Zoning Ordinance Amendment

Listening Session Notes

**May 18, 2021**

Attendees: James Craft (DEQ), Mary Anne Nelson (DEQ), Albert Crawshaw (DEQ), Aaron Scheff (DEQ), Jason Pappani (DEQ), Beth Spelsberg (DEQ), Michelle Dale (DEQ), Lance Holloway (DEQ), Jerri Henry (DEQ), Shawn Benner (BSU), Craig Tesch (IDWR), Kate Harris (Boise City), John Roldan (Boise City), Colin Schmidt (Garden City), Marie Kellner (Idaho Conservation League), Tamsen Binggeli (TO Engineers),

**What is and isn’t working well with the existing Zoning Ordinance?**

Marie Kellner said she would like the Code to encourage water conservation, as Idahoans currently use more water per capita on domestic uses than any other state according to the USGS. She suggested requiring more drought tolerant landscaping as one means of reducing water use.

Aaron Scheff noted that there was a large nitrate priority area, in which groundwater contained elevated levels of nitrate, covering portions of Ada and Canyon County. He would like the County to limit new septic systems as much as possible due to the amount of nitrates they contribute to groundwater. He would like new development to utilize wastewater systems wherever possible, and for the County to consider ways to reuse gray water for such things as irrigation.

Mary Anne Nelson also said she would like to see septic systems limited as much as possible due to their impacts on water quality. She also said stormwater runoff from new development was a concern, as it has the potential to carry pollution and contaminants into the water system. She said she would like to see the County require more pervious surfaces with new development.

John Roldan said he would like to see applicants provide more transparency and more details on where the water serving new development will come from. He said he would like to see more xeriscaping and native plans required for new development without surface water rights. He said he would like to see the County require properties with existing surface water rights to utilize those water rights prior to accessing groundwater when new development is proposed.

**Are there any specific design standards that the County needs to tune up?**

Tamsen Binggeli said she supports the idea of clustering lots closer together in order to preserve open space and reduce impervious surfaces. She also said she would like the County to require new development to retain stormwater on site. She recommended the County consider maximum parking requirements as a means of reducing impervious surfaces, and potentially requiring pervious parking spaces when a large amount of parking is proposed.

Kate Harris said she would like the County to adopt a Boise River Overlay similar to Boise’s in order to provide additional protection to the Boise River. She said this could include different levels of protection for different sections of the river to ensure areas important to wildlife habitat can be adequately protected.

Tamsen Binggeli agreed a Boise River Overlay similar to Boise’s would be important. She suggested the County adopt the same requirements as Boise so that developers could use one consistent set of guidelines when working in both jurisdictions. She mentioned that a developer of a recent subdivision near the river had advertised the large open space setback required from the river as an amenity for future residents.

Mary Anne Nelson suggested new development be required to provide a certain percentage of green infrastructure in order to help with water quality and quantity.

Aaron Scheff seconded this idea and said that the U.S. Green Building Council had a good template to use for green infrastructure.

Mary Anne Nelson said that clustering lots was a good idea as long as the lots were connected to a wastewater system and not on septic systems.

**Are there any uses that are a concern, or that the Zoning Ordinance should do a better job of accommodating?**

Aaron Scheff suggested the County not just rely on State Law when it came to water quality, and that it should seek to limit new septic systems as much as possible in order to provide a better long-term outcome for water quality in Ada County. He also suggested that the County mail out a specific list of questions to relevant agencies in order to get more detailed feedback on potential Code amendments related water quality and conservation.

Shawn Benner said that septic systems pose a long-term threat to water quality due to the nitrates they release into the water supply. Because of this he said the County should discourage new septic systems.

Mary Anne Nelson suggested the County consider an ordinance requiring subdivisions utilizing septic systems to connect into sewer once sewer lines arrive in the area.

Shawn Benner thought applicants should be required to provide more detail on the source of the water that would be used to service new development. He noted that new development on agricultural lands would have a smaller impact on the County’s water supply as it would largely use water that was already being used to water crops, while new development on dry lands would require a new water source.

**Are there any standards, topics or innovations missing from the current Zoning Ordinance?**

Aaron Scheff recommended the County encourage roofing materials which would reduce heat impacts on the surrounding area. He noted that reducing temperatures in urbanized areas would be better for surface water quality and wildlife within the water. He also suggested the County incentivize xeriscaping and the installation of solar panels.

Jerri Henry suggested the County require nutrient pathogen studies whenever new septic systems are being installed. Currently these studies are only required for nitrate priority areas.

Tamsen Binggeli suggested the County consider an ordinance which would prevent homeowner associations from restricting the installation of solar panels on homes within their community.