

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO, HELD MARCH 8, 2022.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

Charles Fryar–Chairman
Lori Anne Lau-Vice Chairman
Robert Johnson
Chris Guedes
Drew Erickson

ALSO, PRESENT:

Mitch Hart, Councilmember
Alan Skinner, City Planner/Engineer
Andrea Haderlie, Secretary
Jim & Susan Sippola
Brock & Paige Byram
Julie Lakey
Debbie Dumont
Forrest Pipkin
Craig Corbett
Joann Rhodes
Michael Vaughan
Mike & Shelly Vaughan
Lyle & Janet Barnes
Chris & Melissa McDowell
Jim & Susan Sippola

EXCUSED:

Damien Guthmiller
Tysen Hopkins
Gregg Haney, City Attorney

6:00 PM Chairman Fryar called the meeting to order. Commissioner Guedes moved to dispense by reading the February 8, 2022 minutes. He motioned approving the minutes as written. Vice-Chairman Lau seconded the motion. All in favor, motion carried.

Chairman Fryar explained to the audience the procedure for the public workshop on the Zoning Amendment and the public hearing for the Conditional Use Permit. Chairman Fryar asked Secretary Haderlie to read aloud the notice for the public workshop for the Zoning amendment; R-1 Single Family Residential Zone to C-1 Neighborhood Commercial Zone to develop vacant land into Multiple Family Dwelling Development-Four (4) four-plex units and Storage units at 61 South Hooper Ave. Chairman Fryar pointed out two issues presented the zoning amendment and the conditional use permit. He questioned what is the conditional use requirements it is required in a C-1. Secretary Haderlie stated yes. City Planner/Engineer Skinner explained multifamily dwellings. Chairman Fryar explained that we have to discuss each application separately and details for the conditional use permit with set conditions.

Vice-Chairman Lau stated we should make sure everyone understands what a C-1 is defined. She read aloud the Comprehensive plan definition of Neighborhood Commercial C-1. This neighborhood commercial zone provides local commercial service needs and restricts incompatible uses that may be better located in a community or highway-oriented shopping areas. Uses in this zone include retail stores, personal service shops, and clinics. She explained that it is the interface between commercial interposes and residential; there is a mixture of both within the zoning of C-1. City Planner/Engineer Skinner explained she is correct; but the definition of C-1 zoning for allowed uses; those uses allowed in the R-3 district; Retail stores and retail or personal service shops; Clinics; Commercial and private off-street parking lots for passenger automobiles; Nursery school, school for students of art, dancing, dramatics, music, business, or secretarial work; Building for governmental or public utility functions; Theater, indoor; Mortuaries; Boarding and rooming houses; Automobile service station; Radio, television, and FM broadcasting stations including aerials when made an integral part of a principal building; Accessory uses to uses allowed; Motels and hotels; Restaurants. He stated under conditional use, one of the items is multiple-family dwellings. He mentioned R-3 allows multiple-family dwellings in excess of 6 units as a conditional use; it would be allowed under conditional use in either zone. Vice-Chairman Lau said when we are looking at this, we are looking at all of this in an R-3 and C-1; it is not just this housing development. She mentioned the definition of R-1. City Planner/Engineer Skinner read aloud single-family residential zone is to preserve residential neighborhoods, prevent over-crowding of the land, and encourage the development of low-density areas best suited for residential purposes. He explained right across the road is C-1, the entire block to the West. Vice-Chairman Lau questioned why not consider an R-3; is it because it would be spot zoning? She mentioned if we approve this, we are doing so because across the street is C-1.

