

RESOLUTION NO. 69-8

ORDINANCE NO. 3951

JOINT RESOLUTION OF BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS AND ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, PROVIDING FOR THE ESTABLISHMENT OF THE LAWRENCE CITY-DOUGLAS COUNTY PLANNING COMMISSION, PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTMENT OF ITS MEMBERS, ITS POWERS, AND DUTIES; PROVIDING FOR THE SHARING OF EXPENSES OF ITS OPERATIONS, AND REPEALING CERTAIN ORDINANCES AND RESOLUTIONS RELATING TO THE CITY PLANNING COMMISSION OF THE CITY OF LAWRENCE, KANSAS, AND THE COUNTY PLANNING COMMISSION OF DOUGLAS COUNTY, KANSAS.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS being assembled in regular session in the office at the Court House in Lawrence, Kansas this 24th day of March 1969, and

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

SECTION I. There is hereby created the Lawrence-Douglas County Planning Commission as authorized by Chapter 101 of the Session Laws of 1957 (K. S. A. 12-716 through 721), as amended. The term "Planning Commission" as it appears in the following sections shall mean the Lawrence-Douglas County Planning Commission.

SECTION II. The Planning Commission shall consist of ten members, five of whom shall be appointed by the Mayor of the City of Lawrence and five by the Chairman of the County Board of Commissioners. In each case, appointments shall be made by and with the consent of their respective governing bodies. Initially, the City shall name in the manner provided above, two appointees whose terms shall be for one year; two appointees whose terms shall be for two years; and one appointee whose term shall be for three years. The County shall name, in the manner provided above, one appointee whose term shall be for one year; two appointees whose terms shall be for two years; and two appointees whose terms shall be for three years. There after all appointments shall be for terms of three years, except that appointments made to fill a vacancy that occurs before the expiration of a member's term shall be for the remainder of that unexpired term only.

The terms of the original members of the Planning Commission shall commence on the 1st day of June, 1969, and shall expire on the 1st day of June of the year for which the term of office is completed.

Every member of the Planning Commission shall be a resident of Douglas County, and shall hold no salaried or elected office with either City or County Government. Members shall serve without compensation, but they may be reimbursed for expenses incurred in the performance of assigned duties.

SECTION III. The Planning Commission shall convene for its first meeting at such time and place as shall be fixed by the Chairman of the Board of County Commissioners and the Mayor of the City of Lawrence and shall thereupon proceed to organize and elect officers and fix and determine times

and places of future meetings, which said meetings shall be not less frequent than once a month. Said Planning Commission shall elect one member as Chairman and one member as Vice-Chairman. The terms of the Chairman and Vice-Chairman shall be for one year or until his successor shall have been elected and qualified. Special meetings of the Planning Commission may be called by the Chairman, or in his absence, by the Vice-Chairman. A quorum of the Lawrence-Douglas County Planning Commission shall consist of six members.

SECTION IV. The Planning Commission shall have such powers and duties as are authorized by State law and provided for herein, and it shall take over and perform the powers, duties, and functions heretofore vested in the Lawrence City Planning Commission and the Douglas County Planning Commission, respectively. As a primary function the Planning Commission shall be responsible for the preparation, adoption, and maintenance of long-range comprehensive plans to guide the future development of the Lawrence-Douglas County land area. Such general plans shall consist of a land-use element, a circulation element, a parks and recreation element, and a public facilities element. The Planning Commission shall cause zoning studies to be made, and subdivision regulations to be prepared; and it shall submit to the Governing Bodies its recommendations relating to the zoning of lands and the control of subdivisions within their respective jurisdictions. Such studies and recommendations shall take into account the existing zoning and subdivision regulations, the anticipated physical, economic, and population trends, the distribution and density of population and proposed building intensities, as well as classes of use to be authorized. Recommended development plans for public facilities, urban renewal, environmental sanitation, and area beautification shall also be considered.

The Planning Commission shall see that the comprehensive plans are altered as necessary to serve as a continuous guide to future long-range planning, and that statements are prepared annually to show the recent and past growth, development trends and anticipated growth for the succeeding year, and the bearing of such trends upon the comprehensive plan.

The City Commissioners of the City of Lawrence shall exercise legislative authority over zoning, subdivision control, and other planning regulations within the corporate limits of the City; and the Board of County Commissioners shall exercise similar authority over the unincorporated area of Douglas County. However, the Planning Commission shall inform both Governing Bodies of recommendations made to either of them, and it may recommend that they meet in joint session to consider matters that appear to call for parallel legislation.

