To: Mark Perfect, Planning and Zoning Administrator, Development Services
From: White & Smith, LLC
Date: March 19, 2021
Re: ZOA Listening Session 2 Notes

MEETING ATTENDEES

On March 18, 2021, the Consultant Team – White & Smith, LLC (Mark White and Rhys Wilson) joined staff to discuss issues and concerns about the Ada County Zoning Ordinance.

- Mark Perfect
- Brent Moore
- Brianna Bustos
- Christy Little
- Jeff Maffuccio
- Romeo Gervais
- Sarah Arjona
- Josie Erskine
- Jessica Harold
- Mark Zirchsky – LISTED, BUT DID NOT ATTEND

MARK PERFECT

- Water requirements are pretty sparse in the Code
- There is a natural features analysis section doesn't have much teeth
- County did a few amds but its been several years ago
- Have private road standards – need to be reviewed again
- Subdivisions requirement to hire a WOOFY engineer for development in Wild fire areas
BRENT MOORE

- No comments

BRIANNA BUSTOS

- We are facebook living the discussion
- Communications leader
- Listening sessions are just the beginning
- Wants the community to voice their opinions
- Is a big priority to get public input

CHRISTY LITTLE

- ACHD Development services manager
- Been there 20 years
- Right of way development
- Acquiring properties for row expansion
- Doesn’t want to interfere with the County and the developer
- Private roads vs public roads
- County is pushing private roads to become public
- County wants all the streets to be public
- ACHD doesn’t want them to be public for maintenance reasons
- Don’t have a lot of large subdivisions that require traffic impact studies
- Other agencies require traffic impact studies for new developments
- Ada County works well with ACHD
- Wants to formalize the traffic studies
- 100 trips in AMPM peak hours for industrial and commercial
- ACHD Policy Manual
- No issue with coordinating street standards with the County
- ACHD has policy for connectivity
- Adopted a master street map for anything greater than a local street
- Christy left early at 4:54 CDT
- Over the years have had a lot of developer concerns re ROW acquired for new development, acquired upfront so don’t have to acquire it later, creates concerns re lot size.
- Private v. public roads, county has pushed private roads onto ACHD, required them the be public, out in farther reaches, will burden maintenance.
- County wants all streets public, but ACHD doesn’t see a need for ¼ mile road with just a few houses – taxpayer issue.
JEFF MAFFUCCIO

- With Idaho Power
- Serve half million people
- Rely on Snake river
- Provide solar, wind, coal
- Looking to have clean energy by 2045
- Idaho’s facilities need to be built up to snuff with these clean energies
- Works with Dev Services to build transmission lines and substations
- He is the facility and site coordinator
- Thinks the code is clear on what is allowed and not allowed
- Thinks Boise’s code is complicated
- Power regs are intact in Ada
- Think standards for subdivisions are fine and work effectively
- Would like to see more flexibility as they increase security protocols (screening, walls, etc.)
- Go through the variance process for screening regs
- Has been able to work well with staff on any changes/applications
- Electric utilities always want to do the bear minimum for design
- This hasn’t been an issue in Ada
- Has to be a way to protect and promote ag uses
- Oregon does a great job of protecting ag
- Feels there’s some opportunities to protect ag land in Ada
- Think its important to set a high standard for any applicant
- 138 kilovolts threshold goes through a master site plan by admin review – over 138 goes to public hearings
- Doesn’t feel quicker is better
- Would be cool to not go through the master site plan process
- We need to codify some of the CUP uses
- We need to consider the customer or the public’s perspective on how they handle the zoning ordinance
- Idaho Power – They are the only power provided/electric utility in area, half million accounts in area.
- Gas, solar, coal coming offline in future. Looking to 100% clean energy by 2045.
- As county grows the utility has to grow to accommodate changing needs, review requests to understand impacts with regard to transmission, etc.
- Have to build systems to accommodate those, so they work with development services for permissions to site and construct substations, transmission lines, etc. through county through public hearing.

