

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:*

~~Residential uses:~~

~~Accessory building/structure~~

~~Community home (see definition)~~

~~Multifamily (apartments/condominiums — at least five units)~~

~~Residential use in buildings with the following non-residential uses~~

~~Non-residential uses:~~

Accounting, auditing, bookkeeping, and tax preparations

~~Adult day care (no overnight stay)~~

~~Adult day care (with overnight stay)~~

Aircraft support and related services

Airport

All terrain vehicle (ATV) dealer / sales

Ambulance service (private)

Amphitheater

Amusement devices/arcade (four or more devices)

Amusement services or venues (indoors) (see Sec. 5.13)

Amusement services or venues (outdoors)

Animal grooming shop

Answering and message services

Antique shop

Appliance repair

Archery range

Armed services recruiting center

Art dealer / gallery

Artist or artisan's studio

Assembly/exhibition hall or areas

Athletic fields

Auction sales (non-vehicle)

Auto body repair, garages (see Sec.5.11)

Auto glass repair/tinting (see Sec.5.0)

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
~~Hotels/motels—extended stay (residence hotels)~~
Ice delivery stations (for storage and sale of ice at retail only)
Ice plants
Industrial laundries
Kiosk (providing a retail service)
Laboratory equipment manufacturing
Laundromat and laundry pickup stations
Laundry, commercial (w/o self serve)
Laundry/dry cleaning (drop off/pick up)
Laundry/washateria (self serve)
Lawnmower sales and/or repair
Leather products manufacturing
Light manufacturing
Limousine / taxi service
Livestock 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 park~~
RV/travel trailer sales
Sand/gravel sales (storage or sales)
School, K-12 (public or private)
School, vocational (business/commercial trade)
Security monitoring company
Security systems installation company (with outside storage)
Sheet metal shop
Shoe repair shops
Shooting gallery - indoor (see Sec. 5.13)
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) Non-residential uses.~~

~~(1)(i)~~ Height. 120 feet.

~~(2)(ii)~~ Front building setback. 25 feet.

~~(3)(iii)~~ Side building setback. No side building setback is required.

~~(4)(iv)~~ Corner lots. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots. Where a minimum 25-foot setback is required, a canopy at least eight feet in height, attached to the main building, may be built within 15 feet of the property line so long as such construction will not obstruct the vision of vehicular or pedestrian traffic.

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

~~(5)(vi)~~ *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)(vii)~~ *Rear building setback.* 20 feet.

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

~~(8)(ix)~~ *Lot depth.* 100 feet.

~~(9)(x)~~ *Parking.* See Sec. 5.1. for permitted uses' parking.

~~(2) Residential.~~

~~(i) Height.~~ 45 feet, or 60 feet when a pitched roof is used (minimum 4:12 slope)

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

~~(iii) Side building setback.~~ A side building setback of five feet shall be provided. Buildings on corner lots shall have 15-foot 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.

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

~~(v) Rear building setback.~~ 25 feet.

~~(vi) Residential setback.~~ Effective November 8, 2006, where a multifamily dwelling abuts a one or two family use or zoning district, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

~~(vii) Accessory uses.~~ Accessory uses such as swimming pools, tennis courts and playgrounds will not be permitted within any required yard.

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

~~(ix) Density.~~ 24 units per acre.

~~(x) Lot area.~~ 20,000 square feet.

~~(xi) Lot coverage.~~ The combined area of all yards shall be at least 50 percent of the total lot or tract; provided however, that in the

~~event enclosed or covered parking is provided, the minimum total yard area requirement shall be 40 percent of the total lot or tract.~~

~~(xii) Distance between structures. There shall be a minimum of 10 feet between structures side by side; a minimum of 20 feet between structures side by front or rear; a minimum of 40 feet between structures front to front; and a minimum of 20 feet between structures backing rear to rear, and a minimum of 20 feet between structures front to rear. (See Illustration 1)~~

~~(xiii) Minimum number of units. 5~~

~~(xiv) Parking.~~

~~For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

~~1. One-bedroom apartment or unit . . . 1 1/2 spaces~~

~~2. Two-bedroom apartment or unit . . . 2 spaces~~

~~3. Each Additional bedroom . . . 1/2 space~~

~~4. Each dwelling unit provided exclusively for low income elderly occupancy . . . 3/4 space ("Low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)
See Section 5.1 for other permitted uses' parking.~~