

CHAPTER XVI. ZONING AND PLANNING

Article 1. City Planning Commission

Article 2. Zoning and Subdivision Regulations

ARTICLE 1. CITY PLANNING COMMISSION

- 16-101. COMMISSION CREATED. There is hereby created the Phillipsburg City Planning Commission (hereinafter referred to as the Planning Commission), as authorized by the City Planning and Zoning Laws, K.S.A. 12-701 to 12-715d, as amended, for the purpose of carrying out those duties prescribed by the statutes for the City of Phillipsburg. (Ord. 1059, Sec. 1; Code 1999, 19-101)
- 16-102. SAME; APPOINTMENT; TERMS. The Planning Commission shall consist of seven members, five of whom shall reside within the corporate limits of the City of Phillipsburg and two of which shall reside within a three mile radius of those corporate limits, all of whom shall be appointed by the mayor, by and with the consent of the governing body. All terms of office of the planning commission shall commence on January 1st and expire on December 31st, and shall be for three years, except for the initial appointments. The initial appointments shall be: two commissioners for one year, two commissioners for two years and three commissioners for three years. Thereafter, members shall be appointed for terms of three years. In case of the death, incapacity, resignation, or disqualification of any member of the planning commission, the mayor in making the appointment of a new member shall do so for the unexpired term of the previous member. Planning commission members shall not be disqualified by reason of changing his residence provided such person continues to reside within three miles of the corporate limits of the City of Phillipsburg. All members, including the chairman, shall have the right to take part in all discussions and to vote on any matter of business which comes before the planning commission, except that any member who possesses a conflict of interest in a certain piece of business or proposal should disqualify himself from both the discussion and voting thereon. Members of the planning commission shall serve without compensation, but may be reimbursed for actual expenses incurred in the performance of their duties as members of the planning commission. (Ord. 1059, Sec. 3; Code 1999, 19-102)
- 16-103. SAME; MEETINGS. The planning commission shall convene for meetings at least once per month as specified within the bylaws of the planning commission. The operation of the meetings, the elections of officers, the definitions of a quorum, the keeping of records and all other operating procedures of the planning commission shall be set forth in those bylaws. (K.S.A. 12-703; Ord. 1059, Sec. 4; Code 1999, 19-103)

- 16-104. SAME; POWERS. The planning commission shall have all powers and duties set out within the city planning and zoning statutes of the State of Kansas as may be prescribed by law from time to time. (K.S.A. 12-701 et seq.; Ord. 1059, Sec. 5; Code 1999, 19-104)
- 16-105. EFFECT ON PRIOR ACTION. All planning and zoning actions of every kind heretofore recommended by the previous joint planning commission and taken by the city council of Phillipsburg as a participant in the Phillipsburg-Phillips County Area Planning Commission shall be continued in full force and shall in no way be affected by this article. (Ord. 1059, Sec. 6; Code 1999, 19-105)
- 16-106. ACTIONS; REFERRAL. (a) All planning and zoning actions taken by the governing body of the city shall be first referred to the planning commission for its recommendations in writing.
(b) No amendment, supplement, change, modification or repeal of the zoning regulations or restrictions of the city shall be made except in conformity with K.S.A. 12-701 to 12-715d.
(Ord. 1059, Sec. 6; Code 1999, 19-106)
- 16-107. BUDGET. The planning commission each year shall submit to the governing body of the city a proposed budget for the ensuing year necessary to carry out the operation of the planning commission's duties. (Ord. 1059, Sec. 7; Code 1999, 19-107)
- 16-108. PERSONNEL. The planning commission may hire and provide such professional and clerical personnel as it shall deem necessary and all such personnel shall serve through appointment of the planning commission upon the approval of the governing body. (Ord. 1059, Sec. 7; Code 1999, 19-108)

ARTICLE 2. ZONING AND SUBDIVISION REGULATIONS

16-201. ZONING REGULATIONS INCORPORATED. There are hereby incorporated by reference as if set out fully herein, the zoning and subdivision regulations adopted by the governing body of the City of Phillipsburg, Kansas, as prepared for the City of Phillipsburg, Kansas and consisting of Ordinance Nos. 1327, 1334, 1335, 1368, 1376, and 1378 and entitled, ""Comprehensive Plan" and "Zoning and Subdivision Regulations of the City of Phillipsburg, Kansas." One copy of the zoning regulations, marked "Official Copy as Incorporated by the Code of the City of Phillipsburg" and to which there shall be a published copy of this section attached, shall be filed with the city clerk to be open for inspection and available to the public at all reasonable business hours. (Ord. 1327; Ord. 1334; Ord. 1335; 1368, 1376, and 1378; Code 2013)