



STAFF MEMORANDUM

DATE: September 9, 2024
FOR: Cover Letter- Code amendment description
Staff: Chrissanda Walker, Associate Planner Community Development
RE: **Zoning Code Amendments - Battery Energy Storage System (BESS)**

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

The City of Sumner is currently in the process of permitting an industrial-scale Battery Energy Storage Systems (BESS) that will have the capacity for 200-800 Megawatt Hours of electrical energy storage. As a component of renewable energy systems, BESS supplement the power capacity of the electrical grid, manage the intermittent aspects of alternative energy sources like solar and wind, and provide back-up power in the case of a power failure.

The proposed BESS facility will be located on the East Valley Highway near the Puget Sound Energy power substation and will have a "gen-tie" powerline constructed from the facility at the bottom of the hill to the substation at the top of the hill. Under the current Zoning Code this is to be permitted as a "major utility facility," which is outright permitted in Industrial zones and does not require a Conditional Use Permit. However, through the permit process it has become clear that these large "grid-scale" BESS should be regulated as a conditional use permit to better manage potential impacts, and should only allowed in industrial/manufacturing zones with distance requirements to separate these facilities from residential uses.

II. DESCRIPTION OF PROPOSAL

The proposed amendments to Sumner Municipal Code Title 18, Zoning Code will update regulations related to BESS facilities including adding a definition and limiting locations to industrial/manufacturing areas and distance from residentially zoned properties. **See EXHIBIT A.**

Key changes are:

A. New and Amended Definitions:

- Adds a definition for "Battery Energy Storage Systems (BESS)" to the Zoning Code
- Amends the definitions of "major utility facility" and "minor utility facility" to exclude BESS.
- Amends the definition of "battery storage, distribution, and processing business" to distinguish from BESS.

B. Conditional Use Permit (CUP):

- BESS will only be allowed in industrial zones and will require a Conditional Use Permit (CUP)
- BESS will be prohibited within 1,000 feet of residentially zoned parcels.

C. Performance Standards

- BESS will be required to meet certain performance standards such as screening requirements
- BESS will be required to meet fencing requirements
- All other performance standards must be met for light and glare, noise, vibrations, etc.

D. Distance From Residential Zones:

- BESS will be required to be located at least 1,000 feet away from residentially zoned parcels.

III. NEXT STEPS

Hold a public hearing to seek a recommendation from the Planning Commission. Hearing date is scheduled tentatively for October 3rd, 2024.

IV. EXHIBITS

A. Draft Ordinance No. XXXX - Code Changes for Battery Energy Storage Systems