

NEW LEGISLATION

February 28, 2022

Temp. No.	Introduced	Committee	Description
A-23*	2/28/22	PZ	An ordinance approving a Regulatory Text Amendment to Table 1131-1 Zoning Districts and Uses to add Secondary Schools as a limited use in R-4 Urban Density Residential and R-5 Mixed Density Residential Districts and to add a new Subsection 1133.02 (b) 3 titled "Secondary Schools" and declaring an emergency.
A-24	2/28/22	Fin	An ordinance authorizing the Mayor to enter into a Revenue Sharing Agreement with the Cuyahoga Falls Library for tax revenue sharing on new property tax revenue generated by the South Front Street Tax Increment Financing Project, and declaring an emergency.

*A Public Hearing to discuss this ordinance is scheduled for Monday, April 4, 2022 at 6:30 p.m.

CALENDAR

February 28, 2022

The following legislation will be up for passage at the Council Meeting on February 28, 2022.

Temp. No.	Introduced	Committee	Description
A-17	2/14/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for replacement of the 6” and 10” water mains in Loomis Avenue, Magnolia Avenue, Murray Street, and Ritchie Street, and declaring an emergency.
A-18	2/14/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the replacement of the flat roof on the Municipal Building, located at 2310 2nd Street in the City of Cuyahoga Falls, and declaring an emergency.
A-19	2/14/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the repair and resurfacing of West Steels Corners Road from Akron-Peninsula Road to Northampton Road, and declaring an emergency.
A-20	2/14/22	PA	An ordinance authorizing the Mayor to enter into an agreement with the Utility Workers Union of America, Local 399 effective July 1, 2021, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
A-21	2/14/22	CD	An ordinance appropriating \$1,615,404 of Community Development Block Grant carryover funds for calendar year 2022, and declaring an emergency.
A-22	2/14/22	CD	An ordinance authorizing the Director of Community Development to amend the Community Reinvestment Area Tax Exemption Agreement with Legacy 2020, LLC to reflect the name change to CF Legacy 2020, LLC and to amend the scope of work to reflect a change in total number of multi-family residential units, retail space, and investment dollars initially approved under this community reinvestment tax exemption agreement, and declaring an emergency.

PENDING LEGISLATION

February 28, 2022

Temp. No.	Introduced	Committee	Description
A-17	2/14/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for replacement of the 6” and 10” water mains in Loomis Avenue, Magnolia Avenue, Murray Street, and Ritchie Street, and declaring an emergency.
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Temp. No.	Introduced	Committee	Description
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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2022

7
8 AN ORDINANCE APPROVING A REGULATORY TEXT AMENDMENT TO
9 TABLE 1131-1 ZONING DISTRICTS AND USES TO ADD SECONDARY
10 SCHOOLS AS A LIMITED USE IN R-4 URBAN DENSITY RESIDENTIAL
11 AND R-5 MIXED DENSITY RESIDENTIAL DISTRICTS AND TO ADD A
12 NEW SUBSECTION 1133.02 (B) 3 TITLED "SECONDARY SCHOOLS" AND
13 DECLARING AN EMERGENCY.
14

15 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning
16 Commission be submitted to Council; and
17

18 WHEREAS, on February 15, 2022, the Planning Commission recommended approval of the text
19 amendment to the Cuyahoga Falls General Development Code to add limited use symbols in the R-4 and R-5
20 columns in Table 1131-1 Zoning Districts and Uses for Secondary Schools and adding a new subsection to
21 1133.02 (B) 3 titled "Secondary Schools" as described in File TXT-22-00003.
22

23 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,
24 and State of Ohio:
25

26 Section 1. The City Council approves the regulatory text amendment to the Cuyahoga Falls General
27 Development Code to add limited use symbols in the R-4 and R-5 columns in Table 1131-1 Zoning Districts
28 and Uses for Secondary Schools and adding a new subsection to 1133.02 (B) 3 titled "Secondary Schools" as
29 described in File TXT-22-00003.
30

31 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent
32 herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent
33 herewith and which have not previously been repealed are hereby ratified and confirmed.
34

35 Section 3. It is found and determined that all formal actions of this Council concerning and relating to
36 the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of
37 this Council and of any of its committees that resulted in such formal action, were in meetings open to the
38 public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the
39 Codified Ordinances.
40

41 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
42 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
43 the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate
44 development of this property, and provided it receives the affirmative vote of two thirds of the members
45 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
46 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.
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48
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50 Passed: _____

President of Council

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54 _____
55 Clerk of Council
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58 Approved: _____

Mayor

Title 3: DISTRICTS & USES
Chapter 1131: PLANNING AREAS & ZONING DISTRICTS
Table 1131-1: Zoning Districts and Uses

