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Land Use Planning for Solar Energy: Resource Guide

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Acknowledgement

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Introduction

This document was created to help New York State localities develop and adopt solar friendly policies and plans. It begins by presenting the local government's role in land use planning and regulation and introduces common characteristics of "solar friendly" communities. The resource then describes how municipalities should begin a solar energy initiative through an official policy statement that provides support for solar energy and that authorizes a task force to shepherd the process, appropriate studies, training programs for staff and board members, inter-municipal partnerships, and outside funding sources. Next, the document explains how municipalities should engage the entire community in the solar energy initiative process to ensure support for the initiative and its implementation. Finally, the resource presents local planning best practices that communities can incorporate into their comprehensive plans, subarea plans, or other plans. Throughout, this document provides helpful resources and examples that communities can use to develop effective solar energy policies and plans.

1. The Role of Local Governments and Planning

To maximize the deployment of solar facilities, it is important to understand the role of local governments in land use planning and regulation and in approving private parties' development applications. New York State has empowered its local governments to adopt land use plans, regulate land uses, and review and approve development proposals through their various boards: legislatures, planning boards, zoning boards of appeal, architectural review boards, historic preservation commissions, shade tree commissions, and conservation advisory commissions. All of these boards can facilitate or create barriers to solar energy facilities.

The process of removing barriers begins with planning, proceeds to zoning and land use regulation changes, and concludes with streamlining the review and approval process. Local governments must begin the process with a planning initiative because New York State's zoning and planning enabling acts require land use regulations to be in accordance with a comprehensive plan or well considered plan. If a locality adopts new land use regulations prior to updating the comprehensive plan, courts will examine all of the municipality's land use policies and actions, including the zoning law itself, for evidence of the comprehensive plan to which zoning and other land use actions must conform.

Experience shows that local governments are making great strides in allowing, supporting, and encouraging solar energy through their planning, regulatory, and approval process efforts. This resource guide is designed to provide a roadmap for local governments to develop and adopt appropriate policy and plans for solar energy.

2. Introduction to Solar Friendly Communities

Communities that facilitate and encourage solar energy systems share several characteristics in common. According to the American Planning Association's *Planning for Solar Communities*

these include:

- Comprehensive plans and other policy documents that acknowledge the community's solar resources as a valuable asset;

- Development regulations that clearly identify as-of-right solar installation opportunities for different types of installations, clear requirements and reasonable processes for installations that are not as-of-right, and a means of protection of long-term access to direct sunlight for energy production;

- Permitting and inspection processes that are transparent, predictable, and easily accessible for contractors to use in preparing bids and counter staff and inspectors to use to ensure a consistent review and inspection process;

- An integrated process of approvals with the electric utility for interconnecting solar developments to the grid; and

- Public-sector investment in solar resources to demonstrate both feasibility and community commitment to using local resources.

In New York, municipalities should prepare for successful solar development by establishing clear solar goals in the planning process, adopting solar code language, and defining a clear and simple permitting process by adopting the NYS Unified Solar Permit. Below, this document describes how NYS localities can develop and adopt solar friendly policies and plans, the first step in the list above.

3. Policy Development

3.1 Adopt a Policy Resolution or Mayoral Proclamation

Prior to planning or drafting legislation, a municipality's legislature can adopt a resolution or policy statement, or the mayor can issue an executive order or proclamation to outline a strategy for municipal-wide solar development. This policy statement should assert that solar energy is an abundant, renewable, and nonpolluting energy resource and announce that the municipality can plan for and regulate its future development. The policy statement can state the municipality's intention to consider solar development when reviewing its comprehensive plan and updating zoning regulations, as well as an intention to encourage public participation in this process. In addition, the policy can establish plans to seek funding for solar development planning, create a clear directive for the installation of solar energy systems on municipal buildings or sites, and assign responsibilities for the initiative to local boards and officers. Further, municipalities should consider using the policy statement to adopt a task force, authorize studies, establish a training program, partner with adjacent communities, and leverage state and federal technical assistance and grants. These provisions are described further below.

A comprehensive solar resolution is a top-down approach that can launch a solar energy initiative across various agencies and levels of government. The Land Use Law Center's model *Resolution Supporting Implementation of a Solar Energy Program* provides an example of a comprehensive policy statement. The resolution includes relevant findings, authorizes a task force to conduct research and report their findings and recommendations to city council, and lists potential techniques the locality should consider during this process. These may include partnering with local institutions and organizations, adopting a special component for the comprehensive plan, amending land development regulations, streamlining the project review and approval process, working with neighboring communities, and securing funding, among other strategies. For more information, consult the model solar energy resolution in the Appendix.

Best Practice: Santa Fe County, NM
Santa Fe County, New Mexico adopted Resolution No. 2013-49 to support renewable energy projects on County facilities. Although not a comprehensive policy statement, the resolution's whereas clauses present the County's detailed rationale for this support. In particular, they acknowledge the County's "tremendous solar power potential" and contain a comprehensive list of solar power benefits, including economic, environmental, health, and education benefits. To access the resolution, go to http://newenergyeconomy.org/wp-content/uploads/2013/05/County-Commission-solar-res-passed.pdf.

3.2 Appoint a Task Force

A local policy statement can charge an existing sustainability task force or conservation advisory council with conducting studies, performing research, and even planning for solar development within the community and considering regulatory changes. If there is no existing task force or council, the policy statement can create a Solar Energy Task Force that represents all interested stakeholders, including residents, businesses, interested non-profit organizations, the solar industry, utilities, and relevant municipal officials and staff. Through the policy statement, the local legislature can charge the Task Force with preparing an action plan and direct municipal staff to formulate work programs and budgets. Additionally, the local legislature is authorized to charge the Task Force with amending the comprehensive plan to include solar energy planning goals and actions. In that case, the policy statement should require that the Task Force include at least one member of the planning board. Further, the Solar Energy Task Force should conduct meetings on a communitywide basis to involve all key stakeholders, gather all available ideas, identify divergent groups and views, and secure support from the entire community.

Best Practice: Austin, TX
Austin, Texas adopted Resolution No. 20120426-081, creating the Austin Local Solar Advisory Committee, which must include representatives from the solar industry, Chamber of Commerce, the environmental non-profit community, consumer advocate community, the Electric Utility Commission, and the Resource Management Commission. The Advisory Committee is charged with developing a strategic plan with recommendations to optimize Austin's solar energy resource base.   To   access   this   resolution,   go   to http://www.austintexas.gov/edims/document.cfm?id=169444.

