

**Ordinance 2019-**

**AN ORDINANCE OF THE CITY COUNCIL CITY OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 144, ZONING, SECTION 3.3-11, M-1 LIGHT INDUSTRIAL, SECTION 3.3-12, M-2 HEAVY INDUSTRIAL, SECTION 3.4-18 M-1A LIGHT INDUSTRIAL, SECTION 3.4-19, M-2A, HEAVY INDUSTRIAL, AND SECTION 4.2, LAND USE MATRIX; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of New Braunfels, Texas, finds it necessary to establish rules and regulations governing the use of land in the city limits; and

**WHEREAS**, the City Council has directed that regulations dealing with the use and development of land be reviewed by the Planning Commission to make recommendations concerning improving those regulations; and

**WHEREAS**, the Planning Commission held a public hearing on May 7, 2019 and recommends approval of amendments to remove residential as an allowed use in the M-1, M-2, M1-A and M-2A industrial zoning districts, and update the Land Use Matrix to reflect these revisions; and

**WHEREAS**, the City Council finds that adopting updated regulations for industrial zoning districts protects the tax base, provides enhanced opportunities for economic development and better protects residential properties, which is in the best interest of the citizens of New Braunfels; **now therefore**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW  
BRAUNFELS, TEXAS:**

**SECTION 1**

**THAT** Chapter 144, Zoning, Section 3.3-11 M-1, Light Industrial, is hereby amended as shown below:

3.3-11. *"M-1" light industrial district.* The following regulations shall apply in all "M-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:*

Accounting, auditing, bookkeeping, and tax preparations  
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  
Auto or trailer sales rooms or yards (see Sec. 5.12)  
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  
Book binding  
Book store  
Bottling or distribution plants (milk)  
Bottling works

Bowling alley/center (see Sec. 5.13)  
 Broadcast station (with tower) (see Sec. 5.7)  
 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  
 Chemical laboratories (not producing noxious fumes or odors)  
 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  
 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  
 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  
 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 repair shop  
 Electrical substation  
 Electronic assembly/high tech manufacturing  
 Electroplating works  
 Engine repair/motor manufacturing re-manufacturing and/or repair  
 Exterminator service (with outside storage)  
 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 wholly 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  
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)  
Heliport  
Home repair and yard equipment retail and rental outlets  
Hospital, general (acute care/chronic care)  
Hospital, rehabilitation  
Hotel/motel  
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  
Locksmith  
Lumberyard (see Sec. 5.15)  
Lumberyard or building material sales (see Sec. 5.15)  
Machine shop  
Maintenance/janitorial service  
Major appliance sales (indoor)  
Manufactured home sales  
Manufacturing and processes  
Market (public, flea)  
Martial arts school  
Medical supplies and equipment  
Metal fabrication shop  
Micro brewery (onsite manufacturing and/or sales)

Mini-warehouse/self storage units (no outside boat and RV storage permitted)  
 Mini-warehouse/self-storage units (with outside boat and RV storage permitted)  
 Motion picture studio, commercial film  
 Motion picture theater (indoors)  
 Motion picture theater (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  
 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)  
 Park and/or playground (public or private)  
 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 (no retail sales on site)  
 Plant nursery (growing for commercial purposes with retail sales on site)  
 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 service  
 Restaurant/prepared food sales  
 Retail store and shopping center  
 Rodeo grounds  
 RV/Travel Trailer Sales  
 School, K-12 (public or private)  
 School, vocational (business/commercial trade)

Security monitoring company (no outside storage or installation)  
 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 (with tower) (see Sec. 5.7)  
 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, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

(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.* 120 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 a "R" or "B-1" zone, a side building setback of not less than six feet shall be provided.
- (4) *Rear building setback.* 20 feet.
- (5) *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) *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) *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) *Lot depth.* 100 feet.

## **Section 2**

**THAT** Chapter 144, Zoning, Section 3.3-12 M-2, Heavy Industrial, is hereby amended  
as shown below:

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:*
  - Accounting, auditing, bookkeeping, and tax preparations
  - 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  
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

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  
Rodeo grounds  
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) *Height.* 120 feet.
- (2) *Front building setback.* 25 feet.
- (3) *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) *Rear building setback.* 20 feet.
- (5) *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) *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) *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) *Lot depth.* The depth of the lot shall be at least 100 feet.
- (9) *Parking.* See Sec. 5.1 for permitted uses parking.

### **SECTION 3**

**THAT** Chapter 144, Zoning, Section 3.4-18, M-1A, Light Industrial, is hereby amended

as shown below:

3.4-18 "M-1A" light industrial district.

