

# STAFF REPORT

DATE: 08/08/2025

TO: Bel Aire Planning Commission

FROM: Paula Downs

RE: Planning Commission Bylaws

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## STAFF COMMUNICATION

FOR MEETING OF	8/14/2025
CITY COUNCIL	
INFORMATION ONLY	

### SUMMARY: Planning Commission Bylaws

#### Background:

#### May 8, 2025- Planning Commission Meeting

The Planning Commission was provided with the draft Planning Commission Bylaws for review and feedback. Discussion included:

Staff provided an overview of the draft Bylaws document. The current document was developed and approved in 1991. The document was updated by staff to update and modernize the language. Paula stated that the black font text was the original text contained in the 1991 document. Blue font text is updated language to reflect current information and added language.

Staff also reviewed surrounding area Planning Commission Bylaws to identify language that might be useful.

Commissioners talked about the importance of attendance. Discussion around the total number of meetings to miss in a calendar year was considered. It was suggested that six missed meetings were too many and that once a quarter might be better. It was further discussed that five (5) meetings missed in a calendar year are acceptable.

There was additional discussion around the number of consecutive meetings that could be missed. The draft document stated more than three, Commissioners requested removing the " more than" and leaving it that absences for three consecutive regular meetings could result in removal.

Commissioners also suggested adding language to review the Bylaws annually to allow for updates to be made. Staff suggested an annual discussion in the fall.

One modification was pointed out in Section 1- should remove " City of Derby" and replace it with City of Bel Aire. Commissioners requested time to review the document and provide suggestions via direct email to Paula. Paula will put together language to finalize and approve at the June 12 Planning Commission meeting.

## **June 12, 2025- Planning Commission Meeting**

The Planning Commission reviewed recommended Planning Commission Bylaws for approval. The Planning Commission tabled the Bylaws as presented for additional time to review and make updates.

Planning Commission discussed the document and provided several modifications. The detailed updates are included in the June 12, 2025, meeting minutes.

Staff noted updates and clarifications that needed to be made in the document.

### **Current Discussion:**

#### **Bylaw Overview:**

The Bylaws contain the following Articles:

- ARTICLE 1 – CREATION, MEMBERSHIP, AUTHORITY AND DUTIES
- ARTICLE II – OFFICERS, ELECTIONS AND DUTIES
- ARTICLE III – MEETINGS
- ARTICLE IV – CONDUCT OF MEETINGS
- ARTICLE V – HEARING PROCEDURES
- ARTICLE VI – COMMITTEES
- ARTICLE VII – AMENDMENTS TO BYLAWS

Each article has been updated to include all modifications requested by the Planning Commission and staff updates. Staff reviewed the document in detail to ensure there was no conflicting language, that all Kansas statutes referenced were accurate and that the language was clear and accurate.

The Planning Commission will review the Bylaws every three years; however, the Bylaws can be updated at any time should additional needs arise.

### **Planning Commission Review:**

Planning Commission has been involved in reviewing the Bylaws and has provided modifications to be included. Current discussion is to provide any final modifications to the plan you feel is appropriate.

### **Staff Recommendation:**

Staff recommend that the Planning Commission Bylaws be approved with any appropriate modifications identified by the Planning Commission.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ESTABLISHING BYLAWS FOR THE  
CONDUCT OF BUSINESS BY THE PLANNING COMMISSION  
OF THE CITY OF BEL AIRE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

**ARTICLE 1 – CREATION, MEMBERSHIP, AUTHORITY AND DUTIES**

**SECTION 1. CREATION.** Pursuant to City ordinance and state law the Bel Aire City Planning Commission, hereinafter referred to as the “Commission,” was established by Ordinance No. 11 which was published on May 8, 1981. The Commission was re-established with new parameters by the Governing Body by the adoption of Ordinance No. 195 which was passed and approved and became effective on January 1, 1992. Ordinance 275 amended Ordinance 195 to designate the Commission to serve as the City Board of Zoning Appeals. Ordinance 357 amended Ordinance 275 to address how to appoint and remove members from the Planning Commission and Board of Zoning Appeals which was passed and approved and became effective on January 15, 2002.

