



Naperville

BYLAWS

NAPERVILLE PLANNING AND ZONING COMMISSION

NAPERVILLE, ILLINOIS

April 15, 2026 DRAFT

The following rules of procedure are adopted by the Naperville Planning and Zoning Commission to facilitate the performance of its duties and the exercise of its powers.

ARTICLE I

OFFICERS

Section 1. Selection

- (a) Pursuant to Section 2-1-3 of the Naperville Municipal Code, the Chair of the Naperville Planning and Zoning Commission (hereinafter also referenced as “**Commission**”) is appointed by the Mayor for a one year term and may be reappointed as Chair at the Mayor’s discretion.
- (b) A Vice-Chair and Secretary of the Commission shall be elected annually by the Planning and Zoning Commission within six (6) weeks of appointment or re-appointment of the Chair of the Commission by the Mayor.

Section 2. Tenure

- (a) The Chair shall take office on the first day of May or as may otherwise be designated by the Mayor. The Chair shall hold office until a successor is appointed and assumes office or until his or her term expires, whichever occurs first.
- (b) The Vice-Chair and Secretary shall take office immediately following their selection and shall hold office until their successors are selected and assume office, or until their terms expire, whichever occurs first.

Section 3. Duties

- (a) The Chair shall preside at all hearings or meetings, shall appoint such committees as may be necessary to carry out the purposes of the Commission, shall appoint committee chairmen, shall provide for oaths to be administered to all witnesses at public hearings, shall prepare or direct the preparation of all reports of recommendation or official action for the City Council, shall perform such other duties as may be ordered by the Commission, and shall perform such other duties necessary to carry out the purpose of the Commission.
- (b) The Vice-Chair shall perform all the duties and exercise all of the powers of the Chair in the case of absence or disability of the Chair. In the event of death, removal for cause, resignation, or inability of the Chair to serve, the Vice-Chair shall serve as Acting Chair with all the powers and duties of the Chair until a successor is appointed. The Vice-Chair shall perform such other duties as directed by the Chair.
- (c) The Secretary shall call the roll, call public speakers, direct the preparation of the minutes of all meetings and public hearings, execute documents in the name of the Commission, conduct correspondence of the Commission subject to the instructions of the Commission and Chair, and perform such other duties as the Commission may determine. In case of absence or temporary disability of the

Secretary, the Chair may appoint an Acting Secretary to carry out the functions of the Secretary's office until the Secretary returns to his or her post, or until a successor is selected.

- (d) A representative of the Department of Transportation, Engineering and Development (the "PZC Liaison") shall take those actions specified in these Bylaws including but not limited to overseeing the recording of Commission proceedings, preparing the minutes of Commission meetings showing the votes of the Commission, recording all official actions of the Commission, and summarizing accurately the testimony of those appearing before the Commission.
- (e) In the absence of both Chair and Vice-Chair, an Acting Chair designated by the Chair, or by the Mayor if the Chair is unavailable, shall preside.

ARTICLE II

MEETINGS

Section 1. General Provisions

- (a) All meetings and notices of Commission meetings shall comply with the Illinois Open Meeting Act, 5 ILCS 120/1 *et.seq.* Unless closed in compliance with the Illinois Open Meetings Act, all meetings of the Commission shall be open to the public. No final action shall be taken except at a public meeting.
- (b) Meetings of the Commission may not be held on the day of a general primary election, a general election, a consolidated primary election, or a consolidated election, as defined in the Election Code.
- (c) A majority of Commission members currently in office must be physically present at a meeting in order to achieve a quorum to transact business. A continuance of a public hearing to the next regularly scheduled Commission meeting due to a lack of quorum shall not be considered transaction of business.
- (d) Written comments received by 5:00 p.m. the Wednesday before the Planning and Zoning Commission meeting will be included in the meeting packet sent to the Planning and Zoning Commission. This meeting packet will also be posted on the City's website.
 - Written comments received after 5:00 p.m. the Wednesday before the Planning and Zoning Commission meeting through 5:00 p.m. the day before the meeting will be emailed directly to the Planning and Zoning Commission but will not be included in the meeting packet posted on the City's website.

