

ORDINANCE NO. 2007-58

AN ORDINANCE REZONING AN 85.25 ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF FM 725 AND EAST COUNTY LINE ROAD, FROM "APD AGRICULTURAL PRE-DEVELOPMENT DISTRICT" AND "R-1 SINGLE-FAMILY DISTRICT" TO "C-1B GENERAL BUSINESS DISTRICT", "ZH-A ZERO LOT LINE HOME DISTRICT" AND "R-1A-6.6 SINGLE-FAMILY DISTRICT", WITH ADDITIONAL RESTRICTIONS.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the "C-1B General Business District", "ZH-A Zero Lot Line Home District" and the "R-1A-6.6 Single-Family District", the City Council has given due consideration to all components of said districts; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of an 85.25 acre tract of land, located at the southeast corner of FM 725 and East County Line road, from "APD Agricultural Pre-Development District" and "R-1 Single-Family District" to "C-1B General Business District", "ZH-A Zero Lot Line Home District" and "R-1A-6.6 Single-Family District" with additional restrictions; now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS:

SECTION 1

THAT, Sections 1.2-1 and 1.2-2, Chapter 144 of the New Braunfels Code of Ordinances and particularly the Zoning Map of the City of New Braunfels, are amended by changing the following described tract of land from "APD Agricultural Pre-Development District" and "R-1 Single-Family District" to "C-1B (r78) General Business District" with a restriction, "ZH-A Zero Lot Line Home District" and "R-1A-6.6 (r79) Single-Family District". The (r78) and (r79) shall mean an additional restrictions:

"Being an 85.25 acre tract of land, located at the southeast corner of FM 725 and East County Line Road, as described in Exhibit "A" and delineated in Exhibit "B".

SECTION 2

THAT, in accordance with Section 2.1-3, Chapter 144 of the Code of Ordinances, the additional restrictions contained in Exhibit "C" shall be considered as an amendment to the zoning ordinance for the property described in Section 1 of this ordinance:

SECTION 3

THAT the Zoning Maps of the City of New Braunfels be amended to indicate the area described in Section 1.

SECTION 4

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 5

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 7

THIS ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED: First Reading this 25th day of June, 2007.

PASSED AND APPROVED: Second and Final Reading this 9th day of July, 2007.

CITY OF NEW BRAUNFELS

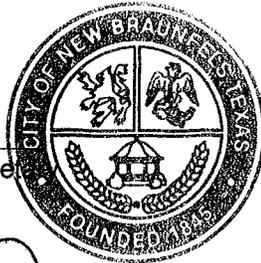


R. BRUCE BOYER, Mayor

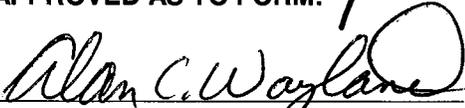
ATTEST:



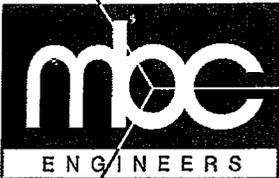
MICHAEL A. RESENDEZ, City Secretary



APPROVED AS TO FORM:



ALAN WAYLAND, City Attorney



MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LANDSURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

METES AND BOUNDS
DESCRIPTION OF
TRACT 1

C-2B (r 78)

AN 11.0 ACRE TRACT OF LAND OUT OF AN 85.25 ACRE TRACT COMPRISED OF A 42.2 ACRE TRACT OUT OF THAT CALLED 47.723 ACRE TRACT AS RECORDED IN VOLUME 773, PAGE 29, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, A 12.60 ACRE TRACT (MEASURED), 12.5 ACRE TRACT (DEED) AS RECORDED IN VOLUME 1322, PAGE 764, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS AND A 30.392 ACRE TRACT AS RECORDED IN VOLUME 831, PAGE 33 OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, ALL BEING A PART OR PORTION OF A CALLED 104 ACRE TRACT AS RECORDED IN VOLUME 196, PAGE 30, OFFICIAL RECORDS OF GUADALUPE COUNTY, SITUATED IN THE W.H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS;

BEGINNING: At a found Texas Department of Transportation (TxDOT) concrete monument in the southeast right-of-way line of county line road (Public right-of-way varies), said (TxDOT) monument being at the north end of the cutback line of F.M. 725 and County Line Road.

THENCE: N 63°03'41" E, 269.18 feet, along and with the southeast right-of-way line of said County Line Road, to a point;

THENCE: S 37°34'21" E, 746.83 feet to a point;

THENCE: N 52°25'39" E, 30.00 feet to a point;

THENCE: S 37°34'21" E, 687.22 feet to a point;

THENCE: S 50°43'09" W, 335.15 feet to a point;

THENCE: N 39°31'32" W, 173.59 feet to a point;

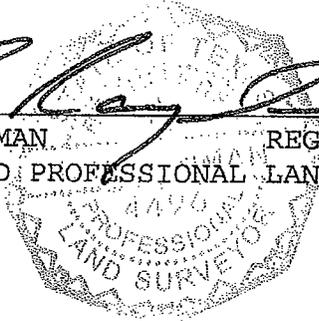
THENCE: N 38°00'21" W, 900.27 feet to a point;

THENCE: N 35°41'31" W, 387.83 feet to a point;

THENCE: N 13°45'43" E, 51.79 feet to the **POINT OF BEGINNING** of the herein described tract.

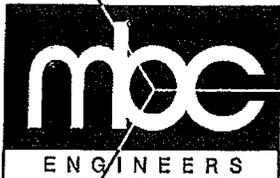
I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the above referenced 85.25 acre tract by the firm of Macina, Bose, Copeland and Assoc., Inc., of which a survey map has been prepared.


I. RAY INMAN REG. NO. 4496
REGISTERED PROFESSIONAL LAND SURVEYOR



#29432-Guadalupe
January 3, 2007
Revised: May 24, 2007
IRI/BCG/lk





MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LANDSURVEYORS

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www.mbcengineers.com

METES AND BOUNDS
DESCRIPTION OF
TRACT 2

R-7A-6.6 (r 79)

A 23.83 ACRE TRACT OF LAND OUT OF AN 85.25 ACRE TRACT COMPRISED OF A 42.2 ACRE TRACT OUT OF THAT CALLED 47.723 ACRE TRACT AS RECORDED IN VOLUME 773, PAGE 29, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, A 12.60 ACRE TRACT (MEASURED), 12.5 ACRE TRACT (DEED) AS RECORDED IN VOLUME 1322, PAGE 764, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS AND A 30.392 ACRE TRACT AS RECORDED IN VOLUME 831, PAGE 33 OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, ALL BEING A PART OR PORTION OF A CALLED 104 ACRE TRACT AS RECORDED IN VOLUME 196, PAGE 30, OFFICIAL RECORDS OF GUADALUPE COUNTY, SITUATED IN THE W.H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS;

COMMENCING: At a found Texas Department of Transportation (TxDOT) concrete monument in the southeast right-of-way line of county line road (Public right-of-way varies), said (TxDOT) monument being at the north end of the cutback line of F.M. 725 and County Line Road.

THENCE: N 63°03'41" E, 269.18 feet, along and with the southeast right-of-way line of said County Line Road, to **THE POINT OF BEGINNING** of this tract;

THENCE: N 63°03'41" E, 774.37 feet to a point;

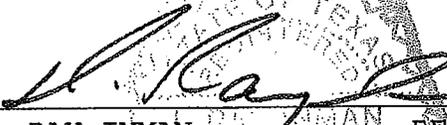
THENCE: S 26°57'30" E, 589.01 feet to a point in a curve concave southeast;

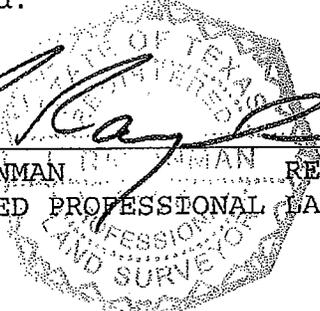
THENCE: 27.68 feet, along and with said curve, having a radius of 484.39 feet, a central angle of 03°16'26", a chord bearing N 63°03'02" E, and a chord distance of 27.68 feet, to the point of tangency of the herein described curve;

THENCE: N 63°03'02" E, 76.54 feet to a point;

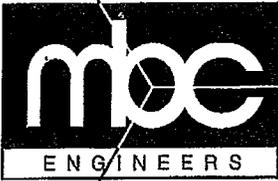
THENCE: S 37°33'31" E, 517.05 feet to a point;
THENCE: N 50°45'30" E, 427.79 feet to a point;
THENCE: S 39°16'48" E, 153.98 feet to a point;
THENCE: S 50°43'09" W, 1157.59 feet to a point;
THENCE: N 37°34'21" W, 687.22 feet to a point;
THENCE: S 52°25'39" W, 30.00 feet to a point;
THENCE: N 37°34'21" W, 746.83 feet to the **POINT OF BEGINNING** of this tract.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the above referenced 85.25 acre tract by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.


I. RAY INMAN REG. NO. 4496
REGISTERED PROFESSIONAL LAND SURVEYOR



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January 4, 2007
Revised: May 24, 2007
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METES AND BOUNDS
DESCRIPTION OF
TRACT 3

ZH-A (r79)

A 8.10 ACRE TRACT OF LAND OUT OF AN 85.25 ACRE TRACT COMPRISED OF A 42.2 ACRE TRACT OUT OF THAT CALLED 47.723 ACRE TRACT AS RECORDED IN VOLUME 773, PAGE 29, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, A 12.60 ACRE TRACT (MEASURED), 12.5 ACRE TRACT (DEED) AS RECORDED IN VOLUME 1322, PAGE 764, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS AND A 30.392 ACRE TRACT AS RECORDED IN VOLUME 831, PAGE 33 OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, ALL BEING A PART OR PORTION OF A CALLED 104 ACRE TRACT AS RECORDED IN VOLUME 196, PAGE 30, OFFICIAL RECORDS OF GUADALUPE COUNTY, SITUATED IN THE W.H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS;

COMMENCING: At a found Texas Department of Transportation (TxDOT) concrete monument in the southeast right-of-way line of county line road (Public right-of-way varies), said (TxDOT) monument being at the north end of the cutback line of F.M. 725 and County Line Road.

