

BY-LAWS – RULES AND REGULATIONS  
PLANNING AND ZONING COMMISSION  
Linn County, Kansas

ARTICLE I – AREAS OF RESPONSIBILITY

1. Following adoption of a Comprehensive Plan, in accordance with Kansas statutes, it shall be the responsibility of the Planning Commission to perform an annual review of the Comprehensive Plan. Said review and any recommended amendments, extensions, or additions shall be reported to the Board of County Commissioners as required per K.S.A. 12-747(d).
2. It shall be the responsibility of the Planning Commission to hold public hearings on all applications for amendments to the Zoning Map (rezoning), Conditional Use Permits and Subdivisions, and make recommendations to the Governing Body.

It shall be the responsibility of the Planning Commission to review their by-laws on an annual basis; and adopt changes in the by-laws by an affirmative vote of the majority of the full Planning Commission membership.

ARTICLE II – MEMBERSHIP

1. The number of members shall be nine (9) with each County Commission District having three (3) members.
2. Term of office will be three (3) years for a maximum of two consecutive terms.
3. Any member with unexcused absence for more than 50% of regular meetings in a calendar year may be recommended to the Board of County Commissioners for replacement at the discretion of the chair.
4. Virtual attendance is allowed as per county policy.

ARTICLE III – OFFICERS

1. Election of officers shall be held annually at the regular meeting in January.
2. The Planning Commission shall elect a Chairperson and a Vice-Chairperson from among the appointed members.
3. A Secretary shall be selected for an indefinite term. It is not required that he or she be a member of the Commission.
4. The term of office shall be one year. The Chairperson shall be limited to two (2) consecutive terms. Vice-Chairperson and Secretary may succeed themselves indefinitely.

ARTICLE IV – DUTIES OF OFFICERS

1. Chairperson: The Chairperson shall preside at all meetings and public hearings of the Planning Commission and shall:

- a. Serve as spokesperson for the Planning Commission.
  - b. Decide all points of order and procedure;
  - c. Certify plans and subdivision plats;
  - d. Participate and vote on all matters.
  - e. Call special meetings as hereinafter provided.
- 2. Vice-Chairperson: The Vice-Chairperson shall assume the duties of the Chairperson in his/her absence.
- 3. Secretary: The Secretary shall be responsible for:
  - a. Keeping the minutes of the Commission meetings;
  - b. Sending agendas to members of the Commission;
  - c. Carrying out written correspondence;
  - d. Maintaining the records of the Commission;
  - e. Certifying, along with the Chairperson, all plans and subdivision plats;
  - f. Performing other duties as the Commission may require; and,
  - g. Causing all public notice of hearing as required by law and/or County policy to be given.

## ARTICLE V – MEETINGS

- 1. Regular meetings shall be held on the second Tuesday of each month in the County Commissioners' Room at Linn County Courthouse Annex or other location as approved by the Planning Commission.
- 2. The place and time may be changed by a majority vote of the Commission. At least seven (7) days prior to the change:
  - a. Notice of said change shall be delivered to all members, and
  - b. Notice of change shall be published in the official county newspaper and elsewhere according to County policy.
- 3. The Chairperson may cancel a regular meeting for the following reasons:
  - a. It is determined that a quorum will not be present;
  - b. No subjects are scheduled for the agenda; and

- c. Other reasonable circumstances.
- 4. Special meetings of the Planning Commission for obtaining public opinion on an issue or discussion of a particular problem with interested parties may be called by the Chairperson or in his absence by the Vice-Chairperson. Notice of special meetings shall be given by the Secretary to the members of the Commission at least ten (10) days prior to such meeting and shall state the purpose and time of meetings.
- 5. All regular and special meetings, hearings and records shall be open to the public.
- 6. A quorum of the Planning Commission shall be five (5) members. A quorum shall be required to transact the business as set forth on the agenda. If a quorum is not present at any meeting, the meeting shall be continued at the next regular meeting.
- 7. The order of business shall be as follows:
  - a. Call to order
  - b. Roll call (may be taken orally or by visual identification by the Secretary)
  - c. Approval of minutes
  - d. Presentation of requests and/or petitions (hearings) on the agenda
  - e. Old business
  - f. New business
  - g. Adjournment
- 8. The motion shall be restated by the Chairperson before the vote is taken. The name of the maker and seconder of a motion shall be recorded.
- 9. Minutes of regular and special meetings shall be reviewed and approved or changed by the membership at the next subsequent regular meeting. Approved minutes shall be signed by the Chairperson and Secretary.

#### ARTICLE VI – VOTING

- 1. An affirmative vote of a majority of a quorum is required to take action of a motion, except that;
- 2. An affirmative vote of a majority of a quorum is required for approving subdivision plats and recommending adoption or amendments of the Comprehensive Plan, Zoning Regulations and Subdivision Regulations.
- 3. All members shall vote when present, except that any member shall automatically disqualify himself or herself from voting on any decision in which there might be a conflict of interest and should state the conflict of interest and should state the nature of the conflict for the minutes and further, should any member abstain from voting, that member's vote shall be considered cast with the majority.

4. Voice voting is acceptable provided; however, a roll call vote shall be required when called for by any member.
5. Proxy votes shall NOT be accepted. Written opinions may be submitted to the Chairperson or the Secretary for presentation to the Planning Commission.

#### ARTICLE VII – RECOMMENDATIONS

1. The Planning Commission shall authorize a member of the Planning Commission or staff to appear before the Governing Body for the purpose of reporting recommendations of the Planning Commission.

#### ARTICLE VIII – AGENDA SUBJECTS

1. Any interested party may request a place upon the agenda of a Planning Commission meeting by notifying the Planning and Zoning director or their designate.
2. The agenda and accompanying documents for new business including any Staff Reports shall be made available in the Planning Commission's area on the County's file server or by email at least three (3) days prior to the meeting for the Planning Commission to review.

APPROVED THIS 8<sup>th</sup> DAY OF JULY, 2025.

LINN COUNTY PLANNING COMMISSION

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Chairperson

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Secretary