



City of Lacey, Washington

Lacey Planning Commission Meeting Agenda

Refer to the bottom of the agenda for meeting information.

Wednesday, February 14, 2024

6:00 PM

Council Chambers and Online

1. Call to Order

2. Roll Call

3. Land Acknowledgement

We, the City of Lacey, are on the ancestral land of the Tribal People of the Treaty of Medicine Creek, including the Nisqually Indian Tribe and Squaxin Island Tribe. We acknowledge, and remember those Tribal People not recognized today who were absorbed or relocated into other tribes for survival. We recognize the ancestors and their descendants who are still here. We recognize and respect the Tribal People of the Treaty of Medicine Creek as the traditional stewards of this land since time immemorial and their role today in taking care of these lands in perpetuity. We recognize and have the responsibility to call attention to the histories of dispossession, forced removal, and abridged treaty rights that allowed our nation, state, and city to develop as it has today. We recommend that community members read the Medicine Creek Treaty of 1854.

4. Approval of Agenda and Consent Agenda Items:

- A. Approval of February 14, 2024 Agenda
- B. Approval of January 10, 2024 meeting minutes
 - 1. 1.10.24 Minutes

5. Public Comment:

Refer to the bottom of the agenda for instructions on how to provide public comment.

6. Commission Members' Reports:

7. Department Report:

8. Public Hearing:

9. New Business:

- A. **Joint Meeting Debrief: Ryan Andrews, Planning Manager-** The Planning Commission will discuss any major takeaways from the joint meeting held with the City Council on January 23rd.
- B. **Sol Smart Code Audit: Linsey Fields, Climate and Sustainability Coordinator.** Staff will present the findings of an audit of the Lacey Municipal Code pertaining to the permitting of solar facilities. The audit is required as part of the City's participation in Sol Smart—a voluntary program that provides technical assistance to communities to expand solar energy use.
 - 1. Sol Smart Attachments

10. Old Business:

- A. **Draft Neighborhood Commercial Amendments: Hans Shepherd, Senior Planner.** The Planning Commission will continue to review the draft amendments to the Neighborhood Commercial zoning district (LMC 16.36). A public hearing on the draft amendments is scheduled for March 13th.
 - 1. Staff Report Attachment

11. Communications and Announcements:

- A. Planning Commission Schedule

12. Next Meeting: February 28, 2024

13. Adjournment

Attend Remote or In Person

The public may attend the meeting in person, or you may view or listen to the meeting using one of the following platforms:

In Person:	Council Chambers at Lacey City Hall 420 College Street SE, Lacey, WA 98503
Zoom:	https://us02web.zoom.us/j/87345225849
Website:	https://cityoflacey.org/government/public-meetings/
YouTube:	https://www.youtube.com/watch?v=GN64ljDclEc
Phone:	(888) 788-0099 or (877) 853-5247 (Webinar ID 873 4522 5849)



MINUTES

Lacey Planning Commission Meeting
Wednesday, January 10, 2024 – 6:00 p.m.
Lacey City Hall Executive Boardroom, 420 College St SE – and via Zoom

Meeting was called to order at 6:00 p.m. by Gail Madden

Planning Commission members present: Gail Madden, Kyrian MacMichael, Judith Doyle, Spencer Zeman, Elliot Kirk and Tonya Moore. Staff present: Ryan Andrews, Grant Beck, Hans Shepherd, Shannon Kelley-Fong, Elissa Fontaine and Erin Skelley

Gail noted a quorum present. Commission Members went around the table and introduced themselves. The new Commission Members are; Tonya Moore, Spencer Zeman, & Elliot Kirk. Kyrian read the Land Acknowledgement.

Kyrian MacMichael made a motion, seconded by Tonya Moore to approve the agenda for tonight's meeting. All were in favor, the motion carried.

Kyrian MacMichael made a motion, seconded by Judy Doyle to approve the December 5th Minutes for tonight's meeting. All were in favor, the motion carried.

