

COUNTY PLANNING COMMISSION AGENDA
February 8, 2022 REGULAR MEETING
7:30 A.M.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES:
 - A. January 11, 2022 REGULAR MEETING MINUTES
4. FINANCIAL REPORT AND APPROVAL OF EXPENSES
5. DIRECTOR'S REPORT
6. MAJOR SUBDIVISION TO BE REVIEWED:
 - A. DERCHAR SUBDIVISION
SUBLOT 1 AND 2
HAMB DEN TOWNSHIP
FINAL PLAT –**extension request received from applicant for 2-8-22 meeting**
7. TOWNSHIP ZONING AMENDMENTS TO BE REVIEWED:
 - A. HAMB DEN TOWNSHIP
TEXT AMENDMENT NO. ZC-2022-01
INITIATED JANUARY 10, 2022
BY ZONING COMMISSION
8. CORRESPONDENCE:
 - A. OFFICE CLOSURES RELATING TO 2022 HOLIDAYS
9. ADJOURNMENT



Geauga County Planning Commission
470 Center Street, Building 1C, Chardon, Ohio 44024
Phone (440) 279-1740 Fax (440) 285-7069
www.co.geauga.oh.us/Departments/Planning-Commission

February 8, 2022 MEETING MINUTES

1. Pledge of Allegiance

Chairman Caterina Cocca-Fulton called the February 8, 2022 regular meeting of the Geauga County Planning Commission to order at 7:33 a.m. at 470 Center Street, Building 8, City of Chardon. A quorum was obtained. Following the Pledge of Allegiance, the roll call was called by Pamela Irizarry, Administrative Assistant and the following members were present:

2. Roll Call

Members present: Caterina Cocca-Fulton, Gary Neola, Jim Dvorak, Jim McCaskey and Dennis Bergansky.

Members absent: Ralph Spidalieri, John Oros, and Timothy Lennon.

Staff present: Linda Crombie (Planning Director), Allyson Kobus (Planner II), and Pamela Irizarry (Administrative Assistant).

3. Approval of Minutes for the January 11, 2022 Regular Meeting

Mr. Neola made a motion to approve the January 11, 2022 regular meeting minutes and Mr. Bergansky seconded the motion, and upon a call for the vote, the motion carried unanimously.

4. Financial Report and Approval of Expenses

Ms. Irizarry provided the financial report as of February 8, 2022 attached hereto and the expenses marked as Exhibit "A" totaling \$204.38. Mr. McCaskey made a motion to approve the financial report and the summary of expenses, marked exhibit "A" totaling \$204.38. Mr. Dvorak seconded the motion, and upon a call for the vote, the motion carried unanimously.

See Exhibit 4A

5. Director's Report

A. Generalized Zoning Map: Ms. Crombie informed the Commission that a generalized zoning map was created years ago to provide an overall view of zoning across Geauga County. The map is broken down into eight zoning categories mapped by a different color including, but not limited, to single family commercial and industrial and Ms. Crombie briefly reviewed each one. The map needed updating since there was one annexation and one detachment since 2018 and

several re-zonings. Ms. Crombie let the Planning Commission members know that this information will be posted on the Geauga County Website. Ms. Cocca-Fulton asked if green was recreational, does this mean areas that are parks? Ms. Crombie replied that it means areas that are zoned for recreational purposes. A map depicting the location of parks would look much different.

B. Geauga County Township Association: Ms. Crombie advised that the January Geauga County Township Association meeting was held at Punderson State Park in Newbury Township. A representative from University Hospitals provided a presentation on their services and staff. The representative explained that the hospital works with Walmart and flies patients in for various surgeries. The hospital also works with Punderson for lodging arrangements and that in general, lodging is an issue. Ms. Crombie mentioned she recently spoke to Ms. Cocca-Fulton about the township association presentation and briefly discussed what other types of lodging there are, such as bed and breakfasts, since the county does not have hotels. Mr. McCaskey replied that the house on the corner of 44 has been converted for accommodations by doctors and nurses for the hospital. Mr. Neola asked if economic development was aware of the shortage in lodging and Ms. Crombie replied yes.

C. Geauga Growth Partnership Youth Workforce Summer Incubator Host Program: Ms. Crombie said that Geauga Growth Partnership hosted two Q and A sessions for those interested in learning about Summer Internships. The program is designed to help youth develop employability and social skills needed to succeed in the workplace. Ms. Crombie explained that the Planning Commission might consider being part of this program.

D. Housing Inventory: Ms. Crombie said the housing inventory is an initiative from the General Plan and was listed as one of the 2022 goals. Ms. Kobus and Ms. Crombie began working on the Housing Inventory and will provide updates on the future. Ms. Crombie let the Planning Commission members know that the Auditor's Office is the best source of data based upon property tax class codes. Mr. McCaskey said he thought that the Auditor's Office classifies their information as best use. Ms. Crombie said this would be the first draft of such a document and the staff can meet with the villages and townships to review it as they know their communities better. Ms. Crombie said that during the General Plan update the Village of Burton mentioned assisting with such a task. Mr. Dvorak commented that Burton Village has many duplexes.

Ms. Cocca-Fulton asked if there was an economic development database online as she thought she remembered one, the name begin with excel? Ms. Crombie replied it was known as Xceligent and to her knowledge, it did not include apartments. Ms. Crombie continued that there is an industrial database on the Commission's website that the staff created years ago, but it does not include apartments.

E. Fee for the Geauga County General Plan: Ms. Crombie said the General Plan with the community survey results is posted on the Commissioner's website, but if anyone would like a

paper copy, the charges are as follows: \$29.00 for plan with the community survey results and \$16.00 for plan without the community survey results.

F. County Auditor's January Reports: Ms. Crombie and that Ms. Irizarry and herself worked on completed the multiple reports related to supply inventory, hours of sick and vacation time available and others required by the County's Auditor's Office every January.

G. Work Summary, January 2022:

- a. Planning/Zoning/Subdivision Administration: Ms. Crombie said the number of lot splits/consolidations totaled 21, there were 73 zoning, lot split, planning inquiries, and 14 easements. Ms. Crombie assisted the following townships with various questions: Claridon, Munson, Russell, Newbury and Bainbridge.
- b. Comprehensive Planning Efforts: Ms. Crombie provided the following summary:
 - i. County Land Use Map Updates: Ms. Kobus finished Middlefield Township and will start on Chardon Township.
 - ii. General Plan Use: The staff referred to the General Plan or we referred someone to the plan seven (7) times during the month of January.
 - iii. Census Data: Ms. Crombie assisted the Geauga Trumbull Solid Waste Management District with decennial population data and estimates as it relates to their grant program. Ms. Crombie also provided census information to the Chagrin Valley Times. Ms. Crombie explained that you must be careful when looking for census data.
 - iv. 2022 Submittal Deadline and Meeting Date Schedule: The 2022 Submittal Deadline and Meeting Date Schedule was posted to the website and also emailed to all the township zoning commission secretaries.
 - v. NE Ohio Planning and Zoning Workshop: Ms. Crombie sent the Planning Commission members as well as township officials an information link about an interest in holding a workshop this year. Geauga County has not hosted a workshop in quite some time. It would include Lake, Geauga, Trumbull, and Mahoning. Ms. Crombie said Punderson would likely be the location.
 - vi. Public Officials Directory: Planning Commission staff is still waiting on a few responses back from the townships regarding changes from the recent elections. The Directory will be posted to the Geauga County website when completed.
 - vii. Website Updates: Several updates for the Community Links portion of the Commission's website were sent to ADP. Burton Township, Burton Village, Bainbridge Township, and Munson Township have all been updated.
 - viii. NOACA CEDS meeting: Ms. Crombie was unable to attend the January meeting and another meeting was cancelled. She and Marty Castelletti, Geauga County Department of Development Director, did attend an interview with one of the consultants from AR 360 Consultants about businesses support services, infrastructure, importance of local zoning and land use plans, resiliency related to major economic events.

Ms. Cocca-Fulton asked if anyone had any questions or comments regarding the Director's Report. Since there were no comments, Ms. Cocca-Fulton advised to move on to next item on the agenda.

See Exhibit 5A

6. Major Subdivision to be reviewed

A. Proposed Derchar Subdivision

Sublot 1 and 2

Hambden Township

Final Plat – extension request received from the applicant to extend to the 2-8-22 meeting.

Ms. Crombie asked the Planning Commission members if the Derchar Subdivision could be tabled to the March 2022 meeting since there still is no health department approval due to a problem with the septic installer design related to illness. Ms. Crombie also let the Planning Commission know that while she emailed the owner but has not received a response back.

Mr. Bergansky made a motion to table the Derchar Subdivision to the 3-8-22 meeting. Mr. Dvorak seconded the motion, and upon a call for the vote, the motion carried unanimously.

See Exhibit 6C

7. Township Zoning Amendments to be reviewed:

A. Hambden Township

Text Amendment No. ZC-2022-01

Initiated January 10, 2022

By Zoning Commission

Ms. Crombie advised that the amendment involves manufactured home parks and buffer requirements. The Hambden Township Zoning Commission has been working with their outside insurance counsel who recommended the proposed amendments as litigation was involved with one of the manufactured home parks.

Ms. Crombie said it is common to have buffer requirements when residential uses are adjacent to commercial uses. This proposal involves Hambden Township removing the requirement that a fifty (50) foot landscaped buffer be provided when a residential district abuts a Manufactured Home Park District. Ms. Crombie advised that there are currently three areas zoned "Manufactured Home Park" and referred to the map.

Ms. Crombie mentioned that RJ Acquaviva, the Hambden Township Zoning Secretary, is in attendance should there be any questions.

Manufactured Home Park District

Ms. Crombie said Section 405.00 references ORC 37.3301-37.3308 and these sections are out of date and it is recommended that only "ORC" be referenced and not the exact code section number. Ms.

