

PLANNING COMMISSION MINUTES
Wednesday, September 3, 2025

On Wednesday, September 3, 2025, a meeting of the Cuyahoga Falls Planning Commission was held at the Natatorium, 2345 Fourth St., Cuyahoga Falls, Ohio, at 6:00 p.m. in accordance with Chapter 107 of the Codified Ordinances of the City of Cuyahoga Falls.

MEMBERS PRESENT: Dan Rice, Chair
Alicia Harris
Sandy Locascio, Secretary
Colleen Kelly
Jake Ricker
Susan Spinner

MEMBERS ABSENT: Rob Habel, Vice Chair
Jeff Iula

COMM. DEV. STAFF: Rob Kurtz, Planning Director
Adam Paul, Asst. Planning Director
Kim Ferencz, Senior Planner
Lori Jones, Admin. Specialist

Mr. Dan Rice called the meeting to order at 6:04 p.m., and the Pledge of Allegiance was recited. He then thanked everyone for coming, and stated that without any public present, there was not a need to go over the meeting process.

Ms. Sandy Locascio read the agenda into record.

Mr. Rice stated that he spoke with Mr. Kurtz earlier in the day and they discussed how this information would be presented in blocks of 10 or so items at a time to allow for discussion. He then opened the item to the City.

New Business

TXT-25-00018

Mr. Rob Kurtz introduced Kim Ferencz, the Senior Planner, and explained that the changes were derived from Kim, Adam, and himself having had numerous meetings to go over the Code from beginning to end. He stated that all of the changes have been vetted with all of the other City department as well. He spoke of the changes being organizational, to correct errors, and additional, to address things that were not there at all. He also stated that they address open spaces and landscaping more clearly. He explained the outline that was provided that shows the why, and then also shows the changes.

Rob then went over changes for sections 1-11 with explanations and minor discussions along the way on the various items.

Mr. Rice closed these items to the City and opened them to the Public for comments or questions.

Mary Nichols-Rhodes- City Council Member- 739 Lincoln Ave – was the only person present at the meeting thanked everyone for the hard work, and then spoke of items on pages 26-27 and suggested language changes to add language about open spaces for 1124.05 and the in lieu of dedication fee usage, and she read #2. She then read the new language on page 27 B-2. She stated that ways to use the money have been left out, and she suggested the it include the previous language on ideas to use it and use the word may rather than shall.

Mr. Rice closed the item to the public and opened it to the Board.

Ms. Susan Spinner stated that she agrees with Ms. Nichols-Rhodes, and then she went over the drive-thru lengths, and got clarifications.

Ms. Alicia Harris stated that she has no questions and is okay with everything.

Mr. Jake Ricker questioned the commercial vehicle parking and storing and wondered if it is descriptive enough without the first sentence, and Mr. Kurtz explained section 1133.02.

Mr. Adam Paul thanked everyone again, and then went over that they have been working on this for some time for all of these changes, and the commercial vehicle discussion happens a lot. He clarified what these changes allow and do not allow, and explained the limited use standards and how they are applied as well. He spoke of how many forms of vehicles are not considered to be commercial or offensive, and can be driven home today, and that the residential lot storage standards will not change based on this.

Ms. Locascio questioned if these changes only affect future plans and stated that she was asking because of an RV in her neighborhood. Mr. Paul explained that the storage standards remain the same.

Ms. Colleen Kelly stated that she appreciates all of the work done on this, and the open space requirements, and then she questioned what made the City change from a footage amount to a percentage amount. Mr. Kurtz stated that the previous amount was too minimal, and it was important to require an amount based more on lot size. Mr. Paul stated that the Merriman Valley Plan brought more to their attention that there was a need for it to be changed.

Mr. Rice questioned if the fees are current for 2025, and stated that they did not have a fee schedule. Mr. Kurtz showed him where their copy of the fee schedule was located, and stated that it is current. Ms. Ferencz explained that the changes are depicted in red ink, and all others are current. Mr. Kurtz stated that the fees were reviewed a few years ago for fairness.