Best Practice: Kent County, MD
In response to state and federal initiatives to reduce energy consumption and increase energy production from renewables, Kent County created its Renewable Energy Task Force to study

and evaluate the benefits and effects of renewable energy generation at multiple scales in the County, identify infrastructure requirements, make recommendations about appropriate renewable energy technologies for the County, propose appropriate policy changes and ordinance amendments, and review technology incentives. The Task Force produced a white paper that includes several recommendations for solar energy systems. The white paper is available at http://www.kentcounty.com/gov/planzone/RETF_WHITE_PAPER_Final.pdf.

Best Practice: Town of Cortlandt, NY
Established by resolution, the Town of Cortlandt, New York's Solar Energy Task Force is charged with exploring the possibility of installing solar energy systems on Town buildings and determining ways Cortlandt can facilitate and encourage solar energy systems in the community. The Task Force will begin by inventorying Town properties to find opportunities for solar energy system installations.

Best Practice: Village of Dobbs Ferry, NY
The Dobbs Ferry Energy Task Force helps the Village of Dobbs Ferry become more sustainable through energy efficiency and renewable energy initiatives; waste reduction and recycling; increased walking, bicycling, and transit use; and appropriate land use. Since its inception, the task force has:
- Obtained NYSERDA and NYPA grants to identify and implement energy efficiency and renewable energy projects and continues to seek funding opportunities for energy efficiency and sustainability measures;
- Advised Dobbs Ferry to adopt Climate Smart Communities Pledge with a greenhouse gas emission reduction target of 20% by 2015 and to join ICLEI – Local Governments for Sustainability;
- Led the effort to install solar energy systems on several municipal buildings and facilities;
- Hosted the Local Business and Institution Forum: How To Cut Energy Costs that demonstrated how businesses can reduce operating expenses, improve cash flow, and green operations through energy efficiency and sustainability measures with help from NYSERDA and ConEdison incentives; and
- Hosted the Dobbs Ferry Energy Expo to help home owners reduce their energy use and costs through NYSERDA and ConEdison incentive programs.

To learn more about the task force, go to https://www.facebook.com/sustainabledobbs.

Best Practice: Town of DeWitt, NY
The Town of DeWitt's Solar Task Force has focused on two major projects. First, the Task Force leads the Town's participation in Solarize Syracuse, a grassroots community solar initiatives for the City of Syracuse and the Town's of DeWitt, Manlius, and Onondaga (and villages within), in which these communities pool their financial and community resources together to purchase solar energy in bulk, establishing solar energy in the region. Completed in 2010, the task force's second major project involved the installation of a 51 kW solar PV rooftop system on DeWitt's Town Hall that, along with a reflective roofing upgrade, is projected to reduce energy use by 187.933 MMBtu annually, reducing emissions by 12.5 MTCO2e each year. To learn more about DeWitt's solar initiatives, visit http://www.townofdewitt.com/Solar.aspx.

3.3 Authorize Studies

The policy statement should charge the Solar Energy Task Force with conducting studies to help determine appropriate solar energy development by exploring legal, technical, environmental, and economic considerations for solar energy systems within a community. The studies should assess solar market potential by determining demographic trends; solar energy production data for specific locations; total electric usage within a community and potential solar market size; prospective job and economic impacts; environmental benefits and likely emission offsets; and the number of buildings (both residential and nonresidential) in a community that are viable for solar energy system installations. Further, studies should determine whether existing policies, plans, and land use regulations require amendments to remove barriers to and facilitate solar energy development goals and related public health, safety and welfare concerns.

Resource: Solar Roadmap
Solar Roadmap provides market research resources and local examples of municipalities that have determined key market information such as the community's total population, land area, elevation, and annual energy yield, as well as estimated environmental and economic benefits from installing a certain amount of solar energy systems within the municipality. To access Solar Roadmap's resource library and local examples, visit www.solarroadmap.com.

Resource: SunShot Solar Outreach Partnership
The Solar Outreach Partnership (SolarOPs) is designed to help accelerate solar energy adoption on the local level by providing timely and actionable information to local governments. Funded by the U.S. Department of Energy (DOE) SunShot Initiative, SolarOPs achieves its goals through a mix of educational workshops, peer-to-peer sharing opportunities, research-based reports, and online resources. To access SolarOPs resources and apply for technical assistance, visit http://solaroutreach.org.

3.4 Establish a Training Program for Local Staff and Land Use Boards

The technical aspects of a solar energy project can challenge the capabilities of local land use staff and decision makers, who may feel obligated to approve development plans without understanding of the scope of their discretion under new, complicated responsibilities. The policy statement should authorize a training program for municipal staff and board members that ensures they understand the scope of their new authority and responsibility and that provides land and resource protection tools and consensus building and decision-making techniques.

Resource: NY-Sun PV Trainers Network
The PV Trainers Network is part of Governor Cuomo's NY-Sun Initiative to greatly increase the amount of installed solar capacity throughout New York State. Through low- and no-cost education, training, and technical assistance, the Network helps local governments and stakeholders identify opportunities, mitigate barriers, and create programs that drive the development of solar electric (photovoltaic or PV) markets in communities across the state. With funding from the New York State Energy Research and Development Authority (NYSERDA), Meister Consultants Group has partnered with Entech Engineering, the City University of New York (CUNY), and a consortium of academic institutions to implement the Network. The Network offers trainings for a wide array of audiences involved in solar energy permitting, installation, inspection and approval processes including local policy makers, code enforcement officials, inspectors, engineers, architects, and first responders, among others. For more information about the Network visit https://training.ny-sun.ny.gov.

3.5 Partner with Adjacent Communities

To amplify its efforts, the municipality's policy statement should encourage partnerships with adjacent communities to adopt compatible policies, plan components, and zoning provisions; create inter-municipal Task Forces to address mutual problems; perform inter-municipal studies, research, outreach, and education; share the costs of studies, consultants and plan preparation; conduct a shared citizen education program; conduct inter-municipal training for local boards and land use leaders; secure state and federal funds; develop best management practices; and establish joint boards for application review.