- Written comments received after 5:00 p.m. the day before the Planning and Zoning Commission meeting will be added to the case file.

At the Chair's discretion, documents and communications may be filed with the Commission after the above dates and times; however, if such materials pertain to a public hearing scheduled before the Commission, the Commission may vote to continue the hearing to another date and may limit the purpose of the continuance to testimony related to said submission.

- (e) A record of proceedings shall be maintained for all meetings of the Planning and Zoning Commission in accordance with applicable laws and shall at a minimum include the date, location of the meeting, Commission members present, and a record of any action taken by the Commission.
- (f) Members of the public who wish to comment or testify during public forum shall comply with the provisions of Article IV of these Bylaws.
- (g) Members of the public who wish to comment or testify at a public hearing to be conducted by the Commission shall comply with the provisions of Article V of these Bylaws.

Section 2. Regular Business Meeting

- (a) Unless canceled due to a lack of business items, regular business meetings of the Planning and Zoning Commission are generally held on the first and third Wednesdays of each month. However, the actual meeting schedule for each year is approved by the PZC and is posted on the City of Naperville website. Meetings begin at 6:00 p.m. and conclude at 11 p.m. unless extended to a time certain by a majority of Commission members present, including those members attending electronically. The Commission may adopt other days and times for its regular meetings by a majority vote of Commission members with notice given in compliance with the Illinois Open Meetings Act.
- (b) Public hearings shall be scheduled by the Chair and the City of Naperville Zoning Administrator or his or her designee ("**Zoning Administrator**"), and shall occur during the Commission's regular business meeting. The Department of Transportation, Engineering and Development shall publish proper notice for all public hearings in a newspaper of general circulation if such publication is required by law. The petitioner shall be responsible to provide all other notices required by law.
- (c) The record of proceedings for all public hearings shall include documentation that all required notices have been given.

Section 3. Special Meetings

- (a) The Commission may schedule Special Meetings for the purpose of training, consideration of reports, planning discussions, and other matters related to the scope of the Commission's activities. Such meetings may be scheduled on the call of the Chair or at the written request of three members of the Commission, provided that at least 48 hours' notice of any such meeting, along with the agenda for the meeting, is posted at the Naperville Municipal Center, on the City's website, and is given by mail, email or telephone to each Commission member. The notice of the special meeting shall state the purpose and time of the meeting and shall comply with the Illinois Open Meetings Act.

Section 4. Holidays and Election Days

- (a) Any meeting that falls on New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day shall be held on such other date as may be selected by the Zoning Administrator.
- (b) Any meeting that falls on the day of a general primary election, a general election, a consolidated primary election, or a consolidated election, as defined in the Election Code shall be held on such other date as may be selected by the Zoning Administrator.

ARTICLE III

CONDUCT OF MEETINGS

Section 1. Agenda

- (a) The PZC Liaison shall prepare the agenda for each meeting of the Planning and Zoning Commission. The Zoning Administrator, in consultation with the Chair of the Commission, shall endeavor to manage the agenda for the Planning and Zoning Commission so as to ensure that fair and full consideration is given to each item on the agenda.

Section 2. Regular Business Meetings

- (a) Order of Business: The order of business at regular business meetings shall generally be as follows:
 - I. Call to Order
 - II. Roll Call
 - III. Public Forum
 - IV. Public Hearings
 - V. Reports and Recommendations

- VI. Old Business
- VII. New Business
- VIII. Adjournment

- (b) Change of Agenda Item Order: The Chair may, at his or her discretion, or at the request of a Commissioner, change the order of an item or items on the agenda with the consent of the Commission.
- (c) Item(s) Not on Agenda: The failure to specifically list a matter on the agenda shall not preclude discussion of any matter that is germane to a general topic listed on an agenda or meeting notice, but no final action may be taken with respect thereto.
- (d) Conduct of Members:
 - No member of the Commission shall speak until recognized by the Chair.
 - When two (2) or more Commission members seek recognition at the same time, the Chair shall name the member who speaks first.
 - Commission members shall always demonstrate respect for the opinions of each other, members of the staff, and members of the audience.
 - While business of the Commission is being transacted, no Commission member shall leave the meeting without first informing the Chair.