Mr. Rice questioned of the changes in section 1122, street cross sections, works for developers, and Mr. Kurtz stated that the goal is to minimize pavement, and parking being there eliminates this, but these are all looked at more closely during the preliminary stages.

Mr. Paul stated that an extensive review process and pre-application meeting happens with all departments helps to go over this, and then they apply and it comes to the Planning Commission. He also stated that Performance Bonds will help uphold it all.

Mr. Rice stated that he has mixed feelings about specifying exactly how to spend the in lieu of funds, and stated that he prefers a more general language be used, and always likes "mays" and not "shall." He feels that being broad and not specific is always better.

Ms. Nichols-Rhodes agreed that adding "may be but not limited to" language would be better. Mr. Rice stated that he would prefer draft language to be broad.

With no further comments or questions from the Commission members on sections 1-11, Mr. Rice requested that a motion be made.

Ms. Locascio made a **MOTION** to **APPROVE** sections **1-11** of the **TXT-25-00018**:

The **MOTION** was **seconded** by Mr. Ricker.

With no further discussion, Mr. Rice requested a **Vote**:

The Vote to APPROVE the items: Yes- 5, No- 0. The MOTION is APPROVED with a vote of 5 to 0.

Mr. Rice asked Mr. Kurtz to continue on with items 12-22 of the text amendments.

Mr. Kurtz continued with items 12 through 22, with intermittent comments and questions at times. Mr. Paul explained that these new changes would be applied based on receipt of new applications.

Mr. Rice closed the item to the city and opened the item to the public, and with none, he closed it. He then opened it to the Board.

Ms. Spinner stated that she likes the changes for the vape stores and dispensaries.

Ms. Harris stated that she had none.

Mr. Ricker questioned if these changes now limit the number of dispensaries, loan and vape locations that can be in the City, even if they meet Code. Mr. Kurtz stated that it does not limit the number, but they do all need to meet Code, and geographically they need to meet the requirements also, which means there will not be any new ones.

Ms. Locascio stated she had none.

Ms. Kelly questioned why the hours were specified for the vape stores but not for the dispensaries, and Mr. Kurtz replied that he felt they were relying on the State Code to dictate this to the dispensaries. Ms. Kelly stated that they should refer to the ORC section of the State Code for the answer to this most likely then.

Mr. Rice stated that he is very impressed with these changes. He questioned if a vape store goes out of a location, then they cannot come back, and Mr. Paul stated that there is always a way to petition to meet that goal, but they would be non-conforming, which helps to regulate the scenario. Mr. Rice questioned if the reasoning for this is because this

industry is exploding, and Mr. Paul explained that it was not even an industry at the time the original Code was written. Mr. Rice stated that he supports these changes.

With no further comments or questions from the Commission members on sections 2-22, Mr. Rice requested that a motion be made.

Ms. Harris made a **MOTION** to **APPROVE** sections **2-22** of the **TXT-25-00018**:

The **MOTION** was **seconded** by Ms. Kelly.

With no further discussion, Mr. Rice requested a **Vote**:

The Vote to APPROVE the items: Yes- 5, No- 0. The MOTION is APPROVED with a vote of 5 to 0.

Mr. Rice asked Mr. Kurtz to continue on with items 23-34 of the text amendments.

Mr. Kurtz continued with items 23 through 34, with intermittent comments and questions at times. Mr. Paul explained how decks could go onto single family town homes and why the Code needed to change to not allow a homeowner's deck to attach to another neighboring attached home, and must have a minimum setback in the Code.

Ms. Ferencz clarified the need to add lighting in the residential districts due to so many complaints. Mr. Kurtz stated that section C,1-b needs to be corrected to also say 40% aggregate opening, not 33%.

Mr. Rice closed the item to the City and opened it to the public.

Ms. Nichols-Rhodes, City Council Member, 739 Lincoln Ave, - questioned when the bamboo plantings that are no longer allowed will take effect.

Mr. Kurtz stated that this has nothing to do with obnoxious weed ordinances, and this is only related to site plans. He stated that the Housing Code does enforcement for those type of issues. Ms. Ferencz stated that the Housing Code enforcement staff are working on going over their Code also.

