

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
October 1, 2024**

**MIAMI COUNTY ADMINISTRATION BUILDING
COMMISSION CHAMBERS
201 SOUTH PEARL STREET
PAOLA, KANSAS 66071**

ATTENDANCE

CHAIR:	Kelli Broers
VICE-CHAIR:	Topher Philgreen
PLANNING COMMISSION	John Menefee, Mark Raney, Bret Manchester, Phil Elliott, Joshua Brown, and Joe Flake
ABSENT MEMBERS:	Randy Kitchen
EX-OFFICIO MEMBERS:	None present
PLANNING DIRECTOR:	Kenneth Cook
ASST. PLANNING DIRECTOR:	Jennifer Koehn
PLANNER:	Not present
PC SECRETARY:	Casey d'Augereau
COUNTY COUNSELOR:	Not present
ECONOMIC DEVELOPMENT	Not present
COUNTY COMMISSION:	None Present
COUNTY CLERK:	None Present
PRESS:	None Present

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CALL TO ORDER

Chairman Kelli Broers called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call was taken with eight (8) members present, making a quorum.

DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

There were none.

ADOPTION OF THE AGENDA

Philgreen moved to adopt the remaining agenda as presented. Menefee seconded, and the motion passed unanimously (8-0), via show of hands.

CONSENT AGENDA

There was no consent items.

New Business:

There was no new business.

GENERAL DISCUSSION:

Jennifer Koehn, Assistant Planning Director, presented the Staff Memo. Staff “will be introducing the edits made to the second half of Section 5, *Our Natural Environment and Recreational Framework*. These edits are based on Planning Commission and Staff comments and recommendations from 2022 and are focused on the Natural Environment portion of the section. Included is the original Section 5 of the Next Comprehensive Plan Draft and Staff’s draft edits of this section based on suggestions from the Planning Commission.”

Koehn started the review with Goal 5.4: Build Miami County’s reputation as a regional recreational destination.

The Planning Commission had no changes for **Goal 5.4**.

Koehn moved to **Policy 5.4.1: Local Products and Services**.

Elliott stated there have been discussions about this off and on through the years, and he really likes the idea. However, a challenge he foresees is clearly defining what qualifies—what can be on the County sign and what can’t. Elliott believes this brings up the need for the Planning Commission to talk about signage.

Koehn stated the plan is to discuss that after the completion of the NEXT Comprehensive Plan.

Cook stated if signage is allowed in the road right-of-way, it will involve the Road & Bridge Department, as well as more discussions with the Board of County Commissioners, to ensure everyone is on the same page. Cook stated his preference is to handle it this way rather than allowing individuals to manage signage themselves.

Philgreen asked where to find wayfinding sign regulations.

Cook stated when staff updates the zoning regulations, there will need to be some kind of provision in the sign regulations that allows for right-of-way signs for wayfinding purposes. However, he believes this would require a different policy, which would fall more under the Road & Bridge Department, or staff would need to coordinate with Road & Bridge.

Broers clarified that staff's recommendation is not to include wayfinding in Section 5 because it is addressed in other sections.

Koehn replied, "Yes."

Elliott stated that without having Policy 3.9.4 in front of him, he doesn't know if anything needs to change, but he agrees it doesn't need to be in Section 5 since it is in Section 3.

Philgreen asked what **Policy 3.9.4** is about.

Broers stated it covers *Destination, Connectivity, and Wayfinding*.

Elliott suggested including a statement such as "the County will explore wayfinding options" in the NEXT Comprehensive Plan.

Menefee agreed that information should not be duplicated in various sections of the NEXT Comprehensive Plan.

Koehn moved to **Policy 5.4.2, Policy 5.4.3, and Policy 5.4.4.**

Philgreen referred to **Policy 5.4.3**, specifically the last sentence: *Capitalize on the revenue produced from Miami County's high-quality destinations* and asked for clarification of its meaning.

Koehn stated she interprets it as reinvesting revenue into recreation.

Philgreen stated that the word "capitalize" is his concern.

Cook believes it is an opportunity to encourage, build up, and grow activities to where the County generates revenue.

Broers suggested replacing the word "revenue" with "attention."

Elliott also expressed dislike for the sentence, suggesting using opportunity instead of revenue.

Broers agreed that was better.

Flake asked who in the County would coordinate these activities.

Koehn stated her first thought is Economic Development, specifically Janet McRae.

Cook agreed, stating that Janet McRae usually works in partnership with others, such as the Chamber of Commerce.