Best Practice: Sustainable Westchester
Sustainable Westchester is a consortium of Westchester County local governments that facilitates effective sustainability initiatives; engages community stakeholders; and shares tools, resources, and incentives to create healthier and more vibrant and attractive communities. Sustainable Westchester is a merger of the successful and popular Northern Westchester Energy Action Consortium (NWEAC) and Southern Westchester Energy Action Consortium (SWEAC).   For   more   information   about   Sustainable   Westchester,   visit http://sustainablewestchester.org/.

Resources: Regional Solarize Campaigns
In 2010, community members in Portland, Oregon, began a grassroots campaign to help residents overcome the financial and logistical barriers to solar power installations by pooling financial and technical resources together to create a local solar PV volume purchasing program that could negotiate a volume discount with successful results. Since then, communities across the country, including the greater Syracuse area, Madison County, and Tomkins County in New York, have used the Solarize model to create their own regional PV volume purchasing programs. To learn more about creating a solarize program, consult the Solarize Guidebook at http://www.nrel.gov/docs/fy12osti/54738.pdf. For information about Solarize Syracuse, Solarize Madison,   and   Solarize   Tomkins   SE,   visit   http://www.solarizesyracuse.org/, http://www.solarizemadison.com/, and http://www.solarizetompkinsse.org/, respectively.

3.6 Leverage State and Federal Technical Assistance and Grants

To initiate a solar energy program as described, a municipality may need to secure funding and technical assistance. The policy statement should charge the Task Force or other relevant board or staff with researching state and federal technical assistance and grant opportunities and applying for this funding and assistance when available. Additionally, the policy statement should direct staff to foster solar energy projects by providing developers with information regarding federal, state, and local grant and incentive programs available to encourage the installation and use of solar energy systems.

Resources: NYSERDA
Local governments can access state funding and technical assistance resources through NYSERDA's   Energy   Efficiency   and   Renewable   Programs   website   at http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs.aspx.   Information   on Solar PV specific programs and incentives is also available through NYSERDA's NY-Sun Initiative at http://ny-sun.ny.gov/.

Resources: U.S. Department of Energy Programs & Incentives
Local governments can access federal resources through the DOE Office of Energy Efficiency and   Renewable   Energy's   website,   http://www.energy.gov/eere/office-energy-efficiency-

renewable-energy. In particular, the DOE SunShot Initiative provides support to efforts across the country to make solar energy cost-competitive with other forms of electricity by the end of the decade. For more information on current Sunshot Initiative programs targeting solar PV and soft cost reductions, visit http://energy.gov/eere/sunshot/sunshot-initiative. Specifically, under the Sunshot Initiative, the Solar Outreach Partnership (SolarOPs) provides local governments with best practices, resources, and technical assistance to help accelerate solar energy adoption on the local level. For more information visit: http://solaroutreach.org.

4. Community Engagement

Public participation is an essential element of the solar energy policy and planning process because citizen involvement is critical to the effort's success and long-term implementation plan. Community engagement in the process strengthens a solar initiative and plan by incorporating various stakeholders' and residents' local knowledge and preferences. Further, a collaborative process that includes several methods of public engagement provides a more open, inclusive, and interactive way of involving citizens in the overall process, thereby increasing confidence in and providing support for the resulting plan, which becomes the blueprint and guidance document for future solar decisions.

4.1 Advantages of Supplementing the Required Process

The local adoption process must adhere to several legal requirements. The decision to approve a local plan or regulation must be made in an open and fair manner, by impartial legislative council members, and must be based on reliable evidence that is contained in the record of the council's deliberations. Additionally, a plan or regulation can be adopted only after a hearing is held following adequate notice and where the public may be heard in a fair and impartial manner. *See* Public Officers Law, Article 7. Also, under the State Environmental Quality Review Act (SEQRA), the municipality must conduct an environmental analysis before approving a local plan or regulation. However, this required process often fails to provide adequate opportunities for various groups with different interests to be heard and have their needs met.

The local legislative council may supplement the required process with additional moments of public engagement and collaboration in order to shore up support and ensure implementation. Communities have learned that people may shift perspectives when allowed to learn jointly and explore the various interests involved. In planning efforts, communities can use charrettes, public workshops, stakeholder committees, task forces (as previously mentioned), and other tools to build greater understanding and consensus around community-wide or neighborhood solar initiatives.

Why supplement the process with more public engagement? Because it:

- Saves time in the long term, as decisions are less likely to be challenged;
- Promotes shared problem solving and learning;
- Allows a range of interests to be considered;
- Includes relevant stakeholders;
- Increases confidence in government; and
- Welcomes stakeholders and creates a sense of community.

4.2 Principles of a Collaborative Approach

According to *Land in Conflict* and best practices in the field of public engagement, the most effective collaborative processes incorporate the following principles:

- ***Engage Early*** Leaders and decision-makers should begin a collaborative approach with stakeholders and the public as early as possible. Early on, people are less likely to commit to a strong position regarding solar development and policy, and there is time for people to understand key information, as well as differences and opportunities. Early engagement increases trust and enables participants to adjust to new information and ideas and to create a policy or proposal that addresses a variety of stakeholders' interests and concerns.

- ***Listen and Learn First*** The best tool for generating a policy or plan that meets a range of interests is to listen and understand the hopes and fears behind the participants' concerns. Taking the time to arrange public engagement opportunities can lessen, if not alleviate, potential opposition. It also can help the municipality tailor subsequent outreach meetings, technical information sessions, etc., to the audience.

- ***Build on Interests, Not Positions*** Processes that help parties tease out and build upon interests, rather than simply stating positions, result in stable and sustainable decisions. Positions often oppose one another and represent outcomes that participants believe will satisfy their underlying interests. Positions are normally a person's demands or solution to the problem, while interests are what motivate positions. Interests are a person's needs or concerns regarding the issue. Interests can be compatible and can be the building blocks for potential solutions.

- ***Design an Effective Public Engagement Process*** Once a need to engage has been identified you need to plan carefully how the engagement will happen. Spending time planning at this stage will reap reward. Each community is unique, so it is important to design a public engagement process tailored to the specific needs of a community and its interests and concerns. (See 4.5.) The process must be coordinated with the formal, decision-making process.

