 7. This Resolution shall take effect immediately upon its adoption.

SECTION 8. The Secretary of the Planning Commission shall certify the adoption of the resolution and transmit a copy of this Resolution to the City Council via the City Clerk.

APPROVED and **ADOPTED** this ____ day of _____, 2026.

DIANE THOMAS
CHAIRPERSON

ATTEST:

LAURA GONALEZ
PLANNING SECRETARY