

1 A-112

Presented by the Administration
Upon Recommendation of the Planning Commission

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CITY OF CUYAHOGA FALLS, OHIO

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ORDINANCE NO. 96 - 2012

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AN ORDINANCE APPROVING A CONDITIONAL ZONING CERTIFICATE FOR THE OPERATION OF TOW LOT/IMPOUND LOT AT 488 EAST STEELS CORNERS ROAD (PARCEL NO. 35-03916), IN AN E-1 EMPLOYMENT DISTRICT, AND DECLARING AN EMERGENCY.

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

WHEREAS, the Planning Commission has initial jurisdiction to grant a conditional zoning certificate relative to certain uses in certain districts, subject to the approval of this Council, pursuant to Section 1113.08 of the Codified Ordinances, and

WHEREAS, on November 6, 2012 the Planning Commission approved the issuance of a Conditional Zoning Certificate for the operation of a tow lot/impound lot at 488 East Steels Corners Road (Parcel No. 35-03916) within the City of Cuyahoga Falls, Ohio,

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

Section 1. This Council approves the issuance of a conditional zoning certificate for the operation of a tow lot/impound lot at 488 East Steels Corners Road (Parcel No. 35-03916) Cuyahoga Falls, Ohio, situated in an E-1 Employment District, as set forth in the Codified Ordinances of the City of Cuyahoga Falls and as approved by the Planning Commission as per the plans and conditions contained in File P-24-12-CZ, including the site plan and elevations depicted in Exhibit A, attached hereto. This approval is without prejudice to the City's right of revocation.

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 Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.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

50 committees that resulted in such formal action, were in meetings open to the
51 public, in compliance with all legal requirements, to the extent applicable,
52 including Chapter 107 of the Codified Ordinances.
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54 Section 4. This ordinance is hereby declared to be an emergency measure
55 necessary for the preservation of the public peace, health, safety, convenience and
56 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
57 that it is immediately necessary to permit timely and appropriate development of
58 this property, and provided it receives the affirmative vote of two thirds of the
59 members elected or appointed to Council, it shall take effect and be in force
60 immediately upon its passage and approval by the Mayor; otherwise it shall take
61 effect and be in force at the earliest period allowed by law.
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64 Passed: on November 26, 2012 Mark Shary
65 President of Council
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68 Catherine J. Meacham
69 Clerk of Council
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72 Approved: 11/28/12 Robert
73 Mayor
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75 11/12/12
76 O:\2012ords\Conditional Use Permit P-24-12p-CZ 488 E. Steels Corners