- ***Be Inclusive and Involve Many*** Engage stakeholders with both positive and negative perspectives regarding solar development. Solar advocates are more likely to reduce opposition and make new allies if they engage a wide variety of people in the process.

- ***Be Transparent and Responsive*** Public engagement processes should be open and broadcasted for all to see. This allows stakeholders to participate or review related materials and information at any point during the process. Additionally, the process should adjust to new information received and anticipate next steps.

- ***Use a Skilled Facilitator*** Given the number of stakeholders and potential complexity of solar energy development, a facilitator can successfully manage and coordinate the process design. This facilitator should be a skilled process expert who helps the group work together. She should be positive and believe that each person has valuable contributions to make to the process. For example, a municipal planner, local board member, or task force member could facilitate a solar public engagement effort.

4.3 Identifying and Addressing Competing Interests and Priorities

During the public engagement process, a municipality can determine its community's shared values and solar development goals and concerns. According to *Planning for Solar Communities*, during this process, "planners must be prepared to provide complete and accurate information about solar energy and how it connects to other community goals and values," as well as to address some of the most common concerns related to solar energy systems, including adequacy of the solar resource, system costs, economic viability, environmental impacts, and potential glare.

Often, solar energy initiatives generate conflicts because they may affect other planning goals negatively. For example, *Planning for Solar Energy* identifies three common planning goals that potentially conflict with solar energy installations: tree protection, historic preservation, and urban redevelopment. First, trees sometimes impede solar system installation or grow to block solar access. Communities can mitigate conflicts between trees and solar systems by planning for these two resources simultaneously, inviting urban foresters into the solar planning process, creating solar access overlay zones, minimizing mature tree removal where possible, replacing removed trees, ensuring appropriate tree plantings and appropriate solar energy system sitings, and educating citizens about best practices for both resources. Additionally, solar installations require changes to a building's structure or façade that, if improperly installed, could harm historic resources or neighboring property values. To maximize solar potential while protecting historic resources, a municipality can address these competing values jointly during the planning process, revise preservation guidelines to address and remove unnecessary barriers to solar energy systems, include historic preservationists and solar experts in the process, and educate citizens about the benefits of both historic preservation and solar energy systems. Finally, as communities begin to redevelop their urban cores, increasing development densities in their downtowns, shade cast by tall buildings may conflict with solar energy systems as well. To mitigate these potential conflicts, municipalities should consider creating overlay zones, design guidelines that "address the impacts of massing on existing solar installations," or solar access laws similar to those that address conflicts with trees.

4.4 Techniques for Public Engagement

Each public engagement process will be different, work with a variety of people and utilize different engagement methods; however, getting people to participate is essential. People may participate for a variety of reasons:

- To improve services / their community
- Opportunity to be a part of change
- To have a voice
- Build self-confidence
- Meet other people

Many people participate because they want to, but you might be able to get more people interested by offering tangible incentives. Some ideas for tangible incentives:

- Refreshments (this is always a good idea when hosting an event)
- Coming to an event and the engagement being secondary (eg: a community event)
- Freebies / a goodie bag
- Cash
- Vouchers
- Entry into a prize draw

In addition, a variety of methods can be used to ensure participation. Tools for engaging participants in a collaborative process could include interviews, polls and surveys, hotlines, websites, email lists, focus groups, advisory groups, community meetings, neighborhood walks, twitter, Facebook, and texting.Consider using creative locations to attract diverse stakeholders to participate:

- Trains
- Parks
- Bars/Restaurants
- Schools
- Shopping Centers
- Homeowner Association Meetings
- Senior and Recreational Centers
- Business locations/restaurants

4.5 Designing a Community Meeting

The following outlines a step by step approach to designing a community meeting. It offers several suggestions to help communities implement such an effort. An individual or group must design, organize, and lead this public engagement effort. For instance, the task force created by the policy statement could be the organizer or a facilitator can be appointed.

Step 1: Define the Purpose of the Meeting

The scope of the meeting must be carefully considered and clearly communicated to participants. Be clear about exactly which areas people can influence, and which are non-negotiable. This will help you to be clear about what you need to know from people and how you will approach the engagement. This will focus people's input and manage their expectations.

It is helpful to frame solar energy development as an issue for which the community needs to discuss alternatives, solutions, and consequences. Examples include:

- What are the benefits of solar development and policy in our community?
- What are the potential issues or concerns to solar development?
- What are some strategies in overcoming these issues or concerns?

Answering these questions through a facilitated conversation can help define the particular concerns and issues and identify a wider range of solutions. Secondly, framing a positive question helps set the right tone from the start. Using flip charts and markers, and breaking out into small groups can help facilitate dialogue and discussion. Recording participants' thoughts and ideas shows them that you are listening and value their contributions.

Step 2: Identify Individuals and Groups Who Should Be Involved

It is important to determine who should be a part of your community's solar energy discussion. Each participant brings a set of skills, viewpoints, experiences, and resources to the table. Identify and include groups and individuals who have an interest in solar development, as well as those capable of keeping the solar initiative moving forward and those capable of halting the process.

For example, key stakeholders and their members may include:
- Land use board members;
- Municipal staff and officials, including from code enforcement and the building department, planning board, and law department;
- Historical Preservation members;
- Local developers;
- Local environmental activists and citizen groups;
- Large landowners and farmers;
- Fire and Rescue personnel;
- Homeowner Association members; and
- Utility representatives.

Step 3: Logistics

To meet the needs of various stakeholders, the facilitator should identify and choose meeting venues that attract participants with a variety of perspectives from different areas of the community. These venues should be convenient and accessible. Additionally, meetings should be held at appropriate times that avoid excluding potential participants and that are convenient to as many people as possible. The facilitator should hold two or even three meetings at different dates and times so that many people can attend. Finally, the facilitator should publicize the meetings well.

Step 4: Create a Positive Environment for Citizen Engagement

It is important to encourage input and process participation and continue to consider other stakeholders and individuals who should be kept informed. There are numerous ways to create a positive environment for citizen engagement. Essential components of a good meeting include distributing detailed agendas that state the meeting's purpose and goal, establishing ground

rules for participation, offering refreshments, and setting up the room properly. Further, the organizer should help participants discuss interests instead of positions. Decisions about solar energy should result from successfully considering diverse interests and creating a process that helps parties identify these interests, create options based on them, and find ways to select options that meet the shared interests.