Section 3. Electronic Attendance

- (a) A member of the Commission wishing to attend a Commission meeting by telephonic, video, or other electronic means shall notify the PZC Liaison as soon as possible, but not less than twenty-four (24) hours before the meeting unless advance notice is impractical. Attendance by telephonic or video means is only permitted, if allowed by a majority vote of Commission members present, in cases of: 1) personal illness or disability; 2) employment purposes; 3) a family or other emergency; (4) unexpected childcare obligations; (5) performance of active military duty as a service member; or (6) any other reason for which electronic attendance is permitted by the Illinois state legislature in the future.
- (b) No more than two Commission members may attend a Commission meeting by telephonic, video, or other electronic means.
- (c) A Commission member participating electronically shall be considered present at the meeting.
- (d) Procedure to Allow Electronic Attendance:

The Chair will announce the name of any Commissioner requesting permission to participate in a Commission meeting by telephonic, video, or other electronic means at the beginning of the meeting.

After a roll call establishing that a quorum of the Commission is physically present, any Commissioner physically present may make a motion to permit another Commissioner to participate by telephonic, video, or other electronic means. Such motion shall include the reason for the absence. All members physically present are permitted to vote on whether such participation will be allowed and the motion must be approved by a vote of a majority of Commission members who are physically present.

Commission members participating by telephonic, video, or other electronic means shall preface their comments and their votes by first stating their last name.

Section 4. Motions

- (a) Motions shall be seconded by a voting member of the Commission and restated by the Chair before a vote is taken. The name of the individual making the motion and the name of the individual seconding the motion shall be recorded. A motion is not before the Commission until it has been seconded.
- (b) All motions are debatable except the motion to adjourn and the motion to close debate and call the question.
- (c) A motion may be amended or a motion to substitute may be made. A motion to substitute takes the place of the main motion and only one vote is needed.

Section 5. Voting

- (a) Voting on final recommendations of the Planning and Zoning Commission shall be by roll call. Other voting shall be by voice vote unless a roll call is requested by the Chair or another member of the Commission.
- (b) Except for votes taken in response to a request of a Commission member to attend a meeting electronically as provided in Section 3 of this Article 3, motions shall require a majority vote of Commission members present (including those Commission members allowed to attend electronically) in order to pass.
- (c) Motions shall be made in the affirmative or the negative; a majority of members present shall vote in the same direction i.e., “Agree with the Motion” or “Disagree with the Motion” in order to constitute a majority recommendation. A tie vote shall result in “no recommendation”.
- (d) After a vote has been taken, the Chair shall announce whether a Motion has passed, failed, or if a tie vote has resulted in “no recommendation”.

Section 6. Rules of Order

The following rules of order shall govern all Commission proceedings:

- (a) Chair to Preside: The Chair shall preside at all Regular Business Meetings and Special Meetings of the Planning and Zoning Commission provided that in the absence of the Chair the Vice Chair shall preside. In the absence of both the Chair and the Vice-Chair, an Acting Chair designated by the Chair, or by the Mayor if the Chair is unavailable, shall preside.
- (b) The Chair shall preserve order and decorum and shall decide on all questions of order. The rulings of the Chair shall be appealable to the Planning and Zoning Commission and shall be decided by a majority vote of Commission members attending the meeting, including the Chair, without debate. Where the term “majority vote” is used in these Bylaws, it means a majority of those Commission members who are present at the meeting, including those have been allowed to attend electronically.
- (c) Precedence of Motions:
 - i. Motion to adjourn to a date certain.
 - ii. Motion to adjourn.
 - iii. Motion to recess the meeting to a time certain.
 - iv. Motion to close debate and call the question. When a motion is made to “close debate and call the question” a vote on the main motion shall be taken without further debate unless either a motion to adjourn is made or unless the motion is objected to. If the motion to close debate and call the question is contested by an objection to the motion, the Chair will ask for a roll call on the motion to close debate and call the question, which shall pass if approved by a majority of the Commission. A motion to close debate and call the question does not require a second.
 - v. Motion to substitute (takes the place of the main motion and only one vote is required).
 - vi. Motion to amend.
 - vii. Motion to table to a date certain.
 - viii. Main motion
 - ix. Motion to reconsider at the same meeting. A motion to reconsider a decision made at the same meeting the original vote was taken may be made by any member of the Commission if that member voted with the prevailing side. If the motion to reconsider is made before another item has been discussed, and if the motion is seconded and passed by a two-thirds (2/3) vote of the Commission members in attendance at the meeting (including Commission members attending electronically), the item may be reconsidered at that meeting.

- x. Motion to change a vote. A member has a right to change his or her vote up to the time that the result is announced; after that, he or she can make the change only by the unanimous consent of the Commission members in attendance at the meeting (including Commission members attending electronically).
- xi. Motion to temporarily suspend the rules for the matter under consideration as set forth in Section 1 of Article 6 hereof.
- xii. Motion to remove an item from the agenda. This motion is appropriate when the Commission chooses to take no action on an item (i.e., when the Petitioner has withdrawn the request).

ARTICLE IV

PUBLIC FORUM

Section 1. Public Forum

- (a) The Illinois Open Meetings Act provides that members of the public must be given an opportunity to address public officials at open meetings under rules established and recorded by the public body. The purpose of the public forum is to allow members of the public an opportunity to address the Planning and Zoning Commission on issues of concern to them which are not part of the agenda. Public forum is not to be used by members of the public to address an item that is on the agenda. Comments pertaining to an agenda item are to be provided at the time the agenda item in question is being considered by the Commission.

Section 2. Conduct of Public Forum

- (a) All individuals participating in the public forum shall conduct themselves in a courteous and civil manner. No applause, cheering, or other distractions shall be permitted. The Chair shall take such actions as needed to maintain an orderly and civil hearing.

Section 3. Public Forum Procedures

- (a) All members of the public who want to address the Planning and Zoning Commission during public forum at a Planning and Zoning Commission meeting should sign up before the start of the meeting identifying themselves by name and indicating the general nature of the topic they wish to address. The Chair may allow individuals who did not sign up in advance to speak before the Commission.
- (b) Members of the public shall be called to speak in the order they signed up. Speakers shall address the Planning and Zoning Commission from the podium unless an accommodation is needed due to physical constraints of the speaker. Before beginning their remarks, the speaker shall state their name, and the city in which he or she resides, and may state his or her address if they choose to do so.

- (c) Speakers shall limit their remarks to no more than three (3) minutes unless additional time is granted by the Chair of the Planning and Zoning Commission or by majority vote of the Planning and Zoning Commission.
- (d) A timer shall be used to notify speakers when the allotted time has expired. Speakers will be informed when their allotted time has expired. Upon the expiration of the allotted time, speakers shall stop speaking and leave the podium unless additional time is granted or unless there are questions directed to the speaker from Planning and Zoning Commission members.
- (e) Public participation during public forum shall be limited to no more than thirty (30) minutes in total unless extended for a time certain by the Planning and Zoning Commission Chair or by a majority vote of the Planning and Zoning Commission. If there are more speakers signed up to address the Planning and Zoning Commission than time will allow, public forum shall be bifurcated and continued to the end of the agenda, prior to new business.

