

Land Use Plan Amendment Process

A proposed amendment to the adopted community land use plan contained within the Burlington Community Development Plan may be initiated by the Burlington Planning and Zoning Commission or other residents of the Town of Burlington.

The Zoning Administrator, or his or her authorized representative, will evaluate the merits, disadvantages, and potential impacts of the proposed land use amendment upon community residents, municipal infrastructure, community land use relationships, and the economy of Burlington. Subsequently, the Zoning Administrator will prepare and transmit a documented staff report containing these analyses and related recommendations to the Burlington Planning and Zoning Commission.

The Zoning Administrator will, as soon as practical, place the proposed land use amendment upon the agenda of the Burlington Planning and Zoning Commission.

Before any decision is reached by the Burlington Planning and Zoning Commission:

1. The Zoning Administrator will post a copy of the proposed land use amendment upon the property where the zone change is requested. This public notice will be made, at least, thirty (30) days before the proposed land use amendment is considered publicly by the Burlington Planning and Zoning Commission.
2. The Zoning Administrator will provide written notice to all adjoining property owners, as well as the date, time and place when the proposed land use amendment will be considered by the Burlington Planning and Zoning Commission.
3. The Burlington Planning and Zoning Commission will hold one public hearing at a public facility within the Town of Burlington. Town residents and the general public will receive at least thirty (30) days notice of the public hearing. Public notice will be advertised in one (1) newspaper of general circulation throughout Big Horn County. Public comments received during the meeting will be documented for subsequent reference during the zone change process.

Upon consideration of a staff report from the Zoning Administrator and public comment, the Burlington Planning and Zoning Commission will make a written recommendation to the Burlington Town Council. The recommendation will state the rationale for its decision.

The Town Council will review the staff report from the Zoning Administrator, public comments, and the recommendation of the Burlington Planning and Zoning Commission. In the course of its review, the Town Council may hold an additional public hearing to provide an expanded opportunity for public comment.

The Town Council will approve or deny the proposed land use amendment by ordinance. In the event that further information is required by the Town Council to complete its evaluation, the Town Council may table the proposed land use amendment until desired information is obtained and reviewed by the Town Council.

The Zoning Administrator will issue a written notice of determination to the applicant within five (5) working days of the decision of the Town Council. The notice will indicate the decision made and, when appropriate, stipulations that may accompany the approval of a specific application.

Any appeal of the decisions by the Burlington Planning and Zoning Commission will be made to the Burlington Board of Adjustments in accordance with Article V of this ordinance.