

# Local Officials Roundtable #2

## Land Use and Local Government Advisory Panel

March 2, 2021

2:00pm – 4:30pm EST



**Climate Action  
Council**

# Meeting Agenda

- > Welcome and Introductions
- > Panel Goals and Discussion Guidance
- > Draft Strategies & Discussion
  - Clean Energy
  - Land Use
  - Carbon Sequestration
  - Adaptation and Resilience
- > Advisory Panel Reflections and Wrap Up

# Panel Goals

## Land Use and Local Government Advisory Panel

### Goals that are guiding recommendation development

1. Support local and regional initiatives to promote efficient land use/smart growth
2. Foster the expansion of low-/no-carbon, energy-efficient mobility options
3. Maximize carbon sequestration potential of both developed and undeveloped lands
4. Build capacity at the regional level and streamline/enhance support to municipalities
5. Increase energy efficiency in new development and promote energy efficiency retrofits
6. Accelerate development and adoption of clean energy sources
7. Reduce emissions associated with municipal operations, buildings, facilities, and fleets

# Guidance for Discussion Session

- After each topic, please indicate your interest in speaking by raising your hand
- Suggested discussion questions:
  - *Which initiatives/components do you strongly support? Do you have any refinements?*
  - *Do these initiatives fit with your local needs and priorities?*
  - *What else should the Panel consider?*
- Please limit your comments to **2 min.** to allow as many speakers as possible
- Advisory Panel members may ask follow-up questions of invited guests
- Use the chat to indicate your agreement with speakers or shorter comments, chat will be saved as part of the record of this meeting
- Longer comments should be submitted via email

# Clean Energy



# Clean Energy strategy summary

*Draft Material*

Initiative #	Description	Action type	Ease of implementation	Cost
1	Develop a statewide dashboard of community greenhouse gas emissions inventories to promote local climate action planning, monitor equity considerations, measure progress, and ensure data consistency at the county/municipality level.	Programmatic	Medium	Low
2	Encourage local governments to demonstrate leadership in energy efficiency by developing and promoting NY Stretch Energy Code for adoption by leading local jurisdictions, enhanced code enforcement programs (including online permitting, third-party inspections and shared enforcement), and Property Assessed Clean Energy (PACE) financing.	Programmatic	Easy	Low

# Clean Energy strategy summary

*Draft Material*

Initiative #	Description	Action type	Ease of implementation	Cost
3	Establish statewide policies that promote consistent advancement on building decarbonization by adopting a highly efficient State Energy Code aligned with CLCPA goals as soon as possible, establishing energy benchmarking and performance standards for buildings, and creating innovative public benefit financing mechanisms.	Legislative, Programmatic, Regulatory	Hard	Medium
4	Facilitate and promote deployment of clean energy to expand equitable access, maximize local economic benefit and minimize environmental impacts through planning support, provision model local laws, streamlined permitting, and local development regulations that clearly identify appropriate as-of-right installation opportunities for different clean energy technology types, and clear requirements and reasonable processes for installations that are not as-of-right.	Programmatic	Medium	Medium

# Clean Energy strategy summary

*Draft Material*

Initiative #	Description	Action type	Ease of implementation	Cost
5	Connect homes, businesses, and community institutions with clean energy products, services, and job opportunities through Community Choice Aggregation programs, microgrids, district systems, workforce development initiatives, and community-scale campaigns to encourage adoption of new, innovative technologies to generate value and savings for consumers in an equitable manner.	Programmatic	Medium	Low
6	Continue and expand state program opportunities, incentives, technical assistance, and centralized procurement services to motivate local governments and related public entities to improve assets they control with high-impact actions such as LED lighting, energy efficiency upgrades, heat pump projects, methane recovery for energy production from wastewater treatment and landfills, solar on municipal premises, and municipal and school district fleet electrification.	Programmatic	Medium	Medium

Strategy #1: Develop a statewide dashboard of community greenhouse gas emissions inventories to promote local climate action planning, monitor equity considerations, measure progress, and ensure data consistency at the county/municipality level.

