3.3-12. *"M-2" heavy industrial district.* The following regulations shall apply in all "M-2" 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~~
~~Bed and breakfast inn (see Sec. 5.6)~~
~~Boardinghouse/lodging house~~
~~Cabin or cottage (rental for more than 30 days)~~
~~Community home (see definition)~~
~~Dormitory (in which individual rooms are for rental)~~
~~Duplex / two-family / duplex condominiums~~
~~Home Occupation (See Sec. 5.5)~~
~~Multifamily (apartments/condominiums)~~
~~One family dwelling, detached~~
~~Rental or occupancy for less than one month (see Sec. 5.17)~~
~~Residential use in buildings with the following non-residential uses~~
~~Single family industrialized home (see Sec. 5.8)~~
~~Townhouse (attached)~~

~~**Non-residential uses:**~~
Accounting, auditing, bookkeeping, and tax preparations
~~Adult day care (no overnight stay)~~
~~Adult day care (with overnight stay)~~
Aircraft support and related services
Airport
All terrain vehicle (ATV) dealer / sales
Ambulance service (private)
Amphitheater
Amusement devices/arcade (four or more devices)
Amusement services or venues (indoors) (see Sec. 5.13)
Amusement services or venues (outdoors)
Animal grooming shop
Answering and message services
Antique shop
Appliance repair
Archery range
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. 5.11)
Auto glass repair/tinting (see Sec. 5.11)
Auto interior shop / upholstery (see Sec. 5.11)
Auto leasing
Auto muffler shop (see Sec. 5.11)
Auto or trailer sales rooms or yards(see Sec. 5.11)
Auto or truck sales rooms or yards - primarily new (see Sec. 5.12)
Auto paint shop (see Sec. 5.11)
Auto repair as an accessory use to retail sales (see Sec. 5.11)
Auto repair garage (general) (see Sec. 5.11)

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 union
Bar/Tavern
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 charging station
Bicycle sales and/or repair
Billiard / pool facility
Bingo facility
Bio-medical facilities
Blacksmith or wagon shops
Blooming or rolling mills
Book binding
Book store
Bottling or distribution plants (milk)
Bottling works
Bowling alley/center (see Sec. 5.13)
Breweries/distilleries and manufacture of alcohol and alcoholic beverages
Broadcast station (with tower) (see Sec. 5.7)
Bus barns or lots
Bus passenger stations
Cafeteria / café / delicatessen
Campers' supplies
Canning/preserving factories
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
Chemical laboratories (e.g., ammonia, bleaching powder)
Chemical laboratories (not producing noxious fumes or odors)
Child day care/children's nursery (business)
Church/place of religious assembly
Cider mills
Civic/conference center and facilities
Cleaning, pressing and dyeing (non-explosive fluids used)
Clinic (dental)
Clinic (emergency care)
Clinic (medical)
Club (private)
Coffee shop
Cold storage plant
Commercial amusement concessions and facilities
Communication equipment (installation and/or repair)
Community building (associated with residential uses)
Computer and electronic sales
Computer repair
Concrete or asphalt mixing plants - permanent
Concrete or asphalt mixing plants – temporary
Confectionery store (retail)
Consignment shop

Contractor's office/sales, with outside storage including vehicles
Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.10)
Convenience store with or without fuel sales
Cotton ginning or baling works
Country club (private)
Credit agency
Curio shops
Custom work shops
Dance hall / dancing facility
Day camp
Department store
Drapery shop / blind shop
Driving range
Drug sales/pharmacy
Electrical generating plant
Electrical repair shop
Electrical substation
Electronic assembly/high tech manufacturing
Electroplating works
Enameling works
Engine repair/motor manufacturing re-manufacturing and/or repair
Exterminator service
Fair ground
Farmers market (produce market - wholesale)
Farms, general (crops) (see Chapter 6, Municipal Code)
Farms, general (livestock/ranch) (see Chapter 6, Municipal Code)
Feed and grain store
Filling station (fuel tanks must be below the ground)
Florist
Flour mills, feed mills, and grain processing
Food or grocery store with or without fuel sales
Food processing (no outside public consumption)
Forge (hand)
Forge (power)
Fraternal organization/civic club (private club)
Freight terminal, rail/truck (when any storage of freight is outside an enclosed building)
Freight terminal, truck (all storage of freight in an enclosed building)
Frozen food storage for individual or family use
Funeral home/mortuary
Furniture manufacture
Furniture sales (indoor)
Galvanizing works
Garden shops and greenhouses
Golf course (miniature)
Golf course, public or private
Governmental building or use
Grain elevator
Greenhouse (commercial)
Handicraft shop
Hardware store
Health club (physical fitness; indoors only)
Heating and air-conditioning sales / services
Heavy load (farm) vehicle sales/repair (see Sec. 5.14)
Heavy manufacturing
Heliport
Hides/skins (tanning)