**SECTION 2. MEMBERSHIP.** The Commission consists of seven members serving staggered three-year terms of whom five shall be residents of the City of Bel Aire, Kansas and two such members shall reside outside of the City, but within three miles of the corporate limits of the City. Members are appointed by the Mayor with the consent of the City Council. After the appointment, members will take office at the next regular meeting of the Commission.

In the event of a vacancy on the Planning Commission the Mayor shall select an individual to fill such vacancy for the remainder of the term in accordance with the same procedures used to select the original Commissioner.

A Commissioner may be removed by the Mayor. Such removal and selection of a new Commissioner shall be in accordance with the same procedures used to select the original Commissioner.

In the event a Commissioner resigns a successor shall be selected in the same manner used to select the original Commissioner.

45 **SECTION 3. ATTENDANCE.** Regular attendance is an important responsibility for  
46 membership. Maintaining a quorum for voting purposes is especially important. Any  
47 member that absences themselves for three consecutive regular meetings or misses a total  
48 of five meetings during a calendar year, the Secretary will provide written notice to the  
49 City Manager, and the Mayor who may elect to remove the member.  
50

51 **SECTION 4. CONFLICT OF INTEREST.** Members of the Commission shall be aware  
52 at all times of their responsibility to the citizenry of the City of Bel Aire and to the residents  
53 of the surrounding Planning Area and shall refrain from any recommendation or action that  
54 would benefit individuals or special interest groups rather than serve the best interest of the  
55 entire community. In furtherance of this responsibility, members shall refrain from  
56 recommending or acting on any matter before the Commission in which they have, either  
57 directly or indirectly, any financial interest or use their influence or position to show  
58 favoritism that could lead to the development of a clientele at a later date.  
59

60 If a member is asked if they have a conflict of interest on a matter before the Commission,  
61 that member shall publicly announce the conflict and excuse themselves from the meeting  
62 room until the matter has been addressed by the remaining Commission members. If there  
63 is a question or a real or perceived conflict of interest, the affected member should contact  
64 the Secretary and City Attorney for an interpretation of the situation prior to the meeting.  
65

66 A member is automatically disqualified when they or their spouse own property in the  
67 notification area of a zoning application.  
68

69 **SECTION 5. AUTHORITY.** The Commission is vested with the duties and  
70 responsibilities prescribed in Kansas Statutes Annotated K.S.A. 12-741, et seq., as  
71 amended, and 12-736.  
72

73 **SECTION 6. DUTIES.** As provided for by the statutes referred to in Section 5, the duties  
74 of Commission shall be:  
75

- 76 1. Make or cause to be made, adopt and maintain an official Comprehensive Development  
77 Plan for the City and any unincorporated territory lying outside the City but within  
78 Sedgwick County which in the Commission's opinion forms the total community of  
79 which the City is part, subject to the approval of the Governing Body by ordinance  
80 (K.S.A. 12-747);
- 81 2. Annually review or reconsider the Comprehensive Plan at least once a year at the  
82 November meeting to determine if the Plan or any portion thereof has become obsolete  
83 and to report such status to the Governing Body or propose remedial amendments,  
84 extensions or additions to the plan (K.S.A. 12-747[d]);
- 85 3. Determine the conformance to the Comprehensive Plan of public improvements,  
86 facilities or utilities of a type embraced within the recommendations of the Plan which  
87 are proposed for construction or authorization and to report upon such conformance or  
88 nonconformance within 60 days to the Governing Body unless conformance is