Chairman Fryar encouraged Michael Vaughan to explain the request for the zoning amendment. Michael Vaughan of 26500 S Old Malad Hwy, Downey, ID; owner of 61 South Hooper Ave, explained he would like to thank all that have attended today. He plans on building four (4) Fourplex townhouses and 15 storage units. Construction activities will be ongoing over a couple of years; he will try to keep the noise of construction and activities at a reasonable level. He mentioned that they would have to excavate the streets to install sewer, water, utilities, and gas; it will abide by the city and county's requirements; the current city infrastructure more than accommodates the proposed project. Safety will be the utmost priority. When tenants move in or out, they will be on the property. There will be a large parking area. Property tax is uncertain; he feels the existing single-family residents should not be affected. Single-family homes are accessed at a lower rate than apartment complexes. Property values may rise due to the new construction of the surrounding houses. The noise from the finished complex should be minimal. Soda Springs has a shortage of rentals, and he believes it could alleviate that; the project isn't just new but appealing to the eye; he looks forward to working with the neighbors, the City of Soda Springs, and Caribou County. Thank you for your time. Secretary Haderlie asked Mr. Vaughan to explain the plot plan layout. Mr. Vaughan explained that he and his daughter would be living in one. He drives from Downey to work at Bayer. He stated on South Hooper; there will be two fourplex townhomes, three-bedroom, two and a half baths with a garage. Chairman Fryar questioned about parking? Mr.

Vaughan explained parking would come off the South Hooper Ave. He explained the Fourplexes to the North and South; they will be two-bedroom and two and a half baths with a garage. He explained the parking for the three-bedroom townhouses will be parking for three vehicles; you can park two in the driveway and one in the garage. Vice-Chairman Lau questioned what the square footage of each is? Mr. Vaughan explained three-bedroom is 1260 sq. Ft. 720 Sq. Ft. upper floor and the main floor is 540 sq. Ft. and the two-bedroom is 1079 sq. Ft. 630 Sq. Ft. upper floor, and the main floor is 449 sq. Ft. Commissioner Guedes questioned what the building is on the back of the lot? Mr. Vaughan explained those are 15 storage units. Commissioner Guedes questioned each unit would have one? Mr. Vaughan stated yes. Chairman Fryar asked, are the storage units strictly for the apartments, or will they be rented to anybody? Mr. Vaughan said mainly for the apartments, but he would rent them out to anyone if they were empty. Commissioner Guedes questioned the Southside of the property that abuts the A-1 property; how do you plan to access that driveway? Is it out to Hooper Ave? Mr. Vaughan stated yes, that is the driveway. Vice-Chairman Lau questioned how many. Mr. Vaughan said Four complexes with four apartments each, sixteen units. Commissioner Guedes questioned, once the ground is broken, do we have financial assurance in our codes of statutes? City Planner/Engineer Skinner stated no, there are performance bonds that we have done in the past. Commissioner Guedes noted that it would require financial assurance if they tear out the road. City Planner/Engineer Skinner explained if City Council decides to require it. Commissioner Guedes questioned what if you get halfway through it and run out of money. Mr. Vaughan explained that he would have to do it in stages; he cannot do it all at once; his primary goal is to build that many. Commissioner Guedes asked which one would be built first and how many stages? Mr. Vaughan stated He would start on South Hooper Ave, and they would be four stages; he would like to do one fourplex and the storage buildings. Commissioner Guedes questioned his plan if the storage unit's revenue stream was not approved; would you look more towards R-3 zoning? Mr. Vaughan stated you couldn't have that many units in an R-3. Commissioner Guedes questioned would still work in a C-1 as an independent business? Mr. Vaughan stated yes. Vice-Chairman Lau questioned if storage units are conditional? City Planner/Engineer Skinner answered yes; they are under conditional use. Vice-Chairman Lau questioned if there was anything about this property; if we rezone it to C-1, you could scrap this plan and build a gas station. Is there anything about the property that you think is suitable for that change? Mr. Vaughan stated he felt like it was a good place. It is on South Hooper Ave; it is close to the main road, and most traffic will go to East Hooper Ave or North Hooper Ave; it is close to the plants. Commissioner Johnson mentioned sewer and water and questioned whether you have looked into that to see how it will work out. City Planner/Engineer Skinner there are water and sewer lines on 7th East, and there is also a connection North of the property by the Hope Lutheran Church; it will be running some line and tying it in.

Joann Rhodes at 85 South 7th East questioned who would approve the final decision? Chairman Fryar stated the planning and zoning would make a recommendation to the city council. The city council will make the final decision; the city council is in charge of saying yes or no.