Home repair and yard equipment retail and rental outlets
Hospital, general (acute care/chronic care)
Hospital, rehabilitation
Hotel/motel
~~Hotels/motels - extended stay (residence hotels)~~
Ice delivery stations (for storage and sale of ice at retail only)
Ice plants
Industrial laundries
Kiosk (providing a retail service)
Laboratory equipment manufacturing
Laundromat and laundry pickup stations
Laundry, commercial (w/o self serve)
Laundry/dry cleaning (drop off/pick up)
Laundry/washateria (self serve)
Lawnmower sales and/or repair
Leather products manufacturing
Light manufacturing
Limousine / taxi service
Livestock sale and auction
Locksmith
Lumber mill
Lumberyard (see Sec. 5.15)
Lumberyard or building material sales
Machine shop
Maintenance/janitorial service
Major appliance sales (indoor)
Manufactured home sales
Manufacturing and processes
Market (public, flea)
Martial arts school
Meat or fish packing/storage plants
Medical supplies and equipment
Metal fabrication shop
Micro brewery (onsite mfg. and/or sales)
Mini-warehouse/self storage units (no outside boat and RV storage permitted)
Mini-warehouse/self storage units (with outside storage permitted)
Motion picture studio, commercial film
Motion picture theater (indoors)
Motion picture theatre (outdoors, drive-in)
Motorcycle dealer (primarily new / repair)
Moving storage company
Moving, transfer, or storage plant
Museum
Needlework shop
Non-bulk storage of fuel, petroleum products and liquefied petroleum
~~Nursing/convalescent home/sanitarium~~
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

Outside storage (as primary use)
Paint manufacturing
Park and/or playground (private or public)
Parking lots (for passenger car only) (not as incidental to the main use)
Parking structure/public garage
Pawn shop
Personal watercraft sales (primarily new / repair)
Pet shop / supplies (10,000 sq. ft. or less)
Pet store (more than 10,000 sq. ft.)
Photo engraving plant
Photographic printing/duplicating/copy shop or printing shop
Photographic studio (no sale of cameras or supplies)
Photographic supply
Plant nursery (growing for commercial purposes but no retail sales on site)
Plant nursery (retail sales / outdoor storage)
Plastic products molding/reshaping
Plumbing shop
Portable building sales
Poultry killing or dressing for commercial purposes
Propane sales (retail)
Public recreation/services building for public park/playground areas
Publishing/printing company (e.g., newspaper)
Quick lube/oil change/minor inspection
Radio/television shop, electronics, computer repair
Recreation buildings (public or private)
Recycling kiosk
Refreshment/beverage stand
Research lab (non-hazardous)
Restaurant with drive-through
Restaurant/prepared food sales
Retail store and shopping center
~~Retirement home/home for the aged - public~~
Rodeo grounds
~~RV park~~
RV/travel trailer sales
Sand/gravel sales (storage or sales)
School, K-12 (public or private)
School, vocational (business/commercial trade)
Security monitoring company
Security systems installation company (with outside storage)
Sheet metal shop
Shoe repair shops
Shooting gallery - indoor (see Sec. 5.13)
Sign manufacturing/painting plant
Stone/clay/glass manufacturing
Storage - exterior storage for boats and recreational vehicles
Storage in bulk
Studio for radio or television (without tower)
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)
Tailor shop
Tattoo or body piercing studio
Taxidermist
Telemarketing agency
Telephone exchange buildings (office only)
Tennis court (commercial)
Theater (non-motion picture; live drama)
Tire sales (outdoors)

