A-61

Presented by the Administration
Upon Recommendation of the Planning Commission

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 71 - 2026

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CUYAHOGA FALLS DEVELOPMENT CODE REGARDING NURSING HOMES, ASSISTED LIVING AND INDEPENDENT LIVING FACILITIES, AS MORE FULLY DESCRIBED AND DEPICTED HEREIN, AND DECLARING AN EMERGENCY.

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

WHEREAS, after thorough review of the Development Code, it was determined that updates were required to the existing regulations for nursing homes, assisted living facilities and independent living facilities; and

WHEREAS, the updates include revising the districts in which such uses are permitted and requiring additional review procedures for larger facilities; and

WHEREAS, on August 4, 2026 the Planning Commission recommended the approval of multiple amendments to the Development Code as more fully described in Project File TXT-26-00025.

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

Section 1. That Council hereby approves the text amendments, summarized in Exhibit A, along with a full copy of the proposed text amendments to the Development Code, which are on file with the Clerk of Council.

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ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

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

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

Passed: 11-9-2026

President of Council

Clerk of Council

Approved: 11-10-2026

Mayor

9/14/26

Exhibit A
Temporary Ordinance A-61

Table 1131-1: Zoning Districts and Uses

Key:

X = Allowed in Planning Area
O = Limited Use only allowed subject to Specific Use standards
All undesignated uses are considered prohibited

✓ = Allowed Use subject to general zoning district and design standards
◆ = Conditional Use only allowed subject to conditional zoning Certificate

↓ Use Types and Use Categories / Zoning Districts →		Residential Neighborhoods							Mixed-Use Districts						General Districts				Special Overlay Districts		
		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
	General Service											✓	✓	✓	✓	✓					
	Nursing Home, Assisted Living, Independent Living Facility						O	O	✓ O	✓ O	✓ O	✓ O	✓ O	✓ O	✓ O					◆	
	Medical Clinic										✓	✓	✓	✓	✓						
	Child/Adult Care								✓	✓	✓	✓	✓	✓	✓	✓					
	Laundry / Dry Cleaner								✓	✓	✓	✓	✓	✓	✓	✓					
	Vehicle Repair Facility														O	O					
	Personal Storage										O	O			O	O	✓				
	Bed & Breakfast	O						O	✓	✓	✓	✓	✓	✓				✓			
	Motel														✓			O			
	Hotel										✓	✓	✓	✓	✓			O			
	Mortuary / Funeral Home								✓	✓	✓	✓	✓	✓	✓	✓					
	Animal Services, Small	O							✓	✓	✓	✓	✓	✓	✓	✓		O			
	Publication and Broadcast Services										✓		✓	✓	✓	✓					
	Indoor Recreation Facility										✓	✓	✓	✓	✓	✓					
Manufacturing Uses																					
	Limited Industrial												O	O		O	✓				•
	Clean Industrial															O	✓				
	General Industrial															O	✓				
	Heavy Industrial																✓				
Agriculture, Natural Resource, and Preservation Uses																					
	Natural Outdoor Recreation	✓																✓			
	Conservation Area	✓	✓	✓	✓	✓												✓			
	Orchards Nursery	✓	O															✓			•
	Animal Services, Large	✓	O															✓			
	General Farming	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
	Agro Business/Tourism	O																O			
	Natural Resource Harvesting and Management	✓																✓			
	Agriculture Equipment and Supply															✓	✓	O			
Conditional Uses																					
	Assisted/Independent Living Facility		◆																		
	Nursing Home/Assisted Living Independent Living Facility		◆				◆	◆		◆	◆	◆	◆	◆	◆						
	Bar								◆	◆	◆	◆	◆	◆	◆	◆					
	Nightclub										◆	◆	◆	◆	◆						
	Day Labor Agency														◆	◆					
	Electronic Game Centers														◆						
	Gun Club														◆	◆		◆			
	Heliport/Vertiport, Airport															◆	◆				
	Helistop/Vertistop	◆	◆	◆							◆	◆	◆	◆	◆	◆	◆	◆			
	Outdoor Bulk Storage															◆	◆				
	Outdoor Recreation Facility										◆			◆	◆	◆	◆	◆			
	Outdoor Sports/Entertainment Facility														◆	◆		◆			
	Pawnshop (See 1133.03)														◆						
	Advance, Payday or Title Loans (See 1133.03)														◆						
	Vehicle Wash/Detailing											◆	◆		◆	◆	◆				
	Liquor Store										◆	◆	◆	◆	◆						