**Draft Material**

Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Develop data reporting protocols including considering establishing aggregated data reporting requirements for suppliers of fuels in a similar way to how the NYS Public Service Commission (PSC) requires electricity and natural gas consumption data reported by utilities	PSC; NYSERDA; DTF; Regional MPOs	2 years	Fuel oil, gasoline, and diesel suppliers
Develop statewide transportation models to estimate VMT at the county, city, town, and village level so that it can be integrated into the dashboard	DOT	5 years	Regional MPOs
Launch and maintain the dashboard, ensuring it is accessible to all communities	NYSERDA	1 year	Community stakeholders

Strategy #2: Encourage local governments to demonstrate leadership in energy efficiency by developing and promoting NY Stretch Energy Code for adoption by leading local jurisdictions, enhanced code enforcement programs (including online permitting, third-party inspections and shared enforcement), and Property Assessed Clean Energy (PACE) financing.

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Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Utilize the Clean Energy Communities and Climate Smart Communities programs to encourage local climate action	NYSERDA; DEC	2 years	Counties, Cities, Towns, and Villages
Continue and expand NYPA Clean Energy Services to reach more communities	NYPA	2 years	Counties, Cities, Towns, and Villages
Expand the Regional Coordinator Network to enhance and strengthen assistance to local governments and related entities across a range of climate actions and increase support to small, resource-constrained, and underserved communities.	NYSERDA; DEC	2 years	Regional Planning Boards

Strategy #3: Establish statewide policies that promote consistent advancement on building decarbonization by adopting a highly efficient State Energy Code aligned with CLCPA goals as soon as possible, establishing energy benchmarking and performance standards for buildings, and creating innovative public benefit financing mechanisms.

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<b>Components required for delivery</b> <i>(Brief description of action required)</i>	<b>Implementation lead</b>	<b>Time to implement</b>	<b>Other key stakeholders</b>
Establish energy benchmarking and performance standards for buildings through state legislation	DOS, NYSERDA	10 years	
Establish targets for the Energy Code to align with CLCPA goals.	DOS, NYSERDA	10 years	
Revise the Energy Law relating to the Energy Code to extend the consideration of a 10-year cost effectiveness period to allow for assessment over a longer time horizon, potentially the equipment lifecycle or be based on secondary or societal effects, such as reductions in carbon emissions.	DOS, NYSERDA	2 years	
Provide funding for administrative costs of code updates incurred by local governments and state agencies, including enforcement, purchase of codes books, guidance documents, and training for stakeholders.	DOS, NYSERDA	2 years	
Consider programs to offer municipal based financing for required decarbonization building improvements based on clean water financing model.	tbd	5 years	

**Strategy #4:** Facilitate and promote deployment of clean energy to expand equitable access, maximize local economic benefit and minimize environmental impacts through planning support, provision model local laws, streamlined permitting, and local development regulations that clearly identify appropriate as-of-right installation opportunities for different clean energy technology types, and clear requirements and reasonable processes for installations that are not as-of-right.

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<b>Components required for delivery</b>	<b>Implementation lead</b>	<b>Time to implement</b>	<b>Other key stakeholders</b>
Develop and promote model local laws and development regulations.	NYSERDA	<1 year	Community Stakeholders, Solar Industry
Promote adoption of the NYS Solar Permit and other local actions to streamline the permitting process for clean energy technologies at a variety of scales.	NYSERDA	<1 year	Code Enforcement Officers
Develop tools and resources including mapping to help municipalities undertake a comprehensive evaluation of the potential for clean energy development in their communities and plan pro-actively for deployment that maximizes local benefit and minimizes impact on lands with high-quality soils and other competing uses.	NYSERDA	2 years	Community Stakeholders, Agriculture and Forestry; Solar Industry
Provide technical and financial support to help local governments plan for and review solar projects.	NYSERDA	2 years	Regional Planning Boards

**Strategy #5: Connect homes, businesses, and community institutions with clean energy products, services, and job opportunities through Community Choice Aggregation programs, microgrids, district systems, workforce development initiatives, and community-scale campaigns to encourage adoption of new, innovative technologies to generate value and savings for consumers in an equitable manner.**

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Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Continue to encourage development of Community Choice Aggregation (CCA) programs where communities choose 100% renewable energy as the default supply, and where participants are automatically enrolled in Community Distributed Generation (CDG).	NYSERDA	1 year	Community Stakeholders; CCA Administrators; ESCOs
Enable county governments to authorize and form CCA programs with local opt-out	DPS	1 year	Local Governments; Community Stakeholders
Promote community-scale campaigns to encourage adoption of new, innovative technologies to generate value and savings for consumers.	NYSERDA	1 year	Community Stakeholders
Expand workforce development programs focused on training and job placement in clean energy and emerging technologies.	NYSERDA	2 years	Unions; Clean Energy Industries
Enable the development of microgrids (municipal, schools and private) and district clean energy systems.	NYSERDA	10 years	Utilities; Campuses

**Strategy #6:** Continue and expand state program opportunities, incentives, technical assistance, and centralized procurement services to motivate local governments and related public entities to improve assets they control with high-impact actions such as LED lighting, energy efficiency upgrades, heat pump projects, methane recovery for energy production from wastewater treatment and landfills, solar on municipal premises, and municipal and school district fleet electrification.

