ORDINANCE NO. 2021-25

AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE AUTHORIZING A TWELVE-MONTH EXTENSION OF THE SPECIAL USE PERMIT FOR A SOLAR FARM AT 4324 ILLINOIS ROUT 173 (WEST HALF) PREVIOUSLY APPROVED BY ORDINANCE 2020-26

WHEREAS, the Village of Poplar Grove has adopted Title 8, Zoning in accordance with the provisions of Illinois Complied Statutes, to regulate the use of land and specify the minimum requirements for improvements on land in the Village of Poplar Grove; and

WHEREAS, special uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, use and enjoyment of adjoining property and are reviewed on a case by case basis, and are permitted only by the Poplar Grove Village Board; and

WHEREAS, the applicant, Poplar Grove Solar, LLC P.O. Box 310, Highland Park, IL 60035 on behalf of the property owner, DYN 173, LLC, 6801 Spring Creek Road, Rockford, IL 61114 petitioned the Village for a special use permit for a solar farm at 4324 Illinois Route 173 (West Half); and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the Village of Poplar Grove Planning and Zoning Commission held a public hearing on September 23, 2020 concerning the proposed special use; and

WHEREAS, the Village of Poplar Grove Planning and Zoning Commission having examined said application and having considered the evidence, both oral and documentary, and being fully advised about the premises did make findings of fact and a recommendation; and

WHEREAS, the corporate authorities of the Village considered the findings of fact and concurred with the recommendation of the Planning and Zoning Commission; and

WHEREAS, the corporate authorities by passage of Ordinance 2020-26 did approve the special use permit request; and

WHEREAS, pursuant to the Village of Poplar Grove Zoning Code, special uses if not commenced within twelve months following approval are invalid unless an extension is approved by the Village Board; and

WHEREAS, the applicant, Poplar Grove Solar, LLC, now requests a twelve-month extension of the original special use permit approval under the same terms and conditions of the original approval; and

WHEREAS, the corporate authorities desire to approve the request of a twelve-month extension of the original special use permit approval under the same terms and conditions of the original approval.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF POPLAR GROVE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. That the special use in the LI, Light Industrial District, for a solar farm at the property legally described in Ordinance 2020-26 is hereby granted a twelve-month extension which extension will expire on October 21, 2022, subject to the following conditions:

A. Substantial compliance with the narrative (with an amended setback table to mirror those on the site plan) and site plan submitted, unless otherwise noted. (Attachment B to Ordinance 2020-26).

B. All vegetation shall be approved by the Boone County Conservation District. Pollinator friendly vegetation shall be used.

C. A decommissioning and reclamation plan shall be submitted to and approved by the Village of Poplar Grove prior to the commencement of the development.

D. A surety, covering the complete execution of the decommissioning and reclamation plan for when the project ends shall be posted prior to the commencement of the development.

E. An agricultural drainage tile system survey shall be conducted prior to commencement of the project. All identified drain tile shall be protected and repaired if damaged.

F. The drainage way located in Phase II shall be left unobstructed.

G. The applicant shall provide training to Boone County Fire District 3 pertaining to the hazards in conducting fire control and extinguishment of the proposed solar system.

H. Inspection risers shall be installed between PINs: 03-14-300-001 and 03-14-300-002 and Illinois Route 173.

Section 2. That acceptance of benefits of this special use shall be deemed acceptance to the terms and conditions contained herein.

Section 3. The premises shall be used in accordance with the Village of Poplar Grove Zoning Code and shall not be used except as expressly authorized by the special use.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Section 5. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this ____ day of _____, 2021.

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

_____
President of the Board of Trustees
Of the Village of Poplar Grove

ATTEST:

_____
Village Clerk