

## ARTICLE XXIV-A

### CLASSIFICATION OF NEW AND UNLISTED USES

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

1. The Building Official shall refer the question concerning any new or unlisted use to the City Planning and Zoning Commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of the facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage, and amount or nature thereof, enclosed or open storage, anticipated employment, and the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated.
2. The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district within which such use should be permitted.
3. The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the zoning district proposed for any new or unlisted use. The City Council shall by resolution approve the recommendations of the Planning and Zoning Commission or make a determination concerning the appropriate district for such use.
4. The City Council may, at any time, instruct the Planning and Zoning Commission to conduct public hearings to receive comments and to make a recommendation as to the appropriate zoning district for a proposed use. Upon final recommendation by the Planning and Zoning Commission, the City Council, after proper notice and public hearing, may amend the zoning ordinance by determining the appropriate zoning district for a new or unlisted use. (Ord. No. 1671, § 8-30-2000)