- 89 otherwise determined by reviewing the City's capital improvement program (K.S.A.  
90 12-748).
- 91 4. Prepare, adopt and maintain Zoning Regulations for the City to recommend the  
92 approval of such regulations to the Governing Body; and to hold hearings and make  
93 recommendations on all amendments thereto and zoning applications including zoning  
94 cases in the Metropolitan Area Planning Commission (MAPC) Urban Area of Influence  
95 (K.S.A. 12-753 through 12-759 and 12-763).
- 96 5. Prepare, adopt and maintain Subdivision Regulations for the City and extraterritorial  
97 jurisdiction; to recommend the approval of such regulations by the Governing Body;  
98 and to process and approve plats and to transmit them to the Governing Body for the  
99 acceptance of dedications thereon (K.S.A. 12-749, 751(a), 752 and 764).
- 100 6. Prepare and approve plans for neighborhoods and special project areas;
- 101 7. Maintain planning reference files of plans, reports, maps ordinances, regulations and  
102 policies accessible to officials, developers and citizens;
- 103 8. Maintain cooperation and coordination with the trustees of the surrounding  
104 township(s), U.S.D. #259, USD #375, the Wichita-Sedgwick County Metropolitan  
105 Area Planning Commission and Department and with such other county, regional and  
106 state planning entities as may be deemed appropriate; and
- 107 9. Make recommendations to the Wichita-Sedgwick County Metropolitan Area Planning  
108 commission on all plats proposed in the Bel Aire planning area outside the City and  
109 on all zoning items proposed for hearings within the MAPC Zoning Area of Influence  
110 as well as for any proposed revisions to County rules or regulations which might affect  
111 the development of the planning area; and
- 112 10. Hold hearings, provide plans for and/or make recommendations on such other matters  
113 as may be periodically assigned to the Commission by the Governing Body.
- 114 11. Ensure productive meetings by requiring members to read all pre-circulated materials  
115 and be ready to participate actively in discussions related to agenda items. Failure to  
116 do so may impact participating in discussions or voting on matters requiring informed  
117 consent.
- 118

119 **SECTION 7. COMPENSATION.** Members of the Commission shall serve without  
120 compensation for their services; however, the members may request reimbursement for  
121 their out-of-pocket expenses including travel when related to attendance at external  
122 conferences and/or meetings subject to approval of the Governing Body.

123

## 124 **ARTICLE II -- OFFICERS, ELECTIONS AND DUTIES**

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126 **SECTION 1. OFFICERS.** The officers of the Commission shall consist of a Chairperson,  
127 Vice-Chairperson and Secretary. The Chairperson and Vice Chairperson shall be members  
128 of the Commissions. The Secretary shall be the City of Bel Aire Zoning Administrator and  
129 shall provide duties in support of the Planning Commission (K.S.A. 12-745).

130

131

**SECTION 2. ELECTIONS.** At the regular Commission meeting in October of each year, the officers shall be nominated and those persons receiving the highest number of votes shall be deemed elected. Officers shall take office at the next regular scheduled meeting of the Commission and serve for one year. Officers may serve for more than one term.

**SECTION 3. DUTIES.** The duties of the officers shall be:

1. The Chairperson shall preside over all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both the Chairperson and the Vice-Chairperson, the Senior Commissioner (the person serving the longest period of time on the Commission) shall act in the manner and capacity of the Chairperson. The Chairperson shall sign all minutes and other official papers and documents to indicate that they have been approved by the Commission. The Chairperson shall represent the Commission at all meetings with other groups unless another member is designated to perform that function.
2. The Vice-Chairperson shall act in the manner and capacity as the Chairperson in the absence of the Chairperson.
3. The Secretary, or their designee, shall perform the following duties:
  - a. Prepare the minutes of each Commission meeting and submit them to the Commission for approval. Commission meetings are recorded and once the Commission has approved the minutes the recording is deleted. When the Secretary attests to the approved minutes the Secretary is attesting that the votes of the members are accurate from that specific meeting.
  - b. Maintain the official minutes as approved and signed by the Chairperson and the Secretary or their designees and post minutes to the City of Bel Aire website or such other repository as may be established from time to time;
  - c. Attest to resolutions and certificates adopting the Comprehensive Plan and amendments thereto and to maintain the official Comprehensive Plan documents and accompanying adoption materials and ordinances;
  - d. Distribute to each Commission member all current materials relating to the Comprehensive Plan, Zoning and Subdivision Regulations and Zoning Map and maintain official copies of the same pursuant to City Code and state law; and
  - e. Prepare and distribute agendas for each Commission meeting in coordination with the Chairperson. (See Article III, Section 7 on Agendas).

### **ARTICLE III – MEETINGS**

**SECTION 1. REGULAR MEETINGS.** Regular meetings of the Commission will be on the second Thursday of every month, unless changed by the Commission. All meetings shall be held in the Council Room of City Hall beginning at 6:30 p.m.; provided, however, that the Commission may vote to adopt another hour, date, or place of meeting. Any such change shall be published for the convenience of persons having business before the Commission.