Brock Byram at 150 Springview inquired how big is that lot? Mr. Vaughan replied that it is 1.2 acres or 355 ft. by 155 ft. Chairman Fryar opened the floor to the public with appointments to speak.

Craig Corbett, owner of Corbett Farms at 509 N. Main St., Grace, ID, stated he owns the property A-1 zone directly South of the proposed property in question. He voiced that he is not opposed at all to the zoning amendment. He stated he wanted to have his business and operations on public record; his property has been around since the 1950s, he has grain storage facilities on the corner, and there is grain truck traffic in and out in the fall. He mentioned they try to keep the noise down and, in the fall, they have the grain cooling fans running at night because they are trying to cool the grain down. He stated that grain trucks would come in and get the grain to shipping it out in the winter. He would like to have it in the minutes of what they do to operate; they try to be good neighbors. With this change, he does not want someone to come to him a year later and state that you have noise, dust, and trucks, and they are a problem. He wants it to be known that they are there. Chairman Fryar questioned which way the trucks travel? Mr. Corbett responded most of the time, they come off the highway, over the tracks, down around the corner, and pull into the grain bins. Commissioner Guedes questioned how the dust and the neighbors are currently there? Mr. Corbett stated they might cuss me or not appreciate me, but nobody has complained; they try to keep it to a minimum and be good neighbors, and no one has contacted him directly with complaints. Vice-Chairman Lau questioned if he had any concerns about families next to the property line? Mr. Corbett stated not really because it is R-1 right now, and someone could come and build a house and has no control over that. He mentioned his main concern is that it becomes a problem as residential areas move closer. He does not want any issues; they will be there for the foreseeable future; R-1 or C-1 like across the road to Mullen's; he cannot see any difference.

Debbie Dumont at 730 Hopkins Lane stated she does not disagree that Soda Springs needs housing. We have a housing crisis, and she thinks everybody is all for apartment buildings until it comes into your neighborhood. Then you are like it is going to change, that is a significant concern; first of all, that lot is small for four (4) buildings; it seems pretty excessive, we drive by, and it looks a lot to cram on to the lot, in her opinion. She has concerns about home values decreasing, and property taxes increasing for the area's residents. Many of the residents in the area are retired individuals and live on fixed incomes, we don't, but some of the other individuals do. She is concerned about infrastructure; she thinks that is an issue all over Soda Springs. She mentioned there is a lot of lava bed, and it takes a lot of water to keep your grass green, and during the summer, when everyone is running sprinklers, there are water pressure issues. She is concerned that if you add sixteen apartments, it will affect us more. She voiced that she feels the city should not take on the burden to connect these apartments, which should fall on the property owner. She mentioned safety and security are a big thing; many of the people are older and have kids and grandchildren, they play in the streets, it is a very safe community, we don't have a lot of crime, we let our kids ride bikes in the street after dark. When you bring in transient tenants that are not long-term, it tends to make your community a little less, and we live in the

community because it is safe, and we would like to keep it that way. She voiced her concern about traffic on South Hooper Ave. It is a busy street, and many people may not realize it. She mentioned it is the main road that workers from the mines use to get to and from the highway; on mornings and evenings, it is a really busy street; you could potentially have accidents happen; you will have eight widths of cars backing out onto South Hooper Ave. She feels there will be a lot of accidents happening there and have two points of entry to the facility. She is concerned about parking for visitors on the side of the road. Where are they going to park; Hooper Ave is not wide enough to park. She stated noise she does not feel will be a considerable problem; during construction and hopes it will be to a minimum; as far as farming stuff goes, she does not think many of the neighbors notice it. She voiced as far as the storage units go, she is concerned about the rezone to C-1 because it does open it up to a strip mall or other things down the road that isn't residential-type homes. She explained she did not want him to run out of money and not finish it and then sell it to another guy who decided to put it in a quick stop or strip mall. She would hesitate to change it to a C-1, and she does think an R-3 would be better suited for that property, limiting it to just six units. She would favor it going to an R-3 and not to a C-1. Commissioner Guedes voiced it was mentioned transient; one of the listings here is a boarding house. He asked if he intended to rent short-term? Mr. Vaughan stated he would try to do both for families and boarding house-type rentals to accommodate the need for housing.

