

REFERENCE  
NOTEBOOK NO. 1

**ADMINISTRATIVE FORMS  
FOR THE  
PLANNING COMMISSION  
OF THE  
CITY OF DOUGLASS, KANSAS**

**PART 1**

**REESTABLISHMENT ORDINANCE  
AND BYLAWS**

**PART 2**

**COMPREHENSIVE DEVELOPMENT PLAN ADOPTION**

Prepared by

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May 25, 1994



PART 1

**ADMINISTRATIVE FORMS FOR  
REESTABLISHMENT ORDINANCE AND BYLAWS**

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
PC-1	Ordinance for Reestablishment of City Planning Commission (3)
PC-2	Bylaws of City Planning Commission (10)



ORDINANCE NO. 545

**AN ORDINANCE PROVIDING FOR THE REESTABLISHMENT OF THE DOUGLASS CITY PLANNING COMMISSION; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTMENTS OF ITS MEMBERS; DESCRIBING ITS POWERS AND DUTIES; DESIGNATING IT AS THE BOARD OF ZONING APPEALS AND PROVIDING FOR THE EXPENSES OF ITS OPERATION.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLASS, KANSAS:**

**Section 1. Commission Reestablishment.** There is hereby reestablished the Douglass City Planning Commission which is composed of seven members of which five members shall be residents of the City and two members shall reside outside the City, but within three miles of the corporate limits of the City. The Planning Commission was originally created by Ordinance No. 424 which was published on April 13, 1978.

**Section 2. Membership, Terms, Interest and Compensation.** The members of the Planning Commission shall be appointed by the Mayor with the consent of the City Council at the first regular meeting of the Council in May of each year and take office at the next regular meeting of the Commission. All members shall be appointed for staggered terms of three years each. The appointments shall be so made that the terms of office of the members residing outside of the corporate limits of the City do not expire within the same year. By the reestablishment of the Commission, all current members continue to serve their present terms of office. In case of death, incapacity, resignation or disqualification of any member, appointment to such a vacancy on the Commission shall be made for the unexpired term of the member leaving the membership. Should any member have a conflict of interest, either directly or indirectly, in any matter coming before the Commission, he or she shall be disqualified to discuss or vote on the matter. The Governing Body may adopt rules and regulations providing for removal of members of the Commission. Members of the Commission shall serve without compensation, but may be reimbursed for expenses actually incurred in the performance of their duties as deemed desirable by the Governing Body.

**Section 3. Meetings, Officers and Records.** The members of the Planning Commission shall meet at such time and place as may be fixed in the Commission's bylaws. The Commission shall elect one member as chairperson and one member as vice-chairperson who shall serve one year and until their successors have been elected. A secretary shall also be elected who may or may not be a member of the Commission. Special meetings may be called at any time by the chairperson or in the chairperson's absence by the vice-chairperson. The Commission shall adopt bylaws for the transaction of business and hearing procedures. All actions by the Commission shall be taken by a majority vote of the entire membership of the Commission; except that, a majority of the members present and voting at the hearing shall be required to recommend approval or denial of an amendment to the zoning regulations, a rezoning amendment or a special use permit. A proper record of all the proceedings of the Commission shall be kept. The Commission, from time to time, may establish subcommittees, advisory committees or technical committees to advise or assist in the activities of the Commission.

**Section 4. Powers and Duties.** The Governing Body and Planning Commission shall have all the rights, powers and duties as authorized in Kansas Statutes Annotated 12-741, et seq., and amendments thereto, which are hereby incorporated by reference as part of this Ordinance and shall be given full force and effect as if the same had been fully set forth. The Commission is hereby authorized to make or cause to be made, adopted and maintained a comprehensive plan for the City and any unincorporated territory lying outside of the City but within Butler County in which the City is located, which in the opinion of the Commission forms the total community of which the City is a part. The Commission shall also cause to be prepared, adopted and maintained zoning and subdivision regulations on all land within the jurisdiction designated by the Governing Body. The comprehensive plan and zoning and subdivision regulations are subject to final approval of the Governing Body by ordinance. Periodically, the Governing Body may request the Commission to undertake other assignments related to planning and land use regulations.

