

**MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO, HELD MAY 9, 2023.**

**CALL TO ORDER 6:06 PM**

**I. ROLL CALL SHOWED THE FOLLOWING PRESENT:**

Charles Fryar–Chairman  
Drew Erickson  
Jess McMurray  
Chris Guedes

**ALSO, PRESENT:**

Andrea Haderlie, Secretary  
Alan Skinner, City Planner/Engineer  
Gregg Haney, City Attorney  
Mitch Hart, Councilmember  
David & Cindy Patterson  
Alana Burns  
Hannah Beer

**EXCUSED:**

Tysen Hopkins  
Colter Evans  
Lori Anne Lau-Vice Chairman

**Additions to Agenda.**

No changes were made.

**II. Approval of Minutes-Action Item**

April 11, 2023 Motion made: Commissioner McMurray approved the minutes as written.  
Seconded the Motion: Commissioner Guedes  
All in favor, motion carried.

**III. Appointments-Action Item**

**6:09 PM** Chairman Fryar opened the public hearing to consider a Conditional Use Permit for a Forty (40) ft Shipping Container to be placed on the vacant lot for storage. No written responses were received. Secretary Haderlie read aloud the public hearing notice. See attached copy of the Public Hearing Notice and application.

Applicant David Patterson gave an overview of the conditional use permit and placement of a storage container on his vacant lot to house materials needed for his business. He provided pictures of where the shipping container would be placed. He explained it would store a forklift and skid steer for his business and the products he sells; the shipping container would be painted brown and would have no rust or dings, it would not impede the neighbors, and he had talked with the neighbors before he applied for the permit; the neighbor it would affect was good with Mr. Patterson placing the shipping container near the fence. He mentioned he would like to install a new 8 ft fence. He was told he would need to apply for a variance. City Planner Skinner explained that the shipping container could not be allowed on a vacant lot due to the accessory code 17.32.070 - Accessory uses are permitted if constructed at the same time or subsequent to the main building. Such uses shall be limited to two stories in height and shall not encroach upon required setback areas. He explained that a main building

has to be built, leaving two options; combine lots 21 & 22. Mr. Patterson would need to go to the county assessor to combine those into one large lot or move the shipping container onto lot 22 near his shop because it is permitted. No public comments were made. Chairman Fryar closed the public hearing for public comments at 6:25 PM and opened the discussion to the Commission.

The Commission reviewed the conditional use application. Discussion ensued with setbacks from the residential property line; it cannot be placed on the utility easement in the alleyway or a vacant lot, and combining lots 21 & 22.

***Commissioner McMurray motioned to recommend to City Council to approve the Conditional use permit to place a Shipping container for storage with the stipulation to merge lots 21 and 22. Commissioner Guedes seconded the motion. All in Favor, Motion carried.***

**6:36 PM** Alana Burns requested a code amendment to allow shipping containers to be used as building material. She stated that the general public wants to move here, but we have a problem with short-term rentals. She explained her proposal for creating a solution for the housing shortage. Her brother Blake Lee and her husband Travis Burns would be partners in the project. She mentioned that the land is already zoned correctly and should be permissible for housing, but shipping containers as homes are not allowed. She would like to address,

1. Inadequate housing supply for a fluctuating workforce population needed to service and support the mining and processing plant industries and Caribou County; this issue becomes more problematic as new mining contracts are granted and during frequent scheduled and unscheduled shutdowns and turnarounds.

2. Ongoing difficulties for large companies in recruiting workforce interns and upper management due to a lack of quality housing options and expensive hotel rates for housing these people, even short, mid, or long term.

3. there are also complexities of mining plant contractors renting out single-family homes, which removes the housing supply for families in our area. This issue is exacerbated when single-family dwellings are increasingly used for Air B&B in Soda Springs.

4. There are limited construction and labor resources for development in our area, and the timeframe for completing development to meet the existing housing demand is reasonably delayed; if you call a contractor, they're six months out, and it is so hard to complete it and get them. She mentioned the proposed Cardinal Cove development, that's years down the road, and we have a problem today.

5. Integrating this working yet transient population into our neighborhoods, which groups may not invest in our community or treat it as their own, could cause problems as people come to work; many times, they're here for their four days, or five days a week, and then they leave, and they take their paychecks, and they leave our county. They don't spend their money because they haven't settled in. As a community, we're losing money by not having a solution for these people.

