

Chapter 2: Zoning & Town Center Regulations

Section 1 – Zones, Maps and Boundaries

2.1.01 Establishment of Land Use Zones

In order to classify, segregate and regulate the use of land, buildings and structures according to the provisions of this ordinance, the town of Rockford is hereby divided into the following use zones:

Table 1 - 2.1.01a Zone and Use Designations

Symbol	Essential Use
R0	Single Family Residential / Open Space Zone
R1	Single and Two Family Residential Zone
MF	Multi-Family Residential Zone
MHP	Mobile Home Park Zone
MU	Mixed Use Zone
CC	Central Commercial Zone
LI	Light Industrial Zone
PQ	Public / Quasi-Public Zone

Permitted, conditional, and prohibited uses are charted by zone in Table 2.3.01a.
Site-specific and general requirements are charted by zone in Table 2.3.01b.

2.1.02 Official Map

This ordinance shall consist of the text herein, and as though contained herein, that map identified as "The Official Zoning Map," as approved by the Town Council of Rockford. Said map shall contain the signatures of the Mayor and Town Clerk of Rockford as verification of the approval of the Town Council. The map shall be kept on file at the office of the Town Clerk. This Ordinance and all of its terms is to be read and interpreted in light of the contents of said map. In cases where there may be conflicts of interpretation between the map and the text of the ordinance, the text of the ordinance shall prevail.

2.1.03 Zone Boundary Change

Changes in the boundaries of the zones shall be made by adopted ordinance of the Town Council including a revised zoning map and descriptive text. At the time of

amendment, these adopted changes shall become a part of this ordinance. In adopting zone boundary changes, the procedures described in Chapter 8 shall be followed.

2.1.04 Interpretation of Zone Boundaries

In interpreting the boundaries of any zone on the zoning map, the following rules shall apply:

1. Where zone boundary lines are indicated as approximately following public right-of-way or lot lines, such lines shall be determined to be the boundaries of the zone
2. Where a zone boundary line divides an un-subdivided property, unless the location of the boundary is indicated by dimensions, the boundary line shall be determined by measurement on the map utilizing the scale appearing on the map
3. Any lands located within a public right-of-way which has been vacated, shall acquire the zoning classification of the property to which it reverts
4. When a lot is subdivided and recorded resulting in the bisection of said lot by an existing zone boundary line, the zone boundary line shall be considered as following the lot line effectively placing the entire lot into the classification previously applied to the major portion of the lot
5. When a zone boundary line equally bisects a lot, the total lot shall acquire the most restrictive use classification and requirements of that zone classification
6. When a zone boundary line bisects a lot and this boundary line parallels or approximately parallels the street on which the lot fronts, the total lot shall acquire the same zone classification as the front portion of the lot

2.1.05 Un-listed Uses

In the case of a land use application sought but not appearing as permitted, conditionally permitted or prohibited by this ordinance, the Town Clerk shall have authority to:

1. Determine the appropriate use category among existing designations and permit conditions
2. Seek a determination from the Town Council on appropriate use category

Such determinations shall be recorded and amended to this ordinance.

2.1.06 Un-zoned Property

Any property other than the right of way of a street or alley that is not designated as zoned shall be deemed to be zoned Single Family Residential/Open Space. (RO)

Town of Rockford

This map is published by the Town of Rockford as a general planning tool based on data developed in 2018. Due to varying quality of source documents, the Town accepts no responsibility for errors or omissions, and extends no warranty accompanying this document.

