

Attachment B - BESS Regulation Comparisons

| Regulatory Conditions | Goodyear (Proposed) | Buckeye | Mesa | Maricopa County | Phoenix | Peoria | Surprise |
|-----------------------|---|---|--|--|--|--|--|
| Definition | Assembled devices, energy storage distribution, associated equipment | Utility-scale | Principal use greater than 5,000kW; accessory use less than 5,000kW | Utility-scale designed for energy market/grid services | Residential BESS: 3kWh – 27kWh over counter permit | Under development/consideration | Assembled devices, energy storage distribution, associated equipment |
| Where Allowed | Special use in I-1/I-2; Residential applications exempt | CUP in AG/R1-43; Permitted in I-1/I-2 | Principal use in GI and HI w/ PAD overlay; accessory allowed in AG, Res, Com, MU | Principal use w/ POD in IND-2 and IND-3 | Conditional use in Industrial Use (A-1, A-2) categories | | Overlay Zoning District, except for the Surprise Heritage District (SHD), or on any individual residential dwellings |
| Separation | 330' from Res/Sensitive Uses, can request reduction to 150'; 150' from Com & Ind, can request reduction to 100' if adjacent to BPD, I-1 & I-2 | 150' from Residential | 1,000' from Res/Sensitive Uses; 150' from Com & Ind | 100' feet from lot line | Follows 2018 International Fire Code (IFC) with local amendments, plus several NFPA standards. | Follows 2018 International Fire Code (IFC) with local amendments, plus several NFPA standards. | Located no closer than fifteen hundred feet (1,500') from any existing dwelling |
| Site & Bldg. Design | Setbacks, screening, underground utilities, building mass/height limits | Enforce UL 9540 and NFPA 855 Standards; screening; height exceptions for utilities; landscaping | Setbacks, screening, underground utilities (if necessary), building mass/height limits | Baseline standards subject to POD process | Enforce Fire Code and NFPA Standards | Enforce Fire Code and NFPA Standards | Setbacks, screening, landscaping |
| Noise | Baseline; Compliance & Monitoring request; mitigation | Hazard mitigation analysis (people/environment) | Baseline + post-construction + annual monitoring; mitigation | Baseline standards subject to POD process | | | Baseline study; mitigation |
| Operation Plan | Decommissioning plan; Enforce UL 9540 and all applicable NFPA Standards | decommissioning plan; Enforce UL 9540 and NFPA 855 Standards | Emergency response plan and decommissioning plan | Baseline standards subject to POD process | | | decommissioning plan; Enforce UL 9540 and NFPA 855 Standards |