- 1) **Public Comments:** No public comments
- 2) **Commission Members Reports:** No Commission Members reports.
- 3) **Department Report:** Ryan Andrews informed the Commission that Vanessa Dolbee will be Director of Community and Economic Development starting January 29th, 2024.
- 4) **New Business:**
 1. **Nomination and Election of Officers for 2024**
 - a) Judith Doyle nominated Daphne Retzlaff for Vice-Chair. All were in favor, the motion carried.
 - b) Gail Madden nominated Jeff Gadman for Chair seconded by Kyrian MacMichael. All were in favor, the motion carried.
 2. **Stipend Program and Demographic Survey: Shannon Kelley-Fong, Assistant City Manager.**
 - a) The Planning Commission was briefed on the advisory board stipend program as well as the upcoming demographic survey of advisory board members.
 3. **2024/2025 Planning Commission Work Program: Ryan Andrews, Planning Manager.**
 - a) The Planning Commission reviewed the elements of the draft 2024-2025 Work Program in preparation for the joint meeting with the City Council to be held January 23rd.
- 5) **Old Business: Draft Neighborhood Commercial Amendments: Hans Shepherd, Senior Planner.**

Hans briefed the Planning Commission on the draft amendments to the Neighborhood Commercial Zoning District (LMC 16.36), After discussion on proposed amendments regarding the number of pumps allowed at a gas station, the discussion was tabled until the next meeting.
- 6) **Communications and Announcements:** Ryan Andrews provided the Planning Commission schedule.
- 7) **Next Meeting:** February 14, 2024
- 8) **Adjournment:** 8:11 PM

To hear the full discussion of a specific topic, or the complete meeting, watch the recorded video available on
YouTube <https://www.youtube.com/watch?v=8jSeesBaKnc>



PLANNING COMMISSION STAFF REPORT

February 14, 2024

SUBJECT: Solsmart PZ-1 Zoning Review

RECOMMENDATION: Staff will provide a briefing to the Planning Commission on the current status of our Solsmart Application and present the findings of our code review by Solsmart staff.

TO: Lacey Planning Commission

STAFF CONTACTS: Ryan Andrews, Planning Manager *RA*
Linsey Fields, Climate and Sustainability Coordinator *LF*

ATTACHMENT(S): 1. Solsmart PZ-1 Zoning Review
2. Solsmart Baseline Assessment.

**PRIOR COUNCIL/
COMMISSION/
COMMITTEE REVIEW:** None.

Background:

SolSmart is led by the Interstate Renewable Energy Council (IREC) and the International City/County Management Association (ICMA), and funded by the U.S. Department of Energy Solar Energy Technologies Office.

The SolSmart program has two key parts. First, the program provides no-cost technical assistance to help local governments follow national best practices to expand solar energy use in their jurisdictions. Second, it recognizes and celebrates these communities with SolSmart designations of Platinum, Gold, Silver, and Bronze.

Staff have been working with a technical advisor over the last few months to receive a Solsmart designation. One step of the designation requirements is to present the findings of the PZ-1 zoning review conducted by Solsmart experts in solar permitting. The PZ-1 zoning review found that even though our codes do not contain prohibitive language for solar permitting we do need to update some language to reflect certain limitations around solar permitting found in our building/zoning codes.

These code updates for solar permitting will be folded into a larger code update later in the year in which the planning commission will be asked to review and approve. City staff are working on completing the other requirements for SolSmart designation in the meantime. These include creating a solar permitting webpage, completing solar permitting trainings, updating our solar permitting checklist, and working on solar permitting outreach/education.

Next Steps

1. Based on the zoning review and the dialogue from the Planning Commission meeting, staff can draft proposed language for changes to the zoning code to achieve credit PZ-3.
2. SolSmart staff will review draft language for code updates.

Recommendations:

City staff will continue to work toward receiving a SolSmart designation. Staff will present draft code language later this year for planning commission review.

Staff will present to planning commission the new webpage and permitting checklist once completed for comments.