ROMEO GERVAIS

- Deputy chief fire marshal for Boise fire
- Provides fire protection services, plan review
• What are we doing about wildfire
• Does provide full scale services
• Likes the Wildfire standards – stronger than most communities
• Wants to make the standards better and cleaner
• Wants to work closely on the wildfire sections
• No problems with the county
• Good relationship with ACHD
• Haven’t had a bunch of issues with private streets
• Just wrote language for Boise on their fire code
• Romeo left at 5:02 CDT
• Fire has contracts with 3 special districts (Sunset, Whitney, North Ada County)
• Concerns with subdivision standards and wildfire.

SARAH ARJONA

• Idaho Transportation Dept Dev Services
• See what has the best access and mobility
• The timing of applications
• Wants traffic impact study
• Applicants often go through variances for ITD roads with limited access
• Don’t want to have conflicting policies
• They receive transmittals from zoning team at county
• Look to impacts to highway system from development so it functions and has best mobility and access for safety.

JOSIE ERSKINE

• Ada Soil and Conservation District
• Having phone trouble
• Farmland protection in Ada County is her concern
• Don’t have the tools to preserve farmland
• Wants something to come from this Code to preserve farmland
• Seeing a transition from flood irrigation to drip irrigation
• Experiencing aquifer drops and infiltration rates
• What are the infiltration rates with respect to the aquifers
• What is the importance of irrigated lands
• She will send links to the water research
• Wants voluntary easements for ag land
• Low federal funds for ag land
• Ag land preservation has to happen now! Gotta be something like Oregon
• Feels like Ada is getting the shaft when it comes to ag land
• Might need to provide best practices on ag land preservation
JESSICA HAROLD

- Program Coordinator for Ada Soil and Conservation District
- Local government agency subset
- Role is to provide resources for small farmers and homeowners
- Concerned with water efficiency, prime ag land, preservation, and creating natural resource spaces to maintain biodiversity
- A lot of prime ag land is gone
- Other areas are rapidly dwindling
- Eagle looking to implement pollinators through their Landscape Regs
- Places looking to do drip irrigation instead of sprinklers
- ASWCD - local government agency, provides resources for landowners with soil and water conservation.
- Mostly small farmers, some homeowners,
- water efficiency and preserving prime agricultural farmland
- creating natural resource spaces to maintain biodiversity.

NOTES BY QUESTION

Discussion

The Consultant Team noted the following discussion points.

