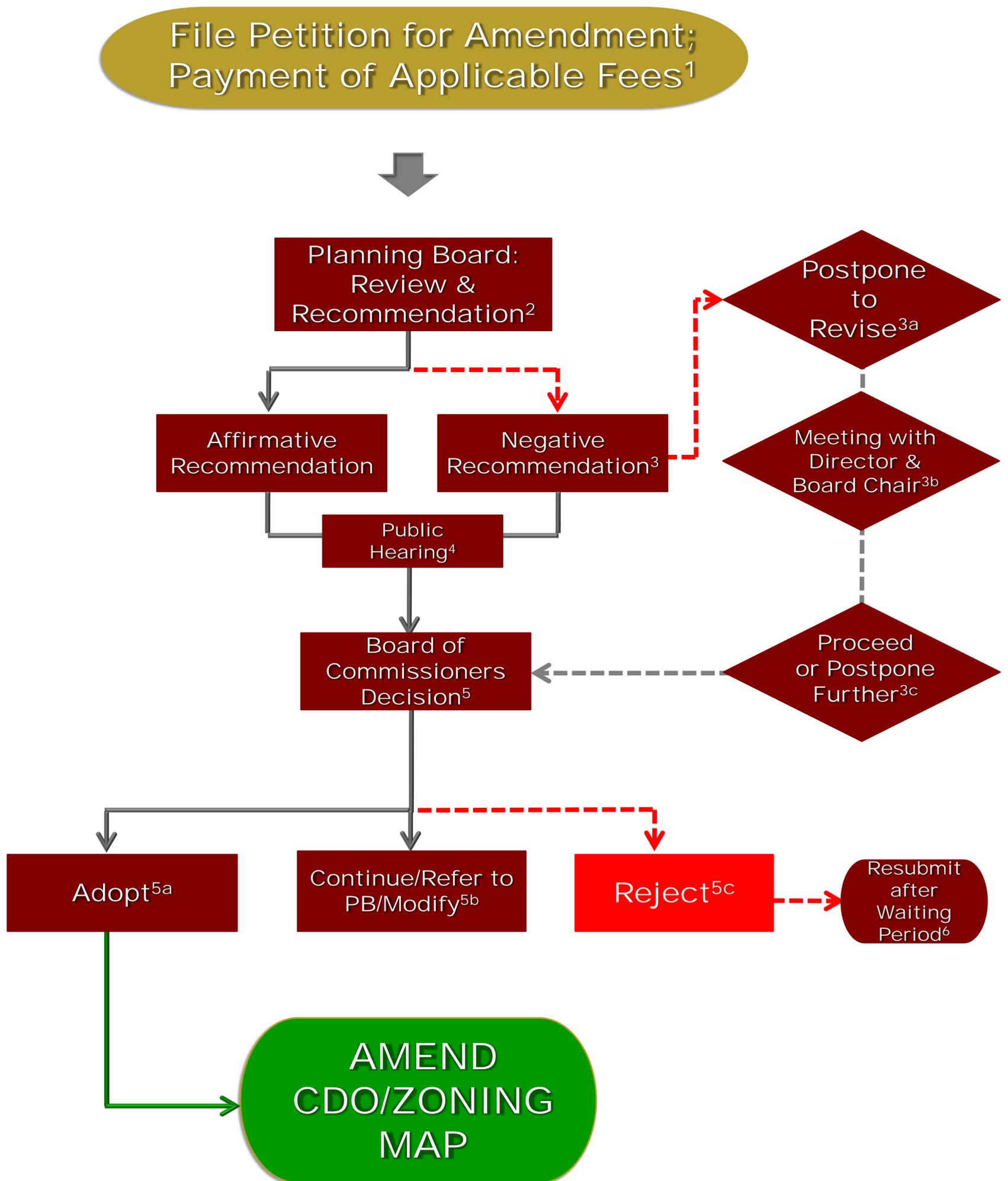


Process to Amend the Creedmoor Development Ordinance (CDO)
& Zoning Map



Process to Amend the Creedmoor Development Ordinance (CDO) & Zoning Map

The Creedmoor City Board of Commissioners may change or repeal the Creedmoor Development Ordinance (CDO) or amend City zoning maps according to procedures set forth in the NC General Statutes. [Article 5](#) of the CDO describes the processes for amendments or modifications. Proposed changes or amendments to the CDO may be initiated by the Board of Commissioners, the Creedmoor Planning Board, the Board of Adjustment, the Planning, Zoning and Subdivision Administrator, any property owner with land located in the City or its extraterritorial jurisdiction (ETJ), or any resident of the City or its ETJ. City zoning map amendments can be initiated by the Board of Commissioners, the Creedmoor Planning Board, the Board of Adjustment, the Planning, Zoning and Subdivision Administrator, or any landowner of the property for which the map amendment is requested.