Cook then found Draft **Policy 3.9.4: Destination Connectivity & Wayfinding** and read the following: *Implement connectivity enhancements to support and further link existing and future countywide attractions to create a day or weekend trip experience for residents and visitors. Work with local attractions to create a unified wayfinding signage system to place along key connecting routes/trails (for drivers, pedestrians, and bicyclists). Encourage the integration of trail-oriented development and services along appropriate routes (e.g., bicycle repair, food and beverage services, and other services). Work with MARC and other partners to implement regional wayfinding objectives with a Miami County-specific flair.*

Koehn stated there were comments on that particular item stating “utilize infrastructure and roads” encouraging the use of existing infrastructure. There is also a conflict with “Metro Green Plan” in the Hillsdale area near 243rd Street. Koehn stated another comment the Planning Commission had a discussion on was: *“A discussion on trails should be focused on existing County infrastructure rather than creating new trails.”*

Broers noted there were no changes to **Policy 5.4.4**.

Koehn moved to **Goal 5.5**.

Elliott suggested striking “on-road” from **Goal 5.5**, believing it is too restrictive.

Broers moved to **Policy 5.5.1: Open Space**.

Broers stated the current Comprehensive Plan includes the following sentence: *“Open Space Preservation may take the form of agricultural fields, active and passive recreation areas, conservation easements, nature preserves, etc.”* Broers believes it needs to be specifically called out in Policy 5.5.1.

Elliott suggested that the second sentence in the new text be removed or replaced with the sentence that Broers just read.

Broers stated that instead of ending the sentence with “etc.,” it may be better to end the sentence with “parks, recreational areas.”

Raney asked about the meaning of “it” in the last sentence: *“Additionally, it enhances the built...”* Raney stated that since the discussion pertains to Open Space, “it” could be referring to Open Space, but then Open Space is also mentioned within the sentence. Raney suggested rewriting the last sentence for clarity.

Broers noted that **Policy 5.5.2** is being stricken as "Redundant."

The Planning Commission had no comments on **Policy 5.5.3** or **Policy 5.5.4**.

Philgreen asked when and where there will be a discussion about short-term rentals.

Koehn stated that Airbnb’s were mentioned in the consultant’s draft of the Next Comprehensive Plan, but the Board of County Commissioners was not in favor of Airbnb’s, or perhaps just the specific terminology.

Philgreen stated that short-term rentals need to be addressed at some point but acknowledged that they might not fit in this section. He added that they should not be referred to as "Airbnb" since that is a brand name.

Broers moved to **Policy 5.5.5** and suggested replacing “Ensure” with “Promote.”

There were no changes to **Goal 5.6**.

Broers moved to **Policy 5.6.1** and noted that “Equity” had been changed to “Equality.” She asked if this was the Planning Commission’s suggestion.

Koehn confirmed that it was.

Raney expressed dissatisfaction with the paragraph. He stated that he reads it as an open-ended justification for anything and everything. Raney believes it implies that the County will be actively discouraging access for certain reasons, which he finds unnecessary. He emphasized that the Planning Commission’s role is to ensure decisions are equally applicable and fair for everyone.

Koehn stated she would rework the sentence.

Broers stated she wanted to revisit the discussion, expressing her belief that the Planning Commission was wrong to agree to change “equity” to “equality.” She believes “equity” is the correct term. Koehn noted that “equity” refers to providing equal opportunities, not necessarily equal results.

Cook stated that he researched the terms before the meeting. He explained that “equality” means providing the same opportunities or resources, while “equity” involves allocating specific opportunities to achieve an equal outcome. Cook argued that keeping “equity” would imply that everyone must have an equal outcome, not just equal opportunities to participate.

Raney provided an example involving the construction of a bike trail. He stated that people might argue the trail needs to be accessible to motorized wheelchairs. Raney believes this opens the door for shutting down good ideas that benefit 98% of the public because the Planning Commission might try to satisfy the needs of 100% of the public. He emphasized that the objective should be to provide reasonable accessibility and opportunity for the majority without excessive expenditures by the public.

Elliott referred to Cook’s statement and explained that “equality” means everyone is treated the same way, while “equity” means providing the resources necessary for everyone to achieve the exact same experience. Elliott believes using the word “equity” is a slippery slope, as it could obligate the County to make extreme modifications.

Broers stated that this concern is why the word “help” was added, using bike trails as an example. She explained that if the Planning Commission were considering locations for a bike trail and there was an opportunity to place it in a neighborhood needing better access versus one that already has sufficient access, the Commission would weigh those considerations.

Cook referred to the first sentence: “*Help ensure equitable access to meaningful opportunities...*” and suggested revising it to read: “*Help ensure access to meaningful opportunities...*” He also recommended revisiting the second sentence and correcting the title.