THENCE: N 63°03'41" E, 269.18 feet, along and with the southeast right-of-way line of said County Line Road, to a point;

THENCE: N 63°03'41" E, 774.37 feet, continuing along and with said southeast right-of-way line, to a point;

THENCE: S 26°57'30" E, 589.01 feet to a non-tangent point in a curve concave southeast;

THENCE: 27.68 feet, along and with said curve, having a radius of 484.39 feet, a central angle of 03°16'26", a chord bearing of N 63°03'02" E and a chord distance of 27.68 feet, to the point of tangency of the herein described curve;

THENCE: N 63°03'02" E, 76.54 feet to the **POINT OF BEGINNING** of this tract;

THENCE: N 63°03'02" E, 839.39 feet to point;

THENCE: S 37°34'21" E, 338.27 feet to a point;

THENCE: S 50°45'30" W, 825.47 feet to a point;

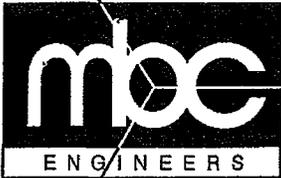
THENCE: N 37°33'31" W, 517.05 feet to the **POINT OF BEGINNING** of this tract.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the above referenced 85.25 acre tract by the firm of Macina, Bose, Copeland and Assoc., Inc., of which a survey map has been prepared.


I. RAY INMAN REG. NO. 4496
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METES AND BOUNDS
DESCRIPTION OF
TRACT 4

R-7A-6.6 (r79)

A 33.90 ACRE TRACT OF LAND OUT OF AN 85.25 ACRE TRACT COMPRISED OF A 42.2 ACRE TRACT OUT OF THAT CALLED 47.723 ACRE TRACT AS RECORDED IN VOLUME 773, PAGE 29, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, A 12.60 ACRE TRACT (MEASURED), 12.5 ACRE TRACT (DEED) AS RECORDED IN VOLUME 1322, PAGE 764, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS AND A 30.392 ACRE TRACT AS RECORDED IN VOLUME 831, PAGE 33 OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, ALL BEING A PART OR PORTION OF A CALLED 104 ACRE TRACT AS RECORDED IN VOLUME 196, PAGE 30, OFFICIAL RECORDS OF GUADALUPE COUNTY, SITUATED IN THE W.H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS;

COMMENCING: At a found Texas Department of Transportation (TxDOT) concrete monument in the southeast right-of-way line of county line road (Public right-of-way varies), said (TxDOT) monument being at the north end of the cutback line of F.M. 725 and County Line Road.

THENCE: N 63°03'41" E, 1043.55 feet, along and with the southeast right-of-way line of said County Line Road, to a point;

THENCE: S 26°57'30" E, 589.01 feet to a non-tangent point in a curve concave southeast;

THENCE: 27.68 feet, along said curve, having a central angle of 03°16'26", a radius of 484.39 feet, a chord bearing of N 63°03'02" E, and a chord distance of 27.68 feet to the point of tangency of the herein described curve;

THENCE: N 63°03'02" E, 645.88 feet to **THE POINT OF BEGINNING** of this tract;

THENCE: N 38°54'57" W, 289.39 feet to a point;
 THENCE: N 54°44'03" E, 133.35 feet to a point;
 THENCE: N 31°23'23" W, 287.35 feet to a point;
 THENCE: N 63°03'41" E, 2040.28 feet to point;
 THENCE: S 20°58'07" E, 44.98 feet to a point;
 THENCE: S 20°49'47" E, 60.06 feet to a point;
 THENCE: N 63°04'49" E, 202.65 feet to a point;
 THENCE: S 22°24'00" E, 12.84 feet to a point;
 THENCE: S 06°56'00" W, 152.46 feet to a point;
 THENCE: S 21°32'00" W, 423.17 feet to a point;
 THENCE: S 01°11'00" E, 270.83 feet to a point;
 THENCE: S 50°45'53" W, 1004.41 feet to a point;
 THENCE: S 58°50'52" W, 33.36 feet to a point;
 THENCE: N 39°14'17" W, 154.94 feet to a point;
 THENCE: N 50°45'30" E, 950.44 feet to a point;
 THENCE: N 26°56'19" W, 200.55 feet to a point;
 THENCE: S 63°03'41" W, 964.16 feet to a point;
 THENCE: S 26°56'19" E, 208.16 feet to the point of
 curvature of a curve to the right;
 THENCE: 64.62 feet, along and with said curve, having a
 central angle of 12°20'33", a radius of 300.00
 feet, a chord bearing of S 33°06'35" E, and a
 chord distance of 64.50 feet, to a point;
 THENCE: S 39°16'51" E, 133.89 feet to a point;

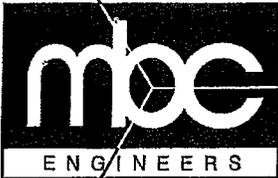


THENCE: S 39°14'17" E, 154.94 feet to a point;
THENCE: S 50°50'52" W, 647.39 feet to a point;
THENCE: S 50°43'09" W, 140.70 feet to a point;
THENCE: N 39°16'48" W, 153.98 feet to a point;
THENCE: N 50°45'30" E, 397.68 feet to a point;
THENCE: N 37°34'21" W, 338.27 feet to a point;
THENCE: S 63°03'02" W, 270.05 feet to **THE POINT OF BEGINNING** of this tract.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the above referenced 85.25 acre tract by the firm of Macina, Bose, Copeland and Assoc., Inc., of which a survey map has been prepared.


I. RAY INMAN REG. NO. 4496
REGISTERED PROFESSIONAL LAND SURVEYOR

#29432-Guadalupe
January 4, 2007
Revised: May 24, 2007
IRI/BCG/lk



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METES AND BOUNDS
DESCRIPTION OF
TRACT 5

ZH-A (r79)

A 6.70 ACRE TRACT OF LAND OUT OF AN 85.25 ACRE TRACT COMPRISED OF A 42.2 ACRE TRACT OUT OF THAT CALLED 47.723 ACRE TRACT AS RECORDED IN VOLUME 773, PAGE 29, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, A 12.60 ACRE TRACT (MEASURED), 12.5 ACRE TRACT (DEED) AS RECORDED IN VOLUME 1322, PAGE 764, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS AND A 30.392 ACRE TRACT AS RECORDED IN VOLUME 831, PAGE 33 OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, ALL BEING A PART OR PORTION OF A CALLED 104 ACRE TRACT AS RECORDED IN VOLUME 196, PAGE 30, OFFICIAL RECORDS OF GUADALUPE COUNTY, SITUATED IN THE W.H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS;

COMMENCING: At a found Texas Department of Transportation (TxDOT) concrete monument in the southeast right-of-way line of county line road (Public right-of-way varies), said (TxDOT) monument being at the north end of the cutback line of F.M. 725 and County Line Road.

THENCE: N 63°03'41" E, 1043.55 feet, along and with the southeast right-of-way line of said County Line Road, to a point;

THENCE: S 26°57'30" E, 589.01 feet to a non-tangent point in a curve to the right;

THENCE: 27.68 feet, along said curve, having a central angle of 03°16'26", a radius of 484.39 feet, a chord bearing of N 63°03'02" E and a chord distance of 27.68 feet to the point of tangency of the herein described curve;

THENCE: N 63°03'02" E, 645.88 feet to a point;

THENCE: N 38°54'57" W, 289.39 feet to a point;

THENCE: N 54°44'03" E, 133.35 feet to a point;
THENCE: N 31°23'23" W, 287.35 feet to a point;
THENCE: N 63°03'41" E, 2040.28 feet to point;
THENCE: S 20°58'07" E, 44.98 feet to a point;
THENCE: S 20°49'47" E, 60.06 feet to a point;
THENCE: N 63°04'49" E, 202.65 feet to a point;
THENCE: S 22°24'00" E, 12.84 feet to a point;
THENCE: S 06°56'00" W, 152.46 feet to a point;
THENCE: S 21°32'00" W, 423.17 feet to a point;
THENCE: S 01°11'00" E, 270.83 feet to a point;
THENCE: S 50°45'43" W, 1004.41 feet to a point;
THENCE: S 50°90'52" E, 33.36 feet to a point;
THENCE: N 39°14'17" W, 154.94 feet to the **POINT OF BEGINNING** of this tract;
THENCE: N 39°16'51" W, 133.89 feet to a point, the point of curvature of a curve to the right;
THENCE: 64.92 feet, along and with said curve, having a central angle of 12°20'30", a radius of 300.00 feet, a chord bearing of S 33°06'35" E, and a chord distance of 64.50 feet to the point of tangency of the herein described curve;
THENCE: N 26°56'19" W, 208.16 feet to a point;
THENCE: N 63°03'41" E, 964.16 feet to a point;



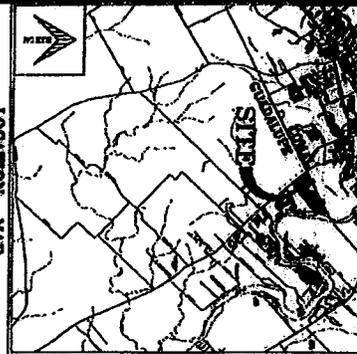
THENCE: S 26°56'19" E, 200.55 feet to a point;

THENCE: S 50°45'30" W, 950.44 feet to the **POINT OF BEGINNING** of this tract.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the above referenced 85.25 acre tract by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.


