

Zoning Change Process

The purpose of the zone change process is to provide landowners and/or prospective developers with the potential opportunity to modify zoning district boundaries depicted on the Burlington Zoning map. This process is required for those landowners and/or prospective developers who wish to make uses on one (1) or more lots or land parcels that are inconsistent with the permitted land uses authorized under existing zoning.

Owners and/or prospective developers of any lots or parcels may make application for a zone change in any zoning district.

The Zoning Administrator, or his or her authorized representative, will make a careful plan review of the proposed zone change and related land use development proposal. The Zoning Administrator, or his or her authorized representative, will evaluate the merits, disadvantages, and potential impacts of the proposed zone change upon adjoining land uses, municipal infrastructure, public health and safety, and community land use relationships. 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 zone change application on 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 zone change upon the property where the zone change is requested. This public notice will be made, at least, thirty (30) days before the zone change 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 zone change 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 through 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. When necessary, the recommendation from the Burlington Planning and Zoning Commission may include project stipulations that may be imposed to mitigate potential impacts upon neighboring properties and the general community.

The Town Council will review the staff report from the Zoning Administrator, public comment 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 zone change 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 zone change until desired information is obtained and reviewed by the Town Council.

The Zoning Administrator will issue a written notice of determination to the applicant with 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 or the Burlington Town Council will be made to the Burlington Board of Adjustments in accordance with Article V of this ordinance.