Crombie told the Planning Commission board that the Prosecutor's office had to assist with finding the updated codes sections as her site did not provide them as it normally does.

Ms. Crombie said Section 405.13 requires the same 50' wide landscape buffer requirements on the MHP district that is imposed on the Commercial and Industrial districts when adjacent to the R-1 Residential district. It is proposed to delete this entire section and this would mean owners of any manufactured home park would no longer be required to provide a 50 feet landscape buffer when adjacent to the R-1 Residential district. It is recommended that the word "Reserved" be added after Section 405.13.

Ms. Crombie advised that the references to the Ohio Administrative Code sections be removed as well.

Commercial District

Ms. Crombie said that for Section 403.12, the proposal is to remove "manufactured home park district" so it is not subject to the buffering requirements. It is recommended that the first sentence be reworded to: "A buffer zone of fifty (50) feet shall be required whenever a commercial district abuts a residential district." It is also recommended that township consider whether they want to add language that would require a 50 feet landscape buffer when a Manufactured Home Park is adjacent to a commercial district as no situations currently exist where commercial abuts a manufactured home park.

Industrial District

Ms. Crombie noted that in Section 404.0, the proposed changes are the same exact changes proposed in the Commercial district.

Article I General Provisions

Ms. Crombie said Section 111.0 is from the Model Zoning Resolution; Hambden Township is proposing to remove items 3 and 4 based upon their insurance counsel review. Ms. Crombie advised that it is recommended that the township consider the impacts of removing items 3 and 4 from their resolution as it relates to other possible amendments that could be submitted in the future.

Ms. Cocca-Fulton started off by thanking the Hambden Zoning Secretary for coming to the meeting to help the Planning Commission board members to understand the amendment. Ms. Cocca-Fulton expressed that she would like the amendment to be easier to read and understand for the regular citizen and the zoning inspector. She would recommend maybe an annotated list that is not part of the resolution, so the state code sections can be updated more readily without the need for an amendment. Ms. Cocca-Fulton then asked if these sections are removed, does it affect any ongoing violation and make it impossible to enforce. Ms. Crombie said that in speaking with the zoning secretary, in regard to item 3, if it is not removed anything in violation prior to the amendment will still be in violation. Ms. Cocca-Fulton encouraged the Planning Commission board members to ask questions.

Mr. Acquaviva explained that the Zoning Commission brainstormed and could not find a reason to keep items 3 and 4. He said if the buffer zone is removed and we didn't remove this section, it would be problematic. Mr. Acquaviva went on to explain that this may be a pre-existing problem; there are so many homes within the 50' buffer zone at all three parks. The homes would either have to be moved or go through a variance process. Mr. Neola asked if there were any new manufactured homes coming in and Mr. Acquaviva responded no. Mr. Dvorak asked if there is currently a violation and Mr. Acquaviva said there is currently litigation as the neighboring property submitted a zoning complaint. Mr. Acquaviva said decades have gone by with nothing being done as far as enforcement and there are state regulations regarding the parks. Mr. Acquaviva mentioned the State's exclusivity of authority. The

judge said the exclusivity of authority does not apply to everything. Buffers can be enacted but it should have been enforced since at least the 1970's.

Mr. Neola asked when the buffer zone was enacted. Mr. Acquaviva responded sometime between 1975 and 1980, but there is evidence of some homes prior to the 1970s. The majority of the homes have been there prior to 1975 and there is an affidavit from one manufactured home parking stating as such. Mr. McCaskey commented that he graduated high school in 1981 and he knew the homes had been there at least 10 years and they are all probably in violation. Mr. Bergansky asked how often are they replaced? Mr. Acquaviva responded that township doesn't have process for that.

Mr. Bergansky went on to ask if the lot is already there, is that grandfathered or maybe it is not just the home site itself. Ms. Cocca-Fulton asked if there have been any complaints from the residents. Mr. Acquaviva replied that this is the first and only complaint. Ms. Cocca-Fulton commented on how the township needs to determine what applies and are there other things that would need to be enforced after removing certain items. She said she would be happy to come up with language for the township.

Mr. Bergansky questioned if there is litigation going on and then the amendment goes into effect, would this mean that the violation goes away? Mr. Acquaviva responded that property in question has not been put in violation because it was demonstrated to be pre-existing. He went on to say that they are doing this to avoid future problems. Mr. Bergansky asked if the buffer zone is changed, would that eliminate the lawsuit? Ms. Cocca-Fulton replied that it was never intended to be enforced, they are getting it off their books to eliminate the underlying issue.

Mr. Acquaviva told the Planning Commission board that the state sent out two separate inspectors and both agreed that the manufactured home parks meet the state guidelines. He commented as to why these regulations exist if the state is involved. Ms. Crombie mentioned that the State's division of industrial compliance is involved with manufactured home parks.

Ms. Cocca-Fulton commented that for readability purposes, the updates are fine. Ms. Crombie responded the ORC references need to be in the resolution and she likes the idea of an annotated list.

Mr. Acquaviva commented if section 111 isn't something that he can enforce then further discussion is needed to remove it. Mr. McCaskey said is he is ok with removing the 50' buffer, but he is not sure if it is a good idea to remove section 111. He asked what about the Township's lawyer has previous zoning experience and Mr. Acquaviva said he has worked with zoning. Ms. Cocca-Fulton said Ms. Crombie made the recommendation to consider the impacts of removing #3 and #4. Ms. Cocca-Fulton recommended to keep items 3 and 4 for now until new language can be created. She asked Mr. Acquaviva if he would like to be on a citizen subcommittee to help draft new language. She also advised that the Planning Commission board could reach out to a consultant that has been previously used to help Mr. Acquaviva draft new language. Mr. Acquaviva responded that it would be great to have someone give him an example of how items 3 and 4 come into play as their counsel and the Prosecutor's Office were fine with them being removed.

Mr. Neola made a motion to recommend approval with modifications of the Hambden Township Zoning Amendment ZC 2022-01 with the Planning Director's recommendations. Mr. Bergansky seconded the motion, and upon a call for the vote, the motion carried unanimously.

See Exhibit 7A

8. Correspondence:

A. Office Closures Relating to 2022 Holidays: Ms. Crombie advised that Juneteenth Day (June 19) has been added as an additional paid holiday in ORC section 325.19, impacting Geauga County employees.

Ms. Crombie also explained in the past, the Planning Commission has followed the holiday schedule of the Board of County Commissioners. She advised a motion to give the staff the day after Thanksgiving off as a paid holiday is needed. Ms. Cocca-Fulton started off by saying it is important to list all the office closures on the website to know availability and accountability, but with respect to the day after Thanksgiving off, she is not sure about adding this as another holiday. She explained that she is not in favor to have the office closed that day. Mr. Bergansky commented that in his previous job, support staff were allowed to use comp time for the day after Thanksgiving. Mr. Neola asked how is time-off structured and Ms. Crombie replied that staff has vacation time and sick time.

Ms. Crombie explained that the Planning Commission has followed the same holiday schedule as the County Commissioners in part due to safety, snow plowing, etc., as no other staff will be onsite. She advised that both the Auditor's Office and the Recorder's Office are closed that day and these are two offices that the Planning Commission interacts with on a regular basis. Mr. McCaskey asked if it was possible to move another holiday to that day. Mr. Neola asked if the office is open the day after Thanksgiving, would there be certain tasks that could not be done and Ms. Crombie replied yes.

Mr. Dvorak asked if Juneteenth would be observed the same way as the County Commissioner's and Ms. Crombie replied yes, that it would be observed on June 20. Mr. Dvorak let everyone know for the past 3 years the Board of County Commissioners has given the day after Thanksgiving off as a paid holiday to its employees. Mr. McCaskey asked Mr. Dvorak if every year for the past 3 years that approval has gone through session, and Mr. Dvorak replied yes. Mr. Dvorak asked Ms. Crombie if the Planning Commission office has benefitted from following the Commissioner's policy and she said yes. Mr. Bergansky replied if all the Geauga County offices are closed why would Planning Commission be open? Mr. McCaskey said to follow the lead of the Board of County Commissioners as it seems the precedent has already been set.

Mr. McCaskey made a motion to grant the staff the day after Thanksgiving off as a paid holiday. Mr. Bergansky seconded the motion, and upon a call for the vote, the motion carried unanimously.

See Exhibit 8A

Ms. Cocca-Fulton wanted to say a few things regarding the Model Zoning. She explained that she has not heard anything back from the Prosecutor's Office regarding signs. She spoke to a former Planning Commission Board member, Kathy Cotman, who gave her input on the sign section. Even if the Prosecutor's office comes back and says everything is ok, there will still be comments.

Ms. Cocca-Fulton commented on how Mr. Claypool used to be part of the Model Zoning Subcommittee. She went on to say that the current Planning Commission Board is down a few members, and she wanted to know any updates on filling the positions. Mr. Dvorak responded that the Board of County Commissioners is taking applications till the end of February. Mr. McCaskey asked if the Board of County Commissioners can pull it off by March? Mr. Dvorak said he believed so.

Mr. Neola asked if the Board of County Commissioners will have enough time to evaluate the applications after March 1. Mr. Dvorak replied that the Board of County Commissioners will look at the applications and try to decide on the new Planning Commission Board members at the March 1, 2022

meeting. Ms. Cocca-Fulton asked if Chester Miller referred anyone from the Amish community. Mr. Dvorak said yes, that Dan Miller submitted an application.

11. Adjournment

Chairman Ms. Cocca -Fulton adjourned the meeting at approximately 8:51 am.