Mr. Rice closed the item to public and opened it to the Board.

Ms. Spinner questioned if #25 applies to residential lighting, and if someone calls and complains, can something now be done about it. Ms. Ferencz stated that she would be able to go investigate the issue, once this is adopted. Ms. Spinner then questioned if the fencing changes were just to separate commercial and residential, and Mr. Kurtz stated that they were. She then asked about the signs on vacant properties, and she questioned election season and if these can be regulated. Ms. Ferencz stated that election signs are not allowed to be touched, unless they are in the Right of Way.

Ms. Harris questioned if there can be a deeper dive into the vacant properties, and Mr. Kurtz stated that real estate signs are accounted for in the Code, but the table is for permanent signs. Ms. Harris then questioned what one would do if they feel their street lights are invasive, and stated that she would address this later.

Mr. Ricker questioned the difference between a porch and a stoop. Mr. Kurtz defined that a stoop is 5x10 wood or cement and does not need a roof over it, and anything larger is a

porch, and needs to have a roof constructed over it. Ms. Locascio questioned her personal stoop changes and making a porch.

Ms. Kelly questioned illumination of businesses, and if there can be a requirement of only during hours of operation, and to have them be turned off outside of those hours. Mr. Kurtz stated that there is no way to enforce this kind of a rule, and Mr. Paul stated that they may want to keep them on for parking and security reasons. Ms. Kelly stated that she was more speaking of window lighting, and Mr. Kurtz again stating that enforcement would be difficult, and he does not see how it could be added to the Code.

Ms. Locascio questioned if there was anything about a good and bad side of a fence in the Code, and Ms. Ferencz stated that this is currently in the Code, and it is enforced.

Mr. Ricker spoke of the fence by adjoining and shared driveways, and what that means. Mr. Kurtz explained the new rule, and Mr. Ricker questioned if they can appeal this through BZA, and Mr. Paul stated that in most cases access to vehicles would be obstructed, but yes, they can appeal it. Mr. Kurtz explained a couple of scenarios.

Mr. Rice stated that he likes the lighting additions and the weeds and trees. He questioned if the window signs can be looked at being on so bright at night, and Mr. Paul stated that there is an extensive section in the Code about this, and they would need to explore the viability of it.

Mr. Rice stated that the City has done a thorough job and he does not think anything in this is substantive enough that the public would be upset about it, except maybe the vape stores. He questioned if it will go to City Council, and if there are any concerns about any of these items with the public.

Mr. Paul stated that they will be there to clarify the presentation and have better interpretation, if needed for anyone that needs it. He also stated that there are lots of things that are questioned now, the way things are, and the changes were made to hopefully help eliminate this, but they will not know if there is pushback until it gets applied.

Mr. Rice stated that he appreciates the desire to make things better.

Ms. Spinner asked that if it passes this Board, will the next step be a public hearing, and Mr. Kurtz stated yes. She then questioned if Council will vote on all of it as one slate, with explanations of all items, and Mr. Kurtz again stated yes, he would ask for that.

With no further comments or questions from the Commission members on sections 23-34, Mr. Rice requested that a motion be made.

Mr. Ricker made a **MOTION** to **APPROVE** sections **23-34** of the **TXT-25-00018**:

The **MOTION** was **seconded** by Ms. Harris.

With no further discussion, Mr. Rice requested a **Vote**:

The Vote to APPROVE the items: Yes- 5, No- 0. The MOTION is APPROVED with a vote of 5 to 0.

Minutes

May 20, 2025

With no comments or corrections, a **MOTION** was made by Ms. Kelly, and **seconded** by Mr. Ricker to **APPROVE the minutes** from **May 20, 2025**. The **Vote: All Yea (5-0)**. **Motion carried.**

Other Business

None

Adjournment

With no further discussion, a **MOTION** was made by Ms. Locascio to adjourn the meeting, and it was **seconded** by Ms. Kelly. With a **Vote of 5-0** the meeting adjourned at 8:01 pm.

Minutes submitted by: Lori Jones