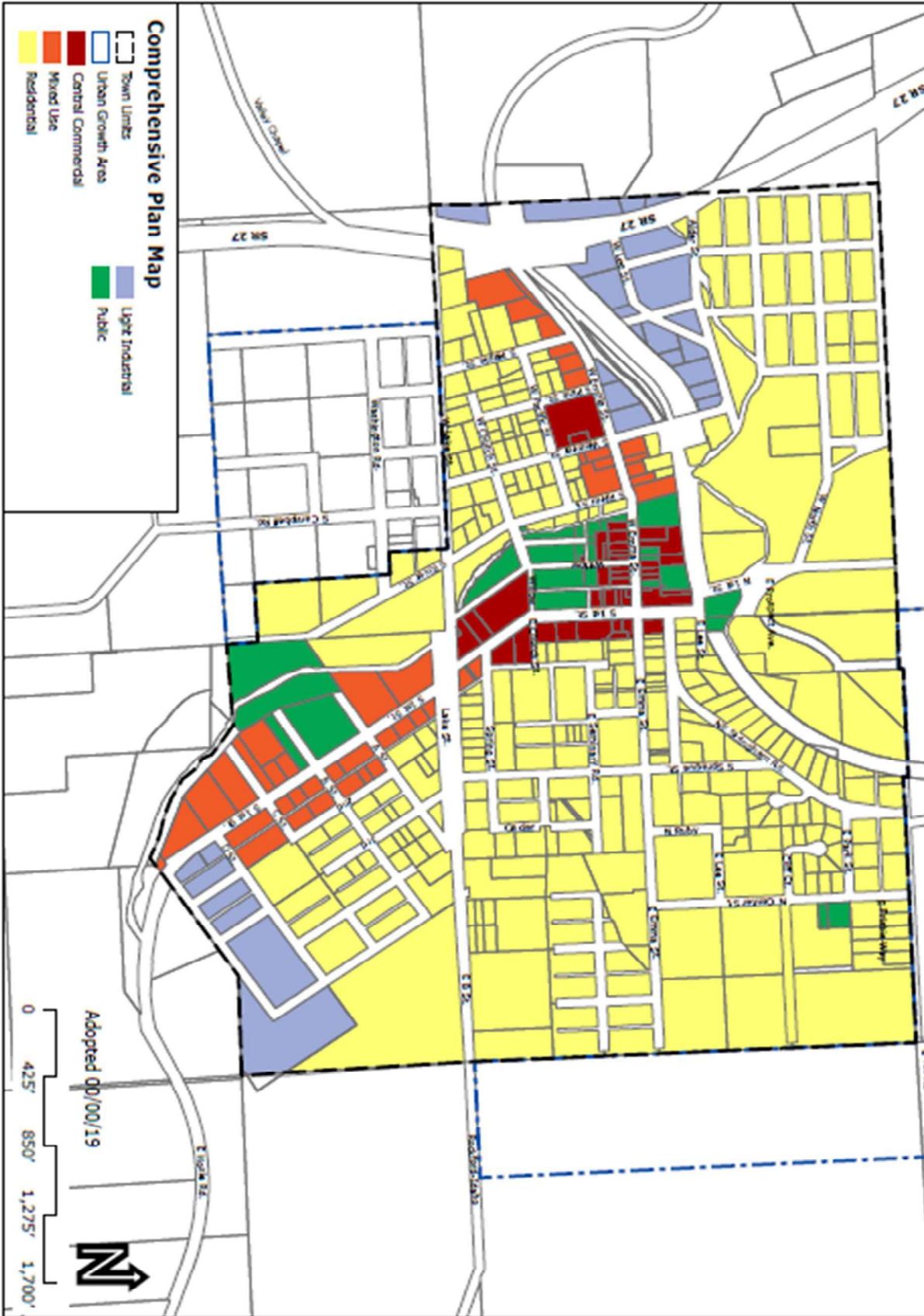


Figure 1 - Town of Rockford Comprehensive Plan Map

Section 2 – Town Center Overlay District

2.2.01 Purpose

This overlay district, containing two zones mapped as "Town Center 1" (TC-I) and "Town Center 2" (TC2) on the official zoning map, will protect and enhance the unique character of the town center while fostering an environment that is safe, inviting and business-friendly. The Town Center Overlay District fosters the recommendations of the 2004 Rockford Main Street Project, and incorporates them into the Town's regulatory framework.

2.2.02 Applicability

The District's development standards apply to that area defined by boundaries established under Chapter 2.1.02. Provisions of underlying zones within TC-I and TC-2 apply unless otherwise specified in provisions of this chapter.

2.2.03 Boundaries

Boundaries for TC-I and TC-2 are delineated on the official zoning map.