174 **SECTION 2. SPECIAL MEETINGS.** Special meetings may be called by the  
175 Chairperson or in the Chairperson's absence by the Vice-Chairperson or Senior  
176 Commissioner upon written request of any three members of the Commission. When a  
177 special meeting is called, reasonable notice as to date, time, place, manner and purpose for  
178 the meeting shall be given by the Chairperson at least 24 hours before the meeting by mail,  
179 hand delivery or telephone. The announcement of a special meeting at a regular meeting  
180 shall constitute notice to those persons present. Commission members and the Governing  
181 Body shall be notified by the Chairperson including all persons designated to receive  
182 agendas on a regular basis. (See Article III, Section 7 on Agendas.). No items other than  
183 those identified in the notice shall be considered at a special meeting.  
184

185 **SECTION 3. ADJOURNED MEETINGS.** If the business before the Commission is not  
186 completed, the Commission by motion may adjourn the meeting or a specific agenda item  
187 to a specified date, time and place until the matters on the original agenda or the specified  
188 item are acted upon. When such a motion is made known to those persons in attendance,  
189 no further notice need be given.  
190

191 **SECTION 4. OPEN MEETINGS AND CLOSED SESSIONS.** Pursuant to the Kansas  
192 Open Meetings Act, all meetings of the Commission except for executive sessions are open  
193 to the public. Closed sessions, if deemed necessary, may be held in accordance with the  
194 provisions of the Kansas Open Meeting Act. The motion to recess for a closed/executive  
195 session shall be placed in the minutes and include (a) a statement describing the subjects  
196 to be discussed; (b) the statutory justification for closing the meeting; and (c) the time and  
197 place at which the open meeting will resume, all in accordance with the Kansas Open  
198 Meetings Act, K.S.A. 75-4317 *et seq.* In such closed sessions, no binding vote or action  
199 may be taken.  
200

201 **SECTION 5. WORKSHOP SESSIONS.** The Commission may meet at a regular or  
202 special meeting in a workshop session for a general discussion on one or more topics or for  
203 a training session; however, the Kansas Open Meetings Act applies, and no binding action  
204 may be taken. While regular minutes are not required, a record of attendance and a  
205 summary of the subject(s) discussed should be made.  
206

207 **SECTION 6. QUORUM.** A quorum for the conduct of business shall be four members.  
208 In the absence of a quorum at any meeting the presiding officer after consultation with the  
209 members present may announce the meeting will not take place. The presiding officer will  
210 wait ten (10) minutes and then make the announcement. The Secretary will note which  
211 Commissioner's were present and note that no action was taken on any of the agenda items.  
212 In addition, the Secretary will note anyone present at the meeting and specifically what  
213 agenda item(s) they were present for.  
214

215 If there is a loss of a quorum during a meeting, the presiding officer after consultation with  
216 those members present, may adjourn the meeting to a specified date, time and place or  
217 similarly table any unheard an agenda item. When such information is made known to  
218 those persons in attendance, no further notice needs to be given. The Secretary will note  
219 which Commissioner's left the meeting and note that no action was taken on any of the

agenda items yet to be heard. In addition, the Secretary will note anyone present at the meeting and specifically what agenda item(s) they were present for.

Members abstaining from voting may be counted when determining whether a quorum is present; however, members having a conflict of interest or who are disqualified from voting may not be counted as part of the quorum for the item where they have a conflict of interest or are otherwise disqualified from voting.

If a majority of Commissioners have a conflict of interest on a specific agenda item, they will request that the Governing Body hear the item in a public hearing format. The agenda item will require renotification to all required individuals.

**SECTION 7. AGENDAS.** The Secretary shall oversee the preparation of an agenda of all matters to come before the meeting and to have it posted on the City of Bel Aire website with the link shared, via email, to the Commission members in advance of the meeting. Copies of the agenda shall be posted to the City of Bel Aire website, or such other repository as may be established from time to time and be furnished to each party having an item on the agenda and to any person requesting an agenda or a notice of the date, time and place of a regular or special meeting of the Commission under the Kansas Open Meetings Act. K.S.A. 75-4318 (b) and(d). Any member of the Commission may place items on the agenda by advising the Secretary, or their designee, no later than noon on the seventh day preceding the next regular meeting. If the number of applications received for zoning or platting creates an unduly long Commission meeting, the Secretary may carry over such items on a first-come, first-served basis to the next Commission meeting unless already advertised for public hearing.

