

Ordinance 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 144, ZONING, SECTION 4.2, LAND USE MATRIX, TO CORRECT INADVERTENT TYPOGRAPHICAL ERRORS, 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 September 4, 2019 and recommended approval of amendments to correct inadvertent typographical errors; and

WHEREAS, the City Council finds that adopting a corrected Land Use Matrix provides improved customer service, clarity on permitted uses, consistency within the Zoning Ordinance, and streamlined development processes, which is in the best interest of the citizens of New Braunfels, Texas. **Now therefore**,

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

SECTION 1

That Chapter 144, Zoning, Section 4.2, Land Use Matrix, be amended with additions as underlined and deletions as strikeouts 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	

Auto supply store for new & factory rebuilt parts								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
Bar/Tavern									P	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	P

Bowling alley/center (see Sec. 5.13)									P	P	P	P	P														P		P	P	P	P	P		P	P

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Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see Sec. 5.27)																																			

Campgrounds										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	P	

Confectionery store (retail)							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	

Greenhouse (commercial)							P	P	P		P	P													P	P	P	P	P	P	P	P		P	P

Heliport									P		P	P														P		P	P					P	P

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HUD code-manufactured home (see Sec. 5.8)				P			P	P	P												P	P										P			
HUD code-manufactured home subdivisions (see Sec. 5.8)																					P											P			

Indoor or Covered Sports Facility																															P				

Laundromat and laundry pickup stations							P	P	P	P	P	P													P	P	P	P	P	P	P	P	P	P	P

Manufactured home – HUD Code compliant (see Texas Occupations Code ch. 1201)				P			P	P	P												P	P										P			
Manufactured home park – HUD Code compliant (see Texas Occupations Code ch. 1201)																						P													
Manufactured home subdivision – HUD Code compliant (see Texas Occupations Code ch. 1201)																					P												P		

Mini-warehouse/self-storage units with outside boat and rv storage									P		P	P														P		P						P	P

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Recycling kiosk									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	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	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	P	
Retail store & shopping center (more than 50,000 sq. ft. bldg.)								P	P	P		P	P														P	P		P		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	P					P				

Storage - exterior storage for boats and recreational vehicles										P	P	P	P														P		P		P	P	P	P	P	P	P

Tattoo or body piercing studio										P	P	P	P														P	P		P		P	P		P	P	P

SECTION 2

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 3

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

SECTION 4

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 5

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 _____ day of _____, 2019.

PASSED AND APPROVED: Second and Final Reading this the _____ day of _____, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