2.2.04 Design Standards: Building Facades and Storefronts

Storefronts and building facades are essential components of a viable, attractive, and pedestrian friendly environment in the Town of Rockford. The following standards apply to development in TC-I and TC-2:

1. At street level along primary rights-of-way, storefronts shall have clear glass windows covering no less than 35% of the building story surface area
2. Above the first floor level of multi-story buildings on facades facing primary rights-of-way, buildings shall feature individual punched or framed windows covering no less than 25% of the building story surface area
3. Above the first floor level of multi-story buildings on facades facing primary rights-of-way, buildings may not feature horizontally joined or banded ("ribbon") windows extending across more than 25% of the facade width
4. At the street level along primary rights-of-way over required glass windows, storefronts shall feature continuous, permanent awnings overhanging no less than four feet of adjacent sidewalk. If conditions preclude awnings, or if preferred by the developer, owner-maintained street trees, as approved by Council as to type and location, may be substituted
5. At the street level along primary rights-of-way, storefronts shall feature and maintain at least one accessible entrance

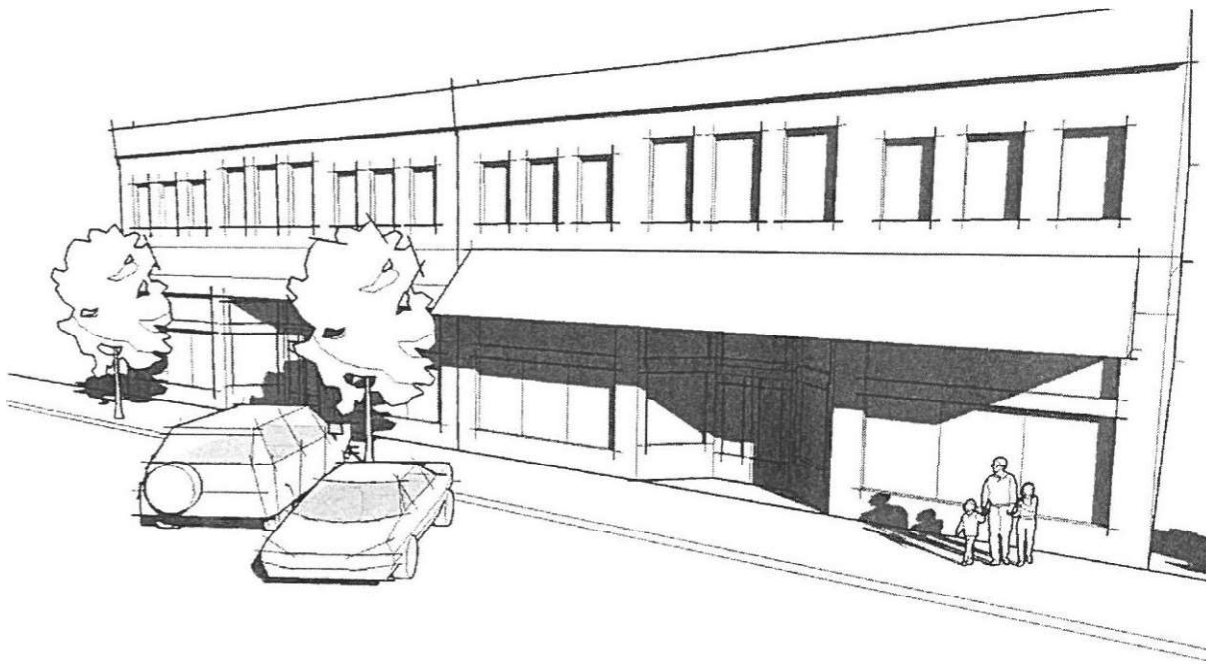


Figure 2 - Building elevation showing window and canopy options in the Town Center overlay. This sketch provides greater glass percentages than actually required. (Town of Rockford)

2.2.05 Design Standards: Build-To Lines

Building footprints shall be developed closer and occupy more property frontage along rights-of-way in TC-1. Than in TC-2. The following standards shall apply:

1. New buildings are to be built next to or on street frontages. The street frontage is where the property line meets the primary street
2. Buildings shall be built to a 10-foot maximum measured in a straight line from ROW to building in TC-1
3. 80% of frontage build-to line shall be occupied by a building in TC-1
4. Buildings shall be built to a 20-foot maximum measured in a straight line from ROW to building in TC-2
5. 60% of frontage build-to line shall be occupied by a building in TC-2