*Purpose.* The M-1A light industrial district is intended primarily for the conduct of light manufacturing, assembling and fabrication activities, distribution, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits. Such uses generally require accessibility to major thoroughfares, major highways, and/or other means of transportation. The following regulations shall apply in all "M-1A" 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:*

Accounting, auditing, bookkeeping, and tax preparations  
)  
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. 5.12)  
Auto or truck sales rooms or yards - primarily new (see Sec. 5.12)  
Auto paint shop  
Auto repair as an accessory use to retail sales  
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  
Bio-medical facilities  
Blacksmith or wagon shops  
Book binding  
Book store  
Bottling or distribution plants (milk)  
Bottling works

Bowling alley/center (see Sec. 5.13)  
 Broadcast station (with tower) (see Sec. 5.7)  
 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  
 Chemical laboratories (not producing noxious fumes or odors)  
 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  
 Cold storage plant  
 Commercial amusement concessions and facilities  
 Communication equipment - installation and/or repair  
 Community building (associated with residential use)  
 Computer and electronic sales  
 Computer repair  
 Confectionery store (retail)  
 Consignment shop  
 Contractor's office/sales, with outside storage including vehicles  
 Contractor's temporary on-site construction office (with permit from Building Official; Sec. 5.10)  
 Convenience store with or without fuel sales  
 Credit agency  
 Crematorium  
 Curio shops  
 Custom work shops  
 Dance hall / dancing facility (see Sec. 5.13)  
 Day camp  
 Department store  
 Drapery shop / blind shop  
 Driving range  
 Drug sales/pharmacy  
 Electrical repair shop  
 Electrical substation  
 Electronic assembly/high tech manufacturing  
 Electroplating 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 and Sec. 5.9)  
 Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.9)  
 Feed and grain store  
 Filling station (fuel tanks must be below the ground)  
 Florist

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 (public or private)  
 Golf course (miniature)  
 Governmental building or use  
 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)  
 Heliport  
 Home repair and yard equipment retail and rental outlets  
 Hospital, general (acute care/chronic care)  
 Hospital, rehabilitation  
 Hotel/motel  
 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  
 Locksmith  
 Lumberyard (see Sec. 5.15)  
 Lumberyard or building material sales (see Sec. 5.15)  
 Machine shop  
 Maintenance/janitorial service  
 Major appliance sales (indoor)  
 Manufactured home sales  
 Manufacturing and processes  
 Market (public, flea)  
 Martial arts school  
 Medical supplies and equipment  
 Metal fabrication shop  
 Microbrewery (onsite manufacturing and/or sales)  
 Mini-warehouse/self-storage units (with or without outside boat and RV storage)  
 Motion picture studio, commercial film  
 Motion picture theater (indoors)



Motion picture theater (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  
 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)  
 Park and/or playground (private)  
 Park and/or playground (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  
 Plant nursery (growing for commercial purposes with retail sales on site)  
 Plastic products molding/reshaping  
 Plumbing shop  
 Portable building sales  
 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  
 Rappelling facilities  
 Recreation buildings (private)  
 Recreation buildings (public)  
 Recycling kiosk  
 Refreshment/beverage stand  
 Research lab (non-hazardous)  
 Restaurant  
 Restaurant/prepared food sales  
 Retail store and shopping center  
 Rodeo grounds  
 RV/travel trailer sales  
 School, K-12 (public or private)  
 School, vocational (business/commercial trade)  
 Security monitoring company  
 Security systems installation company

Sheet metal shop  
 Shoe repair shops  
 Shooting gallery - indoor (see Sec. 5.13)  
 Shopping center  
 Sign manufacturing/painting plant  
 Specialty shops in support of project guests and tourists  
 Storage - exterior storage for boats and recreational vehicles  
 Storage in bulk  
 Studio for radio or television (with tower) (see Sec. 5.7)  
 Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)  
 Tailor shop  
 Tattoo or body piercing studio  
 Taxidermist  
 Telemarketing agency  
 Telephone exchange (office and other structures)  
 Tennis court (commercial)  
 Theater (non-motion picture; live drama)  
 Tire sales (outdoor)  
 Tool rental  
 Transfer station (refuse/pick-up)  
 Travel agency  
 Truck or transit terminal (with outside storage)  
 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, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

(2) Only the following manufacturing and processes are permitted when they meet the following requirements:

No use is permitted that would emit or cause radiation, dust, odor, smoke, gas or fumes objectionable to persons of ordinary sensitivity or reasonably hazardous to health, beyond the boundary property lines of the lot or tract upon which the use is located, and which do not generate noise or vibration at the boundary of the M-1A district which is generally perceptible in frequency or pressure above the ambient level of noise in the adjacent areas.

Assaying works

Cooperage works

Foundries (iron, brass, bronze, aluminum).

Hides and skins (storage and curing).

Manufacture of adding machines, cash registers, typewriters, basket material, boxes, electric lamps, clay, shale and glass products, cutlery tools, bicycles, electrical machinery, tools, fiberglass products, and piping subassemblies

Metal stamping, shearing, punching, forming, cutting, cleaning, heat treating, etc.

Sheet metal shops

Welding

(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) *Height.* 120 feet.

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

(3) *Side building setback.* No side building setback is required.

(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.

(5) *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)

(6) *Residential setback.* Where a non-residential building abuts a one or two-family use or zoning district, the setback from the residential property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

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

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

(9) *Lot depth.* 100 feet.

(10) *Parking.* See Sec. 5.1 for permitted uses' parking.

