

**Cuyahoga Falls City Council  
Minutes of the Planning & Zoning Committee**

**October 20, 2025**

**Members:** Susan Spinner, Chair  
Joe Siegfert, Vice Chair  
Frank Stams, Mike Brillhart, Rachel Loza

Mrs. Spinner called the meeting to order at 7:05 p.m. All members were present.

The minutes of the June, 2, 2025 Planning and Zoning Committee meeting were approved as written.

**Legislation Discussed:**

Temp. Ord. B-75

Temp. Ord. B-80

**Discussion:**

**Temp. Ord. B-75**

An ordinance approving text amendments to the Cuyahoga Falls Development Code, as more fully described and depicted herein, and declaring an emergency.

Mr. Rob Kurtz, Planning Director, presented Temporary Ordinance B-75 to Council. The Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning Commission be submitted to Council. After thorough review of the Development Code, it was determined that multiple updates were required in order to successfully implement the objectives of the General Land Use Plan. On September 3, 2025 the Planning Commission recommended the approval of multiple amendments to the Development Code as more fully described in Project File TXT-25-00017.

These proposed code amendments are the result of an extensive internal study of the City's Development Code by Development staff. Other departments consulted during this review included the Mayor's office, Law, Service and Engineering. Some of the general themes for this update include:

Organizational Improvements

- o Improving ease of use for staff, residents and professional applicants, i.e.
- o Correcting references between different sections of the Code
- o Simplifying and clarifying language and associated tables
- o Eliminating redundancy or other errors

**Planning & Zoning Committee**  
**October 20, 2025- Page 2**

Addressing uses not adequately considered in the existing code, i.e.

- o Marijuana dispensaries
- o Vape Shops
- o Accessory daycare in institutional building

Enhancing Development Standards, i.e.

- o Increased landscape buffer requirements
- o Increasing open space requirements for residential developments

Ms. Colavecchio stated that they have nothing else to add to the presentation, but, again, are here to answer any questions related to the details of these many changes to the code. She thanked the Keleman Family and their supporters for being present tonight.

Mrs. Spinner expressed her thanks to the Kelemans and everyone that came with them to give Council a better look into the sponsors of this part of the legislation. She appreciates all the work that went into this in helping to make things easier for Planning and Development and developers, as well as for residents. Many of these things on here will be very pleasantly received by the residents. They will be happy about the added room at drive-throughs, but also for the limiting of new vape stores and marijuana dispensaries in the city. The commercial vehicle clarification is more congruent with what most people might have in their driveway. Mr. Kurtz had described residents that live on a small lot not having to create a much larger garage than they had previously, which would be a strain on resources and space.

Ms. Loza stated thanked Mr. Kurtz for the thought put into to making these changes. She asked if they could clarify more on the vape shop analysis and why it was determined to be in those very small districts versus the current footprint. Mr. Kurtz stated that, right now, there is not a separate term for vape shops, so they were treated as any other retail business, meaning that they will be allowed in any of the commercial districts. The concern was the vape shops targeting high school students. The goal was to limit them. There is nothing to be done about the existing shops. They can limit it to the C-1 districts. C-1 districts are primarily Howe Road and Graham Road. The goal was to really make it more difficult to have more. Ms. Loza stated that her concern is that it very much footholds those locations to a very small pocket of the city. She does not want it the way it looks on the map in regard to her neighborhood and the people she represents.

Ms. Nichols-Rhodes stated that she was present at the Planning Commission meeting when it was discussed and there were some changes, but has not seen the new version and asked if Council could please receive that. Mr. Kurtz stated that the document sent to Council was the new version.

Ms. Nichols-Rhodes stated that the residents are going to be very happy. The one-car garage makes sense. Some people cannot afford a two-car garage and do not have enough space. Certainly, the

**Planning & Zoning Committee**  
**October 20, 2025- Page 3**

bypass lane is life changing for many people. If somebody has a development and they are required to give a certain amount of land per unit and if there is no land to be given, then they give an amount of money, and that has been for really great things, trails etc. She is happy that it changes so that the City will be the ones that collect the money and use it for something for the common good. It is great about the commercial vehicles. In this day and age, people have to take their car or truck home and it makes a lot of sense to be able to have a regular-size vehicle. The daycare in the church is important.

Mr. Balthis thanked Mr. and Mrs. Keleman for coming. His heart breaks for what they went through and he admires their strength in coming before Council. With the vape shops, he had a number of constituents reach out about this issue and they will be happy to see those changes. The other issue that he would like to see being addressed is the increase in buffering. They have the requirement that new construction all have two-car garages and he completely supports the change for people that have a garage damaged. He asked if the City is unique in the two-car garage requirement. Mr. Kurtz stated that he does not think it is common at all. He has never seen it in the code.

