



Step by Step Guide

The Plan Commission Hearing regarding a petition is a legal proceeding by which the Plan Commission will seek to gather evidence about the Petitioner’s proposal. The proceedings, the types of evidence that can be presented, and the nature of questions that can be asked are established in both law and policy.

The Village has provided this guide to assist the audience in understanding what to expect during the newly revised Plan Commission Public Hearing Process. Nothing in this guide prohibits the Plan Commission Chairperson from modifying the sequence of steps during the hearing. Once the Public Hearing is open, Plan Commissioners may ask questions or seek clarification from persons giving presentations, testimony or comment at any time.

WHEN	WHO and WHAT
Step One:	Plan Commission Chairperson Opens the Public Hearing.
Step Two:	Plan Commission rules on Interested Parties applications.
PRESENTATION OF CASES	
Step Three:	Petitioner’s Case Petitioner will make its presentation and present witness(es) and other evidence. After each witness’s direct testimony, interested parties* will be allowed to cross-examine the witness.
Step Four:	Interested Party’s/Parties Case* Each interested party shall have an opportunity to make a presentation and present witnesses and other evidence. After each witness’s testimony, petitioner will be allowed to cross-examine.
Step Five:	Village Staff Presentation Village staff shall have an opportunity to make a presentation and may present witnesses and other evidence. After each witness’s testimony, petitioner and interested parties* will be allowed to cross-examine.
Step Six:	Petitioner’s Rebuttal Case Petitioner shall have the opportunity to provide a rebuttal presentation, testimony, or evidence. After each rebuttal witness’s testimony, interested parties* will be allowed to cross-examine.
PUBLIC PARTICIPATION	
Step Seven:	Questions from the Public Once the petitioner, interested parties, and the Village have presented their cases, members of the public will have the right to question each party about the testimony provided. Advance sign-up is required.
Step Eight:	Public Comment The public will have an opportunity to address the commission and provide general statements and opinions on the matter. Advance sign-up is required.
FINAL ACTION	
Step Nine:	After all parties have presented their cases and the public has had an opportunity to comment, the hearing will close.
Step Ten:	Within seven (7) calendar days of the hearing being closed; members of the public may make “technology objections.” (See Plan Commission Hear Protocols, XIII Final Action for further clarification on technology objections.)
Step Eleven:	The Plan Commission will discuss and deliberate and make a recommendation to go to the Village Board.

INTEREST PARTIES*

To qualify as an interested party, one must have an interest which extends beyond that of the general public. Status as a taxpayer alone is insufficient to qualify as an interested party.

Interested parties fall into three categories: (1) any property owner adjacent to the subject property; (2) any property owner within 250 feet of the subject property; or (3) any individual or entity who can demonstrate that it will suffer a unique injury or special damages different from the general public.

Individuals or entities must apply to be recognized by the Plan Commission as an “interested party.” Written applications will be accepted five to ten days before the hearings commence or resume.
