

1 B-94

Presented by the Administration
Upon Recommendation of the Planning Commission

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. 83 - 2025

8
9 AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE
10 CUYAHOGA FALLS GENERAL DEVELOPMENT CODE
11 ADOPTING BOTH A DEFINITION AND REGULATIONS
12 RESTRICTING THE LOCATIONS OF VAPE SHOPS, AS
13 MORE FULLY DESCRIBED AND DEPICTED HEREIN, AND
14 DECLARING AN EMERGENCY.
15

16 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions
17 made by the Planning Commission be submitted to Council, and
18

19 WHEREAS, the proliferation and unregulated operation of vape shops and the
20 products they sell, including highly addictive substances, have been demonstrably
21 shown by scientific evidence and public health reports to increase youth initiation and
22 use, significant public health burdens and healthcare costs and negative impacts on
23 community aesthetics and perceived safety issues; and
24

25 WHEREAS, it is the finding of the City of Cuyahoga Falls that the regulation of vape
26 shops is necessary to mitigate adverse impacts, safeguard the health of its youth,
27 reduce the public health burden and preserve the character and safety of its
28 neighborhoods; and
29

30 WHEREAS, on September 3, 2025 the Planning Commission recommended the
31 adoption of a definition and locational restrictions for vape shops, which were included
32 in the proposed amendments to the Development Code as more fully described in
33 Project File TXT-25-00017; and
34

35 WHEREAS, pursuant to General Development Code Sub-Section 1113.06(E)(3)(b)(3),
36 Council desires to adopt locational restrictions and amend the definition of vape shops
37 to differ from the definition adopted by the Planning Commission.
38

39 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
40 County of Summit, and State of Ohio:
41

42 Section 1. That Council hereby approves text amendments to the Cuyahoga Falls
43 General Development Code and adopts both a definition and regulations restricting the
44 locations of vape shops, as set forth in Exhibit A, attached hereto and made a part of
45 this ordinance.
46

47 Section 2. That any other ordinances or resolutions or portions of ordinances and
48 resolutions inconsistent herewith be and the same are hereby repealed, but any
49 ordinances and resolutions not inconsistent herewith and which have not previously
50 been repealed are hereby ratified and confirmed.
51


52 Section 3. That it is found and determined that all formal actions of this Council
53 concerning and relating to the adoption of this ordinance were adopted in an open
54 meeting of this Council, and that all deliberations of this Council and of any of its
55 committees that resulted in such formal action, were in meetings open to the public, in
56 compliance with all legal requirements, to the extent applicable, including Chapter 107
57 of the Codified Ordinances.
58

59 Section 4. That this ordinance is hereby declared to be an emergency measure
60 necessary for the preservation of the public peace, health, safety, convenience and
61 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
62 receives the affirmative vote of two thirds of the members elected or appointed to
63 Council, it shall take effect and be in force immediately upon its passage and approval
64 by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed
65 by law.
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73 Passed: 11-24-2025

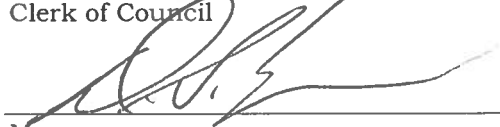


President of Council



Clerk of Council

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80 Approved: 11-24-2025



Mayor

83 11/10/25

84 **Exhibit A**

85
86
87 **1131.03 USE TYPE CATEGORIES**

- 88 D. Retail Use Category. The Retail Use category consists of buildings that provide display and
89 on-site exchange of merchandise for general consumers. Consumption or use of the product
90 or merchandise typically is intended for off-premises, although small elements of the retail
91 use may provide for on-premise consumption or use.

92
93 **New #16:**

94 *"Vape Shop"*. Any business whose principal product line for retail sale is alternative nicotine
95 products or vape juice, or both. For the purposes of this section, alternative nicotine products
96 refer to any products or devices that employ an electronic heating element, power source,
97 electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor
98 that delivers nicotine to the person inhaling from the device, including electronic cigarettes,
99 electronic cigars, electronic hookahs, electronic bongs, and electronic pipes, whether
100 manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar; or
101 electronic pipe, and/or accessories therein, including but not limited to, tanks, coils, pod
102 cartridges, drip tips, vape battery kits, replacement coils, vape adapters, atomizers, and
103 rebuildable tools. For the purposes of this section, vape juice refers to any liquid that contains
104 compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food
105 grade flavoring, water, and can be used for vaping by means of an alternative nicotine product.
106 For purposes of this code section, principal shall mean that alternative nicotine products, vape
107 juice, or both constitute at least 20% of the floor sale area and/or businesses' aggregate retail
108 sales determined by assessing the annual total monetary value of all products and/or services
109 sold.

110
111 **1133.02 LIMITED USES**

112 D. Retail Uses.

113 **New #5:**

114 *Vape Shop*. In Districts where Vape Shop is a Limited Use, Subject to Specific Conditions
115 ("o"), the following specific standards apply:

- 116 a. The property where such is located shall be a minimum of 2,640 ft. from any school
117 property or any property occupied by an existing use of the same specific type.
118 b. No such use shall be operated or open for business between the hours of 12:00
119 midnight and 8:00 a.m.

Table 1131-1: Zoning Districts and Uses

Key:
X = Allowed in Planning Area
O = Limited Use only allowed subject to Specific Use standards
All undesigned uses are considered prohibited
✓ = Allowed Use subject to general zoning district and design standards
◆ = Conditional Use only allowed subject to conditional zoning Certificate

Zoning Districts → ↓ Use Types and Use Categories	Residential Neighborhoods						Mixed-Use Districts						General Districts				Special Overlay Districts		
	R-R 1	R-R 2	R-R 3	R-R 4	R-R 5	R-R 6	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	C-1	E-1	M-1	NP-1	R-C	R-M	H
Planning Areas																			
Cuyahoga River (CRA)				X	X	X		X		X	X	X		X				X	X
State-Portage Trail (SPT)		X	X	X	X	X		X	X	X				X	X	X		X	X
Bailey -Munroe Falls (BMF)		X	X	X	X	X		X	X	X				X	X	X		X	X
Northampton (NH)	X	X	X	X		X	X		X					X		X	X	X	X
Merriman Valley Schumacher (MVS)	Refer to Title 5 for district and uses in the MVS Area																		
Retail Uses																			
Convenience Store								✓	✓	✓	✓	✓	✓	✓	✓				
Grocery Store								✓	✓	✓	✓	✓	✓	✓					
Supermarket										✓	✓	✓		✓					
Neighborhood Merchandise								✓	✓	✓	✓	✓	✓	✓					
General Merchandise										✓	✓	✓	✓	✓					
Warehouse Merchandise											✓			✓					
Garden Center										✓	✓		✓	✓	✓				
Restaurant, Dine-In								✓	✓	✓	✓	✓	✓	✓					
Commercial Equipment and Supply														✓	✓	✓			
Theater										✓	✓	✓	✓	✓					
Service Station with Convenience Store								O	O	O	O	O	O	O	O				
Drive-Thru Establishments								O	O	O	O	O	O	O	O				
Outdoor Sales - Limited								O	O	O	O	O	O	O					
Outdoor Sales Lot														O	O	O			

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		R-R	R-1	R-2	R-3	R-4	R-5	R-6	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	C-1	E-1	M-1	NP-1	R-C	R-M	H
	Marijuana Dispensary														O						
	Vape Shop														O						