PZ-1 Zoning Review

Community: Lacey, WA



PZ-1: Review zoning requirements and identify restrictions that intentionally or unintentionally prohibit solar PV development. Compile findings in a memo. (Required for Bronze)

To assist your local government, the national solar experts at SolSmart have conducted a review of your community's zoning and land use regulations to assess the use of best practices, possible barriers (i.e. height restrictions, set-back requirements, etc.) and gaps related to solar PV development. Below, please find the outcome of the review. By reading the narrative and signing the statement at the bottom of the page, your community will satisfy the PZ-1 pre-requisite and be one step closer to achieving SolSmart designation.

Summary

The City of Lacey, WA [Municipal Code](#) was accessed and reviewed during August 16, 2023. The code was accessed via the Lacey, WA [Homepage](#) with a redirect to Lacey Government webpage: <https://cityoflacey.org/government/>.

- A search for "photovoltaic" yielded **0** results.
- A search for "solar" yielded **1** result.
- A search for "renewable energy" yielded **0** results in reference to
- A search for "clean energy" yielded **0** result in reference to

Best Practice Review

The City of Lacey's code was reviewed to determine if it incorporates best practice regulations for solar energy. Incorporating best practices improves transparency of processes and clarity of development standards and can enhance the growth of the local solar market in an organized and efficient manner

Purpose or Intent			
The code does NOT contain a purpose or intent for including solar energy regulations in the code.			
Code Language	Section: N/A		
Not Applicable			
Reviewer Comments	Best Practice: ☐	Needs Improvement: ☒	Barrier: ☐
This section outlines the goals of including solar energy systems in the zoning code and provides an opportunity to link solar energy development to specific community goals and plans. This is not included in the Lacey's code.			
Suggested Language			
The City of Lacey has adopted the following regulations to encourage the efficient and effective development and use of solar energy systems while protecting the public health, safety, and welfare of Lacey's citizens.			
Solar energy is a renewable energy resource and valuable economic resource that can be utilized throughout the City of Lacey for the following purposes (the following bullet points are optional depending on community goals and plans):			
To implement the following objectives of the Comprehensive Plan:			
Encourage the use of local renewable energy resources.			

Promote sustainable building design and practices.

Encourage economic development while preserving the community's historic resources and character.

To meet the goals of the Climate Action Plan, Sustainability Plan, Clean Energy Resolution.

[REFERENCE GOALS OR TARGETS]

To decrease the community's reliance on fossil fuel power sources and reduce greenhouse gas emission/achieve carbon reduction goals.

[REFERENCE SPECIFIC GOALS OR TARGETS]

To enhance the reliability and resiliency of the local power grid and make more efficient use of the local electric distribution infrastructure.

To promote consumer choice and allow residents and businesses to use local, renewable energy while displacing fossil fuel generation.

To improve air quality and protect public health.

Definitions

The code does NOT contain definitions for solar energy.

Code Language Chapter 16.06 DEFINITIONS

16.06.696 Solar skyspace.

"Solar skyspace" means the space between a solar energy device and the sun which must be free of obstructions. (Ord. 871 §2 (part), 1989).

Reviewer Comments	Best Practice: ☐	Needs Improvement: ☒	Barrier: ☐
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Solar energy systems are not defined. Definitions form the basis of understanding for the terms used throughout the solar energy section of the code and reduces the chance for misinterpretation. At a minimum, a local government should include definitions that distinguish between solar energy system type (roof-mounted vs ground-mounted) and use (accessory vs primary) to provide clarity and a foundation on which to specify permissible uses in specific zoning districts and provide development standards.

Suggested Language

1. *Solar energy system*: A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.
2. *Solar photovoltaic system*: A solar energy system that converts solar energy directly into electricity, the primary components of which are solar panels, mounting devices, inverters, and wiring.
3. *Grid-connected solar energy system*: A solar photovoltaic system that is connected to an electric circuit served by an electric utility company.

