



## Project Facts

### Applicant

City of Lansing

### Owner

N/A

### Address

N/A

### Property ID

N/A

### Requested Approvals

By-Law Revision

## Summary

The Planning Commission Bylaws have remained unchanged for a number of years. Upon review by Staff, it was determined that the practice of the Planning Commission does not match the Bylaws requirements. Staff has provided a redline copy of the Bylaws to highlight changes that are suggested to better support the Planning Commission through revised by-laws. There were a few items that were confusing that Staff seeks to amend to clarify and make more transparent within the Bylaws.

## Recommendation

Staff recommends approval of Case 2023-DEV-011, Lansing Planning Commission Bylaws Revision.

## Action Options

1. Approve Case No. 2023-DEV-011; or
2. Deny Case No. 2023-DEV-011 for specified reasons; or
3. Table the case to another date, time and place.

## CITY OF LANSING, KANSAS

### PLANNING COMMISSION

#### BYLAWS, RULES, AND REGULATIONS

The following rules and regulations governing the procedures of the Planning Commission are adopted in accordance with the planning laws of the State of Kansas.

#### ARTICLE I--MEMBERSHIP

1. The City Planning Commission shall consist of ~~seven-eight-seven~~ appointees, of which number, two members may reside outside of, but within three (3) miles of the corporate limits of the City or the designated Urban Growth Area, and the remaining members shall be residents of the City. Each member shall be appointed by the Mayor, with the approval of the City Council, for terms of three years each. Vacancies shall be filled by appointment for the unexpired term only. Members of the Planning Commission shall serve without compensation for their service. Members of the Planning Commission may be removed for cause as provided by law.
2. When any member is absent for three (3) consecutive regular monthly meetings or four (4) regular meetings within any one calendar year, the Secretary of the Planning Commission shall notify the Mayor by delivering to the City Clerk, in writing, the name of the individual, and the dates of the meetings missed. The City Clerk shall cause the matter to be placed on the agenda for consideration of the governing body at the next regular meeting or shortly thereafter. The City Clerk shall, upon receipt of the written notice from the Secretary of the Planning Commission, notify the individual of date and time of the meeting at which the matter shall be considered by the governing body. At the time of consideration, the Mayor, with the consent of the City Council, may declare a vacancy existing and proceed to appoint a successor for the remaining term of the vacant position by majority vote, or the governing body may continue the consideration of the vacancy or the appointment of a successor.

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## ARTICLE II--OFFICERS

1. The Planning Commission shall organize annually at the first regular meeting in May, after the annual appointment of new members.
2. The Commission shall elect a Chairman and, a Vice-Chairman, ~~and a Secretary (unless one is provided by the city staff)~~ from among the appointed members at the annual organizational meeting. The Secretary shall be a member of City Staff. The officers shall serve for one year. A member of the Planning Commission shall be appointed by the City Council to the Board of Zoning Appeals, in the same manner as other members of the Board of Zoning Appeals. In the event that such member's term shall expire, the position on the Board of Zoning Appeals shall become vacant simultaneously with the expiration thereof.
3. The Chairman shall preside at all meetings and public hearings of the Planning Commission, shall decide all points of order and procedure, shall certify plans and subdivision plats, and shall transmit reports and recommendations of the Planning Commission to the governing body. The Chairman and the Secretary are required to certify plans and subdivision plats.
4. The Vice-Chairman shall assume the duties of the Chairman in his absence.
5. The Secretary shall be responsible for keeping the minutes of the Planning Commission, sending agendas to members of the Planning Commission, carrying out written correspondence, maintaining the records of the Commission, and performing such other duties as the Planning Commission may require.

## ARTICLE III--MEETINGS

1. The Planning Commission shall hold at least one (1) regular meeting each month on the third Wednesday, at a time designated by the Commission.
2. Special meetings of the Planning Commission for obtaining public opinion on a matter, discussion of a particular matter with interested parties, or the matters of regular commission business, may be called by the Chairman or, in his absence, by the Vice-Chairman. The Chairman shall call a special meeting of the Commission at the request of any three or more Commission members submitted in writing. If the Chairman fails to comply with such a request, the meeting shall be called by the said requesting members, all of whom must sign the notice. Notice of special meetings shall be given by the Secretary to the members of the Commission at least three (3) days prior to such meeting and shall state the purpose and time of the meeting.

3. All regular and special meetings, hearings and records shall be open to the public. Provisions for recessed executive sessions may be made pursuant to KSA 75-4319, but no formal action may be taken during such sessions.

4. ~~Four (4) Five (5) members~~Four (4); a majority of the Commission, shall constitute a required quorum for the transaction of business. If a quorum is not present at a regular or special meeting, those present may either adjourn the meeting or hold the meeting to consider such matters as are on the agenda. No action at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting at which a quorum is present, by approval of the minutes of that meeting at which a quorum was not present.

