

**TOWN OF CORTLAND
DEKALB COUNTY, ILLINOIS**

**TOWN OF CORTLAND
ORDINANCE NO. 2026-XX**

AN ORDINANCE DENYING A REQUESTED SPECIAL USE PERMIT TO SOLARSTONE PARTNERS TO OPERATE A SOLAR GARDEN ON 80.33 ACRES OF LAND LOCATED NORTH OF ILLINOIS ROUTE 38 AND SOUTH OF THE UNION PACIFIC RAILROAD, PINS 09-27-100-002 AND 09-27-300-004, IN THE TOWN OF CORTLAND, DEKALB COUNTY, ILLINOIS

**ADOPTED BY THE
MAYOR AND BOARD OF TRUSTEES
OF THE TOWN OF CORTLAND**

This 27th day of April, 2026

Published in pamphlet form by the authority of the President and Board of Trustees of the Town of Cortland, DeKalb County, Illinois, this ____ day of April, 2026.

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WHEREAS, a petition has been filed by Cortland Illinois Dynamics 1 and 2, LLC, as Illinois Limited Liability Companies, d/b/a SolarStone Partners, (hereinafter “SolarStone Partners”), acting with the permission of the property owners, John E. Walter as Trustee of the John E. Walter Trust dated November 13, 2024 and John R. Walter, seeking a Special Use Permit to operate a solar garden on certain property located north of Illinois Route 38 and south of the Union Pacific Railroad within the Town of Cortland; and

WHEREAS, the petition of SolarStone Partners for said special use permit was made in accordance with the provisions of the zoning chapter of the Cortland Town Code; and

WHEREAS, public notice of the public hearing to consider the requested Special Use Permit application was published in the Daily Chronicle on November 12, 2025 and proper notice was sent by mail to proximate property owners in accordance with Sec. 9-9-2.B of the Cortland Town Code at such time;

WHEREAS, on December 4, 2025 the Planning Commission held an initial public hearing at which time the Petitioner and other members of the public offered testimony regarding the requested Special Use Permit, with the Planning Commission subsequently sending a favorable recommendation for approval to the Town of Cortland Board of Trustees; and

WHEREAS, on February 23, 2026, the Board of Trustees referred the matter back to the Plan Commission for further consideration and review of the standards regarding the Special Use Permit; and

WHEREAS, on April 2, 2026 a supplemental public hearing took place before the Planning Commission at which time the Petitioner and other members of the public provided additional testimony; and

WHEREAS, the Planning Commission has tendered a Recommendation Letter and Finding of Fact and Recommendation to the Cortland Board of Trustees, PC 25-02, and within recommends approval of the proposed special use by a vote of 5 aye, 0 nay, and 1 absent; and

WHEREAS, after receiving and reviewing the Planning Commissions Finding of Fact and Recommendation for approval, the Cortland Board of Trustees rejects the Recommendations and Report in their entirety, hereby making its own findings; and

WHEREAS, in accordance with Section 9-10-6 of the Town Code, the Board of Trustees

specifically rejects the Recommendation Letter and Finding of Fact submitted by the Planning Commission 25-02 and determines that the requirements for the special use have not been met; finding that in the opinion of the Board of Trustees the application and evidence presented establishes the following:

1. The proposed structure or use at the particular location requested fails to provide a service or a facility which is in the interest of the public, and will not contribute to the general welfare of the neighborhood or community;

2. The proposed structure or use may have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;

3. The proposed structure or use is not designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Cortland, Illinois, as follows:

Section 1. That the Cortland Board of Trustees found that the evidence presented established the following:

1. The proposed structure or use at the particular location requested fails to provide a service or a facility which is in the interest of the public, and will not contribute to the general welfare of the neighborhood or community;

2. The proposed structure or use may have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;

3. The proposed structure or use is not designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

Accordingly, the Special Use Permit requested by Petitioner shall be denied for the operation of a solar garden on 80.33 acres of land located upon parcels denoted as PINs 09-27-100-002 and 09-27-300-004, north of Illinois Route 38 and south of the Union Pacific Railroad in the Town of Cortland.

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance shall be in full force and effect after its passage and publication as provided by law.

PASSED BY THE BOARD OF TRUSTEES of the Town of Cortland, Illinois, at a regular meeting thereof held on the 27th day of April, 2026, and approved by me as Mayor on the same day.

AYE:
NAY:
ABSENT:

Mark Pietrowski
Mayor

ATTEST:

Cheryl Aldis
Town Clerk

FOR DENIAL

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF DEKALB)

I, Cheryl Aldis, certify that I am the duly appointed and acting Town Clerk of the Town of Cortland, DeKalb County, Illinois.

I further certify that on April 27, 2026, the Corporate Authorities of such municipality passed and approved Ordinance No. 2026-___ entitled **AN ORDINANCE DENYING A SPECIAL USE PERMIT TO SOLARSTONE PARTNERS TO OPERATE A SOLAR GARDEN ON 80.33 ACRES OF LAND LOCATED NORTH OF ILLINOIS ROUTE 38 AND SOUTH OF THE UNION PACIFIC RAILROAD, PINS 09-27-100-002 AND 09-27-300-004, IN THE TOWN OF CORTLAND, DEKALB COUNTY, ILLINOIS** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2026-___ including the Ordinance and a cover sheet thereof prepared, and a copy of such Ordinance was posted in the Town Hall, commencing on _____. Copies of such Ordinance were also available for public inspection upon request in the office of the Town Clerk.

Dated at Cortland, Illinois, this ___ day of _____, 2026.

(SEAL)

Cheryl Aldis, Town Clerk