

**MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO, HELD MARCH 14, 2023.**

**ROLL CALL SHOWED THE FOLLOWING PRESENT:**

Charles Fryar–Chairman  
Lori Anne Lau-Vice Chairman  
Jess McMurray  
Drew Erickson

**ALSO, PRESENT:**

Andrea Haderlie, Secretary  
Mitch Hart, Councilmember  
Alan Skinner, City Planner/Engineer  
Gregg Haney, City Attorney

**EXCUSED:**

Tysen Hopkins  
Colter Evans  
Chris Guedes

6:07 PM-Chairman Fryar called the meeting to order. ***Commissioner McMurray moved to dispense by reading January 10, 2023, minutes and motioned, approving the minutes as written. Commissioner Erickson seconded the motion. All in favor, motion carried.***

Secretary Haderlie pointed out that from the last meeting for preschool Vice-Chairman Lau made a motion, but nobody voted on it, and nobody seconded it. She mentioned she didn't know for sure if that was still something that Vice-Chairman Lau still wanted to motion because we got off topic a little bit. After reviewing Commissioner Guedes's motion, the Commission discussed the motion and concluded that preschool needed clarification. Secretary Haderlie questioned do you guys want to get rid of the first part of the preschool definition and say, "Preschool for zoning purposes, they will be treated the same as daycares of the same size?" The Commission briefly discussed. **Commissioner Lau motioned 17.08.263 D. should read Preschool: For zoning purposes, they will be treated the same as daycares with the same number of children. Commissioner McMurray seconded the motion. All in favor, motion carried.**

Commissioner McMurray suggested starting with the 17.08.100-automobiles sales lot. Commissioner McMurray commented about the empty lots in town having cars for sale and everything in between. He questioned if they are considered sales lots. Chairman Fryar mentioned that would be more of a definition for a business. Commissioner McMurray noted that this definition of automobile sales does not specify business. And it is taking place outside of the business or lot. Vice-Chairman Lau voiced our old definition; if you look at page two of our current definition, it doesn't clarify that it is a business. Attorney Haney mentioned that the state has a force that oversees dealerships or car sales, and they have a license to be a car salesman. Vice-Chairman Lau questioned how we want to handle this since they have now evolved to repair or service work at a dealership.

Secretary Haderlie read automobile sales aloud, which means premises with new or used passenger automobiles, trailers, mobile homes, trucks, and operating conditions are displayed in the open for sale or trade and where no repair or service work is done. Commissioner McMurray questioned why that distinction. Secretary Haderlie voiced how sales lots work now; they usually have a repair shop today, so we wanted to look at it. Because it says

what we have today does not comply with the definition. Commissioner McMurray suggested putting the two together. He stated sales lot means state-licensed premises on which new and used passenger automobiles, trailers, mobile homes, or trucks in operating condition are displayed and stop at displayed in the open for sale the trade stop there and adds Chairman Fryar's recommendation and often sells parts and maintains them and maintenance service. Okay. Vice-Chairman Lau questioned whether we want to broaden it to a vehicle lot because if somebody wanted to sell ATVs or snow machines, would they be treated differently than a car dealership? Commissioner McMurray questioned whether they have to be licensed facilities from the state. Secretary Haderlie stated, yes. Vice-Chairman Lau suggested identifying the essential parts we want to be added to the definition and then integrating them into a sentence.

Commissioner McMurray mentioned what Vice-Chairman Lau is saying we don't need passenger automobiles, trucks, or even mobile homes; lump all that together into motorized vehicles. Chairman Fryar suggested that automotive sales lot/sales lot add to the first part of the definition, and he agrees with adding motorized vehicles and electric vehicles (EV). Commissioner McMurray clarified all motorized vehicles, including electric vehicles (EVs). Chairman Fryar mentioned that because motorized vehicles would include automotive, vans, motorcycles, and ATVs, all snowmobiles and EVs would be the electric version of the electric bikes and electric cars. City Planner Skinner mentioned that right now, you're allowed to use one item that says automobile, truck, trailer sales, repairs, and rentals, and the other one says the low-speed vehicle, a UTV, recreation off-road vehicle, machine, and outdoor recreation vehicle sales, service repair, allowed in commercial everything but electric. Commissioner McMurray suggested, say sales lot/rental lot.

