

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.

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) *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.

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

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

(8) *Lot depth.* 100 feet.

(9) *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.
- ~~Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in Sec. 5.1-1)~~
- (5) *Residential setback.* 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.
- (6) *Rear building setback.* 20 feet.
- (7) *Width of lot.* 60 feet.
- (8) *Lot depth.* 100 feet.
- (9) *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).																																		
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
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

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	
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			
Bicycle sales and/or repair							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
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
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	
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	P
Cider mills												P																							P
Civic/conference center and facilities								P	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		
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	P			
HUD code—manufactured home (see Sec. 5.8)				P			P	P	P												P	P										P			

Legend																																			
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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	
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	
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
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																							

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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	
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

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		
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		
Welding shop									P		P	P														P								P	P	

Legend																																		
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Types of Land Uses	Pre-1987 Zoning Districts												Post-1987 Zoning Districts																					
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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 28th day of May, 2019.

PASSED AND APPROVED: Second and Final Reading this the 10th day of June, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney