



NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Town of Cortland, as applicant, has filed a request for text amendment in accordance with Title 9, Chapter 9, Section 2B of the Cortland Town Code. The proposed amendment consists of modifying Title 9 to allow ground-mount solar energy systems as a permitted accessory use. The proposed amendment also includes revisions of Section 9-4-34 to specify additional criteria of lot, size, and location of accessory use ground-mount solar energy systems.

A Public Hearing before the Town's Planning Commission will be held at Town Hall, 59 S. Somonauk Road, Cortland, on **Thursday, February 5, 2026, at 7:00 pm.**

All persons desiring to provide testimony regarding the requested amendment may attend the public hearing to do so or offer testimony in advance thereof in writing. The application for amendment may be viewed through the Town's website at www.cortlandil.org. Written correspondence regarding the proposal may be directed to the Town of Cortland Zoning Administrator, P.O. Box 519, Cortland, IL 60112 and must be received not later than 4:30 p.m. at Town Hall on the day of the hearing in order to be incorporated into the public record of proceedings for amendment request as appropriate.



Date Filed:	
Job Number:	N/A
PC Number:	PC 25-03

LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.

(Check all that apply)

- Annexation* Rezoning from _____ to _____
 Text Amendment (attached proposed language)
 Special Use Permit for a: Planned Unit Development Other _____
 Planned Unit Development:
 Concept Plan Preliminary Development Plan Final Development Plan
 Subdivision Plat: Preliminary Subdivision Plat Final Subdivision Plat

** Attach an original copy of the annexation petition to this application*

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER <i>(If not the Applicant)</i>	CONTACT PERSON <i>(If not the Applicant)</i>
Name: <u>Brandy Williams</u>	_____	_____
Company: <u>Town of Cortland</u>	_____	_____
Address: <u>59 S. Somonauk Road, PO Box 519</u>	_____	_____
<u>Cortland, IL 60112-0519</u>	_____	_____
E-mail: <u>engineer@cortlandil.org</u>	_____	_____
Phone: <u>815-756-9041</u>	_____	_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES NO

(If the Applicant is not the owner of the subject property, a notarized letter from the Owner authorizing the Applicant to file the Land Development Application must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES NO

(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

Cortland Land Development Application

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PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: _____

PARCEL INDEX NUMBER(S): _____

LEGAL DESCRIPTION: *A FULL LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION*

TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES): _____

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: _____

CURRENT ZONING: _____ PROPOSED ZONING: _____

RECOMMENDED LAND USE: _____
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: _____

NAME OF PROPOSED DEVELOPMENT: _____

The subject property is located in which FIRE PROTECTION DISTRICT? _____

The subject property is located in which SCHOOL DISTRICT? _____

Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.

I, Brandy Williams/Town of Cortland, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Zoning Ordinance and/or Subdivision Ordinance of the Town of Cortland.

Brandy Williams
Signature of Applicant

12/4/25
Date

State of Illinois
County of <u>DeKalb</u>
Signed before me on <u>December 4, 2025</u> by <u>Brandy Williams</u> <i>Applicant</i>
<u>Cheryl L. Aldis</u> Signature of Notary Public


9-4-34. Solar energy systems.

- A. Permitted accessory use: Solar energy systems as a permitted accessory use are intended to provide energy to facilities located within the property the system is constructed on. Roof mount or building-integrated ~~private~~ solar energy systems must meet the building setbacks as required by section 9-3-6.A. Ground-mount systems shall be subject to the following requirements, restrictions, and conditions:
1. The ground-mount system is an accessory use in an Agricultural (AG) district, a Light Industrial (I-1) district, or a Recreation & Open Space (P-1) district.
 2. Bulk Regulations:
 - a. *Minimum Lot Area:* Five (5) Acres.
 - b. *Front and Corner Side Yard:* Fifty feet (50').
 - c. *Side Yard:* Fifty feet (50').
 - d. *Rear Yard:* Fifty feet (50').
 - e. *Height:* Ground or pole mounted solar energy system shall not exceed ten feet (10') in height as measured when the system is oriented at its maximum tilt. All other equipment shall not exceed fifteen feet (15') in height.
- B. Solar Farms and Solar Gardens that are the principal use on the property may only be located and permitted in an Agricultural (AG) district or a Light Industrial (I-1), but only when authorized and approved as a special use by the town board after public hearing and recommendation by the planning commission.

