

RULES OF PROCEDURE
GREENFIELD CITY PLAN COMMISSION
GREENFIELD, INDIANA

COMPOSITION OF MEMBERSHIP:

Membership on the Greenfield City Advisory Plan Commission shall be in accordance with Indiana Code 36-7-4-207 and all acts amendatory thereto or supplementary thereof, which at the time of adoption of these rules and regulations is as follows:

One (1) member appointed by the City legislative body from its membership.

One (1) member appointed by the Park Board from its membership.

One (1) member or designated representative appointed by the City Board of Public Works and Safety.

The City Civil Engineer or a qualified representative assistant appointed by the City Civil Engineer.

Five (5) citizen members of whom no more than three (3) may be of the same political party, appointed by the City executive.

QUORUM AND AUTHORIZATION:

A majority of the members of the entire Greenfield City Plan Commission constitutes a quorum. No action shall be official, however, unless authorized by a majority of the Plan Commission at a regular or properly called special meeting.

See Electronic Meetings Policy attached as Exhibit "1"

MEETINGS:

All meetings shall be open to the public.

REGULAR MEETINGS:

Regular meetings shall be held on the second Monday of the month, excluding holidays. A calendar of the regular meetings shall be prepared by the Secretary at the beginning of each year. Meetings will be called at the discretion of the President at 7:00 P.M. at the Greenfield City Hall, 10 South State Street, Greenfield. Regular meetings may be cancelled due to a lack of any agenda items.

SPECIAL MEETING:

Special meetings shall be held upon call of the President, or by written request by two members to the Secretary, or as determined at a regular meeting. The Secretary shall send to all members, at a least two (2) days in advance of at a special meeting a written notice fixing the time and place of the meeting.

Written notice of a special meeting is not required if the time of the special meeting has been fixed in a regular meeting, or if all members are present at the special meeting.

Only matters included in the call for at a special meeting shall be considered except by unanimous approval of all of the members of the Plan Commission.

OFFICERS OF THE PLAN COMMISSION:

The President and Vice President shall be elected at the first regular meeting held each year.

The Vice President shall serve in the absence of the President.

A temporary President shall be elected in case both President and Vice President are absent.

The Secretary may be elected or appointed by the Plan Commission.

The President, subject to these rules, shall decide all points of procedure unless otherwise directed by a majority of the members of the Plan Commission

DUTIES OF SECRETARY:

The Plan Commission may appoint a Secretary to direct the proceedings of the Commission. The Secretary shall report at each meeting on all transactions that have not otherwise come to the attention of the Plan Commission.

The Secretary, subject to the provisions of the Zoning Ordinance, these rules, and the direction of the Plan Commission and its President, shall conduct all correspondence of the Commission; send out all notices required by these rules and the order of the Commission shall attend all meetings of the Commission and all hearings; shall scrutinize all applications to see that these rules are complied with; shall keep the dockets and minutes of the Commission's proceedings; shall compile all required records; shall maintain the necessary files and indexes and generally supervise all clerical work of the Plan Commission.

The Secretary, under the direction of the President, may designate members of the Plan Commission to make personal inspections when necessary from time to time. The Secretary or Planning Director or his designated representative shall demand from the

applicant such additional information and data as may be required to fully advise the Plan Commission with reference to the application, whether such information and data are called for by the official forms or not. Any failure or refusal on the part of the applicant to furnish such additional information or data shall be grounds for dismissal of the application by the Plan Commission.

APPLICATIONS:

An application for any requested action on behalf of the Plan Commission shall be filed on forms made available through the Department of Planning which shall be completed and submitted to the Planning Director along with all other required information, data and drawing as required by the Zoning Ordinance of the City of Greenfield, Indiana.

FEES:

Applications and petitions shall be prepared on the form provided by the Department of Planning, and accompanied by the filing fees stated below. Fees shall be paid to the Planning Director who shall forthwith pay over to the Clerk-Treasurer of the City to the credit of the General Fund of the City. Applications and petitions shall be accompanied by the following fees for each application:

Change and annexes to zoning map	\$400
Change of zoning text	\$750 + public notice fees
Development plan approval	\$350
Preliminary planned unit development	\$500 + \$25/lot
Detailed planned unit development	\$350
Initial zoning for annexed land	\$400
Primary Subdivision plat approval	\$500 + \$5/lot
Secondary Subdivision plat approval	\$500 + \$5/lot

DOCKET AND CALENDAR:

Each application filed in proper form with the required data shall be numbered serially, docketed, and shall be placed upon the calendar of the Plan Commission by the Secretary. The docket numbers shall begin anew on January First of each year and shall be hyphenated with the number of the year in which the application is filed.

Applications shall be initially submitted no later than the filing deadline designated by the meeting calendar, which shall be approximately forty five (45) days prior to the date

of the hearing, except for good cause at the discretion of the Planning Director. All applications docketed shall be set for hearing at the regular meeting corresponding to the filing deadline. If an application or the support documents are modified after the application is set for hearing, said amended documents shall be provided to the Planning Director no later than three (3) weeks prior to the scheduled hearing date, and if not so provided, the hearing will be rescheduled.

