

2  
3  
4  
5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. 46 - 2013

8  
9 AN ORDINANCE APPROVING A CONDITIONAL ZONING  
10 CERTIFICATE FOR THE OPERATION OF A VEHICLE  
11 REPAIR FACILITY AT 2010 BAILEY ROAD IN AN MU-2  
12 NEIGHBORHOOD CENTER DISTRICT, AND DECLARING  
13 AN EMERGENCY.

14  
15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires  
16 that all affirmative decisions made by the Planning Commission be submitted to  
17 Council; and

18  
19 WHEREAS, the Planning Commission has jurisdiction to grant a conditional  
20 zoning certificate relative to certain uses in certain districts, subject to the approval  
21 of this Council, pursuant to Section 1113.08 of the Codified Ordinances, and

22  
23 WHEREAS, on July 2, 2013, the Planning Commission approved the issuance of  
24 a conditional zoning certificate for the operation of a vehicle repair facility at 2010  
25 Bailey Road (Parcel Nos. 02-15855 and 02-15856) in an MU-2 Neighborhood Center  
26 District, within the City of Cuyahoga Falls, Ohio.

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

30  
31 Section 1. This Council approves the issuance of a conditional zoning certificate  
32 for the operation of a vehicle repair facility at 2010 Bailey Road (Parcel Nos. 02-  
33 15855 and 02-15856) within the City of Cuyahoga Falls, Ohio, situated an MU-2  
34 Neighborhood Center District, in accordance with the district and zoning regulations  
35 contained in the Codified Ordinances of the City of Cuyahoga Falls and subject to  
36 the conditions approved by the Planning Commission as set forth in File P-18-13-CZ.

37  
38 Section 2. Any other ordinances or resolutions or portions of ordinances and  
39 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
40 resolutions not inconsistent herewith and which have not previously been repealed  
41 are hereby ratified and confirmed.


42  
43 Section 3. It is found and determined that all formal actions of this Council  
44 concerning and relating to the adoption of this ordinance were adopted in an open  
45 meeting of this Council, and that all deliberations of this Council and of any of its  
46 committees that resulted in such formal action, were in meetings open to the public,  
47 in compliance with all legal requirements, to the extent applicable, including Chapter  
48 107 of the Codified Ordinances.

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


60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

Passed: 7-22-13

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

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

Approved: 7/23/13

  
\_\_\_\_\_  
Mayor