

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
DRAFT COMPREHENSIVE PLAN WORKSHOP
APRIL 21, 2022**

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

ATTENDANCE

CHAIR:	John Menefee
VICE-CHAIR:	Phil Elliott
PLANNING COMMISSION	Kelli Broers, Joshua Brown, Randy Kitchen, Bret Manchester, and Mark Oehlert
ABSENT MEMBERS:	Topher Philgreen and Mark Ross
EX-OFFICIO MEMBERS:	None present
PLANNING DIRECTOR:	Teresa Reeves
ASST. PLANNING DIRECTOR:	Katie Jardieu
PLANNER:	Not present
PC SECRETARY:	Casey d'Augereau
COUNTY COUNSELOR:	Not Present
COUNTY ADMINISTRATOR:	Not Present
ECONOMIC DEVELOPMENT:	Not Present
COUNTY COMMISSION:	None Present
COUNTY CLERK:	Not Present
PRESS:	Not Present

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CALL TO ORDER

Chairman John Menefee called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call was taken and seven (7) members were present, constituting a quorum.

ADOPTION OF THE AGENDA

Elliott moved to adopt the Agenda. Brown seconded, and the motion passed unanimously, (7-0), via a show of hands.

REGULAR AGENDA

Old Business:

None.

New Business:

Review and discussion of Comprehensive Plan presented by The Olsson Studio

Teresa Reeves, Planning Director, introduced Taylor Plummer, Sr. Planner with The Olsson Studio.

A copy of the April 14, 2022 rough draft of the Comprehensive Plan was provided to the Commissioners prior to the start of the meeting.

Taylor Plummer stated today's Comp Plan agenda is for them to give a review of the Plan and answer any questions the Commission might have.

Ken Boone gave an overview of the Plan and what's been done to date. Next step will be the final draft of the Plan and hopefully to adoption. It is important to look forward see where Miami County wants to be in the future through their goals and desires and how to get there. This will be a living document, meaning as it is approved it needs to be revisited annually. It fits for what is heard today, but our world changes extremely fast. Comp Plans are policy, the spirit of the law, and guides decisions along the way as Zoning Regulations. Miami County's original Comp Plan was adopted in 2004 and amended in 2018. Boone stated they have been reaching out to the public to their best ability through various methods, stating the public engagement is critical to this process with nearly 1,200 responses. The top three (3) reasons a person lives in Miami County: Rural atmosphere with 70.7%, Small towns with 44.9% and Proximity to Kansas City metro with 38.0%. The questions were broken down into more detail and asked multiple ways to assure the public response was accurate.

- Elliott questioned what kind of success The Olsson Studio received from the cities?
 - Plummer stated the cities were willing to have a conversation and there was no pushback. The cities for the most part felt that Miami County is improving.
- Elliott asked if the cities provided any guidance on their future plans?
 - Plummer stated there were mixed feelings and not a ton of information was provided.

Boone continued stating they learned the public wants to promote opportunities for recreation and tourism through agriculture-based activities; maintain and protect existing recreational areas, open space, and

environmentally sensitive areas. Boone requested questions from the Planning Commission, there were none at this time.

Plummer gave a review of the Comprehensive Plan structure. The overview is leading up to where the recommendations of the Plan came from. She would like to make sure everyone is on board with the recommendations before the Action Plan is discussed. The information Boone previously gave intertwines nicely with the Guiding Principles: Healthy Lifestyles, Responsible Growth, Economically Vibrant, Collaboration and knowledge/resource sharing, and Transparent and communicative.

- Elliott stated as he reviewed the Comprehensive Plan and in the Survey Data the number one (1) item was Rural Character. It was considered “most important” when considering where development goes. Elliott stated it appears to him that it was hinted at in the Guiding Principles but doesn’t see it in the Guiding Principles.
 - Plummer responded that it is considered part of Responsible Growth. She stated that it is something that can be edited if the Board would like.
- Menefee and Elliott agreed it needs to be a “slap you in the face” item. It needs to either stand alone or needs reworded.

Plummer continued with the recommendations stating the three (3) items will be the Plan’s Goals, Policies, and Framework plans. One (1) of the biggest topics for goals with the public was Goal 3.9, Reinforce Miami County’s reputation as a top-ranking regional destination for outdoor recreation and agritourism. Taylor displayed a map labeled “Future Land Use Framework Plan” and stated this map is in draft form. This is the first attempt of what the public engagement thoughts would look like on paper. It outlines Agriculture/Agricultural Residential with a 20-acre minimum lot size, Rural Residential with a 10-acre minimum lot size, Residential with a 3-acre minimum lot size, Commercial, Business/Employment, Industrial, and Environmentally Sensitive Area.

- Oehlert questioned how a city can grow when surrounded by 3 and 10-acre tracts.
 - Plummer stated the answer depends on where the city wants to grow or if they want to grow.
- Oehlert responded “if everything around the city is tied up in three (3) and ten (10) acre tracts, the city has no where to go, look at Spring Hill for example.” Where would the expansion go? Typically, there are large tracts of land that are near the city a developer will buy and piece-meal for the expansion. That won’t be practical with three (3) and ten (10) acre tracts around the city. Those people won’t sell or if they do it’s going to be cost-prohibitive to a developer.
- Elliott stated that is what he was getting at earlier when he asked if they had any success in talking with the cities.
 - Boone responded that the infrastructure doesn’t exist to go below three (3) acre tracts. In order for that to exist the cities will have to annex that land and use the density of that land. While working on the Comprehensive Plan and visiting with the cities we did not receive any indication that any annexation(s) might be an option.
- Several of the Commissioners discussed this Plan is not a good option for the growth of the cities and will limit the tax base. The cities need to be involved in the discussions, so Miami County knows how to decide the future plans of the county.
 - Plummer stated in talking with the cities they all basically said they want to stay where they are and maintain, they don’t want to grow.
- Elliott stated that it would be irresponsible of the Board to approve something like this without the cities input.
 - Plummer stated the use of interlocal agreements might be needed and they are good for approximately 3 miles around each city. You can be flexible on how that is drafted.
- Oehlert asked if the county can put a density ring around the city(s)?
 - Boone responded no because the county might not be able to support it.
- The Commissioners agreed that whatever the city(s) potential growth, within a reasonable band, the county maintains the rural residential and agriculture/agricultural residential area for the possibility of the growth of the city(s). Allowing three (3) acres all the way to the city’s

boundary is irresponsible on the Board's part. If Interlocal Agreements are implemented they need to be specific.

- Elliott had questions about Commercial and Industrial, residential designations. In most places we can probably get more water, utilities, and road access but a hard break is sewer. Looking at the map provided there doesn't appear to be any sewer pathway possibilities. Before we lock in an area for Commercial, Business/Employment or Industrial we need to make sure there is the possibility of sewer. Otherwise we are locking in an area that would be better for a residential area rather than a Commercial/Industrial area. A residential area might be able to do a septic system in that area where a commercial/industrial wouldn't be able to do a sewer.
 - Plummer requested the most recent GIS data from Reeves to assure they have the Commercial, Industrial and Business Employment in the right areas.

Elliott stated he would also like for them to look at Policy 3.1.6 (Farmland and Rural Residential Preservation through LESA). Looking at the scoring process to the right he doesn't know how that would look on pastureland. He needs a better understanding on Policy 3.1.6 before the County uses it.

- Kitchen referred to the Future Land Use Framework Plan (map) questioning the Environmentally Sensitive Areas stating he farms a lot of that area and asked why it is not identified as Ag-land?
 - Plummer responded that is essentially just Floodplains and Floodways.
- Kitchen responded that he farms there, and it says future land use categories.
 - Plummer stated as they follow the water ways, that is something the citizens stated they want to protect, making sure the Ag areas don't negatively impact the water ways.
- Kitchen stated that's not up to Zoning.
- Elliott clarified that it is showing as Future Land Use indicating a desire to change it or reserve it from what it already is. Elliott stated he has a letter from a resident stating his concerns about this as well. Section 5 scares me to death, and I know you're not there yet, but it's scary.
 - Plummer responded previously this area was flagged as Floodplain/Open Space this just seemed to be a more appropriate category. The Board of County Commissioners stated they were pleased to see this category in place. This is an attempt to protect the water ways.
- Elliott stated he would like to see in the legend an actual Floodplain area instead of it being included in with Environmentally Sensitive Area.
 - Plummer said they can do that.
- Broers stated some of the concerns from the county is there is rural residential in the corner from Crescent Hill Rd west along K-68 Hwy with a lot of Agriculture in that area, that area is not any different in development than Pressonville Rd with a mix of houses and farms. Is the reason this area is identified as rural residential because it's currently aligned with something?
 - Plummer responded the band around Hillsdale Lake essentially came from the *Golden petition* and what we heard at the open house and online.