**Section 5. Board of Zoning Appeals.** The Planning Commission is hereby designated to also serve as the City's Board of Zoning Appeals with all the powers and duties as provided for in K.S.A. 12-759. The Board shall adopt rules in the form of bylaws for its operation which shall include hearing procedures. Such bylaws shall be subject to the approval of the Governing Body. Public records shall be kept of all official actions of the Board which shall be maintained separately from those of the Commission. The Board shall keep minutes of its proceedings showing evidence presented, findings of fact, decisions and the vote upon each question or appeal. A majority of the members of the Board present and voting at the hearing shall be required to decide any appeal. Subject to subsequent approval of the Governing Body, the Board shall establish a scale of reasonable fees to be paid in advance by the appealing party. The present membership of the Board of Zoning Appeals shall be disbanded effective February 18, 1992.

**Section 6. Budget.** The Governing Body shall approve a budget for the Planning Commission and make such allowances to the Commission as it deems proper, including funds for the employment of such employees or consultants as the Governing Body may authorize and provide, and shall add the same to the general budget. Prior to the time that moneys are available under the budget, the Governing Body may appropriate moneys for such purposes from the general fund. The Governing Body may enter into such contracts as it deems necessary and may receive and expend funds and moneys from the state or federal government or from any other source for such purposes.

**Section 7. Invalidity of A Part.** Any provisions of this Ordinance which shall be declared to be unconstitutional or otherwise invalid shall not affect the validity and authority of any other sections of said Ordinance.

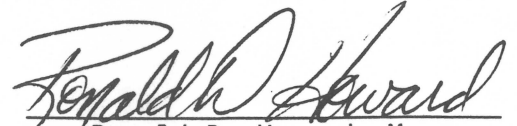
**Section 8. Repeal.** Ordinance No. 424 and Chapter XVI, Article 1, Sections 16-101 to 104 of the City Code are hereby repealed and all other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 9. Effective Date.** This Ordinance shall take effect after its passage, approval and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL this 12<sup>th</sup> day of February, 1992.

APPROVED BY THE MAYOR this 12<sup>th</sup> day of February, 1992.

(S E A L)

  
Ronald D. Howard, Mayor

ATTEST:

  
Carolyn K. Kellar, City Clerk

APPROVED AS TO FORM:

  
Michael G. Coash, City Attorney

(Published in The Augusta Gazette on February 17, 1992.)





## B Y L A W S

of the

### DOUGLASS CITY PLANNING COMMISSION

#### ARTICLE I -- CREATION, MEMBERSHIP, AUTHORITY AND DUTIES

**Section 1. Creation.** The Douglass City Planning Commission, hereinafter referred to as the "Commission," has been reestablished by the Governing Body by the adoption of Ordinance No. 545 which has been passed and approved and becomes effective on February 18, 1992. The Commission was originally created by Ordinance No. 424 which was published on April 13, 1978.

**Section 2. Membership.** The membership consists of seven members serving staggered three year terms of whom five shall be residents of the City of Douglass, 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 at their first regular meeting in May of each year and take office at the next regular meeting of the Commission. Vacancies are filled by appointment for the unexpired term.

**Section 3. Disqualification.** Regular attendance is an important responsibility of membership. Maintaining a quorum for voting purposes is especially important. Any member that absences himself or herself for more than three consecutive regular meetings or misses a total of one-half of the meetings during a calendar year for reasons not considered justifiable by the Commission shall be notified that the Commission will recommend to the Mayor that his or her membership be declared vacated and a replacement appointment be made.

**Section 4. Conflicts of Interest.** Members of the Commission shall be aware at all times of their responsibility to the citizenry of the City of Douglass and to the residents of the surrounding Planning Area and shall refrain from any recommendation or action that would benefit individuals or special interest groups rather than serve the best interests of the entire Planning Area. In furtherance of this responsibility, members shall refrain from recommending or acting on any matter before the Commission in which they have, either directly or indirectly, any financial interest or use their influence or position to show favoritism that could lead to the development of a clientele at a later date.

**Section 5. Authority.** The Commission is vested with the responsibilities of a planning commission as contained in the State Planning and Zoning Statutes, i.e., K.S.A. 12-741, *et seq.*, as amended, and 12-736.