4. *Roof-mounted solar energy system*: A solar photovoltaic system mounted on a rack that is ballasted on, or is attached to, the roof of a building or structure. Roof-mount systems are accessory to the primary use.
5. *Ground-mounted solar energy system (Accessory Use)*: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and the system is accessory to the primary use.
6. *Ground-mounted solar energy system (Primary Use)*: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and is the primary land use for the parcel(s) on which it is located. Primary use systems are permitted through a discretionary approval process.
7. *Community-scale solar energy system*: A solar photovoltaic system that qualifies for the [STATE COMMUNITY SOLAR PROGRAM NAME – if applicable].

Roof-mounted Accessory Use Solar

The code does NOT explicitly permit accessory use roof-mounted solar PV systems as a by-right or allowed use.

Code Language	Section: Not Applicable
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None

Reviewer Comments	Best Practice ☐	Needs Improvement ☒	Barrier ☐
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The zoning code does not clearly state that certain types/sizes of solar energy systems are considered an allowed or by-right accessory use.

Zoning often provides additional processes, which can be long and costly, to consider special exceptions when a proposal is inconsistent with current land use regulations. Codifying solar as an accessory use and as an allowed or by-right use in all major zoning categories provides policy certainty and clarity which can promote easier and more equitable solar deployment. It can increase solar development and save property owners time and money because they avoid going through a more extensive discretionary process to have their solar system considered. For example, removing the need for a planning commission or equivalent entity to make a judgement prior to approving the project (this can also save local government staff capacity to focus on other priorities and projects).

Often accessory use solar is not listed as a permitted use in a zoning code, even though it may be treated as such in practice (though in other instances, if it is not listed it may be considered prohibited). This lack of clarity on language could cause confusion and open the door to various interpretations/determinations of use.

Applicable SolSmart Credit: PZ-5, Codify in the zoning ordinance that accessory use rooftop solar PV is explicitly allowed by-right in all major zones.

Suggested Language

Roof-mounted solar energy systems are a permitted accessory use within all major zoning districts, subject to the following development standards.

Roof-mounted Solar Height

Option 1	The code does NOT exempt roof-mounted solar PV from height restrictions.
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Option 2	The code does NOT allow roof-mounted solar PV to exceed height restrictions by a defined number.		
Code Language		Section: Not Applicable	
None			
Reviewer Comments	Best Practice ☐	Needs Improvement ☒	Barrier ☐
Height limits are often imposed on buildings within specific zoning districts to satisfy several planning objectives such as protection of views, controlling neighborhood character, density, and access to sunlight. In many districts, buildings, particularly those with flat rooftops, are constructed up to the maximum allowed height, thereby limiting a building's ability to install solar unless exemptions are provided. Many local governments exempt antennas, chimneys, flagpoles, and mechanical equipment from height limits to allow for their placement and use. Since solar panels are most efficient when installed at an angle equal to a location's latitude, local governments should consider exempting solar energy systems from height limits. Height limits should not be a barrier for solar energy systems on pitched or sloped roofs. Solar energy systems are usually attached at the same slope as the roof but with a few inches of space in between to allow for access to wiring and to promote airflow around the panels. There should be space, usually 3 feet, between the roof peak and the edge of the panels to allow for emergency access and ventilation opportunities in case of a fire. Applicable SolSmart Credit: PZ-6, Ensure the zoning ordinance language does not include intentional or unintentional barriers to accessory use rooftop solar PV, including but not limited to aesthetic or performance standards, screening requirements, limits to visibility, excessive restrictions to system size or rooftop coverage, glare or glint regulations, and subjective design reviews. Suggested Language On a pitched/sloped roof, solar energy systems shall be installed parallel to the roof surface and may not extend beyond the edge of the roof peak. <i>For flat roofs, local governments can select from one of the following two options depending on how the zoning ordinance addresses the height of rooftop appurtenances, chimneys, antennas, and/or rooftop mechanical equipment.</i> 1. <i>If the ordinance exempts certain features/structures from height limits, then it is recommended that roof-mounted solar energy systems also be exempted from height limits.</i> On a flat roof, solar energy systems are exempt from zoning district height limits. 2. <i>If the ordinance does not include any exemptions, then it is recommended to allow roof-mounted solar energy systems to exceed a districts height limit.</i> On a flat roof, solar energy systems are permitted to exceed the zoning district height limits by up to 10 feet.			
Ground-mounted Accessory Use Solar			
The code does NOT explicitly permit accessory use ground-mounted solar PV systems as a by-right or allowed use in at least 1 zoning district.			