After any public meeting, the facilitator should create a meeting summary, post it online, and send it to event participants. Finally the organizer should continue to ask the question, "Who else should be kept informed or updated on this effort?"

Step 5: Maintain and Continue Open Lines of Communication

As decision-makers move the process along, the facilitator should continue to meet with and engage the public. Community members should understand any technical information, as well as the legal and land use requirements that necessitate certain decisions throughout the process. Follow-up meetings should be scheduled to continue and build upon previous work and the good relationship cultivated between stakeholders.

In addition, it is important to factor in how, when and how often feedback is going to be given to those taking part. Knowing how you are going to give feedback to people before you launch an activity shows you have put thought and effort into the whole process. The public is likely to want to know how their views have shaped or changed plans/policies or projects. Think about feedback at the start of the planning process. A lot of public engagement processes fail to provide adequate feedback which can lead to future apathy from the public who feel there is little point in contributing when they don't feel they've been listened to in the first place or don't know how or what happened to their comments.

> ### Resource: Land Use Leadership Alliance Training Program
> Founded in 1995, The LULA training program addresses land use and sustainable development matters in the suburban and rural communities of New York State. Each four-day program is designed to meet the needs of its participants and their communities by focusing on both foundational and cutting-edge information related to their priority land use issues. The LULA training program uses law and consensus building theory to help communities understand that solutions to complex, persistent problems often require authentic collaborative initiatives rather than adversarial processes. To learn more about LULA training programs, go to http://www.law.pace.edu/land-use-leadership-alliance-training-program.

5. Plan Making

If a local policy statement charges a task force with amending the comprehensive plan, the task force should engage the public in determining solar energy planning goals, objectives, and strategies that are appropriate for the community. Adoption of solar planning goals can help local governments meet other planning goals, such as economic development, energy, climate resilience, public health, and livability goals. Below, this section describes solar planning best practices to help municipalities with this planning process.

5.1 Decide Which Plans to Amend or Create to Include Solar Energy Goals

After adopting a solar policy agenda and accomplishing the tasks set forth in the adopted policy statement, a local government can create or amend a local plan to set solar energy goals.

According to *Planning for Solar Energy*, Communities can incorporate solar energy planning goals in several different types of plans. They can encourage solar energy systems in the municipality's comprehensive plan that addresses long-term, overall growth and development, a subarea plan that focuses on a specific area or neighborhood within the municipality, or a functional plan for a single topic, such as climate change, sustainability, or renewable energy. Prior to initiating the planning process, a municipality should decide the type of plan most suitable for meeting their solar energy needs. Below, this document describes best practices for including solar energy planning goals in comprehensive plans, as well as other local plans.

5.2 Comprehensive Plan Best Practices

A comprehensive plan is a written document that identifies aspirations for a community's immediate and long-range protection, enhancement, growth, and development. Because New York State requires local land use regulations to conform to a locality's comprehensive plan, it's important to include language that supports solar energy in the comprehensive plan and lays the policy foundation for solar energy regulations. Planners can include planning goals, objectives, strategies, and implementation measures in the comprehensive plan to support and facilitate solar energy system development.

5.3 Goals

Planning goals are broad statements of ideal future conditions that the community desires for solar energy development. Goals should aim to eliminate identified problems while strengthening the community's positive attributes. When setting solar-specific goals, planners and the community should consider how closely solar energy systems would help meet existing community goals, as well as appropriate scales and contexts for these systems. For example, the community should ask whether solar energy systems would be appropriate on residential rooftops, commercial rooftops, historic structures, brownfields, greenfields, or integrated into buildings. Further, communities should determine how much development is possible within those scales and contexts. In addition, communities could consider conflicting interests such as existing and future trees and future building density in urban areas.

Possible solar energy goals include (1) meeting increased demand for renewable energy while decreasing dependence on nonrenewable energy sources; (2) promoting effective and efficient use of solar energy resources; (3) promoting safe development of solar energy systems that minimally impact adjacent land uses, properties, and environments; (4) minimizing potentially significant aesthetic and quality of life impacts; (5) promoting economic development and building the tax base; and (6) eliminating barriers to and incentivizing small-scale solar energy systems.

5.4 Objectives

After setting goals, a community can identify intermediate-term objectives that will help reach each goal. According to *Planning for Solar Energy*, "objectives are statements of measurable outcomes in furtherance of a certain goal." Possible solar energy objectives include creating short-term priorities for solar development, such as achieving a certain number of on-site solar systems producing a certain number of megawatts each year.

5.5 Strategies

After selecting objectives, the community should identify strategies or actions to accomplish

each objective. If an objective involves developing onsite solar systems, strategies to achieve this include adopting local solar legislation, such as allowing solar energy systems as-of-right or by special use permit, adopting solar access provisions, or removing legal barriers. Other possible planning strategies include streamlining the project review and approval process by creating a transparent and predictable process and using a unified solar permit, as well as developing financing and funding mechanisms.

Resource: Solar Roadmap

Solar Roadmap works with local governments to create customized, individual roadmaps with detailed strategies that communities can implement to facilitate solar energy. The Town of Dewitt, New York's individual solar roadmap includes strategies to streamline the permitting process by adopting the NYS unified solar permit, making permit applications and fee schedules available online and allowing electronic submittal of only one application, posting permit and inspection process information online, using expedited processing for qualifying projects, setting permit fees based on actual cost to administer, requiring only one inspection and minimizing inspection turnaround times, creating an inspection checklist, and allowing structural exemptions when appropriate. The Town's roadmap also includes strategies for amending land use regulations to protect solar rights and access, promote solar ready construction, allow appropriate solar installations in historic districts and other areas subject to design standards, include appropriate review standards, and limit impacts from private restrictive covenants. Financing strategies include implementing a local PACE financing pilot program, encouraging private solar loan programs, and promoting existing solar finance options. Finally, strategies to develop the Town's solar market involve supporting an aggregate procurement program for residences and collaborative procurement program for municipal facilities and schools, installing solar energy systems on municipal facilities, and providing educational resources to constituents. To learn more about these strategies, go to http://my.solarroadmap.com/ahj/town-of-dewitt-ny/solar/roadmap

