

1. Call to Order and Flag Pledge.

Commission Chair Vince Johnson called the meeting to order.

2. Roll Call.

Chair Vince Johnson and Commissioners Randy Dahlheimer, Bob O'Brien, Kevin Faulds were present as was City Council Liaison Scott Hoke, Assistant to the City Administrator Erin Stwora and Assistant City Planner Mike Elhard.

3. Approval of the Agenda.

The agenda was approved by consensus.

4. Open Forum.

Johnson opened the open forum.

No one came forward.

Johnson closed the open forum.

5. City Council Update.

Hoke provided the update.

6. Consent Agenda.

A. Approval of the June 5, 2008 Planning Commission Meeting Minutes.

Motion to approve minutes by O'Brien, seconded by Dahlehimer, no additional discussion, All ayes.

7. PUBLIC HEARING – City of Dayton Wetland Ordinance

Chair Johnson opened the public hearing.

Doug Baines, 13000 Overlook Road, came forward. Mr. Baines questioned if the ordinance would apply to agriculture property. Stwora stated the city's engineering firm stated conservation easements would not be placed on agricultural property and developed property due to enforcement issues. Mr. Baines stated violations currently exist in the community. Stwora stated the current violations have prompted this ordinance. Mr. Baines questioned if trails would be allowed in the buffer easement. Stwora stated trails would be allowed in the buffer easements due to the cost of acquiring additional land for trails. Mr. Baines suggested adding language to protect signs from deteriorating due to UV rays. Stwora stated staff would look into adding a statement.

Chair Johnson closed the public hearing.

Chair Johnson questioned types of plantings and their uses. Stwora stated plantings were selected based on other community's wetland ordinance. Johnson questioned the exclusion of dandelions and clover. Stwora stated these types of plantings are not typically found in wetland areas. Johnson questioned if driveways currently existing through wetlands or other existing uses would be permitted. Stwora stated existing uses

would be permitted. Stwora suggested the Planning Commission make a recommendation to the Council directing the Park Commission to work with the watershed district to create a handout for residents with best management practices regarding yard maintenance.

Dahlheimer questioned maintenance of areas within conservation easements. Stwora stated if a homeowners association existed they would take care of it or the areas would remain natural. Stwora stated the intent of the ordinance is to protect areas that will have development around them while protecting the wetland.

Faulds questioned who the ordinance primarily affects. Stwora stated it would affect developers. Faulds questioned if the new ordinance differs greatly from our current regulations. Stwora stated the City does not currently have an ordinance and handles each issue on a case by case basis.

Motion to approve by O'Brien, seconded by Dahlheimer, no additional discussion, All ayes.

8. PUBLIC HEARING – City of Dayton Steep Slopes Ordinance

Hoke questioned if the proposed ordinance would prevent developers from leveling land in the city. Stwora stated the proposed ordinance was intended to prevent structures on steep slopes and not developers from leveling land.

O'Brien questioned if the ordinance created undevelopable land. Stwora stated the ordinance did not. Stwora stated any proposed development would need to comply with the ordinance.

Faulds questioned if the ordinance gave the option to deviate from the proposed ordinance. Stwora stated the Planning Commission may make a recommendation to the Council to change the proposed ordinance. Stwora stated the proposed ordinance is difficult to visualize but developers may be required to submit side-views of proposed developments.

Chair Johnson opened the public hearing.

Doug Baines, 13000 Overlook Road, came forward. Mr. Baines questioned if the National & Scenic River corridor ordinance trumps the proposed ordinance. Stwora stated this was the case. Mr. Baines questioned how to limit clearing of trees on property. Stwora stated the City cannot prevent property owners from cutting trees on their property.

Chair Johnson closed the public hearing.

Motion to approve by Faulds, seconded by Johnson, no additional discussion, All ayes.

9. New Business.

Future and Continued Planning Commission Agenda Items.

10. Staff Notices and Announcements.

A. The next Planning Commission meeting will be held on September 4, 2008.

11. Adjourn.

Motion to adjourn was made by Johnson, seconded by Dahlheimer, no additional discussion. **Ayes:** All.