Code Language	Section: Not Applicable		
None			
Reviewer Comments	Best Practice ☐	Needs Improvement ☒	Barrier ☐
Sometimes a property is not suitable for a roof-mounted solar system because the building has structural limitations, or the rooftop is shaded. In these instances, a small ground-mounted solar PV system can still allow the property owner to install solar and enjoy the benefits.			
Allowing accessory use ground-mounted solar may not be appropriate for dense urban cores or highly developed areas but it can be suitable for less dense parts of a community, in areas where lot sizes are bigger, and/or in commercial and industrial zoning districts where a primary use might have available land for a ground-mounted system.			
Applicable SolSmart Credit: PZ-7, Ensure the zoning ordinance permits small ground-mounted solar PV as an accessory use in at least one zoning district.			
Suggested Language			
Ground-mounted solar energy systems are a permitted accessory use within all zoning districts, when incidental to one or more permitted primary and/or accessory structure(s), subject to the following development standards.			

Ground-mounted Solar Setbacks			
The code does NOT contain setback standards for accessory use ground-mounted solar PV.			
Code Language	Section: Not Applicable		
None			
Reviewer Comments	Best Practice ☐	Needs Improvement ☒	Barrier ☐
Accessory use ground-mounted solar energy systems should have similar setback requirements to other residential accessory use structures. These setbacks generally allow accessory structures to be built closer to a property line than primary structures. Applying less restrictive setback requirements allow a ground-mounted solar PV system to operate efficiently through appropriate sizing, optimal siting, and ensuring access to adequate sunlight. Rural communities or those with large lots can be less restrictive and allow solar energy systems to encroach into established residential accessory use setbacks.			
Applicable SolSmart Credit: PZ-8, Ensure the zoning ordinance exempts small ground-mounted solar PV from certain restrictions on accessory uses (e.g. setbacks, coverage or impervious surface calculations, or other restrictions).			
Suggested Language			
Ground-mounted solar energy systems shall comply with the accessory structure setback requirements of the zoning district in which it will be installed.			

Ground-mounted Solar Placement			
The code does NOT contain placement standards for accessory use ground-mounted solar PV.			
Code Language		Section: Not Applicable	
None			
Reviewer Comments		Best Practice ☐	Needs Improvement ☒ Barrier ☐
Depending on the character and typical lot size of the community, it may be appropriate to encourage the siting of accessory use ground-mounted PV systems in the side or rear yard of a property. Rural			

communities or those with large lots can be less restrictive and allow solar energy systems in front yards.

Suggested Language

Ground-mounted solar energy systems shall be located in the side or rear yard of the property.

Ground-mounted Solar Lot Coverage/Impervious Surface

The code does NOT exempt accessory use ground-mounted solar PV from lot coverage and/or impervious surface standards.

Code Language

Section: Not Applicable

None

Reviewer Comments

Best Practice ☐

Needs Improvement ☒

Barrier ☐

As long as the area beneath a ground-mounted solar PV system is pervious (e.g. grass, native vegetation, etc.) the system should be exempt from lot coverage and impervious surface requirements. The tilt and spacing of solar panels allow for precipitation to drain into the pervious ground cover. Ground-mounted PV systems are not analogous to paved driveways or accessory structures like sheds, garages, or accessory dwelling units and therefore do not need to be included in lot coverage or impervious surface calculations.

