

**MINUTES OF THE  
MIAMI COUNTY PLANNING COMMISSION  
FEBRUARY 2, 2021**

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

**ATTENDANCE**

<b>CHAIR:</b>	Mark Oehlert
<b>VICE-CHAIR:</b>	John Menefee
<b>PLANNING COMMISSION</b>	Kelli Broers, Joshua Brown, Kevin Collins, Phil Elliott, Randy Kitchen, Bret Manchester, Mark Ross
<b>ABSENT MEMBERS:</b>	None
<b>EX-OFFICIO MEMBERS:</b>	None present
<b>PLANNING DIRECTOR:</b>	Teresa Reeves
<b>COUNTY COUNSELOR:</b>	Sheila Schultz
<b>PLANNER:</b>	Kenneth Cook
<b>PC SECRETARY:</b>	Angie Baumann
<b>ECONOMIC DEVELOPMENT</b>	None Present
<b>COUNTY COMMISSION:</b>	None Present
<b>COUNTY CLERK:</b>	Not Present
<b>PRESS:</b>	Not Present

## MINUTES

FEBRUARY 2, 2021

### MIAMI COUNTY PLANNING COMMISSION

#### CALL TO ORDER

Chair Mark Oehlert called the meeting to order at 7:00 p.m.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Roll Call was taken and all nine (9) members were present, constituting a quorum.

#### OATHS OF OFFICE

Teresa Reeves, Planning Director, administered the Oath of Office for Randy Kitchen.

#### DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

None disclosed.

#### ADOPTION OF THE AGENDA

Ross moved to adopt the Agenda as presented. Menefee seconded, and the motion passed unanimously, 9-0.

#### CONSENT AGENDA

- **January 5, 2021** Planning Commission Minutes

Elliott moved to adopt the Consent Agenda as presented. Collins seconded, and the motion passed with eight (8) in favor and one (1) abstention (Kitchen).

#### REGULAR AGENDA

##### Unfinished Business:

##### **Continued Public Hearing 20002-TA: Zoning Regulations Amendments (Billboard Signs)**

Cook announced that Mr. Fred Wingert (of Wingert Sign Company) submitted his response to the staff report, copies of which have been provided this evening to the Planning Commissioners. Cook then presented the staff report for consideration of draft amendments to the Zoning Regulations of Miami County, Kansas, pertaining to Billboard Signs (Off-Premises Outdoor). Affected regulations include Article 2 (Definitions); and Article 18 (Signs).

Cook pointed out that pursuant to a request made at last month's meeting staff has added additional language to Section 18-5.05, which is based upon KDOT's regulations, and which specifies that all lighting for billboard signs must be shielded:

*(Note: Proposed text is highlighted in yellow. Text that is proposed to be deleted is struck through.)*

**“18-5.05 Lighting:** Billboard signs may be indirectly illuminated, but shall not cast glare upon any adjacent highway so as to pose a hazard to vehicular traffic. This shall include that all lighting must be effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of any highway or county road and are of such intensity or brilliance as to cause glare or to impair the vision of the driver or any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle. Electronic (LED) signs must comply with Section 18-11, Electronic Sign Regulations ~~display a static image for a minimum of eight (8) seconds, and have an interval change time of two (2) seconds or less.~~ Only sign structures that are classified legal conforming may be modified to LED signs. (Res. R15-11-033 (Exh. A))”

He noted, however, that Section 18-4.01.9 (in the general sign requirements) provides that all indirectly illuminated signs “shall have lighting fixtures or luminaries that are fully shielded;” therefore, staff believes Section 18-4.01.9 sufficiently addresses this concern.

Elliott suggested that, in lieu of duplicating regulations, staff could simply cross-reference Section 18-4.01.9 in Section 18-5.05. He explained that this would ensure that if the provisions in Section 18-4.01.9 are amended in the future, the same will apply to Section 18-5.05.

Menefee agreed.

Cook requested the Planning Commission's input regarding the existing regulation, which requires a minimum spacing of 1,000' between any billboard signs (Section 18-5.06. Minimum Spacing Requirements). He reported that Mr. Wingert has requested reducing that minimum requirement to 500' but staff is recommending that the Planning Commission keep the existing 1,000' minimum spacing requirement.

Oehlert asked if there is a reason why the minimum spacing requirement is specifically 1,000'.

Cook answered that it is his understanding that the County wanted a greater separation than that required by KDOT. He reported that nearly all the nearby counties he has reviewed have minimum spacing requirements greater than 500'; and, some that are greater than 1,000'.

He then directed the Planning Commission to the maps in the meeting packet, and explained that the maps demonstrate where future billboard signs could possibly be located on those properties adjacent to highways, which are zoned C-2, I-1, or I-2. He further explained that the maps take into consideration 500' and 1,000' separation distances between billboard signs as well as 300' separation distance from any properties zoned for residential use.

Cook noted that the spacing of the billboard signs depicted on the maps is also based upon the State's minimum setback requirement from an interchange or intersection. He has contacted

KDOT to verify that he is interpreting KDOT's sign regulations accurately—especially regarding measurement of separation distance from an interchange or intersection—but has not yet received a response. Cook explained that he measured the separation distance from interchanges, beginning at the point where the pavement begins widening at an entrance, and measuring 500' from that point.

Cook pointed out that the location of a billboard sign on one property may impact whether another billboard may be placed on that same property or on an adjacent property, which is due to the current 1,000' minimum spacing requirement between billboard signs; and, the required 300' minimum spacing between billboard signs and properties zoned for residential use. He noted that there are not many industrially or commercially zoned properties in the County located adjacent to the highways so there wouldn't be a proliferation of signs throughout the entire County. However, if the 1,000' minimum spacing requirement between billboard signs was reduced, there are a few areas of the County that could see an increase in the number of billboard signs. He acknowledged that properties adjacent to the highways could possibly be rezoned in the future, resulting in additional opportunities for billboard signs.

Cook then referenced staff's suggestion (on Page 4 of 9 of the meeting packet) to modify Section 18-4.01.5 (in the general sign requirements) to specify a general minimum separation of 300' for all free-standing signs. He clarified that the purpose of this suggested amendment is to confirm that only on-premises signs detached from a structure—and not wall signs—are subject to the 300' minimum spacing requirement. Cook pointed out Page 7 of 9 of the meeting packet, which provides several scenarios demonstrating when and how the 300' minimum spacing requirement applies. He explained that if one property has a billboard sign and an adjacent property has a business sign (an on-premises sign), the 300' minimum spacing requirement would not apply because the signs are located on separate properties. However, if a property has an existing billboard sign, and a business sign (an on-premises sign) is later constructed on that same property, the 300' minimum spacing requirement would be applicable.

Cook reported that Mr. Wingert's February 1<sup>st</sup> response to the staff report expresses concern “with the ADDED REQUIREMENT on 300 feet spacing between all signs you are proposing on Page 4 of 9.” Cook clarified that the *current* Regulations require a minimum 300' separation between a new sign and *any* other existing signs on the same property. Moreover, the current Regulations for billboard signs provide that any new billboard sign allowed under Section 18-5 must be located a minimum of 1,000' from “any other existing billboard sign or allowed configuration of signs on the same side of the street.” Cook explained that the proposed removal of the phrase “or allowed configuration of signs” from the billboard sign requirements (Section 18-5.06) provides greater flexibility because the 300' minimum spacing requirement would then be applicable between any signs—billboard signs or on-premises signs (located on the same property and on the same side of the street).

Cook then referenced Mr. Wingert's request to add the following to Section 18-5.01:

“If the Kansas Secretary of Transportation designates US-69 as other than a scenic byway, the proposed regulation in this section would apply to US-69.”

Staff recommends retaining the existing language regarding US-69 in Section 18-5.01 and making no modifications at this time. Cook added that if the State ever decides that US-69 will

no longer be designated as a scenic byway, the County can, at such time, amend the sign regulations to permit billboard signs along US-69.

Manchester referenced the following provision in Mr. Wingert's response letter:

"The maximum height of a billboard would be measured from the road grade to match the State of Kansas Requirements and not to exceed 70 feet."

Manchester asked about the State's maximum height requirement for billboard signs.

Cook answered that the State calculates height based upon the grade of the adjacent roadway. He explained that the State's maximum height requirement for billboard sign structures is 50', as measured vertically from the edge of the pavement to the top of the sign. Cook's understanding is that Mr. Wingert is requesting that the height of billboard signs be calculated in the same manner as the State—in other words, 50' vertically from the pavement—but no taller than 70', which would allow for a taller sign in those locations where the ground falls away from the roadway.

Oehlert then opened the public hearing.

Attorney Darcy Domoney of Domoney & Domoney (18 E. Wea St., Paola) approached the podium and stated that his client's reasons for requesting amendments to the billboard sign regulations are primarily to avoid having to request variances from the County for various billboard locations that he may want to explore; and, to provide for more affordable billboard advertising for primarily Miami County businesses. He reiterated that very few locations along the highways in Miami County are zoned to allow billboard signs; and, for those locations, his client is requesting that the County's billboard sign regulations match those of the State. Attorney Domoney commented that there does not seem to be a huge justification for the County's current minimum spacing requirement. He assumes that the State has good reason for its 500' minimum spacing requirement. Attorney Domoney stated that his client is requesting that 1) the minimum spacing requirement between billboard signs be reduced from 1,000' to 500'; and 2) the height of billboard signs be measured from the road grade. He concluded that the requested amendments to the billboard sign regulations would allow for more billboards in the few areas in the County where the zoning allows for billboards.

Mr. Fred Wingert (20920 Walmer Rd., Stillwell) approached the podium, and stated that the main idea behind his request is to allow for additional billboards in locations where there are existing billboards. He explained that by doing so, it is more affordable to run power underground. He expressed that running power underground for 1,000' is very expensive, and his company is trying to build some billboard signs that are reasonably priced. With regard to maximum height, Mr. Wingert commented that although it may be unlikely that a billboard sign would need to be 70' tall it is helpful to have this flexibility in those locations where the highway rises up from the surrounding ground because of a bridge or some other reason. He further commented that there is no reason to build a billboard too tall. Mr. Wingert clarified that many, if not most, of the potential locations for future billboard signs, as shown on the maps in the meeting packet, would not be suitable locations, due to easements, rock, and lack of electricity.

Kitchen asked Mr. Wingert if any billboard signs are being constructed with solar powered lighting.

Mr. Wingert answered that he is utilizing this option in a couple of locations; however, the lifespan is only seven to ten years.

Glenn Alpert (15163 W. 323<sup>rd</sup> St., Paola) approached the podium and referenced the following proposed amendment to Section 18-5.04.3, as found shown on Page 3 of 9 of the meeting packet. (*Note: Proposed text is highlighted in yellow. Text that is proposed to be deleted is struck through.*)

~~3. For purposes of this subsection, each face of a billboard sign, whether double faced, V-shaped, or some other configuration, shall be considered a separate sign. (Res. R15-11-033 (Exh. A))~~

**“3. Each billboard sign structure shall be mounted on a single ground pole.”**

Mr. Alpert stated that this does not seem to match the following proposed definition for Free-Standing Sign:

**“Free-Standing Sign: A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. (May also be referred to as a ground, monument, pole, or billboard sign.”**

He asked if a free-standing sign has a single pole or multiple poles. He then pointed out that the word “king” in the definition for Billboard Sign Structure should be replaced with the word “kind” so that it reads “. . . and other materials of every kind and nature . . .” Mr. Alpert also asked if there are any provisions in the Regulations regarding whether a billboard sign may be placed on a building.

Elliott answered that the proposed definition for Free-Standing Sign may be found in the general sign requirements and is not exclusive to billboard signs.

Regarding whether a billboard sign may be placed on a building, Elliott added that the maximum sign area for wall signs is limited to a certain percentage of the surface area of a building’s façade.

