

EMERGENCY RULES GOVERNING THE CONDUCT OF REMOTE PUBLIC COMMISSION MEETINGS AND PROVISIONS FOR REMOTE PUBLIC PARTICIPATION

The following Emergency Rules are issued by the Chairman of the Chicago Plan Commission (the “Chairman”, “Commission” and the “City”) in accordance with the Chairman’s emergency rule-making powers pursuant to Article II, Section 2 of that certain ordinance adopted by the City Council of the City (the “City Council”) on April 24, 2020 and retroactively applied to March 18, 2020, to protect the health, safety and welfare of City residents during the COVID-19 public health emergency (the “Emergency Ordinance”), State of Illinois Executive Order 2020-7 issued by the Governor of the State of Illinois (“Governor”) on March 16, 2020, in which certain sections of the Open Meetings Act (5 ILCS 120/1 *et seq.*) have been suspended during the COVID-19 public health emergency and State of Illinois Executive Order 2020-10 issued by the Governor on March 20, 2020, in which all public gatherings were limited, in accordance with guidelines recommended by the United States Center for Disease Control (“CDC”), to no more than 10 people.

These Emergency Rules are effective as of March 18, 2020 and shall remain in effect until the repeal of the Emergency Ordinance pursuant to Article IV, Section 2 thereof. At such time as the Emergency Ordinance is repealed, these Emergency Rules shall be repealed of their own accord.

The Chairman may rescind, suspend or amend these Emergency Rules as circumstances dictate.

During the period the Emergency Rules are in effect, they supersede any conflicting rules and regulations regarding the conduct of meetings of the Commission (including rules and regulations regarding public participation) as such rules and regulations are set forth in the Commission’s Rules (eff. January 2014) (the “Regular Rules”). Capitalized terms not defined in these Emergency Rules shall have the same meanings as set forth in the Regular Rules.

The purpose of these Emergency Rules is to:

1. Permit the Commission to conduct its meetings while taking appropriate measures consistent with the guidance from the City Council, the Governor, the CDC, the Illinois Department of Public Health and the Chicago Department of Public Health to mitigate the contagion and spread of the COVID-19 virus; and
2. Promote expeditious public meetings that will allow the Commission to maximize time

spent directly addressing the needs of Essential Businesses and Operations (as such term is defined in State of Illinois Executive Order 2020-10 and as may be modified by further State of Illinois Executive Orders) during the public health emergency.

These Emergency Rules address the manner in which the Commission will conduct its meetings to ensure that no more than 10 people are in physical proximity to each other as recommended by the CDC and as directed by State of Illinois Executive Order 2020-10 and to comply with recommended social distancing and social isolation practices to mitigate contagion and protect and promote the health and well-being of the general public, Commission staff and members of the Commission. These Emergency Rules shall also address the manner in which the Commission will ensure that Commission meetings maximize time spent addressing the needs of Essential Businesses and Operations during the public health emergency.

Extension and Tolling

As set forth in Article II, Section 2 of the Emergency Ordinance: (1) all deadlines that the Municipal Code imposes upon the Commission regarding the timing of meetings, hearings, recommendations and final decisions are hereby extended for 30 days or, at the Chairman's discretion, until the next Commission meeting; and (2) any deadline for action imposed upon the Commission pursuant to Title 17 (the Zoning Ordinance) of the Municipal Code that, if not met, would result in an automatic approval or denial is hereby tolled, which tolling shall preserve the status quo at the time of tolling.

Chairman's Powers

Like the Regular Rules, all powers granted to the Chairman under these Emergency Rules shall apply, if applicable, to the Vice Chairman.

While these Emergency Rules are in effect, the Chairman may, in her sole and absolute discretion, direct the Commission staff to place only those complete applications that address the needs of Essential Businesses and Operations on the Commission's regular, special or other meeting agendas. In the event that the Chairman takes such action, any or all non-Essential Businesses and Operations complete applications shall not be placed on any agenda and shall instead be held by the Commission staff. Once these Emergency Rules are repealed, such held applications shall be placed on the Commission's regular meeting agendas and may be placed on the Commission's special meeting agendas in the order they were received.

The Chairman shall have the power and authority to continue any application on any agenda that the Chairman, in her sole and absolute discretion, does not believe addresses the needs of Essential Businesses and Operations until such time that these Emergency Rules are repealed. This power and authority shall not require the presence of a quorum and may be exercised outside of a Commission meeting. The Chairman or her designee may instead notify the applicant prior to the day of the Commission meeting that the

application has been continued until another Commission Meeting or until such time as these Emergency Rules are repealed. Such notification shall be in writing.

The Chairman shall have the power and authority to continue any application appearing on any regular or special meeting agenda that the Chairman, in her sole and absolute discretion, does not believe can adequately be heard at such meeting. This power and authority shall not require the presence of a quorum and may be exercised outside of a Commission meeting. The Chairman or her designee may instead notify the applicant prior to the day of the Commission meeting that the application has been continued until such time that these Emergency Rules are repealed. Such notification shall be in writing. In the event that the Chairman or her designee has notified the applicant that the application has been continued to another Commission meeting, the notification may specify what must be done prior to the application being heard at such meeting. If any member of the public (as described below) has timely requested to testify on the application, such member of the public shall receive a copy of the notification, and the notification may also contain what the Chairman expects such member of the public to do prior to such meeting.