Resource: Solar Friendly Communities

Led by a Colorado Solar Energy Industries Association partnership and funded by DOE's SunShot initiative, Solar Friendly Communities is a point system that offers recognition as a Solar Friendly Community to municipalities. Communities earn this recognition by streamlining their solar energy permitting system and promoting solar energy locally through adoption of a minimum number of policies from their list of 12 solar friendly best practices. A locality can include these practices as planning strategies in a local solar plan:

Provide a checklist of all requirements for rooftop solar PV and solar thermal permitting in a single online location
1. Offer a standard permit form that is eligible for streamlined review for standard residential or small commercial rooftop flush-mounted systems
2. Offer electronic or over-the-counter submittal and review options for standard systems
3. Issue permits within a specified time frame
4. Charge actual costs for permits and inspections with a cap on the total
5. Replace community-specific solar licenses, if required, with standard certification for installers
6. Provide inspection checklist that explains unique requirements beyond applicable codes
7. Specify a narrow time window for system inspection
8. For efficiency, require only one inspection for standard rooftop systems on existing homes or businesses

9. Adopt ordinances that encourage distributed solar generation and protect solar rights and access including reasonable roof setback requirements
10. Educate residents on solar energy by providing information on financing options and projected economic benefit
11. Show commitment to being a Solar Friendly Community by tracking community solar development and provide tools showing solar access in your community

To learn more about these best practices, visit http://solarcommunities.org/12-best-practices/.

Resource: SunShot Solar Outreach Partnership

The Solar Outreach Partnership (SolarOPs) is designed to help accelerate solar energy adoption on the local level by providing timely and actionable information to local governments. Funded by the U.S. Department of Energy (DOE) SunShot Initiative, SolarOPs achieves its goals through a mix of educational workshops, peer-to-peer sharing opportunities, research-based reports, and online resources. To access SolarOPs resources and apply for technical assistance, visit http://solaroutreach.org.

Best Practice: Clifton Park, NY

Clifton Park, New York amended its zoning to allow ground- and pole-mounted solar panels by special use permit but waived the permit for solar arrays in residential zones where the total area of the system is less than 325 feet. Clifton Park, N. Y., Code § 208-79(E)(3).

Best Practice: Bedford, NY and West Bloomfield, NY

Bedford, New York eliminated height limitations on as-of-right accessory buildings or structures for solar energy collectors, Bedford, N.Y., Code § 125-27. West Bloomfield, New York allows solar collectors within any required setback. West Bloomfield, N.Y., § 140-118.

Best Practice: Austin, TX, Howard County, MD, and Portland, OR

Austin, Texas has zoning that allows historic district preservation plans to incorporate solar technologies. Austin, Tex., Code of Ordinances §§ 25-2-356, -531. Similarly, Howard County, Maryland offers guidelines for installing solar energy systems in historic districts. You can access these guidelines at http://www.shepherdstown.us/wp-content/uploads/root/meeting-agendas/historic-landmarks-commission/h-8-n_howardcomd-solarinhistdistricts.pdf.   Portland, Oregon eliminated discretionary review of solar energy systems that adhere to community design standards. Portland, Or., Code Ch. 33.218.

Best Practice: Iola, KS and Ashland, OR

Iola, Kansas adopted a solar access ordinance that dictates subdivision lot alignment in order to facilitate the use of solar energy systems and establishes a program for solar skyspace easements to protect access to solar energy. Iola, Kan., Code § 82-134. Ashland, Oregon provides solar access permits to protect solar energy systems from shading by vegetation. Vegetation may not shade a permitted solar energy system that is recorded, and the City may declare the shading vegetation and enforce tree trimming. Trees that meet a threshold minimum height at the time a permit is granted are exempt. Ashland, Or., Code § 18.70.

5.6 Plan Implementation

Finally, the plan should recommend how the strategies should be implemented. An implementation plan designates the board or officials responsible for each strategy, identifies necessary resources, and establishes time periods for completing each action. For example, the implementation plan could assign the municipal attorney the task of drafting a new local law with

the aid of the Task Force, interested and knowledgeable community members, and affected developers and landowners. Further, the implementation plan could recommend that the municipal clerk circulate the proposed law to the local planning board and any other relevant board for their review and recommendations. The plan could provide for adoption of the local law within twelve months of the effective date of the comprehensive plan component. This process of assigning responsibilities, identifying necessary resources, and adopting a timeframe to accomplish specific actions, will help the board determine whether suggested strategies are realistic. If they seem unrealistic, the board has the opportunity to devise new strategies to achieve the established objectives.

5.7 Local Plan Best Practice Examples

Below, several best practice examples are listed for the three types of local plans that municipalities use to adopt solar energy goals, objectives, and strategies: comprehensive plans, subarea plans, and functional plans.

Comprehensive Plans

Best Practice: Lawrence Township, NJ
Lawrence Township, New Jersey's Master Plan includes a goal to promote local production of renewable energy. Among other supportive objectives and strategies, the plan aims to "revise the Land Use Ordinance to make it easy for property owners in all zone districts to produce renewable energy on their property as accessory uses" by eliminating screening design standards, allowing compatible solar energy systems in historic districts, and encouraging property owners to cover roof tops and surface parking lots with solar/photovoltaic structures. The Green Buildings and Environmental Sustainability Element of the Master Plan is available at
http://lawrencetwp.com/documents/planning/Lawrence%20Sustainability%20Element.pdf.

Best Practice: Shakopee, MN
Shakopee, Minnesota included in its comprehensive plan a goal to support, plan for, and encourage solar energy use. Related objectives include removing barriers from the City's zoning ordinance to ensure solar energy access, as well as modifying zoning and subdivision regulations to ensure that new lots offer proper solar orientation. The Solar Access Chapter of the comprehensive plan is available at http://www.shakopeemn.gov/city-government/departments/planning-zoning/2030-comprehensive-plan.

Subarea Plans

Subarea plans that focus on a specific area of a municipality include neighborhood plans, corridor plans, and special district plans, among others.

Best Practice: Austin, TX
Austin Texas' Brentwood/Highland Combined Neighborhood Plan includes an objective to reduce building energy use through better design and systems. Supporting guidelines include orienting buildings' longer sides to the south as much as possible and minimizing exposure to the west; orienting new subdivision streets so they run predominately east-west; and ensuring that new lots are wide enough for proper building orientation. The neighborhood plan is available at ftp://ftp.ci.austin.tx.us/npzd/Austingo/brent-highland-np.pdf.