Plummer moved forward with the Growth and Preservation Framework Plan. This Plan does show Floodway/Floodplain/Open Space.

- Elliott questioned if there is a definition of Open Space.
 - Plummer responded she needs to check.

Plummer brought up Section 3 Discussion Items asking the Commissioners their thoughts at this point.

- Elliott stated 3.9.2 is concerning to him – where does agritourism stop?

Plummer stated Hillsdale and Bucyrus have a different land use category as they have sewer systems, should growth be encouraged for these areas? Should they have their own Plan?

- Menefee & Oehlert stated no, they're not up to date on their systems.
- Reeves stated under the current Plan those areas are shown as "Villages" which is odd because there is a mixture of uses there, and the lot sizes are small urban sized lots that are nonconforming

yet we allow them to plat to the same acreage size. Spring Hill is talking about expanding their sewer to reach out to the Bucyrus area.

Plummer continued with Section 4 of the Plan. This is focused on the roads and transportation technologies. This Plan recommends a deep dive into the roads to make sure they are updated according to the transportation needs. There were a lot of comments about the roads needing improvements through the public engagement. One of the larger items is the current Transportation Master Plan, which is from 1995, and the County plans on reviewing that in the very near future, so we were careful about the exact policies we put in place. A lot of this section focuses on interlocal connectivity, the ability to connectivity, and the ability for someone to take a day trip riding their bike in between wide areas. Rural setting infrastructure will look different than a city setting. It could be setting bike ways along the paved shoulder and trail systems that are more off street and more consistent with rural character.

- Kitchen did not like trails along FP or on private property. He preferred them to be along the roadways.

Plummer continued with Integrated Transportation Framework Plan/Intermodal, also under Section 4, the information was gathered from several different data sources that are already in existence. The difference between the words Plan and Proposed: Plan comes from an existing Plan in place by either the Mid-America Regionals Council Metro Green Plan or the Kansas City Regional Bikeways System. The Proposed Plans are what The Olsson Studio learned from the public engagement and thought the existing Plan could be tweaked a little or added onto to fill-in some of the trail loops.

- Kitchen questioned how the adjacent landowners feel about this?
 - Plummer responded that they have not done parcel by parcel calls on this. And to implement that will take a lot of coordination.
- Kitchen stated it is all in the "Sensitive area".
 - Plummer responded yes; trails are great in areas like that.
- Kitchen asked why.
 - Plummer responded a lot of the trails with metro green follow waterways throughout the region because it is a very low intensity use.
- Kitchen responded it sure messes up wildlife, hunting and fishing.
 - Plummer responded "potentially". This is responsive to what was heard in the public engagement.
- The Commissioners stated a lot of people don't understand that area is privately owned, including the river that runs through that area. It is not public property. The trails are not inclusive because it is privately owned.
- Broers stated we need to utilize the existing roads and improve them before adding new trails.
- Oehlert questioned if the water at Hillsdale is even accessible due to it being maintained by the U.S. Army Corps of Engineers.
 - Plummer agreed that they would have to get permission from the U.S. Army Corps of Engineers.
- Menefee stated the New Lancaster General Store is not shown in the right location on the Integrated Transportation Framework Plan. I know because that is my house.
 - Plummer stated that is an error and will get it corrected.