Virtual Commission Meetings and Quorum

The Commission's regular, special and other meetings shall not require the physical presence of a quorum of Commission members or any number of Commission members at a single meeting location or any one location. The Commission may conduct its regular, special and other meetings via telephone, teleconference, closed-circuit television or via other electronic media at multiple locations provided that the public portions of such meetings (i.e., those portions not closed pursuant to the applicable provisions of the Open Meetings Act) shall be simulcast to the general public via live-streaming or other means to permit the general public to monitor the conduct of the Commission's business and to engage in public participation. An electronic recording of the virtual meeting shall be preserved.

In the event that the Chairman, in her sole and absolute discretion, finds that the telephone, teleconference, closed-circuit television or via other electronic media fails to allow the Commission to adequately conduct any regular or special meeting, the Chairman shall immediately postpone the virtual meeting until such time that the virtual meeting may resume.

Virtual Hearings on Agenda Items

Virtual hearings on agenda items are held at the Commission's regular meetings and may be held at the Commission's special or other meetings. The physical presence of applicants, their attorneys and their witnesses shall not be required. They will not be invited into the designated meeting locations from which each or any of the Commission members are participating in the virtual meeting. Instead, applicants, their attorneys and their witnesses shall participate in the virtual hearings via telephone, teleconference, closed-circuit television or via other electronic media. Commission staff shall

communicate with applicants, or, if applicable, their attorneys, as to how this participation shall occur.

In the event that an applicant does not wish to participate in a virtual hearing, the applicant is free to request a continuance until such time that these Emergency Rules have been rescinded. Such a continuance request may be made prior to the virtual hearing in the form of a written request addressed to the Chairman. Upon receipt, the Chairman or her designee shall provide a written acknowledgment to the applicant that the application shall not be heard prior to the Emergency Rules being repealed.

Public Participation at Virtual Meetings

Public Observation of Virtual Commission Meetings

Members of the public will view the Commission's virtual meetings via live stream by selecting "Watch the Commission Meeting live" on the Commission's website at:

www.chicago.gov/cpc

Members of the public will not be invited into the designated meeting locations from which each or any of the Commission members are participating in the meeting.

Public Comment at Virtual Commission Meetings

The Commission acknowledges that it has never held virtual meetings before. The Commission further acknowledges that its technological abilities to conduct virtual meetings are limited. Therefore, to ensure equity of access to address the Commission, the Commission highly encourages that members of the public submit their comments in written form.

Any written comment must be received in advance of the Commission meeting.

The Commission will accept written comments on any and all agenda items up to twenty-four (24) hours prior to the Commission meeting at which the application is scheduled to be heard. For instance, if a member of the public wishes to comment on an agenda item scheduled to be heard at a regular meeting of the Commission, the member of the public must provide written comment to the Commission no later than 10:00 AM on the Wednesday prior to such regular meeting.

Members of the public shall send all written comment to the following email address: cpc@cityofchicago.org. The subject line of the email shall specify the Commission agenda item and property address for the agenda item so that the written comment can be properly filed with the Commission. Due to technological limitations, written comment shall be accepted only in the following formats: (1) body of the email; (2) word document; and (3) PDF. Written comment submitted in alternate formats shall not be considered. All written comments shall become part of the Commission's record and

shall be available for public view during the virtual meeting at www.chicago.gov/cpc. Written comment received after the deadline shall not be considered. Written comment containing racist, homophobic, violent, pornographic or other similar statements or images shall not be considered. Written comment containing personal attacks shall also not be considered.

Public Speaking at the Commission Meeting

Due to limited technological capacity: only: (1) aldermen (or their designees); and up to fifteen (15) members of the public shall be allowed to speak at the Commission's regular meetings on each agenda item. Note that it is anticipated that the Commission will hear all such public testimony at one time prior to the commencement of the hearings on all the agenda items (including the presentations by City staff and applicants) at or near the beginning of the regular meetings. The Chairman shall issue supplemental rules regarding public speaking for special and other Commission meetings.

Members of the public wishing to speak must register in advance of the day of the meeting.

Advance registration for public speaking at the Commission's regular meetings will open the Friday preceding the Commission meeting at 9:00 AM and close Tuesday at 10:00 AM or until all slots are filled.

Advance registration during this period shall be made by sending a completed public speaking request form to the following email address: cpc@cityofchicago.org. Public speaking request forms are available for download at the Commission's website. Note those that only completed public speaker request forms received prior to the Tuesday 10:00 AM deadline will be accepted.

Each speaker will be allocated no more than three (3) minutes to speak.

To ensure sufficient technological capacity, the Commission also requests that the any alderman wishing to speak (or have his or her staff speak) on an agenda item notify Commission staff no later than the Tuesday 10:00 AM deadline set forth above. Exhibits the alderman wishes the Commission to consider must also be sent prior to this Tuesday 10:00 AM deadline.

The physical presence of aldermen (or their staff) and those members of the public chosen to speak shall not be required at the Commission meeting. They will not be invited into the designated meeting locations from which each or any of the Commission members are participating in the virtual meeting. Instead, they shall participate in the virtual hearings via telephone, teleconference, closed-circuit television or via other electronic media. Commission staff shall communicate with them as to how this participation shall occur.

The above “EMERGENCY RULES GOVERNING THE CONDUCT OF REMOTE PUBLIC COMMISSION MEETINGS AND PROVISIONS FOR REMOTE PUBLIC PARTICIPATION” are hereby issued by the Chairman of the Chicago Plan Commission.

A handwritten signature in black ink, appearing to read "Jeff Rabe". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Chairman
Chicago Plan Commission