



BYLAWS

FOR THE

HUTCHINSON PLANNING COMMISSION

ORIGINAL BY-LAWS ADOPTED - JANUARY 7, 1975

AMENDED

March 2, 1993
December 19, 1995
January 19, 2016

STATE ENABLING ACT AND CITY PLANNING RESOLUTION

The Hutchinson Planning Commission is subject to the planning laws of the State of Kansas, which include KSA 12-741 et. seq., as amended. The Commission is also subject to provisions of the City Code, including Sec. 2-501 et.seq.; Sec. 9-301 et. Seq.; and Sec.27-324 et.seq.

APPOINTMENT

1. The Hutchinson Planning Commission shall consist of nine members who shall be appointed by the Mayor, with the advice and consent of the Hutchinson City Council.
2. These nine members shall be residents of Reno County. Two must reside outside the corporate limits of any incorporated city, but within three miles of the Hutchinson City Limits. Seven must reside within the corporate limits of Hutchinson.
3. Terms of office shall be for a period of three years. Members may be reappointed and shall serve a maximum of two consecutive terms and one partial term. A partial term shall be deemed any term less than two years duration. All members shall hold office until their successors are appointed and their terms commence. Terms shall be based on the calendar year.
4. Vacancies occurring other than through the expiration of the term shall be filled for the unexpired term by the Mayor and City Council of the City of Hutchinson.
5. Members shall serve without compensation for their services.

ORGANIZATION

1. The Hutchinson Planning Commission shall elect a Chairman and a Vice-Chairman who shall serve for one year and until the respective successors have been selected.
2. The Planning Commission shall adopt such other rules governing its organization and procedures as it may deem necessary.
3. The City Council may employ such employees as it may deem necessary for the work of the Planning Commission and may contract with planners, architects, engineers, landscape architects and other consultants for such services as may be required.
4. The Director of Planning and Development, or designee, shall serve as the Secretary to the Planning Commission.

FUNCTION AND DUTY

The function and duties of the Planning Commission are included as part of the Hutchinson Municipal Code.

RULES

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

Article I: Officers

1. The Planning Commission shall elect a Chairman and Vice-Chairman at the first regularly scheduled meeting of each calendar year, which term shall be for one year. In the event the Chairman's term will expire before the next election, the Planning Commission shall elect a Chairman at the last regularly scheduled meeting of the calendar year in which the Chairman's term expires. The Chairman and Vice-Chairman shall serve until their successors have been selected. The Director of Planning and Development, or designee, shall serve as Secretary to the Planning Commission.
2. The Chairman shall preside at all meetings and public hearings of the Planning Commission and shall decide all points of order and procedure. The Secretary shall transmit reports and recommendations of the Planning Commission to the City Council.
3. The Vice-Chairman shall assume the duties of the Chairman in his absence.
4. 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 II: Meetings

1. The City Planning Commission shall adopt an annual schedule of bi-monthly meetings to be held at a time and place to be designated by the Chairman and approved by the Commission in an annual resolution.
2. Special meetings of the Planning Commission may be called by the Chairman, or in his absence by the Vice-Chairman and four members of the Commission, provided at least three days notice is given each member prior to any such meeting date.
3. The order of business at all meetings shall be as indicated on the agenda and shall generally be according to the following:
 - (a) Roll call
 - (b) Approval of minutes of previous meeting
 - (c) Acceptance of staff reports and correspondence into the official record
 - (d) Unfinished business
 - (e) Public hearings
 - (f) New business
 - (g) Open comments from the audience

- (h) Staff announcements and communications
 - (i) Adjournment
4. All meetings of the Planning Commission shall be open to the public, and shall be compliant with the Kansas Open Meetings Act (KSA 75-4317 et seq).