Table 1131-1: Zoning Districts and Uses

ZONING DISTRICTS >	ZONING DISTRICTS AND USES																		
	RESIDENTIAL NEIGHBORHOODS						MIXED-USE DISTRICTS						GENERAL DISTRICTS		SPECIAL OVERLAY DISTRICTS				
	R-1, LARGE-LOT RESIDENTIAL	R-2, LOW-DENSITY RESIDENTIAL	R-3, SUB-URBAN DENSITY RESIDENTIAL	R-4, URBAN DENSITY RESIDENTIAL	R-5, MIXED DENSITY RESIDENTIAL	R-6, URBAN MIXED DENSITY RESIDENTIAL	MU-1, RURAL NEIGH. CENTER	MU-2, NEIGHBORHOOD CENTER	MU-3, SUB-URBAN CENTER	MU-4, SUB-URBAN CORRIDOR	MU-5, URBAN CENTER	MU-6, DOWNTOWN	C-1, COMMERCIAL DISTRICT	E-1, EMPLOYMENT DISTRICT	M-1, MANUFACTURING DISTRICT	NP-1, NATIONAL PARK DISTRICT	R-C, CONSERVATION OVERLAY	R-M, MIXED DENSITY OVERLAY	H, HISTORIC OVERLAY
KEY: <input checked="" type="checkbox"/> = ALLOWED IN PLANNING AREA <input checked="" type="checkbox"/> = ALLOWED USE SUBJECT TO GENERAL ZONING DISTRICT AND DESIGN STANDARDS <input type="checkbox"/> = LIMITED USE ONLY ALLOWED SUBJECT TO SPECIFIC USE STANDARDS <input type="checkbox"/> = CONDITIONAL USE ONLY ALLOWED SUBJECT TO CONDITIONAL ZONING CERTIFICATE All undesignated uses are considered prohibited <input checked="" type="checkbox"/> USE TYPES AND USE CATEGORIES																			
PLANNING AREAS																			

MIX	MIXED-USE USES	R-1	R-2	R-3	R-4	R-5	R-6	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	C-1	E-1	M-1	NP-1	R-C	R-M	H	
	Accessory Units																				
	CIVIC USES																				
	Primary School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>											
	Secondary School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					
	Higher Education Facility										<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
	Library or Museum									<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
	Neighborhood / Public Assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
	Community / Public Assembly										<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
	Cemetery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
	Hospital										<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
	Public Open Space	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Common Open Space	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Government Office or Facility	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Title 3: DISTRICTS & USES
Chapter 1133 SPECIFIC USE STANDARDS
Section 1133.02 (B)

2. *Secondary Schools.* In Districts where Secondary Schools are a Limited Use, Subject to Specific Conditions (“o”), the following specific standards apply:
 - a. A minimum of 20 acres is required for such use.
 - b. Site shall be located on an arterial street.
 - c. Minimize curb cuts and driveways to the extent possible.
 - d. Lighting shall be subject to the standards in Section 1144.06.

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2022

7
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
9 INTO A REVENUE SHARING AGREEMENT WITH THE
10 CUYAHOGA FALLS LIBRARY FOR TAX REVENUE SHARING
11 ON NEW PROPERTY TAX REVENUE GENERATED BY THE
12 SOUTH FRONT STREET TAX INCREMENT FINANCING
13 PROJECT, AND DECLARING AN EMERGENCY.
14

15 WHEREAS, pursuant to Ordinance No. 104-2021, the City of Cuyahoga Falls
16 designated the South Front Street Tax Increment Financing (“TIF”) area encompassing
17 certain parcels of real property generally located along South Front Street and 2nd Street
18 between Chestnut Boulevard and Sackett Avenue for infrastructure improvements; and
19

20 WHEREAS, the TIF authorizes the City to collect 100% of all new real property tax
21 revenue generated by the project for a period of thirty (30) years; and
22

23 WHEREAS, at the time of passage, this Council expressed the intention to provide
24 real property tax revenue sharing with the Cuyahoga Falls Library over the same thirty
25 (30) year projected TIF period.
26

27 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
28 Summit County, Ohio, that:
29

30 Section 1. The Mayor is hereby authorized to enter into a Revenue Sharing
31 Agreement with the Cuyahoga Falls Library for all new property tax revenue generated
32 by the South Front Street Tax Increment Financing project at a millage rate of 1.553934.
33

34 Section 2. Council further authorizes the Mayor, Director of Finance, Director of
35 Community Development, Director of Law, and any other city officials, individually
36 and/or collectively as may be appropriate, to prepare and execute such other documents
37 and do other things as are necessary for and incidental to carrying out the requirements
38 of this ordinance and the Revenue Sharing Agreement.
39

40 Section 3. Any ordinance or resolutions or portions of ordinances and resolutions
41 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
42 inconsistent herewith and which have not previously been repealed are hereby ratified
43 and confirmed.
44

45 Section 4. It is found and determined that all formal actions of this Council
46 concerning and relating to the adoption of this ordinance were adopted in an open
47 meeting of this Council, and that all deliberations of this Council and of any of its
48 committees that resulted in such formal action, were in meetings open to the public, in
49 compliance with all legal requirements including Chapter 107 of the Codified
50 Ordinances.