**Section 6. Duties.** As provided for by the statutes referred to in Section 5, the duties of the Commission shall be:

1. To make or cause to be made, adopted and maintained an official Comprehensive Development Plan for the City and any unincorporated territory lying outside the City but within Butler County which in the Commission's opinion forms the total community of which the City is a part, subject to the approval of the Governing Body by ordinance (K.S.A. 12-747);

2. To annually review or reconsider the Comprehensive Plan at least once a year at the September meeting to determine if the Plan or any portion thereof has become obsolete and to report such status to the Governing Body or propose remedial amendments, extensions or additions to the plan (K.S.A. 12-747[d]);
3. To determine the conformance to the Comprehensive Plan of public improvements, facilities or utilities of a type embraced within the recommendations of the Plan which are proposed for construction or authorization and to report upon such conformance or nonconformance within 60 days to the Governing Body unless conformance is otherwise determined by reviewing the City's capital improvement program (K.S.A. 12-748);
4. To prepare, adopt and maintain Zoning Regulations for the City; to recommend the approval of such regulations to the Governing Body; and to hold hearings and make recommendations on all amendments thereto and zoning applications (K.S.A. 12-753 through 12-759 and 12-763);
5. To prepare, adopt and maintain Subdivision Regulations for the City and extraterritorial jurisdiction; to recommend the approval of such regulations by the Governing Body; and to process and approve plats and to transmit them to the Governing Body for the acceptance of dedications thereon (K.S.A. 12-749, 751(a), 752 and 764);
6. To concurrently serve as the Board of Zoning Appeals to hear and decide appeals from determinations of the Zoning Administrator, variances and exceptions as required by the Zoning Regulations (K.S.A. 12-759);
7. To submit to the Governing Body on or before the first Monday in July of each year a proposed budget for the ensuing year to carry out the Commission's planning program (K.S.A. 12-746);
8. To prepare and approve plans for neighborhoods and special project areas;
9. To maintain planning reference files of plans, reports, maps, ordinances, regulations and policies accessible to officials, developers and citizens;
10. To maintain cooperation and coordination with the trustees of the surrounding township(s), U.S.D. #396, the Butler County Planning Commission and with such other county, regional and state planning entities as may be deemed appropriate; and
11. To make recommendations to the Butler County Planning Commission on all zoning items proposed for hearings in the area outside the City, but inside the Douglass Planning Area as well as for any proposed revisions to County rules or regulations which might affect the development of the Planning Area; and
12. To hold hearings, provide plans for and/or make recommendations on such other matters including annexations and vacations as may be periodically assigned to the Commission by the Governing Body.

**Section 7. Compensation.** Members of the Commission shall serve without compensation for their services; however, the members may receive reimbursement for their authorized out-of-pocket expenses including travel when related to the Commission's activities as the Governing Body by policy may deem desirable.

## ARTICLE II -- OFFICERS, ELECTIONS AND DUTIES

**Section 1. Officers.** The officers of the Commission shall consist of a Chairperson, Vice-Chairperson and Secretary. The Chairperson and Vice Chairperson shall be members of the Commission; however, the Secretary may or may not be a member of the Commission. (K.S.A. 12-745)

**Section 2. Elections.** At the first regular Commission meeting following the appointment of members in May 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 following the meeting and serve for one year or until their successor has been elected. Officers may serve for more than one term.

**Section 3. Duties.** The Chairperson shall preside at 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 Secretary shall preside to select a temporary Chairperson and the Secretary shall forthwith relinquish the chair after selection of a temporary 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. The Chairperson shall also be responsible to oversee the preparation and distribution of agendas for each Commission meeting.

The Vice-Chairperson shall act in the manner and capacity as the Chairperson in the absence of the Chairperson.

The Secretary shall perform the following duties:

1. To prepare the minutes of each Commission meeting and submit them to the Commission for approval;
2. To maintain an official file or record book of the minutes as approved and signed by the Chairperson and the Secretary; and to provide the Governing Body, City Clerk, Zoning and Subdivision Administrator(s) and other officials with copies on a continuing basis;
3. To attest to resolutions and certificates adopting the Comprehensive Plan and amendments thereto and to maintain an official file of Comprehensive Plan documents and accompanying adoption materials and ordinances;
4. To distribute to each Commission member all current materials relating to the Comprehensive Plan and Zoning and Subdivision Regulations and to distribute three sets of Zoning and Subdivision Regulations, including amendments thereto, to the City Clerk as the official City copies; and

5. To prepare and distribute agendas for each Commission meeting under the direction of the Chairperson. (See Article III, Section 7 on Agendas.)