Koehn suggested replacing the phrase “*Help ensure equitable*” with “*Promote.*”

Elliott referred to **Goal 5.6** (*Support healthy and active living among residents of all ages, abilities, and lifestyles*) and asked what value **Policy 5.6.1** adds.

Menefee stated that **Policy 5.6.1** could be eliminated, as its content is already addressed in **Policy 5.6.2** and **Policy 5.6.3**.

Philgreen expressed dislike for the word “provide” in **Policy 5.6.2**.

Menefee suggested changing “*provide*” to “*encourage.*”

Elliott recommended incorporating parts of **Policy 5.6.1** into **Policy 5.6.3**.

Koehn confirmed she will strike **Policy 5.6.1**, reword “*provide*” in **Policy 5.6.2**, and move elements from **Policy 5.6.1** (e.g., the importance of equity in decision- and policymaking, public engagement, and other planning efforts) to the end of **Policy 5.6.3**.

Broers moved on to **Goal 5.7** through **Policy 5.7.3**.

Philgreen suggested changing the word “*incorporate*” to “*encourage*” in **Policy 5.7.1** and replacing “*create*” with “*promote*” in **Policy 5.7.2**.

Broers noted that the word “*protect*” was changed to “*promote*” in **Policy 5.7.4** and that the word “*education*” was added.

Elliott suggested conducting a keyword search before submitting the final draft.

Broers moved to **Policy 5.7.5** and suggested adding “*help*” before “*Identify*” and finding an alternative for the word “*secure*.”

Broers then moved to **Goal 5.8** and **Policy 5.8.1**.

Philgreen stated that phrases like “*highest possible level*” give the impression of a police officer on every corner.

Menefee suggested changing “*highest possible level*” to “*an efficient level*.”

Broers noted that emergency response to her house takes 13 minutes, which some might consider inefficient.

Manchester recommended seeking input from the Miami County Sheriff on this section.

Broers asked if this section had been reviewed by the Miami County Sheriff.

Koehn stated it had not and asked about striking the first sentence.

Philgreen suggested removing “*Be a leader in*” and rephrasing the sentence to: “*Encourage public safety best practices to ensure the County’s capacity to provide a high level of public safety and emergency services.*”

Koehn and the Planning Commission agreed to Philgreen’s proposed change.

Brown agreed with removing “*highest possible level*” and “*Be a leader,*” but noted that since the Sheriff’s Department is part of the County, the County can be more direct in its approach.

Philgreen stated that as the overseer of a camp, he cannot afford to provide the “*highest possible level of security.*”

Raney expressed concerns about statements like these because they can lead to excessive regulations. He provided an example of a swimming pool in the backyard of a rural property located 2,000 feet from the nearest house. He questioned whether it would be considered “*best practices*” or “*highest level of safety*” for the County to require a locked fence around the pool to prevent access. Raney believes this type of language could lead to overregulation and emphasized that Miami County is a county, not a municipality.

Cook noted that the Building Codes adopted by the County require either a fence around a swimming pool or a pool cover. He stated that while this section addresses many areas, it is difficult from a Comprehensive Plan perspective to draft language that applies to every scenario Staff encounters.

Elliott suggested striking "*Be a leader*" and replacing it with "*Adopt*" while changing "*highest level*" to "*a high level*."

Flake suggested that adding the word "*reasonable*" to the wording would be beneficial.

Broers stated she didn't disagree with Flake but questioned how this might be perceived politically. She asked, "If a citizen is watching the Planning Commission discuss providing '*a high level of security*' versus a '*reasonable level*,' how do you think that will be interpreted?"

Menefee agreed with Broers, noting that while the term "*reasonable*" is fine in principle, he doesn't believe it will always be understood or applied as intended.

Raney remarked that the Commission's role is to serve as the arbiter for such matters. He emphasized that phrases like "*highest level*" invite trouble and shared his frustration with conversations about Codes, where the term "*reasonable*" often seems inapplicable.

Broers stated she doesn't believe people will associate the language with swimming pools but rather with police, fire, and EMS services. She stressed the importance of hiring the best staff possible and ensuring the County provides adequate funding to keep residents as safe as reasonably possible.

Brown observed that the Sheriff's Department frequently exceeds its budget, but the County supports it because public safety is a priority. He questioned whether residents want the "*highest possible level of security*."

Menefee clarified that "*highest possible*" should mean what can realistically be achieved within the County's budget and constraints.

Broers expressed support for Philgreen's initial changes and suggested incorporating Elliott's word "*adopt*" while leaving final wording decisions about public safety to the Board of County Commissioners.

Koehn asked where the word "*adopt*" should be applied.