Article III: Quorum

Five members, a majority of the Commission, shall constitute a quorum for the transaction of business. The Commission shall assemble for all regularly scheduled meetings with a published agenda. If a quorum of the Commission is not present, no business shall be conducted and the matters for considerations shall be postponed to the next regularly scheduled Commission meeting. Further legal notifications or notification of surrounding property owners shall not be required for those cases postponed due to lack of a quorum.

Article IV: Voting

Unless otherwise provided for in the state statutes, an affirmative vote of the majority of the members of the Planning Commission who are present and voting shall be necessary to authorize any action of the Commission. (At the passage of these by-laws, the only exceptions are in the cases of adopting and amending a comprehensive plan (KSA 12-747(b)), amending subdivision regulations (KSA 12-749(d)) and establishing a zoning ordinance (KSA 12-756(b).) When such a vote is not possible either for or against a particular proposal, the results of such action shall be submitted to the City Council with an explanation of the failure to establish an official vote on the subject in question. All members, including the Chairman, shall have a vote and shall vote when present except that any member shall automatically not vote on any decision in which there might be a conflict of interest.

Article V: Recommendations

An authorized representative of the Planning Commission shall have the right to appear before the City Council for the purpose of reporting recommendations of the Planning Commission.

Article VI: Committees

1. The Planning Commissioners 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. No committee shall be of such size as to constitute a quorum of the Commission. The Chairman shall fill vacancies on committees as they are created.

Article VII: Records and Reports

1. The Planning Commission shall keep a record of its recommendations, resolutions, transactions, findings, and determinations.
2. All records of the Planning Commission shall be available for public review.
3. The Commission shall make each year, a report to the City Council of its proceedings and the progress of its work during the previous year. Said report may be in the form of the Planning & Development Department Annual Report

Article VIII: Agenda Topics

1. Upon application by an interested party for a place upon the agenda of a Planning Commission meeting, the Secretary of the Planning Commission shall require that all data pertaining to such subjects be presented in writing at least one week prior to the date of the Planning Commission meeting.
2. When the volume of the Planning Commission subjects may require such action, the Chairman of the Commission may, with approval of the Commission, postpone discussion of certain subjects until sufficient time is available for the members to give proper review to such subjects.
3. Agendas shall be transmitted electronically to the members of the Planning Commission at least five days prior to the Planning Commission meeting.
4. Subjects which are not listed on an official Planning Commission agenda may be introduced and discussed at a meeting. However, no action shall be taken until such items appear on a published agenda.

Article IX: Publicity

1. The Planning Commission shall encourage the public to attend its regular meetings and shall take positive action to keep its activities before the public by publishing agendas and public hearing notices on the City's website and in other locations as required by law.
2. If a public hearing is required, the Commission shall fix a time for the hearing and give public notice as to the time, place, date, and subject in the official city newspaper to be published in accordance with state and local law. Affected property owners shall be notified in accordance with state and local law.

Article X: Attendance of Members

Regular attendance at Commission meetings is required. Whenever any duly appointed member of the City Planning Commission does not attend three regular consecutive meetings

or at least eight meetings in a six month period, it shall be assumed that he/she has tendered his/her resignation to the City Council and the Secretary shall commence the process of finding a new appointee. It shall be the duty of each member to notify the Secretary of the Planning Commission in the event he/she cannot attend a regular Commission meeting. Planning Commissioners are encouraged to attend activities that are related to planning. Examples include Planning Commissioners workshops, training, and conferences on issues related to planning.

Article XI: Amendments

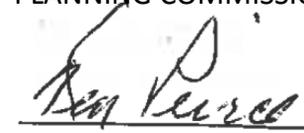
These bylaws may be amended by an affirmative vote by five members of the Planning Commission provided such proposed amendment has been submitted in writing to each member of the Commission at least three days prior to the meeting at which such action is to be taken.

ATTEST:



Jana McCarron, AICP, Secretary

APPROVED BY THE HUTCHINSON
PLANNING COMMISSION



Ken Peirce, Chairman

Date: 1/19/2016