

Lead Planning & Zoning
Tuesday, April 25, 2022
5:00 p.m.

The Lead Planning & Zoning Commission met in Regular Session on Tuesday, April 25, 2023, at 5:00 p.m. The following members were present: John Sternhagen, Brian Gerving, Don Mack, Gordon Phillips, and Levi Wilson. Absent: Rick Wisser and Mike Stahl. Additional Present: City Administrator John Wainman, Mayor Ron Everett, and Administrative Assistant Jacie Essink.

APPROVE MINUTES

1. Minutes of the December 27, 2022, regular meeting were approved as read.

VARIANCE HEARINGS

- i. Set Variance Hearing

1. Sarah Larson—170 W. Main Street.

- a. Construction of a deck on the NW property line and on the back side of structure.

Commission consensus to set Variance Hearing for Tuesday, May 9, 2023

DISCUSSION ON SHORT TERM RENTAL (MORATORIUM)

Don Mack stated there was a discussion at the City Commission Meeting regarding a moratorium to either stop or slow down the process and reevaluate Short Term Rentals. Mayor Everett stated there were two city commissioners who brought this to his attention and wanted to approve a moratorium immediately, Mayor Everett stated he felt that was inappropriate. Everett stated his recommendation at the commission meeting was to pursue conversation with the public and to send discussion to the Planning and Zoning Board to determine what is and is not working and where to go from there. Everett stated the City of Deadwood has been dealing with Short Term Rentals since 2004 and is now entertaining vacation rentals in different areas of the city.

Deadwood currently has three zones and two of these zones are completely off limits, and one zone is specifically for vacation rentals. Everett stated what works in Deadwood may not necessarily work for Lead, but this is unknown at this time. Everett stated there are too many questions to start making regulations.

Chairman John Sternhagen went over the numbers from the city's documentation regarding short term rentals and the rental scape company.

Sternhagen stated deadwood has its rules but there will be someone who may challenge this, and they will lose in one form or another.

Sternhagen stated he spoke with one of the city officers and there were little to no issues.

He would like to see more ordinances that would minimize the partying and noise.

Everett stated there is already an ordinance in place that takes care of these issues.

Sternhagen stated parking is still an issue and would like this investigated.

Sternhagen believes what the city has in place currently is working and the citizens have property rights whether long term or short term. If there are no issues, there should be no problem.

Gordon Phillips stated the only discussion needed at this time to his understanding are the pros and cons and if a moratorium should be in place.

Mayor Everett stated what the Planning and Zoning Commission needs to do is come up with a reason to be able to say everything is fine, things need to change, should a moratorium be put in place, and are short term rentals a good thing or a bad thing? The commission needs to find out the real answers. If a study is done, the city could get to the bottom of the positives and negatives and then conclude.

Sternhagen stated the city needs to wait more time to get an accurate count.

Mayor Everett stated waiting is the risk of not doing it and the board will need to decide if there really is that risk.

Phillips stated he doesn't feel money should be spent to have a study done.

Sherry Meidinger stated the last six months have not been good in Lead for vacation rentals. The industry is slowing down.

Sternhagen speculated Powerhouse pass in causing the in-town industry to slow down.

Phillips stated he would like to make a motion to table until a time that according to the permitted short-term rentals are at 10% of the structures then only at this point it can be revisited.

Mayor Everett stated he would like to interject before a motion is made. Everett stated he has already told citizens that a study will be done, and he would like the Planning and Zoning Board to take some sort of action to request a study be initiated so they can get answers and if the board's recommendation is to move ahead with the study, then action will be taken by the commission board as well.

Sternhagen stated he would rather not have a study done for taxpayer to have to pay for.

Sternhagen stated personally he believes someone from the city should do this.

Phillips stated the city needs a study for the economic social benefit cost analysis.

The mayor agreed, and stated once they gather this information it then needs to be reviewed and a recommendation be made.

Levi Wilson stated the short-term rentals bring a lot of positives to Lead. Wilson questioned if a residency requirement should be put in place. Wilson suggested gathering a List of addresses to send to the director of equalization to access the properties to see what value of homes is being eaten up and would like this sent to The Historic Preservation Board doe discussion as well.

Sherry Meidinger, Historic Preservation Chair, stated residents that have Short Term Rentals are usually snowbirds and, in the summer, they come to Lead when it is warm and, in the winter, they go somewhere else.

Colleen Wisser stated some residents need this income to better the house.

Mayor Everett suggested having the commission gather questions and send them to the Administrative Assistant, Jacie, so they can compile them and have a discussion regarding the certain questions.

The Planning and Zoning Commission agreed, and a consensus was made that this would be the first step.

OTHER BUSINESS

1. Chairman John Sternhagen introduced new member Levi Wilson to the Planning and Zoning Board.

ITEMS FROM COMMISSIONERS

1. Next Regular Meeting—Tuesday, May 9, 2023, at 5:00 PM

ADJOURN

M/Mack, S/Phillips- Carried to adjourn the regular meeting at 6.10 p.m.

ATTEST:

CITY OF LEAD
PLANNING & ZONING COMMISSION

Jacie Essink, Administrative Assistant

John Sternhagen, Chairman P&Z