Janet Barnes of Downey, ID questioned Mrs. Dumont about her concerns about water usage; she feels everybody is concerned about water. How would an apartment building use more water than people with a half-acre yard? Mrs. Dumont voiced that plot is undeveloped right now; it is not being watered at all, there needs to be an upgrade to water and sewer lines to handle the housing, and if you add apartments, it will add additional strain to the water and sewer system. City Planner/Engineer Skinner mentioned it has to do with the pressure relief valve, and the project is budgeted for this year; it is not a line issue; it is a pressure issue. Mrs. Barnes questioned how many transient workers come to town and where do they currently stay? City Planner/Engineer Skinner mentioned staying at hotels and RV parks. Secretary Haderlie said that we have had people staying in campers on residents' property. Vice-Chairman Lau voiced a need for housing someplace in the city.

Chairman Fryar questioned if any written public comments were received. Secretary Haderlie stated two written comments were received from Forrest Pipkin of 730 Hopkins Lane and Chris McDowell of 90 South 7th East.

6:45 PM Chairman Fryer closed public comment and opened the discussion before the Commission. Vice-Chairman Lau questioned City Planner/Engineer Skinner; the most units allowed in an R-3 is six units versus C-1? City Planner/Engineer Skinner explained in a C-1 it is allowed with conditional use, stating multifamily dwellings have no limit. In an R-3, it is allowed with conditional use of Multiple-family homes in excess of six units. Vice-Chairman Lau questioned what constitutes a unit? City Planner/Engineer Skinner mentioned that he thinks it is per building. Councilmember Hart explained that it is a broad enough term and could be either-or. City Planner/Engineer Skinner explained to rezone it as an R-3, and it is surrounded

by R-1, A-1, and C-1, would make it spot zoning because there is not an R-3 close to connecting it; this is why the rezone is a C-1 because you have to have a tie to the zone and the land across the street is C-1. Chairman Fryar mentioned you would have to prove it does not make it geographically compatible for what makes them different.

Mr. Vaughan voiced a requirement in the city code for a percentage of the lot covered, and he has met those requirements. City Planner/Engineer Skinner mentioned his plot plan meets all of the requirements per the setbacks, a number of parking spots, height, side yard, lot size, and city zoning code state: not more than forty-five percent of the lot area may be covered by building or structures. Commissioner Johnson commented he has always been sympathetic to the majority of people that voice their opinion for or against, and he sees two letters and one attending to voiced concerns about changing it to C-1 and allowing the apartment complexes. Chairman Fryar expressed he has had a more challenging time limiting what someone can do with their property, and there is a point that it in encroaches on someone else, and it has to be dealt with. There used to be someone on the board who once stated if you wanted that view there, you should have bought that too, but the impact on the roads has to be addressed. Vice-Chairman Lau pointed out if Mullen's decided they would like to put in a gas station across the street, they would not even have to come and get approval. They could build it because it is C-1. Commissioner Guedes questioned Mr. Vaughan if he had gone and talked to the neighbors? Mr. Vaughan stated he spoke to a few people. Commissioner Guedes mentioned building these complexes could potentially bring 56 additional people to the neighborhood, but at the same time, it is your property. He said he would like to hear from the City Attorney what the definition of a unit is to make sure we are correct about this; what is a unit? 4 units or 16 units? Mr. Vaughan pointed out that more units will benefit the city; he does not see why to regulate it; it meets the requirements and has made the best of what he has. Chairman Fryar mentioned that if property values drop, you will pay less taxes, and if they go up, you will pay more; he pointed out Mr. Vaughan will pay more taxes than a single-family home does because there would not be a homeowner exemption.

Mike Vaughan (Michael Vaughan's Father) of Downey, ID, pointed out it looks like all houses back out on the residential roads; he feels like development in an area is a good thing and more housing. He mentioned they are fighting the same thing in Downey, ID; they are in need of housing, they will pay taxes and cover the cost of infrastructure going into it. Janet Barnes of Downey, ID, mentioned having issues with RVs and RV Parks. They are not impressed with RVs; she stated she would rather see apartments than RVs. She pointed out RVs are not suitable for families, there is no stability, they are not clean always; at least a landlord has a right to say you can't park or place all that junk here. Mike Vaughan stated it would be a good thing for the City of Soda Springs. He pointed out that people are moving in from all over, and you have to have housing for them; he will have to give a little on his part as a rancher. He will have to give up some of his lands because they have to have places to live.

