

Clearwater Township Ordinance #22

The Zoning Ordinance

Enacted by the Clearwater Township Board, June 15, 2011

Effective July 15, 2011

[Amendments 1 through 7 incorporated into the text, January 3, 2022]

[Amendment 8 never effective. Amendment 9 incorporated August 1, 2022]

[Amendment 10 incorporated April 30, 2023]

[Amendment 12 incorporated December 7, 2023]

[Amendment 13 incorporated January 18, 2004]

[Amendment 14 incorporated June 1, 2024]

Supervisor: Larry Niederstadt

Clerk: Barbara Crambell

Treasurer: Sheryl Grimm

Trustees: Bruce Belanger

Chris Tracey

**This Ordinance Review and Update Carried Out by
Members of the Clearwater Planning Commission 2009-2011:**

Bruce Belanger

Tina Norris Fields

Huse Johnson

Adam Parzych

Don Risk

Mark Sington

With Consultation and Guidance from the Zoning Administrator, Guy Molby

ARTICLE 20
VILLAGE COMMERCIAL DISTRICT C-VIL

20.01 ALL USES MAYBE REQUIRED TO BE CONTAINED IN AN APPROVED ENCLOSURE AND MUST FURTHER COMPLY WITH SITE PLAN REVIEW PROCEDURES AS DEFINED BY ARTICLE XXVIII OF THIS ORDINANCE.

20.02 PERMITTED USES

SUBJECT TO THE ABOVE, no building or structure or any part thereof shall be erected, altered or used, or any land or premises used, in whole or in part for other than one or more of the following uses, viz.;

- A. Single-family dwellings, and private storage buildings, subject to the lot dimension standards of this Article, and the dwelling dimension, aesthetic, and building code standards of ARTICLE XVI , Village Residential District. Such dwellings do not require Site Plan Reviews.
- B. Commercial Uses.
 1. Retail stores and shops; food, drug, variety, dry goods, clothing, music, book, hardware, crafts, antiques, gifts, produce stands, and other similar light retail uses.
 2. Personal service establishments which perform services on the premises such as: barber and beauty shops, shoe repairs, business services, printing, publishing, photo reproduction and related trades or arts.
 3. Offices, banks, and public buildings.
 4. Funeral homes.
 5. Restaurants and other food service establishments including those that may serve alcoholic beverages.
 6. Churches, schools, and public parks.

20.03 USES PERMITTED BY SPECIAL USE PERMIT

- A. Garages, other than for private use, used for servicing and/or storing vehicles or boats.
- B. Vehicle sales facilities.
- C. Fuel service stations.
- D. Hotels, motels, bed & breakfast and boarding house operations.
- E. Dwelling units which are part of a commercial unit, such as second story “ flats” or duplex units.
- F. Multifamily dwellings.
- G. Efficiency apartments.
- H. Other uses of a light retail nature designed primarily to serve the residents of the area and the traveling public, and which are approvable by the Planning Commission as compatible with the mixed residential and retail uses of the Village District.

ALL USES PERMITTED BY THIS SECTION SHALL BE SUBJECT TO THE PROCEDURES AND REGULATIONS OF ARTICLE XXVIII , SITE PLAN REVIEW, AND ARTICLE XXIV , SPECIAL USE PERMITS.

20.04 SCHEDULE OF LOT DIMENSIONS, BUILDING HEIGHTS, AND PARKING REQUIREMENTS IN THE VILLAGE COMMERCIAL DISTRICT.

- A. The minimum width of a lot, measured at the front setback line, shall be seventy-five (75) feet.
- B. The minimum area of a lot shall be twelve thousand (12,000) square feet.

C. The minimum building setbacks shall be:

Front: Twenty-five (25) feet from the near boundary of the Right-of-Way. In the event of parking for commercial uses within the front setback line, that setback line shall be forty (40) feet from the Right-of-Way. Corner lots shall have a setback of at least twenty-five (25) feet from each Right-of-Way. **Side:** Ten (10) feet from the property line.