Such special use as may be allowed shall be subject to the following requirements, restrictions, and conditions:

1. *Bulk regulations:*
 - a. *Minimum Lot Area:* Five (5) Acres.
 - b. *Front and Corner Side Yard:* Fifty feet (50').
 - c. *Side Yard:* Fifty feet (50').
 - d. *Rear Yard:* Fifty feet (50').
 - e. *Height:* Ground or pole mounted solar energy system shall not exceed ten feet (10') in height as measured when the system is oriented at its maximum tilt. All other equipment shall not exceed fifteen feet (15') in height.
2. *Off-Street Parking:* There shall be a minimum of two (2) parking spaces with minimum dimensions of ten by twenty feet (10' x 20'). Accessways shall be a minimum of twelve feet (12') wide. Parking spaces and accessways located on private property do not have to be paved but do need to have a minimum of a seven inch (7") compacted stone base. Accessways located within the right-of-way shall meet standards set by the town engineer.
3. *Signage:* An identification sign shall be posted at the entrance(s) to the site. Each such identification sign shall list the name and phone number of the operator. In addition to the identification sign(s) there shall be appropriate warning signage that is posted along all property lines which are clearly visible on the site. Both the identification sign(s) and the warning sign(s) are exempt from section 9-6 of the Municipal Code.
4. *Power and Communication Lines:* Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground.

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5. *Batteries:* If the solar farm or solar garden consists of batteries or storage of batteries, adequate design must be provided to ensure all local, state and federal requirements regulating outdoor battery storage have been met.
 6. *Interconnection:* An interconnection agreement must be completed with the electric utility in whose service territory the system is located.
 7. *Stormwater and NPDES:* Solar farms and solar gardens are subject to the town's stormwater management and erosion and sediment control provisions and NPDES permit requirements.
 8. *Ground Cover and Buffer Areas:* The site of a ground mounted solar farm or solar garden energy system shall be improved and maintained with a native perennial vegetative ground cover over the entire property including under and around solar panels. The purpose of this ground cover shall be the prevention of soil erosion and the management of stormwater run-off. Topsoil shall not be removed during development, unless part of a remediation effort.
 9. *Foundation:* A qualified engineer shall certify that the foundation and design of the solar panels racking and support is within accepted professional standards, given local soil and climate conditions.
 10. *Other Standards and Codes:* All solar farms and solar gardens shall be in compliance with all applicable local, state and federal regulatory codes.
 11. *Site Plan Required:* A detailed site plan for both existing and proposed conditions must be submitted, showing location of all solar arrays, other structures, property lines, rights-of-way, easements, service roads, floodplains, wetlands and other protected natural resources, topography, electric equipment, and all other characteristics requested by the Town.
 12. *FAA Compliance:* Solar farms and solar gardens that are located within five hundred feet (500') of an airport or within approach zones of an airport, are required to complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.
 13. *Endangered Species and Wetlands:* Solar farm and solar garden developers shall be required to initiate a natural resource review consultation with the Illinois Department of Natural Resources (IDNR) through the department's online, EcoCat program. Areas reviewed through this process will be endangered species and wetlands. The cost of the EcoCat consultation will be borne by the developer. Results of this consultation will be included in the special use application packet.
 14. Upon request from the town, the owner or operator of a solar farm or solar garden must submit, within fourteen (14) calendar days, a current operation and maintenance report to the town.
 15. *Decommissioning:*
 - a. A decommissioning plan shall be required to be submitted when applying for all solar farms and solar gardens, to ensure that facilities are properly removed after their useful life.
 - b. Decommissioning of solar panels must occur in the event they are not in use for ninety (90) consecutive days.
 - c. The owner or operator will have six (6) months to complete the decommissioning plan after operation of a solar farm or solar garden stops being operational.
 - d. The decommissioning plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site.

