



## REGULATORY AMENDMENT APPLICATION

City of Cuyahoga Falls  
 Community Development Department--Planning Division  
 2310 Second Street  
 Cuyahoga Falls, Ohio 44221  
 330-971-8135 (Phone), 330-971-8366 (Fax)  
[www.cityofcf.com](http://www.cityofcf.com)

### **APPLICANT'S INFORMATION AND INSTRUCTIONS** **(Keep for Records)**

It is strongly recommended that applicants have a pre-application conference with Planning Division staff prior to submittal. Please call 330-971-8135 to make an appointment with a Planner.

#### **Submittal Procedure**

Please refer to the Planning Commission Application Deadline and Hearing Schedule for submittal deadlines and other relevant dates. This document is available online at <http://www.cityofcf.com> or by contacting the Planning Division.

Staff will review submitted applications to ensure all required material and information are provided. Within 30 days of a submittal deadline, the applicant will be notified whether application materials are acceptable. If acceptable, the applicant (contact person) will be notified by phone or mail when the application has been scheduled on the Planning Commission agenda. If the application is not acceptable, a letter outlining the deficiencies will be sent to the applicant. The deficiency letter will also address submission deadlines. (Note: The Planning Commission agenda is limited to 5 items per meeting; completed applications in excess of 5 will be scheduled for the next meeting.)

#### **Notice & Posting for Zoning Map Amendment and Conditional Zoning Certificate Applications**

1. A Notice shall be posted, on the property, at least seven (7) days prior to the Planning Commission Public Hearing.
2. A Notice will be mailed to property owners within 200 feet of application site at least ten (10) days prior to the Planning Commission Public Hearing.

#### **Withdrawal of Zoning Map Amendment and Conditional Zoning Certificate Applications**

Any application may be withdrawn by written request of the applicant. If withdrawn prior to the posting, the applicant may be reimbursed. If the application is withdrawn after this time, fees cannot be reimbursed.

#### **Deferral of Zoning Map Amendment and Conditional Zoning Certificate Plan Applications**

Applicants may request an indefinite deferral of the application if more time is needed to prepare for the Public Hearing. However, deferrals are not granted automatically, and the applicant's representative must be present at the public meeting even if a deferral



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has been requested. The Planning Commission may also defer an application for failure of the applicant to follow procedural steps. If the application is deferred at the request of the applicant or for failure to follow all procedural steps, a new public notice shall be issued at the expense of the applicant.

### **Planning Commission Public Hearing for Zoning Map Amendment and Conditional Zoning Certificate Applications**

The first public hearing is before the Planning Commission. Planning Commission meetings are held on the first and third Tuesday of every month at 5:30 PM in City Council Chambers at the Cuyahoga Falls Natatorium Building, or such time or places as may be designated by the Planning Division. The applicant or a representative of the applicant **must be present** at the public hearing. The applicant or applicant's representative is asked to make a presentation of the proposal and answer any questions the Planning Commission may have. Large visual presentation aides are also recommended. Other interested members of the public are given the opportunity to speak. If there is opposition, the applicant is also given time for a rebuttal.

The Planning Commission functions as an advisory body to the City Council, and the Planning Commission's recommendation are transmitted to the City Council within 7 days after the public meeting, unless the application is tabled. An application can be tabled up to 30 days.

### **City Council Public Hearing/Meeting for Zoning Map Amendment and Conditional Zoning Certificate Applications**

The Cuyahoga Falls City Charter requires that all decisions made by the Planning Commission be submitted to City Council for approval. After Planning Commission action, legislation is prepared for submission to City Council. City Council meets on the second and fourth Monday of every month at 6:30 p.m. in City Council Chambers. From the time a matter has received Planning Commission approval, an additional 2 –4 weeks may be needed to obtain Council approval.<sup>1</sup> The Planning Division will notify the applicant in writing of the City Council meeting dates following the Planning Commission meeting.

Prior to the City Council public hearing/meeting, Council members are provided with the staff report summary and the Planning Commission recommendation. City Council members are, therefore, familiar with the request and issues involved. At the Council

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<sup>1</sup> For Zoning Map Amendments a notice shall be published in a newspaper of general circulation in the City at least 30 days prior to the public hearing before City Council. In addition, mailed notices shall be sent to property owners within 200 feet of rezoning application site at least 10 days prior to public hearing.



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meeting, applicants should give a brief presentation with visual aides and state whether or not the applicant agrees with the Planning Commission recommendation. Applicants should avoid restating information already presented to the Planning Commission. A representative of the applicant **must be present** at the City Council public hearing/meeting.

The City Council makes the final decision on all application by voting on the submitted legislation. If the application is denied by City Council, substantially the same application cannot be considered within one year of denial.

For detailed information on Division of Land Applications see Sections 1113.01, 1113.02, 1113.03, 1113.04 of the Cuyahoga Falls General Development Code.