**SECTION 8 RECORDING OF MEETINGS.** The Secretary or their designee shall keep complete records of all proceedings of the Commission. The Secretary or their designee shall prepare and maintain permanent minutes to be available for public view. Minutes shall be posted on the City of Bel Aire website or may be furnished to all persons or bodies making such a request to the Secretary or City Clerk. The Secretary or City Clerk may make such charges as are necessary to recover the cost of making such copies.

## **ARTICLE IV – CONDUCT OF MEETINGS**

**SECTION 1. ORDER OF BUSINESS.** The general order of business shall be as follows unless otherwise decided by the Commission:

- a. Call to Order
- b. Roll call
- c. Pledge of Allegiance to the American Flag
- d. Consent Agenda
- e. Approval of the Agenda
- f. Approval of the minutes
- g. Announcements
- h. Old and New Business



- i. Staff reports
- j. Public hearings
- k. Approval of Next Meeting Date
- l. Current Events- Upcoming Agenda Items and Events
- m. Adjournment.

Off-agenda items may be added to the agenda and scheduled items may be removed from the agenda at the beginning of a regular meeting by motion approved by a majority of the Commission members present and voting. No items may be added to the agenda of the special meeting.

**SECTION 2. APPEARANCE BEFORE THE COMMISSION.** When a public forum or public hearing is held, applicants and petitioners or their representatives and members of the community at large or individuals or their representative who feel that they will be affected by any action of the Commission may appear to present views and statements either for or against agenda items. Personal appearance before the Commission is recommended; however, written communication may be submitted to the Commission. The commission may at their discretion to table postpone items coming before the Commission if the applicant or petitioner is not present and has not submitted written communication.

**SECTION 3. ACTIONS.** In all formal matters, the Commission shall act by motion unless an ordinance or resolution is required by law or governmental regulations. All notices required by law to be given by publication including those for public hearings shall be published in the officially designated city newspaper. Substantive motions before the Commission shall be restated by the presiding officer before a vote is taken. Every motion on a substantive matter shall set forth reasons based on the discussion. Action shall be taken on each agenda item presented at the conclusion of discussion of that item.

**SECTION 4. VOTING.** Unless otherwise provided by state law or by ordinance of the City, the Commission shall act by a majority vote of the members present and voting. A record of all proceedings of the Commission shall be kept. Voting shall be by individual voice "Aye" or "Nay" ballot, written ballot or show of hands; shall be tallied and the results determined by the presiding officer. In the event of a tie or a divided vote, see Article IV, Section 5 paragraph 8 and 9.

**SECTION 5. PARLIAMENTARY PROCEDURE.** All meetings of the Commission shall be conducted in accordance with the current edition of Robert's Rules of Order-except insofar as modified by these Bylaws and procedures adopted by the Commission, unless otherwise required by state law:

1. A second shall be required for all motions.
2. The presiding officer shall have the right to make motions and to second motions without vacating the chair.
3. Substitute motions may be made for prime motions provided that substitute motions are voted on before the prime motion. Substitute motions shall be made only once and