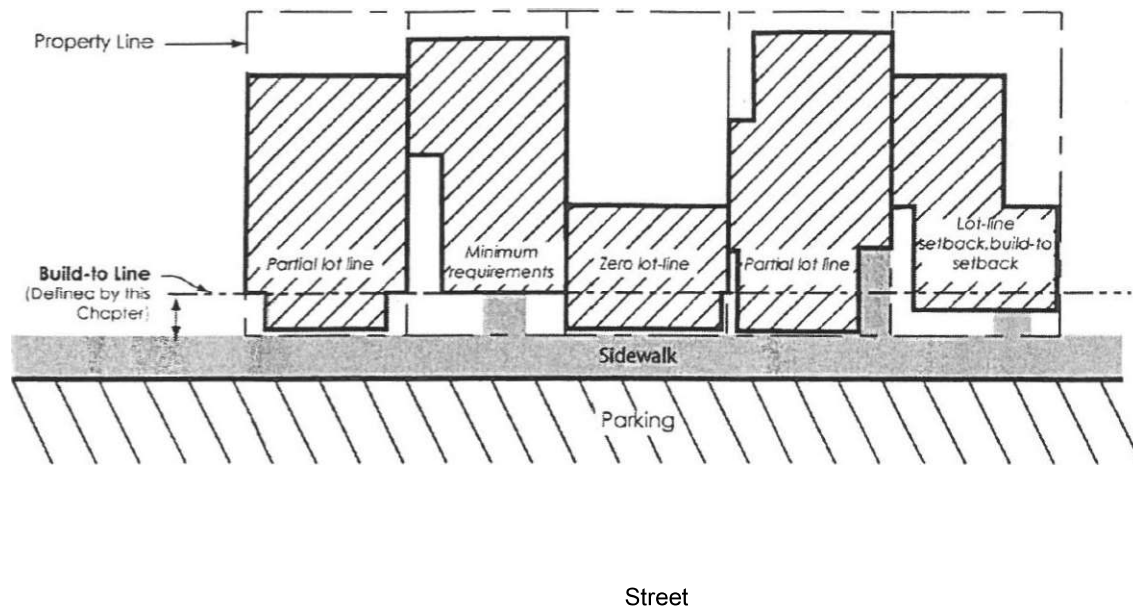


Figure 3— "Build-to" line regulations offer flexibility while still supporting Rockford's main street context. Here, several variations are presented, all meeting build-to line criteria. (Town of Rockford)

2.2.06 Design Standards: Lighting

The following lighting standards apply in both TC-1 and TC-2:

1. Exterior lighting shall be focused on-site and away from neighboring properties, utilizing fixtures with baffles or cut-off shields as necessary. Lighting standards pursuant to Chapter 3.6 also apply
2. On-site light poles shall be between ten (10) and 20 feet in height, as measured from the ground surface where the pole is placed to the highest point of the light pole, including the fixture

2.2.07 Design Standards: Building and Canopy Signs

The following standards shall apply to building and canopy signs within TC-1 and TC-2:

1. Window signs shall not occupy more than 25% of the total first-floor window area
2. Hanging or awning signs shall not extend to less than seven (7) feet above the walking surface of access areas or along primary rights-of way
3. Sign materials shall be durable and of high-quality
4. Temporary signs are allowed pursuant to Chapter 3.1.