Plummer stated what she is hearing is that the Commissioners do not love what's in the "Metro Green Plan". What we are proposing are very minimal changes to that. Metro Green can be debated all day. Most communities still focus on that and there's still the idea that it would be a great way to connect the entire region and be an amenity for people. The Metro Green Plan is not something that needs to be included in the Comprehensive Plan.

- Elliott stated if you feel it is important to include the Metro Green Plan then it needs to be defined as that and not necessarily our recommendation. It needs to be separate.

- Kitchen commented that if this is in the Plan then people are going to think it's a done deal and trespass onto people's property. Most people don't want a trail on their property.
- Boone stated they have clearly heard the community in the feedback say the Metro Green is important to the future and quality of life of Miami County.
 - Elliott stated there are some opportunities on minimum maintenance roads, gravel roads would not be the best opportunity, but we do have some areas where we could put a footbridge. But to put a dotted line on a map saying this is where we should be is irresponsible.
 - Plummer stated an alternate idea would be to look at the trails more thoroughly.
 - Elliott stated that would be better than an arbitrary dotted line on the map.
 - Plummer stated it is not arbitrary.
 - Reeves stated some people do not want their land taken away for the use of a trail used by strangers. If the people come to make a trail thru someone's property.
 - Elliott and Kitchen voiced concern about this map looking like an approved Plan and then people will start following it, not knowing its private property.

Plummer moved onto Section 5 focusing on the natural environment, including protecting the water bodies in Miami County.

- Menefee asked for clarification on waterways, noting this appears not to just be focused on lakes, but also rivers and streams as well.
 - Plummer stated that is correct, but we're not going to get into details.
 - Reeves noted we pull water from the Marias Des Cygnes River and Hillsdale Lake, some of the other lakes, rivers and streams are protected by the floodplain, the main focus is the watershed area, or at least a little bit of a buffer to protect the lakes a little better.

Plummer asked for questions on Section 5.

- Elliott referenced in Section 5.1.2 which lists the farm best management practices on page 48, and asked are you familiar with the Federal overreach (in my opinion) of this section? Elliott is concerned they are headed down that same path with a lot of things listed in this section. 5.1.2 and 5.1.4, the example is 160 acres to 5000 acres of drainage in the Table 5.1 requires a 100' buffer width, if we don't have agricultural exemption there will be a tremendous amount of cattle pastures, and crop grounds that will grow up into hedge trees and brush.
 - Kitchen stated brush is the worse thing to raise cattle on.
- Elliott stated all of us want to protect the water. Imagine all the nice open spaces now being restricted because there are a lot of creeks and water areas showing up on the map that would qualify as protected area. Basically, every cattle area or crop ground in Miami County is in the protected area. There are a number of areas showing as "Open Space" (5.1.2, 5.1.7 and 5.1.1 all reference "Open Space") that is why I would like the definition of "Open Space". According to the sections referring to "Open Space" it is saying we cannot use these areas.
 - Broers stated her concern is what is defined as "Streamway" and the requirements for a buffer which could be considered a "taking of the property" and the County is now responsible for compensating the property owners.
 - Plummer stated it goes back to the fact that this is the Comp Plan.
 - Elliott stated the reason for the Comp Plan is for the County to generate regulations. So, once it is a part of the Comp Plan, we will have to make a regulation to enforce it.
 - Menefee stated his concern is that the Comp Plan will be redone in another 10 to 15 years, but if it's not, in 20 years how many people will be sitting on this board that the Comp Plan will have a direct impact on their livelihoods like us. Or how many will be transplants with a 10 to- 20-acre tract that won't know how agriculture really works?
 - Broers stated the Comp Plan seems focused on the impact agriculture has on the County. The community is not concerned with the farmers doing their jobs, it's the impact from the warehouses.