- shall be debatable only if the prime motions were debatable. A substitute motion may be made without the consent of the maker of the prime motion.
4. Motions to reconsider any items shall be made by one of the members voting in favor of the item to be reconsidered. Motions to reconsider shall only be considered at the same meeting at which the item was decided.
  5. The Commission may suspend the rules provided that: (a) the motion to suspend the rules takes precedence over other prime motions; (b) the motion shall state the specific purpose and rule to be suspended; (c) no such motion shall be considered approved unless the length of time such suspension will be in effect has been specified; (d) the motion shall be approved by a majority of the quorum; and no suspension of the rules shall be considered permanent.
  6. If participation from the floor (audience) is repetitious; or when the course of business due to the number of matters to be considered and/or number of people requesting to be heard will not reasonably permit further participation, the presiding officer may reduce their speaking time to five minutes or something less. Those persons speaking on a given item from the floor should first be recognized and then address their remarks to the presiding officer. Each member of the Commission may speak to an issue as many times as may be desired.
  7. The presiding officer shall have the right to vote. If the officer chooses not to vote, he or she shall automatically be considered to have abstained from voting.
  8. When a divided vote occurs, the presiding officer shall call for a roll-call vote. The Secretary shall enter into the minutes the result by name of all roll-call votes.
  9. Any member abstaining or remaining silent on a vote shall be considered to have voted with the majority vote of those who voted; provided that, such member does not have a conflict of interest or bias in the matter that would otherwise disqualify them from voting. In the event of an equally divided vote, the vote of a member abstaining or remaining silent is not to be counted. Members who do abstain or remain silent on a vote are still counted as present in determining a quorum.
  10. Members shall automatically be disqualified from voting when they or their spouse own property in the area of notification for a zoning application. Such abstention shall not prevent them from signing a protest petition or appearing before the Commission to speak on the zoning application. When a member is disqualified from voting, they cannot be counted as present for the quorum for that item.
  11. Subject to these provisions, the presiding officer shall decide all points of order and procedure, unless it is overruled by a majority vote of the entire membership of the Commission.

348 **ARTICLE V – HEARING PROCEDURES**

349  
350 **SECTION 1. INTENT AND PURPOSE.** It is the intent of the Commission to hold fair  
351 and impartial hearings on all matters requiring a public hearing at which adequate legal  
352 notice has been given to all concerned parties. The purpose of such hearings is to make it  
353 clear that decisions are based on the relevant evidence presented and that well organized  
354 hearings and procedures will lead to legally defensible decisions which are not arbitrary,  
355 discriminatory or unreasonable. To ensure fairness, the hearing room should be able to  
356 accommodate all persons wishing to attend and to enable them to properly hear the  
357 proceeding.

358  
359 *Ex parte* contacts, i.e., those contacts in the forms of verbal or written communications  
360 outside of a hearing are discouraged. Commission members should (a) come to a hearing  
361 favoring neither side; (b) have no personal interest in the outcome other than that shared  
362 by the community-at-large; (c) treat both sides fairly and impartially; and (d) base their  
363 decision solely on the facts presented as evidence before the Commission. Any facts  
364 determined by personal investigation should be reported to the Commission at the hearing  
365 as *ex parte* information.

366  
367 **SECTION 2. ORDER OF PROCEEDINGS FOR PUBLIC HEARINGS.** Proceedings  
368 requiring public hearings are considered quasi-judicial proceedings. The latter includes  
369 the procedural due process elements of notice and opportunity to be heard in a fair, open  
370 and impartial manner. According to K.S.A. 12-757, the planning commission must create  
371 an accurate written summary of the proceedings during public hearings on proposed zoning  
372 amendments. This summary should include the evidence presented, findings of fact, and  
373 the factors considered in reaching a decision to recommend approval or denial of a zoning  
374 change. Additionally, the minutes should reflect the planning commission's  
375 recommendations and the reasons for those recommendations, which are then submitted to  
376 the governing body for further action K.S.A. 12-757, K.S.A. 12-756. The following order  
377 of proceedings shall be used for all such public hearings:

- 378 1. Determination that a quorum is present.
- 379 2. Determination that proper notice has been given.
- 380 3. Report of *ex parte* contacts with Commission members.
- 381 4. Introduction of application by staff.
- 382 5. Presentation by applicant shall be limited to five minutes unless such time is extended  
383 by the commission.
- 384 6. Commission and staff question applicant.
- 385 7. Public comments on proposed application. Each presenter shall speak no more than  
386 once per issue and shall be limited to five minutes unless such time is extended by the  
387 commission.
- 388 8. Receipt of written communications or petitions.
- 389 9. Applicant presents closing comments, which shall be limited to five minutes unless  
390 such time is extended by the commission
- 391 10. Staff presents closing comments.

- 392 11. Public portion of the hearing closed by the presiding officer.  
393 12. Planning Commission deliberations.  
394 13. Review findings and factors on which recommendation is based.  
395 14. Motion to recommend to the Governing Body the approval, disapproval or  
396 modification of the application or to table the agenda item to a specific date, time and  
397 place.