2.2.08 Design Standards: Monument and Free-Standing Signs

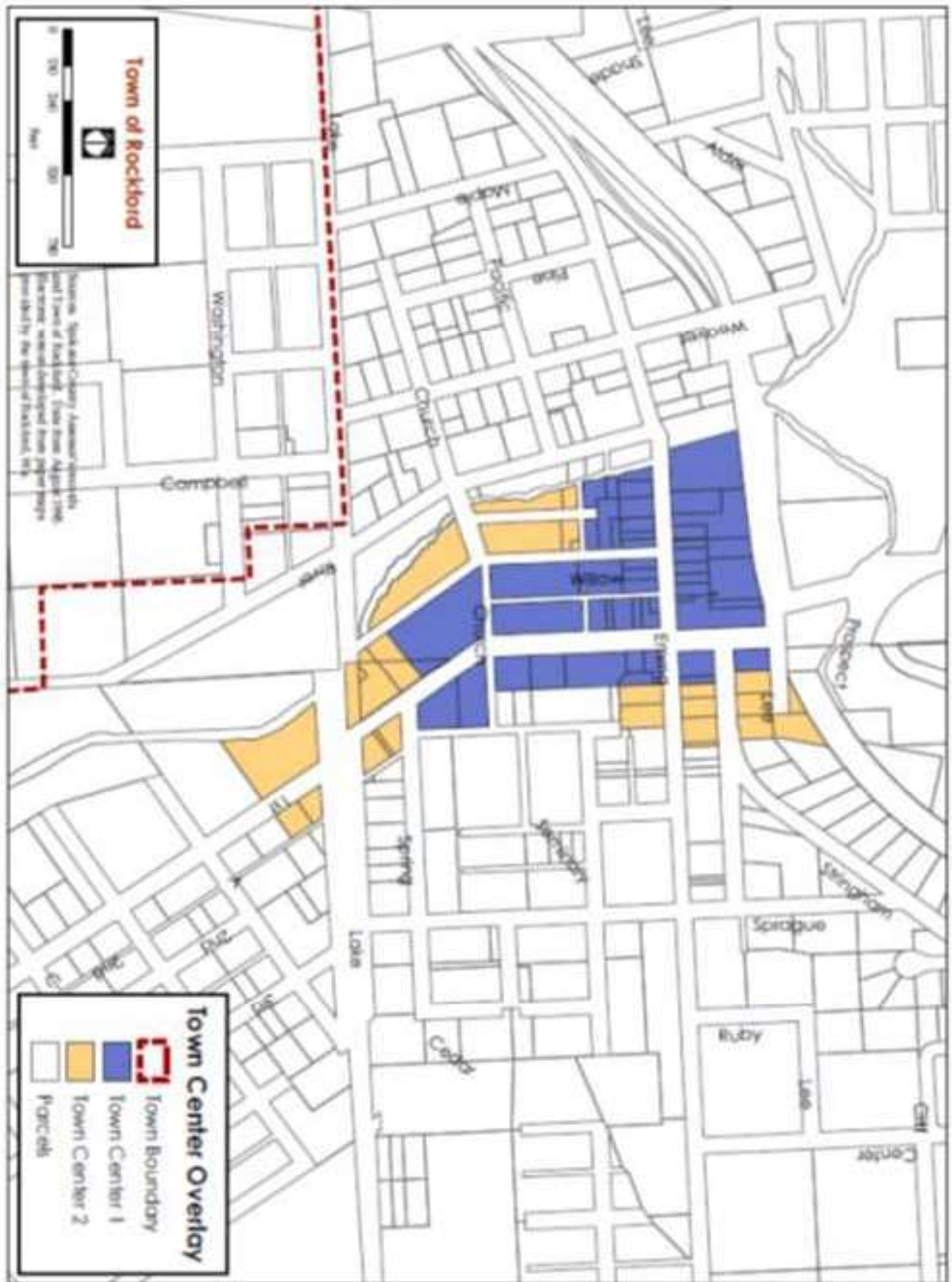
The following standards apply to monument and freestanding signs in TC-1 and TC-2:

1. Heights for signs on separate poles shall not exceed 15 feet in height. Height shall be measured from ground level of pole to the top of the sign or pole whichever is highest.
2. Monument signs shall not exceed six (6) feet in height in TC-1 and TC-2, as measured from level grade to the top of the sign
3. Sign lighting shall be focused and directed upon the sign surface
4. Signs shall be compatible with the character of Rockford. Compatibility shall be determined, upon review, by the Town Council

2.2.09 Design Standards: Off-Street Parking

Parking areas should be accessible, safe, and coordinated with the overall pedestrian-oriented character of the Town Center. The following standards for off-street parking shall apply to properties within the TCI AND TC-2:

1. Off-street parking shall be accessed via alleys where feasible
2. No off-street parking shall be located between a structure and a street
3. Off-street parking shall be located behind buildings. If this is not feasible, parking may be located to the side of buildings, retaining all other requirements of Chapter 3.4
4. Pedestrian entrances to buildings shall be directly visible from parking areas, or building access signs shall be posted to direct pedestrian movement to building entrances
5. Off-street parking areas shall have no less than one (1) foot-candle of illumination per square foot, as measured at parking surface



Section 3 – Nonconforming Uses and Structures

2.3.01 Purpose

Invariably, at the time this zoning section is adopted or amended, certain uses that existed prior to the adoption or amendment will not conform to the regulations of the Ordinance. These are known as nonconforming uses, and in order to feasibly adopt this section and so as not to cause undue economic hardship on owners of nonconforming uses, these uses are allowed to continue under special conditions as outlined in the following sections.