6. As single-family housing development happens in the future, there will be an increasing need for space to host supportive industries, like restaurants, laundry services, and small businesses, if we have an influx of people, which may or may not happen, but how hard is it for somebody who's just trying to start a little business actually do that and not have a brick

and mortar building to operate that business out of without having to rent an entire retail space on Main Street. That's why shipping container construction would be a perfect solution. For example, Zappos came to Las Vegas. They did an entire project downtown to transform it from being super ghetto to a destination, and in doing that, they took over the old city hall, and they made it Zappos, and they did community events; they also built something called Container Park, where they took shipping containers, and they were stacked to create three levels high and made it a mixed-use complex. Some of them in this park would have been residential. However, they had a chocolatier rent out one of these shipping containers and somebody with a little boutique and a restaurant. It gave people an affordable option for starting their businesses. It supported small business growth, and many companies that began at the Container Park succeeded. They graduated from the Container Park and went to Summerlin and downtown. They started more prominent companies because we got a following and thrived.

She explained this project is at the beginning stages, and we need housing, we need single rooms; these shipping containers should be one-bed, one-bath studio apartments for each of these people that who want to live alone and have their own little space and have privacy, and it could potentially turn into a mixed-use, and become a Container Park type of experience. She thinks it could be fantastic for our community as it grows to accommodate this increasing demand for housing and be unique housing; we can develop short, mid, and long-term rentals available for mining, contractors, tourist housing, and or housing for small groups or families in the area. We don't want this to be low quality; that's where my brother comes in integrating technology and intelligent home type of technology into this; it's an upscale experience for these people that they enjoy living in and offer fully furnished units that are ready to support a workforce. These units can be one-bedroom studio apartments or combine containers to create two-bed, two-bath units or other options.

Blake Lee stated it's worth all the effort of going to China, having it manufactured there and shipped here, and it still makes more financial sense to do that than to build it on-site. We could buy a shipping container and create something here, but it won't have that innovative home technology, and that different, upscale approach is all configured. China has the ability of mass production capabilities and repeatability for a quality product because they're set up as large factories over there.

Mrs. Burns mentioned this can have that modern design, or it can have siding put over it and make it look desirable, and they're flat roofs, we're going have to make some accommodations for that with our climate.

The Commission's discussion ensued with a code change what is the process, the benefits of the code amendment and disadvantages, and adopting the International Building Code 2021(IBC 2021), this being the third person requesting to have shipping containers allowed as a building material.

Councilmember Hart expressed that if someone relies on the influx of people right now, no one can react that quickly; you might be able to take advantage of it for next year. One of the things making the city council more cautious is that we have been very amenable, along with the Planning and Zoning Commission to approve requests for change of zoning and conditional uses. Everybody comes in and talks a great story, and then nothing happens. The

354 townhouses that are planning on being proposed will be scrutinized pretty tightly. We've got planned subdivisions and cul-de-sacs, and it's gone for one developer, to another developer, back to the first developer, and nothing's happened. We are proceeding cautiously, but do everything you can to accommodate the developer. Right now, we have a tiny window of the next two or three years to take advantage of all the construction workers, then there's going to be a pause, and then when the ore runs out in Smokey Canyon for Simplot, they're coming this direction; it could be a significant uptick again, but the last ten years they've been saying they have ten years of ore reserves and this year saying they have ten years of ore reserves. But he likes what is being suggested here. As Mrs. Burns pointed out, he thinks it has merit and could stimulate other development types; we need someone to step up and deliver.

Commissioner Guedes expressed that the changes required for a project like Mrs. Burns are universal for everything within the city limits. He suggested it was probably time for us to start having that conversation. Commissioner McMurray questioned whether we are going to need more housing. Councilmember Hart stated yes, due to an influx of people moving to the area. Secretary Haderlie asked whether there has been any talk with the school district about expanding the schools if we get this influx of people. Commissioner McMurray stated Yes, they are looking into a levy in November.

The Commission agreed to place the code amendment on the agenda and have City Planner Skinner provide information for the Commission for the next meeting about what has changed in the IBC 2021 code and for them to review to make a recommendation to the City Council.

**IV. Unfinished Business-Action Item**

Zoning definitions and zoning amendment R-1, R-2, R-3

The Commission agreed to table the zoning definitions and zoning amendment to work on the requested code amendment.

**V. New Business-Action Item**

Alan Skinner-Updates

City Planner Skinner informed the Commission of a proposed truck stop east of town that they would need to abandon a platted road. Hunzeker building that was demolished will be new dealership. A business out of Pocatello acquired land and will open up a company soon north of town.

**VI. Adjourn**

**7:48 PM** Commissioner Guedes motioned to adjourn the meeting.

Seconded the Motion: Commissioner Erickson.

All in favor, motion carried.