~~(2)~~

## SECTION 4

**THAT** Chapter 144, Zoning, Section 3.4-19, M-2A, Heavy Industrial, is hereby amended as shown below:

### 3.4-19 "M-2A" heavy industrial district.

*Purpose.* The M-2A heavy industrial district is intended primarily for the conduct of heavy manufacturing, assembling and fabrication activities that do not typically depend upon frequent customer or client visits. Such uses generally require accessibility to major thoroughfares, major highways, and/or other means of transportation such as the railroad. The following regulations shall apply in all "M-2A" districts:

- (a) *Authorized uses.* Uses permitted by right and by special use permit 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:*

- Accounting, auditing, bookkeeping, and tax preparations
- 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.5.0)
- 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
- Auto repair as an accessory use to retail sales (see Sec.10)
- Auto repair (general) (see Sec.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 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

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)  
 Church/place of religious assembly  
 Cider mills  
 Civic/conference center and facilities  
 Cleaning, pressing and dyeing (non-explosive fluids used)  
 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  
 Credit agency  
 Crematorium  
 Curio shops  
 Custom work shops  
 Dance hall / dancing facility (see Sec. 5.13)  
 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  
 Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.9)  
 Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.9)  
 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 wholly 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  
 Golf course (miniature)  
 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  
 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 sales/auction

Locksmith  
 Lumberyard (see Sec. 5.15)  
 Lumberyard or building material sales (see Sec. 5.15)  
 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 manufacturing and/or sales)  
 Mini-warehouse/self storage units (no outside boat and RV storage permitted)  
 Mini-warehouse/self storage units with outside boat and RV storage  
 Motion picture studio, commercial film  
 Motion picture theater (indoors)  
 Motion picture theater (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  
 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  
 Plant nursery (growing for commercial purposes with retail sales on site)  
 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  
 Rappelling facilities  
 Recreation buildings (private)  
 Recreation buildings (public)  
 Recycling kiosk  
 Refreshment/beverage stand  
 Research lab (non-hazardous)  
 Restaurant  
 Restaurant/prepared food sales  
 Retail store and shopping center  
 Rodeo grounds  
 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)  
 Shopping center  
 Sign manufacturing/painting plant  
 Specialty shops in support of project guests and tourists  
 Stone/clay/glass manufacturing  
 Storage - interior and exterior storage for boats and recreational vehicles  
 Storage in bulk  
 Studio for radio or television (with tower) (see Sec. 5.7)  
 Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)  
 Tailor shop (see home occupation)  
 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 (with outside storage)  
 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, provided that such use is not obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

- (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 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) *Height.* 120 feet.

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

- (3) *Side building setback.* No side building setback is required.
- (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.
- (5) *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)
- (6) *Residential setback.* Where a non-residential building abuts a one or two family use or zoning district, the setback from the residential property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
- (7) *Rear building setback.* 20 feet.
- (8) *Width of lot.* 60 feet.
- (9) *Lot depth.* 100 feet.
- (10) *Parking.* See Sec. 5.1. for permitted uses' parking.

## **SECTION 5**

**THAT** Chapter 144, Zoning, Section 4.2, Land Use Matrix, is hereby amended as shown below:

#### 4.2 Land Use Matrix.

Legend																																			
P – The land use is permitted by right in the zoning district indicated.																																			
– The land use is prohibited in the zoning district indicated (Blank).																																			
NOTE: An application for a Special Use Permit may be made for any land use not permitted in any district, except PD.																																			
Types of Land Uses	Pre-1987 Zoning Districts												Post-1987 Zoning Districts																						
	R-1	R-2	R-3	B-1	TH	ZH	C-1	C-2	C-3	C-4	M-1	M-2	APD	R-1A-43.5	R-1A 12	R-1A 8	R-1A 6.6	R-2A	R-3L	R-3H	B-1A	B-1B	TH-A	ZH-A	MU-A	MU-B	C-1A	C-1B	C-2A	C-4A	C-4B	CO	M-1A	M-2A	
Accessory building/structure (see Sec. 5.4)	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P			
Accessory dwelling (one accessory dwelling per lot, no kitchen)	P	P	P			P	P	P	P	P			P	P	P	P	P	P						P	P							P			
Accounting, auditing, bookkeeping, and tax preparations							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Acid manufacture																																			
Adult day care (no overnight stay)							P	P	P	P									P	P					P	P	P	P	P	P		P			
Adult day care (with overnight stay)			P				P	P	P	P															P	P	P	P	P	P					
Aircraft support and related services									P		P	P														P								P	P
Airport											P	P														P								P	P
All-terrain vehicle (ATV) dealer / sales								P	P		P	P														P		P	P	P	P		P	P	
Ambulance service (private)							P	P	P		P	P														P		P	P				P	P	
Amphitheaters (outdoor live performances)								P	P	P	P	P														P		P	P	P	P		P	P	
Amusement devices/arcade (four or more devices)								P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Amusement services or venues (indoors) (see Sec. 5.13)								P	P	P	P	P														P		P	P	P	P		P	P	