2.3.02 Continuation of Nonconforming Structure or Use

Subject to the provisions of this article, a nonconforming structure or use may be continued and maintained in reasonable repair but shall not be altered or extended. For nonconforming uses occupying structures intended for expansion of that use, the use may be extended into the space designed for the use provided that the Town Council approves the expansion.

2.3.03 Discontinuance of Nonconforming Use

If a nonconforming use, either of the property or a structure is discontinued for a period of 18 months or more, then that nonconforming use is no longer legal, and subsequent uses shall conform to this ordinance.

2.3.04 Change of Nonconforming Structure

Except for signs, a structure that contains a conforming use but is nonconforming in height or lot coverage may be altered. Any alteration shall not exceed the limits of the structure's height or lot coverage at the time of the adoption of this ordinance. A nonconforming sign shall not be altered or extended except to make it comply with the requirements of the Ordinance.

2.3.05 Change of a Nonconforming Use

1. If a nonconforming use not involving a structure is replaced by another use, the new use shall conform to this ordinance
2. If a nonconforming use involving a structure is replaced by another use, the new use shall conform to this ordinance unless the Town Council determines that such structure is suitable only for another nonconforming use not more detrimental to surrounding properties than the one to be replaced
3. Any existing mobile (manufactured) home as of the date of the ordinance codified in this section which does not meet the standards established in this chapter will be allowed to legally remain as a nonconforming use until such time

as it is moved off-site or is destroyed or damaged to any extent which exceeds 50% of the assessed value of the mobile (manufactured) home, at which time it shall conform to the provisions of this chapter. Any mobile (manufactured) home which is moved into the town or which is relocated to another site within the town shall conform to the provisions of this chapter

2.3.06 Destruction of Nonconforming Structure or Use

If a nonconforming use, structure or a structure containing a nonconforming use suffers damage or is destroyed by any cause, including intentional destruction exceeding 50% of its assessed value, and is not returned to use or repair within twelve (12) months, a future structure or use on the site shall conform to this ordinance.

2.3.07 Legal nonconforming uses and structures include:

1. Any use which does not conform with the present regulations of the zoning district in which it is located that was in existence and in continuous and lawful operation prior to the adoption of Chapters 2, 3 and 4;
2. Any permanent structure in existence and lawfully constructed at the time of any amendment to Chapters 2, 3 and 4, which by such amendment is placed in a zoning district wherein it is not otherwise permitted and has since been in regular and continuous use;
3. Any permanent structure lawfully used or constructed that was in existence at the time of annexation into the town and which has since been in regular and continuous use;
4. Existing legally established single-family residential uses located in a nonresidential zoning district.

