



## ATTACHMENT C:

### PLANNING COMMISSION COMMENTS OCTOBER 9, 2018

#### Case TC1800002 (Omnibus 12)

**AL-TURK** – I voted to recommend approval, contingent on the planning staff removing the proposed changes to the Neighborhood Protection Overlay (NPO) section (Sec. 4.6) from the text amendment. Staff has agreed to revisit these proposed changes and bring them back before us at a later date. I think the staff is justified in wanting to clarify the NPO process, based on their experience with the Old West NPO. And generally, the changes staff has proposed are mostly good ones. Having said that, I am concerned that the NPO process, as one resident at October's public hearing put it, will become politicized before the public hearing process even begins. More specifically, the proposed text amendments require that -- in addition to review by the planning director and staff, neighborhood meetings, and review by JCCPC -- the governing body sign off on the petition. More specifically, the amendment proposes that the governing body review the application to see whether it has "a substantial level of support," has historical and social significance, and is necessary above and beyond what the base zoning can address. Again, all of this is to be done before the work on the NPO by planning staff has begun in earnest. But asking the governing body to assess all of these things, before the staff has done its analysis and before we have had public hearings, does not make sense to me. It seems like what we are asking the governing body to do at this stage is what it should be doing during the final vote and only after a thorough analysis by staff has been done and residents have had time to express their support or opposition for the NPO. Overall, I worry that the governing body may make a decision early on in the process based on incomplete information and that this may unduly hamper a neighborhood-led initiative.

**BAKER** - I supported the motion. Most of the proposed UDO changes are fairly minor.

**BUZBY** – I vote to approve – but noting we removed Part 8, on the NPO, to continue to improve the NPO to continue to be a tool for citizens to use in their efforts as a planning tool.

**DURKIN** – Voted in favor of Omnibus changes 12, with removal of section 8 regarding neighborhood protection overlays.

**GIBBS** – A need for further discussions, investigation on NPO portion.

**HYMAN** – Voted yes to moving Omnibus for the Commissioner's Council "with the exception of the process related to the NPO" to be discussed further.

**KENCHEN** – I vote in favor and appreciate the thoughtfulness by staff and the JCCPC.

**WILLIAMS** – Section 8 as it relates to the NPO does not serve the people of Durham and need more work.