Applicable SolSmart Credit: PZ-8, Ensure the zoning ordinance exempts small ground-mounted solar PV from certain restrictions on accessory uses (e.g. setbacks, coverage or impervious surface calculations, or other restrictions).

Suggested Language

Ground-mounted solar energy systems are exempt from lot coverage and impervious surface requirements if the area under the system contains vegetative ground cover.

Ground-mounted Solar Primary Use

The code does NOT include standards for primary use ground-mounted solar PV.

Code Language

Section: Not Applicable

None

Reviewer Comments

Best Practice ☐

Needs Improvement ☒

Barrier ☐

The code doesn't contain any requirements for primary use solar energy systems. If the community has enough usable land that could be developed for a large-scale solar energy system, they should include development standards for primary use solar energy systems into the zoning code. This could be of particular interest if there is a brownfield site such as a landfill available for development.

Applicable SolSmart Credits: PZ-9, Ensure the zoning ordinance establishes a clear regulatory pathway for large-scale solar PV (e.g. through a special use permit or through inclusion among allowed conditional uses).

Suggested Language

See pages 12 -13 in SolSmart's [Best Practice Guidance for Solar and Zoning](#) for a list of state model solar ordinances that contain template language for primary use solar energy systems.

Barrier Review

Solar energy standards should serve to guide and enable solar development, not create ambiguity or restrict solar development. Certain design and performance standards can create significant barriers to solar PV. The inclusion of any of the following standards are not best practices and will likely impact the

local government's ability to achieve SolSmart Gold designation. The statements containing NOT align with best practices.

Roof-mounted Solar Screening	
The code does NOT require screening for roof-mounted solar PV systems.	
Code Language	Section: Not Applicable
None	
Reviewer Comments	
It is not a best practice to require screening for roof-mounted solar energy systems. Screening requirements may increase installation costs and decrease system efficiency. Solar PV performance depends on optimal siting of the system and clear access to solar radiation. Screening requirements could negatively impact system performance if the screening results in shading. Screening requirements could also hide the location of important system components that are necessary to shut off a system in case of a fire or other type of emergency.	

Limits to System Visibility	
The code does NOT include standards to limit system visibility (e.g. not visible from public rights of way).	
Code Language	Section: Not Applicable
None	
Reviewer Comments	
It is not a best practice to: • require systems to blend into the architecture of the structure or • be consistent with the color of roofing materials or architecture or • be constructed of dull or dark colors. Aesthetic requirements can increase installation costs but would most likely prohibit a solar energy system from being installed since key system components like solar panels cannot be altered or painted to blend into the architecture or color scheme of a building. Aesthetic requirements could also hide the location of important system components that are necessary to shut off a system in case of a fire or other type of emergency.	

Aesthetic Standards	
The code does NOT include aesthetic standards for solar PV systems.	
Code Language	Section: Not Applicable
None	
Reviewer Comments	
It is not a best practice to: • require systems to blend into the architecture of the structure or • be consistent with the color of roofing materials or architecture or • be constructed of dull or dark colors. Aesthetic requirements can increase installation costs but would most likely prohibit a solar energy system from being installed since key system components like solar panels cannot be altered or painted to blend into the architecture or color scheme of a building. Aesthetic requirements could also hide the location of important system components that are necessary to shut off a system in case of a fire or other type of emergency.	

Glare, Glint, and/or Noise Standards

The code does NOT include glare, glint, and/or noise standards for solar PV systems.

Code Language	Section: Not Applicable
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None

Reviewer Comments

It is not a best practice to:

- require a glare study prior to the installation of a solar energy system or
- suggest the placement of solar panels should be done to minimize glare or
- require an acoustic study or
- have maximum level of noise the system can produce.

Solar PV panels are designed to absorb incoming solar radiation and limit the amount of reflected light. Solar panels are designed with anti-reflective glass. [The glare from a solar panel is similar to that of smooth water](#). A glare study is recommended if solar panels will be sited close to an airport but otherwise the analysis is usually unnecessary, adding time and cost to a project.