City Planner/Engineer Skinner made copies of the definition of a dwelling unit and gave them to

the Commission. 17.08.340 - Dwelling unit. "Dwelling unit" means one or more rooms designed for or used as a residence for not more than one family, including all necessary household employees of such family, constituting a separate and independent housekeeping unit, with a single kitchen permanently installed. The term does not imply or include such types of occupancy as a lodging or boarding house, club, sorority, fraternity, or hotel. Vice-Chairman Lau clarified that this means 16 dwelling units divided into four buildings. The Commission discussed the pressure relief valve at length, and the project is budgeted for this year. Chairman Fryar pointed out that housing is needed, and it goes with the Comprehensive Plan

Vice-Chairman Lau motioned to recommend City Council approve the Zoning Amendment R-1 to a C-1. Commissioner Guedes seconded the motion. Four in favor and one opposed. Motion carried.

7:16 PM Chairman Fryar opened the public hearing to consider the application of Michael Vaughan for a Conditional Use Permit in a Proposed C-1 Neighborhood Commercial Zone that is undeveloped land to allow a Multiple Family Dwelling Development with a total of four (4) four-plex units and a storage unit at approx. 61 South Hooper Ave. Chairman Fryar questioned if any written public comments were received; Secretary Haderlie stated two written comments were received from Forrest Pipkin of 730 Hopkins Lane and Chris McDowell of 90 South 7th East.

(See attached copy of Public Notice)

Chairman Fryar encouraged Michael Vaughan to explain the request for the conditional use permit. Michael Vaughan of 26500 South Old Malad Hwy, Downey, ID owner of 61 South Hooper Ave. He has requested the conditional use of four (4) Fourplex buildings equaling 16 dwelling units. He mentioned some of the concerns are the neighborhood not being quiet, safe, and peaceful; he stated that he is not trying to change that. He is trying to allow more families to have housing and a quiet, safe place that is peaceful. He explained that he has worked at the Bayer plant since 2008, most people have traveled to find a good place to work and reside in this community. He has addressed parking and for each unit to have three parking spaces, and it meets the city code. Chairman Fryar questioned where he would start the project, which building first? Mr. Vaughan stated that he would start with one of the three-bedroom buildings on South Hooper Ave.

Debbie Dumont at 730 Hopkins Lane is concerned about the storage units and would like to see them tied to the tenants, meaning they are for the tenants renting the units. She stated that we already have several storage units in town, and people are coming and going to them all-night hours. She mentioned she would like a condition that there cannot be people living in RVs on the property. She would recommend a fence put up to keep some separation. Chairman Fryar questioned if there was an existing fence? Mrs. Dumont stated that McDowell's and Hunt's have an existing chain-link fence.

Chairman Fryar questioned Chris McDowell about his existing fence, and if it is a privacy fence? Chris McDowell at 90 South 7th East stated his concern was the zone change.

He explained it is a low-density neighborhood with what would be two building lots with 16 units on it plus storage units; he mentioned the endless list of commercial uses that could impact the neighborhood. Debbie Dumont commented that other apartment complexes have privacy fences and are zoned C-1. City Planner/Engineer Skinner stated they are R-1 and R-2 and were built before code and mentioned the wall was not put in as a condition for a conditional use for those apartments. Mrs. Dumont stated that she would like to see a fence like that put up around the property or a vinyl fence that is noise constricting, and you cannot see through it and be at least six feet tall.