Caterina Cocca- Fulton, Chairman



Gary Neola/ Secretary/Treasurer

COUNTY PLANNING COMMISSION FINANCIAL REPORT

Summary

Budget – February 7, 2022



<u>Account</u>	<u>Appropriation</u>	<u>Expenditure</u>	<u>Balance</u>
Salaries	\$136,089.00	\$10,682.42	\$136,089.00
Supplies	\$3,848.00	\$124.12	\$3,723.88
Hosp.	\$25,604.00	\$0.00	\$25,604.00
Medicare	\$1,990.00	\$150.70	\$1,839.30
OPERS	\$19,080.00	1,495.54	\$17,584.46
Worker's Comp.	\$252.00	\$0.00	\$252.00
Other Expenses	\$8,978.00	80.26	\$8,897.74
Equipment	\$3,451.00	\$0.00	\$3,451.00
Contracted Services	\$0.00	\$0.00	\$0.00
Covid -19 Expenses	\$0.00	\$0.00	\$0.00
Total	\$199,292.00	\$12,533.04	\$197,441.38

REVENUE

Revenue from January 1 to January 9, 2017: \$0.00

**SUMMARY RESOLUTION FOR EXPENSES
GEAUGA COUNTY PLANNING COMMISSION**

Mr. McGastey MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION,
WHICH MOTION WAS SECONDED BY Mr. Dvorak.

WHEREAS, THE EXPENSES LISTED HEREIN HAVE BEEN INCURRED BY THE GEAUGA COUNTY PLANNING COMMISSION IN ORDER FOR THE COMMISSION TO PERFORM ITS DUTIES; AND

WHEREAS, THESE EXPENSES HAVE BEEN REVIEWED BY THE MEMBERS OF THE COMMISSION AT ITS FEBRUARY 8, 2022 MEETING;

NOW THEREFORE, BE IT RESOLVED, THAT THE GEAUGA COUNTY PLANNING COMMISSION HEREBY AUTHORIZES PAYMENT OF THE FOLLOWING BILLS OR CLAIMS:

<u>P.O.</u>	<u>ACCOUNT</u>	<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1224	OTHER	2/1	GEAUGA COUNTY TOWNSHIP ASSOCIATION QUARTERLY DINNER & GAS MILEAGE	80.26
1235	SUPPLIES	2/1	SUN DATA SUPPLY (WASTE TONER CONTAINERS & COLOR CARTRIDGE)	124.12
TOTAL				<u>\$ 204.38</u>


Chairman


Gary Neola, Secretary/Treasurer



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February 1, 2022

Prepared for the February 8, 2022 Geauga County Planning Commission meeting

Director’s Report

1. Generalized Zoning Map

The Generalized Zoning Map was created years ago to provide an overall view of zoning across Geauga County. The map is broken down into eight *general* zoning categories as noted at the top of the map located in your Dropbox link. Several re-zonings, one annexation, and one detachment have occurred since July 2018 when the map was last updated. The following is a brief analysis of how the zoning has changed since 2018:

	2018		2022		Acreage Difference 2018-2022	Percentage Difference 2018-2022
	Acres	% of County	Acres	% of County		
Commercial	6,095.85	2.33%	6,124.54	2.34%	28.69	0.01%
Industrial	6,763.15	2.59%	6,756.18	2.58%	-6.97	0.00%
Institutional	919.89	0.35%	925.74	0.35%	5.85	0.00%
High Density (1.5 acres or less)	5,475.39	2.09%	5,112.30	1.96%	-363.09	-0.14%
Medium Density (1.5 acres to 2.5 acres)	36,663.46	14.03%	37,003.45	14.16%	339.99	0.13%
Med-Low Density (3 acres)	115,404.33	44.15%	115,299.56	44.11%	-104.77	-0.04%
Low Density (5 acres)	61,601.69	23.57%	61,838.49	23.66%	236.80	0.09%
No Zoning	14,495.18	5.55%	14,490.05	5.54%	-5.13	0.00%
Recreational	13,944.13	5.34%	13,818.88	5.29%	-125.25	-0.05%

Data includes townships and municipalities obtained from REALink.

2. Geauga County Township Association

At the January Geauga County Township Association held at Punderson State Park in Newbury Township, a representative from University Hospitals provided a presentation on their services and staff. It was explained that, in conjunction with Walmart, Geauga UH flies in patients for various surged. The hospital works with the Punderson for lodging at the Manor House but made the comment that, in general, overnight accommodations are an issue. I share this with you as it relates to planning and zoning.

3. Geauga Growth Partnership Youth Workforce Summer Incubator Host Program

Geauga Growth Partnership will be holding Q and A sessions on February 1 and February 8 for those interested in learning more about their Youth Workforce Summer Incubator Host program, which was previously known as their Summer Internship Program. The program is described as “an opportunity for all youth to develop key employability and social skills needed to succeed in the workplace of and for the future.” I plan on attending one of the sessions to learn more and will inform the Commission. If you are interested yourself, please contact GGP at (440) 564-1060 for the meeting link.

4. Housing Inventory

Creation of a housing inventory is an initiative from the General Plan and was listed as one of the 2022 goals. Ms. Kobus and I began work on the Housing Inventory and will provide updates as the project progresses. The Auditor’s “Advanced Search” through REALink will be the primary means of obtaining data based upon property tax class codes.

5. Fee for the Geauga County General Plan

The General Plan complete with the community survey results is posted on the Commission’s website but anyone wanting a paper copy, the following charges apply:

- plan with the community survey results: \$29.00;
- plan without the community survey results: \$16.00

6. County Auditor’s January Reports

Ms. Irizarry and I completed the multiple reports related to the supplies inventory, hours of sick and vacation time available and others as required by the County Auditor’s Office every January.

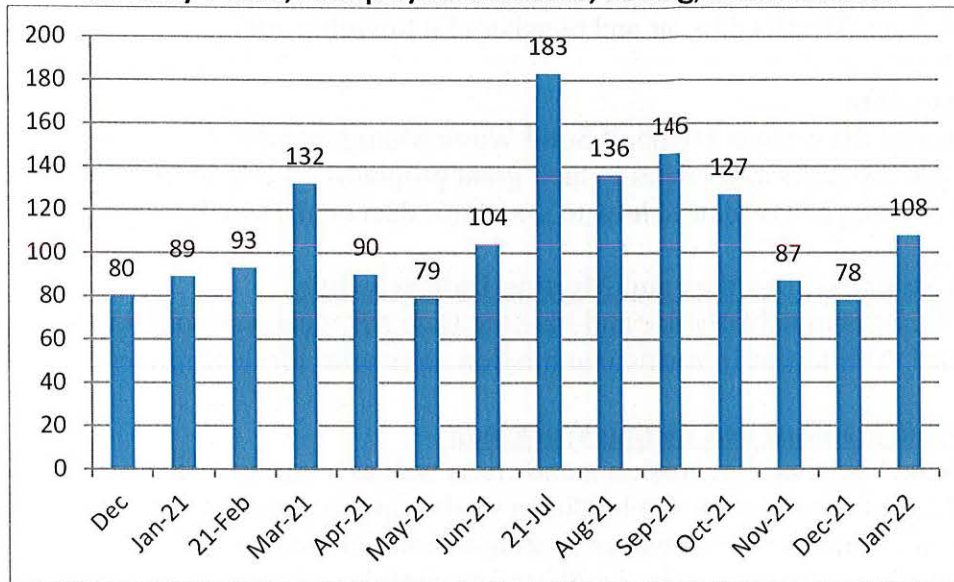
7. Work Summary, January 2022

<p>Geauga County Planning Commission Work Summary, January 2022</p>
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a. Planning/Zoning/Subdivision Administration

	# Reviewed, January 2022
Lot Splits/Subdivisions	
Re-plat	0
Major Subdivision	0
Minor Subdivisions (5 acres and less)	2
Large Lot Subdivisions (Between 5-20 acres)	1
Exempt Lots (Transfer to Adjacent Owner)	9
Exempt Lots (Over 20 acres)	0
Lot consolidations	9
Total	21
Zoning	
Informal text or map amendment reviews	1
Formal text or map amendment reviews	1
Preliminary lot split inquiries	37
Miscellaneous planning/zoning inquiries	34
Total	73
Miscellaneous	
Easements (roadway, septic, utility, etc.)	14

Monthly Totals, Lot Split/Subdivisions, Zoning, Miscellaneous



The following is a summary of various points of contact with the townships:

Munson

- Informal review of text amendment

Russell

- Assisted with question related to prior plat approval

Newbury

- Created a draft map of conservation easements and parks.

Claridon

- Assisted with providing a copy of the approved zoning map from 2021.
- Directed the Zoning Commission to Model Zoning Resolution online when they asked for a copy of it.
- Assisted with zoning permit questions.

Bainbridge

- Assisted with providing older versions of 208 maps

b. Comprehensive Planning Efforts

i. County Land Use Map Updates

Ms. Kobus finished Middlefield Township and will start on Chardon Township.

ii. General Plan Use

The staff referred to the General Plan or we referred someone to the plan seven (7) times during January 2022 as follows: as a staff reference when researching the number/location of township parks, which townships have manufactured home park zoning, and whether a

conservation easement existed on certain properties. The staff referred the Geauga Trumbull Solid Waste District director and member of a township zoning commission to the plan.

iii. Census data

I provided the Geauga Trumbull Solid Waste Management District with decennial population data and estimates as it relates to their grant programs. I provided census data to the Chagrin Valley Times and explained how to search for data on the Census Bureau's website.

iv. 2022 Submittal Deadline and Meeting Date Schedule

The 2022 Submittal Deadline and Meeting Date Schedule was posted to the website and also emailed to all township zoning commission secretaries for their reference.

v. NE Ohio Planning and Zoning Workshop

I sent the Planning Commission members as well as township officials, a 3-question Survey Monkey link about interest in holding a workshop this year. As you may remember, this is the same workshop we have been looking to hold for the past two years but which has been delayed due to the pandemic. I will keep you informed once I learn more details.

vi. Public Officials Directory

We are awaiting responses back from a few townships and municipalities regarding contact information (address, phone, email) for newly elected officials as of the November 2021 election. The Directory will be posted to the Commission's website when complete.

vii. Website Updates

Several updates for the Community Links portion of the Commission's website were emailed to ADP regarding zoning maps, zoning resolutions, and the Generalized Zoning Map. All items have not yet been posted as this time, but the Burton Township, Burton Village, Bainbridge Township, and Munson Township maps have been updated.

viii. NOACA CEDS meetings

I was not able to attend the January meetings and one meeting was cancelled. However, the Marty Castelletti, Geauga County Department of Development Director, attended an interview with one of the consultants from AR 360 Consultants about businesses support services, infrastructure, importance of local zoning and land use plans, resiliency related to major economic events (e.g.: not holding the Maple Festival, County Fair during the pandemic).



