

PLANNING COMMISSION /  
BOARD OF ZONING APPEALS  
DECEMBER 17, 2024 MEETING MINUTES

---

**Commissioners Present:** Cowman, Dees, Maurer, McLean,

**Commissioners Absent:** Parks, DeGrande

**Others Present:** Mitch Gabbert - City of Paola,

---

**Item 1:** Pledge of Allegiance.

**Item 2:** Consideration of minutes from the November 19, 2024 meeting.

Commissioner Cowman called the meeting to order. The next order of business was the consideration and approval of the minutes from the November 19, 2024 meeting.

*Commissioner Dees made a motion to approve the November 19, 2024 meeting minutes. The motion was seconded by Commissioner McLean with all commissioners present voting in favor.*

**Item 3:** PUBLIC HEARING - Consideration and vote to recommend approval of a text amendment to Section 03.350 of the Land Development Ordinance.

*Commissioner McLean made a motion to open the public hearing for a text amendment of LDO Section 03.350. Commissioner Mauer seconded the motion and all commissioners present voted in favor.*

*Commissioner Cowman asked Zoning Administrator Gabbert if staff had received any written or verbal comments from the public leading up to the meeting. Gabbert advised staff had not received any communication regarding this matter, and that it had been published in the Miami County Republic. No members of the public were present at the meeting. Commissioner Mauer made a motion to close the public hearing. Commissioner McLean seconded the motion, and all commissioners present voted in favor.*

Zoning Administrator Gabbert advised the proposed text amendments had two small changes since the previous meeting. He advised the title of the section was changed from "Keeping of Animals", to "Keeping of Farm Animals", as to not confuse the public on what the regulations were in reference to. He also said there was a small word change in the bee keeping section, per Commissioner Park's recommendation.

*Commissioner McLean made a motion to recommend approval of the text amendment for Section 03.350 of the Land Development Ordinance. Commissioner Mauer seconded the motion, and all commissioners present voted in favor.*

**Item 4: PUBLIC HEARING - Consideration and vote to recommend approval of a text amendment to Section 07.102 of the Land Development Ordinance.**

*Commissioner McLean made a motion to open the public hearing for a text amendment of LDO Section 07.102. Commissioner Dees seconded the motion and all commissioners present voted in favor.*

*Commissioner Cowman asked Zoning Administrator Gabbert if staff had received any written or verbal comments from the public leading up to the meeting, and he advised staff had not received any communication regarding this matter either. No members of the public were present at the meeting. Commissioner Mauer made a motion to close the public hearing. Commissioner McLean seconded the motion, and all commissioners present voted in favor.*

Zoning Administrator Gabbert presented the following information:

City staff has recently found that a subsection in the LDO is not in compliance with Kansas Statute 25-2711. This section of the LDO was updated in 2010, and the statute was introduced in 2015. Staff is proposing a change of Section 07.102 (A)(5), to be consistent with Kansas Statute.

The current sign exemption subsection is listed below:

**SECTION 07.102 TOTAL EXEMPTIONS**

A. Total Exemptions. The following signs shall be exempt from the requirements of this Article, except for the provisions of Section 07.104 and 07.220.

5. Political campaign signs, not exceeding four (4) square feet in area, displayed during no more than a four-week period preceding and a one-week period following an election.

KSA 25-2711 is as follows:

**25-2711. Placement of political signs during election period.** No city or county shall regulate or prohibit the placement of or the number of political signs on private property or the unpaved right-of-way for city streets or county roads on private property during the 45-day period prior to any election and the two-day period following any such election. Cities and counties may regulate the size and a set-back distance for the placement of signs so as not to impede sight lines or sight distance for safety reasons.

Staff's suggestion is to amend subsection 5 to read as follows:

5. Political campaign signs, not exceeding four (4) square feet in area, displayed during no more than a 45-day period preceding and a two-day period following an election.

### **Recommendations**

Staff recommends the proposed text amendment be approved.

### **Findings**

1. The application is consistent with §21.212 of the LDO by addressing new use(s), changing conditions, and/or clarifying existing language.
2. The application will not be detrimental to the health, safety, or general welfare of the community.

*Commissioner Cowman made a motion to recommend approval of the text amendment for Section 07.102 of the Land Development Ordinance. Commissioner Dees seconded the motion, and all commissioners present voted in favor.*

### **Item 5: Community / Economic Development Director Report**

Zoning Administrator Gabbert advised that Paola is up to 421 building permits for the year and he expects to surpass 2023's permit total of 423 by the end of the year. He said the department has issued 2 new home permits recently, has 2 new home permits awaiting payment, and a couple more in the planning process. Gabbert said the Walmart remodel plans were reviewed and approved, and their projected start date would be in the middle of May. At the November City Council meeting the final site plan for AEC was approved, and the City Council approved Kimley-Horn to complete

the Transportation Safety Action Plan for Paola. Gabbert advised the January Planning Commission meeting was tentative on the Tiny Homes final site plan being completed.

Commissioner McLean asked about the progress of the new VA clinic and Gabbert advised staff would be completing a temporary occupancy inspection soon. Gabbert said that the City Council also approved a new section in the city building code, requiring erosion control on building sites.

**Item 6:       Adjournment**

*After some more discussion, Commissioner McLean made a motion to adjourn. The motion was seconded by Commissioner Mauer, with all commissioners present voting in favor.*