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Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Provide technical support to help local governments and related public entities develop and implement clean energy projects.	NYSERDA	1 year	Community Stakeholders
Evaluate options to reduce interconnection costs for municipal-owned priority sites.	NYSERDA	2 years	Solar Industry
Prioritize funding for projects that recover methane from wastewater treatment and landfills for energy production.	NYSERDA	5 years	Community Stakeholders
Develop tools and resources to help municipalities procure energy and enable direct purchases of energy by municipalities from the wholesale market.	NYSERDA; DPS	2 years	
Support electrification of municipal and school district fleets while increasing fleet-wide fuel economy.	NYSERDA; DEC	10 years	School Districts
Encourage local governments to track and report the energy use of municipal buildings and facilities (benchmarking).	NYSERDA	2 years	
Increase waste reduction and recycling rates in municipal operations and in the community.	DEC	10 years	Counties

# Land Use



# Land Use Strategy Summary

*Draft Material*

Strategy #	Description	Action type	Ease of Implementation	Cost
1	Facilitate county-wide smart growth comprehensive planning and consider programs to provide technical and financial support for local designation of priority development areas and priority conservation areas at the regional and county level	Programmatic	Medium	Low/ Medium
2	Promote local adoption of zoning and land use regs consistent with smart growth principles and that support sustainable, equitable development through a streamlined “Plan-to-Zone” initiative	Programmatic and technical assistance tools	Easy	Low
3	Evaluate opportunities to support and enable expedited local review and approval of equitable smart growth projects at the State and local level	Programmatic and regulatory	Hard	Low

# Land Use Strategy Summary

*Draft Material*

Initiative #	Description	Action type	Ease of Implementation	Cost
4	Prioritize smart growth in new infrastructure spending	Programmatic and regulatory	Medium	Low
5	Support municipal implementation of mitigation strategies through smart growth planning, zoning and project review/approval and quick expansion of local clean energy projects	Programmatic and technical assistance tools	Easy	Low

**Strategy #1:** Facilitate and support collaborative county-wide and regional smart growth comprehensive planning, including designation of priority development areas and priority conservation areas, to inform and guide land use decisions

*Draft Material*

Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Update the 2013 NYSERDA Regional Sustainability Plans and more closely tie the plans to REDC functions and State funding selection criteria.	NYSERDA	2 years	REDCs, DOS, multiple state agencies
Identify opportunities to increase coordination with REDCs and alignment of Strategic Plans with sustainability/smart growth/equity principles	ESD		REDCs, DOS, NYSERDA other state agencies
Consider expanding DOS Countywide Resiliency Planning grants to incentivize county-wide smart growth comprehensive plans that adhere to clear State goals and outcomes. Include Health Impact assessments where feasible and relevant, particularly in disadvantaged communities that have experienced health disparities.	DOS	2 years	Regional Entities/Local Gov'ts
Develop criteria and incentives for regional entities and counties to identify priority development and priority conservation areas in consultation with local jurisdictions and communities. Priority development areas may include BOAs, downtowns, central businesses districts, municipal centers, hamlets, former industrial districts, TODs, disadvantaged communities, dead/dying malls and vacant property clusters designated by land banks, among others; Priority conservation areas include areas that preserve and restore vital habitats, ecosystems, biodiversity, natural water movement and passive recreation, among others.	DOS, DEC	2 years	Multiple state agencies, regional entities, counties, municipalities, CBOs
Extend eligibility for smart growth-related planning and implementation grants to regional planning councils and, where appropriate, qualified community-based organizations.	DOS	2 years	Counties

**Strategy #1:** Facilitate and support collaborative county-wide and regional smart growth comprehensive planning, including designation of priority development areas and priority conservation areas, to inform and guide land use decisions