Legend																																		
P – The land use is permitted by right in the zoning district indicated.																																		
– The land use is prohibited in the zoning district indicated (Blank).																																		
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Types of Land Uses	Pre-1987 Zoning Districts												Post-1987 Zoning Districts																					
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Amusement services or venues (outdoors)									P	P	P	P														P		P		P	P		P	P
Animal grooming shop							P	P	P		P	P													P	P	P	P	P	P	P		P	P
Answering and message services							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Antique shop							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P
Appliance repair							P	P	P		P	P													P	P	P	P	P				P	P
Archery range										P	P	P														P				P	P		P	P
Armed services recruiting center							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Art dealer / gallery							P	P	P	P	P	P								P					P	P	P	P	P	P	P	P	P	P
Artist or artisans studio							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Assembly/exhibition hall or areas								P	P	P	P	P														P		P	P	P	P		P	P
Assisted living facility/retirement home			P				P	P																	P	P	P	P						
Athletic fields								P	P		P	P														P		P		P	P		P	P
Auction sales (non-vehicle)								P	P		P	P														P		P					P	P
Auto body repair, garages (see Sec. 5.11)								P	P		P	P														P		P	P				P	P

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Auto glass repair/tinting (see Sec. 5.11)								P	P		P	P														P		P					P	P	
Auto interior shop / upholstery (see Sec. 5.11)								P	P		P	P														P		P					P	P	
Auto leasing								P	P		P	P													P	P	P	P	P				P	P	
Auto muffler shop (see Sec. 5.11)								P	P		P	P														P		P					P	P	
Auto or trailer sales rooms or yards (see Sec. 5.12)								P	P		P	P														P		P	P				P	P	
Auto or truck sales rooms or yards - primarily new (see Sec. 5.12)								P	P		P	P														P		P	P				P	P	
Auto paint shop								P	P		P	P														P		P					P	P	
Auto repair as an accessory use to retail sales								P	P		P	P														P		P	P				P	P	
Auto repair garage (general) (see Sec. 5.11)								P	P		P	P														P		P	P				P	P	
Auto supply store for new & factory rebuilt parts							P	P	P		P	P													P	P	P	P	P				P	P	
Auto tire repair /sales (indoor)								P	P		P	P													P	P	P	P	P				P	P	
Auto wrecking yards																																			
Automobile driving school (including defensive driving)							P	P	P		P	P														P		P	P				P	P	
Bakery (retail)							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	

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Bank, savings and loan, or credit union							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Bar/Tavern (no outdoor music)							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Bar/Tavern								P	P	P	P	P													P	P		P	P	P	P	P	P	P	P
Barber/beauty college (barber or cosmetology school or college)							P	P	P		P	P														P		P	P					P	P
Barber/beauty shop, haircutting (non-college)							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P	P
Barns and farm equipment storage (related to agricultural uses)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Battery charging station							P	P	P		P	P													P	P	P	P	P					P	P
Bed and breakfast inn (see Sec. 5.6)								P	P	P									P	P					P	P	P	P	P	P	P	P	P		
Bicycle sales and/or repair							P	P	P	P	P	P													P	P	P	P	P	P	P	P		P	P
Billiard / pool facility								P	P	P	P	P														P		P	P	P	P	P		P	P
Bingo facility								P	P	P	P	P													P	P	P	P	P	P	P				
Bio-medical facilities								P	P		P	P														P		P	P					P	P
Blacksmith or wagon shops											P	P														P			P					P	P
Blooming or rolling mills												P																							P

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Boarding house/lodging house			P	P			P	P	P	P									P	P						P			P	P	P	P			
Book binding								P	P		P	P													P	P	P	P	P					P	P
Book store							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Bottling or distribution plants (milk)									P		P	P														P								P	P
Bottling works									P		P	P														P								P	P
Bowling alley/center (see Sec. 5.13)								P	P	P	P	P														P		P	P	P				P	P
Breweries/distilleries and manufacture of alcohol and alcoholic beverages												P																							P
Broadcast station (with tower) (see Sec. 5.7)								P	P		P	P														P		P	P					P	P
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see Sec. 5.27)																																			
Bus barns or lots									P		P	P														P		P	P					P	P
Bus passenger stations								P	P		P	P														P		P	P					P	P
Cabin or cottage (rental)										P																				P	P	P			
Cabin or cottage (rental for more than 30 days)										P	P	P																		P	P	P			

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Cafeteria / café / delicatessen							P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P
Campers' supplies							P	P	P	P	P	P														P	P	P	P	P	P	P		P	P
Canning/preserving factories												P																							P
Car wash (self-service; automated)								P	P	P	P	P															P		P	P	P			P	P
Car wash, full service (detail shop)								P	P	P	P	P															P		P	P	P			P	P
Carpenter, cabinet, or pattern shops											P	P															P		P	P				P	P
Carpet cleaning establishments									P		P	P															P		P					P	P
Caterer								P	P	P	P	P														P	P	P	P	P	P	P		P	P
Cement, lime, gypsum or plaster of paris manufacture																																			
Cemetery and/or mausoleum	P	P	P	P			P	P	P		P	P	P					P	P	P						P	P	P	P	P		P	P	P	
Check cashing service							P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P
Chemical laboratories (e.g., ammonia, bleaching powder)												P															P								P
Chemical laboratories (not producing noxious fumes or odors)									P		P	P																						P	P
Child day care/children's nursery (business)							P	P	P	P	P	P														P	P	P	P	P					