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MEMORANDUM

DATE: February 1, 2022

TO: Planning Commission members

FROM: Linda M. Crombie, AICP, Planning Director

RE: Hambden Township Text Amendment ZC 2022-01, Agenda Item 6A

The Hambden Township Zoning Commission initiated text amendment #ZC 2022-01 on January 10, 2022 regarding the following sections of their zoning resolution:

1. Article 1, General Provisions, Section 111.0: Effect of Amendment
2. Article 4, Commercial District, Section 403.12: Buffer Zone
3. Article 4, Industrial District, Section 404.12: Buffer Zone
4. Article 4, Manufactured Home Park District (MHP), Section 405.13: Buffer Zone

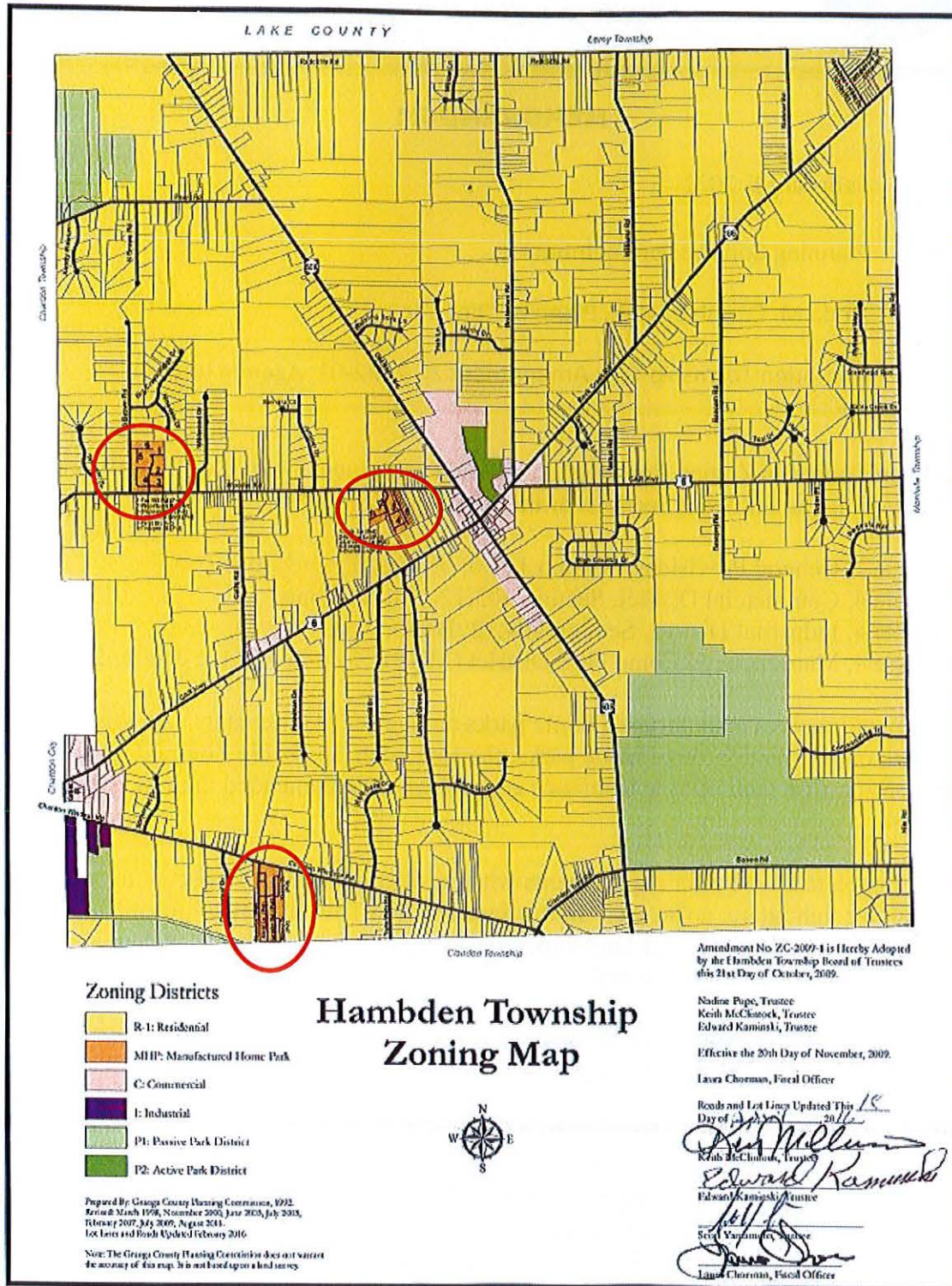
The amendment involves manufactured home parks and buffer requirements. As litigation was involved with one of manufactured home parks, the Hambden Township Zoning Commission has been working with their outside insurance counsel who recommended the proposed amendments.

It is very common to have buffer requirements when residential uses are adjacent to commercial uses to minimize light glare, noise, etc. In this instance, the Township is proposing to remove the requirement that a fifty (50) feet landscaped buffer be provided when a Residential district abuts a Manufactured Home Park district.

For your reference, the Township has three areas zoned as Manufactured Home Park, circled in red on the Zoning Map located on Page 2.

The staff and Prosecutor's Office have made recommendations in the attached review.

Note: I advised the Township Zoning Commission Secretary that the County Planning Commission's recommendation must be read at the Zoning Commission's public hearing. As the Zoning Commission scheduled their public hearing for February 7, the day before the February 8 Planning Commission meeting, the amendment will have to be opened on February 7 and then continued to a future date (to be determined).



c: file

ARTICLE I

GENERAL PROVISIONS

Section 100.0: Title

This resolution shall be known as "The Zoning Resolution of Hambden Township, Geauga County, Ohio" and may be hereinafter referred to as "this resolution".

Section 101.0: Jurisdiction

This resolution shall apply to all the unincorporated territory of Hambden Township, Geauga County, Ohio.

Section 102.0: Purpose of Zoning Resolution [Adopted 03-16-2011]

Except as otherwise provided in this section, the board of township trustees has enacted this resolution in the interest of the public health, safety, convenience, comfort, prosperity, or general welfare, and the board may in accordance with a comprehensive plan regulate by resolution the location, height, bulk, number of stories, and size of buildings and other structures, percentage of lot areas that may be occupied, setback building lines, sizes of yards, courts, and other open spaces, population density, the uses of land for trade, industry, residence, recreation or other purposes in the unincorporated territory of the township, and for all these purposes, the board may divide all or any part of the unincorporated territory of the township into districts or zones of such number, shape, and areas as the board determines. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones.

Additional purposes of this resolution are:

- A. To divide the township into zoning districts and to provide uniform regulations for each class or kind of buildings, structures, and uses within such zoning districts.
- B. To regulate the use of buildings and structures in each zoning district and to ensure that appropriate utilities, sewage treatment and water supply facilities, and other matters related to public health and safety are adequately addressed to serve such uses.
- C. To conserve and protect the natural resources of the township, including the supply of groundwater.
- D. To ensure that development is in accord with the capability and suitability of the land to support it.
- E. To provide regulations that advance balanced and orderly growth and development in the township as well as preserve sensitive environmental resources.
- F. To regulate the location, height, bulk, number of stories, and size of buildings and other structures and the percentage of lot coverage by buildings, structures, and impervious surfaces.
- G. To regulate building setback lines (yards) and other open spaces.
- H. To regulate the density of population by establishing minimum lot size, frontage, and width requirements in each zoning district.

Section 103.0: Provisions of Resolution Declared to be Minimum Requirements [Adopted 01-02-2008]

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements.

Section 104.0: Powers Not Conferred by Chapter 519 of the Ohio Revised Code or this Resolution [Adopted 3-16-2011]

- A. This resolution does not prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture and no zoning certificate shall be required for any such building or structure. However, this resolution shall regulate the use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located in accordance with **R.C. 519.21 (B)**.
- B. This resolution does not apply in respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad, for the operation of its business. As used in this resolution, "public utility" does not include a person that owns or operates a solid waste facility or a solid waste transfer facility, other than a publicly owned solid waste facility or a publicly owned solid waste transfer facility, that has been issued a permit under Chapter 3734. of the Revised Code or a construction and demolition debris facility that has been issued a permit under Chapter 3714. of the Revised Code. However, subject to **R.C. 519.211(B)(4)(a)**, the provisions of this resolution shall apply with respect to the location, erection, construction, reconstruction, change, alteration, removal, or enlargement of a wireless telecommunications tower and appurtenant facilities.
- C. This resolution does not prohibit the sale or use of alcoholic beverages in areas where the establishment and operation of any retail business, hotel, lunchroom or restaurant is permitted by this resolution.
- D. This resolution does not prohibit in a district zoned for agricultural, industrial, residential, or commercial uses, the use of any land for a farm market where fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.
- E. This resolution does not apply with respect to a building or structure of, or the use of land by, a person engaged in the transportation of farm supplies to the farm or farm products from farm to market or to food fabricating plants. However, this resolution does apply with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings or structures of a public utility engaged in the business of transporting persons or property, or both, or providing or furnishing such transportation service, over any public street, road, or highway in this state, and with respect to the use of land by any such public utility for the operation of its business, to the extent that any exercise of such power is reasonable and not inconsistent with Chapters 4901., 4903., 4905., 4909., 4921., and 4923. of the Revised Code
- F. This resolution does not apply with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any economically significant wind farm, whether publicly or privately owned, or the use of land for that purpose, having wind turbines and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of five (5) megawatts or more.

