

2
3
4 CITY OF CUYAHOGA FALLS, OHIO5
6 ORDINANCE NO. 100 - 2025
78 AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN
9 PARCELS ON AN APPROXIMATE 7.4 ACRE SITE BETWEEN BATH
10 ROAD AND GRAHAM ROAD IN THE CITY TO BE A PUBLIC
11 PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC
12 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT
13 OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR
14 WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED;
15 AUTHORIZING SCHOOL COMPENSATION PAYMENTS; AND
16 DECLARING AN EMERGENCY.
1718 WHEREAS, Ohio Revised Code ("ORC") 5709.40, 5709.42, and 5709.43 (collectively, the "TIF
19 Act") authorize this Council, by ordinance, to declare the improvement to parcels of real property
20 located within the City to be a public purpose and exempt from taxation, require the owner of
21 each parcel to make service payments in lieu of taxes, establish a municipal public improvement
22 tax increment equivalent fund for the deposit of those service payments, and specify the purposes
23 for which money in that fund will be expended; and
2425 WHEREAS, the City desires to implement a tax increment financing program on the Parcels
26 (as defined in Section 1) pursuant to the TIF Act to enable the City to make public infrastructure
27 improvements that will directly benefit the Parcels; and
2829 WHEREAS, notice of this proposed ordinance has been delivered to the Board of Education
30 of the Woodridge Local School District ("School District") in accordance with and within the time
31 periods prescribed in ORC 5709.40 and 5709.83;
3233 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
34 of Summit, and State of Ohio, that:
3536 Section 1. Parcels. The real property subject to this ordinance is identified and depicted on
37 Exhibit A (as currently or subsequently configured, the "Parcels", with each individual parcel a
38 "Parcel").
3940 Section 2. Public Infrastructure Improvements. This Council hereby designates the public
41 infrastructure improvements described in Exhibit B (the "Public Infrastructure Improvements")
42 and any other public infrastructure improvements hereafter designated by ordinance as public
43 infrastructure improvements made, to be made or in the process of being made by the City that
44 benefit or serve, or that once made will benefit or serve, the Parcels.
4546 Section 3. Exemption. This Council hereby finds and determines that 100% of the increase
47 in assessed value of each Parcel subsequent to the effective date of this ordinance (which
48 increase in assessed value is hereinafter referred to as the "Improvement" as defined in ORC
49 5709.40(A)) is hereby declared to be a public purpose and will be exempt from taxation for a
50 period commencing on a parcel-by-parcel basis for each Parcel on the date an Improvement
51 first appears on the tax list and duplicate were it not for the exemption granted by this
52 ordinance and ending for each Parcel on the earlier of (a) 30 years after such commencement or
53 (b) the date on which the City can no longer require service payments in lieu of taxes, all in
54 accordance with the requirements of the TIF Statutes (separate 30-year exemptions for each
55 Parcel).

56 Section 4. Service Payments. As provided in ORC 5709.42, the owner of each Parcel is
57 hereby required to make service payments in lieu of taxes with respect to the Improvement
58 allocable to each Parcel to the Summit County Fiscal Officer on or before the final dates for
59 payment of real property taxes. The service payments in lieu of taxes will be charged and
60 collected in the same manner and in the same amount as the real property taxes that would
61 have been charged and collected against that Improvement if it were not exempt from taxation
62 pursuant to Section 3, including any penalties and interest (collectively, the "Service
63 Payments"). The Service Payments, and any other payments with respect to each Improvement
64 that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152
65 and 323.156, as the same may be amended from time to time, or any successor provisions
66 thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"),
67 will be deposited and distributed in accordance with Section 6.

68
69 Section 5. TIF Fund. This Council establishes, pursuant to and in accordance with the
70 provisions of ORC 5709.43, the Silver Birch TIF Municipal Public Improvement Tax Increment
71 Equivalent Fund (the "TIF Fund"), into which the Service Payments and Property Tax Rollback
72 Payments collected with respect to the Parcels will be deposited. The TIF Fund will be
73 maintained in the custody of the City. The City may use amounts deposited into the TIF Fund
74 only for the purposes authorized in the TIF Act and this ordinance (as it may be amended).
75 The TIF Fund will remain in existence so long as the Service Payments and Property Tax
76 Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF
77 Fund will be dissolved and any surplus funds remaining therein transferred to the City's
78 General Fund, all in accordance with ORC 5709.43.