ARTICLE V

PUBLIC HEARINGS

Section 1. Notice

- (a) Certain cases brought to the Planning and Zoning Commission require a public hearing under the Naperville Municipal Code. Prior to commencement of a public hearing, City staff shall confirm that proper notice of the hearing was given in accordance with state statutes and the Naperville Municipal Code, and that documentation of such notice is included in the case file for the Petition.

Section 2. Introduction by the Chair

- (a) The Chair will begin each public hearing by announcing the name of the petitioner (herein “**Petitioner**”) and the nature of the request (the “**Petition**”). For the purposes of these Bylaws, Petitioner and Petitioner’s legal representative shall be treated synonymously.
- (b) An oath will be administered to all persons intending to testify during the course of the public hearing.

Section 3. Conduct of Public Hearing

- (a) All individuals participating in or attending a public hearing before the Commission shall conduct themselves in a courteous and civil manner. No applause, cheering, or other distractions shall be permitted. The Chair shall take such actions as needed to maintain an orderly and civil hearing.

Section 4. Evidence and Right of Cross-Examination

- (a) The Commission is not bound by strict rules of evidence. The Chair shall rule on all questions related to the admissibility of evidence presented by the Petitioner or members of the public who are interested in the subject matter of the Petition (“**Interested Persons**”) provided that the Chair’s ruling may be overruled by a majority of the Commission members attending the meeting.
- (b) Testimony provided during the public hearing, whether by the staff, Petitioner or Petitioner’s witnesses, or Interested Persons shall be subject to cross-examination. If cross-examination is requested by the Petitioner or by an Interested Person at any stage of the public hearing, the Chair shall allow such cross-examination subject to reasonable limitations, including but not limited to: the timing of the cross-examination, the complexity of the issue, whether a witness possesses special expertise, whether the testimony concerns a disputed issue or reflects a matter of taste or personal opinion, and the degree to which the witness’ testimony relates to the factors to be considered in approving or denying the proposal. The Chair may bar repetitious, irrelevant, or immaterial testimony or questions.

As an alternative to cross-examination an Interested Person may request that the Chair direct specific questions to the Petitioner or Petitioner’s witnesses or to staff.

- (c) Submission of written documentation of any kind which is relevant to the Petition shall be governed by the provisions of Article II, Section 1(d) above.
- (d) An individual seeking to present testimony to the Commission as an expert witness shall provide the Commission with his or her name, the city, county and state (if other than Illinois) where he or she resides, the address of the business which he or she represents (if applicable), and a description of the area of knowledge or expertise of such witness. It is preferred that such witness register with the PZC Liaison in advance of the meeting and provide the PZC Liaison with a business card and/or curriculum vitae. Such witness shall be allowed to testify subject to the conditions set forth herein or as may be reasonably imposed by the Chairman.
- (e) During any public hearing, prior to Petitioner’s closing remarks, the Chair may exercise his or her discretion to allow additional witnesses and testimony and may require that such additional witnesses’ testimony be limited in scope as appropriate under the circumstances.
- (f) The provisions of this Section 4 shall be applicable to all aspects of the Public Hearing.

Section 5. City Staff Presentation

- (a) Staff may provide a presentation summarizing the nature of the Petitioner’s request, basic facts of the case and any additional information that is relevant to the Planning and Zoning Commission’s consideration of the case. Staff shall also be present to

respond to inquiries by the Planning and Zoning Commission, Petitioner, and the public regarding the facts of the case and relevant provisions of the Naperville Municipal Code.

Section 6. Petitioner's Presentation

- (a) The Petitioner may present the Petition including testimony of witnesses and other evidence relevant to the case. The Chair shall allow the Petitioner reasonable time to make this presentation without interruption; provided, however, that questions by the Chair or other members of the Commission may be permitted as needed to aid the Commission or public in understanding a particular aspect of the presentation. Interested Persons shall also have an opportunity to ask questions of Petitioner and Petitioner's witnesses at a time deemed appropriate by the Chair.
- (b) In lieu of a presentation, the Petitioner may advise the Chair that they are available to respond to questions.