I. RAY INMAN REG NO. 4496
REGISTERED PROFESSIONAL LAND SURVEYOR

#29432-Guadalupe
January 5, 2007
Revised: May 24, 2007
IRI/BCG/lk



LOCATION MAP
NOT TO SCALE

LEGEND

R-1A-6.6 (TRACTS 2 AND 4)

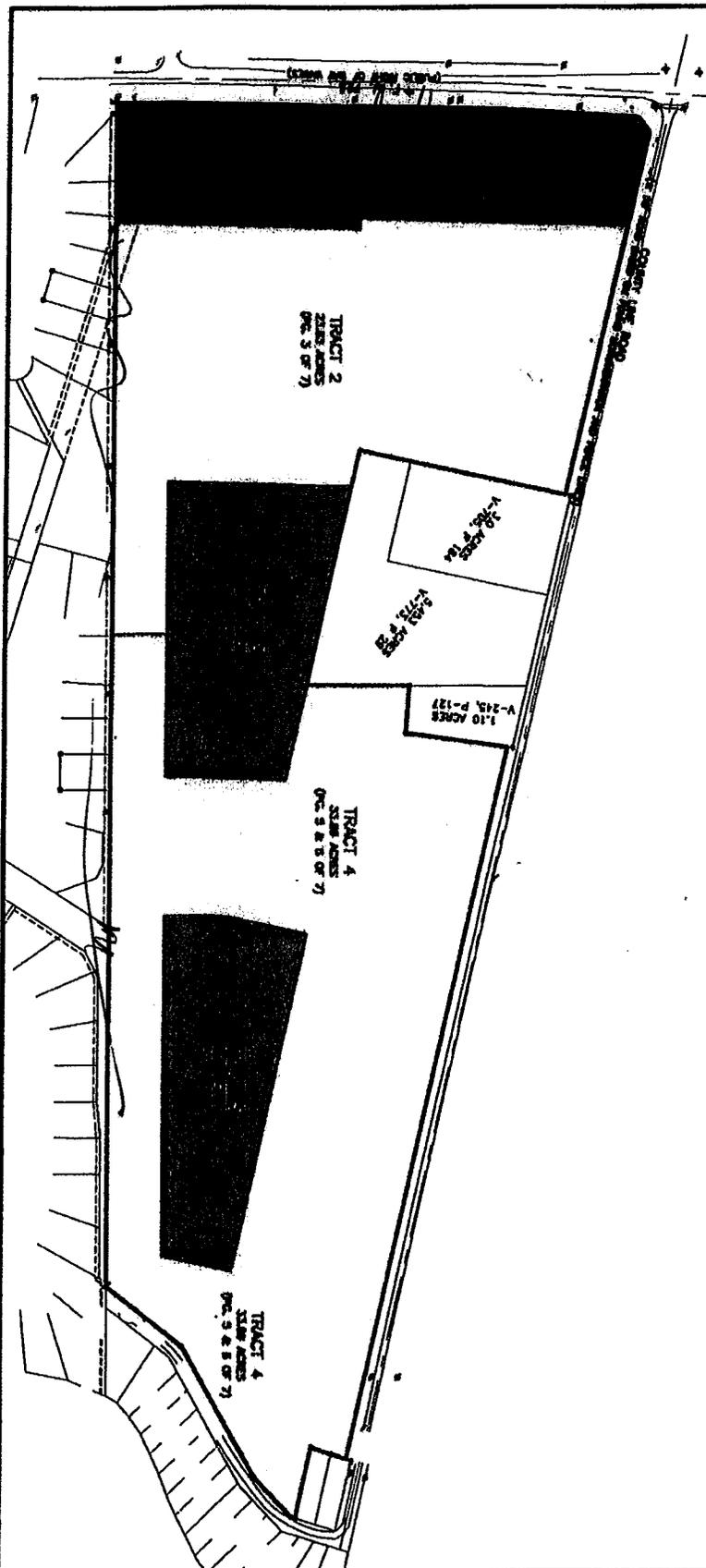
ZH-A (TRACTS 3 AND 5)

C-1-B (TRACT 1)

SCALE: 1" = 300'



Tract No.	Proposed Zoning Change	Acreage
1	C-1-B	11.06
2	R-1A-6.6	23.53
3	ZH-A	8.10
4	R-1A-6.6	33.89
5	ZH-A	6.70



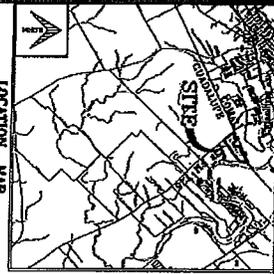
**PECAN CROSSING
ZONING EXHIBIT
FM 725
GUADALUPE COUNTY, TEXAS**



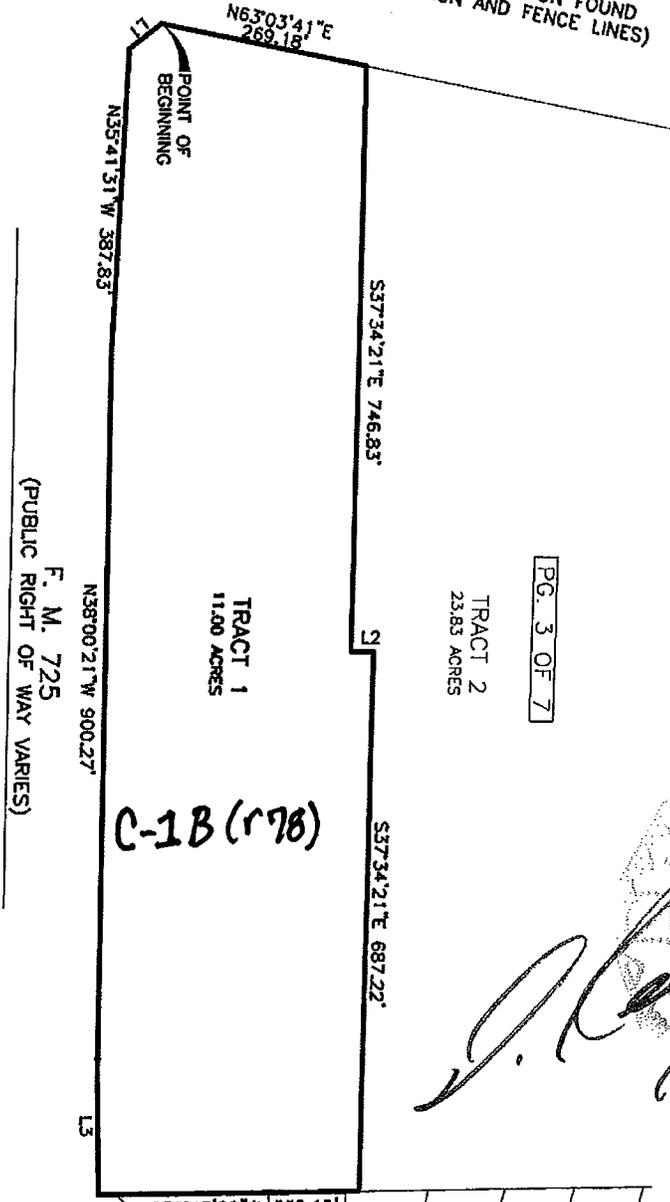
1035 Central Parkway North
San Antonio, Texas 78232
(210) 648-1122
FAX (210) 648-9382

DESIGN: SEO
DRAWN: SEO
CHECKED: RACJR
DATE: Apr 17, 2007
JOB NO.: 29432-GUAD
SHT.: 1 of 1

NUMBER	DIRECTION	DISTANCE
L1	N13°45'43"E	51.79
L2	N62°23'59"E	350.00
L3	N59°21'32"W	173.59



COUNTY LINE ROAD
(± 50' ROAD BASED ON FOUND
MONUMENTATION AND FENCE LINES)



PG. 3 OF 7

[Handwritten Signature]
 PROFESSIONAL LAND SURVEYOR

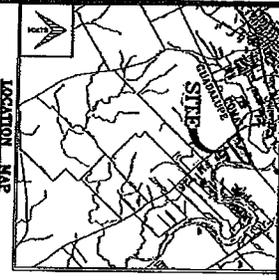
NOT TO SCALE
 NORTH
 BEARINGS ARE BASED ON THE SOUTHEAST
 RIGHT OF WAY LINE OF COUNTY LINE
 ROAD AS BEING N63°03'41"E

Revised: Jan 09, 2007
 Revised: Jun 18, 2007

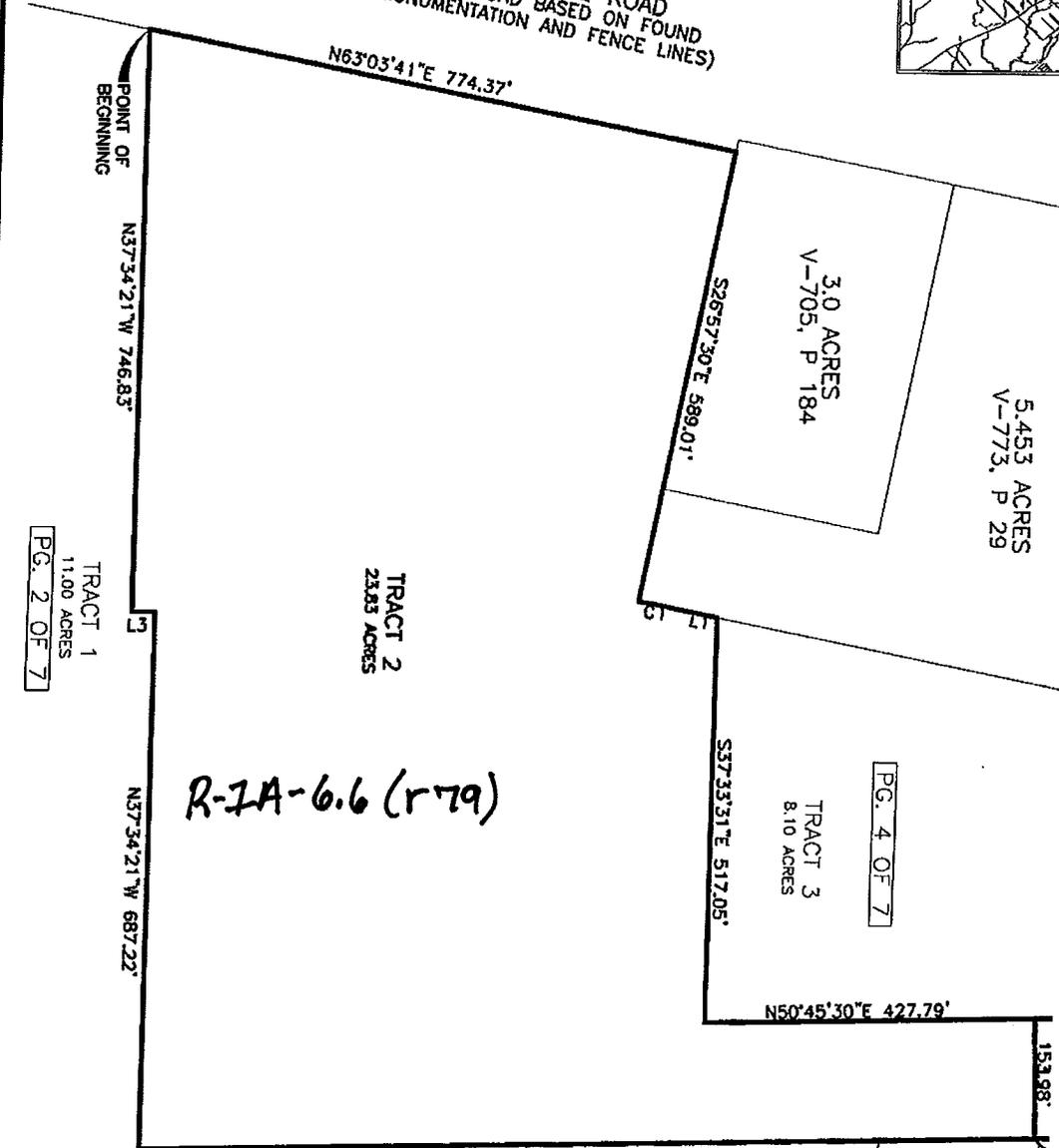


PECAN CROSSING, FM 725
 ZONING SKETCH TRACT 1
 GUADALUPE COUNTY, TEXAS

DESIGN	IRI
DRAWN	JC
CHECKED	IRI
DATE	Jan 05, 2007
JOB NO.	29432-GUAD
SHT.	2 of 7



COUNTY LINE ROAD
 (± 50' ROAD BASED ON FOUND
 MONUMENTATION AND FENCE LINES)