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- e. The town board of trustees may require the posting of a bond, letter of credit, or the establishment of an escrow account to ensure the proper decommissioning. The posting of financial surety may be required prior to the issuance of a building permit for the facility. Said surety shall remain updated and valid until the solar farm/solar garden has been completely decommissioned in accordance with the latest approved decommissioning plan and restored in compliance with section 9-4-34.B.15. As outlined in the chapter establishing the special use permit, the amount of surety shall be periodically reviewed by staff and the surety amount adjusted accordingly.
 - f. In the event that the State of Illinois enacts a law with regards to the decommissioning of a solar farm or solar garden, the strictest requirements shall prevail.
 - g. The owner of a solar energy facility shall submit an update to this decommissioning plan every three (3) to five (5) years following issuance of the special use.
16. *Restoration Requirements:* The owner of a solar farm or solar garden shall provide the zoning administrator with a written notice of termination of operations or abandonment of the solar energy facility. Within one hundred twenty (120) consecutive calendar days immediately following the town's receipt of such written notice or within one hundred twenty (120) consecutive calendar days immediately following the termination of such special use, whichever first occurs, the owner of each such solar farm or solar garden shall:
- a. Remove all structures, buildings, solar panels, above ground improvements, outdoor storage, fencing, equipment, and roadways; and
 - b. Completely remove all foundations, pads, and underground electrical wires; and
 - c. Remove all hazardous material from the property and dispose of the hazardous material in accordance with all applicable federal, Illinois, and Town laws, statutes, ordinances, rules, and regulations; and
 - d. Restoration of all soil and vegetation.
17. *Bonds:* Prior to the issuance of a building permit, the owner of a solar energy facility shall provide the town with a performance and payment bond with adequate security or surety bond in an amount determined adequate by the town board to guarantee the performance of the aforesaid restoration requirements and decommissioning plan.
18. *Abandonment:* A decommission plan shall be approved by the town board during the special use permit process. At the time of building permit, a letter of credit, or other financial surety instrument approved by the town attorney, in the amount of the estimated cost of decommission, as approved by the town engineer, shall be submitted to the town. If the solar farm or solar garden is abandoned and not properly decommissioned, the town shall utilize the funds to restore the property to its original or an improved condition.
- C. *Solar Skyspace Easements:* The issuance of a permit for a solar energy system does not constitute a granting of a solar skyspace easement by the town. A solar skyspace easement is not a prerequisite for obtaining a zoning or building certificate from the town but the owner/operator shall assume all responsibility for obtaining covenants, easements, or similar documentation to assure sufficient sunlight to operate the solar energy system unless adequate access to sunlight is provided by the site and assumes all risks associated with operating the solar energy system without a solar energy easement.
- D. For solar farms and solar gardens, commencing with the issuance of building permits, the applicant, owner, or operator shall maintain a current general liability policy covering bodily injury and property damage with limits of at least three million dollars (\$3,000,000.00) per occurrence and five million dollars (\$5,000,000.00)

in the aggregate. The town shall be named as an individual insured on the policy to the extent the town is entitled to indemnification.

- E. Any solar energy system(s), applicant, owner, or operator, whether individual or commercial shall defend, indemnify, and hold harmless the town and its officials, employees, and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney's fees, except to the extent arising in whole or part out of negligence or intentional acts of such indemnified parties (such liabilities together known as "liability") arising out of applicant, owner, or operators selection, construction, operation, and removal of the solar energy system(s) and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the town's other indemnification rights available under the law. (Ord. 2020-13, 6-22-2020, eff. 7-2-2020)