

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
September 2, 2025**

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

ATTENDANCE

CHAIR:	Kelli Broers
VICE-CHAIR:	Topher Philgreen (arrived late, 7:04 p.m.)
PLANNING COMMISSION	Randy Kitchen, Andrew Moore, Joshua Brown, John Menefee, and Phil Elliott
ABSENT MEMBERS:	Rusty Gerken, and Peter Peuser
EX-OFFICIO MEMBERS:	None present
PLANNING DIRECTOR:	Kenneth Cook
ASST. PLANNING DIRECTOR:	Jennifer Koehn
PLANNER:	vacant
PC SECRETARY:	Casey d'Augereau
COUNTY COUNSELOR:	Not present
ECONOMIC DEVELOPMENT	Janet McRae
COUNTY COMMISSION:	None Present
COUNTY CLERK:	Not 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 seven (7) members present.

DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

There were none.

ADOPTION OF THE AGENDA

Planning Commissioner John Menefee moved to adopt the agenda with one amendment, move 25004-SUB: Tall Grass Acres Subdivision from the Consent Agenda to the first item under New Business. Planning Commissioner Joshua Brown seconded; the motion passed unanimously (6-0), via show of hands.

CONSENT AGENDA

1. Minutes:

- Approval of the August 7, 2025 Planning Commission Minutes

Menefee moved to approve the August 7, 2025 Planning Commission Minutes on the consent agenda. Planning Commissioner Andrew Moore seconded; the motion passed unanimously (6-0), via show of hands.

Old Business:

There was none.

New Business:

25004-SUB: Tall Grass Acres Subdivision

Broers invited Staff to the podium to present the Staff Report for 25004-SUB: Tall Grass Acres Subdivision at 7:03 p.m.

Planning & Zoning Director Kenny Cook presented the Staff Report. Cook referred to Condition No. 6: *The subdivision plat shall not be filed with the Register of Deeds until such time as Rural Water District #3 certifies the required waterline extension has been completed to provide water access to each lot.*

Cook explained that Staff was contacted by the applicant, who stated that Condition No. 6 involved nothing more than the opening and closing of valves and did not require additional construction or improvements. Staff contacted RWD #3 and confirmed that the applicant's assessment was correct. Cook therefore recommends removing Condition No. 6 from the list of Conditions and approving 25004-SUB: Tall Grass Acres Subdivision Plat.

Broers clarified that this item was removed from the Consent Agenda because Staff wanted to remove Condition No. 6 and believed it required consideration by the Planning Commission.

Cook agreed.

Planning Commissioner Phil Elliott moved to approve 25004-SUB: Tall Grass Acres Subdivision with the amended Conditions, removing Condition No. 6. Menefee seconded; the motion passed 5-1, with Planning Commissioner Randy Kitchen voting against and Vice-Chair Topher Philgreen abstaining, via show of hands.

25005-CUP: KS5406 Drexel Corner – AT&T

Broers stated Staff is requesting 25005-CUP: KS5406 Drexel Corner-AT&T be tabled to the October 7, 2025 Planning Commission meeting.

Cook stated the mailings did not go out in the timeframe required. No motion was needed for this item.

GENERAL DISCUSSION:

Cook took a minute to welcome Planning Commissioner Andrew "Drew" Moore to the board. Moore was appointed by the Board of County Commissioners on August 6, 2025.

Koehn presented the proposal for Short-Term Rental Regulations. Koehn indicated this is only a starting point and would like to go through the proposal with the Planning Commission for discussion. Koehn noted many surrounding counties do not have regulations for short-term rentals in their unincorporated areas, while the cities do have regulations.

Broers asked to go through the proposal section by section.

Elliott asked if the Cities of Paola, Louisburg, or Osawatimie currently have regulations on short-term rentals.

Koehn stated she did not look into the cities' regulations.

Philgreen confirmed Louisburg does not.

Elliott suggested checking with the cities in an attempt to align with their regulations.

Cook noted he found a document from Mid-America Regional Council (MARC) on regional insights regarding short-term rental regulations from May 2025, listing the various areas that have regulations. Miami County was not listed.

Cook observed that different communities view short-term rentals differently. Some view them the same as a single-family house, regardless of whether it is rented for one day, one week, one month, or one year.

Elliott stated before reviewing the proposal line by line, he would like to hear the Planning Commissioners' general thoughts on short-term rentals. Elliott believes bed-and-breakfasts, Airbnbs, and short-term rentals all need to be consistent. He stated everyone will want to do something different, especially since the county allows Accessory Dwelling Units (ADUs), which could make things confusing. Elliott reminded the group of an earlier discussion about requiring a contact person for neighbors, law enforcement, and others.

Elliott expressed he is concerned about the inspection process. He suggested inspections might be handled differently, such as through an affidavit or another legal document, and noted the county could take on liability if it conducts inspections directly.