The numbered sections below correspond to the Process Flow Chart (reverse):

1. **File Petition for Amendment/Payment of Applicable Fees – Pre-Application Process.** It is required for an Applicant to meet with the Planning Director to discuss the proposed amendment or request for a zoning study and to become more familiar with the application content requirements and approval procedures. The next pre-application step requires that the applicant hold a meeting with adjoining property owners and other neighborhood representatives to explain the proposed map amendment (rezoning) and to be informed of the concerns of the neighborhood. [Landowners may also petition the City to conduct a zoning study for a defined area, provided that at least 51% of the property owners in the defined area own at least 51% of the property (calculated by both land area and number of parcels) within the area. Requests for a zoning study go directly to the Board of Commissioners for review and decision. The Board may vote to initiate the study, decline the study, or reduce the size of the area to be included in the study.] **Petition Filing Process.** A petition requesting a CDO amendment or a zoning study is filed with the Planning Director, along with applicable fees. Petitions must be filed by 12:00 noon on the 3rd Friday of each month in order to be presented to the next Planning Board meeting occurring at least 30 days later.
2. **Review by the Planning Board** – When considering an amendment, the Planning Board shall consider the compliance and compatibility of the proposed amendment with the City’s Land Use Plan, Comprehensive Master Plan and other adopted plans for the area affected by the proposed amendment. The Planning Board may (1) provide an affirmative recommendation of the proposed amendment to the Board of Commissioners, (2) provide a negative recommendation, (3) take no action, or (4) continue the meeting. If the Planning Board decides to continue the meeting, a recommendation must be made to the Board of Commissioners within 30 days of their review. The recommendation cannot be continued until the next regularly scheduled Planning Board meeting. Any recommendation from the Planning Board shall be in writing and include a *consistency statement*, which describes whether the proposed amendment is consistent with the City Plan 2035 and other officially adopted plans.
3. **Negative recommendation by the Creedmoor Planning Board.** If the Creedmoor Planning Board makes a negative recommendation on an amendment to the Board of Commissioners, the petitioner may request a postponement for up to ninety (90) days in order to address issues identified by the Planning Board during their review of the request and to revise the request to address the issues that resulted in the negative recommendation (3a). Following the Planning Board’s recommendation and the postponement (if requested), the application will be forwarded to the Board of Commissioners for their consideration and action. If the petitioner chooses to revise the request to address the issues identified by the Planning Board, the petitioner must schedule a meeting with the Planning Director and Chair (or Vice Chair) of the Planning Board at least 14 days prior to the Board of Commissioners meeting at which the request will be considered (3b). The purpose of this meeting will be to review any revisions made to the application. If the revision(s) have not, in the opinion of the Planning Director and Chair (or Vice Chair) of the Planning Board, addressed the issues identified by the Planning Board, the petitioner may take the request “as is” to the Board of Commissioners for their consideration, or further postpone action by the Board of Commissioners to allow for further revisions to the request (3c).
4. **Public Hearing/Notification** - A public notice is prepared by the City Clerk and mailed to all property owners within 500 feet of the proposed zoning map amendment. The notice informs recipients of the date, time, and place of the review by the Board of Commissioners. The notice is also posted on the City’s website. If the proposed amendment affects more than 50 properties (with at least 50 different owners), a mailed notice is not required; instead, the City will publish a notice in the Butner-Creedmoor News. For property owners residing outside the general circulation area, however, a notice will be mailed.
5. **Board of Commissioners Decision** – Following review of the proposed amendments, including the recommendation of the Planning Board and comments from the public hearing, the BOC may adopt the proposed amendment (5a), reject it (5c), continue consideration of the amendment at a future meeting, refer it back to the Planning Board, or modify the proposed amendment (5b). In the event of a valid protest petition (see 5.3-5(A)), an amendment cannot be adopted without a ‘super majority’ (4 out of 5 members) of the Creedmoor BOC.
6. **Waiting Period for Resubmittal** - If the proposed amendment is rejected by the BOC, an application may be resubmitted after a 12-month waiting period. Likewise, an approved amendment must also wait 12 months, regardless of whether or not the new application is for a zoning classification different from the original application.