398 While no further public comments will be received after the hearing is closed, the  
399 Commission may question any participant at any time during the proceedings.  
400

401 **SECTION 3. LEGISLATIVE HEARINGS.** Hearings for the adoption of  
402 comprehensive plans and zoning and subdivision regulations and amendments thereto are  
403 considered legislative in nature. The order of proceedings for public hearings in Article V,  
404 Section 2 above may be modified for a legislative hearing as to the role of the applicant  
405 and the findings and factors on which a decision is based. In any event, the Commission's  
406 recommendation to the Governing Body shall be in writing accompanied by a written  
407 summary of the hearing thereon.  
408

#### 409 **ARTICLE VI – COMMITTEES**

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411 **SECTION 1. COMMITTEES AND LIAISON REPRESENTATIVES.** The  
412 Chairperson, with the consent of the Commission, may appoint standing and ad hoc  
413 committees and liaison representatives as may be needed to assist in the business of the  
414 Commission. The membership of such committee(s) and liaison representatives may  
415 consist of all Commission members or part Commission members or by all noncommission  
416 members. All such committees and representatives shall be provided with a formal charge  
417 and shall report to the Commission their findings and recommendations, unless otherwise  
418 directed.  
419

420 All standing committees and liaison representatives shall be appointed at the next regular  
421 Commission meeting following the election of officers. They shall take office following  
422 the meeting of their appointment and serve for one year or until their successor has been  
423 appointed. Such committees may elect officers unless otherwise designated by the  
424 Chairperson and establish such rules of procedure as they deem desirable.  
425

#### 426 **ARTICLE VII – AMENDMENTS TO BYLAWS**

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428 **SECTION 1. AMENDMENTS.** The Commission may, by a majority vote of the entire  
429 membership thereof, and upon approval by the Governing Body of the City, amend these  
430 Bylaws or any provisions or sections thereof, at any time when the same is not in conflict  
431 or in contradiction of any of the laws of the State of Kansas or ordinances of the City of  
432 Bel Aire, Kansas. The Commission shall review the Bylaws, no less than every three (3)  
433 years to ensure timely and appropriate updates are made if necessary.  
434

435 Notices of the proposed amendments shall be furnished by the Secretary to all members of  
436 the Planning Commission and the Governing Body not less than seven calendar days prior

437 to the meeting at which such amendments are to be considered. A current copy of the  
438 Bylaws of the Commission and such amendments thereto as may from time to time be  
439 adopted, shall be maintained by the Secretary and filed with the City Clerk  
440

441 **SECTION 2. ADOPTED.** The above and foregoing Bylaws are hereby adopted as the  
442 Bylaws of the City of Bel Aire City Planning Commission and recommended for approval  
443 of the Governing Body of the City of Bel Aire, Kansas.  
444

445 **SECTION 3. SEVERABILITY.**

446 In the event that any portion or section of this ordinance is determined to be invalid,  
447 illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no  
448 manner affect the remaining portions or sections of this ordinance which shall remain  
449 in full force and effect.  
450

451 **SECTION 4. EFFECTIVE DATE**

452 This ordinance shall take effect and be in force from and after its publication in the  
453 official city newspaper.  
454

455 **SECTION 5. REPEALER**

456 All other ordinances or parts of other ordinances in conflict herewith are repealed.  
457 However, any section of an existing ordinance not in conflict herewith is not repealed  
458 and remains in full force and effect.  
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463 *[Remainder of this page intentionally left blank]*  
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PASSED by the Planning Commission of the City of Bel Aire, Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

SIGNED by the Presiding Officer on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

CITY OF BEL AIRE, KANSAS

\_\_\_\_\_  
Phillip Jordan, Chairperson

ATTEST:

\_\_\_\_\_  
Paula L. Downs, Secretary

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Maria A. Schrock, City Attorney

PASSED, ADOPTED, AND APPROVED by the Governing Body of the City of Bel Aire, Kansas,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

SIGNED by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

CITY OF BEL AIRE, KANSAS

\_\_\_\_\_  
Jim Benage, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Krehbiel, City Clerk

APPROVED AS TO FORM ONLY:

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Maria A. Schrock, City Attorney