Roof-mounted solar energy systems produce very minimal noise. An acoustic study will increase installation costs.

Roof Space Coverage Limit

The code does NOT limit solar PV system coverage to a percentage/part of the available roof space.

Code Language	Section: Not Applicable
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None

Reviewer Comments

It is not a best practice to limit the coverage of a roof-mounted solar energy system. All buildings should have the opportunity to install a roof-mounted solar energy system to the maximum extent possible, so long as the roof is structurally capable of holding the load and applicable emergency access requirements are maintained. Maximizing a solar PV systems roof coverage is important goal as buildings transition to electric appliances and systems and incorporate electric vehicle charging equipment.

Prohibition on Flat or Low Sloped Roofs

The code does NOT prohibit solar PV systems on flat or low sloped roofs.

Code Language	Section: Not Applicable
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None

Reviewer Comments

It is not a best practice to prohibit solar energy systems on flat or low sloped roofs. All buildings should have the opportunity to install a roof-mounted solar energy system regardless of roof slope, so long as the roof is structurally capable of holding the load. Many buildings with flat roofs like warehouses, data centers, distribution centers, and big box retail stores are excellent candidates for roof-mounted solar energy systems.

Limits on Electricity Production

The code does NOT include limits on how much electricity a solar PV system can produce.

Code Language	Section: Not Applicable
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None

Reviewer Comments
It is not a best practice to include limits on the amount of electricity a solar energy system can produce. Regulations and policies like this are normally set by a state entity (Public Utility Commission/Public Service Commission) and/or local electric utility and are not appropriate for zoning codes.

Limits on Electricity Consumption	
The code does NOT include limits on where a solar PV system's energy is consumed.	
Code Language	Section: Not Applicable
None	
Reviewer Comments	
It is not a best practice to include limits on where a solar energy system's electricity can be consumed. Regulations and policies like this are normally set by a state entity (Public Utility Commission/Public Service Commission) and/or local electric utility and are not appropriate for zoning codes.	

Discretionary Review Process	
The code does NOT identify a discretionary review process for accessory use solar PV.	
Code Language	Section: Not Applicable
None	
Reviewer Comments	
It is not a best practice to have a discretionary review process for accessory use solar PV. This has the potential to be an onerous and/or subjective process for roof-mounted solar energy systems and could increase a project’s timeline and costs. Roof-mounted systems should be an allowed or by-right use and only need to go through the building permit process to ensure compliance with applicable building and electrical codes.	

Additional Notes

The City of Lacey, WA [Municipal Code](#) is silent on the use of solar energy. It does not provide basic information about the use of solar energy – including a purpose, definitions, general regulations including clarification on accessory use and primary use solar. Including basic information about solar energy improves transparency of processes and clarity of development requirements and can enhance the growth of the local solar market in an organized and efficient manner. If this information is codified in the zoning code, the City of Lacey, WA can complete the SolSmart Planning and Zoning Gold pre-requisite.

Next Steps

1. This zoning review can be presented to the Planning & Zoning Commission or relevant zoning body to achieve credit PZ-2.
2. Based on the zoning review and the dialogue from the Planning Commission meeting, staff can draft proposed language for changes to the zoning code to achieve credit PZ-3.
3. SolSmart staff are available to help present the zoning review and/or provide guidance and feedback on draft language.

Recommended Reading

Please see [Best Practice Guidance for Solar and Zoning - Accessory Use](#) for template language that can be used to develop organized, transparent, and consistent accessory use solar energy regulations for zoning codes.

Please see [Best Practice Guidance for Solar and Zoning - Accessory Use](#) for additional recommendations.

I, Linsey Fields as the Climate and Sustainability Coordinator for the City of Lacey, WA have received the zoning review and read its findings.

Signature: Linsey Fields

Date: October 5, 2023

Please note that this review is not an endorsement or recommendation for changing and/or updating the zoning code. This is an informational review only.

If the local government has clarifying comments, please provide them in a memo to the SolSmart team.