Section 105.0: Schedule of Fees, Charges, and Expenses, and Collection Procedure [Adopted 02-15-2012]

The board of township trustees shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for zoning certificates, amendments, appeals, conditional zoning certificates, and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the zoning inspector and fiscal officer, and may be altered or amended only by resolution of the board of township trustees.

Each application of a zoning certificate, amendment, or conditional zoning certificate and notice of appeal shall be accompanied by the fee so established.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 106.0: First Day Excluded and Last Day Included in Computing Time; Exceptions; Legal Holiday Defined [Adopted 01-02-2008]

The time within which an act is required by law to be done shall be computed by excluding the first and including the last day; except that when the last day falls on Sunday or a legal holiday, then the act may be done on the next succeeding day which is not Sunday or a legal holiday.

When a public office in which an act, required by law, is to be performed is closed to the public for the entire day which constitutes the last day for doing such act or before its usual closing time on such day, then such act may be performed on the next succeeding day which is not a Sunday or legal holiday as defined in R.C.1.14.

"Legal holiday" as used in this section means the days set forth in **R.C.1.14**.

If any day designated in **R.C. 1.14** as a legal holiday falls on Sunday, the next succeeding day is a legal holiday.

Section 107.0: Computation of Time [Adopted 01-02-2008]

If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

Section 108.0: Specific Provision Prevails Over General; Exception [Adopted 01-02-2008]

If a general provision conflicts with a specific provision, they shall be construed, if possible, so that effect is given to both. If the conflict between the provisions is irreconcilable, the specific provision prevails as an exception to the general provision, unless the general provision is the later adoption and the manifest intent is that the general provision prevails.

Section 109.0: Irreconcilable Amendments [Adopted 01-02-2008]

If amendments are enacted at the same or different times, one amendment without reference to another, the amendments are to be harmonized, if possible, so that effect may be given to each. If the amendments are substantively irreconcilable, the latest in date of enactment prevails. The fact that a later amendment restates language deleted by an earlier amendment, or fails to include language inserted by an earlier amendment, does not of itself make the amendment irreconcilable. Amendments are irreconcilable only when changes made by each cannot reasonably be put into simultaneous operation.

Section 110.0: Continuation of Prior Amendment [Adopted 01-02-2008]

A provision or regulation which is re-enacted or amended is intended to be a continuation of the prior provision or regulation and not a new enactment, so far as it is the same as the prior provision or regulation.

Section 111.0: Effect of Amendment [Adopted 01-02-2008]

The amendment of this resolution does not:

1. Affect the prior operation of this resolution or any prior action taken thereunder;
2. Affect any validation, cure, right, privilege, obligation, or liability previously acquired, accrued, accorded, or incurred there under;
3. ~~Affect any violation thereof or penalty, forfeiture, or punishment incurred in respect thereto, prior to the amendment or repeal;~~
4. ~~Affect any investigation, proceeding, or remedy in respect of any such privilege, obligation, liability, penalty, forfeiture, or punishment, and the investigation, proceeding, or remedy may be instituted, continued, or enforced, and the penalty, forfeiture, or punishment imposed, as if the resolution had not been amended.~~

Section 112.0: Annexed Territory [Adopted 01-02-2008]

Upon annexation of township territory to an existing municipal corporation the zoning regulations then in effect shall remain in full force and shall be enforced by the township officials until the legislative authority of said municipal corporation shall either officially adopt the existing zoning regulations or new regulations for such territory.

Section 113.0: Severability [Adopted 01-02-2008]

If any provisions or regulations of this resolution or an amendment thereof or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions, regulations, applications, or amendments of this resolution which can be given effect without the invalid provision, regulation, application or amendment; and to this end the provisions, regulations, and amendments are severable.

Section 403.0: Commercial District (C)

Section 403.1: Permitted Principal Buildings, Structures, and Uses:

Abstractors
Advertising
Antique Shops
Appraisers
Arborist
Architect
Artists
Artists Supply Store
Astrologers
Attorney
Auctioneers
Auditors
Automobile Sales Rooms

Bakeries
Banks and other lending institutions
Barber Shop
Beauty Parlors
Biochemist
Bookkeepers
Bowling Alleys
Brokers
Builders

Cartographer
Chaplain
Child care center [Adopted 09-06-03]
Chiropractor
Churches
Clinics
Clothing and Apparel Stores
Commercial Schools including dancing, business, trade, vocational or riding
Computer Programmer
Consultants
Court Reporter
Copywriter

Daycare [Adopted 09-06-03]
Dentist
Designer
Drapery and Fabric Shops
Drugstores

Excavators
Engineer
Florist Shops
Food and beverage stores, including supermarkets, grocery stores, meat markets and delicatessens
Furniture household goods and appliance store

Gas Station Mini-mart
Gift and Stationary Stores

Governmental and administrative offices and or buildings
Greenhouses

Hardware and Paint Stores
Hypnotist

Interior Decorators
Investigator
Investment Counselor

Landscapers
Lending Libraries
Locksmiths
Luggage and leather goods store
Lunchrooms, restaurants and cafeterias

Magician
Marriage Counselors
Market Research Analyst
Medical and orthopedic appliance stores
Musician
Music and musical instrument stores

Office supply stores
Opticians
Optometrist

Pet/Pet supply stores
Photographer/Photographic studios
Plumbing and heating supplies
Physical Therapist
Physician
Picture framing shops
Psychiatrists
Psychologists

Real Estate Agent

Schools
School child care center [Adopted 09-06-03]
Seed or garden supply stores
Signs
Skating rinks
Sporting goods stores
Surveyors

Teacher/tutor
Travel Bureaus
Toxicologist
Toy stores

Veterinarian

Section 403.2: Permitted Accessory Buildings, Structures, and Uses (which are on the same lot with, and incidental or subordinate to the principal permitted building, structure or use).

- A. Off-street parking areas pursuant to **Article VI**.
- B. Signs pursuant to **Article VII**.
- C. Storage within completely enclosed buildings.
- D. Customary accessory uses and buildings provided such are clearly incidental to the principal use.
- E. Radios, television or dish antennas in accordance with **Section 402.8**.
- F. Fences and walls.
- G. Roof mounted and freestanding solar panels or solar panel arrays shall be in accordance with Article VIII. (Adopted 05-07-2014)
- H. Breezeways shall: (Adopted 05-07-2014)
 - 1. Be fully enclosed with side walls and a roof on a permanent foundation.
 - 2. Consist of a permanent connection between a dwelling unit and an accessory building or between an accessory building and another such building on a lot.
 - 3. Not connect two (2) or more dwelling units on a lot.

Section 403.3: Conditional Buildings, Structures, and Uses

Conditional buildings, structures, and uses may be allowed in accordance with **Article V** and the following conditions:

- A. Hospitals and veterinary hospitals
 - 1. Conditions for hospitals and veterinary hospitals.
 - a. A hospital or a veterinary hospital shall conform with all of the regulation for which it is located.
 - b. The number of off-street parking spaces shall be in accordance with **Article VI**.
 - c. Signs shall be in accordance with **Article VI**.
- B. Service stations
 - 1. Uses allowed:
 - a. Sales and services of spark plugs, batteries, and distributor parts.
 - b. Tire servicing and repair, but not recapping or regrooving.
 - c. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, and mirrors.
 - d. Washing, polishing and sale of washing and polishing materials.

- e. Greasing and lubrication.
 - f. Providing and repairing fuel pumps, oil pumps, and lines.
 - g. Minor servicing and repair of carburetors.
 - h. Adjusting and repairing brakes.
 - i. Minor motor adjustments not involving removal of the head or crankcase.
 - j. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principal operations.
 - k. Provision of road maps and other informational materials to customers; and the provision of restroom facilities.
2. Prohibited Uses:
- a. Uses permissible at a service station do not include:
 - 1. Major mechanical and bodywork
 - 2. Straightening of body parts
 - 3. Painting
 - 4. Welding
 - 5. Storage of automobiles not in operable condition
 - 6. Sale of motor vehicles.
3. Conditions:
- a. All fuel storage tanks shall be completely underground.
 - b. Pumps shall be a minimum of 50 feet from the road right-of-way margin.
 - c. All repairs or servicing of motor vehicles shall be within completely enclosed buildings or structures.
 - d. All storage of supplies shall be within completely enclosed buildings during non-business hours.
 - e. No more than two (2) vehicles may be stored outside of an enclosed building or structure.
 - f. The number of off-street parking spaces shall be in accordance with Article VI.
 - g. Signs shall be in accordance with Article VII.
 - h. A service station shall comply with all of the regulations for the zoning district in which it is located.
- C. Mini-storage [Adopted 02-15-2012]
- 1. Conditions for mini-storage