Mr. Alpert then asked if the intent is to have a single pole billboard sign.

Cook confirmed this to be the intent of the current Regulations.

Broers commented that the draft amendments, as currently proposed, appear very much to be a working draft. She asked for clarification regarding whether the public will be given another opportunity to comment on the proposed draft amendments before the Planning Commission votes upon them.

Mr. Alpert again approached the podium. Regarding the 1,000' minimum spacing requirement, he commented that if there is good reason to be more restrictive than the State then that is fine. However, if the State's 500' minimum spacing requirement is acceptable, then he suggests matching the State's requirement.

Elliott moved to continue the public hearing until next month's meeting, at which time the final version of draft amendments will be presented. Ross seconded.

Kitchen asked why the County's requirements differ from the State's.

Cook answered that he has reviewed the minutes of past meetings when the sign regulations were being discussed but was not able to find any specific reasoning for the 1,000' minimum spacing requirement. He expects that the Planning Commission's decision may have been for reasons of aesthetics, and not regarding safety.

Kitchen asked if it was previously staff's opinion that the minimum spacing requirement should be 1,000'.

Cook responded that the Planning Commission adopted this regulation, which was also adopted by the Board of County Commissioners. He explained that even if staff had suggested this requirement, staff's suggestions are often based upon direction received from the Planning Commission or the Board of County Commissioners.

Reeves recalled discussions from previous Planning Commission meetings, during which it was the Board's desire to have a 1,000' minimum spacing requirement as opposed to a lesser separation. Reeves also recalled previous Planning Commission discussions regarding maximum height. She noted that although this was the desire several years ago, the Planning Commission may change this requirement if it would like to do so. Reeves explained that the State allows counties and local jurisdictions to be more restrictive; however, the County cannot have a minimum spacing requirement that is less than the State's, nor a maximum height requirement that exceeds the State's. She agreed that previous meeting minutes indicate that the 1,000' minimum spacing requirement was determined not because of any safety studies conducted, but rather aesthetics—based upon the local community's desires. Reeves believes the State's requirements are based upon safety studies. She also believes, especially regarding electronic signage, that the 1,000' minimum spacing requirement should be retained to avoid driver distraction.

Cook recalled from his review of previous years' meeting minutes that staff had pointed out to the Planning Commissioners that the 1,000' minimum spacing requirement did not match the State's requirement and had asked them whether they wanted to instead use the State's requirement. Cook reported that the Planning Commission directed staff to retain the 1,000' minimum.

Regarding variances for billboard signs, Cook pointed out that any variance must meet the variance standards listed in the State Statute. He then referenced the variances granted for the two (2) billboard signs along US-169, south of Paola (Wingert Sign Company), which replaced the former (2) billboard signs at that location, and reported that the variances were granted because unique conditions existed on the subject property. Had those unique conditions not been

present, he assumes the variance from the 1,000' minimum spacing requirement would not have been granted. He explained that the unique conditions existing on that particular property included a number of pipelines running through the middle of the property; two existing billboard signs adjacent to one another; and the location of the highway entrance. He further explained that had one of those existing billboard signs been torn down, a new billboard sign would not have been permitted because the current billboard sign regulations would have allowed only one sign. Cook reported that the Board of Zoning Appeals took into consideration those unique conditions present on the property, and decided to grant the variances, thus allowing two new billboard signs with a reduced setback from the highway right-of-way (and a separation distance that is less than the 1,000' minimum spacing requirement).

The Planning Commission then voted upon the motion on the floor, via roll call vote. The motion carried with eight (8)<sup>1</sup> in favor and one (1) against (Menefee). Oehlert announced that the public hearing will be continued to the March 2<sup>nd</sup> meeting.

The Planning Commission began deliberating the proposed text amendments: *(Note: Proposed text is highlighted in yellow. Text that is proposed to be deleted is struck through.)*

## Article 2 Definitions

**“Billboard Sign Structure:** Means and includes all components of a billboard sign, which may include poles, bracing, lateral supports, displays, and other materials of every kind and nature used to support a facing or facings on which advertising is placed.”