### ARTICLE III -- MEETINGS

**Section 1. Regular Meetings.** When a regular meeting of the Commission is held, it shall be on the third Wednesday of a month. When the date of a regular meeting conflicts with a legal holiday, the Commission may designate the date for the next regular meeting unless such meeting dates have otherwise been adopted as a schedule for the year. All meetings shall be held in the City Building in Douglass, Kansas, beginning at 7:00 p.m.; provided, however, that the Commission may vote to adopt another hour, date or place of meeting. Any such change shall be given wide publicity for the convenience of persons having business before the Commission.

**Section 2. Special Meetings.** Special meetings may be called by the Chairperson or in the Chairperson's absence by the Vice-Chairperson or upon written request of any three members of the Commission. When a special meeting is called, notice as to date, time, place and purpose for the meeting shall be given by the Chairperson at least 24 hours before the meeting by mail, hand delivery or telephone. The announcement of a special meeting at a regular meeting shall constitute notice to those persons present. Commission members and the Governing Body shall be notified by the Chairperson including all persons designated to receive agendas on a regular basis. (See Article III, Section 7 on Agendas.)

No agenda items other than those stated in the notice shall be considered at a special meeting.

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

**Section 4. Open Meetings and Closed Sessions.** Having determined that at least a quorum is present, all actions of the Commission shall be open to the public and to attendance by representatives of the news media, except that closed sessions if deemed necessary may be held to deliberate a rezoning application including a special use permit wherein such action is considered to be a quasi-judicial function. The motion to recess for a closed session shall be placed in the minutes and include a statement of (a) the justification for closing the meeting; (b) the subjects to be discussed during the closed session; and (c) the time and place at which the open meeting will resume, all according to K.S.A. 75-4319 of the Kansas Open Meetings Act. In such closed sessions, no binding vote or action may be taken.

**Section 5. Workshop Sessions.** The Commission may meet at a regular or special meeting in a workshop session for a general discussion on one or more topics or for a training session; however, the Kansas Open Meetings Act applies and no binding action may be taken. While regular minutes are not necessary, a record of attendance and a brief summary of the subject(s) discussed should be made.

**Section 6. Quorum.** A quorum shall consist of a majority of the total membership which is designated by the ordinance creating the Commission whether any vacancies exist or not. Thus, a quorum of four members must be present to conduct any business. In the absence of a quorum at any meeting or at the impending loss of a quorum during a meeting, the presiding officer after consultation with those members present may adjourn the meeting to a specified date, time and place or similarly table an agenda item. When such information is made known to those persons in attendance, no further notice need be given.

Members abstaining from voting may be counted when determining whether a quorum is present; however, members disqualified from voting may not be counted. (See Article IV, Sections 10 and 11 on Parliamentary procedure.)

**Section 7. Agendas.** The Chairperson shall oversee the preparation of an agenda of all matters to come before the meeting and to have it mailed or delivered to the Commission members no later than five calendar days preceding the next regular meeting. Copies of the agenda shall also be furnished (a) to the Governing Body, City Clerk, Zoning and Subdivision Administrator(s) and news media; (b) to each party having an item on the agenda; and (c) 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 K.S.A. 75-4318(b) and (d) of the Kansas Open Meetings Act. Any member of the Commission may place items on the agenda by advising the Chairperson no later than noon on the sixth day preceding the next regular meeting. If the number of applications received for zoning or platting would create an unduly long Commission meeting, the Chairperson may carry over such items on a first-come, first-served basis to the next Commission meeting unless already advertised for public hearing. (See Article IV, Section 1 on the Order of Business.)

**Section 8. Recording of Meetings.** The Secretary shall keep complete records of all proceedings of the Commission. The Secretary shall also prepare and maintain permanent minutes to be kept in a file or record book available for public view. Permanent copies of such minutes shall not be removed from City Building except by order of a court. Copies of the minutes shall be furnished to all persons or bodies making such a request to the Secretary. The Secretary 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) Roll call; (b) Approval of the agenda; (c) Approval of the minutes; (d) Committee and staff reports; (e) Communications; (f) Public hearings; (g) Plats; (h) Screening plans; (i) Miscellaneous; and (j) Adjournment.

