

RULES OF PROCEDURE
GREENFIELD CITY ADVISORY 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:

1. One (1) member appointed by the City legislative body from its membership.
2. One (1) member appointed by the Park Board from its membership.
3. One (1) member or designated representative appointed by the City Board of Public Works and Safety.
4. The City Civil Engineer, or a qualified representative assistant appointed by the City Civil Engineer.
5. 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 Plan Commission constitutes a quorum. No action shall be official, however, unless authorized by a majority of the entire Plan Commission at a regular or properly called special meeting.

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 least two (2) days in advance of 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 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.

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A temporary President shall be elected in case both President and Vice Presi

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

The President, subject to these rules, shall decide all points of procedure unl majority of the members of the Plan Commission.

DUTIES OF SECRETARY:

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

The Secretary, subject to the provisions of the Zoning Ordinance, these rule 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 Zoning Administrator or his designated representative shall demand from an 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 office of the Zoning Administrator which shall be completed and submitted to the Zoning Administrator along with all other required information, data and drawing as required by the Zoning Ordinance and/or Subdivision Control Ordinance of the City of Greenfield, Indiana.

FEES:

Applications and petitions shall be accompanied by the filing fees stated below. Fees shall be paid to the Zoning Administrator 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:

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|--------------------------------------|----------------------------|
| 1. Change of zoning map | \$400 |
| 2. Change of zoning text | \$750 + public notice fees |
| 3. Development plan approval | \$350 |
| 4. Preliminary unit development plan | \$500 + \$25/lot |
| 5. Detailed unit development plan | \$350 |
| 6. Initial zoning for annexed land | \$400 |

7. 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 thirty (30) days prior to the date of the hearing, except for good cause at the discretion of the Zoning Administrator. 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 City Engineer or Zoning Administrator no later than one (1) week 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 were submitted, 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 expense of notification and publication of notice as required by these rules, 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), 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 time when, and the paper in which the notice was published.

For all applications for rezoning and the platting of subdivisions, 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 the ordinances of the City of Greenfield, Indiana, have been properly notified.

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

TECHNICAL REVIEW:

As provided for by the Ordinance, a Technical Review Committee may review certain applications for compliance with technical specifications, adequate capacity, public safety, or other specifications. Applications requiring Technical Review shall be submitted with enough copies to be distributed to the committee members. Regular Technical Review Committee meeting dates and times shall be designated on

the annual meeting calendar. For any application which the committee requests to be revised, such revisions shall be filed with the Zoning Administrator no later than seven (7) calendar days after the Technical Review Committee meeting. If such revisions are not filed by such time, the Plan Commission may, at its discretion based on the nature of the requested revisions, continue the application to the next regularly scheduled hearing date, subject to the provision that said amended application and supporting documents be submitted to the Zoning Administrator and staff at least thirteen (13) calendar days prior to said regularly scheduled meeting.

CONFLICT OF INTEREST:

Any member who has a direct or indirect pecuniary interest in, or may directly or indirectly derive a profit from, any action taken upon any request, or meets the requirements defined by I.C. 36-7-4-223 or I.C. 35-44-1-3 shall be deemed to have a conflict of interest. Any member having such conflict of interest shall announce at the beginning of the meeting and prior to the introduction to the request the existence of said conflict, and shall thereafter refrain from comment, discussion, or participation regarding the request, including voting thereon.

HEARING:

The Plan Commission shall hold a public hearing on all applications at the date, time and place specified in the notice. 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:

1. Presentation by the Zoning Administrator or his/her designated representative.
2. Applicant's initial presentation.
3. Interested property owner's presentation. Those in favor of the application should speak first and those opposed to the application speak second.
4. 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. 36-7-4), by the Comprehensive Plan, and by the Zoning Ordinance.

The final disposition of any zoning code 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 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 preliminary and record plats of subdivisions shall be in accordance with the requirements set forth in the Zoning Ordinance and 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 the 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.

REHEARINGS

No motion for rehearings 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, if 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 minutes 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.

All regularly scheduled Plan Commission meetings shall be televised on the Greenfield Government Access Channel ("Channel 19"), unless the meeting location or technical difficulty makes such production impossible. Special meetings or workshops may be televised, depending on location and availability of broadcast staff. The Secretary shall coordinate with the broadcast staff to ensure availability for regular meetings. Video tapes of each meeting shall be retained for five (5) years from the date of the meeting and shall be a public record.

TECHNICAL ADVISORY COMMITTEE:

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

1. Two (2) Plan Commission Members
2. City Engineer
3. Zoning Administrator
4. Greenfield Water Superintendent
5. Greenfield Power and Light Superintendent
6. Greenfield Street Commissioner
7. Greenfield Stormwater Utility Director
8. Fire Chief - Greenfield Fire Department
9. Traffic Safety Officer - Greenfield Police Department
10. 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 REGULAR MEETINGS:

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

1. Roll Call
2. Approval of minutes of previous meeting
3. Communications
4. Report of Committees or Consultant

5. Unfinished business
6. New business
7. 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.

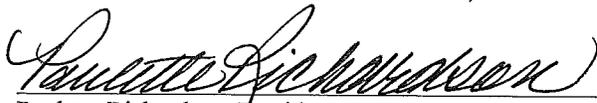
AMENDMENTS:

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 12th day of May, 2008, to become effective May 13, 2008.

GREENFIELD CITY PLAN COMMISSION
GREENFIELD, INDIANA

SO AMENDED THIS 12th DAY OF MAY, 2008.



Paulette Richardson, President

ATTEST: 

Sallie Turner, Secretary