NUMBER	DIRECTION	DISTANCE
1	N63°03'41" E	774.37
2	S26°57'30" E	589.01
3	S50°43'09" W	1157.59

NUMBER	DELT A	ANGLE	RADIUS	TANGENT ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
1	05°16'26"		494.39	15.14	27.68	N63°03'41" E

PG. 2 OF 7

PG. 4 OF 7

NOT TO SCALE
 BEARINGS ARE BASED ON THE SOUTHEAST
 RIGHT OF WAY LINE OF COUNTY LINE
 ROAD AS BEING N63°03'41" E

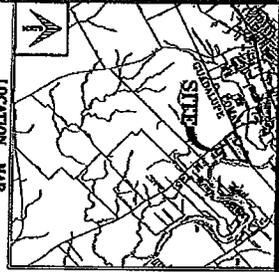


Revised: Jan 09, 2007
 Revised: Jun 18, 2007



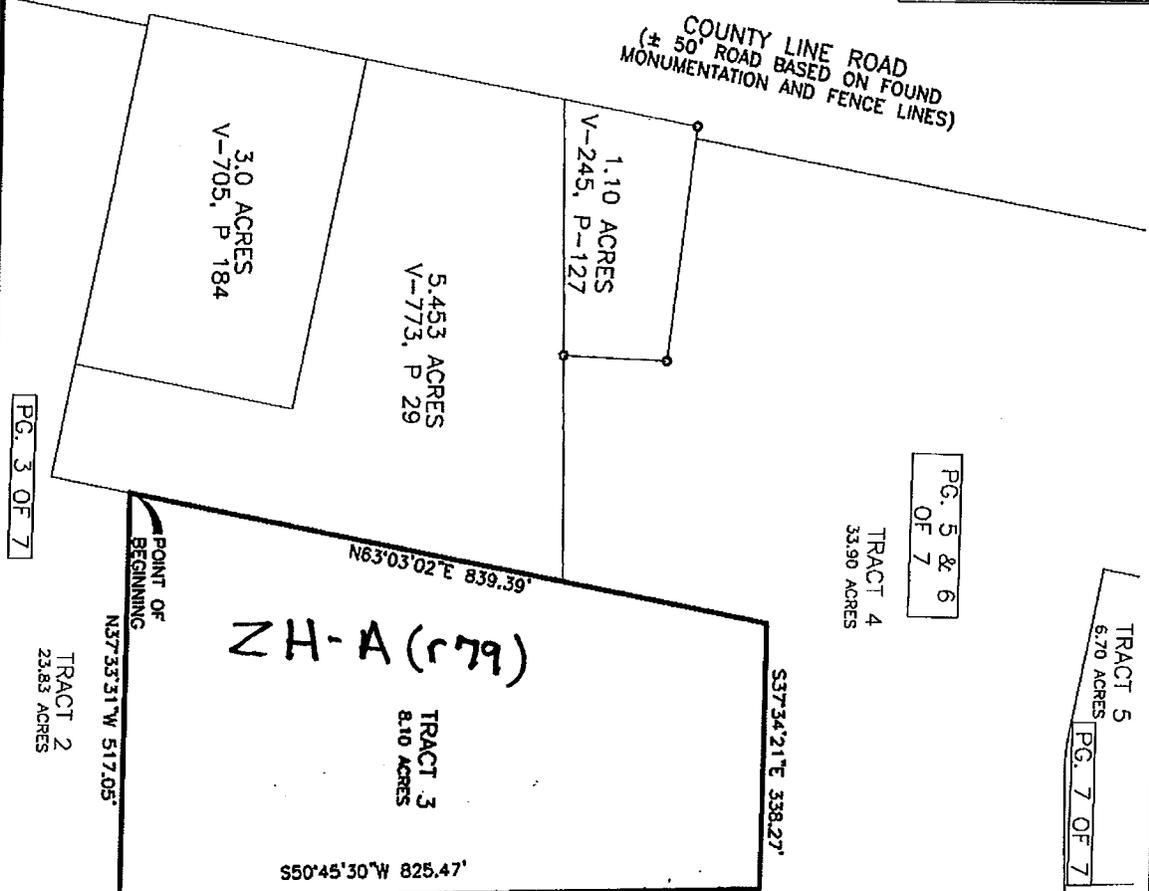
PECAN CROSSING, FM 725
 ZONING SKETCH TRACT 2
 GUADALUPE COUNTY, TEXAS

DESIGN	IRI
DRAWN	JC
CHECKED	IRI
DATE	Jun 05, 2007
JOB NO.	29432-GUAD
SHT.	3 of 7



NUMBER	DIRECTION	DISTANCE
1	S39°16'51"E	151.45
2	N39°16'51"W	150.00

COUNTY LINE ROAD
 (± 50' ROAD BASED ON FOUND
 MONUMENTATION AND FENCE LINES)



PG. 3 OF 7

PG. 5 & 6
 OF 7

TRACT 5
 6.70 ACRES
 PG. 7 OF 7

TRACT 4
 31.23 ACRES
 PG. 5 & 6
 OF 7

ZH-A (r79)

[Handwritten Signature]
 PROFESSIONAL LAND SURVEYOR

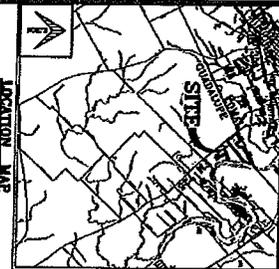
NOT TO SCALE
 BEARINGS ARE BASED ON THE SOUTHEAST
 RIGHT OF WAY LINE OF COUNTY LINE
 ROAD AS BEING N63°03'41"E

Revised: Jun 09, 2007
 Revised: Jun 18, 2007



PECAN CROSSING, FM 725
 ZONING SKETCH TRACT 3
 GUADALUPE COUNTY, TEXAS

DESIGN	IRI
DRAWN	JC
CHECKED	IRI
DATE	Jun 05, 2007
JOB NO.	29432-GUAD
SHT.	4 of 7

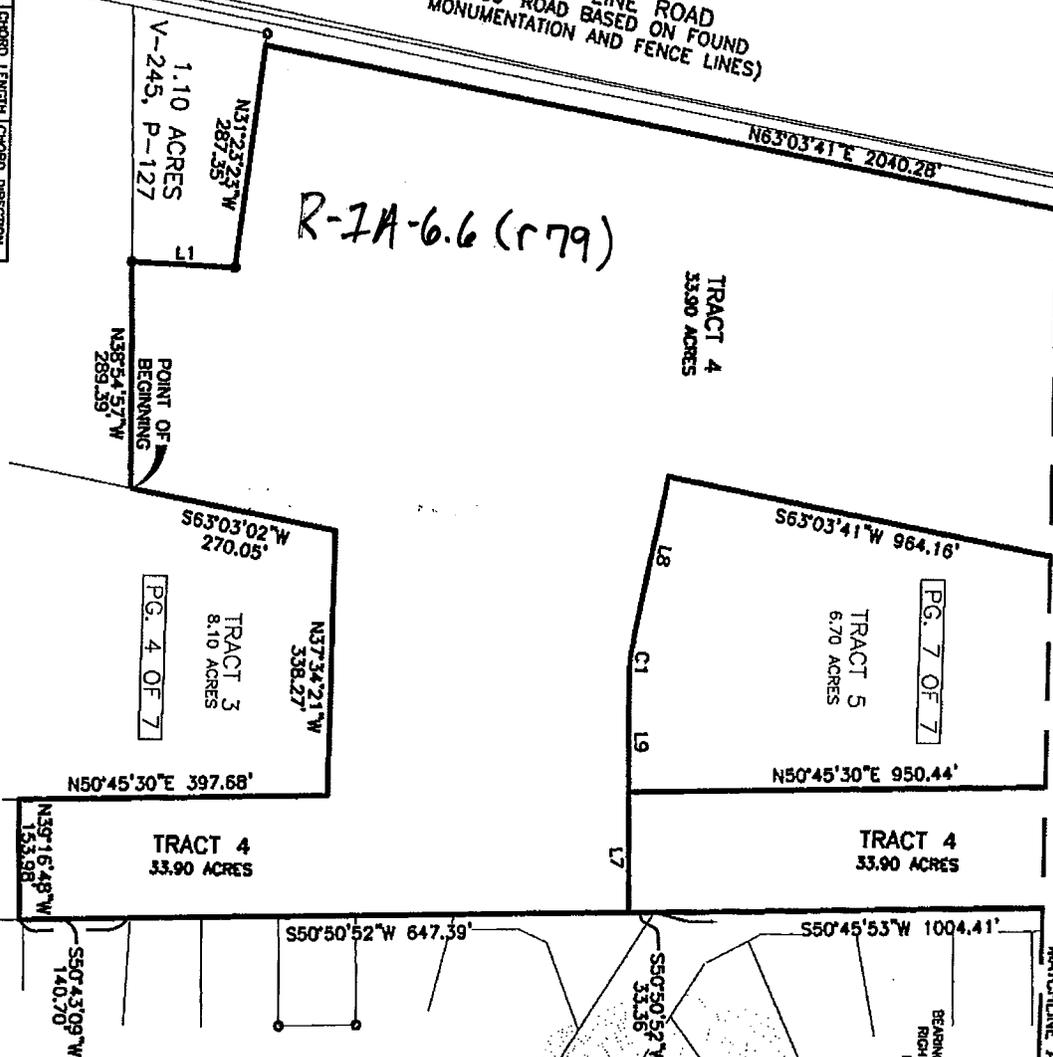


NUMBER	DIRECTION	DISTANCE
L1	N63°03'41"E	2040.28'
L2	S63°03'41"W	964.16'
L3	N50°45'30"E	950.44'
L4	S50°45'30"W	1004.41'
L5	S50°50'52"W	647.39'
L6	N50°43'09"W	140.70'
L7	N39°16'48"W	153.98'
L8	N37°34'21"W	338.27'
L9	N57°16'51"E	137.32'
L10	N37°22'23"W	287.35'
L11	N38°54'57"W	289.39'
L12	N37°16'51"E	137.32'

NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	127°20'33"	300.00'	32.44'	64.62'	64.50'	S53°08'35"E

COUNTY LINE ROAD
 (± 50' ROAD BASED ON FOUND
 MONUMENTATION AND FENCE LINES)

R-7A-6.6 (r79)



[Signature]
 PROFESSIONAL SURVEYOR

BEARINGS ARE BASED ON THE SOUTHEAST
 RIGHT OF WAY LINE OF COUNTY LINE
 ROAD AS BEING N57°03'41"E

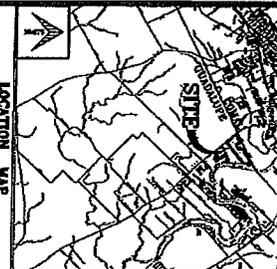


Revised: Jan 09, 2007
 Revised: Jan 18, 2007



PECAN CROSSING, FM 725
 ZONING SKETCH TRACT 4
 GUADALUPE COUNTY, TEXAS

DESIGN	IRI
DRAWN	JC
CHECKED	IRI
DATE	Jan 05, 2007
JOB NO.	29432-GUAD
SHT.	5 of 7



NUMBER	DIRECTION	DISTANCE
1	N63°03'41"E	2040.28'
2	S21°32'00"W	423.17'
3	S27°24'00"E	12.24'
4	S27°24'00"E	12.24'
5	S07°16'51"W	131.45'
6	S07°16'51"E	208.18'
7	S07°16'51"E	137.32'

NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	122°07'33"	300.00	32.44	64.62	64.30	S33°06'53"E

COUNTY LINE ROAD
(± 50' ROAD BASED ON FOUND
MONUMENTATION AND FENCE LINES)

N63°03'41"E 2040.28'

R-7A-6.6 (r79)

TRACT 4
33.90 ACRES

S63°03'41"W 964.16'

TRACT 5
6.70 ACRES

PG. 7 OF 7

N50°43'09"E 949.83'

S50°45'53"W 1004.41'

MATCHLINE A

[Signature]
 STATE OF TEXAS
 COUNTY OF GUADALUPE
 SURVEYOR

NOT TO SCALE
 BEARINGS ARE BASED ON THE SOUTHEAST
 RIGHT OF WAY LINE OF THE COUNTY LINE
 ROAD AS BEING N63°03'41"E

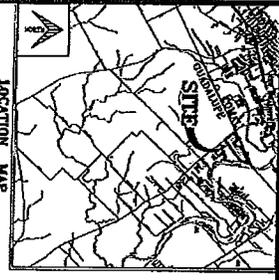


Revised: Jan 09, 2007
 Revised: Jun 18, 2007



PECAN CROSSING, FM 725
 ZONING SKETCH TRACT 4
 GUADALUPE COUNTY, TEXAS

DESIGN	IRI
DRAWN	JC
CHECKED	IRI
DATE	Jan 05, 2007
JOB NO.	29432-GUAD
SHT.	6 of 7



COUNTY LINE ROAD
 (± 50' ROAD BASED ON FOUND
 MONUMENTATION AND FENCE LINES)

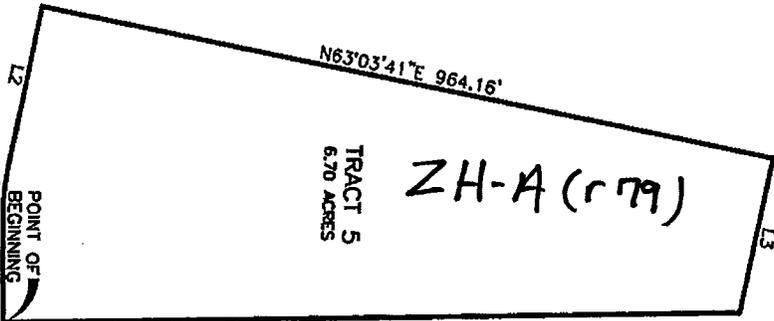
NUMBER	DIRECTION	DISTANCE
L1	N39°16'31"W	133.89'
L2	N26°56'19"W	208.16'
L3	S26°56'19"E	200.55'

NUMBER	DELTA ANGLE	BEARS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	17°20'33"	300.00'	32.74'	64.62'	64.50'	N37°06'35"W

TRACT 4
 33.90 ACRES

TRACT 4
 33.90 ACRES
 PG. 5 & 6
 OF 7

TRACT 5
 6.70 ACRES
 PG. 5 & 6
 OF 7



TRACT 5
 6.70 ACRES
 PG. 5 & 6
 OF 7

TRACT 3
 10.47 ACRES

PG. 4 OF 7

TRACT 4
 31.23 ACRES
 PG. 5 & 6
 OF 7

TRACT 4
 31.23 ACRES

[Handwritten Signature]
 SURVEYOR

NOT TO SCALE
 BEARINGS ARE BASED ON THE SOUTHEAST
 RIGHT OF WAY LINE OF COUNTY LINE
 ROAD AS BEING N63°03'41"E



Revised: Jan 09, 2007
 Revised: Jun 18, 2007



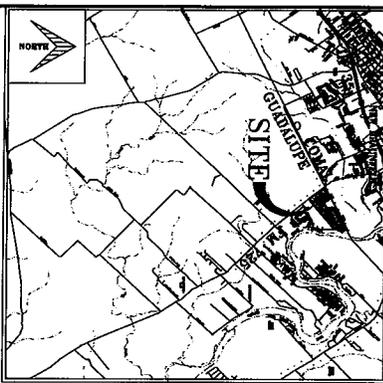
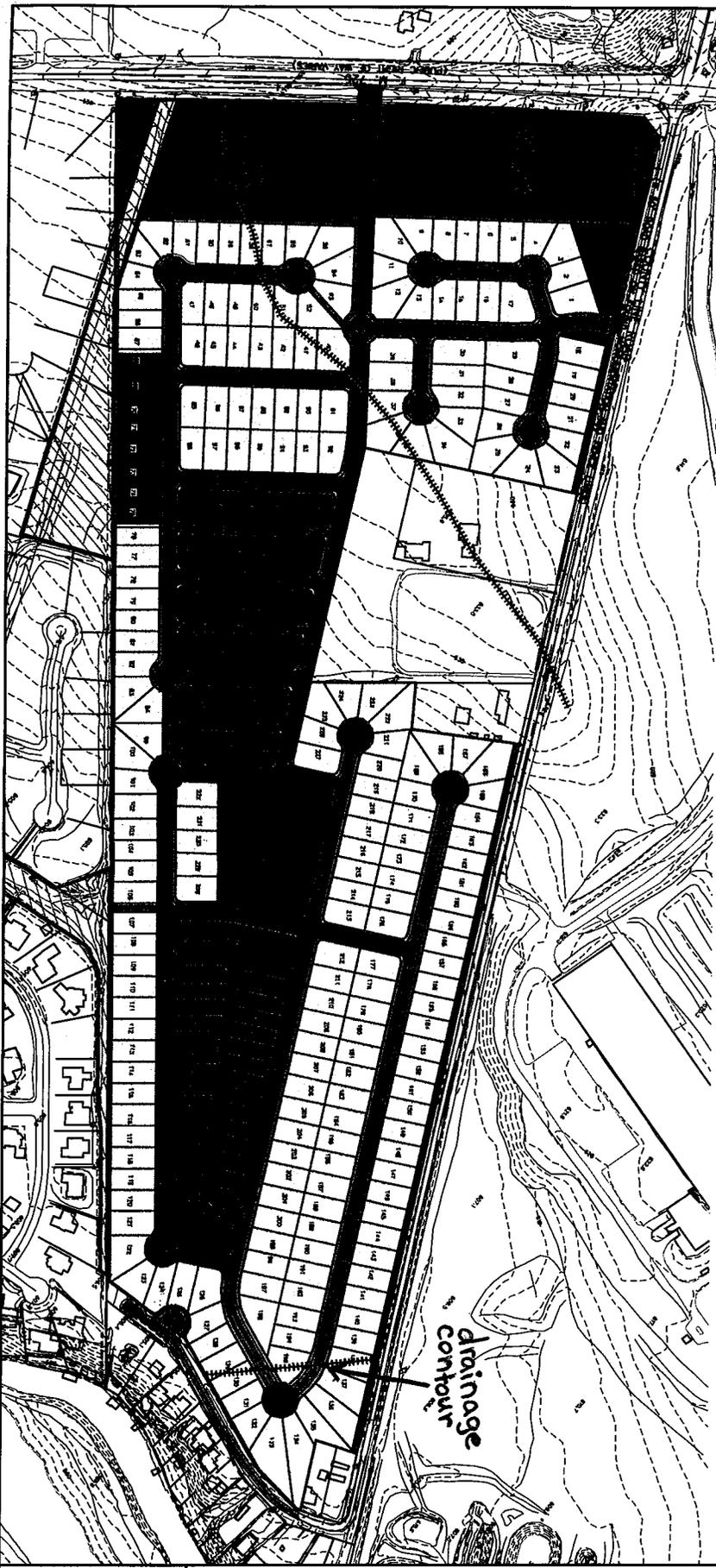
PECAN CROSSING, FM 725
 ZONING SKETCH TRACT 5
 GUADALUPE COUNTY, TEXAS