Section 7. Public Testimony

Interested Persons who have been sworn in by the chair shall be allocated time to speak with regard to the Petition and to present testimony of witnesses and other evidence relevant to the case. At the start of Public Testimony the Chair may advise the public:

- (a) Any individual providing testimony must be acknowledged by the Chair and shall speak from the podium unless an accommodation is needed due to physical constraints of the speaker. Before providing their comments and testimony, the speaker shall state their name and the city in which they reside and may state their address if they choose to do so.
- (b) While there is no specific time limit for speakers during public hearings, speakers shall avoid repetitive comments, testimony and questions.
- (c) Individuals speaking on the same issue should coordinate testimony to the extent possible in order to promote an efficient hearing, including selection of a representative to speak on behalf of a group where appropriate.
- (d) In addition to the right of cross-examination as set forth in Section 4b of this Article V, Interested Persons may ask that the Chair direct questions to the Petitioner, or Petitioner's witnesses or to staff for response.
- (e) No additional questions may be asked by Interested Persons after Petitioner has begun their closing remarks.

Section 8: Questions by the Planning and Zoning Commission

- (a) Members of the Commission may ask questions of the staff, the Petitioner, and Interested Persons during the public hearing as needed to clarify the facts of the

Petition or the nature of the testimony or material presented. Commission members are encouraged to ask any questions they may have prior to the Petitioner beginning their closing remarks.

Section 9. Petitioner's Closing Remarks

- (a) Following the conclusion of Petitioner's Presentation and Public Comment and Testimony, but prior to closing the public hearing, the Chair will allow the Petitioner a reasonable time to make closing remarks. Petitioner shall not introduce any new evidence during closing remarks.

Section 10: Closure or Continuance of the Public Hearing

- (a) Following Petitioner's closing remarks the Commission may: (a) move to close the public hearing and proceed with deliberations on the Petition; or (b) continue the public hearing to a date certain for any reason deemed appropriate by the Commission, including but not limited to a request to the Petitioner, an Interested Person, and/or staff to provide additional information.

Section 11: Planning and Zoning Commission Deliberations

- (a) After closure of the public hearing, the Planning and Zoning Commission may deliberate the merits of a Petition prior to a motion being made on the Petition. The Chair shall give each Commission member an opportunity to provide comment. During deliberations, the Commission may ask clarifying questions of City staff; however, questions shall not be directed to the Petitioner or members of the public.

Section 12: Planning and Zoning Commission Vote

- (a) Upon completion of deliberations, the Planning and Zoning Commission may: (a) make a motion to adopt some or all of Petitioner's proposed findings of fact and/or propose additional findings of fact, and approve the Petition with or without conditions; or (b) make a motion deny the Petition. Commissioners voting to deny a Petition are to provide their reasons or findings of fact for their recommendation of denial.
- (b) The Zoning Administrator shall forward the record of the public hearing on a petition before the Planning and Zoning Commission, and the Commission's recommendation on the petition, to the City Council for a final decision.

ARTICLE VI

MISCELLANEOUS

Section 1. Suspension of the Rules

- (a) The Commission may suspend any of these s by a vote of two-thirds vote of the total membership of the Commission (e.g. 6 members if there are no Commission vacancies). However rules relating to issues governed by State statute, such as compliance with the Illinois Open Meetings Act, shall not be suspended.

Section 2. Amendments

- (a) These Bylaws may be amended at any regular or special meeting by a two-thirds vote of total membership of the Commission if amendment of the Bylaws is included on the Commission Agenda. Any proposed amendment must be presented in writing before the vote on the amendment is taken.

The foregoing Naperville Planning and Zoning Commission Bylaws are hereby adopted by the Planning and Zoning Commission of the City of Naperville on _____.
A copy of same shall be filed with the Naperville City Clerk.

Chair

Date: _____

Secretary

Date: _____