- a. The maximum size of each individual single building shall not exceed three thousand (3000) square feet.
- b. Maximum building height shall be eighteen (18) feet.
- c. One (1) driveway for ingress/egress in accordance with Article VI shall be allowed.
- d. The loading/unloading spaces and driveway access aisles shall be a minimum width of twenty-four (24) feet.
- e. A driveway with a minimum width of forty (40) feet shall be required between buildings, and between the front or rear fence.
- f. A buffer zone shall be part of the lot on which the permitted mini-storage unit is located. All buffer zones abutting the side or rear lot lines shall be landscaped and maintained in an appropriate manner. In addition, appropriate screening shall be required which shall consist of densely planted evergreen landscaping at least four (4) feet wide, all of which shall be maintained in good condition and be free from all advertising and other signs. Screening consisting of planted evergreen landscaping shall have a minimum height of six (6) feet.
- g. Mini-storage shall comply with Ohio Basic Building Code (OBBC) for S-1 storage.
- h. The owner shall include in the language of the lease or rental agreement that the fire department shall have access to the rental unit annually for the purpose of inspection. The owner is to have a master key for the inspection.
- i. The owner shall purchase and install a Knox Box system or similar system outside the gate for entry upon the premises by emergency personnel for emergency purposes.
- j. A fire alarm system with 24-hour monitoring is required.
- k. All buildings and/or outside storage area shall be a minimum of forty (40) feet apart.
- l. Outdoor storage is only permitted when in conjunction with mini storage buildings that meets conditions set forth in section 403.3 (C).
- m. A 20lb ABC extinguisher shall be required, enclosed in a weatherproof box, at the ends of each building.
- n. The Fire Department shall review and approve the plans prior to a conditional zoning certificate being granted.
- o. Security lights shall be required around each building. All outdoor lights shall be shielded to direct the light and glare only onto the mini-storage premises. Said lighting and glare shall be deflected, shaded, and focused away from all adjoining property.
- p. If electrified, the interior of each unit shall utilize ceiling mounted fluorescent lighting.
- q. All outdoor storage shall be located to the rear of the mini-storage buildings within the fenced area.
- r. The maximum area devoted to outdoor storage shall not exceed fifty (50%) percent of the total square footage of existing or proposed mini-storage units on a lot.
- s. The surface area on which outside storage is kept shall be constructed of aggregate stone, asphalt, chip and seal, or concrete.
- t. Owner initiated auctions of delinquent rental units or properties are limited to one per quarter.
- u. Signs
 1. One ground sign shall be permitted, not to exceed sixteen (16) square feet with no more than two advertising faces for business identification.
 2. The height of the sign shall not exceed six (6) feet.
 3. All signs shall be in accordance with Section 701.0.

- v. A minimum of six-foot high security fence shall completely enclose the perimeter of the compound with one gated egress and ingress. The minimum entrance gate opening width shall be twenty (20) feet.
- w. Area regulations:
 1. The area bounded by security fencing shall not exceed 3 acres.
 2. Total lot coverage shall be limited to 50% of the total lot area.
 3. Mini-storage shall comply with all of the other regulations for the zoning district in which it is located.

2. Prohibited Uses

- a. Activities other than lease or rental of mini-storage units and pick-up and deposit of dead storage on the lot. The following activities shall be prohibited on any lot used for mini-storage units:
 1. Commercial auctions, commercial wholesale or retail sales or miscellaneous or garage sales.
 2. The servicing, repair, or fabrication of vehicles, watercraft, trailers, mechanical equipment, appliances, or other similar equipment.
 3. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 4. The establishment of a "transfer and storage business".
 5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
 6. Any storage of hazardous, explosive, or flammable materials and other noxious or dangerous materials.
- b. Electrical outlets for customer use.
- c. Outdoor advertising display(s) that do not identify the nature of the mini- storage.
- d. No fencing shall be permitted in the required minimum front yard setback.
- e. Outdoor storage, collection, or accumulation of any "junk" or salvaged materials is prohibited.
- f. Outdoor storage outside of fenced in area.
- g. Overnight vehicle parking
- h. Outdoor storage exceeding fourteen (14) feet in height.

D. Conditions for a Bed and Breakfast Inn

1. The Bed and Breakfast Inn must be owner-operated; it must be the principal residence of the owner, and occupied by the owner. There shall be no more than one Bed and Breakfast Inn on a lot.
 - a. The use of a dwelling for a Bed and Breakfast Inn shall be clearly incidental and subordinate to its use for residential purposes by its owner-occupant(s).
2. One (1) individual not residing in the Bed and Breakfast Inn may be employed in its operation.
3. No more than three (3) rooms shall be offered for rent. A minimum of one (1) full bathroom shall be designated for guest(s) use only. At no time during the operation as a Bed and Breakfast Inn shall more than eight (8) guests be accommodated during any one night.

4. Neither any rented room nor the owner's dwelling space shall be located in an accessory structure or building.
5. No cooking facilities of any type shall be permitted in the rented rooms. The only meal that may be served at the property for guests is breakfast, and all such breakfast service shall be completed by 11:30 a.m.
6. A minimum of one (1) on-site parking space per room offered for rent and two (2) spaces for the owner shall be required. All parking shall be located to the rear or side of the dwelling. Such parking spaces shall not be located in any front yard setback or in the front of the dwelling on a lot.
 - a. The driveway shall be constructed of asphalt, chip and seal, or concrete.
 - b. Parking spaces shall be a minimum of 25 feet from any side or rear lot line in a commercial district.
 - c. All sources of illumination of the exterior of buildings or grounds shall be shielded so as not to cause direct glare and shall be directed away from any lotlines and toward the principal building and parking area on a lot.

To minimize light trespass, all lighting fixtures with lamps rated at maximum of two-foot candles with cut-outs if necessary, and a full cut-off light switch. For purposes of this regulation, a full cutoff light fixture is defined as one which emits no light above a horizontal plane drawn through the lowest part of the fixture.
 - d. Exterior lighted signs shall utilize shielded light fixtures from which direct light is not emitted beyond the boundaries of the sign.
7. Applicant shall arrange for all guest parking to be in an orderly manner on the lot that will permit emergency vehicle access and maneuverability.
8. There shall be no change to the exterior appearance of a dwelling or other visible evidence of the conduct of a Bed and Breakfast Inn therein with the exception of one sign, not exceeding ten (10) square feet per sign face.
9. There shall be no flags or banners flown on the lot except the flag of the United States or any other governmental entity.
10. The Bed and Breakfast Inn will comply with all federal, state, county, and township regulations including the regulations for the zoning district in which it is located.
11. Renewal of the conditional zoning certificate is pursuant to Article V of the Hambden Township Zoning Resolution.
12. In order to promote public health and safety, the Zoning Board of Appeals may require any other reasonable conditions or safeguards.
13. A new Conditional Zoning Certificate must be applied for within thirty (30) days after change of ownership in order to continue to operate the bed and breakfast inn. A conditional zoning certificate is non-transferable.
14. Copies of all completed inspections by the Geauga County General Health District relative to septic system, appropriate plumbing, and food service issues; and by the Geauga County Building Department relative to acceptable wiring and fire protection shall be provided at the time of application.

E. Conditions for a Billboard [Adopted 01-02-2008]

1. Billboards in accordance with Section 713.0.

F. Conditions for Small Wind Energy Conversion Systems (SWECS) (Adopted 05-07-2014)

1. Small Wind Energy Conversion Systems (SWECS) shall be in accordance with the conditions set forth in Article VIII.

Section 403.4: Prohibited Buildings, Structures, and Uses (Adopted 01-02-2008)

The following buildings, structures, and uses shall be prohibited:

- A. Residential development or the construction of residential dwelling on existing lots of record or portions of lots of record zoned commercial.
- B. Storage of hazardous or flammable waste.
- C. Any use of property that limits or creates any danger to health and safety in the surrounding area, or creates any offensive noise, vibration, smoke, dust, heat, glare, flame, air pollutants or objectionable effluents.
- D. The residential use of any portion of a commercial building.

Section 403.5: Minimum Lot Area

- A. The minimum lot area shall be two (2) acres.

Section 403.6: Minimum Lot Frontage and Width (Adopted 05-07-2014)

- A. The minimum lot frontage and width shall be 200 feet. (Adopted 05-07-2014)

Section 403.7: Minimum Yards (Adopted 3-16-2011)

For the purpose of determining yard requirements on corner lots and through lots, all lot lines adjacent to roads shall be considered frontage and the front yard set forth herein shall apply.

- A. The minimum yards for all buildings, structures, and uses except accessory buildings, structures and uses shall be as follows:
 1. Front yard: 100 feet
 2. Each side yard: 20 feet
 3. Rear yard: 50 feet
- B. The minimum yards for all accessory buildings, structures, and uses shall be as follows:
 1. Front yard: 100 feet
 2. Each side yard: 20 feet
 3. Rear yard: 50 feet

Section 403.8: Maximum Height

The maximum height requirement shall be as set forth in **section 402.8.**

Section 403.9: Maximum Lot Coverage

The maximum lot coverage shall be 40 percent

Section 403.10: Minimum Floor Area

- A. The minimum floor area for a principal permitted building or structure shall be four hundred (400) square feet.

In calculating the floor area of non-residential buildings, the following areas shall not be included: stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms and similar areas.

Section 403.11: Permitted Buildings, Structures, and Uses in Required Yards

Permitted buildings, structures, and uses in required yard areas shall be as set forth in section 402.11 with the exception of swimming pools, school bus shelters, and recreational vehicles. (Adopted 05-07-2014)

Section 403.12: Buffer Zone

A buffer zone of fifty (50) feet shall be required wherever a residential district abuts a commercial or industrial district. ~~or manufactured home park district.~~ No structure, building, accessory building, driveway, parking area or sign shall be permitted in a buffer zone. The purpose of a buffer zone shall be to eliminate traffic, noise, and visual annoyances from traveling across two different abutting districts. The buffer zone shall be a part of the commercial district.

A buffer zone shall be part of the lot on which the permitted principal building, structure or use other than a single family detached dwelling is located. All buffer zones abutting along the side or rear lot lines shall be landscaped and maintained in an appropriate manner. In addition, appropriate screening shall be required which shall consist of opaque/solid fences, wall, or a densely planted evergreen landscaping at least four (4) feet wide, all of which shall be maintained in good condition and be free from all advertising and other signs. Fences and walls shall be minimum height of six (6) feet and a maximum of eight (8) feet measured from ground level. Screening consisting of planted evergreen landscaping shall have a minimum height of six (6) feet except in the case of maintenance of corner sight clearance.