Off-agenda items may be considered at the discretion of the commission when such items are added to the agenda at the beginning of the meeting by motion. Approval of such consideration shall be based on a finding that a review or presentation would be in the best interest of the general public and not contrary to the provisions of public notice.

**Section 2. Appearance Before the Commission.** Applicants and petitioners or their representatives and members of the community at large or individuals or

their representatives 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 presented instead. The Commission may at their discretion defer 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 a 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 Secretary before a vote is taken. Every motion on a substantive matter shall set forth reasons. Action shall be taken on each agenda item presented at the conclusion of discussion of that item.

**Section 4. Voting.** When a quorum is declared present, all actions of the Commission shall be taken by a majority vote of the entire membership of the Commission (K.S.A. 12-745), except that only a majority vote of the members present and voting at the hearing shall be required to make recommendations on amendments to the zoning regulations, applications for rezoning amendments and special use permits. (K.S.A. 12-757[c]) Voting shall be by individual voice ballot of "Aye" or "Nay" on each item and shall be tallied and the results determined by the Chairperson. In the event of a tie or a divided vote, see Article IV, Sections 8 and 9 on Parliamentary Procedure.

**Section 5. Parliamentary Procedure.** All meetings of the Commission shall be conducted in accordance with the current edition of Robert's Rules of Order Newly Revised, except insofar as modified by these Bylaws and procedures adopted by the Commission:

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. Motions to "receive and file" shall not be debateable.
4. 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 debateable only if the prime motion was debateable. A substitute motion may be made without the consent of the maker of the prime motion.
5. Motions to reconsider any item shall be made by one of the members voting in favor of the item to be reconsidered. Motions to reconsider shall not be allowed in cases where the item proposed for reconsideration has previously been forwarded to and acted on by the Governing Body.
6. 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 (e) no suspension of the rules shall be considered permanent.

7. Participation from the floor (audience) on any matter may be limited as to time at the discretion of the presiding officer when in his or her opinion such participation is repetitious; contains statements derogatory to the character, integrity or actions of the Commission or any member without support of such allegations; 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. 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.
8. 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. (See Article IV, Section 10 below on Parliamentary Procedure.)
9. 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.
10. 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 him or her 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.
11. The presiding officer may grant permission for any member to abstain on any particular vote when the member declares a conflict of interest or bias and requests the presiding officer to approve an abstention from voting. When such an abstention is granted, the requesting member is disqualified from voting and shall disassociate himself or herself from the assembled members and not engage in discussion until the particular item is acted upon. Members shall automatically be granted such an abstention 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.
12. Subject to these provisions, the presiding officer shall decide all points of order and procedure, unless overruled by a majority vote of the entire membership of the Commission.

## ARTICLE V -- HEARING PROCEDURES.

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

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

**Section 2. Order of Proceedings for Zoning Hearings.** Applications for rezoning amendments and special use permits that are site-specific land use decisions are considered quasi-judicial proceedings. The latter includes the procedural due process elements of notice and opportunity to be heard in a fair, open and impartial hearing. At the end of the hearing, the Commission shall adopt a written report or place in the minutes a statement summarizing the evidence and stating the factors that it considered in arriving at its decision. The following order of proceedings shall be used for all such rezoning and special use hearings:

1. Determination that a quorum is present.
2. Determination that proper notice has been given.
3. Report of ex parte contacts with Commission members.
4. Introduction of application by Zoning Administrator.
5. Presentation by applicant.
6. Commission and staff question applicant.
7. Public comments on proposed application.
8. Receipt of written communications or petitions.
9. Applicant presents closing comments.
10. Staff presents closing comments.
11. Public portion of the hearing closed by the presiding officer.
12. Planning Commission deliberations.
13. Review findings and factors on which recommendation is based.
14. Motion to recommend to the Governing Body the approval, disapproval or modification of the application or to table the agenda item to a specific date, time and place.

While no further public comments will be received after the hearing is closed, the Commission may question any participant at any time during the proceedings. At its discretion, the Commission may instruct the Secretary to tape record the hearing(s).

**Section 3. Legislative Hearings.** Hearings for the adoption of comprehensive plans and zoning and subdivision regulations and amendments thereto are



considered legislative in nature. The order of proceeding for hearings in Article V, Section 2 above may be modified for a legislative hearing as to the role of the applicant and the findings and factors on which a decision is based. In any event, the Commission's recommendation to the Governing Body shall be in writing accompanied by a written summary of the hearing thereon.

