

Agenda Item Details

Meeting	Jul 09, 2024 - Bryan City Council Second Regular Meeting
Category	4. Public Hearings and First and Only Readings of Ordinances - Open public hearing, hear citizen comments, close public hearing, staff presentation, and consider first and only reading of ordinance.
Subject	A. Public hearing, presentation, and consideration of the first and only reading of an ordinance of the City of Bryan, Texas, amending the text of Bryan Code of Ordinances Chapter 130- Zoning, specifically to include a new land use definition for Battery Energy Storage Systems (BESS), to permit the use conditionally on properties zoned Industrial District (I), and to provide special and supplementary regulations for the newly defined use; providing for a penalty; providing for publication; and providing an effective date
Type	Action
Preferred Date	Jul 09, 2024
Absolute Date	Jul 09, 2024
Fiscal Impact	No
Budgeted	No

Summary:

In recent years, there has been a rapid expansion of energy storage projects being proposed within cities across the United States, including a dramatic increase in Battery Energy Storage Systems (BESS). With the increasing popularity of these projects, there has been a rise in cities acting to provide specific uses, standards, and regulations within their ordinances. The Planning and Zoning Commission finds incorporating this land use into the City's ordinance will better prepare Bryan for future BESS proposals.

A Battery Energy Storage System (BESS) is a rechargeable, electric battery system that charges, collects, and stores energy from the grid or a power plant, in order to discharge later when the power/electricity is needed. A BESS may consist of one or more batteries and is typically a stationary device. Existing BESS vary in size and intensity depending on the use and magnitude of the system, as well as any existing restrictions/regulations.

Incorporating this land use into the City of Bryan Zoning Ordinance will better prepare the City for future BESS proposals. The standards proposed within the attached ordinance were developed in partnership with the City of Bryan Fire Marshal's Office and Bryan Texas Utilities (BTU).

Analysis and Recommendation:

During their regular meeting on June 6, 2024, the Planning and Zoning Commission voted to **unanimously recommend approval** of these proposed amendments to the text of the Bryan Code of Ordinances, **subject to the following modifications:**

- 1. The separation requirements from detached residential dwellings shall apply without respect to the dwelling's underlying zoning district.**

The Commission finds:

- Providing a defined use and special and supplementary regulations for Battery Energy Storage Systems (BESS) will better prepare Bryan for future proposals of a BESS project.
- That BESS uses should be potentially approved via a conditional use permit from the Planning and Zoning Commission in the Industrial District only.
- Similar Texas communities have adopted land use definitions and specific standards for BESS developments to increase the quality of development and require protocol for hazard mitigation and protect existing neighborhoods.

Options:

1. approve the proposed text amendment, as recommended by the Planning and Zoning Commission and staff;
2. approve the proposed text amendment with modifications (which may require City Council consideration at a future City Council meeting); or
3. do not approve the proposed text amendment at this time and provide direction to the Planning and Zoning Commission and staff.

Attachments:

1. draft ordinance;
2. excerpt from June 6, 2024 Planning and Zoning Commission meeting minutes.
3. memorandum to the Planning and Zoning Commission dated May 16, 2024;
4. memorandum to the Planning and Zoning Commission dated June 6, 2024; and
5. article from the Houston Chronicle, "New technology could stabilize Texas' grid but Houston-area residents are wary of its expansion", published May 23, 2024.

[CAF ATTACHMENTS BESS \(Version 4\).pdf \(350 KB\)](#)