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Church/place of religious assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cider mills												P																						P
Civic/conference center and facilities								P	P	P	P	P														P		P	P	P	P		P	P
Cleaning, pressing and dyeing (non-explosive fluids used)							P	P	P		P	P													P	P	P	P	P				P	P
Clinic (dental)							P	P	P		P	P													P	P	P	P	P			P	P	
Clinic (emergency care)							P	P	P		P	P													P	P	P	P	P			P	P	
Clinic (medical)							P	P	P		P	P													P	P	P	P	P			P	P	
Club (private)							P	P	P	P	P	P														P		P	P	P	P		P	P
Coffee shop							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Cold storage plant											P	P														P							P	P
Commercial amusement concessions and facilities								P	P	P	P	P														P		P	P	P	P		P	P
Communication equipment - installation and/or repair							P	P	P		P	P													P	P	P	P	P				P	P
Community building (associated with residential uses)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P							P	P	P
Community home (see definition)	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			

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Computer and electronic sales							P	P	P		P	P														P	P	P	P	P				P	P
Computer repair							P	P	P		P	P														P	P	P	P	P	P			P	P
Concrete or asphalt mixing plants - permanent												P																							P
Concrete or asphalt mixing plants - temporary												P																							P
Confectionery store (retail)							P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P
Consignment shop							P	P	P		P	P														P	P	P	P	P				P	P
Contractor's office/sales, with outside storage including vehicles									P		P	P														P			P					P	P
Contractor's temporary on-site construction office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Convenience store with gas sales							P	P	P	P	P	P															P		P	P	P	P		P	P
Convenience store without gas sales							P	P	P	P	P	P														P	P	P	P	P	P	P		P	P
Cotton ginning or baling works												P																							P
Country club (private)	P	P	P	P			P	P	P	P	P	P	P														P		P		P	P			
Credit agency							P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P
Crematorium																																		P	P

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Curio shops							P	P	P	P	P	P														P	P	P	P	P	P	P		P	P
Custom work shops							P	P	P		P	P														P	P	P	P	P				P	P
Dance hall / dancing facility (see Sec. 5.13)								P	P		P	P														P		P	P	P	P	P		P	P
Day camp							P	P	P	P	P	P														P		P	P	P	P	P		P	
Department store							P	P	P		P	P														P	P	P	P	P				P	P
Distillation of bones																																			
Dormitory (in which individual rooms are for rental)										P									P	P						P			P	P	P	P			
Drapery shop / blind shop							P	P	P		P	P														P	P	P	P	P				P	P
Driving range										P	P	P														P		P		P				P	P
Drug store/pharmacy							P	P	P	P	P	P														P	P	P	P	P	P	P		P	P
Duplex / two-family / duplex condominiums		P	P	P			P	P	P	P								P				P				P				P			P		
Electrical generating plant												P																							P
Electrical repair shop							P	P	P		P	P														P	P	P	P	P	P	P		P	P
Electrical substation			P	P			P	P	P	P	P	P							P	P						P	P	P	P	P			P	P	P

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Electronic assembly/high tech manufacturing											P	P														P							P	P
Electroplating works											P	P														P							P	P
Enameling works												P																						P
Engine repair/motor manufacturing re-manufacturing and/or repair											P	P														P							P	P
Explosives manufacture or storage																																		
Exterminator service							P	P	P		P	P														P		P	P				P	P
Fair ground											P	P														P				P			P	P
Family home adult care	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P			P	P	P									
Family home child care	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P			P	P	P									
Farmers market (produce market - wholesale)							P	P	P	P	P	P	P													P		P	P				P	
Farms, general (crops) (see chapter 6, municipal code & Sec. 5.9)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Farms, general (livestock/ranch) (see chapter 6, municipal code & Sec. 5.9)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Feed & grain store								P	P	P	P	P														P		P	P				P	P
Fertilizer manufacture and storage																																		

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Filling station (gasoline tanks must be below the ground)							P	P	P	P	P	P														P		P	P	P	P		P	P
Florist							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P
Flour mills, feed mills, and grain processing											P	P	P																					P
Food or grocery store with gasoline sales							P	P	P	P	P	P														P		P	P	P	P		P	P
Food or grocery store without gasoline sales							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P
Food processing (no outside public consumption)											P	P														P							P	P
Forge (hand)											P	P														P							P	P
Forge (power)											P	P														P							P	P
Fraternal organization/civic club (private club)			P	P			P	P	P	P	P	P														P		P	P	P	P		P	P
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)											P	P														P							P	P
Freight terminal, truck (all storage of freight in an enclosed building)									P		P	P														P							P	P
Frozen food storage for individual or family use							P	P	P		P	P													P	P	P	P	P				P	P
Funeral home/mortuary							P	P	P		P	P														P		P	P				P	P
Furniture manufacture									P		P	P														P							P	P