DESIGN	IRI
DRAWN	JC
CHECKED	IRI
DATE	Jan 05, 2007
JOB NO.	29432-GUAD
SHT.	7 of 7

PECAN CROSSING ADDITIONAL RESTRICTIONS

- 1.) The minimum building size for a main building on an R-1A-6.6 lot shall be 1,600 sq. ft. The minimum building size for a zero lot line main building shall be 1,200 sq. ft.
- 2.) For one family and zero lot line homes, the masonry requirement shall be the lesser of three sides masonry on the first floor or 70% of the surface of the exterior wall area (excluding gables, windows and door openings). Masonry shall include stucco, brick veneer, ceramic tile, clay, masonry veneer, stone and all other material commonly referred to in Guadalupe and Comal Counties as masonry, but shall exclude any product, regardless of composition, which is manufactured to have a wood or non-masonry appearance.
- 3.) A six foot tall wooden solid screening fence shall be constructed on the border between Southbank and a finally platted part of this tract or unit phase of this subdivision for which a final plat has been recorded as noted in item 4 below and with the bracing facing Southbank before a permit is issued for any building in the unit phase.
- 4.) There shall be provided a ten foot wide buffer area within which no building, fence, or structure may be built or erected located between this tract and any lot in Southbank that is adjacent to Windsor Place. This buffer area shall be between the fence noted in item 3 above and Southbank.
- 5.) The developer shall limit the homes to one story along the border with Southbank as follows:
In the area denominated as lots 63-67 and 76-106, as shown on Attachment "A", with no more than 50% of the homes in the area denominated as lots 68-75 (with an additional ten (10) feet of lots 67 and 76, as needed) being two-story.
- 6.) All trees on the tract with a diameter of four inches or greater measured 4.5 feet above the ground that are within 10 feet of a property line of Southbank shall be preserved. The diameter of a multi-trunked tree shall be determined by measuring the diameter of all the tree's trunks at 4.5 feet above the ground and adding them together. If tree(s) are removed from this area or caused to die, it shall be considered a violation of the zoning ordinance and trees with an equal number of inches of what was removed shall be replaced in the 10 foot wide area, as approved by the Planning Director, before building permit(s) anywhere in the tract may be issued. Replacement trees must be at least 1.5 inches in diameter at 4.5 feet above the ground and be from the approved tree list in the zoning ordinance.
- 7.) The developer of the tract shall provide Southbank, Chinaberry Lane and East County Line Road representatives with a copy of the drainage design documentation submitted to the City. The documentation shall be provided at the same time it is submitted to the City for approval. Southbank, Chinaberry Lane and East County Line Road representatives may hire an engineer to review the documentation and may submit comments to the City. The developer shall not take or cause to be taken any action that would impede or impair any neighborhood drainage design comments from being taken into consideration by the City in its review and approval of the drainage design.
- 8.) The permitted uses in the C-1B area shall be limited to those uses listed in Attachment "B" and similar in quality and with comparable design features to that shown in Attachment "C", as determined by the Planning Director.

- 9.) A minimum six foot tall wooden solid screening fence shall be constructed along the Chinaberry Lane right-of-way for a finally platted part of this tract or unit phase of this subdivision for which a final plat has been recorded and is adjacent to the Chinaberry Lane right-of-way. The fence's finished side shall face Chinaberry Lane. A minimum twenty foot rear yard building setback shall apply to all lots backing up to Chinaberry Lane right-of-way.
- 10.) The developer shall limit 50% of the lots to one-story along the Chinaberry Lane border, shown as lots 123 – 135 on Attachment "A", and the lots adjacent to the Geren homestead (1.10 acres, Volume 245, Page 127), shown as lots 166 – 168 on Attachment "A", shall be limited to one story.
- 11.) A minimum ten foot buffer shall be provided between the northeast property line of the adjacent 1.10 acre tract, referenced as Volume -245, Page -127, and the subject property. A minimum six foot wooden solid screening fence will be required to be constructed ten feet from the 1.10 acre tract along it's common property line to the northeast. A minimum ten foot buffer shall be provided between the southeast property line of the adjacent 1.10 acre tract and the subject property. A minimum six foot solid screening fence will be required to be constructed 10 feet from the 1.10 acre tract along it's common property line to the southeast.
- 12.) A bus turnaround must be provided on Chinaberry Lane, similar to the turnaround shown on Attachment "A".
- 13.) No direct access to individual residences on the subject property will be allowed from Chinaberry Lane or East County Line Road.
- 14.) The rear setback for homes adjacent to Windsor Place shall be a minimum of twenty-five feet from the Southbank property line.
- 15.) All trees on the tract with a diameter of four inches or greater measured 4.5 feet above the ground that are within 10 feet of the Chinaberry right-of-way shall be preserved. The diameter of a multi-trunked tree shall be determined by measuring the diameter of all the tree's trunks at 4.5 feet above the ground and adding them together. If tree(s) are removed from this area or caused to die, it shall be considered a violation of the zoning ordinance and trees with an equal number of inches of what was removed shall be replaced in the 10 foot wide area, as approved by the Planning Director, before building permit(s) anywhere in the tract may be issued. Replacement trees must be at least 1.5 inches in diameter at 4.5 feet above the ground and be from the approved tree list in the zoning ordinance.
- 16.) A minimum right-of-way dedication of five feet will be required on Chinaberry Lane at the time of platting.



LOCATION MAP
NOT TO SCALE

LEGEND

- 60' X 120' MINIMUM TYPICAL LOT (7200 SF MINIMUM)
232 LOTS (70%)
- 45' X 100' MINIMUM TYPICAL LOT WITH 25' ALLEY (4500 SF MINIMUM)
81 LOTS (30%)
- COMMERCIAL TRACTS
11.0 ACRES
- 313 TOTAL LOTS & 2.3 ACRE PARK
- WALKING PATH
- RIDGELINE

SCALE: 1" = 300'



PECAN CROSSING
FM 725
GUADALUPE COUNTY, TEXAS

DESIGN	SEO
DRAWN	SEO
CHECKED	RACJR
DATE	Jun 05, 2007
JOB NO.	29432-GUAD
SHT.	1 of 1

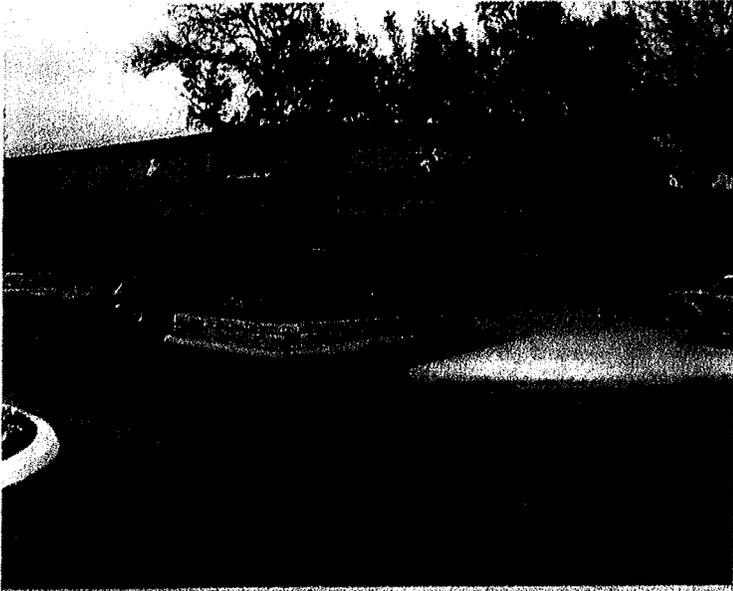
ATTACHMENT A

ATTACHMENT "B"
PERMISSIBLE COMMERCIAL PROPERTY USES

Accounting, auditing, bookkeeping, tax preparations
Animal grooming shop
Answering and message services
Antique shop
Appliance repair
Armed services recruiting center
Art dealer/gallery
Artist or artisan's studio
Bakery (retail)
Bank, savings and loan, or credit
Barber/beauty shop, haircutting (non-college)
Bicycle sales and/or repair
Book binding
Book store
Cafeteria/café/delicatessen
Caterer
Child day care/children's nursery (business)
Church/place of religious assembly
Clinic (dental)
Clinic (medical)
Coffee shop
Computer and electronic sales
Computer repair
Confectionery store (retail)
Country club (private)
Curio shops
Drapery shop/blind shop
Drug sales/pharmacy
Electrical repair shop
Farmers market (produce market - wholesale)
Florist
Food or grocery store without gasoline sales
Furniture sales (indoor)
Garden shops and greenhouses
Handicraft shop
Hardware store
Health club (physical fitness; indoors only)
Kiosk (providing a retail service)
Laundry/dry cleaning (drop off/pick up)
Locksmith
Major appliance sales (indoor)
Martial arts school
Medical supplies and equipment

Municipal use owned or operated by the City of New Braunfels, including libraries
Museum
Needlework shop
Offices, brokerage services
Offices, business or professional
Offices, computer programming and data processing
Offices, consulting
Offices, engineering, architecture, surveying or similar
Offices, health services
Offices, insurance agency
Offices, legal services - including court reporting
Offices, medical offices
Offices, real estate
Offices, security/commodity brokers, dealers, exchanges and financial services
Pet shop/supplies (10,000 sq. ft. or less)
Photographic printing/duplicating/copy shop or printing shop
Photographic studio (no sale of cameras or supplies)
Photographic supply
Plant nursery
Public recreation/services building for public park/playground areas
Publishing/printing company (e.g., newspaper)
Quick lube/oil change/minor inspection
Radio/televisions shop, electronics, computer repair
Recycling kiosk
Restaurant
Restaurant/prepared food sales
Shoe repair shops
Shopping center
Studios (are, dance, music, drama, reducing, photo, interior decorating, etc.)
Tailor shop
Travel agency
Vacuum cleaner sales and repair
Veterinary hospital (no outside animal runs or kennels)
Video rental/sales

ATTACHMENT "C"
STRIP CENTER PICTURES



3.4-13. "C-1B" general business district.