79
80 Section 6. Distributions; Payment of Costs. Pursuant to the TIF Act, the Summit County
81 Fiscal Officer is requested to distribute the Service Payments and Property Tax Rollback
82 Payments as follows:

83
84 (a) To the School District, an amount equal to the amount the School District would
85 otherwise receive as real property tax payments (including the applicable portion of any
86 Property Tax Rollback Payments) derived from the Improvement to each Parcel if the
87 Improvement had not been exempt from taxation pursuant to this ordinance.

88
89 (b) To the City, all remaining amounts for further deposit into the TIF Fund for
90 payment of costs of the Public Infrastructure Improvements, including, without limitation,
91 debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of
92 those Public Infrastructure Improvements.

93
94 All distributions required under this Section are requested to be made at the same time
95 and in the same manner as real property tax distributions. The City shall make any
96 distributions to the extent not made by the Summit County Fiscal Officer.

97
98 Section 7. Further Authorizations. This Council hereby authorizes and directs the Mayor,
99 the Director of Law, the Director of Finance, and the Community Development Director, or
100 other appropriate officers of the City to deliver a copy of this ordinance to the Ohio Department
101 of Development and to make such arrangements as are necessary and proper for collection of
102 the Service Payments. This Council further authorizes the Mayor, the Director of Law, the
103 Director of Finance and the Community Development Director, or other appropriate officers of
104 the City to prepare and sign all agreements and instruments and to take any other actions as
105 may be appropriate to implement this ordinance.

110 Section 8. Open Meetings. This Council finds and determines that all formal actions of this
111 Council and any of its committees concerning and relating to the passage of this ordinance
112 were taken in an open meeting of this Council or any of its committees, and that all
113 deliberations of this Council and any of its committees that resulted in those formal actions
114 were in meetings open to the public, all in compliance with the law including ORC 121.22.
115

116 Section 9. Effective Date. This ordinance is declared to be an emergency measure
117 necessary for the immediate preservation of the public peace, health and safety, and for the
118 further reason that this ordinance is required to be immediately effective in order to enable the
119 City to timely enter into contracts related to the timely development of the Parcels and related
120 public infrastructure improvements; wherefore, this ordinance shall be in full force and effect
121 immediately upon its passage.
122

123
124 Passed: 12-22-2025
125



President of Council



Clerk of Council

126
127
128
129
130
131 Approved: 12-22-2025
132
133
134 12/8/25



Mayor

EXHIBIT A
IDENTIFICATION AND MAP OF THE PARCELS

Parcel #3507267, situated in the City of Cuyahoga Falls, is identified and depicted on the following map and constitutes part of this Exhibit A. The Parcel number is as of November 4, 2025, and is included for ease of reference only.