*Draft Material*

Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Consider expanding the TOD/Workforce Housing State Housing Goal in HCR’s Unified RFP beyond solely the 9% LIHTC Program to include all relevant HCR solicitations.	HCR	1 year	Public
Expand and enforce the “priority and preference” provision in the BOA statute to include other relevant grants beyond those already identified in statute.	DOS/DEC	2 years	Regional Entities/Local Governments
Expand shared services plans and inter-municipal agreements to more fully incorporate land use planning and zoning.	DOS	1 year	Regional Entities/Local Gov'ts
Evaluate opportunities through the use and potential expansion of General Municipal Law Section 239 County Review to promote shared regional smart growth priorities in municipal planning, zoning and subdivision proposals.	DOS	1-3 years	Counties/Local Governments

**Strategy #2: Promote local adoption of zoning and land use regs consistent with smart growth principles and that support sustainable, equitable development through a streamlined “Plan-to-Zone” initiative**

*Draft Material*

Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Consider creating or expanding smart growth grant programs to assist municipalities in the development of expedited or mini-comp plans, district/corridor plans and zoning ordinances that adhere to clear State goals and outcomes. Priority considerations for disadvantaged and rural communities with less capacity/staff.	DOS	< 1 years - current pilot program	Regional Entities/Local Gov'ts
Define some base criteria for a mini-comp plan, including extensive community outreach and engagement, that would comport with case law; ensure that plans adhere to clear State goals and outcomes.	DOS	2 years	Partnering state agency legal staff
Provide necessary baseline data for municipalities to access and use in developing plans.	DOS	2-3 years	Partnering state agencies

### Strategy #3: Evaluate opportunities to support and enable expedited local review and approval of equitable smart growth projects at the State and local level

*Draft Material*

Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Evaluate options such as financial and technical incentives to support development of GEISs for local smart growth overlay zoning (preferably in priority development areas such as TODs), including early and comprehensive community engagement. Consider a State established revolving grant fund to support the GEISs, with a pay-back by the developer if they develop projects consistent with the zoning.	DOS	1-3 years	DEC/Regional Entities/Local Gov'ts/Private Developers/IDA's/Environmental Justice Community
Provide model outreach materials and other tools and guidance to support pre-development community outreach, engagement, and education for smart growth projects in order to generate support, awareness and buy-in prior to a developer filing the project with a municipal board. Coordinate with community-based organizations, local government officials, universities and others, as needed.	DEC/DOS/DOT	2-3 years	Regional Entities/Local Gov'ts/Private Developers/IDA's/CBO's/Universities/Environmental Justice Community/Affected State Agencies
Explore use of SEQRA Type II listing and interagency priority permitting review for smart growth projects	DEC/DOS/DOT	3-5 years	Regional Entities/Local Gov'ts/Private Developers/IDA's/CBO's/Universities/Environmental Justice Community/Affected State Agencies

## Strategy #4: Prioritize smart growth in new infrastructure spending

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Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Review and refine the 11 Smart Growth criteria in the State Infrastructure Act to more accurately identify new smart growth- and sprawl-inducing infrastructure projects and to align those criteria more directly with the CLCPA, including an emphasis on equity and affordability. Include definitions of priority development areas and priority conservation areas.	DOS	<1 year	DOT/Affected State Agencies
Incentivize Smart Growth-inducing infrastructure by providing priority funding for infrastructure projects that score above a certain threshold in Smart Growth review, particularly those in Priority Development Areas; include definitions of Priority Development Areas and Priority Conservation Areas in the State Infrastructure Act.	Granting State Agencies	1-2 years	
Assess as-of-right funding programs ensure alignment with new objectives to prioritize smart growth and restrict expansion of sprawl inducing infrastructure and develop updated Smart Growth threshold criteria to be considered for use in scoring State infrastructure grant proposals.	DOS/DOT	1-3 years	Affected State Agencies

**Strategy #5:** Support municipal implementation of mitigation strategies through smart growth planning, zoning and project review/approval and quick expansion of local clean energy