Vice Chairman Lau wrote down a summary of what everyone was saying. She mentioned she doesn't know the title, but critical point number one: vehicles of some type are displayed in the open for sale, trade, or rental. Number two: may sell spare parts and where maintenance work is done and add state license because everybody seems to be uptight about that; sell anything that's motorized or electric vehicles. She suggested those four things we want and have Secretary Haderlie put them together in a legible sentence or two. Commissioner McMurray indicated that the title needs to be a sales/rental lot because it encompasses all of it. Secretary Haderlie mentioned the state licensing permit; she read it out loud for the Commission. She read that to get the license, it says license type wholesale or retail sale- they have to check either one; then a vehicle, vessel sales, type checks all new sales that apply or check one use category. So new automobiles, trucks, recreational vehicles, ATVs, UTV, motorcycles, snowmobiles, new trailers, new vessels, youth ATVs, UTV, MC, snowmobile only, and only used vehicles including trailer ATV, UTV motorcycle snowmobile, vessel; a vessel is a boat. City Planner Skinner asked if it should be extended to construction equipment like backhoes, skid steers, and other equipment. Attorney Haney mentioned that the Western States, including Sale and Repair, is likely coming into town. The Commission discussed at length adding trailers to the list of the definition.

Vice-Chairman Lau proposed four factors and would like Secretary Haderlie to make a sentence or two out of this: for display in the open for sale, trade, or rental; they may sell spare parts and do maintenance work; must be state-licensed, and they're selling motorized things,

they're often other things that are motorized and electric vehicles and add a trailer to the definition.

Chairman Fryar opened the discussion with the definition of 17.08.110 automobile service station. Vice-Chairman Lau mentioned that it had divided itself differently than in the old service station days. It used to be gas plus tires plus an alignment. The Commission discussed at length what to include in the definition, tire store, service store, car washes, charging stations, food and beverage stores, maintenance and repair of small engines, and autobody repair. The Commission also reviewed the zoning designation of the definition. Vice-Chairman Lau questioned the Commission do you guys agree that 17.08.110 is regulating five kinds of businesses? Commissioner McMurray proposed that we change that vehicle service station and we use the definition over on the examples that Secretary Haderlie provided, but we have to include repair and maintenance added to that definition. Vice-Chairman Lau mentioned she was leaning towards was to keep in 17.08.110 and changing the name to vehicle service businesses. Commissioner McMurray commented that he doesn't like incidental vehicle accessories; he doesn't like minor motor vehicle repairs. The Commission discussed the pro and cons of the definitions. Secretary Haderlie recommended that the Commission consider adding electric vehicle charging stations to the definition. Commissioner McMurray recommended adding small engine repair. Commissioner McMurray recommended Secretary Haderlie use the definition of the gas and service station from the examples but change name to Service Stations; add maintenance and repair and small engines, including electric vehicle charging stations.

Vice-Chairman Lau asked the Commission if we want to be specific and say tires, bodywork for when individuals search the City Code are taken to it instead of hidden in the code. Commissioner McMurray questioned if we do that, does that mean if we leave something off that list, then that's a loophole? Does that list have to be exhaustive? Attorney Haney stated no. The Commission discussed at length what the name for the definition should be. The Commission decided to have Secretary Haderlie use the gas and service station example and add maintenance and repair, small engine repair, and autobody. The Commission will review it at the next meeting.

Chairman Fryar opened the discussion to the 17.08.150 boarding house definition. He read aloud that boarding home means a building other than a hotel or restaurant, where the middle is provided for compensation to three or more persons, not more than 12 persons who are not members of households, householders. The Commission discussed at length why three to twelve people would be considered an Airbnb, meals, rooms, laundry, and cleaning. Vice-Chairman Lau read aloud boarding house is in house in which loggers rent one or more rooms on a nightly basis. And sometimes, for extended periods of weeks, months years, the current common part, parts of the house are maintained. And some services, such as laundry and cleaning, may be supplied; Meals may be supplied and added to the definition. She mentioned that the main point of regulating this or having a definition for it is that somebody wants to turn it into a profit center if we have a big house in a residential zone. City Planner Skinner voiced R-3; it's allowed and allowed with conditional use in R-2. The first one is conditional use second one's allowed. The Commission discussed at length the number allowed three verses twelve. The Commission decided to have Secretary Haderlie amend the definition, and the Commission

will review it at the next meeting.

***7:25 PM Commissioner McMurray motioned to adjourn the meeting. Commissioner Erickson seconded the motion. All in favor, motion carried.***