Tool rental
Transfer station (refuse/pick-up)
Travel agency
Truck or transit terminal
Truck Stop
University or college (public or private)
Upholstery shop (non-auto)
Used or second hand merchandise/furniture store
Vacuum cleaner sales and repair
Veterinary hospital (with or without outside animal runs or kennels) with the exception that outdoor kennels may not be used between the hours of 9:00 p.m. and 7:00 a.m. and are prohibited adjacent to residential
Video rental / sales
Warehouse / office and storage / distribution center
Waterfront amusement facilities - berthing facilities sales and rentals
Waterfront amusement facilities - boat fuel storage / dispensing facilities
Waterfront amusement facilities - boat landing piers / launching ramps
Waterfront amusement facilities – swimming / wading pools / bathhouses
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system
Welding shop
Wholesale sales offices and sample rooms
Woodworking shop (ornamental)

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

(2) Any other uses not now or hereinafter prohibited by ordinance of the City of New Braunfels regulating nuisances, except that the following uses will be permitted only by approval of the City Council after report from the Health Department, Fire Department, and the Planning Commission:

Acid manufacture.
Auto wrecking yards.
Bulk storage of fuel, liquefied petroleum and flammable liquids.
Cement, lime, gypsum or plaster of Paris manufacture.
Distillation of bones.
Explosives manufacture or storage.
Fertilizer manufacture and storage.
Garbage, offal or dead animal reduction or dumping.
Gas manufacture.
Iron and steel manufacture.
Junkyards, including storage, sorting, baling or processing of rags.
Manufacture of carbon batteries.
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.
Manufacture of rubber, glucose, or dextrin.
Monument or marble works.
Oil compounding and barreling plants.
Paper or pulp manufacture.
Petroleum or its products (refining of).
Railroad roundhouses or shops.
Rock crushers.
Smelting of tin, copper, zinc or iron ores.
Steel furnaces.
Stockyards or slaughtering.
Structural iron or pipe works.
Sugar refineries.
Tar distillation or manufacture.

Tar products.
Wire or rod mills.
Wood distillation plants (charcoal, tar, turpentine, etc.).
Wool scouring.

(3) *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) Non-residential uses.~~
(1) ~~(i)~~ *Height.* 120 feet.
(2) ~~(ii)~~ *Front building setback.* 25 feet.
(3) ~~(iii)~~ *Side building setbacks.* 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 a "R" or "B-1" zone, a side building setback of not less than six feet shall be provided.
(4) ~~(iv)~~ *Rear building setback.* 20 feet.
(5) ~~(v)~~ *Residential setback.* Effective November 8, 2006, where a non-residential 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) ~~(vi)~~ *Width of lot.* The minimum width of a lot shall be 60 feet, provided that where a lot has less width than required and such lot was in separate ownership prior to February 4, 1984, this requirement will not prohibit the construction of a use enumerated in this district.
(7)~~(vii)~~ *Corner lots.* A minimum 25-foot front yard setback and side building setback adjacent to streets shall be required on all corner lots. A canopy at least six feet in height, attached to the main building, may be built within 15 feet of the street line so long as such construction is not supported by columns which will obstruct the vision of vehicles driving upon adjacent streets.
(8)~~(viii)~~ *Lot depth.* The depth of the lot shall be at least 100 feet.
(9)~~(ix)~~ *Parking.* See Sec. 5.1 for permitted uses parking.

~~(2) One family dwellings.~~
~~(i) *Height.* 45 feet.~~
~~(ii) *Front building setback.* 25 feet.~~
~~(iii) *Rear building setback.* 20 feet.~~
~~(iv) *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.~~
~~(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) *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, provided that 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.~~
~~(vii) *Lot area.* Every single-family dwelling hereafter erected or altered shall have a lot area of not less than 6,600 square feet per family for interior lots, and 7,000 square feet per family for corner lots. Where a lot was legally under separate ownership prior to September 25, 1967, but has an area less than the minimum required in this provision, this regulation shall not prohibit the erection of a one-family residence. Where a 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.~~
~~(viii) *Lot depth.* 100 feet.~~
~~(ix) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling unit. See Section 5.1 for other permitted uses' parking.~~