Applications shall be heard in the order in which they appear on the calendar, except that an application may be advanced for hearing by order of the Plan Commission for good cause shown. Where all applications cannot be disposed of on the day set, the Plan Commission may adjourn from day to day, or until the next regular or special meeting, as it may order.

No notice other than that provided for in these rules or by Ordinance will be given to applicants or others interested in hearings conducted by the Plan Commission.

NOTICE

For each application the applicant shall assume the responsibility and expense of notification and publication of notice as required by these rules or by Ordinance, or by State Law.

For every application which is to be heard by the Plan Commission, notice shall be given in a newspaper of general circulation in Greenfield, Indiana, in the form prescribed by the Plan Commission. The applicant shall cause the notice to be published at least fifteen (15) days, but not more than thirty (30) days prior to the date set for the hearing, and proof of publication must be made by an affidavit of the publisher and attached to a copy of the notice taken from the paper in which it was published and filed with the Secretary before the hearing. Such affidavit must specify the City, the date when, and the paper in which the notice was published.

For all applications requesting rezoning, zoning recommendations, development plan approvals, pud approvals, traditional neighborhood plan approvals, vacations, and the primary subdivision plat approvals, the Petitioner shall notify all abutting and adjoining legal land owners within two (2) property depths, or 660 feet of the subject property, whichever is satisfied first. Such notice shall be made by certified mail or by certificate of mailing at least fifteen (15) days before the date of the hearing. A copy of the notice published in the newspaper shall be adequate for the personal notice. The certified mail receipts or the certificate of mailing shall be filed with the Secretary before the hearing accompanied by an affidavit signed by the applicant verifying that all persons entitled to receive notice pursuant to these rules and ordinances of the City of Greenfield, Indiana, have been properly notified.

The Planning Director may vary the requirement for personal notification, if in the judgment of the Planning Director, a departure from the rules above is justified and the intent of this rule is observed.

CONFLICT OF INTEREST:

Any member who either has a pecuniary interest in or may derive a profit from any action taken upon any appeal or request shall be deemed to have a conflict of interest in compliance with I.C. 35-44-1-3. Any member having such conflict of interest shall announce at the beginning of the meeting and prior to the introduction to the appeal or request the existence of said conflict and shall thereafter refrain from comment, discussion, or participation in any id appeal or request including voting thereon.

EX PARTE CONTACT

No person, firm, corporation, other entity, Applicant, or remonstrator shall contact any member of the Commission, orally or in writing, in advance of a public hearing, on a petition then pending for decision with intent to influence such person's action on such petition; provided, however, the Plan Commission understands that communications may be permitted when a Plan Commission Member also serves in a staff/employee role of the City, so long as such communications are related solely to that role. Staff may submit a statement in writing to the Commission, stating any facts concerning the physical characteristics of the area involved in the petition and stating any pertinent facts or opinion that is desired to be set forth with respect to such petition.

A member of the Commission shall not seek out a person, firm, corporation, other entity, Applicant, or remonstrator to gain direct information regarding the proposal prior to the public hearing as it may prejudice the commission member and shall disqualify said member from participation as a Plan Commission member insofar as the particular petition is concerned.

HEARING:

The Plan Commission shall hold a public hearing on all applications at the date, time and place specified in the notice unless said application and supporting documents have been changed after the Technical Review Committee meeting and said amended documents have not been provided to the Planning Director and staff for review within fourteen (14) calendar days of the Technical Review Committee hearing. In such event, the application shall be continued until the next regularly scheduled hearing date, subject to the provision that said amended application and supporting documents be submitted to the Planning Director and staff at least thirteen (13) calendar days prior to said regularly scheduled meeting. Hearings shall be open to the public and all Plan Commission decisions regarding any application shall be made in an open public meeting.

The applicant or other interested persons may appear in person, by agent or by attorney. In the absence of any personal appearance on behalf of the applicant, the Commission may proceed to dispose of the matter on the record before it.

At the hearing the order of presentation shall be as follows:

Presentation by the Planning Director or his/her designated representative.

Applicant's initial presentation.

Interested property owner's presentation with those in favor of the application speaking first and those opposed to the application speaking second.

Applicant's rebuttal.

The Plan Commission reserves the right to impose reasonable time restrictions on all presentations.

All persons who speak before the Plan Commission as to any application shall do so only after being placed under oath by the Commission's Counsel, the Commission's President, or the officer in charge of the meeting.

The President may cause the expulsion of any person whose conduct is not courteous and orderly, provided that such person has been admonished at least once by the President.

ACTION AND DISPOSITION:

Following the public hearing or meeting, the Plan Commission shall make recommendations, reports or take other necessary action as prescribed by the Advisory Planning Law of Indiana (I.C. 18-7-4), and by the Comprehensive Plan of Greenfield, Indiana.