## ARTICLE VI -- COMMITTEES

**Section 1. Committees and Liaison Representatives.** The Chairperson, with the consent of the Commission, may appoint standing and ad hoc committees and liaison representatives as may be needed to assist in the business of the Commission. The membership of such committee(s) and liaison representatives may consist of all Commission members or part Commission members or be all noncommission members. All such committees and representatives shall be provided a formal charge and shall report to the Commission their findings and recommendations, unless otherwise directed.

Standing committees and regular liaison representatives are as follows:

1. Subdivision Committee -- A Subdivision Committee consisting of three Commission members shall be appointed. All meetings of the committee shall be conducted as open meetings. The Subdivision Administrator and other City staff members may serve as nonvoting ex officio members. The committee may request the assistance of other officials and technicians depending upon the nature of the plat being considered.)
2. City Liaison Representative -- Whenever an agenda item is to be forwarded to the Governing Body and it is not deemed necessary or possible for the Chairperson to appear, the Chairperson shall designate a member to appear and to assist in a presentation as necessary on the item. When such representative is present, he or she may also be available to be informed of or report upon activities affecting the Planning Commission. A brief report on the representative's attendance at the Governing Body meeting shall be made at the next Commission meeting.

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

## ARTICLE VII -- AMENDMENTS TO BYLAWS

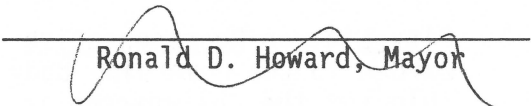
**Section 1. Amendments.** The Commission may, by a two-thirds majority vote of the entire membership thereof, amend these Bylaws or any provisions or sections thereof, at any time when the same is not in conflict or in contravention of any of the laws of the State of Kansas or ordinances of the City applicable

thereto. Notices of the proposed amendments shall be furnished by the Secretary to the Commission members and the Governing Body not less than five calendar days prior to the meeting at which such amendments are to be considered. A current copy of the Bylaws adopted by the Commission and signed shall be filed by the Secretary with the City Clerk including any amendments thereto.

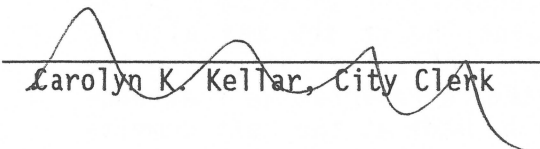
**Section 2. Adopted.** The above and foregoing Bylaws are hereby adopted as the Bylaws of the Douglass City Planning Commission subject to the approval of the City Council by a majority vote. When approved by the City Council, these Bylaws shall become effective on February 12, 1992.

DATED this 13th day of January, 1992.

APPROVED by the Douglass City Council on the 12th day of February, 1992.

  
\_\_\_\_\_  
Ronald D. Howard, Mayor

ATTEST:

  
\_\_\_\_\_  
Carolyn K. Kellar, City Clerk

PART 2

ADMINISTRATIVE FORMS FOR  
COMPREHENSIVE DEVELOPMENT PLAN ADOPTION

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
CP-1	Notice of Public Hearing (1)
CP-2	Plan Approval Resolution (2)
CP-3	Plan Approval Certificate (1)
CP-4	Plan Adoption Resolution (1)
CP-5	Plan Adoption Certificate (1)

INSERT

NOTICE OF PUBLIC HEARING (1 PAGE)

INSERT

PLAN APPROVAL RESOLUTION (2 PAGES)

INSERT

PLAN APPROVAL CERTIFICATE (1 PAGE)

INSERT

PLAN ADOPTION RESOLUTION (1 PAGE)

INSERT

PLAN ADOPTION CERTIFICATE (1 PAGE)

(Published in The Augusta Daily Gazette on January 02, 2008 )

NOTICE OF PUBLIC HEARING

CITY OF DOUGLASS

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN pursuant to K.S.A. 12-747(b) that the Douglass City Planning Commission will hold a public hearing on January 24, 2008, at 7:00 P.M. for the purpose of hearing comments on the proposed adoption of the Comprehensive Development Plan for the Douglass Area, Kansas: 2007-2023. The Plan covers the Planning Area which comprises the City of Douglass plus certain surrounding area in Douglass Township, all in Butler County, Kansas. The Planning Area as described therein is 1.58 miles north-south and 1.82 miles east-west for a total of 2.87 square miles.