With regard to Article 2 – Definitions, Cook reminded the Planning Commissioners that the word “king”, which appears in the definition of Billboard Sign Structure, should be replaced with “kind”.

Broers commented that she would like the proposed definitions to be tighter. She noted that the definition of Billboard Sign Structure contains the word “poles” (plural), but the text later specifies a “single ground pole” (in Section 18.5.04.3):

### Section 18-5.04 Maximum Sign Area:

**“3. Each billboard sign structure shall be mounted on a single ground pole.”**

Broers also noted inconsistencies throughout the proposed amendments in use of the words “sign facing” and “sign face”. She pointed out that “face” is used in Section 18-4.01.4.

**“Section 18-4.01.5 Unless otherwise provided for in these Regulations, no free-standing sign (such as a ground, monument, pole, or billboard sign) hereafter erected shall be less than 300 feet from any other existing free-standing sign or allowed configuration of signs on the same property.”**

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<sup>1</sup> The two Planning Commissioners who initiated and seconded the motion (Elliott and Ross) were not queried for their votes.

Regarding Section 18-4.01.5 Menefee commented that the 300' separation between all signs is good and protects small businesses in the County. He asked if farm signs are included in this requirement, as farm signs do not require a permit.

Reeves answered that agricultural signs are exempt. She suggested that it would be a good idea to clarify this.

Oehlert agreed.

Menefee suggested also clarifying any exempt signage.

Elliott suggested language such as “any other existing free-standing *permitted* sign”, to avoid having to identify every type of exempt sign.

### **Section 18-5 – Billboard Signs (off-Premises Outdoor)**

“**18-5.01** Off-premises outdoor billboard signs greater than 64 square feet and equal to or less than 750 756 square feet shall be permitted only in the C-2, I-1 and I-2 Districts, and only within 660 feet of the rights-of-way of I-35, K-68 and US-169, with advertising being directed only toward said rights-of-way. Billboard signs visible from US-69 and erected with the purpose of their message being read from US-69 shall be prohibited since US-69 is a scenic byway. All provisions of the Kansas Highway Advertising and Control Act must be met for any sign located within 660 feet of the rights-of-way of the above listed state and federal highways. (Res. R15-11-033 (Exh. A))”

There were no comments made regarding Section 18-5.01.

#### **“18-5.02 Location:**

a. Billboard signs shall not be located within 300 feet of any property zoned Planned Development, Rural Residential, Countryside, ~~or~~ Agricultural or any other property zoned for residential purpose, and which is located on the same side of the highway.”

Regarding the latter part of the highlighted clause in Section 18-5.02 (a): “and which is located on the same side of the highway” Broers asked if it would be contrary to the intent of these Regulations to construct a billboard sign on one side of the highway, opposite a residential zoning district, which is less than 300' away.

Cook responded that the intent is to exclude from this consideration property that is on the opposite side of the road / highway, as the road / highway itself creates some separation.

b. Billboard signs shall not be located within 50 fifteen (15) feet of any state or federal highway, to be measured from the edge of the right-of-way. Billboard signs shall not be located within fifteen (15) feet of a side or rear property line or the ultimate right-of-way of any road, street, or highway as designated by the County's Comprehensive Transportation Plan. No billboard sign may be installed to encroach over an existing utility improvement or easement.

With regard to the last part of the highlighted clause in Section 18-5.02 (b): "No billboard sign may be installed to encroach over an existing utility improvement or easement" Broers asked if easements are typically large enough to ensure that a utility company's access to the easement will not be impacted in the event that a billboard sign is hanging over the easement. She asked if a setback from the easement should be considered.

Elliott commented that it should be the responsibility of the utility provider to acquire enough easement.

Cook explained that the word "improvement" was added to that clause to address those instances where an existing utility line—such as a main sewer line or old electrical line—is not within an easement. He added that staff recommends adding to that same clause "*part of a*" so that it reads: "No part of a billboard sign may be installed to encroach over an existing utility improvement or easement."

