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Land Use & Environment Committee

Comprehensive Plan Update - Energy Comments and Issues

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Title

Comprehensive Plan Update - Energy Comments and Issues

Recommendations

City Manager Recommendation:

Move to recommend that Council adopt Energy section of Land Use and Urban Design Chapter as proposed.

Report

Issue:

In reviewing public comments regarding the proposed Comprehensive Plan update, the Council concluded that some policies and proposals related to energy should receive further review. The Council referred these issues to its Land Use and Environment Committee for review and discussion. In particular, the Council suggested that policies related to solar access by development and alternatives to fossil fuels should receive attention.

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Background and Analysis:

Municipal plans often address local energy production, consumption or conservation, or all three. In the last few decades the energy crises of 1973 and 1979 brought on by reduced oil output, Washington State solar access legislation of 1979, and the Washington Public Power Supply System nuclear-power bond default of 1983, led to further interest in this topic. As a result, by 1988 Olympia's Comprehensive Plan included an Energy chapter. That chapter was readopted with little change in the City's 1994 Comprehensive Plan update responsive to the Growth Management Act. The continuing need to address air pollution issues associated with energy derived from fossil fuels - especially the resulting changes in climate - have led to continued attention on local energy issues.

The 1988 Energy chapter generally described the state of energy issues in Olympia, and made recommendations for various means of addressing them. As a result, the policies of Olympia's

current plan are generally advisory - and focus on potential actions, for example ERG 2.4 reads “The City should conduct energy audits of city buildings, evaluate potential conservation measures, then carryout out those measures that are applicable.”

To achieve a shorter more accessible document three of the style changes incorporated in the Plan now being reviewed by Council were to generally move background information to supporting documents, to remove policies that do not establish a clear policy (such as ‘consider studying’ statements) and to move potential implementing actions to a new ‘Action Plan.’ The result of applying this approach to the Energy chapter was a more concise statement of the City’s plans for energy. Because development was a focus, energy is largely addressed in the expanded Land Use and Urban Design chapter. That ‘energy section’ of the plan begins after policy 1.13 with the heading, “Land Use Patterns and Building Forms Determine Whether Energy is Used Efficiently.”

Parties commenting on this proposed energy section noted that it was much shorter than the current chapter. And they specifically called the Council’s attention to the potential change in the level of City activity described by the policies. Others noted the need to balance energy policies, like solar access, with other public interests such as trees and urban density.

Specific Solar Access Policies

Current policy ERG 5.2 reads, “Olympia shall support efforts to protect solar access in existing structures and to incorporate solar access provisions into new development projects. (a) The City should require all new subdivision to maximize the number of lots with solar access. (b) The City should establish residential height limits and setback standards which maximize solar access. (c) The City should facilitate the recording of solar access easements, in order to guarantee access to sunlight for existing users of solar energy.”

Note that like many of the City’s other current energy policies, ‘a’ through ‘c’ of this one suggest potential implementation alternatives. The City has not taken these actions in the over twenty years since this policy was adopted. Accordingly, the staff proposed and the Planning Commission recommended that the revised versions of these policies not emphasize a potential regulatory approach. Specifically the Plan update being reviewed by Council includes a goal that in Olympia “site designs use energy efficiently.” The related policies read:

- Policy L2.4 **Encourage** buildings and site designs that result in energy efficiency and use of solar and other renewable energy.
- Policy L2.5 **Support** efforts to protect solar access in existing structures and to incorporate solar access provisions into new development projects.

[Emphasis added.] Although ‘support’ may include adopting regulations, unlike ‘require’ it does not directly call for a regulatory approach. At least one comment submitted to the Council directly recommends changing these policies to “**Require** buildings and site designs ...” and “**Require** protection of solar ...”.

Regulatory Options

There have been many efforts by local governments to achieve ‘site designs that use energy

efficiently.' In discussing this issue, Council members requested more information about viable means of regulating development to achieve solar energy opportunities and access protection, as well as other alternatives to fossil fuel consumption. To-date solar energy has been the most productive alternative energy source within urban areas (small-scale wind, nuclear, and hydropower are some of the other possibilities) most municipal efforts have focused on the solar option, which may be 'passive' (heat absorbing) or 'active' (energy production) facilities.

Among these have been:

1. Providing flexibility and code exceptions to allow installation of solar energy facilities
2. Removing barriers to solar facility installation, and expediting review and lowering fees
3. Ensuring that such facilities are clearly permitted uses
4. Providing solar access by easement, permit provisions, or development limitations
5. Requiring subdivision and site designs that optimize solar access
6. Requiring that new buildings be 'solar ready,' e.g., wired and plumbed for solar energy
7. Requiring solar energy use by new development

Most jurisdictions have focused on ensuring that solar energy facilities are allowed and providing incentives and alternative design options, rather than mandating solar access or energy production. The success of these various types of approaches is still being evaluated by City staff. More information regarding the most successful efforts by other jurisdictions and viable options for Olympia will be presented at the Committee meeting.

Neighborhood/Community Interests (if known):

Planning for local energy conservation and production has been a topic of continuing public interest. A couple members of the public commented specifically on this topic during the Council's Comprehensive Plan update review (for example, see Thad Curtz's comments), while many others referred to the importance of sustainable designs, greenhouse gases, alternative energy, or climate change in general.

Options:

1. Recommend that energy section of Comprehensive Plan be adopted as proposed.
2. Recommend an alternative version of energy section, such changing Policies L 2.4 or L 2.5 or both, as described above.

Financial Impact:

No direct financial impacts; costs of implementation of updated Comprehensive Plan will depend on direction chosen by Council.