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Furniture sales (indoor)							P	P	P		P	P														P		P	P				P	P	
Galvanizing works											P	P														P							P	P	
Garbage, offal or dead animal reduction or dumping																																			
Garden shops and greenhouses							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P	
Gas manufacture																																			
Gas or oil wells																																			
Golf course (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Golf course (miniature)							P	P	P	P	P	P														P		P	P	P				P	P
Governmental building or use with no outside storage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Grain elevator											P	P	P																						P
Greenhouse (commercial)							P	P	P		P	P													P	P	P	P	P	P	P			P	P
Handicraft shop							P	P	P	P	P	P													P	P	P	P	P	P	P			P	P
Hardware store							P	P	P		P	P													P	P	P	P	P					P	P
Hay, grain, and/or feed sales (wholesale)													P																						

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Health club (physical fitness; indoors only)							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Heating & air-conditioning sales / services								P	P		P	P													P	P	P		P				P	P	
Heavy load (farm) vehicle sales/repair (see Sec. 5.14)									P		P	P														P		P	P					P	P
Heavy manufacturing												P															P								P
Heliport									P		P	P														P		P	P					P	P
Hides/skins (tanning)												P																							P
Home occupation (see Sec. 5.5)	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P			P	P	P	P	P	P									
Home repair and yard equipment retail and rental outlets									P		P	P														P		P	P					P	P
Hospice			P				P	P	P										P	P					P	P	P	P	P			P			
Hospital, general (acute care / chronic care)							P	P	P	P	P	P														P		P	P				P	P	
Hospital, rehabilitation							P	P	P	P	P	P													P	P	P	P	P				P	P	
Hotel/motel							P	P	P	P	P	P														P		P	P	P	P	P		P	P
Hotels/motels - extended stay (residence hotels)							P	P	P	P																P		P	P	P	P				
HUD code—manufactured home (see Sec. 5.8)				P			P	P	P												P	P										P			

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HUD code—manufactured home subdivisions (see Sec. 5.8)																					P											P		
Ice delivery stations (for storage and sale of ice at retail only)							P	P	P		P	P														P		P	P				P	P
Ice plants											P	P														P							P	P
Industrial laundries											P	P														P							P	P
Iron and steel manufacture																																		
Junkyards, including storage, sorting, baling or processing of rags																																		
Kiosk (providing a retail service)							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Laboratory equipment manufacturing											P	P														P							P	P
Laundromat and laundry pickup stations							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P
Laundry, commercial (w/o self-serve)								P	P		P	P														P		P	P				P	P
Laundry/dry cleaning (drop off/pick up)							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P
Laundry/washeteria (self-serve)							P	P	P		P	P													P	P	P	P	P	P	P		P	P
Lawnmower sales and/or repair							P	P	P		P	P													P	P	P	P	P				P	P
Leather products manufacturing											P	P														P							P	P



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Light manufacturing												P	P														P							P	P
Limousine / taxi service									P	P	P	P	P														P		P	P	P			P	P
Livestock sales/auction													P	P																					P
Locksmith							P	P	P			P	P													P	P	P	P	P	P	P	P	P	P
Lumber mill													P																						
Lumberyard (see Sec. 5.15)										P		P	P														P							P	P
Lumberyard or building material sales (see Sec. 5.15)										P		P	P														P							P	P
Machine shop												P	P														P							P	P
Maintenance/janitorial service										P		P	P														P		P	P				P	P
Major appliance sales (indoor)										P		P	P														P		P	P				P	P
Manufacture of carbon batteries																																			
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.																																			
Manufacture of rubber, glucose, or dextrin																																			
Manufactured home sales												P	P														P							P	P

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Manufacturing and processes											P	P														P							P	P
Manufacturing processes not listed																																	P	P
Market (public, flea)									P		P	P														P							P	P
Martial arts school							P	P	P		P	P													P	P	P	P	P	P	P		P	P
Meat or fish packing/storage plants												P																						P
Medical supplies and equipment							P	P	P		P	P														P		P	P				P	P
Metal fabrication shop									P		P	P														P							P	P
Microbrewery (onsite mfg. and/or sales)								P	P	P	P	P														P		P	P	P	P		P	P
Mini-warehouse/self-storage units (no boat and RV storage permitted)							P	P	P		P	P														P		P	P				P	P
Mini-warehouse/self-storage units with outside boat and rv storage											P	P														P							P	P
Monument, gravestone, or marble works (manufacture)																																		
Motion picture studio, commercial film							P	P	P	P	P	P														P		P	P	P	P		P	P
Motion picture theater (indoors)							P	P	P	P	P	P														P		P	P	P	P		P	P
Motion picture theater (outdoors, drive-in)									P	P	P	P														P		P		P	P		P	P