**18-5.03 Maximum Height:** The top edge of any one (1) billboard sign shall not exceed 50 feet above average grade. (Res. R15-11-033 (Exh. A))

Regarding Section 18-5.03 – Maximum Height Elliott expressed that he would like to see maximum height calculated from the road grade instead of the average grade. He explained that the sight line intention is based on the roadway; and, calculating height from the road grade offers greater flexibility, especially considering the limited number of locations where billboard signs can be permitted.

Menefee agreed.

Cook noted that he included on Page 5 of 9 of the meeting packet an optional amendment for Section 18-5.03, most of which he derived from the State's regulation:

**Section 18-5.03 Maximum Height:** The height of any portion of the sign structure as measured vertically from the adjacent edge of the road grade of the main traveled way shall not exceed 50 feet.

Ross commented that he likes the optional amendment for Section 18-5.03, as it specifies "road grade".

Menefee commented that the proposed optional amendment also specifies the "main traveled way", which takes into consideration divided highways.

Ross asked if the maximum height should be 50' or 70'.

Elliott commented that the maximum height should be 50'. He then asked if the State regulation provides for a maximum height of 70' based upon the road grade.

Cook clarified that the State specifies a maximum height of 50' as measured from the road grade.

**Section 18-5.04 Maximum Sign Area:**

**3. Each billboard sign structure shall be mounted on a single ground pole.**

Broers commented that Section 18-5.04.3 – Maximum Sign Area seems a bit prescriptive regarding the requirement for a single pole.

Elliott commented that he believes this should be addressed from an aesthetics standpoint. He would like to know what the Planning Commission would like to see as the standard. He added that he does not necessarily have a preference regarding whether a billboard sign is mounted on several poles or a single pole.

Ross commented that he is seeing increasingly more of the single-pole billboard signs, which he thinks look much better.

Oehlert asked the Planning Commissioners if they agree with proposed Section 18-5.04.3.

Broers suggested that this particular provision would be more appropriate in the Definitions section.

Elliott and Menefee agreed.

Elliott suggested that the provision be relocated to be included in the definition for Billboard Sign Structure.

There were no objections.

**18-5.05 Lighting:** Billboard signs may be indirectly illuminated, but shall not cast glare upon any adjacent highway so as to pose a hazard to vehicular traffic. This shall include that all lighting must be effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of any highway or county road and are of such intensity or brilliance as to cause glare or to impair the vision of the driver or any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle. Electronic (LED) signs must comply with Section 18-11, Electronic Sign Regulations ~~display a static image for a minimum of eight (8) seconds, and have an interval change time of two (2) seconds or less.~~ Only sign structures that are classified legal conforming may be modified to LED signs. (Res. R15-11-033 (Exh. A))

Elliott recommended that rather than adding the proposed language to Section 18-5.05 – Lighting, this provision could instead just cross-reference the provisions of Section 18-4.01.9 (in

the general sign requirements). He commented that he agrees with the proposed amendments pertaining to LED signs.

There were no objections to Elliott's suggestion.

**18-5.06 Minimum Spacing Requirements:** No billboard sign (including billboard signs, as provided in Section 18-9.01.5 of these regulations) hereafter erected shall be less than 1,000 feet from any other existing billboard sign or allowed configuration of signs on the same side of the street. Such minimum spacing distance shall be measured along the center line of the frontage street, trafficway or interstate highway from a point opposite any edge of a billboard sign and perpendicular to the center line of each street, trafficway or interstate highway. (Res. R15-11-033 (Exh. A))

Regarding Section 18-5.06 – Minimum Spacing Requirements Elliott commented that he prefers to retain the 1,000' minimum. He provided the example of three billboard signs on the east side of US-169, south of 191<sup>st</sup>, and noted that they are spaced 1,000' apart according to *Google Earth*. If the billboard signs were spaced 500' apart, it would allow for two additional signs in that location. He expressed that five signs in that location would just be too busy.

Menefee commented that it is much easier to retain the 1,000' minimum, which, in the future could possibly be reduced to 500' if the need arises. He added that once the minimum is reduced to 500', we can't go back to 1,000'.