Paige Byram of 150 Springview questioned whether you could make it not low-income housing. Commissioner Guedes explained you could designate it as low income, but you can not discriminate that it can not be low income. City Planner/Engineer Skinner commented it would have to qualify with the State of Idaho. Chairman Fryar mentioned that it is a new building, and you would want higher rent to help recoup the construction. City Planner/Engineer Skinner said in previous conditional use permits for the last two storage units, one of the conditions was to have a paved driveway and parking areas around it, not just gravel. Commissioner Guedes mentioned the drawing indicated that it would be concreted. Mr. Vaughan stated yes, it is concreted and/or asphalt.

Melissa McDowell at 90 South 7th East commented her backyard abuts the proposed property, and she strongly suggested to have a privacy fence installed, not just the storage units. She mentioned when Mr. Vaughan talked to her husband, he stated that it would just be the storage units; they have two young girls, and they are a landlord. Mr. Vaughan said that he had offered to put up a privacy fence.

7:30 PM Chairman Fryar closed the Public Hearing and opened it up to discussion before the Commission. Chairman Fryar questioned if the buildings would obstruct the view of drivers? City Planner/Engineer Skinner commented it follows the setbacks that are required. He mentioned there are about fifty feet from the corner west to East and thirty feet, and that meets code for corner lots. The Commission discussed parking for each unit at length and the plot layout. Vice-Chairman Lau and Commissioner Erickson questioned if the Southern building would enter and exit onto Hooper and the Northern would access from Hopkins Lane? Commissioner Guedes stated the Northern building would have straight access to Hopkins Lane. Vice-Chairman Lau questioned if any state or city codes would worry about the tenants backing out on Hooper Ave? City Planner/Engineer Skinner commented on just traffic laws. Commissioner Johnson had a concern with the Southside parking, and it does not look like there is enough room for parking; the entry and exit say 15 ft. and that does not seem like enough room.

The Commission discussed at length the fence code and privacy fence. Vice-Chairman Lau mentioned the commercial storage units are a separate issue because she assumed that the storage units were for the tenants. Chairman Fryar pointed out that it is all on the same conditional use permit; it could be recommended for just tenants, or you could open it up to

the public; limit hours of use. The Commission discussed at length policing the use of the storage units. Vice-Chairman Lau voiced she is leaning toward having a privacy fence per the city code and having the storage units tied to the tenants. Chairman Fryar questioned Mr. Vaughan about how many units would be built? Mr. Vaughan commented there would be fifteen units (15). Commissioner Johnson voiced he would like to have the storage units tied to the apartments. He mentioned if families were living in the apartments, there would be many children and the traffic of going back to the storage units; to him, the traffic would conflict with children playing. Commissioner Guedes mentioned he thinks it is a great plan, and the city needs housing; on the plus side, but on the negative side, it is 1.24 acres, and he thinks it is too much to squeeze into the lot; he would like to see twelve units versus sixteen units and the storage units tied to the housing. He mentioned the privacy fence is absolutely needed with the neighbors and possibly issuing a variance for the setbacks then flipping the storage units to face the housing units. Commissioner Johnson agreed with Commissioner Guedes regarding the additional concern of not having deep enough parking in the South building. Chairman Fryar questioned if there was a dimension on parking? City Planner/Engineer Skinner mentioned the typical lane of traffic is twelve feet. Mr. Vaughan stated he could add a couple of feet to the traffic lane. The Commission discussed at length the setbacks, lot coverage, and meeting code, fencing around the lot, adding two feet of parking to the south parking area, the number of dwelling units. Commissioner Johnson voiced twelve units would be better even though sixteen units meet the code; he feels it is too crowded. Mr. Vaughan stated he could get rid of the storage units. Commissioner Guedes said it is the people density; he is okay with the storage units. Councilmember Hart mentioned that the rent would increase if the storage units were tied to the dwelling units. Mr. Vaughan stated that it would make the rent higher. Chairman Fryar questioned the homeowners that are close by, would you feel better without the storage units? Jim Sippola voiced it gives less parking. Chris McDowell commented that storage units are not a big issue to him; his problem is you are taking a low-density neighborhood and adding high density so that it will be crowded. Commissioner Erickson mentioned it is a lot, but he has met the city code requirements, and he is willing to put in a fence, and the city is in desperate need of housing.