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Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Expand the roles and responsibilities of DOS Smart Growth planning, NYSERDA Clean Energy Communities (CEC) Regional Coordinators and DEC Climate Leadership Regional Coordinators to provide smart growth planning and zoning technical assistance and capacity-building to municipalities, which would include the integration of land use, transportation and housing planning and projects.	NYSERDA/DEC	1-2 years	Regional Entities and Local Governments
Develop a Sustainable Development/Climate Act Resource Guidebook to serve as a resource to assist regional entities, counties, municipalities, developers in navigating, accessing and integrating of state programs relative to sustainable community development and clean energy development. Improve accessibility and ease coordination across programs.	DOS	1-2 years	Granting State Agencies
Create a centralized, user-friendly digital repository of data resources useful to regional/county/local planners in the development of smart growth land use plans, zoning codes and projects—including data on affordability and other equity matters.	DOS	2-3 years	ITS, Regional Entities and Local Governments
Work with the IDAs in each region to proliferate tax incentive policies in their Uniform Tax Exemption policies to incentivize infill and downtown redevelopment	DOS	5-10 years	IDA's
Explore opportunities to address displacement, gentrification and the concentration of poverty by providing assistance and resources for various shared/community-centered ownership models for businesses and shared equity models for home ownership.	DOS and other state agencies	< 1 year	HCR, ESD and other state agencies, Universities, NGO's and LG's

# Carbon Sequestration



# Carbon Sequestration strategy summary

*Draft Material*

Initiative #	Description	Action type	Ease of implementation	Cost
1	Maintain and enhance the carbon sequestration potential of freshwater, non-tidal wetlands in New York State.	Mapping, analysis, regulatory, funding, technical support		
2	Maintain and enhance the carbon sequestration potential of “blue carbon” in New York State, including coastal and estuarine tidal wetlands.	Mapping, analysis, regulatory, funding, technical support		

## Strategy #1: Maintain and enhance the carbon sequestration potential of freshwater, non-tidal wetlands in New York State.

*Draft Material*

<b>Components required for delivery</b> <i>(Brief description of action required)</i>	<b>Implementation lead</b>	<b>Time to implement</b>	<b>Other key stakeholders</b>
Update maps of non-tidal, freshwater wetlands of all sizes and ensure accurate and current maps are publicly available to inform protection of both regulated and unregulated wetlands.	DEC		
Develop statewide conservation framework that incorporates current, accurate spatial data on wetlands, including priority wetland complexes and habitat connectivity, and provides basis for prioritizing state funding and technical assistance programs to conserve natural areas.	DEC		Land trusts, regional planning commissions, conservation NGOs, research partners
Increase NYS investment in the protection and restoration of wetlands, including riparian areas.	Multiple agencies		
Assist county and local governments to create land-use policies and land conservation programs that prioritize and protect freshwater wetlands that are not regulated by DEC or ACOE.	DOS		DEC, regional planning commissions
Consider landowner incentives and other techniques to conserve and restore freshwater wetlands.			

## Strategy #2: Maintain and enhance the carbon sequestration potential of “blue carbon” in New York State, including coastal and estuarine tidal wetlands.

*Draft Material*

Components required for delivery	Implementation lead	Time to implement	Other key stakeholders
Update maps of tidal wetlands, coastal habitats, and Coastal Erosion Hazard Areas in New York State and ensure accurate and current maps are publicly available.	DEC, DOS		
Develop statewide conservation framework that incorporates current, accurate spatial data on coastal and estuarine wetlands, including tidal wetland migration pathways and coastal erosion areas, and provides basis for prioritizing state funding and technical assistance programs to conserve natural areas.	DEC, DOS		Land trusts, regional planning commissions, conservation NGOs research partners
Increase NYS investment in the protection and restoration of tidal wetlands and coastal habitats, including migration pathways and riparian areas.	Multiple state agencies		
Assist county and local governments to create land-use policies and land conservation programs that prioritize and protect coastal areas.	DOS		DEC, regional planning commissions
Consider landowner incentives and other techniques to conserve and restore tidal wetlands and coastal habitat.			

# Adaptation and Resilience



# Adaptation and Resilience Strategy Summary

Draft Material

Initiative #	Description
AR1	Commit to comprehensive and equitable state climate change adaptation and resilience planning and implementation
AR2	Incorporate equitable adaptation and risk-reduction considerations into all state funding and regulatory programs, projects and policies
AR3	Provide state agency planning and technical support for regional and local equitable adaptation and resilience plans and projects
AR4	Evaluate opportunities to amend the State Environmental Quality Review Act and implementing regulations and procedures to ensure equitable consideration of future climate conditions
AR5	Develop policies and programs to reduce risks associated with coastal and inland flooding
AR6	Develop policies and programs to reduce human risks associated with new patterns of thermal extremes
AR7	Develop policies and programs to reduce threats to ecosystems, biodiversity and agriculture
AR8	Strengthen meaningful community engagement and public education and build adaptive capacity for all
AR9	Identify and evaluate options for supporting risk-reduction and equitable adaptation projects, including insurance provisions