Planning Commission February 14th, 2024

SUBJECT: Neighborhood Commercial District - General Guidance

RECOMMENDATION: Staff will provide a briefing to the Planning Commission on general themes within the updated Neighborhood Commercial District Code while seeking guidance on specific use alternatives. A public hearing on the draft amendments is scheduled for March 13th, 2024.

STAFF CONTACTS: Grant Beck, Planning and Development Services Manager
Ryan Andrews, Planning Manager
Hans Shepherd, Senior Planner *HS*

ATTACHMENT(S): Draft amendments to LMC 16.36 are attached. See [project webpage](#) for all project materials.

WORK PLAN GOAL AND STRATEGY: Coordinated & Collaborative Planning - (B)(1)

PRIOR REVIEW: Planning Commission has been previously briefed at previous project milestones including community and tenant surveys, district analysis, community workshops, and project findings.

BACKGROUND:

Following a development proposal located at the northern corner of Willamette Drive NE and Campus Glen Drive NE, the Lacey City Council asked staff to engage the community in a review of existing Neighborhood Commercial Districts within the City of Lacey.

Through a combination of public events, social media publications, newspaper articles, HOA contacts, interested distribution lists, the City website, Youth Council outreach, and project specific community surveys, staff shared resources and information with Lacey residents about our existing Neighborhood Commercial Districts.

Following a review of our Neighborhood Commercial District Municipal Code ([Chapter 16.36](#)), community members and businesses operating within these districts provided feedback through a range of written and in person formats on their goals and future visions for these locations. The results of this outreach can be found on the [project webpage](#).

Project findings, milestones, and results of these initial stages were presented back to the Lacey community to ensure the collected feedback and general direction of this update was consistent with community opinions and expressed community needs. Examples from other communities were also identified and shared to further assist the Lacey community in identifying the types of Neighborhood Commercial Districts they wished to see in the future.

Following this second phase of community and business outreach, staff worked to identify compatible uses, building masses, and design standards based on the collected feedback and the location of each Neighborhood Commercial Zoning District.

In collaboration with the Planning Commission and Land Use and Environment Committee, Lacey staff reviewed existing building coverages, heights, gross floor areas, and general development patterns from a range of examples within the community. Based on this review, a range of massing and development standards were identified for their compatibility with the desired uses as expressed by the community within previous phases of outreach.

NEXT STEPS:

At the February 14th Planning Commission meeting, staff will share potential use alternatives based on the feedback received from the Lacey community, local businesses, City Council, Planning Commission, and an internal staff review for consistency with other design elements.

Planning Commission members will be lead through a range of scenario alternatives and polling exercises to capture Commissioner perspectives in advance of community review of the initial draft code.

All findings and project materials will be publicly distributed and uploaded to the project webpage before any formal recommendations are made. A public hearing on the draft code amendments is currently scheduled for March 13th, 2024.

Recommendations:

City staff will continue to promote and advance this program while providing updates to the Planning Commissions on their findings, program milestones, and potential next steps for consideration.

CITY OF LACEY PLANNING COMMISSION WORK SCHEDULE

**Planning Commission Meeting
February 14, 2024**

Packets due: February 9, 2024

- 1. Work Session:** Joint Meeting De-Brief
- 2. Work Session:** Neighborhood Commercial Code Amendments
- 3. Work Session:** Sol Smart Code Audit (Linsey)

**Planning Commission Meeting
February 28, 2024**

Packets due: February 23, 2024

- 1. Work Session:** Middle Housing/ADU Code Amendment Intro (Jennifer)

**Planning Commission Meeting
March 13, 2024**

Packets due: March 8, 2024

- 1. Public Hearing:** Neighborhood Commercial Code Amendments
- 2. Work Session:** Comprehensive Plan Outreach

**Planning Commission Meeting
March 27, 2024**

Packets due: March 22, 2024

- 1. Work Session:** NC Code Amendments Follow-up (If Necessary)
- 2. Work Session:** Critical Areas Ordinance