51 Section 5. This ordinance is hereby declared to be an emergency measure necessary
52 of the preservation of the public peace, health, safety, convenience, and welfare of the
53 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
54 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
55 take effect and be in force immediately upon its passage and approval by the Mayor;
56 otherwise it shall take effect and be in force at the earliest period allowed by law.

57
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59 Passed: _____

President of Council

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Clerk of Council

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67 Approved: _____

Mayor

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69 2/28/22

70 \\cf-file01\ldpublic\Council\2022ords\02-28-22\Falls Library Revenue Share.docx

REAL PROPERTY TAX REVENUE SHARING AGREEMENT

This Agreement between the City of Cuyahoga Falls ("City"), a municipal corporation with its offices at 2310 Second Street, Cuyahoga Falls, Ohio 44221 and Cuyahoga Falls Library ("Library"), a non-profit entity with its principal offices at 2015 Third Street, Cuyahoga Falls, Ohio 44221, specifies the manner and procedure to be used pursuant to Ordinances 104-2021 and _____-2022, requiring general compensation and real property tax revenue sharing on new real property tax revenue related to the City's revitalization of South Front Street ("Project").

Whereas, the City adopted Ordinance 104-2021 on 12/13/2021, hereinafter referred to as the "TIF Ordinance", which provides for the allocation of all new real property tax revenue generated by the revitalization of South Front Street ("Project"). The Project consists of, amongst other things, the construction of some fifty (50) townhome units by the Summit County Land Reutilization Bank, together with infrastructure, streetscape, etc., around and within, the new Project.

Whereas, the TIF Ordinance authorizes the City to collect 100% of all new real property tax revenue generated by the Project over a thirty (30) year period.

Whereas, at the time of passage of the TIF Ordinance, City Council expressed an intention to provide real property tax revenue sharing with the Library and accordingly, the City later adopted Ordinance _____-2022 on _____, 2022, hereinafter referred to as the "Library Ordinance".

Now Therefore, in consideration of the foregoing and of the mutual promises, covenants and agreements hereinafter set forth the City and the Library agree as follows:

Section 1. Definitions as used in this agreement. The following shall have the meanings set forth below:

"Bi-Annual Payment Amount" shall mean the amounts paid directly by the City to the Library under Section 2 of this agreement once the City is in full receipt of the First Half and Second Half Settlements from the Summit County Fiscal Office.

"Exemption Year" shall mean any calendar year in which the Project would be taxable but for the municipal authorization and finalization of the TIF Ordinance.

Section 2. Amount of Municipal Payments. During each exemption year in which the City receives a Payment In lieu of Tax (PILOT) payment pursuant to the TIF Ordinance, the City shall pay the bi-annual payment amount to the Library. The bi-annual payment amount will equal the current Library millage rate (1.553934) of the increased value of the property as assigned by the Summit County Fiscal Office.

Section 3. Timing of the Payments. The City shall provide the Library the required payment amount within sixty (60) days of receiving the full PILOT payment from the Summit County Fiscal Office from the First Half and Second Half Settlements, generally received in April and September of each year, and each calendar year thereafter that the tax exemption is in place. The parties agree that the first year's required reimbursement will begin in the calendar year following final construction of all fifty (50) townhome units, estimated to be in 2024.

Section 4. Maximum Real Property Tax Revenue Sharing. The intent of this agreement is to provide full reimbursement of real property tax revenues to the Library at their current millage rate of 1.553934.

Section 5. Amendments. This agreement may be amended or modified by the parties, only in writing, signed by all parties to the agreement or by applicable law changes.

Section 6. Entire Agreement. This agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind and nature between the parties with respect to the subject matter of this agreement.

Section 7. Notices. All payments, certificates, reports and notices which are required to or may be given pursuant to the provisions of this agreement shall be sent by regular mail, postage prepaid, and shall be deemed to have been given or delivered when so mailed to the following addresses:

Municipality: City of Cuyahoga Falls
Diana Colavecchio, Development Director
2310 Second Street
Cuyahoga Falls, Ohio 44221

Bd. of Education: Cuyahoga Falls Library
Valerie Kocin, Director
2015 Third Street
Cuyahoga Falls, Ohio 44221

Any party may change its contact or address for receiving notices and reports by giving written notice of such change to the other parties.

Section 8. Severability of Provisions. The invalidity of any provision of this agreement shall not affect the other provisions of this agreement, and this agreement shall be construed in all respects as if any invalid portions were omitted.

In witness thereof, the parties have caused this Agreement to be executed as of this _____ day of _____, 2022.

Witness

Authorized by

City of Cuyahoga Falls

Date

Witness

Authorized by

Cuyahoga Falls Library
By: Valerie Kocin, Director

Date