Mrs. Penta asked if they can go into detail about what is not going to be allowed going forward concerning commercial vehicles. Mr. Kurtz stated that the commercial vehicle definition that will remain is rather long. Mrs. Penta asked if a small U-Haul or a mini van is okay. Mr. Kurtz stated that they went through the definition of commercial vehicle. A van on its own is a residential vehicle. If there are multiple racks, then it becomes more of a commercial vehicle. He felt if it is a passenger vehicle, even though it might be a van or pickup truck, then it is not a commercial vehicle, but when you start to attach equipment or by its sheer size that would allow them to call it a commercial vehicle.

Mrs. Penta stated that they have a medical marijuana dispensary. This is saying that there will be no more within that area. Mr. Kurtz stated that that is also the State's requirement. They are actually exactly a mile apart. The facility on State Road is actually a mile from the one on Howe Avenue.

Mr. Ashton stated that he is very much in favor, particularly with the drive-through situation. What he does not understand is why the effort to put all the vape shops in what appears to be Ward 1 and maybe Ward 8 and Ward 7. He asked if there has been an influx of crime and is there any evidence of what these current businesses are doing that they need to limit them and what is the justification.

Mr. Kurtz stated that they have not done any studies in terms of crime. He does not have any evidence of actual crime. He was not looking at it in terms of where they are located but to minimize where they could be located. Unfortunately, it ended up in those wards. It should be noted that there are vape shops throughout the city, so they could remain in place. The goal was not to have any additional ones.

**Planning & Zoning Committee**  
**October 20, 2025- Page 4**

Mr. Ashton asked if there are current statutes within the Ohio guidelines of where they can place these stores. Mr. Kurtz stated that he is not aware of any Ohio guidelines. Mr. Ashton asked if it is a legal business. Mr. Kurtz stated that they are legal but prefer not to have them in the city.

Mr. Stams stated that the vape shops are selling really high-powered marijuana. From what he understands, the business community has found a loophole in the farm bill of 2019 where they can infuse marijuana into hemp and that is what is being sold in the vape shops, a significant number of times the level of what the dispensaries in the city are selling. These vape shops just aren't selling harmless vapes. He applauds the City for restricting these vape shops.

Mr. Balthis asked for more background about the two zones where they are currently permitted and how the proposal limits them to the different zoning. Mr. Kurtz stated that the vape shops are treated under current code as a retail service, retail use, so, therefore, they are allowed in MU-1, Mixed Use. It will go from eight districts to one district, C-1. C-1 is located just on a small area of Graham Road and a small area of Howe Avenue.

Mr. Brillhart stated his support for limiting the vape shops.

Ms. Loza asked why they decided to limit the dispensaries in the city based on a mile, but not do the same in regard to the vape shops. She also asked why they decided to go for commercial district only when maybe the better option would have been to limit the number of them based on how far apart they are. The way that this is written would mean all of the vape shops could end up in a pocket of the city instead the same mileage distance. Mr. Kurtz stated that they used a half mile for both vape shops and marijuana. The State is more stringent for marijuana dispensaries in the city. In terms of how many potential shops could be in that red area, he would like to work on that and get back to them.

Mr. James asked if a vape shop closes, will that still open it for another vape shop. Mr. Kurtz stated that if it closes and it is deemed for that use for six months and it is not being used for that non-conformity, then it reduces that non-conforming status. Right now, those shops that are not conforming can remain that way. If it closes and it is closed for more than six months, then it cannot open again as a vape shop. Mr. James asked what happens if another vape shop moves into that location. Mr. Kurtz stated that if another vape shop were to lease a property in less than six months, they would have to allow that.

Mr. Sieferth asked if there was ever a discussion during this process of placing a strict moratorium on new vape shops. Mr. Kurtz stated that typically a moratorium is on a temporary basis. Moratoriums are to prevent something until the rules are changed. It is not a permanent solution.

Mr. Mark Wilkerson, 2467 6th Street, Cuyahoga Falls, asked why they do not ban them altogether. Ms. Colavecchio stated that an out-and-out permanent ban is something they definitely would have to go back to the drawing board and revisit what the legalities are. They would need to confer with the Law Department to do some research and see what could possibly be done. She would suggest

**Planning & Zoning Committee**  
**October 20, 2025- Page 5**

they hold the legislation to do a review of an out-and-out ban. They already have 12 vape shops in these C-1 areas.