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Motorcycle dealer (primarily new / repair)								P	P		P	P														P		P	P				P	P
Moving storage company									P		P	P														P		P	P				P	P
Moving, transfer, or storage plant									P		P	P														P							P	P
Multifamily (apartments/condominiums)			P	P			P	P	P	P									P	P					P	P			P	P	P	P		
Museum			P	P			P	P	P	P	P	P								P					P	P	P	P	P	P	P		P	P
Natural resource extraction and mining																																		
Needlework shop							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum									P		P	P														P							P	P
Nursing/convalescent home/sanitarium			P	P			P	P	P	P										P					P	P	P	P	P					
Offices, brokerage services							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Offices, business or professional							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Offices, computer programming and data processing							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Offices, consulting							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Offices, engineering, architecture, surveying or similar							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P

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Offices, health services							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Offices, insurance agency							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Offices, legal services - including court reporting							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Offices, medical offices							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Offices, real estate							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Offices, security/commodity brokers, dealers, exchanges and financial services							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P
Oil compounding and barreling plants																																			
One family dwelling, detached	P	P	P	P			P	P	P	P			P	P	P	P	P	P				P			P								P		
Outside storage (as primary use)											P	P														P								P	P
Paint manufacturing												P																							P
Paper or pulp manufacture																																			
Park and/or playground (private and public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parking lots (for passenger car only) (not as incidental to the main use)							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Parking structure / public garage								P	P	P	P	P													P	P	P	P	P	P	P		P	P	

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Pawn shop							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P
Personal watercraft sales (primarily new / repair)								P	P		P	P														P		P		P	P		P	P
Pet shop / supplies (less than 10,000 sq. ft.)							P	P	P		P	P													P	P	P	P	P				P	P
Pet store (over 10,000 sq. ft.)									P		P	P														P		P	P				P	P
Petroleum or its products (refining of)																																		
Photo engraving plant									P		P	P														P							P	P
Photographic printing/duplicating/copy shop or printing shop							P	P	P		P	P													P	P	P	P	P			P	P	P
Photographic studio (no sale of cameras or supplies)							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P
Photographic supply							P	P	P		P	P													P	P	P	P	P	P	P	P	P	P
Plant nursery (no retail sales on site)	P	P	P	P			P	P	P	P	P	P	P												P	P	P	P	P				P	P
Plant nursery (retail sales/outdoor storage)							P	P	P		P	P													P	P	P	P	P	P	P		P	P
Plastic products molding/reshaping											P	P														P							P	P
Plumbing shop							P	P	P		P	P														P		P	P				P	P
Portable building sales									P		P	P														P		P					P	P

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Poultry killing or dressing for commercial purposes											P	P																							P
Propane sales (retail)									P		P	P														P			P				P	P	
Public recreation/services building for public park/playground areas	P	P	P	P			P	P	P	P	P	P		P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	P	P
Publishing/printing company (e.g., newspaper)								P	P		P	P														P		P	P				P	P	
Quick lube/oil change/minor inspection								P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Radio/television shop, electronics, computer repair							P	P	P		P	P													P	P	P	P	P	P	P		P	P	
Railroad roundhouses or shops																																			
Rappelling facilities										P																P				P	P		P	P	
Recreation buildings (private)			P					P	P	P	P	P													P	P	P	P	P	P			P	P	
Recreation buildings (public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recycling kiosk								P	P		P	P													P	P	P	P					P	P	
Refreshment/beverage stand							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Rental or occupancy for less than one month (see Sec. 5.17)			P				P	P	P	P									P	P						P			P	P					
Research lab (non-hazardous)									P		P	P														P		P	P			P	P	P	

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Residential use in buildings with non-residential uses permitted in the district							P	P	P	P										P					P	P			P	P	P	P			
Restaurant/prepared food sales							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Restaurant with drive through service							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Retail store & shopping center without drive through service (50,000 sq. ft. bldg. or less)							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Retail store & shopping center with drive through service (50,000 sq. ft. bldg. or less)							P	P	P	P	P	P													P	P	P	P	P	P	P		P	P	
Retail store & shopping center (more than 50,000 sq. ft. bldg.)							P	P	P		P	P														B		P		P	B		P	P	
Retirement home/home for the aged			P	P			P	P	P	P									P	P	P				P	P	P	P	P			P			
Rock crushers and rock quarries																																			
Rodeo grounds										P	P	P	P													P				P				P	P
RV park									P	P																P		P		P					
RV/travel trailer sales								P	P	P	P	P														P		P	P	P				P	P
Sand/gravel sales (storage or sales)												P																							P
School, K-12 public or private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
School, vocational (business/commercial trade)							P	P	P		P	P													P	P	P	P	P			P	P	P	

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Security monitoring company (no outside storage or installation)								P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P
Security systems installation company									P	P		P	P														P	P	P	P	P				P	P
Sexually oriented business (see Chapter 18, Code of Ordinances)																																				
Sheet metal shop												P	P															P							P	P
Shoe repair shops								P	P	P		P	P														P	P	P	P	P	P	P	P	P	P
Shooting gallery - indoor (see Sec. 5.13)												P	P															P		P					P	P
Shooting range - outdoor (see Sec. 5.13)																												P		P						
Shopping center																											P	P	P	P	P				P	P
Sign manufacturing/painting plant										P		P	P															P		P					P	P
Single family industrialized home (see Sec. 5.8)		P	P	P	P		P	P	P	P	P			P	P	P	P	P	P				P	P		P		P					P			
Smelting of tin, copper, zinc or iron ores																																				
Specialty shops in support of project guests and tourists											P																P	P	P	P	P	P	P		P	P
Stables (as a business) (see chapter 6, municipal code)		P												P																						
Stables (private, accessory use) (see chapter 6, municipal code)		P												P																						