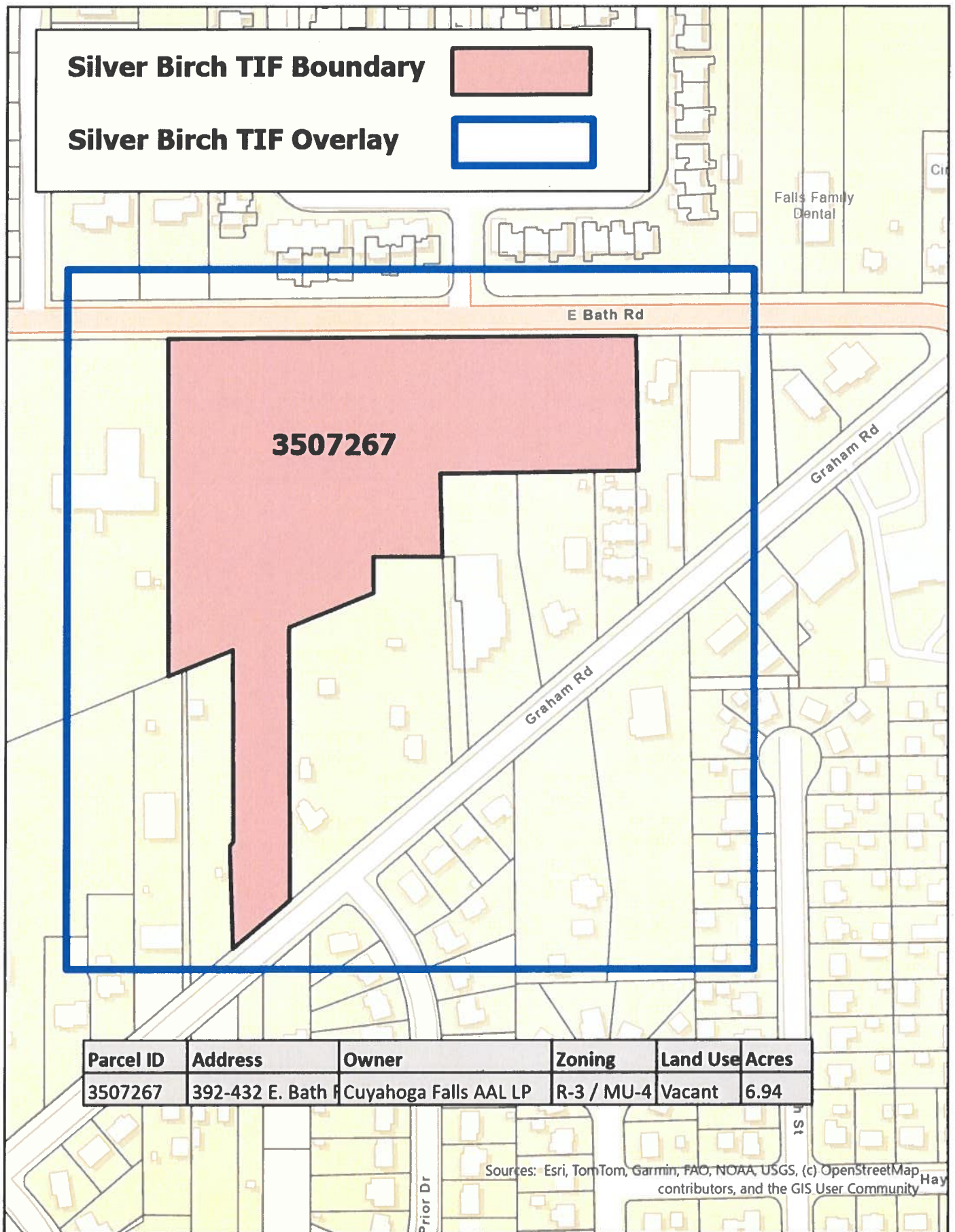


EXHIBIT B
PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements consist of any “public infrastructure improvement” defined under Section 5709.40(A)(8) of the Ohio Revised Code and that directly benefits or serves the Parcels and specifically include, but are not limited to, any of the following improvements that will benefit or serve the Parcels and all related costs of those permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code):

- **Stormwater.** Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare, including but not limited to the construction and installation of storm water sewers throughout the proposed development;
- **Roadways.** Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto, including but not limited to the construction of sidewalks along Bath Road and Graham Road;
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto, including but not limited to construction and installation of water and sanitary sewers within the proposed development;
- **Environmental/Health.** Implementation of environmental remediation measures necessary to enable the Project and the construction of public health, including but not limited to preservation of wetlands and flood plain management in the areas around the proposed development, dam modifications and improvements, any dredging of waterways on the Parcels, streambank erosion protection and renovation and related environmental studies and remediation;
- **Utilities.** Construction, reconstruction or installation of gas, electric and communication service facilities and all appurtenances thereto;
- **Demolition.** Demolition, including demolition on private property when determined to be necessary for public health, safety and welfare;
- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street

and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements throughout the development and described in "Roadways" above;

- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements, or (b) in aid of industry, commerce, distribution or research; including, but not limited to, the purchase of parkland; and
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.