Elliott commented that the Planning Commission is tasked with creating Zoning Regulations for three reasons: health, safety, and welfare; and, the State Statute specifies that it is for those three reasons that the Planning Commission and the Zoning Regulations exist. Elliott noted that although he agrees that there is some welfare benefit, he does not know what portion of the people we serve will benefit. He expressed that aesthetics and rural lifestyle are a greater benefit. Elliott reported that some of the results received from the Comprehensive Plan survey speak to these very things. It is his opinion that discussions regarding the 1,000' minimum spacing requirement that have been on the books up to this point were specific to help maintain some of that rural character. He expressed that he would hate to go away from that, especially before finishing the Comprehensive Plan.

Broers concurred.

There were no additional comments regarding Section 18-5.06.

**18-5.07 Distance from Intersection:** No sign shall be located adjacent to or within 500 feet of an interchange, intersection at grade or a safety rest area, with such distance measured along the freeway or interstate highway from the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the freeway or interstate highway. (Res. R15-11-033 (Exh. A))

Regarding Section 18-5.07 – Distance from Intersection, Cook noted that this regulation matches the State's.

The Planning Commission had no changes to Section 18-5.07.

The Planning Commission had no changes to Section 18-9.01.5 – Light Industrial (I-1) and Heavy Industrial (I-2) Sign Regulations.

**New Business:**

None.

**GENERAL DISCUSSION**

**Possible Future Amendments to Zoning and Subdivision Regulations**

1. Common Access Easement requirements
2. Sign Regulations
3. Telecommunications Regulations
4. Height limits for radio, television, internet antennas and satellite dishes designed for individual residences.

Reeves noted that staff is not proposing any additional text amendments at this time. There were no objections.

**ANNOUNCEMENTS BY STAFF / COMMISSIONERS**

Reeves announced that the first public open house for the Comprehensive Plan is scheduled for Thursday, February 25<sup>th</sup> from 5:30 p.m. to 8:00 p.m. at the Osawatomie City Auditorium. A virtual open house will be held on a later date for those who choose not to attend the in-person open house.

Reeves reported that the consultant will also be meeting with Edgerton, as Edgerton has recently annexed an additional approximately 500 acres and is now at the County line. She has suggested to the consultant that the Comprehensive Plan may need to have a separate area plan just for the Edgerton intermodal area.

Elliott recommended that the consultant also reach out to Overland Park and Gardner. He added that Gardner just annexed property at I-35 and 175<sup>th</sup> Street.

Reeves reported that the consultant has been in discussions with the Miami County Conservation District as well as someone at the State level regarding possible environmental impacts to Hillsdale Lake and how to protect this resource, as well as addressing additional truck traffic that is anticipated for Gardner Road. She added that we are trying to find the balance between commerce/industry and the protection of natural resources. Reeves reported that there has been discussion about purchasing conservation easements, but property is reportedly extremely expensive in that area.

Broers suggested that if it is not an option to purchase the property for conservation easements, perhaps the County could partner with the Kansas Land Trust. She also suggested that the County could explore possible options through The Nature Conservancy.

Reeves reported that the Planning Department has already received 10 applications for lot splits in the month of January, compared to a total of 20 lot splits for the entire 2020 year.

Reeves briefly announced the items on next month's Agenda.

Elliott requested an introductory meeting with the Comprehensive Plan consultant in advance of the June 8<sup>th</sup> Planning Commission work session. He expressed that it would be helpful for the consultant to attend a Planning Commission meeting and provide an overview to help the Planning Commissions better prepare for the June 8<sup>th</sup> work session.

Several Planning Commissioners agreed.

There being no further announcements, Oehlert asked for a motion to adjourn. Ross moved to adjourn the meeting, Collins seconded, and the meeting was adjourned by a roll call vote of 9-0 at 8:53 p.m.

Approved this 2<sup>nd</sup> day of March, 2021.

  
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Angie Baumann, PC Secretary

  
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Chair, Mark Oehlert / Vice-Chair, John Menefee

Minutes taken by Angie Baumann