Permit Check: Starlight Solar, San Diego County (Sample)

By Stephen Lloyd, Siting Desk (sitingdesk.com). Research as of Nov 16, 2026.

Scope: the county, state and court record for one project, as a buyer, lender or tax equity investor would ask for it before closing.

1. Bottom line

Starlight Solar holds a Major Use Permit that the Board of Supervisors approved 5-0 on Sept 16, 2026. A CEQA suit filed Oct 15, 2026 is pending, and the petitioners must ask for a hearing by Jan 13, 2027 or face dismissal. The county's draft battery storage rules apply only to applications filed after adoption, so they will not reach this project. The signed conditions and the minute order are not online; a buyer should get them from the county before relying on the permit.

2. Findings

Item	Finding	Source
Permit	Major Use Permit PDS2022-MUP-22-010 and a Fire Protection and Mitigation Agreement. The Planning Commission voted 7-0 on July 10, 2026; the Board approved 5-0 on Sept 16, 2026.	Notice of determination; KPBS, Sept 17; KPBS, July 14
What it allows	100 MW of solar and 217.4 MW of storage (868 MWh per KPBS) on about 588 acres near Boulevard, built in two phases: about 20 MW of solar and 17.4 MW of storage, then about 80 MW and 200 MW. A mostly underground line runs to SDG&E's Boulevard Substation.	Notice of determination
Environmental review	EIR (SCH 2023030603) certified with significant impacts, mitigation made a condition, a monitoring plan and a statement of overriding considerations. The notice of determination was posted Sept 18, 2026.	Notice of determination
Permit holder	The EIR names Starlight Solar LLC as applicant; the notice of determination lists Empire II LLC.	EIR summary; Notice of determination
Conditions	Reported conditions: dust control, runoff retention basins, a community impact fund of more than $8 million with $1 million in phase 1, groundwater monitoring and added fire safeguards. Water comes from Jacumba Community Services District groundwater.	Jacumba sponsor group agenda, Sept 21; Union-Tribune, Sept 17; EIR utilities section
Permit term	Under Zoning Ordinance Sec. 7374 a use permit expires at the time it states, or two years after approval if it states none, unless construction or use has begun. Sec. 7376 allows an extension requested before expiry. Under Sec. 7380 the permit lapses if a final judgment voids one of its conditions.	Zoning Ordinance, Part Seven

Item	Finding	Source
Lawsuit	Back Country Community Alliance for Responsible Development v. County of San Diego, filed Oct 15, 2026 in San Diego Superior Court, 27 days after the notice posted and inside CEQA's 30-day limit. Claims: battery fire and plume risk (county documents gave maximum plume distances of 366 feet and 2,230 feet), evacuation and water supply. It asks the court to suspend project activity. The project's land use consultant says the suit lacks merit and the developer will try to settle.	KPBS, Oct 22; Union-Tribune via Fire Engineering; Pub. Res. Code 21167
Next court date	Petitioners must request a hearing within 90 days of filing, by Jan 13, 2027, or face dismissal.	Pub. Res. Code 21167.4
Nearby precedent	Jacumba residents sued over the 600-acre JVR Energy Park in 2021 and lost. JVR received its grading permit Nov 5, 2025 and is under construction.	Union-Tribune via Fire Engineering; Jacumba sponsor group agenda, Aug 10
Rule changes	The draft battery storage zoning amendment (comment closed Sept 27, 2026) applies only to new facilities whose applications come after it is adopted.	County BESS project page

3. Records not found online

- The signed conditions of approval and the Sept 16, 2026 minute order.
- The Fire Protection and Mitigation Agreement.
- The court docket. Case status here comes from news reports and the CEQA statute, not a docket search.

4. Open items for a buyer or lender

- Get the permit, its conditions and the Sept 16 minute order from Planning & Development Services, and read the permit term.
- Confirm which entity holds the permit and whether a transfer needs county consent.
- Track the suit: the Jan 13, 2027 hearing request, any settlement and any motion to halt work.
- Check the phase 2 battery site against County Fire's interim guidelines of 100 feet from homes, schools and institutional buildings.

This sample is research from public records, not legal advice. Confirm each finding with the county and counsel before relying on it.