

2  
3  
4  
5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. 07 - 2012

8  
9 AN ORDINANCE RE-ZONING PARCEL NO. 02-12047  
10 (2307 23<sup>RD</sup> STREET) FROM R-4 ("URBAN DENSITY  
11 RESIDENTIAL") TO MU-4 ("SUB-URBAN CORRIDOR"),  
12 AUTHORIZING A CORRESPONDING AMENDMENT OF  
13 THE CITY'S OFFICIAL ZONE MAPS, AND DECLARING  
14 AN EMERGENCY.

15  
16 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires  
17 that all affirmative decisions made by the Planning Commission be submitted to  
18 Council; and

19  
20 WHEREAS, the Planning Commission has non-exclusive jurisdiction to review  
21 and approve, deny, or approve with conditions an application for re-zoning of land in  
22 accordance with the General Plan, pursuant to Section 1113.07 of the Codified  
23 Ordinances; and

24  
25 WHEREAS, on August 21, 2012 the Planning Commission approved and  
26 recommended the re-zoning of Parcel No. 02-12047 (2307 23<sup>rd</sup> Street) from R-4  
27 ("Urban Density Residential") to MU-4 ("Sub-Urban Corridor"), as more fully  
28 described in Planning Commission File P-18-12-Z and in the proposed Official Zone  
29 Map amendment attached hereto as Exhibit "A;" and

30  
31 WHEREAS, this Council finds that the procedural and notice requirements  
32 applicable to re-zoning, as established in Section 1113.07(F)(3) of the Codified  
33 Ordinances, have been faithfully observed,

34  
35 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga  
36 Falls, County of Summit, and State of Ohio, that:

37  
38 Section 1. The zoning classification of the parcel of real property known as  
39 Summit County Parcel No. 02-12047 (2307 23<sup>rd</sup> Street) is hereby changed from R-4  
40 ("Urban Density Residential") to MU-4 ("Sub-Urban Corridor"), as more fully  
41 described in Planning Commission File P-18-12-Z and in the proposed Official Zone  
42 Map amendment attached hereto as Exhibit "A." The Director of Community  
43 Development is hereby authorized to amend the City's official zone maps to reflect  
44 the change in classification made hereby.

45  
46 Section 2. Any other ordinances or resolutions or portions of ordinances and  
47 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
48

48 resolutions not inconsistent herewith and which have not previously been  
49 repealed are hereby ratified and confirmed.

50  
51 Section 3. It is found and determined that all formal actions of this Council  
52 concerning and relating to the adoption of this ordinance were adopted in an open  
53 meeting of this Council, and that all deliberations of this Council and of any of its  
54 committees that resulted in such formal action, were in meetings open to the public,  
55 in compliance with all legal requirements including, to the extent applicable, Chapter  
56 107 of the Codified Ordinances.


57  
58 Section 4. This ordinance is hereby declared to be an emergency measure  
59 necessary for the preservation of the public peace, health, safety, convenience and  
60 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that  
61 it is immediately necessary to permit timely and appropriate development of this  
62 property, and provided it receives the affirmative vote of two thirds of the members  
63 elected or appointed to Council, it shall take effect and be in force immediately upon  
64 its passage and approval by the Mayor; otherwise it shall take effect and be in force  
65 at the earliest period allowed by law.

66  
67  
68 Passed: 10-23-12

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Clerk of Council

69  
70  
71  
72  
73  
74  
75  
76 Approved: 10/23/12

  
\_\_\_\_\_  
Mayor

77  
78  
79 9/10/12

80 O:\2012ords\P-18-12-Z Acme Re-zoning.doc