(3) Duplexes.
(i) *Height.* 45 feet.
(ii) *Front building setback.* 25 feet.
(iii) *Rear building setback.* 20 feet.
(iv) *Side building setbacks.* 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.
(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) *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
(vii) *Lot area.* Duplexes hereafter erected or altered shall have a lot area of not less than 8,000 square feet for an interior lot and 8,500 square feet for a corner lot. Where a lot was legally under separate ownership prior to September 25, 1967, but has an area less than the minimum required in this provision, this regulation shall prohibit the erection of a two-family residence. Where a 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 acre and approved by the City Sanitarian.
(viii) *Lot depth.* 100 feet.
(ix) *Parking.* Two off-street parking spaces shall be provided for each two-family dwelling unit. See Sec. 5.1 for other permitted uses' parking.

(4) Multifamily dwellings.
(i) *Height.* 45 feet; 60 feet when a pitched roof is used (minimum 4:12 slope).
(ii) *Front building setback.* 25 feet.
(iii) *Rear building setback.* 25 feet.
(iv) *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.
(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) *Residential setback.* Effective November 8, 2006, where a multifamily dwelling 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.
(vii) *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.
(viii) *Lot area.* The minimum lot area for a multifamily dwelling shall be 15,000 square feet; for each unit over ten an additional 1,500 square feet of lot area shall be required. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, multifamily developments shall be approved by the City Sanitarian.
(ix) *Lot coverage.* For multifamily structures, the combined area of all yards shall be at least 55 percent of the total lot or tract; provided, however, that in the event enclosed parking is provided the minimum total yard area requirement shall be 40 percent of the total lot or tract.
(x) *Distance between structures.* For multifamily structures, there shall be a minimum of ten feet between structures side by side; a minimum of 20 feet between structures side by front or rear; a minimum of 40 feet between structures front to front; and a minimum of ten feet between structures backing rear to rear, and a minimum of 20 feet front to rear. (See Illustration 1 in Sec. 3.3-3)
(xi) *Lot depth.* 100 feet.

(xii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:

1. One-bedroom apartment or unit . . . 1 1/2 spaces
2. Two-bedroom apartment or unit . . . 2 spaces
3. Each Additional bedroom . . . 1/2 space
4. Each dwelling unit provided exclusively for low income elderly occupancy . . . 3/4 space ("Low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)

(5) Townhouses.

(i) *Height.* 35 feet.

(ii) *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.

(iii) *Side building setback.* No side building setbacks are required for interior lots except the minimum distance between two building groups shall be 20 feet and the minimum distance between a building group and any abutting subdivision boundary or zoning district boundary line shall be 20 feet. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street, except where the rear lot line of a corner lot coincides with a side lot line of an adjacent lot, then 25-foot minimum side yards adjacent to the street shall be provided.

(iv) *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)

(v) *Rear building setback.* No building shall be constructed closer than ten feet from the rear property line. If the rear of the lots abut any other residential zoning district, the rear building setback shall have a minimum depth of 20 feet.

(vi) *Width of lot.* Interior lots shall have a minimum width of 25 feet. Corner lots shall have a minimum width of 40 feet except where the rear lot line of a corner lot coincides with a side lot line of an adjacent lot, then the corner lot shall have a minimum width of 50 feet.

(vii) *Lot depth.* 100 feet.

(viii) *Lot area per family.* 2,500 square feet.

(ix) *Common open space.* A minimum of 250 square feet of common open space per lot shall be provided within the townhouse project. In computing the required common open space, individually owned townhouse lots, required front, rear, or side setbacks, streets, alleys, or public rights-of-way of any kind, vehicular drives, parking areas, service drives, or utility easements containing or permitting overhead pole carried service shall not be included. Drainage easements and detention ponds may be used in computing common open space.

(x) *Other requirements:*

1. *Building group.* There shall be no less than two nor more than eight individual dwelling units in each building or dwelling group. Each building group shall be at least 20 feet from any other building group, measured from the nearest points of their foundations. Each building or building group shall be at least 20 feet from any subdivision or zoning district boundary line.
2. *Accessory buildings.* Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls of the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setback for an accessory building shall be three feet. Any accessory building permitted in district "R-1" shall be permitted in district "TH."
3. *Parking.* There shall be at least two off-street parking spaces for each townhouse. See Section 5.1 for other permitted uses' parking.