

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 of the City of Chicago (the “Chairman”, “Commission” and the “City”) in accordance with the Chairman’s emergency rule-making powers pursuant to that certain rule adopted by the Commission pursuant to a resolution at the Commission’s regular meeting on June 18, 2020 (the “Emergency Rule Resolution”)¹.

These Emergency Rules are effective as of July 1, 2020 and shall remain in effect until there is no longer a disaster proclamation issued by the Governor of the State of Illinois or the Director of the Illinois Department of Public Health relating to public health concerns for Cook County. At such time these Emergency Rules shall be repealed of their own accord.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, as amended June 18, 2020) (the “Regular Rules”). Capitalized terms not defined in these Emergency Rules shall have the same meanings as set forth in the Regular Rules. These Emergency Rules also hereby replace in their entirety those certain Emergency Rules issued by the Chairman as of April 24, 2020.

The purpose of these Emergency Rules is to permit the Commission to conduct its meetings while taking appropriate measures consistent with the guidance from the City Council, the Governor, the United States Centers for Disease Control and Prevention, the Illinois Department of Public Health and the Chicago Department of Public Health to mitigate the contagion and spread of the COVID-19 virus.

These Emergency Rules address the manner in which the Commission will conduct its meetings 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.

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.

¹ A copy of the Emergency Rule Resolution is included and attached at the end of this document.

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 regular, special or other 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, special or other 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, special or other meetings. The Chairman may issue supplemental rules regarding public speaking (and/or public comment) for special and other Commission meetings, and may include such supplemental rules in the public notices for such special and other Commission meetings.

Members of the public wishing to speak must register forty-eight (48) hours in advance of the day of the regular, special or other 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 that with respect to regular meetings 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 at a regular meeting notify Commission staff no later than the Tuesday 10:00 AM deadline set forth above. Exhibits the alderman wishes the Commission to consider at a regular meeting 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 Beale". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Chairman
Chicago Plan Commission



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

RESOLUTION

PROPOSED AMENDMENT TO PLAN COMMISSION RULES

WHEREAS, the Chicago Plan Commission is a body comprised of 23 members - including mayoral appointees made with City Council consent, and the body also receives staff services which are provided by the Department of Planning and Development; and

WHEREAS, the Chicago Plan Commission operates in conformance with a set of rules and regulations known as “Plan Commission Rules”; and

WHEREAS, should a public health emergency such as the current COVID-19 pandemic or any other such similar emergency arise it may be necessary to allow alternative means for plan commission meetings to occur as well as to have alternative means for public participation; and,

WHEREAS, a proposed rule authorizing the chair to promulgate emergency rules (including regarding public attendance and/or participation) during public disasters or other emergencies was contained on the notice of the public hearing which was published in the Chicago Sun-Times on June 3, 2020; and the proposed rule was then considered at a virtual public hearing by this Plan Commission on June 18, 2020; and

NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT a proposed rule authorizing the chair to promulgate emergency rules (including regarding public attendance and/or participation) during public disasters or other emergencies has been reviewed and approved by this body at the June 18, 2020 meeting. The proposed rule would read as follows: “When, due to public disasters or other emergencies the State of Illinois and/or the City of Chicago have, by executive proclamation or order, legislation or otherwise, limited where, when and/or how many people may publicly gather and/or the State of Illinois has suspended or modified portions of the Open Meetings Act for the public health, safety

and welfare of the citizens of the State of Illinois and/or the City of Chicago, the Chairman shall have the power to promulgate emergency rules (including regarding public attendance and/or participation) not inconsistent with such directives from the State of Illinois and/or the City of Chicago. The Secretary shall ensure that such emergency rules are posted on the Commission's website, and such emergency rules shall last until the State of Illinois and/or the City of Chicago rescind such directives."



Teresa Córdova, Chairman
Chicago Plan Commission

Approved: June 18, 2020
PD #: N/A