The final disposition of any application shall be in the form of a motion or resolution, setting forth the findings and determinations of the Plan Commission, together with any modification, specification or limitation which it makes, and, if required, the Secretary shall certify a copy of the motion or resolution along with the Plan and Ordinance to the Greenfield City Council for action at their next regular meeting.

The final disposition of applications for approval of provisional and record plats of subdivisions shall be in accordance with the requirements set forth in the Subdivision Control Ordinance of the City of Greenfield, Indiana.

The final disposition of any appeal before the Plan Commission shall be in the form of an order either reversing or modifying the requirement, order, decision or determination appealed from and granting the appeal, or affirming the order and denying the appeal. The Commission may dismiss a cause for lack of prosecution or lack of jurisdiction. When an applicant has failed to appear at the scheduled public meeting the case may be dismissed for lack of prosecution.

All decisions of the Plan Commission on matters heard in public hearing shall be by recorded vote. The vote of each member shall be a matter of permanent record.

An application may not be withdrawn by the applicant after the vote has been called for by the President unless a majority of the members of the Commission agree to the withdrawal.

No cause which has been withdrawn by the applicant shall again be placed on tile docket for consideration by the Commission within a period of six (6) months from the date of the said withdrawal, except upon the motion of a Plan Commission member, and adopted by the unanimous vote of all Plan Commission members present at a regular or special meeting.

RE-HEARINGS

No motion for re-hearings shall be entertained except upon a written request for rehearing by the original applicant, and then only after a motion made by a member of the Plan Commission to reconsider the vote, the said motion being seconded and duly passed. Said motion must be acted upon within ten (10) days after the original decision of the Plan Commission, or prior to any certification of a plan or Ordinance to the Greenfield City Council, whichever is sooner. No additional application to the Plan Commission shall be allowed within the time period prescribed by Ordinance or at no such time is prescribed, six (6) months, and only upon a showing of a substantial change in the circumstances affecting the property having occurred since the prior decision relating to said parcel or property.

ADVICE:

No informal requests for advice, or moot questions, will be considered by the Plan Commission Any advice, opinion, or information given by any Commission member or the Secretary, or any other official or employee of the City of Greenfield, shall not be binding on the Plan Commission Because of the annoyance caused by individuals appealing personally to members of the Commission it is declared to be the policy of the Commission to discourage any such personal appeals.

DOCKET AND MINUTE BOOK:

The Secretary shall be provided with a docket and minutes book which shall be kept posted and up-to-date. The docket shall be a well-bound book in which the Secretary shall enter the number of the application; the name of the applicant; short description, by street number, road or otherwise, of the premises; the nature of the application; and the final disposition. All continuances, postponements, dates of sending notices, and other steps taken and acts done shall be noted on the docket.

The minute book shall be a well-bound book, in which shall be recorded the decision relating to each application acted on, together with the vote of each member of the Commission, those absent being so marked, together with all other actions of the Commission and including a record of the transactions at a hearing. The docket book and the minute book may be combined.

MINUTES AND RECORDS:

The Plan Commission shall keep minutes of its proceedings, keep records of its examinations and other official actions and shall record the vote on all actions taken.

All minutes and records shall be filed in the office of the Plan Commission and shall be a public record. The Secretary shall provide copies of all monthly minutes to each Plan Commission member and to each member of the Board of Zoning Appeals.

TECHNICAL ADVISORY COMMITTEE:

A Technical Advisory Committee of the Plan Commission composed of the following members is hereby established:

Two (2) Plan Commission Members

City Engineer

Planning Director

Greenfield Water Superintendent

Greenfield Power and Light Superintendent

Greenfield Street Commissioner

Hancock County Soil and Water Conservation District Staff Member

Fire Chief - Greenfield Fire Department

Traffic Safety Officer - Greenfield Police Department

Superintendent - Sewer/Waste Water Treatment Plant

This committee will serve at the pleasure of the Plan Commission and will take action and make recommendations when required by the Comprehensive Plan and Ordinances of Greenfield, Indiana.

ORDER OF BUSINESS AT A REGULAR MEETINGS:

The order of business at all regular meetings of the Plan Commission shall be as follows:

Roll Call

Approval of minutes of previous meeting

Communications

Report of Committees or Consultant

Unfinished business

New business

Other Business

PRIOR RULES:

Any rules which may have been previously passed, setting forth the procedures and duties of the Plan Commission, are hereby repealed.

AMENDMENTS:

Amendments to these Rules of Procedure may be made by the Plan Commission at any regular or special meeting upon the affirmative vote of a majority of the members of the Commission. The suspension of any rule of procedure may be ordered at any meeting by unanimous vote of those present.

These Rules of Procedure of the Plan Commission are hereby approved by the affirmative vote of the majority of the members of said Plan Commission at a the regular meeting of the Commission held on the _____th day of _____, 2022, to become effective immediately.

GREENFIELD CITY PLAN COMMISSION
GREENFIELD, INDIANA

SO AMENDED THIS _____th DAY OF _____ 2022.

Becky Riley, President

ATTEST: _____
Monica Evans, Secretary