Table 2 - Permitted Use by Zone – Agriculture thru Entertainment

Permitted and Conditional Use by Zone	Zone Designations ("P"-Permitted, "C"-Conditional, "X" - Not Permitted)							
	RO	R1	MF	MHP	MU	CC	LI	PQ
Agriculture- Com feed yards, sales yards	C	X	X	X	X	X	X	X
Agriculture- Farming, Land cultivation	P	X	X	X	X	X	X	X
Agriculture- General livestock	P	C 5	C 5	X	X	X	X	X
Agriculture- Poultry farms	P	X	X	X	X	X	X	X
Agriculture- Processing, packing, storage	C	C	C	X	C	C	P	X
Agriculture- Products manufacturing	C	C	C	X	C	C	P	X
Agriculture- Com Beekeeping	X	X	X	X	X	X	P	X
Agriculture- Res Beekeeping	P	P	P	X	X	X	X	X
Automotive- Repair Services	C	C	C	X	C	P	P	X
Automotive- Sales	C	C	C	C	P	P	X	X
Automotive- Service stations	X	X	X	X	P	P	C	X
Cemeteries- Animal	P	C	C	X	X	X	X	X
Cemeteries- Commercial	C	C	C	X	C	X	X	P
Cemeteries- Family	P	X	X	X	X	X	X	X
Churches- Sanctuaries, acc use structures	X	C	C	C	P	P	X	X
Communication- Radio/TV studio	X	X	X	X	P	P	X	X
Communication- Repeater facility	P	P	P	X	P	P	P	X
Communication- Telecom wireless array	P	C	C	X	P	P	P	C
Communication- Telecom wireless tower	P	C	C	X	P	P	P	C
Communication- Tower, ham operator	P	P	P	X	C	X	X	X
Community Serv- Community Hall, club	C	C	C	C	C	C	X	P
Construction- Contractor office, shops	C	X	X	X	P	P	X	X
Day Care- Adult day care	P	P	P	P	P	P	X	X
Day Care- Child (12 or less)	P	P	P	P	P	P	X	X
Day Care- Child (13 +)	C	C	C	C	P	P	X	X
Dwelling- Accessory living quarters (perm)	C	C	C	X	C	C	X	X
Dwelling- Apartment buildings (Note6)	X	X	P	X	C	X	X	X
Dwelling- Caretaker's	X	X	X	X	P	P	P	X
Dwelling- Manufactured Homes (Note2)	P	P	P	P	X	X	X	X
Dwelling- Mobile home park (Note8)	X	P	X	P	X	X	X	X
Dwelling- Single family	P	P	P	X	C	C	X	X
Dwelling- Two-family/Duplex (Note4)	C	C	P	X	C	C	X	X
Eating/Drinking- Eating/Drinking Est	X	X	X	X	P	P	X	X
Entertainment- Adult Entertain, Retail	X	X	X	X	X	X	X	X
Entertainment- Exercise facility	X	X	X	X	P	P	X	X
Entertainment- Com theater	X	X	X	X	P	P	X	X

Table 3 - Permitted Use by Zone - Entertainment thru Sales

Permitted and Conditional Use by Zone	Zone Designations ("P"-Permitted, "C"-Conditional, "X" - Not Permitted)							
	RO	R1	MF	MHP	MU	CC	LI	PQ
Entertainment- Arcade games	X	X	X	X	P	P	X	X
Government- Buildings for Fed, State, etc	X	X	X	X	P	P	X	P
Group Living- Assisted Living/Nursing Home	X	X	C	X	P	P	X	X
Group Living- Community res facilities (>6)	P	P	P	X	P	P	X	X
Group Living- Community res facilities(6-25)	X	X	C	X	P	P	X	X
Hospitality- Bed and breakfast, inns	P	P	P	X	P	P	X	X
Hospitality- Hotels	X	X	X	X	P	P	X	X
Hospitality- Motels	X	X	X	X	P	P	X	X
Institutional- Higher learning, charitable	X	X	X	X	C	C	X	P
Libraries- Public	X	X	X	X	C	C	X	P
Manufacturing- Appliance assembly	X	X	X	X	C	C	P	X
Manufacturing- Furniture	C	C	C	X	C	C	P	X
Marijuana- Club, lounge, commercial	X	X	X	X	C	C	X	X
Marijuana- Processing, commercial	X	X	X	X	X	C	C	X
Marijuana- Production, commercial	X	X	X	X	X	C	C	X
Marijuana- Sales	X	X	X	X	C	C	X	X
Museums- Public	X	X	X	X	P	P	X	P
Offices- Managerial	C	C	P	X	P	P	X	X
Offices- Professional	C	C	P	X	P	P	X	X
Parking- Covered garages, commercial	C	X	C	X	P	P	X	X
Parking- Covered garages, private (Note1)	P	P	P	P	P	C	X	X
Parking- Open lots, commercial	X	X	X	X	P	P	X	X
Parks- Desig open space, conservation	C	C	X	C	X	X	X	P
Parks- General, private (Note1)	C	C	X	X	X	X	X	X
Parks- General, public	C	C	C	C	C	P	X	P
Recreation- General facilities, private o/d	P	P	P	C	P	X	X	X
Recreation- General facilities, public i/d	X	X	X	X	P	P	X	P
Recreation- General facilities, public o/d	P	X	X	X	C	X	X	P
Recreation- Golf courses/ranges private	P	C	C	C	C	X	X	X
Recreation- Golf courses/ranges public	P	C	C	C	C	X	X	P
Recreation- Swimming pools, private	P	P	P	P	C	C	X	X
Recreation- Swimming pools, public	X	X	P	C	P	P	X	P
Sales- Agriculture products(retail or whole)	C	C	C	X	P	P	X	X
Sales- Boats/trailers	C	C	C	C	P	P	X	X
Sales- Building materials(retail or whole)	X	X	C	X	P	P	X	X
Sales- Mobile Home, trailer, rv's	C	C	C	C	P	P	X	X