Menefee agreed with Elliott and emphasized the importance of consistency across all short-term rentals and bed-and-breakfasts. He stated it would reduce confusion for staff and the public. Menefee asked how many short-term rentals already exist in Miami County that are not currently known. He pointed out the county does not have the staff capacity to perform inspections and typically operates on a complaint-based system. Menefee believes compliance will largely depend on the honor system.

Koehn stated one area the Planning Commission should consider is ADUs, as the regulations currently specify that ADUs cannot be used as rentals.

Broers asserted she believes allowing short-term rentals where the owner is not present on the property is a terrible idea. She noted that Miami County is late to regulating short-term rentals, which provides the advantage of learning from the mistakes of other counties. Broers stated if short-term rentals are allowed, the property owner should be required to live on site. She also stated short-term rentals should be regulated like a business, and if Miami County does not have the staff to manage that, then short-term rentals should not be allowed.

Koehn stated Miami County has the capacity to respond to complaints but not to conduct routine inspections of short-term rentals.

Kitchen asked who would handle complaints: Planning & Zoning staff or law enforcement at the time of the incident. She expressed concern that the Sheriff's Department is already stretched thin.

Philgreen stated data can sometimes create unnecessary hype and may only represent a small portion of the issue. He said he likes the idea of having some framework for short-term rentals within Miami County. Philgreen highlighted that every town approaches the issue differently and used Waco, TX, as an example. In Waco, short-term rentals require a license. Once issued, the license prevents others within a certain radius from obtaining another short-term rental license, limiting their concentration. The license also requires either a one-time inspection or an affidavit certifying the owner has met certain requirements. This provides neighbors with a way to confirm that a property is properly licensed.

Cook stated he does not think inspections are necessary for short-term rentals and believes it should be the responsibility of the owner to provide assurance.

Gerken stated she agrees with Menefee and Elliott. She would like consistency across the board. She also noted she would not want short-term rentals to change the character of neighborhoods.

Broers noted she does not want to add to staff's workload unnecessarily and does not want to approve something that will create additional responsibilities without a plan for how they will be managed.

Philgreen suggested requiring a contact person is a good idea and gives neighbors a direct way to resolve concerns. He added that if short-term rentals are allowed, there should be clear parameters for how many are permitted in a certain area.

Cook asked if staff looked at regulations from nearby counties, such as Johnson, Douglas, or Franklin.

Koehn stated Johnson County does not allow short-term rentals in the unincorporated area.

Cook suggested that staff look at surrounding counties and cities to see how they are handling this issue.

Elliott proposed the county should consider whether short-term rentals are allowed everywhere in the county or only in certain zoning districts. He expressed concern that unrestricted short-term rentals could undermine the county's ADU regulations.

Menefee stated he would like to see staff bring back options for the Planning Commission to review.

Broers asked if staff's intent is to create regulations that will apply county-wide.

Koehn confirmed yes, the intent is to make the regulations county-wide.

Broers noted she would like staff to also consider whether the regulations should apply differently in residential subdivisions versus agricultural areas.

Cook asked if the county should require short-term rentals to be owner-occupied.

Elliott stated he believes they should be, to avoid absentee ownership issues.

Philgreen stated he could support requiring owner-occupancy for short-term rentals.

Menefee stated he agrees that requiring the owner to live on-site would reduce potential problems.

Cook stated he believes consistency is important but would like staff to also provide examples of how other counties are regulating short-term rentals, so the Planning Commission can see a range of approaches.

Koehn assured she will bring back additional information and options for further discussion at a future meeting.

Broers invited Staff to podium for the monthly report.

Cook provided an update on new applications and preliminary meetings that have taken place since the last Planning Commission meeting in August 2025. Staff received an application for a Variance for the Board of Zoning Appeals (BZA) that will be heard September 17, 2025, and a second application was received will be heard October 15, 2025.

Cook indicated a member of the Board of Zoning Appeals resigned, and the Board of County Commissioners has been notified so they can appoint a replacement.

Elliott stated he read that the USDA will no longer fund or spend taxpayers' dollars on any solar project that is on prime farmland. Elliott believes that aligns with the direction the Planning Commission was pursuing regarding solar projects, and when Staff brings the solar regulations back to the Planning Commission, they might be able to incorporate some of the USDA's language.

ANNOUNCEMENTS BY STAFF / COMMISSIONERS

There were none.

Possible Future Amendments to Zoning and Subdivision Regulations

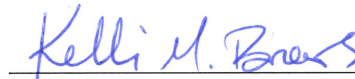
- A. Discussion on Solar Farms: Moratorium
- B. Sign Regulations: Moratorium
- C. Short-term Rentals
- D. Height limits for radio, television, internet antennas and satellite dishes designed for individual residences.
- E. Telecommunications Regulations
- F. Wayfinding Signs

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

Menefee moved to adjourn the meeting; Philgreen seconded. The meeting adjourned at 8:42 p.m. with a unanimous vote of 7-0, via show of hands.

Approved this 6th day of November, 2025.


Casey d'Augereau, Secretary


Kelli Broers, Chair / Topher Philgreen, Vice-Chair

Minutes written by Casey d'Augereau