Mrs. Spinner asked if because there are other items in this legislation that they all agree are fantastic, would they be able to vote on the slate minus the vape shop issue if they wanted more time. Ms. Colavecchio stated that they can certainly do that if they want to make an amendment to the ordinance that it excludes that particular item and vote on it and bring it out. They would then get back to Council eventually on the discussion about an all-out ban after they have conducted the research and had consultation with the Law Department.

Mrs. Spinner asked if they can confer with the committee members. Ms. Colavecchio stated that she would encourage Council to do that on the floor.

Mr. Tom Sullivan, 447 Tallmadge Road, Cuyahoga Falls, stated that if they they are going to look at that, then they need to look at the bars, gas stations and carry-outs that sell the gummies and smokes. He asked where do they draw the line. It sounds like they are micromanaging all the businesses. He asked if they considered a vape shop a bodega because they are selling a product that they have to right to sell in the city. Mr. Stams stated that they are talking about smoking products. They are not talking about somebody buying a loaf of bread. Mr. Sullivan stated that they both can be purchased at the same place.

Mrs. Spinner stated that they are talking about Number 12 on this list. She is hearing a lot of support for it, but she is also hearing a lot of questions.

Mr. Brillhart asked why don't they pass it as it is and go back. If they do want to introduce a ban on vape shops, they can always revisit that.

Ms. Colavecchio stated that they have to do research, but the State legislation is also in the midst of having discussions about THC-based products in the state and that discussion is, in part, being asked to be held by the dispensary and marijuana industry, who feel that they have competition in that field. She has no idea where that is going to land, so until they conduct some research and can report out adequately at what is happening at the state level, she would not begin to make a recommendation as to whether they can have a ban or how it would be imposed. It is true there are THC-based products being sold not just in vape shops. If they were going in any direction, it would be to make an amendment to leave it out completely.

Mr. Stams stated that he is not interesting in banning anything, but he is interested in limiting its use. The regulatory environment for the vape shops is much more liberal than it is for the dispensaries in the city. Ms. Colavecchio stated that that is absolutely the case and that is why the dispensaries in the city are very upset about it.

Mr. Sieferth moved to bring out Temp. Ord. B-75 leaving out Number 12 with a favorable recommendation, second by Ms. Loza. Motion passed (5-0).

**Planning & Zoning Committee**  
**October 20, 2025- Page 6**

**Temp. Ord. B-80**

An ordinance authorizing and approving the re-plat of the Final Subdivision Plat for the Towns at Steels Corners development located on Steels Corners Road east of Wyoga Lake Road, and declaring an emergency.

Mr. Rob Kurtz, Planning Director, presented Temporary Ordinance B-80 to Council. The Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning Commission be submitted to Council. The Planning Commission is required to review and provide a recommendation for all Final Subdivision Plats in the City of Cuyahoga Falls, Ohio.

On June 8, 2020, City Council approved the Towns at Steels Corners Final Subdivision Plat and Improvement Plans for the construction of residential lots, associated public rights-of-way, landscaping, stormwater management, and open space on Parcels 35-03697 and 35-03632 on Steels Corners Road within the City of Cuyahoga Falls, Ohio. On October 7, 2025, the Planning Commission approved the re-plat of the Towns at Steels Corners Final Subdivision Plat consisting of vacating a thirty (30) foot wide right-of-way and designating the former right-of-way area as an open space block in the subdivision, as detailed in File FMP-25-00021.

The City of Cuyahoga Falls is requesting approval to vacate a 30-foot wide right of-way that is located off of North Steels Circle in order to allow the developer, Wyoga Land Partners, LLC, to create a passive recreation area to be utilized by the residents of the Towns at Steels Corners subdivision. If approved, the City would transfer this unimproved right-of-way to the Towns at Steels Corners Homeowners Association. This right-of-way was originally planned to serve as a vehicular and pedestrian connection between the subdivision and the adjacent retail area. However, the developer was not able to secure easements from the commercial property owners on the adjacent property in order to make a connection. As part of the Wyoga Lake Road Improvement Project planned for 2026, a sidewalk will be constructed to connect North Steels Circle to the multi-purpose trail along Wyoga Lake Road

The Planning Commission recommended approval of the final plat contained in File FMP-25-00021 on October 7, 2025 subject to the following stipulations:

1. Final plat documents shall be reviewed by the Engineering Department prior to recording.

Mr. Siegferth moved to bring out Temp. Ord. B-80 with a favorable recommendation, second by Ms. Loza. Motion passed (5-0).

The meeting adjourned at 7:46 p.m.