Table 4 - Permitted Use by Zone - Sales thru Utilities

Permitted and Conditional Use by Zone	Zone Designations ("P"-Permitted, "C"-Conditional, "X" - Not Permitted)							
	RO	R1	MF	MHP	MU	CC	LI	PQ
Sales- Retail commodities	C	C	C	C	P	P	X	X
Sales- Retail Commodities with o/d sales	X	X	X	X	C	C	X	X
Sales- Retail services	C	C	C	C	P	P	X	X
Schools- Nursery	C	C	C	C	C	C	X	X
Schools- Public or private	C	C	C	C	C	P	X	P
Shops- Commercial laboratories	X	X	X	X	X	P	X	X
Shops- Commercial metal fab, blacksmith	X	X	X	X	P	P	X	X
Shops- Commercial welding	X	X	X	X	P	P	X	X
Shops- Commercial painting, printing	X	X	X	X	P	P	X	X
Solid Waste- Processing, reclamation	X	X	X	X	X	X	C	C
Solid Waste- Landfills, transfer station	X	X	X	X	X	X	C	C
Storage- Barns (Note12)	P	C	X	X	X	X	X	X
Storage- Commercial, boat, rv, o/d or i/d	C	X	C	X	P	P	P	X
Storage- Commercial cold storage	X	X	C	X	P	P	P	X
Storage- Freight warehouses, terminals	X	X	X	X	X	P	P	X
Storage- Sheds (Note12)	P	P	P	P	P	P	P	X
Utilities- Public facilities	C	C	C	C	C	P	C	P

2.3.08 Density and Dimension Standards.

Residential standards are set forth in Table 2.4.01. Standards for alternate residential development are set forth in Chapter 4.1.01 Alternative Residential Development Options, and standards for planned residential developments are set forth in Chapter 5.2.01, Planned Residential Developments. Commercial and Industrial standards are set for in Chapter 3.8.01 Supplemental Regulations.

Table 5 - 2.4.01 Use Requirements by Zone

Table 2.4.01 Use Requirements By Zone								
Symbol	Essential Use	Minimum Lot Area	Maximum Lot Coverage ¹	Minimum Setback (yard)			Maximum Building Height	Maximum Lot Density
				Front ³	Side (ea) ²	Rear ²		
RO	Single Family Residential/Open Space	1 acre	30.00%	15'	15'	15'	75'	1 du/ac
R1	Single and Two-Family Residential	5,000 sq ft	50.00%	15'	5'	10'	35'	8.7 du/ac
MF	Multi-Family Residential	2,000 sq ft	50.00%	10'	5'	5'	35'	22 du/ac
MHP	Mobile Home Park	3,600 sq ft	40.00%	15'	5'	10'	35'	12 units/ac
MU	Mixed-Use Residential and Commercial	By Use, or 5000 sq ft	By Use	By Use	By Use	By Use	See below ⁷	By Use
CC	Central Commercial	N/A	N/A	N/A	N/A	N/A	N/A ⁴	N/A
LI	Light Industrial	N/A	75%	N/A	N/A	N/A	N/A	N/A
PQ	Public/Quasi-Public	By Use	N/A	10'	7' (10' corner lot)	5'	N/A ⁶	N/A

1 - Maximum coverage includes gross footprint area of all buildings including accessory buildings, excludes uncovered parking and private swimming pools

2 - Accessory structure setbacks of 5 feet to the rear and side property lines

3 - Flanking Street Yard Setback

4 - Facades on buildings exceeding 35' must step back on (1) additional foot for each goot of height above 35'

5 - CC Zoning may be subject to Town Center Overlay requirements; see official zoning map, Chapter 2.2

6 - If adjacent to residential zone with no intervening public street or alley, maximum height to match adjacent residential zone

7 - MU Zone height requirements are as follows: Residential uses shall conform to Chapter 3.2 and 3.3; commercial uses shall conform to Chapter 3.6 except if adjacent to residential zone with no intervening public street or alley, maximum height to match adjacent residential zone