

📖 § 151.014 CLASSIFICATION OF NEW AND UNLISTED USES.

It is recognized that new types of land use may develop and forms of land use not anticipated herein may seek to locate in the town. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

(A) *Administrative official action.* The administrative official shall refer the question concerning any new or unlisted use to the Town Council requesting an interpretation as to the proper zoning classification into which such use should be placed. The use interpretation question shall be determined as to the nature of the use and whether it involves dwelling activity, sales, processing; type of product, storage and the amount and nature thereof (i.e., enclosed or open storage); anticipated employment; transportation requirements; the general degree of noise, odor, fumes, dust, toxic material and vibration likely to be generated, if any; and the general requirements for public utilities such as water and sanitary sewer.

(B) *Town Council.* The Town Council shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various zoning districts, and determine the zoning district or districts within which such use should be permitted. The Town Council shall approve use or make such other determination concerning the classification of such use as appropriate, based upon its findings of fact, and amend this chapter to reflect said findings and decisions.