

Ordinance 2019- 076

AN ORDINANCE OF THE CITY COUNCIL 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, TO MODIFY AUTHORIZED USES TO CREATE CONSISTENCY BETWEEN SIMILAR ZONING DISTRICTS, 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 October 2, 2019 and recommended approval of amendments to create consistency between the two light industrial zoning districts and between the two heavy industrial zoning districts; and

WHEREAS, the City Council finds that adopting modifications to the authorized land uses in the industrial districts to create consistency 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 3.3-11, M-1, Light Industrial, be amended with additions as underlined and deletions as strikeouts 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
[Crematorium](#)
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
[Government building or use with no outside storage](#)
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/washeteria (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
[Rappelling facilities](#)

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
[Shopping center](#)
Shooting gallery - indoor (see Sec. 5.13)
Sign manufacturing/painting plant
[Specialty shop in support of guests and tourism](#)
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.

Section 2

That Chapter 144, Zoning, Section 3.3-12, M-2, Heavy Industrial, be amended with additions as underlined and deletions as strikeouts 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
[Crematorium](#)
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
[Rappelling facilities](#)
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)
[Shopping center](#)
Sign manufacturing/painting plant
[Specialty shops in support of guests and tourism](#)
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.

Section 3

That Chapter 144, Zoning, Section 3.4-18, M1-A, Light Industrial, be amended with additions as underlined and deletions as strikeouts 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
[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)
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
[Country Club](#)
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 [with no outside storage](#)
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/washeteria (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
[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 (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.

Section 4

That Chapter 144, Zoning, Section 3.4-19, M1-B, Heavy Industrial, be amended with additions as underlined and deletions as strikeouts 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
[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)
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
[Country Club](#)
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
[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
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
[Lumbermill](#)
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.

Section 5

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

SECTION 6

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 7

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

SECTION 8

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 9

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