Commissioner Erickson motioned to recommend to City Council to approve the conditional use permit with conditions of six (6) foot fence privacy fence on the East and Southside of the property and a 3-foot fence 30 feet of the parcel's Northeast corner and to increase parking depth on the Southside by five ft. instead of 15 ft. to 20 ft. and the South driveway change the driveway to 18 ft. instead of 15 ft. and allow storage units of 15 units. Vice-Chairman Lau seconded the motion. Vote three in favor and two opposed. Motion carried.

Chairman Fryar informed the audience that the public hearing and final decision at City Council would be held on April 6, 2022, at 5:00 PM. 8:16 PM Chairman Fryar closed the public hearing.

Chairman Fryar commented that the Commission would not decide on the shipping

container ordinance or amending the definitions and zoning for R-1, R-2, & R-3. He opened it up for comments from the public. Paige Byram of 150 Springview voiced she wanted it on the record on shipping containers. She would like to see them not allowed in residential zones. What would keep someone from adding heat, water, and sewer to a living space. What would keep people from adding apartments, keeping it as an accessory building, and keeping the upkeep on it to look nice? She feels there is not much difference in the material versus an accessory building. She does not want to see them in backyards but would like them to be accessory buildings in commercial zones. Vice-Chairman Lau voiced you would not be able to build it as a dwelling unit without violating other parts of the code. Mrs. Byram mentioned not being able to make it into a mother-in-law suite. Chairman Fryar noted the State of Idaho has a proposal on mother-in-law suites they are working on. Mrs. Byram is concerned with someone being able to stack shipping containers and make apartments out of them. She favors having them as accessory buildings in commercial, industrial, and agriculture. She feels like it does not look as nice in residential without some finish. In the public workshop last month, Commissioner Johnson mentioned that some were in favor if they were sided and had a roof to look like a shed. Julie Lakey questioned accessory buildings for your yards for residential is there a maximum height they can be? City Planner/Engineer Skinner commented it is up to twenty-five feet. Mrs. Lakey mentioned that there should be a height restriction if it is residential and length maximum. She questioned if they have looked at other cities and what they have in place or any feasibility studies; does Pocatello allow them, and if they do, what zoning are they allowed in or restrictions; if they have run into problems. Secretary Haderlie mentioned that Preston has the closest to having their code update, and there is a small amount in their code currently; all the other towns we have looked at do not have anything on shipping containers. Brock Byram mentioned an existing business in Preston is done out of a shipping container. Chairman Fryar noted most people are not against them but would like them to be well maintained; length and size play into it; we are trying to find the balance. Mrs. Lakey mentioned she was inquiring if any research had been done with surrounding towns. Mr. Byram noted you know what will happen with campers when you start to add power and water. Commissioner Guedes commented if it becomes an accessory building, you still cannot live in an accessory building and then go back to enforcement. Mrs. Lakey commented on how many people are coming in and getting the permits needed to put in a hickory shed with a porch on it and how many are putting them on the utility easement or too close to the neighbors; it is a fact, and she has seen it. She mentioned they are willing to enforce it. If they are allowed, you have to be able to implement the code. Chairman Fryar said a permit for placement and verification had been discussed previously. Commissioner Guedes noted if it is a rule for accessory building, it is a rule for all. Vice-Chairman Lau pointed out there is accessory buildings and accessory dwellings; accessory dwellings are an apartment over the garage or mother-in-law suite where you are trying to add living space. Councilmember Hart stated that is what the State of Idaho is currently working on. Vice-Chairman Lau stated accessory building is a shed or storage building. She mentioned they are two different things, and they will need to be defined and updated in the code. Mrs. Lakey mentioned some codes could be too restrictive in other places she has lived. Vice-Chairman Lau mentioned it needs to be addressed in agriculture zones also.

Secretary Haderlie questioned if the Commission would like to table any items the Commission has been working on. The Commission agreed to table amending definitions and amending R-1, R-2, and R-3 until the shipping container ordinance is finished. City Planner/Engineer Skinner mentioned we have a couple more public hearings pending for the next couple of meetings for developments.

8:40 PM Commissioner Guedes motioned to adjourn the meeting. Vice-Chairman Lau seconded the motion. All in favor, motion carried.