Philgreen proposed replacing "*Be a leader in*" with "*Adopt*," resulting in the revised sentence: "*Adopt public safety best practices to ensure the County's capacity to provide a high level of public safety and emergency services.*"

Broers moved on to **Policy 5.8.2.**

Koehn noted that while the Planning Commission had recommended linking to FEMA resources, Staff had been unable to implement this.

Menefee suggested removing the link entirely.

Broers stated there were no changes to **Policy 5.8.3.**

Philgreen referred to **Policy 5.8.4**, noting the change from 15% to 12%, and asked what prompted it.

Koehn explained that the change aligns with current County regulations.

Cook added that in Floodplain areas, the slope mentioned is 12%, which discourages building houses on such slopes.

Broers stated there were no changes to **Policy 5.8.5: Emergency Preparedness**.

Philgreen observed that Staff had reverted to an older version of **Figure 5.1** (map).

Koehn confirmed that **Figure 5.1** was addressed in the first section of Section 5 during the last meeting.

Philgreen asked if there would be a map showing destinations of interest.

Cook noted that the County wants to avoid deciding who is included on such plans.

Philgreen raised a similar concern about Wayfinding Signs, asking how it is determined who qualifies for one.

Broers asked if the small orange spots on the map would be removed before sending it to the Board of County Commissioners.

Cook confirmed this, adding that Staff intends to provide the draft of the Next Comprehensive Plan to consultants with clear instructions about what needs to be removed or revised to prevent duplication of effort.

Elliott requested revisiting **Policies 5.4.1, 5.4.2, 5.4.3, and 5.4.4**. He expressed hesitation about addressing short-term rentals in the Comprehensive Plan, considering them more of a regulatory issue. He questioned whether **Policy 5.4.3 (Agritourism Destinations)** or **Policy 5.4.4 (Recreation Destination Marketing)** should include references to lodging. Elliott stated he would like to leave room for discussion on this issue during future regulation updates.

Brown stated that lodging made sense to him.

Broers asked whether Elliott was referring to **Policy 5.4.3** or **Policy 5.4.4**.

Elliott admitted he was unsure which policy was the best fit.

Cook noted that **Chapter 3** of the draft Comprehensive Plan includes “**Policy 3.9.1: Appropriate, Complementary, and Diverse Agritourism**”, which references examples such as farm tours, farm classes, farm stays, corn mazes, and harvest festivals. He mentioned prior discussions about the definition of “farm stays.”

Elliott expressed satisfaction with leaving the reference in **Policy 3.9.1** but suggested broadening the language slightly to address lodging more generally. He also agreed with Philgreen’s point that the Comprehensive Plan should address the need to explore lodging opportunities.

Cook suggested that “**Goal 3.9: Reinforce Miami County’s reputation as a top-ranking regional destination for outdoor recreation and agritourism**” would be a suitable place to incorporate lodging.

Elliott agreed.

ANNOUNCEMENTS BY STAFF / COMMISSIONERS

Cook announced the following:

- Reminded the Planning Commission that November's Planning Commission meeting will be held on the second Tuesday of November (11/12/2024) instead of the first Tuesday due to conflict with the Presidential Election.
- There are a number of projects/applications in the works. Staff is anticipating a busier December for the Planning Commission meeting if all the projects/applications get submitted.
- Staff believes the Planning Commission is finished with their part of the Next Comprehensive Plan review. They will compile all notes and submit a rough draft to the Board of County Commission to review before submitting the draft to the consultants.

Brown asked if there will be a Christmas party this year.

Cook stated the last two years there was an annual dinner party held in January instead of during the holidays and asked what would work best for the Planning Commission. The Planning Commission agreed that January would be best.

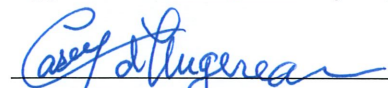
Possible Future Amendments to Zoning and Subdivision Regulations

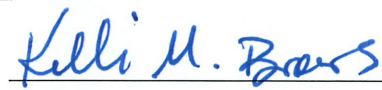
- A. Common Access Easement requirements
- B. Sign Regulations
- C. Telecommunications Regulations
- D. Height limits for radio, television, internet antennas and satellite dishes designed for individual residences.

There was no discussion regarding these "Possible Future Amendments" to the regulations.

Menefee moved to adjourn the meeting; Philgreen seconded. The meeting adjourned at 8:27 p.m. with a unanimous vote (8-0), via show of hands.

Approved this 7th day of January, 2024.


Casey d'Augereau, Secretary


Kelli Broers, Chair / Topher Philgreen, Vice-Chair

Minutes written by Casey d'Augereau