Rear: Ten (10) feet from the property line.

Buildings: Ten (10) feet minimum distance between buildings on subject lot.

Septic: Septic tanks and fields shall be a minimum of ten (10) feet from any property line or building foundation.

D. Parking: Must comply with the requirements of [ARTICLE XI](#) .

E. Building Height: The maximum height of a building shall be thirty-five (35) feet or two-and-one-half stories, unless the Planning Commission shall grant, by Special Use Permit, a greater height.

20.05 BOUNDARIES

The Village Commercial District (C-Vil) shall consist of:

Section 4.....(1) Corner of Crystal Beach Rd. & Rapid City

Rd. (Tax Parcel No. 004-004-014-00);

(2) Parcel Tax ID 004-004-010-00 [Amendment 9; Adopted May 19, 2022; Effective June 9, 2022]

Section 6.....Block 1, lots 1-3 Persons Addition to Persons Harbor, Tax Parcel Numbers 004-475-001-00 and 004-475-002-00;

Section 9.....(1) Plat of Village of Van Buren: Blocks 1 (tax group 825), 2 (tax group 826), 3 (tax group 8270, and 4 (tax group 828)

(2) Property numbers 004-009-039-00, 004-009-040-00, 004-009-041-01, and 004-009-041-05

(3) Plat of Rapid City;

(4) Blocks A (tax group 625) and B (tax group 66) of Smith & Rickers Addition to Rapid City;

(5) Lots 1-17 of Anderson's Addition;

(6) Lots 1-7 of Foster's Addition;

(7) Tax parcel IDs 004-009-051-10, 004-009-051-20, 004-009-051-30, 004-009-051-35, 004-009-051-40, 004-009-051-45, and 004-009-058-000;

(8) Smith's Addition: Lots 1-8 and 29-54

Section 16.....(1) on the West side of Rapid City Road, that land between the centerline of Rapid City Road and the Western boundary of the abandoned C&O Railroad Right-of-Way and between the Northern boundary of Tax Parcel No. 004-016-017-10 and the Southern boundary of Tax Parcel No. 004-016-032-10;

(2) on the East side of Rapid City Road, that land comprising Tax Parcel IDs. 004-016-002-00, 004-016-001-20, 004-016-001-10, 004-016-003-00, 004-016-004-00, 004-016-020-00, 004-016-535-42, 004-016-535-41, 004-016-535-40, the westerly 330 feet of 004-016-011-20, the westerly 330 feet of the untaxed 30 foot easement lying between Parcels 004-016-011-30 and 004-016-011-20, and the parcel not on the tax rolls which occupies the Southeast corner of Rapid City Road and South Street.

Section 21.....That portion of Parcel Tax ID 004-21-014-00, described as: That part of the Northwest 1/4 of the Southeast 1/4 of Section 21, Town 28 North, Range 8 West, described as; Commencing at the South 1/4 corner of said Section 21; thence North 00°00'08" West along the North--South 1/4 line of said Section as monumented 1330.72 feet to the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section; thence continuing North 00°00'08" West along said

1/4 line 1330.72 feet to the center of said Section as monumented; thence South 89°42'46" East along the East-West 1/4 line of said Section as monumented 337.05 feet to a point in the centerline of Rapid City Road; thence South 37°06'12" East along said centerline 1139.74 feet to the point of beginning; thence continuing South 37°06'12" East along said centerline 508.40 feet to a point on the East 1/8 line of said Section as monumented; thence South 00°06'54" East along said 1/8 line 14.26 feet to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section; thence South 89°59'13" West along the South 1/8 line of said Section as monumented 230.39 feet; thence North 37°06'12" West 380.85 feet; thence North 52°53'48" East 192.35 feet to the point of beginning; and containing 2.00 acres of land.[Amendment 9; Adopted May 19, 2022; Effective June 9, 2022]