Purpose. The general business district is established to provide areas for a broad range of office and retail uses. This district should generally consist of retail nodes located along or at the intersection of major collectors or thoroughfares to accommodate high traffic volumes generated by general retail uses. The following regulations shall apply in all "C-1B" districts:

(a) *Authorized uses.* Uses permitted by right shall be those set forth in the Land Use Matrix in Section 4 of this Chapter. The allowed uses in the district, which are intended to be identical with those listed in the Land Use Matrix, are as follows

(1) *Uses permitted by right:*

Residential uses:

Accessory building/structure
Assisted living facility/retirement home
Bed and breakfast inn

Community home (see definition)
Hospice

Non-residential uses:

Accounting, auditing, bookkeeping, and tax preparations
Adult day care (no overnight stay)
Adult day care (with overnight stay)
All terrain vehicle (ATV) dealer / sales
Ambulance service (private)
Amphitheater
Amusement devices/arcade (four or more devices)
Amusement services or venues (indoors)
Amusement services or venues (outdoors)
Animal grooming shop
Answering and message services
Antique shop
Appliance repair
Armed services recruiting center
Art dealer / gallery
Artist or artisan's studio
Assembly/exhibition hall or areas
Athletic fields
Auction sales (non-vehicle)
Auto body repair, garages (see Sec. 5.10)
Auto glass repair/tinting (see Sec. 5.10)
Auto interior shop / upholstery (see Sec. 5.10)
Auto leasing
Auto muffler shop (see Sec. 5.10)
Auto or trailer sales rooms or yards ((see Sec. 5.11)
Auto or truck sales rooms or yards - primarily new (see Sec. 5.11)
Auto paint shop (see Sec. 5.10)
Auto repair as an accessory use to retail sales (see Sec. 5.10)
Auto repair garage (general) (see Sec. 5.10)
Auto supply store for new and factory rebuilt parts
Auto tire repair /sales (indoor)

Automobile driving school (including defensive driving)
Bakery (retail)
Bank, savings and loan, or credit
Barber/beauty college (barber or cosmetology school or college)
Barber/beauty shop, haircutting (non-college)
Barns and farm equipment storage (related to agricultural uses)
Battery station
Bicycle sales and/or repair
Billiard / pool facility
Bingo facility
Bio-medical facilities
Book binding
Book store
Bowling alley/center (see Sec. 5.12)
Broadcast station (with tower) (see Sec. 5.6)
Bus barns or lots
Bus passenger stations
Cafeteria / café / delicatessen
Campers' supplies
Car wash (self service; automated)
Car wash, full service (detail shop)
Carpenter, cabinet, or pattern shops
Carpet cleaning establishments
Caterer
Cemetery and/or mausoleum
Check cashing service
Child day care/children's nursery (business)
Church/place of religious Assembly
Civic/conference center and facilities
Cleaning, pressing and dyeing (non-explosive fluids used)
Clinic (dental)
Clinic (emergency care)
Clinic (medical)
Club (private)

Coffee shop	Hospital, rehabilitation
Commercial amusement concessions and facilities	Hotel/motel
Communication equipment - installation and/or repair	Hotels/motels - extended stay (residence hotels)
Computer and electronic sales	Ice delivery stations (for storage and sale of ice at retail only)
Computer repair	Kiosk (providing a retail service)
Confectionery store (retail)	Laundromat and laundry pickup stations
Consignment shop	Laundry, commercial (w/o self serve)
Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.9)	Laundry/dry cleaning (drop off/pick up)
Convenience store with gas sales	Laundry/washateria (self serve)
Convenience store without gas sales	Lawnmower sales and/or repair
Country club (private)	Limousine / taxi service
Credit agency	Locksmith
Curio shops	Maintenance/janitorial service
Custom work shops	Major appliance sales (indoor)
Dance hall / dancing facility (see Sec. 5.12)	Martial arts school
Day camp	Medical supplies and equipment
Department store	Micro brewery (onsite manufacturing and sales)
Drapery shop / blind shop	Mini-warehouse/self storage units with outside boat and RV storage
Driving range	Mini-warehouse/self storage units (no outside boat and RV storage permitted)
Drug sales/pharmacy	Motion picture studio, commercial film
Electrical repair shop	Motion picture theater (indoors)
Electrical substation	Motion picture theater (outdoors, drive-in)
Exterminator service	Motorcycle dealer (primarily new / repair)
Farmers market (produce market - wholesale)	Moving storage company
Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.8)	Municipal use owned or operated by the City of New Braunfels, including libraries
Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.8)	Museum
Feed and grain store	Needlework shop
Filling station (gasoline tanks must be below the ground)	Nursing/convalescent home/sanitarium
Florist	Offices, brokerage services
Food or grocery store with gasoline sales	Offices, business or professional
Food or grocery store without gasoline sales	Offices, computer programming and data processing
Fraternal organization/civic club (private club)	Offices, consulting
Frozen food storage for individual or family use	Offices, engineering, architecture, surveying or similar
Funeral home/mortuary	Offices, health services
Furniture sales (indoor)	Offices, insurance agency
Garden shops and greenhouses	Offices, legal services - including court reporting
Golf course (public or private)	Offices, medical offices
Golf course (miniature)	Offices, real estate
Governmental building or use (state/federally owned and operated)	Offices, security/commodity brokers, dealers, exchanges and financial services
Greenhouse	Park and/or playground (public or private)
Handicraft shop	Parking lots (for passenger car only) (not as incidental to the main use)
Hardware store	Parking structure / public garage
Health club (physical fitness; indoors only)	Pawn shop
Heavy load (farm) vehicle sales/repair (see Sec. 5.13)	Personal watercraft sales (primarily new / repair)
Home repair and yard equipment retail and rental outlets	Pet shop / supplies (10,000 sq. ft. or less)
Hospital, general (acute care/chronic care)	Pet store (more than 10,000 sq. ft.)
	Photographic printing/duplicating/copy shop or printing shop

Photographic studio (no sale of cameras or supplies)	Sign manufacturing/painting plant
Photographic supply	Specialty shops in support of project guests and tourists
Plant nursery	Storage – exterior storage for boats and RVs
Plant nursery (retail sales / outdoor storage)	Studio for radio or television (without tower)
Plumbing shop	Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)
Portable building sales	Tailor shop
Public recreation/services building for public park/playground areas	Tattoo or body piercing studio
Publishing/printing company (e.g., newspaper)	Taxidermist
Quick lube/oil change/minor inspection	Telemarketing agency
Radio/television shop, electronics, computer repair	Telephone exchange buildings (office only)
Recreation buildings (private)	Tennis court (commercial)
Recreation buildings (public)	Theater (non-motion picture; live drama)
Recycling kiosk	Tire sales (outdoors)
Refreshment/beverage stand	Tool rental
Research lab (non-hazardous)	Tourist court
Restaurant	Travel agency
Restaurant/prepared food sales	Truck garden (no retail sales)
Retail store and shopping center (more than 50,000 sq. ft. bldg.)	University or college (public or private)
Retail store and shopping center without drive thru service (50,000 sq.ft. bldg. or more)	Upholstery shop (non-auto)
Retirement home/home for the aged	Used or second hand merchandise/furniture store
RV park	Vacuum cleaner sales and repair
RV/travel trailer sales	Veterinary hospital (no outside animal runs or kennels)
School, K-12 (public or private)	Video rental / sales
School, vocational (business/commercial trade)	Waterfront amusement facilities – swimming / wading pools / bathhouses
Security monitoring company	Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system
Security systems installation company (with outside storage)	Wholesale sales offices and sample rooms
Shoe repair shops	Woodworking shop (ornamental)
Shooting gallery - indoor (see Sec. 5.12)	
Shopping center	

Any comparable business or use not included in or excluded from any other district described herein.

(2) *Conflict.* In the event of conflict between the uses listed in the Land Use Matrix and those listed in subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) *Maximum height, minimum area and setback requirements:*

(1) *Height.* 75 feet.

(2) *Front building setback.* 25 feet.

(3) *Side building setback.* No side building setback is required except that where a side line of a lot in this district abuts upon the side line of a lot in any residential zone, a side building setback of not less than six feet shall be provided.

(4) *Corner lots.* Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the

adjacent lots. Where a minimum 25-foot setback is required, a canopy at least eight feet in height, attached to the main building, may be built within 15 feet of the property line so long as such construction will not obstruct the vision of vehicular or pedestrian traffic.

Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See illustration 8 in Sec. 5.1-1)

- (5) *Residential setback.* Effective November 8, 2006, where any building abuts a one or two family use or zoning district, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
- (6) *Rear building setback.* 20 feet.
- (7) *Width of lot.* 60 feet.
- (8) *Lot depth.* 100 feet.
- (9) *Parking.* See Section 5.1 for permitted uses' parking.

CITY OF NEW BRAUNFELS – ZONING ORDINANCE

3.3-6. “ZH” zero lot line home district. The following regulations shall apply in all "ZH" districts:

(a) *Authorized uses.* Uses permitted by right shall be those set forth in the Land Use Matrix in Section 4 of this Chapter. The allowed uses in the district, which are intended to be identical with those listed in the Land Use Matrix, are as follows:

(1) *Uses permitted by right:*

Residential uses.

- Accessory building/structure
- Accessory dwelling (one accessory dwelling per lot, no kitchen)
- Community home (see definition)
- Family home adult care
- Family home child care
- Home occupation (See Sec. 5.4)
- Single family industrialized home (see Sec. 5.7)
- Zero lot line / patio homes

Non-residential uses:

- Barns and farm equipment storage (related to agricultural uses)
- Church/place of religious assembly
- Community building (associated with residential uses)
- Contractor’s temporary on-site construction office (only with permit from Building Official; see Sec. 5.9)
- Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.8)
- Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.8)
- Golf course, public and private
- Governmental building or use (state/federally owned and operated)
- Municipal use owned or operated by the City of New Braunfels, including libraries
- Park and/or playground (private)
- Park and/or playground (public)
- Recreation buildings (public)
- School, K-12 (public or private)
- Truck garden (no retail or wholesale sales)
- University or college (public or private)
- Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system

(2) *Conflict.* In the event of conflict between the uses listed in the Land Use Matrix and those listed in subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) *Maximum height, minimum area and setback requirements:*

(1) *Height.* 35 feet.

(2) *Front building setback.* 10 feet. If front entry garages/carports are provided, a minimum front yard of 20 feet shall be provided to the garage/carport.

(3) *Side building setback.* There shall be no side building setback required on one side of the lot and a minimum of 10 feet in the opposite side yard. If the side of the lot abuts any other residential zoning district, that side building setback shall have a minimum of ten feet. The dwelling on the “no side building setback required” side may be off-set from the property line by no more than one foot.

(4) *Corner lots.* Buildings on corner lots shall provide a minimum exterior side building setback of 10 feet. If entry to a garage/carport is provided on the exterior side, a minimum yard of 20 feet shall be provided to the garage/carport.

(5) *Rear building setback.* If rear entry garages/carports are provided from an alley, the rear building setback shall have a minimum depth of 20 feet. If no alley is provided and garage/carport entries are from the front, the rear building setback shall have a minimum depth of 10 feet. If the rear of the lots abut any other residential zoning district, the rear building setback shall have a minimum depth of 20 feet.

(6) *Width of lot.* 40 feet.

(7) *Lot area.* 4,000 square feet.

(8) *Lot depth.* 100 feet.