- What is working well with the existing Zoning Ordinance?
  - IP
    - their facilities are straightforward and Zoning Ordinance is cleared is what uses are allowed by zone.
    - Boise has always been complicated to understand re uses that are allowed.
    - Standards work well – developers work with regional offices, work with designers who lay out subdivision grids, people who work in field with developers and authorization re whether meet criteria.
  - ACHD
    - not many large subdivisions that need TIS, some agencies require TIS submitted and approved by ACHD before formal plat application, prevents having to re-notice and having to work through details.
    - 100 trips PM peak (eg 100 lot subdivision, 200 MF). In Policy Manual 70-106.
  - ITD
    - timing of application and TIS is biggest improvement, threshold for TIS, if accessing for direct access and don’t meeting APA spacing requirements.
- Have to wait for committee, review, send back so put it in upfront.
  - ASWCD
    - farm protection is major concern, we don’t have successes or positives about that because we don’t have tools to protect farmland.
  - Fire
    - commends county on wildland/urban interface (WUFI) standards – there are things to make them better but we’re ahead of a lot of agencies.
    - Always subject to updates.
- What is not working well with the existing Zoning Ordinance?
  - IP
    - Conflicting standards on utility facilities (probably not county).
    - Would like more flexibility as increase security protocols re fencing and walls.
    - Have submitted code amendments in past.
    - Got the fencing amendment – they work with a lot of jurisdictions in the area, so an opportunity for wholistic review is to sit and go through everything.
    - Have worked well with staff.
  - ASWCD
    - a lot of the prime farmland is a already developed, if want to save that its already gone and others are quickly disappearing.
    - Issue across Idaho re transition from flood to irrigation / drip irrigation, aquifer drop because of that.
    - That may be something to look at – what is contribution of infiltration rates to require from irrigation presently issues.
    - Statewide studies are underway re infiltration rates from aquifers. * will send links to the studies. Water Resources is doing that.
    - Water supply required for subdivisions?
      - MP: requirements don’t go beyond potable water – there is a natural features analysis and a subsection gets into water and groundwater but not much teeth.
  - Fire
    - overall it works well, would like to work with us on wildland stuff.
    - Challenge to have a licensed PE prepare the WUFI plan, few understand it. Some cleanup there.
      - MP: have to hire a fire engineer, only 1-2 in valley that will do that. Others are qualified so feedback from fire districts on other certificates or licenses.
- New Boise WUFI code has language on special expert to have special training in 6 things.
  - ACHD/ITD
    - public streets are ACHD/ITD, private is county standards based on consensus from all the fire districts in unincorporated county.
    - Fire hasn’t had a lot of problems on those, coordinate with ACHD on streets.
    - On private, haven’t had a lot of issues, just an update to tidy up.
- Are there any specific design standards that the County needs to tune up?
  - No issues on street standards on width, etc.
  - ACHD connectivity policy, master street map adopted 10 years ago.
  - Street sections for mid mile collectors (anything greater than a local street).
  - Not many issues with connectivity now.
  - Access management – looking to rewrite and update so avoid conflicting policies.
  - Utility location – ACHD standards work well, long working standards that are consistent across the board.
  - IP helps with packaging of utility layouts as development comes in so there’s no issue when things are dug up.
  - IP as a developer, electric has good balance with master site plan, natural features analysis.
  - City of Eagle and Boise looking at their landscaping, identified pollinator spaces as a focus and codifying landscaping to accommodate those.
  - Water efficiency in conjunction – drip irrigation v sprinklers to avoid runoff.
- Are there any uses that are a concern, or that the Zoning Ordinance should do a better job of accommodating?
  - Opportunity to promote agricultural uses to help landowners when their only option is to sell and lead to sprawl.
    - Oregon has state land use laws and does great job of protecting agricultural uses. Opportunity to protect agriculture in valley.
    - We are at a place in valley where unless zoning comes in we will lose all of it.
    - No matching funds for voluntary for conservation easements. At this point the federal funds are very low and NRCS has not identified treasure valley as a place to put those funds. So that has to happen now through zoning like in Oregon.
  - Transmission lines (even for permitted use < 138 kv), master site plan process that requires IP or any developer to consider or record environmental impacts, natural features analysis, other types of uses, design aspect (not much to a
transmission line) but it’s an important part of the process. MP: < 138 is administrative master site plan, appealable; bigger substations have master site plan + conditional use permit. Look at projects and impacts on neighbors. Any common conditions? – yes, brought up when a staff planner drafted conditions of approval (take a look at those).

- Are zoning application processes meeting the needs of staff and the development community?
  - Nothing negative – important to have a high standard for any applicant, with developers we always want the quickest and cheapest path to a decision but not fair to community as a whole

- What should the primary outcome of the Zoning Ordinance update be?
  - When we have an opportunity to revise the Zoning Ordinance, we are all tuned into how to navigate the Zoning Ordinance and comprehensive plan, but a lot of people are scared by the big checklists.
  - We can improve things for customer while maintaining the teeth of the document and not let people go crazy on property. Grew up in Houston (no zoning) so knows there’s a benefit.
APPENDIX A: QUESTION LIST

Note: this list may be updated as the project moves forward.

1. What is working well with the existing Zoning Ordinance?
2. What is not working well with the existing Zoning Ordinance?
3. Are there any specific design standards that the County needs to tune up?
4. Are there any uses that are a concern, or that the Zoning Ordinance should do a better job of accommodating?
5. Are there any standards, topics or innovations missing from the current Zoning Ordinance?
6. Are zoning application processes meeting the needs of staff and the development community?
7. What should the primary outcome of the Zoning Ordinance update be?