- Kitchen stated the problem he had with water came from the warehouses in the Hillsdale Lake area. Phosphorous was in the water, the phosphorous came from the warehouses not farmers.
 - Elliott stated another concern of his from Section 5.1.2 was the best management, the use of non-toxic methods to control pests to preserve the soil, water, and air quality. This is regulated on a Federal level and the County doesn't need to be involved in regulating the farmers when it is done at a Federal level.
- Plummer stated there are other softer policies in there that are essentially encouraging to educate farmers on best agricultural practices to preserve water quality. Agriculture is one of the primary pollutants of water quality, that is a given. I don't want to lose all references to that, I think there are ways to make it softer.
 - Elliott suggested the County needs to continue to work with the agencies and not focus on educating farmers on their jobs. Elliott stated he takes offense to the comments just now made by Plummer that the County should be educating "me" on my agricultural practices. How about they focus on what they are responsible for and I will focus on what I am responsible for.
 - Kitchen stated his family has been in the same place in Miami County for 152 years and no one from the County has ever come out to regulate how we run our agriculture.
- Plummer stated from the education side it comes from her compiling resources and making sure the County is making the process as easy as possible for the landowners within the County that are performing agricultural activities. To know what the State and Federal regulations are.
 - Kitchen stated it isn't their first day on the job for most of the farmers in Miami County. Most of the land belonged to their dad, grandpa, etc. and they learned how to farm from them.
 - Menefee stated when he looks at Section 5 it is counter productive to what the communities want.
- Plummer stated she has a different personal take and asked Boone for his input.
- Boone asked that the Commissioners not take offense by the comments that is not their intent here. If something in the Comp Plan is not aligned, then we need to take it out and fix it.
 - Menefee stated his concern is that the warehouse standpoint is not addressed and there seems to be a lot of focus on AG pollutants.
 - Elliott stated Section 5 doesn't belong because, like Menefee pointed out, it isn't focused on the warehouses it is focused on the AG pollutants. We need to understand that we eat everyday because of AG practices. Every one of us at this table want to make sure our water is quality and we don't spray when we know it is going to contaminate our waters. We understand the water is where we will fish and have activities with our kids and grandkids. My concern is those who don't see the process don't see the harm in the words in Section 5 and those of us that are, see the handwriting on the wall and the handcuffing that will come with it.
 - Broers stated if the goal is watershed protection and bike paths, then maybe we should have some sort of buffers on our roads they would need to be managed appropriately. If the County is going to dictate how that land is used, then they should own the land.
- Plummer stated looking over Section 5, Section 5.1.2 should be removed altogether. Section 5.2 hints to open space and preserving natural areas. A lot of it is not calling out AG, it is referencing trails, programing, maintenance, and more of a public safety approach.
 - Elliott stated since Section 5 starts with AG it appears the rest of Section 5 reads with that in mind.
- Plummer stated she can remove those comments and correct verbiage.
- Boone stated it seems like the problematic words are "Open Space", that can be corrected.

Plummer asked if the Planning Commission is supportive of pursuing an overlay district for Hillsdale Lake?

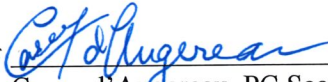
- Menefee stated he is not opposed to looking at something.
- Elliott stated he isn't sure why it would be for Hillsdale Lake and not all lakes.
 - Plummer stated that Lesley Rigney is in support of the watershed preservation.
 - Elliott stated the overlay isn't a bad concept but doesn't know what falls under the regulation of the County.

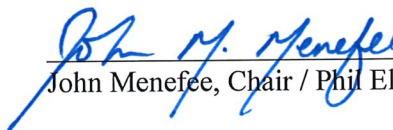
Plummer stated there will be a public open house on Tuesday, May 17, 2022 from 5:30 p.m. to 7:30 p.m. at the Paola Community Center with a virtual open house following on May 19, 2022 that will be kept open for two (2) weeks ending on June 2, 2022 to assure everyone wishing to participate has the opportunity. Prior to the open house there will be the final Stakeholders and Technical meeting so that they may receive an overview of the Plan and help man the open house. There will be a final staff review with additional conversations and emails between that time, then writing the Implementation Plan, and hopefully on to the adoption of the Comp Plan.

GENERAL DISCUSSION

With no further discussion, Broers moved to adjourn the meeting, Manchester seconded, and the meeting was adjourned by unanimous vote (8-0), via show of hands, at 9:47 p.m.

Approved this 7th day of June, 2022.


Casey d'Augereau, PC Secretary


John Menefee, Chair / Phil Elliott, Vice-Chair