(c) *Other requirements:*

(1) *Minimum area zoned.* Not less than three lots with common side lot lines will be zoned for zero lot line homes. When facing on the same street within the same block, mixing of ZH structures and other residential structures will not be allowed. However, this does not preclude other residential uses on one side of a street with ZH uses on the opposite side of the street within the same block or different blocks.

(2) *Zero lot line wall.* No door or window openings shall be built into the side wall facing the zero lot line except those that are more than three feet from the property line and screened by a masonry wall at least eight feet in height so that the opening(s) is not visible from the adjoining property. (See illustration 3, "ZH-A" district)

(3) *Maintenance, drainage and overhang easement.* A maintenance, drainage and overhang easement of five feet shall be provided on each lot that is adjacent to a lot with a zero setback allowance. This easement shall be for the purpose of maintaining the wall and foundation that is adjacent to one side property line to provide for proper maintenance and drainage.

(4) *Overhang.* Eaves and gutters may overhang the zero lot line side of the lot by no more than 18 inches. If there is an overhang over the lot line, a gutter is required such that roof runoff shall not be deposited over the lot line onto adjoining property.

(5) *Parking.* There shall be at least two off-street parking spaces for each zero lot line home. See Section 5.1 for other permitted uses' parking.

CITY OF NEW BRAUNFELS – ZONING ORDINANCE

3.4-2. "R-1A-6.6" single-family district.

Purpose. The R-1A-6.6 single-family district is intended for development of primarily detached, single-family residences and customary accessory uses on lots of at least 6,600 square feet in size. The following regulations shall apply in all "R-1A-6.6" districts:

"R-1A" district. The district called "R-1A" shall be renamed and shown on the zoning map as "R-1A-6.6".

(a) *Authorized uses.* Uses permitted by right shall be those set forth in the Land Use Matrix in Section 4 of this Chapter. The allowed uses in the district, which are intended to be identical with those listed in the Land Use Matrix, are as follows

(1) *Uses permitted by right:*

Residential uses:

- Accessory building/structure
- Accessory dwelling (one accessory dwelling per lot, no kitchen)
- Community home (see definition)
- Family home adult care
- Family home child care
- Home occupation (See Sec. 5.4)
- One family dwelling, detached
- Single family industrialized home (see Sec. 5.7)

Non-residential uses:

- Barns and farm equipment storage (related to agricultural uses)
- Church/place of religious assembly
- Community building (associated with residential uses)
- Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.9)
- Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.8)
- Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.8)
- Golf course, public or private
- Governmental building or use (state/federally owned and operated)
- Municipal use owned or operated by the City of New Braunfels, including libraries
- Park and/or playground (public)
- Public recreation/services building for public park/playground areas
- Recreation buildings (public)
- School, K-12 (public or private)
- Truck gardens (no retail sales)
- University or college (public or private)
- Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system

(2) *Conflict.* In the event of conflict between the uses listed in the Land Use Matrix and those listed in subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) *Height and area requirements:*

(1) Residential uses.

(i) *Height.* 35 feet.

(ii) *Front building setback.* 25 feet.

(iii) *Side building setbacks.* There shall be a side building setback on each side of a building not less than 5 feet in width. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide

with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots.

Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See illustration 8 in Sec. 5.1-1)

(iv) *Rear building setback.* 20 feet.

(v) *Width of lot.* The minimum width of an interior lot shall be 60 feet and the minimum width of a corner lot shall be 70 feet.

(vi) *Lot area per family.* Every single-family dwelling hereafter erected or altered shall provide a lot area of not less than 6,600 square feet per dwelling for interior lots, and 7,000 square feet per family for corner lots, provided that where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, each lot shall provide not less than one half acre per dwelling unit not located over the recharge zone and one acre per dwelling unit located over the recharge zone.

(vii) *Lot depth.* 100 feet.

(viii) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling. See Section 5.1 for other permitted uses' parking.

(2) Non-residential uses.

(i) *Height.* 35 feet.

(ii) *Front building setback.* 25 feet.

(iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Where any building abuts a property with a one or two family use, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

(iv) *Corner lots.* Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots. Where a minimum 25-foot setback is required, a canopy at least eight feet in height, attached to the main building, may be built within 15 feet of the property line so long as such construction will not obstruct the vision of vehicular or pedestrian traffic.

(v) *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See illustration 8 in Sec. 5.1-1)

(vi) *Rear building setback.* 20 feet.

(vii) *Width of lot.* 60 feet.

(viii) *Lot depth.* 100 feet.

(ix) *Parking.* See Section 5.1 for permitted uses' parking.

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3.3-1. "R-1" single-family district. The following regulations shall apply in all "R-1" districts:

(a) *Authorized uses.* Uses permitted by right shall be those set forth in the Land Use Matrix in Section 4 of this Chapter. The allowed uses in the district, which are intended to be identical with those listed in the Land Use Matrix, are as follows:

(1) *Uses permitted by right:*

Residential uses:

- Accessory building/structure
- Accessory dwelling (one accessory dwelling per lot, no kitchen)
- Community home (see definition)
- Family home adult care
- Family home child care
- Home occupation (see Sec. 5.4)
- One family dwelling, detached
- Single family industrialized home (see Sec. 5.7)

Non-residential uses:

- Barns and farm equipment storage (related to agricultural uses)
- Cemetery and/or mausoleum
- Church/place of religious assembly
- Community building (associated with residential uses)
- Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.9)
- Country club (private)
- Day camp
- Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.8)
- Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.8)
- Golf course, public and private
- Governmental building or use (state/federally owned and operated)
- Municipal use owned or operated by the City of New Braunfels, including libraries.
- Park and/or playground (private)
- Park and/or playground (public)
- Plant nursery (growing for commercial purposes but no retail sales on site)
- Public recreation/services building for public park/playground areas
- Recreation buildings (public)
- School, K-12 (public or private)
- Stables (as a business) (see Chapter 6, Municipal Code)
- Stables (private, accessory use) (see Chapter 6, Municipal Code)
- Truck garden (no retail or wholesale sales)
- University or College (public or private)
- Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system

(2) *Conflict.* In the event of conflict between the uses listed in the Land Use Matrix and those listed in subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) *Maximum height, minimum area and setback requirements:*

(1) Residential Uses.

- (i) *Height.* 35 feet.

(ii) *Front building setback.* 25 feet.

(iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the side lot lines of the adjacent lots.

Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See illustration 8 in Sec. 5.1-1)

(iv) *Rear building setback.* 20 feet.

(v) *Width of lot.* Interior lots 60 feet. Corner lots 70 feet. Where a lot has less width than herein required, and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling.

(vi) *Lot area per family.* Every single-family dwelling hereafter erected or altered shall provide a lot area of not less than 6,600 square feet per dwelling for interior lots, and 7,000 square feet per dwelling for corner lots, provided that where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, each lot shall provide not less than one half acre per single-family residence or one acre on the Edwards Aquifer Recharge Zone.

(vii) *Lot depth.* 100 feet.

(viii) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling. See Section 5.1 for other permitted uses' parking.

(2) Non-Residential uses.

(i) *Height.* 35 feet.

(ii) *Front building setback.* 25 feet.

(iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Where any building abuts a property with a one or two family use, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

(iv) *Corner lots.* Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots. Where a minimum 25-foot setback is required, a canopy at least eight feet in height, attached to the main building, may be built within 15 feet of the property line so long as such construction will not obstruct the vision of vehicular or pedestrian traffic.

(v) *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See illustration 8 in Sec. 5.1-1)

(vi) *Rear building setback.* 20 feet.

(vii) *Width of lot.* 60 feet.

(viii) *Lot depth.* 100 feet.

(ix) *Parking.* See Section 5.1 for permitted uses' parking.

CITY OF NEW BRAUNFELS – ZONING ORDINANCE

3.4-1. "APD" agricultural/pre-development district.

Purpose. This district is designed for newly annexed areas, agricultural uses, and for areas where development is premature because of a lack of utilities, capacity, or service, or where the ultimate use has not been determined. The following regulations shall apply in all "APD" districts:

(a) *Authorized uses.* Uses permitted by right shall be those set forth in the Land Use Matrix in Section 4 of this Chapter. The allowed uses in the district, which are intended to be identical with those listed in the Land Use Matrix, are as follows

(1) *Uses permitted by right:*

Residential uses:

- Accessory building/structure
- Accessory dwelling (one accessory dwelling per lot, no kitchen)
- Community home (see definition)
- Family home adult care
- Family home child care
- Home occupation (See Sec. 5.4)
- One family, dwelling, detached
- Single family industrialized home (see Sec. 5.7)

Non-residential uses:

- Barns and farm equipment storage (related to agricultural uses)
- Cemetery and/or mausoleum
- Church/place of religious assembly
- Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.9)
- Country club (private)
- Farmers market (produce market - wholesale)
- Farms, general (crops) (see Chapter 6, Municipal Code) (Sec. 5.8 is not applicable)
- Farms, general (livestock/ranch) (see Chapter 6, Municipal Code) (Sec. 5.8 is not applicable)
- Flour mills, feed mills, and grain processing
- Golf course, public or private
- Governmental building or use (state/federally owned and operated)
- Grain elevator
- Hay, grain, and/or feed sales (wholesale)
- Livestock sales/auction
- Municipal use owned or operated by the City of New Braunfels, including libraries
- Park and/or playground (public)
- Plant nursery (growing for commercial purposes but no retail sales on site)
- Recreation buildings (public)
- Rodeo grounds
- School, K-12 (public or private)
- Stables (as a business) (see Chapter 6, Municipal Code)
- Stables (private, accessory use) (see Chapter 6, Municipal Code)
- Truck garden (no retail sales)
- University or college (public or private)
- Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system

Any comparable use not included in or excluded from any other district described herein.

- (2) *Conflict.* In the event of conflict between the uses listed in the Land Use Matrix and those listed in subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) *Maximum height, minimum area and setback requirements:*

(1) *Height.* 35 feet.

(2) *Front yards.* 25 feet.

(3) *Side building setbacks.* There shall be a side building setback on each side of a building not less than ten feet in width. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots.

Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See illustration 8 in Sec. 5.1-1)

(4) *Rear building setbacks.* 30 feet.

(5) *Width of lot.* 100 feet.

(6) *Lot area per family.* Every single-family dwelling hereafter erected or altered shall provide a lot area of not less than 15,000 square feet per dwelling, provided that where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, each lot shall provide not less than one half acre and one acre on the Edwards Aquifer Recharge Zone.

(7) *Lot depth.* 100 feet.

(8) *Parking.* See Section 5.1 for other permitted uses' parking.