SECTION V. The Board of County Commissioners and the City of Lawrence shall by agreement, provide for an annual budget, and pursuant to said agreement shall appropriate funds for the expenses and costs of staff services, office space and equipment, contractual services, and other relevant expenses required to carry out the purposes and functions of the Planning Commission. The City of Lawrence shall employ the necessary staff personnel and shall provide office space; and except as otherwise agreed upon for any fiscal year the Board of County Commissioners shall direct the County Treasurer to pay semiannually to the City Finance Director one-sixth of the agreed budget. Provided, however, that either the City or the County may authorize, on its own initiative or in conjunction with the other, expenditures for special purposes in addition to the amounts specified in the agreed budget.

SECTION VI. All planning and zoning actions of every kind or character heretofore taken by the Lawrence City Planning Commission and by the Douglas County Planning Commission shall be continued in full force and effect and shall in no way be affected by this joint resolution and ordinance, except that the advisory functions of the City of Lawrence and the Douglas County Planning Commission as related to planning and zoning activities shall be transferred as of June 1, 1969 to the Planning Commission. All petitions for zoning change petitions for vacation of streets, alleys, and other public ways, request for changes in street names, requests for approval of plats and dedications and all other matters pending before either of the above mentioned Planning Commissions upon the effective date of this ordinance shall continue to be processed by such Commissions until such matters are concluded or until August 1, 1969, whichever event may be sooner. Any uncompleted and unclosed matter shall on August 1, 1969, be transferred to and become the responsibility of the Lawrence-Douglas County Planning Commission and its planning staff. All records, files, minutes, maps, plats, and other property of the Lawrence City Planning Commission shall be made available to the Lawrence-Douglas County Planning Commission on August 1, 1969, subject only to the annual renewal of the budget agreement.

The Planning Commission shall have authority to negotiate and enter into agreements with other incorporated areas in Douglas County or with other planning agencies outside Douglas County to provide or receive planning services, provided that any such agreement shall become effective upon approval of the Lawrence City Commission and Douglas County Board of Commissioners, and of the governing authority of the other governments concerned.


Nothing in this resolution shall be construed to abolish or to affect the authority of the County Board of Zoning Appeals or the Lawrence City Board of Zoning Appeals.

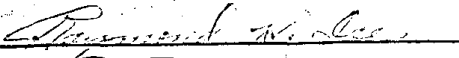
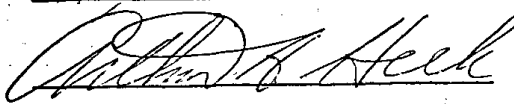
SECTION VII. This joint resolution and ordinance shall constitute an agreement between the City of Lawrence and Douglas County as contemplated in Section 101, Session Laws of 1957 and shall also constitute a resolution of the Board of County Commissioners and an ordinance of the City of Lawrence, Kansas, and shall be effective upon its passage and adoption by the Board of County Commissioners of Douglas County, Kansas, and the Board of Commissioners of the City of Lawrence, acting separately, and after its publication as provided by law in the Lawrence Daily Journal World. A fully executed and attested copy shall be filed with the County Clerk of Douglas County, Kansas and with the City Clerk of Lawrence, Kansas.

SECTION VIII. If this joint resolution and ordinance, or any part thereof shall be held or determined to be unconstitutional, illegal, ultravires, or void, the same shall not be held or construed to change or annul any provisions hereof which may be legal or lawful; and in the event this joint resolution and ordinance or any part thereof, shall be held unconstitutional, illegal, ultravires, or void, the same shall not affect any action heretofore taken by the City Planning Commission or the Douglas County Planning Commission as heretofore established and constituted.

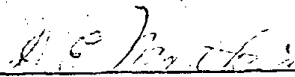
SECTION IX. The City Planning Commission of the City of Lawrence and the Douglas County Planning Commission be and the same is hereby abolished in the manner and at the time hereinabove provided for.

PASSED AND APPROVED by the Board of County Commissioners of Douglas County, Kansas, this 24th day of March, 1969.



Chairman

ATTEST:

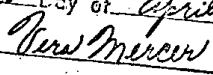

County Clerk

PASSED AND APPROVED by the Governing Body of the City of Lawrence, Kansas, this 1st day of April, 1969.


Mayor

ATTEST:


Vera Mercer, City Clerk

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on the 1st day of April, 1969; that the record of the final vote on its passage is four yeas and 612 of Journal. 2. It was published in the Lawrence Daily Journal-World on the 7th day of April, 1969.

City Clerk