This hearing will be held in the Council Room at the City Hall in Douglass, Kansas. Said public hearing may be recessed and continued from time to time without further notice.

While the Plan is a long-range guide for public and private land use, transportation and community facilities, it is not a regulatory document. The City of Douglass is authorized to make and adopt a comprehensive plan by K.S.A. 12-747. Copies of the proposed Plan and accompanying maps are available to be reviewed at the City Clerk's office in the City Hall at Douglass during regular business hours.

By a copy of this notice, written notification of the City's intent to adopt a comprehensive plan which affects property outside the City will be provided to the Butler County Board of Commissioners and the Douglass Township Trustees as required by K.S.A. 12-743(a).

After hearing the views and wishes of the public, the Planning Commission may close the hearing and consider the adoption of the Comprehensive Development Plan and, if adopted, may be referred to the Douglass City Council for consideration of approval by publication of an Ordinance. Said public hearing may be recessed and continued from time to time without further notice.

DATED this 28th day of December, 2007.

181   
Ralph Lott, Chairperson  
Douglass City Planning Commission

ATTEST:

181   
Dean Lindteigen, Secretary

# City of Douglass, Kansas

322 S. Forrest  
P.O. Box 412  
Douglass, Kansas 67039  
316-747-2109

Mayor: Mark Roberts    City Clerk/Administrator: Kalyn Nethercot    City Superintendent: Bill Akers

## OFFICIAL COMPREHENSIVE DEVELOPMENT PLAN APPROVAL

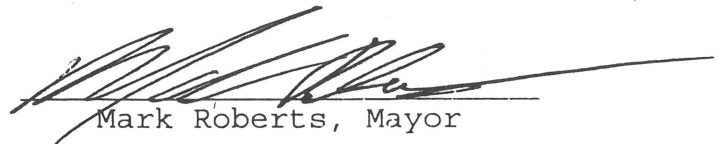
This document entitled, Comprehensive Development Plan for the Douglass Area, Kansas, is an official Plan of the City of Douglass, Kansas for the Planning Period 2007-2023. The Planning Area comprises the 2.87 square mile area described herein including the City of Douglass. In accordance with K.S.A. 12-747, an officially advertised public hearing was held on January 24, 2008, and this document was adopted by a Resolution of the Douglass City Planning Commission on January 24, 2008. A certified copy of the Plan, together with a summary of the hearing, was submitted to the Douglass City Council.

  
Ralph Lott, Chairperson  
Douglass City Planning Commission

ATTEST:

  
Dean Lindteigen, Secretary

**APPROVED** by the Douglass City Council on February 14, 2008 by Ordinance No. 763 and published on February 21, 2008 in The Augusta Daily Gazette.

  
Mark Roberts, Mayor

ATTEST:

  
Kalyn Nethercot, City Clerk

PLAN ADOPTION RESOLUTION

WHEREAS, pursuant to authority granted by statutes of the State of Kansas, the Douglass City Planning Commission was created by the City Council of the City of Douglass, Kansas by Ordinance No. 545 and given authority to adopt a comprehensive plan for all of the City plus certain surrounding area in Douglass Township in Butler County, Kansas; and

WHEREAS, pursuant to provisions of K.S.A. 12-747(a), the Planning Commission did give notice by publication in the official city newspaper on January 02, 2008 of a public hearing on said Plan to be held on January 24, 2008 and written notification as required by K.S.A. 12-743 (a) has been given to the Butler County Board of Commissioners and the Douglass Township Trustees; and

WHEREAS, the Planning Commission at said hearing did hear all comments and remarks relating to said Plan and did give consideration to all statements;

NOW, THEREFORE, BE IT RESOLVED by a majority of the members of the Douglass City Planning Commission that the Comprehensive Development Plan for the Douglass Area, Kansas: 2007-2023 dated January 24, 2008, be hereby adopted as the official comprehensive plan for the City of Douglass plus certain surrounding area in Douglass Township of Butler County, Kansas as described therein; and

BE IT FURTHER RESOLVED, that in compliance with K.S.A. 12-747(b), the action of the Planning Commission be provided to the Douglass City Council in the form of a certified copy of said Plan with this accompanying Resolution and a written summary of the public hearing and, furthermore, to recommend that they approve the Plan by publication of an Ordinance as required by K.S.A. 12-747(b).

