

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.

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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. |
| 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. |

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2022

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.

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

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

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

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

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ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

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

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

Passed: _____

President of Council_____
Clerk of Council

Approved: _____

Mayor

2/22/22

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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 AND USES | | | | | | | | | | | | | | | | | | | |
|--|----------------------------|------------------------------|------------------------------------|--------------------------------|--------------------------------|--------------------------------------|---------------------------|---------------------------|------------------------|--------------------------|--------------------|----------------|--------------------------|---------------------------|-----------------------------|------------------------------|---------------------------|----------------------------|---------------------|
| ZONING DISTRICTS ➤ | 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: ☑ = ALLOWED IN PLANNING AREA ☑ = ALLOWED USE SUBJECT TO GENERAL ZONING DISTRICT AND DESIGN STANDARDS ● = LIMITED USE ONLY ALLOWED SUBJECT TO SPECIFIC USE STANDARDS ◆ = CONDITIONAL USE ONLY ALLOWED SUBJECT TO CONDITIONAL ZONING CERTIFICATE All undesignated uses are considered prohibited ➤ USE TYPES AND USE CATEGORIES | | | | | | | | | | | | | | | | | | | |
| PLANNING AREAS | | | | | | | | | | | | | | | | | | | |

| MIX | Accessory Units | <input type="checkbox"/> | | | | | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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"/> | <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"/> | <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 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"/> | <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"/> | <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"/> | <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"/> |
| 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"/> |
| 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"/> |

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.

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2022

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.

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

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

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

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

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

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

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

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

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

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

2/28/22

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REAL PROPERTY TAX REVENUE SHARING AGREEMENT

This Agreement is entered into on _____ 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. The Agreement specifies the procedure to provide general compensation and real property tax revenue sharing to the Library 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, among 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 the _____ day of _____, 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 shall mean the following:

"Bi-Annual Payment Amount" shall mean the amounts paid directly by the City to the Library under Section 2 of this Agreement in February and July of each year.

"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 real property tax 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 millage rate (1.553934) of the Library' share of the new real property tax revenue generated by the Project and as reflected in the attached spreadsheet (and as modified once a final appraisal has been made 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 allocation of new real property tax revenue from the Summit County Fiscal Office each February and July, 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.

Authorized by:

Don Walters, Mayor
City of Cuyahoga Falls

Date

Valerie Kocin, Director
Cuyahoga Falls Library

Date