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5. The order of business at all meetings shall be as follows:

- a) Call to order
- b) Roll call or announcement of a quorum
- c) Approval of minutes
- d) Notices and communications
- e) Old business
- f) New business
- g) Reports of Commission officers and related personnel
- h) Adjournment

6. Motions shall be restated by the Chairman before a vote is taken. The name of the maker and supporter of a motion shall be recorded.

7. An affirmative vote of ~~at least three (3) four (4) members,~~ a majority of thea required quorum, shall be necessary to authorize any official action of the Commission, unless otherwise specified by statute. Where such a vote is not possible either for or against a particular proposal, the results of such action shall be submitted to the governing body with an explanation of the failure to establish an official vote on the subject in question. All members shall have a vote and shall vote when present, except that when any member shall abstain, he/she should identify the reason for such abstention, whether it be for cause or other reason.

8. When procedural and parliamentary rules adopted by the Planning Commission do not conflict, parliamentary procedure shall be according to "Robert's Rules of Order."

**ARTICLE IV--AGENDA SUBJECTS**

1. At a minimum of fifteen (15) days prior to a regularly scheduled meeting, any

interested party may make application for a place upon the agenda of a Planning Commission meeting; the Secretary of the Planning Commission may require that all data pertaining to such subjects be presented in writing at least twelve (12) days prior to the date of the Planning Commission meeting. Any member of the Commission, or the City Administrator, may place an item on the agenda by contacting the Commission Secretary at least seven (7) days prior to a meeting.

2. The Chairman shall review, prior to a regularly scheduled meeting, the agenda prepared by the Commission Secretary. Where the volume of the Planning Commission subjects may require such action, the Chairman of the Commission may postpone discussion of certain subjects until sufficient time is available for the members to give proper review to such subjects.
3. Agendas shall ordinarily be ~~mailed-provided~~ to the members of the Planning Commission so that they may review them at least seven (7) days prior to the Planning Commission meeting.
4. Subjects which are not listed on an official Planning Commission agenda will ordinarily not be considered at a meeting, unless unusual conditions voted on and approved by the Planning Commission justify such action. No item shall be discussed and acted on for which legal publication is required or which necessitates notification of adjoining property owners.

#### ARTICLE V--HEARINGS

1. Before the adoption or the recommendation for adoption of all or any part of the Comprehensive Plan, the Subdivision Regulations, or the Zoning Ordinance, the Planning Commission shall hold a public hearing on the matter.
2. The Secretary of the Planning Commission shall cause a notice of such public hearing to be published once in the official city newspaper and at least twenty (20) days shall elapse between the date of such publication and the date set for the hearing. (Such meeting can be held on the twenty-first day, day one being the day after the publication day.) Such notice shall fix the time and place for such a hearing and shall describe such proposal in "general terms."
3. Action by the Planning Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.
4. The Planning Commission may prepare recommendations and adopt the same by an affirmative vote of a majority of a quorum of the Planning Commission members ~~(3) (4)~~, or by an affirmative vote of a majority of all its members ~~(4) (5)~~ when required by law.

## **ARTICLE VI--RECOMMENDATIONS**

1. The Chairman or an authorized representative of the Planning Commission may appear before the governing body for the purpose of reporting recommendations of the Planning Commission.
2. The governing body will place on its agenda "Planning Commission Reports." Planning Commission reports to the governing body will be much in the same manner as other committee reports. Recommendations will be presented verbally and in written form using charts, graphs, pictures, maps, or any other media as applicable.

## **ARTICLE VII--COMMITTEES**

1. The Planning Commission may establish such committees as it deems advisable and assign each committee specific duties or functions.
2. The Chairman shall designate the members of each committee and shall name the chairman of each committee. The Planning Commission Chairman shall fill vacancies on committees as they are created.
3. A committee constitutes a miniature assembly and may act only when a quorum is present. When a committee originates a report, it must be complete when presented. All committee reports should close with a definite recommendation. A committee report is presented by the chairman of the committee.

## **ARTICLE VIII--RECORDS AND REPORTS**

1. The Commission shall keep a record of its resolutions, transactions, findings, and determinations.
2. All records of the Planning Commission shall be available for public review.
3. The Commission shall annually review the Comprehensive Plan to determine if any portion has become obsolete and shall make a report to the governing body regarding same on or before the first day of June of each year.
4. The Planning Commission shall, on or before the first Monday in May of each year, prepare and file with the governing body an estimate of the expenditures of the Commission for the ensuing fiscal year, itemizing the expenses, the amounts, and

the purposes.

**ARTICLE IX--PUBLICITY**

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**ARTICLE X--AMENDMENTS**

1. These rules of procedure may be amended by an affirmative vote by a majority of the Planning Commission members, provided such proposed amendment has been submitted in writing to each member of the Commission at least three (3) days prior to the meeting at which such action is to be taken.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

PLANNING COMMISSION

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Secretary

# **CITY OF LANSING, KANSAS**

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By: \_\_\_\_\_  
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