Functional Plans

Functional plans that cover a single topic and are not location-specific include green infrastructure plans, energy plans, climate action plans, and sustainability plans.

Best Practice: Town of DeWitt, NY
In 2010, the Town of DeWitt adopted a Sustainability Policy that stated goals and related planning initiatives to increase the Town's environmental sustainability. Following this, the Town adopted a Sustainability Plan in 2014 to provide GHG emission reduction strategies for achieving Sustainability Policy goals and to guide municipal operations. The Sustainability Policy presents a goal to "review and revise Town codes, plans and policies to support energy efficiency, renewable energy systems and green practices."   Its related planning initiatives include "[r]evis[ing] codes to ensure roof and exterior mounted solar collection systems are allowed", "[r]ecommend[ing] new residential construction be solar ready", and including exceptions in the Town's codes for experimental architectural and energy innovations that advance building performance. Additional planning initiatives include enacting a law "that protects the rights of property owners to install, operate and maintain solar energy systems and to promote the use of such systems by requiring solar site orientation for any new residential or commercial development." Related strategies in the 2014 Sustainability Plan include specific GHG emission reduction targets for municipal, commercial, and residential solar PV energy installations, assuming the installation of a 100-kW solar PV array on government buildings, a 2,000-kW solar PV array at the Town's old landfill site, the installation of ten 25-kW solar PV systems on commercial land uses, and the installation of a 4-kW solar PV array on five percent of occupied homes in DeWitt. To overcome large up-front costs associated with solar PV installations, the Sustainability Plan suggests offering low-interest loans; organizing group buying programs to negotiate lower prices; utilizing NYSERDA incentives and state and federal tax credits for residential and commercial solar PV installations; providing educational and technical assistance programs; offering an information clearinghouse that connects consumers with resources and renewable energy installers; and facilitating a "solar services model" or Power Purchase Agreement (PPA) in which a property owner "provide[s] the space for a power producer to install the system . . . [and] agrees to buy the power produced from that system at a set rate that is competitive with grid electricity", an arrangement that eliminates consumer installation and maintenance costs. For more information about Dewitt's Sustainability Policy and Plan, go to http://www.townofdewitt.com/Sustainability.aspx.

Best Practice: Tucson, AZ
Tucson, Arizona's Solar Integration Plan and Greater Tucson Solar Development Plan lay the groundwork for accelerated development of solar energy facilities in and around Tucson, requiring the installation of a minimum amount of solar electric generation capacity by 2015. The plans are available at http://www.tucsonaz.gov/files/energy/Solar%20Plan%20Final.pdf   and http://www.pagnet.org/documents/solar/SolarDevPlan2009-01.pdf.

Best Practice: Ann Arbor, MI
Ann Arbor, Michigan adopted Solar Ann Arbor, a functional plan that includes an energy profile for the City and recommends creating municipal solar financial incentives streamlining the solar permitting process, integrating solar energy systems into municipal infrastructure and culture, adopting solar access laws and robust building energy codes, creating a solar outreach campaign, and supporting solar workforce development and green jobs. Solar Ann Arbor is available   at   http://www.a2gov.org/departments/systems-planning/energy/solar-cities/Documents/Final_Solar_Plan_WEB.pdf.

5.8 Helpful Resources

In addition to the resources mentioned throughout this document, municipal officials and planners should consult the following resources when embarking on a solar energy initiative.

Resource: NY Solar Smart

The NYSolar Smart Program is a strategic effort led by the City University of New York (CUNY) that supports both Federal and State solar initiatives and works in partnership with the New York Power Authority (NYPA); New York State Energy Research and Development Authority (NYSERDA); municipalities around the state; and more than 30 organizations representing utility companies, installers, government agencies, and industry leaders to implement solutions that lower the soft costs of installing solar across New York State. Since 2006 CUNY has led the implementation of multiple state and federal solar grants and was recently awarded funding through DOE's SunShot Initiative Rooftop Solar Challenge II. Under this DOE Initiative, CUNY is leading committed Jurisdictional partners and PACE to create model ordinances that plan for the growth of solar installations in NYS and create an implementation plan to guide and encourage all jurisdictions across the state who are interested in removing barriers to the solar market. http://www.cuny.edu/about/resources/sustainability/nyssolar/USDOESunShotInitiative.html

Resource: Planning for Solar Energy

With support from DOE's SunShot Initiative, the American Planning Association's Planning for Solar Energy provides communities with a basic rationale for planning for solar energy use, summarizes fundamental characteristics of the U.S. solar market related to local solar energy use, and explains how communities can promote solar energy use through public engagement, planning and regulatory best practices, development services and public-private partnerships, public solar installations, and economic and educational programs. To access this resource, visit the Resources page at www.planning.org/resources/.

Resource: Solar Roadmap

To help increase cost-effective solar system installations, Solar Roadmap provides governments, organizations, residents, businesses, and electric utilities with a comprehensive resource library of best practices, case studies, how-to guides, templates, tools, and program materials from over 100 unique author organizations. Additionally, Solar Roadmap partners with municipalities to create customized Individual Solar Roadmaps that provide tailored actions organized into simplified actionable goals for each participating community. To access Solar Roadmap's resource library and local examples, visit www.solarroadmap.com.

Resource: SunShot Solar Outreach Partnership

The Solar Outreach Partnership (SolarOPs) is designed to help accelerate solar energy adoption on the local level by providing timely and actionable information to local governments. Funded by the U.S. Department of Energy (DOE) SunShot Initiative, SolarOPs achieves its goals through a mix of educational workshops, peer-to-peer sharing opportunities, research-based reports, and online resources. To access SolarOPs resources and apply for technical assistance, visit http://solaroutreach.org.

Resource: Solar Powering Your Community: A Guide for Local Governments

The Department of Energy (DOE) created Solar Powering Your Community as a comprehensive resource local governments and stakeholders can use to design and implement a strategic local solar policy, plan, and regulations. The guide features local examples and models, many of which come from DOE's Solar America Communities program. To access this guide, go to

http://www4.eere.energy.gov/solar/sunshot/resource_center/sites/default/files/solar-powering-your-community-guide-for-local-governments.pdf.