APPROVED by at least a majority of the Douglass City Planning Commission members at Douglass, Kansas, this 24th day of January, 2008.

  
Ralph Lott, Chairperson  
Douglass City Planning Commission

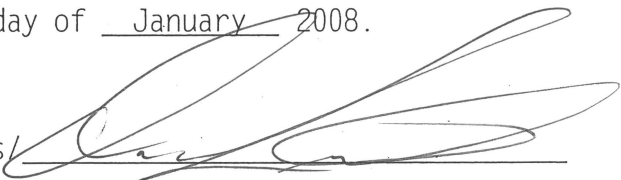
ATTEST:

  
Dean Lindtiegen, Secretary

PLAN ADOPTION CERTIFICATION

I, Dean Lindteigen, duly elected, authorized and acting as Secretary of the Douglass City Planning Commission, do hereby certify to the City Council of the City of Douglass, Kansas that the accompanying Comprehensive Development Plan for the Douglass Area, Kansas: 2007-2023 and Plan Adoption Resolution was adopted by the Planning Commission on January 24, 2008, following an advertised public hearing. Also certified is the accompanying copy of the unapproved minutes of January 24, 2008 which includes a summary of the public hearing. The Planning Area jurisdiction for said Plan as described therein includes the City of Douglass plus certain surrounding area of 2.87 square miles in Douglass Township of Butler County, all in the State of Kansas.

CERTIFIED as of this 24th day of January 2008.

/s/ 

Dean Lindtiegen, Secretary  
Douglass City Planning Commission



Published in the Augusta Daily Gazette on Thursday, 2/21/08

ORDINANCE NO. 763

AN ORDINANCE APPROVING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE DOUGLASS AREA, KANSAS: 2007-2023.

WHEREAS, pursuant to K.S.A. 12-747, et seq., the Douglass City Planning Commission is authorized to make and amend a Comprehensive Plan for the Douglass Planning Area; and

WHEREAS, pursuant to provisions of K.S.A. 12-747, the Planning Commission did give published notice on January 2, 2008 and hold a public hearing on January 24, 2008 to consider the adoption of the Comprehensive Development Plan for the Douglass Area, Kansas; 2007-2023; and

WHEREAS, proper written notice as required by K.S.A. 12-743 (a) has been given to the Butler County Board of Commissioners and the Douglass Township Trustees of the City's intent to adopt such a comprehensive plan; and

WHEREAS, on January 24, 2008, the Planning Commission approved a resolution adopting the Comprehensive Development Plan for the Douglass Area, Kansas; 2007-2023, and said resolution and a certified copy of the Plan document has been submitted to the governing body of the City for consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLASS, KANSAS:

Section 1. Plan Approval. The Comprehensive Development Plan for the Douglass Area, Kansas: 2007-2023 dated January 24, 2008 as adopted by the Douglass City Planning Commission which is certified and on file in the City Clerk's office, is hereby approved as the official comprehensive plan for the City of Douglass.

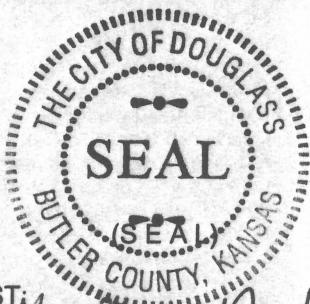
Section 2. Distribution. An attested copy of the Plan document shall be sent to all other taxing subdivisions in the Planning Area which request a copy as required by K.S.A. 12-747 (c).

Section 3. Annual Review. At least once a year, the Planning Commission shall review or reconsider the Plan or any part thereof and may propose amendments, extensions or additions which shall be adopted in the same manner as the original comprehensive plan as required by K.S.A. 12-747 (d).

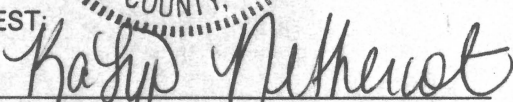
Section 4. Effective Date. This Ordinance shall be effective upon its passage and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL this 14<sup>th</sup> day of February, 2008.

APPROVED BY THE MAYOR this 14<sup>th</sup> day of February, 2008.



/s/   
Mark Roberts, Mayor

ATTEST:  
/s/   
KaLyn Nethercot, City Clerk/Administrator

