



Legislation Details (With Text)

File #: 2023-0855 **Version:** 1 **Name:** Land Development Code - Substantive Amendment: Change Public Hearing Notice Mailing Requirements

Type: MOTION **Status:** IN BOARD OF TRUSTEES

File created: 11/2/2023 **In control:** Board of Trustees

On agenda: 12/18/2023 **Final action:**

Title: Land Development Code - Substantive Amendment: Change Public Hearing Notice Mailing Requirements

Code sections:

Attachments: 1. Staff Report to the COTW, 2. Amendment Report to the Committee of the Whole

Date	Ver.	Action By	Action	Result
12/18/2023	1	Committee of the Whole		
11/13/2023	1	Development Services Department	INTRODUCED TO COMMITTEE	
11/13/2023	1	Plan Commission	RECOMMENDED FOR APPROVAL	
11/7/2023	0	Plan Commission		
11/2/2023	0	Development Services Department	INTRODUCED TO COMMISSION	

Title/Name/Summary
Land Development Code - Substantive Amendment: Change Public Hearing Notice Mailing Requirements

History
AMENDMENT SUMMARY

SECTION 5-101.G.2.b

Amend the language to eliminate the certified mail mandate for public hearing notifications and replace it with the use of first-class mail.

AMENDMENT EXPLANATION

The goal of this amendment is to change the notification requirements for public hearings to better inform property owners within 300’ of a development change. The objective of changing this requirement is to reduce the time and cost burden on applicants who are sending out public hearing notices. Our current process is to have applicants send out certified mail to all property owners within 300’ of a proposed development change and sign an affidavit prior to the public hearing for the case.

Due to the rising costs associated with certified mail, priced at \$8.10 per envelope, and that certified mail cards often go unsigned at the post office, we are proposing to change the process to require first class mail to be sent in place of certified mail. First class mail costs \$0.66 per envelope and does not require a signature from each property owner, meaning that less mail will end up unsigned at the post office and more neighbors will be notified of the proposed request.

In addition to sending out first class mail, the applicant will be required to obtain a certificate of mailing receipt from the post office. The certificate of mailing receipt proves that the notification letters were sent out in a timely manner in accordance with the Illinois State Statute for public hearing notices. The affidavit for the public hearing notice must still be signed and notarized prior to the Plan Commission meeting.

Finally, the applicant must provide a list of addresses located within the 300' notification radius. This step identifies the property owners obligated to receive a notification letter.

This amendment seeks to change public hearing notifications for property owners within a 300' radius of the proposed requests by transitioning from certified mail to first class mail with additional documentation. This change not only reduces financial and logistical burdens on applicants but also mitigates the risk of mail going unsigned at the post office. The additional requirement of a certificate of mailing receipt and an address list within the notification buffer further ensures a timely and effective notification process. The proposed amendment complies with the Illinois Statute for public hearing notifications.

This agenda item is being considered by the Committee of the Whole and the Village Board of Trustees on the same night.

Recommended Action/Motion

I move to recommend to the Village Board to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

THIS PART IS FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.