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### **APPLICANT'S CHECKLIST**

(Keep for Records)

Be sure to check the items listed below and include all applicable materials when you submit your application. Items must be properly identified or labeled when submitting application. Staff will review submitted applications and notify applicants by mail whether the application has been accepted for processing. Applications lacking required information, and/or signatures cannot be scheduled for public meeting or staff review. More detailed information about the process is presented in the attached "Applicant Information" section. Code references refer to the Cuyahoga Falls General Development Code.

#### **All Regulatory Amendment Plan Applications**

- Completed application. (All items must be completed.)
- Property owner's signature and applicant's signature (if not the current owner of the property). A copy of the purchase contract for the property may be included in lieu of the property owner's signature, as long as the contract clearly identifies approval of the application as a contingency of the contract.
- Appropriate fee payable to the City of Cuyahoga Falls

#### **Zoning Map Amendment**

##### **Documents**

- A legal description and a copy of a signed and notarized deed of conveyance of the parcel(s)
- 20 folded certified survey map meeting the requirements of the minor plat requirements.
- A preliminary development plan showing present/new building(s) and parking lot footprints and preliminary elevations of present/new buildings.
- "PDF" copies of all documents (11" by 17")

##### **Code References**

Section 1113.07  
Same as above.



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### Conditional Zoning Certificate

#### General Requirement

- 20 folded, full-sized, copies of all Site Documents and one reduced (11" x 17") copy.
- "PDF" copies of all documents (11" by 17")

#### Documents

##### Environs Map and Statistics

- Vicinity map showing proposed building/parking lot footprints with existing streets, building footprint, parks, railroads, etc., within 500 feet of site.
- Site Legend -- zoning designation, lot size, setbacks, building coverage, dwelling density, impervious surface coverage, parking requirements, green/open space areas and other statistics as appropriate.

##### Topography Site Plan

- Existing and proposed contours at intervals of not more than 5 feet where the grounds slope is generally greater than 10 percent and not more than 2 feet where the grounds slope is generally less than 10 percent. All elevations are to be based on USGS data.
- Proposed/existing building and parking lot footprint.
- Location, widths, right-of-ways, and names of existing or platted streets, railroads, easements, parks and permanent buildings

##### Utility Site Plan

- Proposed footprints of all buildings parking lots, etc. with setbacks
- All existing and new utility lines, drainage channels, open space
- Proposed storm drainage (Best Stormwater Management Principles)

##### Parking Lot Plan

- Stall size dimensions, isle widths, walks, curbing, etc.
- Cross-Section and dimensions of curbs, asphalt or concrete, base, etc.

#### Code References

Chapter 1124

Sections 1124.02,  
1124.04

Section 1124.03

Chapter 1135,  
Sections 1142.04,  
1143.06, 1143.07,  
1144.04, 1144.05,

Chapter 1135,



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### Documents

- Lighting Plan with light fixture type with candle calculations, lighting fixture types and dimensions,

### Landscaping Plan

- Tree Preservation/Survey
- Parking lot landscaping plan (tree and shrub types, size, caliper, etc.)
- Building (foundation) landscaping plan (tree and shrub types, size, caliper, etc.)
- Street trees
- Fencing, trash enclosure and screening types (dimensions, materials, etc.)

### Building Elevation Plan

- Elevations of all building sides
- Building material list— window types, doors types, façade materials (type, color), roof type (pitch, material, color)
- 11" x 17" color rendering of all sides of building
- Material samples

### Signage Plan

- Building (surface) Signs—location, dimensions, materials, color
- Monument/Pole (non-surface) Sign location--dimensions, materials, colors

### Code References

Sections 1143.08, 1144.06,

Chapter 1146, Section 1113.13

Section 1146.03 H, Sections 1146.05, 11146.06, 1146.07, Tables 1146.04, 1146.05

Same as above.

Section 1146.04

Sections 1142.05, 1142.06

Chapters 1142, 1143, 1144

Sections 1141.02, 1143.02, 1143.03, 1143.04, 1143.05, 1144.02, 1144.03

Same as above.

Chapter 1147



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### APPLICATION

#### Contact Information

<b>Applicant's Name:</b>	
Street Address:	
City/State/Zip	
Telephone:	
E-mail:	
Fax:	

<b>Applicant's Representative Name:</b>	
Contact Person:	
Street Address:	
City/State/Zip	
Telephone:	
E-mail:	
Fax:	

<b>Property Owner's Name:</b>	
Street Address:	
City/State/Zip	
Telephone:	
E-mail:	
Fax:	



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Description of Property	
General Location:	
Address:	
Parcel Number (s):	
Land Area (square feet or acreage):	
Zoning Classification:	
Background of Property:	

Narrative





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### Certifications

Applicant	Signature	Date
I hereby certify that all statements made on this application are true and complete and that I have a legal right to make this appeal or to possess a written power of attorney on the above premises.		
Property Owner Consent	Signature	Date
I declare under penalty of perjury that I am the owner of said property or have written authority from property owner to file this application. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate any approval of this application.		

### Department Use

File Number:	
Application Received (Date):	
Amount Accepted:	
Application Accepted (Date):	
Application Deficiency Letter (Date):	
Application Modified (Date):	
Application Approved (Date):	
Application Tabled (Date):	
Application Denied (Date):	