Section 403.13: All Commercial Buildings shall follow the Ohio Basic Building Codes and the Ohio State Fire Codes.

Section 404.0: Industrial District (I)

Section 404.1: Permitted Principal Building, Structures, and Uses

Agricultural products

Automobile seat covers or convertible tops

Boat building and the repair of boats less than 100 ft.

Bottling plants

Building trade contractors establishments

Cabinet and carpenter and craft shops

Canvas products, such as tents and awnings

Carpet cleaning establishments

Cement and cinder blocks

Ceramic products

Child care center [Adopted 09-06-03]

Clay products

Cold storage plants

Cosmetic and toiletries

Daycare [Adopted 09-06-03]

Dry cleaning plants

Electronic research and manufacturing

Enclosed storage and warehousing

Excavating

Food products, except slaughtering or the preparation of fish, meats and poultry for packing

Furniture products

Furniture repair and upholstering shops

Glass and optical products from previously manufactured glass

Household and office equipment repair shops

Ice storage and sales

Jewelry, clocks and watches

Laundry, linen and diaper supply establishments

Lunch rooms

Luggage

Machine shops, excluding punch presses with a rated capacity of over twenty (20) tons, drop hammers and automatic screw machines

Motor vehicle and machinery repair

Office and business machine

Packing and crating establishments

Pharmaceutical products

Photographic development and printing establishments

Photographic equipment

Printing and publishing

Saw Mills
School child care center [Adopted 09-06-03]
Scientific and other precision instruments
Sign manufacturing shops
Silver plating, soldering or welding
Small wood and metal products, such as radios, lighting fixtures and television equipment
Toys and novelties
Venetian blinds, window shades and awnings
Wholesale businesses

Section 404.2: Permitted Accessory Buildings, Structures, and Uses (which are on the same lot with, and of a nature customarily incidental or subordinate to the principal permitted building, structure or use).

- A. Off-street parking facilities pursuant to **Article VI**.
- B. Signs pursuant to **Article VII**.
- C. Restaurants, cafeterias or recreational facilities for employees only.
- D. Retail business or service incidental to the principal permitted use.
- E. Accessory uses and structures to permitted manufacturing uses.
 - 1. Storage buildings, garages and tool sheds.
- F. Radio, television, dish, antennas in accordance with **Section 402.8**.
- G. Roof mounted and freestanding solar panels and solar panel arrays shall be in accordance with Article VIII. (Adopted 05-07-2014)
- H. Breezeways shall: (Adopted 05-07-2014)
 - 1. Be fully enclosed with side walls and a roof on a permanent foundation.
 - 2. Consist of a permanent connection between a dwelling unit and an accessory building or between an accessory building and another such building on a lot.
 - 3. Not connect two (2) or more dwelling units on a lot.

Section 404.3: Conditional Buildings, Structures, and Uses

Conditional buildings, structures, and uses may be allowed in accordance with **Article V** and upon application to the Board of Zoning Appeals for a conditional use certificate.

- A. Retail sales in accordance with **Article VI**, and **Article VII**.
- B. Mini-storage
 - 1. Conditions for mini-storage
 - a. The maximum size of each individual single building shall not exceed three thousand (3000) square feet.
 - b. Maximum building height shall be eighteen (18) feet.
 - c. One (1) driveway for ingress/egress in accordance with **Article VI** shall be allowed.

- d. The loading/unloading spaces and driveway access aisles shall be a minimum width of twenty-four (24) feet.
- e. A driveway with a minimum width of forty (40) feet shall be required between buildings, and between the front or rear fence.
- f. A buffer zone shall be part of the lot on which the permitted mini-storage unit is located. All buffer zones abutting the side or rear lot lines shall be landscaped and maintained in an appropriate manner. In addition, appropriate screening shall be required which shall consist of densely planted evergreen landscaping at least four (4) feet wide, all of which shall be maintained in good condition and be free from all advertising and other signs. Screening consisting of planted evergreen landscaping shall have a minimum height of six (6) feet.
- g. Mini-storage shall comply with Ohio Basic Building Code (OBBC) for S-1 storage.
- h. The owner shall include in the language of the lease or rental agreement that the Fire Department shall have access to the rental unit annually for the purpose of inspection. The owner is to have a master key for the inspection.
- i. The owner shall purchase and install a Knox Box system or similar system outside the gate for entry upon the premises by emergency personnel for emergency purposes.
- j. A fire alarm system with 24-hour monitoring is required.
- k. All buildings shall be a minimum of forty (40) feet apart.
- l. A 20lb ABC extinguisher shall be required, enclosed in a weatherproof box, at the ends of each building.
- m. The Fire Department shall review and approve the plans prior to a conditional zoning certificate being granted.
- n. Security lights shall be required around each building. All outdoor lights shall be shielded to direct the light and glare only onto the mini-storage premises. Said lighting and glare shall be deflected, shaded, and focused away from all adjoining property.
- o. The interior lighting of each unit shall utilize ceiling mounted fluorescent lighting.
- p. All storage on the property shall be kept within a fully enclosed building.
- q. Signs
 - 1. One ground sign shall be permitted, not to exceed sixteen (16) square feet with no more than two (2) advertising faces for business identification.
 - 2. The height of the sign shall not exceed six (6) feet.
 - 3. All signs shall be in accordance with **Section 701.0.**
- r. An eight-foot high security fence shall completely enclose the perimeter of the compound with one gated egress and ingress.
- s. Area regulations:
 - 1. The area bounded by security fencing shall not exceed 3 acres.
 - 2. Total lot coverage shall be limited to 50% of the total lot area.

3. Mini-storage shall comply with all of the other regulations for the zoning district in which it is located.

2. Prohibited Buildings, Structures, and Uses [Adopted 01-02-2008]

The following buildings, structures, and uses shall be prohibited: [Adopted 01-02-2008]

- a. Activities other than lease or rental of mini-storage units and pick-up and deposit of dead storage on the lot. The following activities shall be prohibited on any lot used for mini-storage units:
 1. Auctions, commercial wholesale or retail sales or miscellaneous or garage sales.
 2. The servicing, repair, or fabrication of motor vehicles, boats, trailers lawn mowers, appliances, or other similar equipment.
 3. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 4. The establishment of a "transfer and storage business".
 5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
 6. Any storage of hazardous, explosive, or flammable materials and other noxious or dangerous materials.
- b. Electrical outlets.
- c. Outdoor advertising display(s) that do not identify the nature of the mini- storage.
- d. No fencing shall be permitted in the required minimum front yard setback.

C. Conditions for a Billboard [Adopted 01-02-2008]

1. Billboards in accordance with Section 713.0.

D. Conditions for Adult Oriented Business (Adopted 2-15-2012)

1. Adult Oriented Businesses in accordance with Article XIV.

E. Conditions for Small Wind Energy Conversion Systems (SWECS) (Adopted 05-07-2014)

1. Small Wind Energy Conversion Systems (SWECS) shall be in accordance with the conditions set forth in Article VIII.

Section 404.4: Prohibited Uses

- A. Residential development or the construction of residential dwellings on existing lots of record or portions of lots of record zoned industrial.
- B. Storage of hazardous or flammable waste.
- C. Any use of property that limits or creates a danger to health and safety in the surrounding area, or creates any offensive noise, vibration, smoke, dust, heat, glare, flame, air pollutants or objectionable effluents.
- D. The manufacturing, storage or packaging of explosive or explosive materials.

Section 404.5: Minimum Lot Area

The minimum lot area shall be three (3) acres.

Section 404.6: Minimum Lot Frontage and Width (Adopted 05-07-2014)

- A. The minimum lot frontage and width shall be 300 feet, except for lots located on a permanent cul-de-sac road turnaround. (Adopted 05-07-2014)
- B. For any lot located on a permanent cul-de-sac road turnaround, the minimum lot width shall be 60 feet at the front lot line and 300 feet at the building setback line.

Section 404.7: Minimum Yards [Adopted 3-16-2011]

For the purpose of determining yard requirements on corner lots and through lots, all lot lines adjacent to roads shall be considered frontage and the front yard set forth herein shall apply.

- A. The minimum yards for all buildings, structures, and uses except accessory buildings, structures and uses shall be as follows:
 - 1. Front yard: 100 feet
 - 2. Each side yard: 50 feet
 - 3. Rear yard: 50 feet
- B. The minimum yards for all accessory buildings, structures, and uses shall be as follows:
 - 1. Front yard: 100 feet
 - 2. Each side yard: 50 feet
 - 3. Rear yard: 50 feet

Section 404.8: Maximum Height

The maximum height requirement shall be set forth in **Section 402.8**.

Section 404.9: Maximum Lot Coverage

The maximum lot coverage shall be 50 percent.

Section 404.10: Minimum Floor Area

- A. The minimum floor area for any building or structure shall be 1000 feet.
Floor area shall be calculated in accordance with **Section 403.10**.

Section 404.11: Permitted Buildings, Structures, and Uses in Required Yards

Permitted buildings, structures, and uses in required yard areas shall be as set forth in **Section 402.11** with the exception of swimming pools, school bus shelters, and recreational vehicles. (Adopted 05-07-2014)

Section 404.12: Buffer Zone

A buffer zone of fifty (50) feet shall be required wherever a residential district abuts a commercial or industrial district, ~~or manufactured home park district~~. No structure, building, accessory building, driveway, parking area or sign shall be permitted in a buffer zone. The purpose of a buffer zone shall be to eliminate traffic, noise, and visual annoyances from traveling across two different abutting districts. The buffer zone shall be a part of the industrial district.