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MVS Permitted Use Table					
	CN	N	MX	MX-F	Use Standards
A. Residential					
Household Living	P	P	P(1)	-	*Sec. 3.3.1.A*
Group Living	P(1)	P(1)	-	-	*Sec. 3.3.1.B*
Keeping of Animals	P(1)	P(1)	-	-	*Sec. 3.3.1.C*
B. Public					
Community Service	-	-	P(1)	P(1)	*Sec. 3.3.2.A*
Day Care	-	-	P	P	
Education	P(1)	P(1)	P(1)	P(1)	*Sec. 3.3.2.C*
Government	-	-	P	P	
Parks & Open Space	P	P	P	P	
Religious Assembly	P(1)	P(1)	P(1)	P(1)	*Sec. 3.3.2.F*
Urban Agriculture	P(1)	P(1)	P(1)	P(1)	*Sec. 3.3.2.G*
C. Commercial					
Adult Entertainment	-	-	-	-	
Animal Services	-	-	P(1)	P(1)	*Sec. 3.3.3.B*
Auto-Related	-	-	-	P(1)	*Sec. 3.3.3.C*
Eating & Drinking	-	-	P	P	
Indoor Entertainment	-	-	P	P	
Lodging	-	-	P(1)	P	*Sec. 3.3.3.F*
Medical	-	-	P(1)	P	*Sec. 3.3.3.G*
Office	-	-	P(1)	P	*Sec. 3.3.3.H*
Outdoor Recreation	-	-	-	P(1)	*Sec. 3.3.3.I*
Personal Service	-	-	P	P	
Retail	-	-	P	P	
Vehicle Sales & Rental	-	-	-	-	
D. Industrial					
Heavy Industrial	-	-	-	-	
Light Industrial	-	-	-	P	
Maker Space	-	-	P	P	
Research & Development	-	-	-	P	
Self-Storage	-	-	-	-	
Warehouse & Distribution	-	-	-	P	
E. Other					
Wireless Communication Facilities	Please refer to Title 3, CHAPTER 1135				
Key: P Permitted Use | P(1) Use Standard Applies | - Not Permitted					

Section 1133.02 Limited Uses

E. Service Uses.

1. *Nursing Home/Assisted Living/Independent Living Facility.* In districts where Assisted or Independent Living Facilities are a Limited Use, ("O"), or a Conditional Use ("◆"), Subject to Specific Conditions, the following specific standards apply:
   a. The design standards in Title 4 shall not be modified unless it is necessary to more effectively match the character of adjacent and less intense residential uses.
   b. The number of units will not exceed the density of the underlying zoning district.
   c. Shall be subject to the regulations in Chapter 1143 Mixed Use Center Design.
   d. In addition to the standards in this sub-section, uses shall generally meet the lot and building dimension standards and the design standards applicable to civic buildings in the MU-2 District.
   e. If the number of dwelling units/beds is 20 or greater, a conditional zoning certificate shall be required.

No changes to subsections 2 through 5

1133.03 Conditional Uses

A. The uses in this section are Conditional Uses, allowed only subject to a Conditional Zoning Certificate in one or more zoning districts, indicated with a "◆" in *Table 1132-2 Zoning District and Use Table*. These uses have the potential to produce negative impacts on adjacent property, on other uses in the zoning district, and on the intent of the zoning district. However they may be acceptable upon special mitigating conditions, which can only be evaluated in the context of a site-specific proposal. The following uses are conditional uses in one or more zoning districts:

1. Nursing Home/Assisted Living/Independent Living Facility (20 or more units/beds)
2. Bar
3. Nightclub
4. Day Labor Agency
5. Electronic Game Center
6. Gun Club
7. Heliport/Vertiport and Airport
8. Helistop/Vertistop
9. Outdoor Bulk Storage
10. Outdoor Recreation Facility
11. Outdoor Sports/Entertainment Facility
12. Pawnshop
13. Advance, Payday or Title Loan
14. Vehicle Wash and Detail
15. Liquor Store
16. Outdoor Sales Lot
17. Vehicle Repair Facility
18. Tow Lot or Impound Lot
19. Recycle Center
20. Wireless Communications Facility
21. Sexually Oriented Business
22. Wind Facilities