Legend																																			
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Types of Land Uses	Pre-1987 Zoning Districts												Post-1987 Zoning Districts																						
	R-1	R-2	R-3	B-1	TH	ZH	C-1	C-2	C-3	C-4	M-1	M-2	APD	R-1A-43.5	R-1A 12	R-1A 8	R-1A 6.6	R-2A	R-3L	R-3H	B-1A	B-1B	TH-A	ZH-A	MU-A	MU-B	C-1A	C-1B	C-2A	C-4A	C-4B	CO	M-1A	M-2A	
Steel furnaces																																			
Stockyards or slaughtering																																			
Stone/clay/glass manufacturing											P	P																						P	
Storage - exterior storage for boats and recreational vehicles									P	P	P	P														P				P	P		P	P	
Storage in bulk								P	P		P	P														P			P				P	P	
Structural iron or pipe works																																			
Studio for radio or television - without tower (see zoning district for tower authorization)							P	P	P		P	P														P		P	P				P	P	
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)							P	P	P		P	P													P	P	P	P	P	P	P		P	P	
Sugar refineries																																			
Tailor shop (see home occupation)							P	P	P		P	P														P	P	P	P	P	P		P	P	
Tar distillation or manufacture																																			
Tattoo or body piercing studio									P		P	P														P	P		P		P	P		P	P
Taxidermist									P		P	P															P		P	P				P	P
Telecommunications towers/antennas (see Sec. 5.7)																																			

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Telemarketing agency							P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P	
Telephone exchange buildings (office only)			P	P			P	P	P	P	P	P							P	P						P	P	P	P	P			P	P	P	
Tennis court (commercial)								P	P	P	P	P															P		P	P	P	P	P	P	P	P
Theater (non-motion picture; live drama)							P	P	P	P	P	P														P	P	P	P	P	P			P	P	
Tire sales (outdoors)								P	P		P	P															P		P	P					P	P
Tool rental							P	P	P		P	P														P	P	P	P	P	P			P	P	
Townhouse (attached)					P																		P		P	P							P			
Transfer station (refuse/pick-up)									P		P	P																							P	P
Travel agency							P	P	P	P	P	P														P	P	P	P	P	P	P	P	P	P	
Truck or transit terminal											P	P															P			P					P	P
Truck stop									P		P	P															P								P	P
Tuber entrance and takeout facilities (see Sec 5.13)																																				
University or college (public or private)							P	P	P	P	P	P							P	P						P	P	P	P	P	P	P	P	P	P	
Upholstery shop (non-auto)							P	P	P		P	P															P		P	P					P	P

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Used or second hand merchandise/furniture store									P	P		P	P														P		P	P					P	P	
Vacuum cleaner sales and repair								P	P	P		P	P													P	P	P	P	P					P	P	
Vehicle storage facility																													P								
Veterinary hospital (no outside animal runs or kennels)										P		P	P													P	P	P	P	P					P	P	
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)										P		P	P														P								P	P	
Video rental / sales								P	P	P	P	P	P													P	P	P	P	P	P	P		P	P		
Warehouse / office and storage / distribution center									P	P		P	P														P								P	P	
Waterfront amusement facilities - berthing facilities sales and rentals									P	P	P	P	P														P				P				P	P	
Waterfront amusement facilities - boat fuel storage/dispensing facilities									P	P	P	P	P														P				P				P	P	
Waterfront amusement facilities - boat landing piers/launching ramps									P	P	P	P	P														P				P				P	P	
Waterfront amusement facilities - swimming/wading pools/bathhouses									P	P	P	P	P														P		P	P	P	P			P	P	
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Welding shop										P		P	P														P								P	P	

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Wholesale sales offices and sample rooms								P	P		P	P														P		P	P				P	P
Wire or rod mills																																		
Wood distillation plants (charcoal, tar, turpentine, etc.)																																		
Woodworking shop (ornamental)							P	P	P	P	P	P													P	P	P	P	P				P	P
Wool scouring																																		
Zero lot line / patio homes						P																		P	P							P		

## **SECTION 6**

**THAT** it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

## **SECTION 7**

**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 8**

**THAT** all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

## **SECTION 9**

**THAT** in accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

## **SECTION 10**

**THAT** this Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

**PASSED AND APPROVED:** First Reading this the 28<sup>th</sup> day of May, 2019.

**PASSED AND APPROVED:** Second and Final Reading this the 10<sup>th</sup> day of June, 2019.

**CITY OF NEW BRAUNFELS**

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**BARRON CASTEEL, Mayor**

**ATTEST:**

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**PATRICK D. ATEN, City Secretary**

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO, City Attorney**