6. Appendix

The Model Solar Energy Resolution below outlines a strategy for community-wide solar development. It identifies the objectives of a local solar strategy and includes the components of a comprehensive local solar program. It sets forth relevant findings and authorizes a solar energy task force to assess opportunities for solar energy development and make recommendations regarding programs, plans, and regulations that will advance solar energy. The purpose of this model policy statement is to list and describe many opportunities and initiatives that provide municipal leaders options for drafting a policy that meets their unique circumstance and objectives. Although this draft is a resolution for legislative adoption, it can be recast as a mayoral executive order.

<div align="center">

**RESOLUTION SUPPORTING IMPLEMENTATION OF
A SOLAR ENERGY PROGRAM**

[City/Town/Village] of _____
Date Adopted: _____

</div>

WHEREAS, solar energy is an abundant, renewable, and non-polluting energy resource;

WHEREAS, it is the intention of the [City/Town/Village] to adopt a strategy for community-wide solar development for the purpose of achieving the multiple economic, health, environmental, and educational benefits of solar energy, while maintaining the community character, design standards, and livability of the [City/Town/Village];

WHEREAS, there are a number of solar energy facilities and technologies that can be deployed in the [City/Town/Village] and several strategies that the [City/Town/Village] can implement to ensure the maximum use of solar energy in the community;

WHEREAS, the deployment of many of these solar energy facilities and the pursuit of these strategies can greatly reduce the cost and consumption of energy, while lowering carbon emissions and reducing fossil fuel consumption in the [City/Town/Village];

WHEREAS, it is the intent of the [City/Town/Village] to examine its current policies, plans, programs, strategies, and regulations to determine whether they facilitate and further the deployment of appropriate solar energy facilities in the [City/Town/Village];

WHEREAS, there are various policies, plans, and programs that the [City/Town/Village] can consider implementing to encourage the deployment of solar energy facilities, including:
- Appointing a task force to be responsible for solar initiatives by charging an existing sustainability task force or conservation advisory council or creating a Solar/Renewable Energy Task Force
- Evaluating opportunities, conducting studies, and performing research
- Establishing a solar energy technology and development training program for staff and local board members
- Leveraging the [City/Town/Village]'s efforts through partnering with adjacent communities
- Seeking funding from federal and state agencies and leveraging state and federal technical assistance grants
- Developing a community engagement process
- Adding a solar energy component to the comprehensive plan, making text amendments to the current comprehensive plan, adopting an area plan for solar energy, or adopting a

stand-alone functional plan on solar energy

- Investing [City/Town/Village] funds in solar resources to demonstrate both feasibility and community commitment to using local resources, such as allocating funds in the capital budget for the addition of solar energy facilities and building enhancements to municipal buildings and infrastructure
- Providing incentives for solar energy facilities for private business and residential owners, including tax abatements, fee exemptions and rebates, etc.
- Ensuring that the permitting and inspection processes are transparent, predictable, and easily accessible for applicants to use
- Adopting the New York State Unified Solar Permit and the processes attendant to that Permit
- Providing low-cost, standardized fees for the approval of permits for solar energy facilities;

WHEREAS, there are various land use regulations that can be adopted to encourage the deployment of solar energy facilities, including:

- Adding definitions of various types of solar energy facilities to the definitions section of the [City/Town/Village]'s zoning law
- Amending the [City/Town/Village]'s land use regulations to specify how each type of solar energy facility will be furthered and properly controlled, while minimizing the expense of the review and approval process
- Declaring some types of solar energy facilities, including roof-mounted photovoltaic panels and some types of on-site solar arrays, to be legal accessory uses in most zoning districts
- Exempting certain solar energy facilities from some zoning restrictions such as maximum heights, setbacks, lot area coverages, requirements
- Permitting solar energy facilities as conditional uses where their impacts are significant and require mitigation
- Authorizing the planning board to require developments to employ solar requirements including solar access, solar orientation, and inclusion of solar energy facilities in site plans and subdivisions, including clustered subdivisions, while mitigating and adverse impacts on nearby properties and neighborhoods
- Adopting tree regulations that consider the impact, whether positive or negative, on solar access of nearby properties
- Adopting historical preservation and architectural standards that are preapproved by the implementing local board;

NOW THEREFORE, BE IT RESOLVED BY THE [CITY/TOWN/VILLAGE] COUNCIL that it is the legislative policy of the [City/Town/Village] to consider, evaluate, and support the adoption of these plans, programs, and regulations, as appropriate;

BE IT FURTHER RESOLVED, that the [Chief Elected Official], upon the advice of the [legislative body], shall [appoint/charge] [Sustainability Task Force/Conservation Advisory Council/Solar/Renewable Energy Task Force] to assess solar energy opportunities in the [City/Town/Village] and to make recommendations to the [legislative body] and to the [Chief Elected Official] regarding the adoption of appropriate solar energy policies, plans, programs, and regulations;

BE IT FURTHER RESOLVED, that the [Task Force] shall conduct studies to help determine appropriate solar energy initiatives by exploring legal, technical, environmental, and economic

considerations for solar energy systems within the community;

BE IT FURTHER RESOLVED, that the [Task Force] shall establish a training program for municipal staff and board members that ensures they understand solar energy technology and development and that provides land use and resource protection tools and consensus building and decision-making techniques;

BE IT FURTHER RESOLVED, that the [Task Force] shall consider methods of partnering with adjacent communities to secure a larger scale of operation, to share costs and resources, and to become more competitive for state and federal grants;

BE IT FURTHER RESOLVED, that the [Task Force] shall research state and federal technical assistance and grant opportunities and apply for this funding and assistance when available, and staff shall foster solar energy projects by providing developers with information regarding federal, state, and local grant and incentive programs available to encourage the installation and use of solar energy systems;

BE IT FURTHER RESOLVED, that the [Task Force] develop a community engagement process and shall hold meetings on a community-wide basis to involve all key stakeholders, gather all available ideas, identify divergent views, and secure support from the entire community; and

BE IT FURTHER RESOLVED, that the [Task Force], the staff of [City/Town/Village], consultants, and solar energy partners should develop a comprehensive set of plans, programs, and regulations to implement appropriate practices so that the [City/Town/Village] can become a leader in advancing the use of solar energy throughout the community.

ADOPTED: _____   ATTEST:

_____, [City/Town/Village] Clerk