A buffer zone shall be part of the lot on which the permitted principal building, structure or use other than a single family detached dwelling is located. All buffer zones abutting along the side or rear lot lines shall be landscaped and

maintained in an appropriate manner. In addition, appropriate screening shall be required which shall consist of opaque/solid fences, wall, or a densely planted evergreen landscaping at least four (4) feet wide, all of which shall be maintained in good condition and be free from all advertising and other signs. Fences and walls shall be minimum height of six (6) feet and a maximum of eight (8) feet measured from ground level. Screening consisting of planted evergreen landscaping shall have a minimum height of six (6) feet except in the case of maintenance of corner sight clearance.

Section 404.13: All Industrial Buildings shall follow the Ohio Basic Building Codes and the Ohio State Fire Codes.

Section 405.0: Manufactured Home Park District (MHP)

Section 405.1: General Requirements

- A. All of the regulations enacted by any agency of the State of Ohio pursuant to **Section 3733.01** through **3733.08** inclusive of the **Ohio Revised Code** are hereby made a part of this resolution.
- B. All manufactured home parks shall be divided into manufactured home lots. There shall only be one (1) manufactured home per manufactured home lot.

Section 405.2: Permitted Principal Buildings, Structures, and Uses

- A. Manufactured homes
- B. Manufactured home park offices
- C. Manufactured home park storage buildings

Section 405.3: Permitted Accessory Buildings, Structures, and Uses (which are on the same lot and incidental or subordinate to the principal permitted building, structure or use).

- A. Off-street parking spaces in accordance with **Article VI**.
- B. Private garages or carports designed and used for the storage of vehicles owned and/or operated by the occupants of the principal building or structure.
- C. Radio, television, or dish antennas in accordance with **section 402.8**.
- D. Recreation facilities, in accordance with **section 405.19**.
- E. Signs in accordance with **Article VII**, shall be the same as regulated in the residential zoning district.
- F. Storage building designed and used for the storage of tools and equipment owned by the occupants of the principal building or structure.
- G. Sanitary and drinking water facilities.
- H. Roof mounted and freestanding solar panels and solar panel arrays shall be in accordance with **Article VIII**. (Adopted 05-07-2014)

Section 405.4: Prohibited Buildings, Structures, and Uses

- A. Mobile homes

Section 405.5: Conditional Buildings, Structures, and Uses

- A. Small Wind Energy Conversion Systems (SWECS) shall be in accordance with the conditions set forth in **Article VIII**. (Adopted 05-07-2014)

Section 405.6: Minimum Lot Area

- A. The minimum lot area for a manufactured home park shall be 27 acres.

- B. The minimum lot area for each lot in a manufactured home park shall be in accordance with the regulations set forth in the **Ohio Administrative Code**.

Section 405.7: Minimum Lot Frontage

- A. The minimum lot frontage for a manufactured home park shall be 300 feet on a public road.
- B. The minimum lot frontage for each lot in a manufactured home park shall be in accordance with the requirements set forth in the **Ohio Administrative Code**.

Section 405.8: Minimum Lot Width

- A. The minimum lot width for a manufactured home park shall be 300 feet.
- B. The minimum lot width for each lot in a manufactured home park shall be in accordance with the requirements set forth in the **Ohio Administrative Code**.

Section 405.9: Minimum Yards [Adopted 3-16-2011]

For the purpose of determining yard requirements on corner lots and through lots, all lot lines adjacent to roads shall be considered frontage and the front yard set forth herein shall apply.

- A. The minimum yards for a manufactured home park shall be as follows:
 - 1. Front yard: 100 feet
 - 2. Each side yard: 50 feet
 - 3. Rear yard: 50 feet
- B. The minimum yards for each lot in a manufactured home park for all buildings, structures, and uses, including accessory buildings, structures, and uses shall be in accordance with the requirements set forth in the Ohio Administrative Code.

Section 405.10: Maximum Height

Same as **Section 402.8**.

Section 405.11: Maximum Lot Coverage

The maximum lot coverage shall be eighty (80) percent. (Adopted 05-07-2014)

Section 405.12: Minimum Floor Area

The minimum floor area for a manufactured home shall be 320 square feet. In calculating the minimum floor area, the following shall not be included: car ports; enclosed or unenclosed porches, patios, decks and steps; and garages.

There shall be on minimum floor area requirement for all other principal permitted buildings and structures or permitted accessory buildings and structures.

Section 405.13: Buffer Zone

~~A buffer zone of fifty (50) feet shall be required wherever a residential district abuts a commercial, industrial or manufactured home park district. No structure, building, accessory building, driveway, parking area or sign shall be permitted in a buffer zone. The purpose of a buffer zone shall be to eliminate traffic, noise, and visual annoyances from traveling across two different abutting districts. The buffer zone shall be a part of the manufactured home park district.~~

~~A buffer zone shall be part of the lot on which the permitted principal building, structure or use other than a single family detached dwelling is located. All buffer zones abutting along the side or rear lot lines shall be landscaped and maintained in an appropriate manner. In addition, appropriate screening shall be required which shall consist of opaque/solid fences, wall, or a densely planted evergreen landscaping at least four (4) feet wide, all of which shall be maintained in good condition and be free from all advertising and other signs. Fences and walls shall be minimum height of six (6) feet and a maximum of eight (8) feet measured from ground level. Screening consisting of planted evergreen landscaping shall have a minimum height of six (6) feet except in the case of maintenance of corner sight clearance.~~

Section 405.14: Permitted Buildings, Structures, and Uses in Required Yards

Same as Section 402.11.

Section 405.15: Interior Roads

All interior roads shall be paved with an asphalt or concrete surface in accordance with the requirements set forth in the **Ohio Administrative Code**.

All interior roads shall be reviewed and approved by the township zoning inspector for access control.

On-street parking shall be prohibited except in accordance with the **Ohio Administrative Code section 3701-27-09**.

Section 405.16: Utilities

- A. All utilities shall be completely underground.
- B. Natural gas, propane gas, fuel oil or other energy source shall be supplied through an underground community system.
- C. All utility equipment or storage tanks shall be completely enclosed by a chain link fence at least eight (8) feet in height.

Section 405.17: Garbage Collection

Manufactured home parks shall be kept in a clean and sanitary condition and provided with suitable covered metal receptacles for garbage, waste, litter, and trash. Disposal requirements shall be in accordance with the regulations of the applicable state or county agency.

Section 405.18: Sewage and Water Facilities

Sewage and water facilities shall be installed and functioning in accordance with the regulations of the applicable state or county agency prior to the occupancy of a manufactured home in a manufactured home park.

Section 405.19: Recreation Area

- A. There shall be an adequate site for recreation within a manufactured home park for the exclusive use of park occupants in accordance with the **Ohio Administrative Code section 3701.27.26**.
- B. The recreation area shall be a minimum of 300 feet from the margin of any public road and shall be a minimum of 100 feet from any manufactured home.

Section 405.20: Fire Protection

Each manufactured home park shall maintain, on the premises, a water tower, water tank or lake with a minimum volume of 100,000 gallons, plus 200 gallons per manufactured home unit over 100 units, for every unit.

Section 405.21: Site Plan

In addition to the requirements set forth in **Article XI**, the applicant shall submit a detailed site plan of a manufactured home park, drawn to scale, showing the location and dimensions of roads, lots, typical lot improvements, areas for recreation, storage, parking, fencing, garbage collection, utilities, lighting, and pedestrian walkways to the township zoning inspector.



Geauga County Planning Commission
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MEMORANDUM

DATE: February 1, 2022

TO: Planning Commission members

FROM: Linda M. Crombie, AICP, Planning Director

RE: 2022 holidays (Juneteenth and the day after Thanksgiving) Agenda Item # 8A

Juneteenth Day

Juneteenth Day (June 19) was added as an additional paid holiday in ORC Section 325.19 (D)(1) for county employees. This change will be included in the Geauga County Planning Commission Policy and Procedural Manual ("Policy Manual") when it is updated in the future. The page related to current paid holidays is located on Page 2 for your reference.

Per the Policy Manual, as Juneteenth falls on a Sunday, the holiday will be observed on Monday, June 20. The Board of County Commissioners approved their 2022 holiday schedule in this same manner.

Day after Thanksgiving

Additionally, the day after Thanksgiving is not a listed holiday per the Policy Manual. For the last couple of years, the Planning Commission has approved the day after Thanksgiving as a paid day off, following the same holiday schedule as the County Commissioner's. A motion will need to be made to grant Friday, November 25, 2022 as a paid holiday.

Lastly, all office closures due to federal holidays will be posted to the Commission's website to keep the public informed so they can plan in advance accordingly.

Geauga County Planning Commission Personnel Policy and Procedure Manual
Adopted: December 9, 2008 *Effective: December 10, 2008*

SECTION 6: LEAVES

HOLIDAYS
(ORC 325.19)

Employees shall be entitled to the following paid holidays annually:

New Years Day (January 1st)
Martin Luther King Day (3rd Monday in January)
Presidents Day (3rd Monday in February)
Memorial Day (Last Monday in May)
Independence Day (July 4th)
Labor Day (1st Monday in September)
Columbus Day (2nd Monday in October)
Veterans Day (November 11th)
Thanksgiving Day
Christmas Day

Holidays falling on Sunday will be observed on the following Monday. Those holidays falling on Saturday will be observed on the preceding Friday.

An employee is entitled to holiday pay for holidays which are observed on the employee's day off, regardless of the day of the week they are observed.

Part-time, temporary and seasonal employees will receive holiday pay only if the holiday falls on a day they are normally scheduled to work.

To be eligible for holiday pay, an employee must have been in an active pay status on the scheduled work day of the holiday. If a holiday occurs on a day where an employee is on an approved paid vacation or sick day, the employee shall be compensated for said holiday and not charged for sick time or vacation for such holiday.