
Article 3: Land Uses

3.1 Purpose

This article identifies the principal, accessory, and temporary land uses allowed in the New Braunfels zoning districts and establishes the standards that apply to certain uses (use-specific standards).

3.2 Table of Allowed Uses

Table 3-1: Table of Allowed Uses, establishes the allowed uses within each zoning district. Each use is defined in §9.2, *Definitions*.

3.2.1 Explanation of Table and Abbreviations

For each listed use in Table 3-1: Table of Allowed Uses, the first column of each row identifies the name of the use type. The entries in the cells formed by the intersection of a zoning district column and a use type row indicate whether a use is permitted in a particular zoning district, as follows:

A. Principal Uses Permitted By-Right

1. "P" in a cell indicates that the use is a principal use allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of the Code, including any applicable use-specific standards.
2. A principal use is the primary use on a lot. A development may include multiple principal uses.

B. Principal Uses Requiring Special Use Approval

"S" in a cell indicates that the use is allowed in the respective zoning district only if a special use is approved pursuant to the procedure described in §X.X. Approved special uses are subject to all other applicable regulations of the Code, including any use-specific standards.

C. Accessory Uses

"A" in a cell indicates that the use is allowed as an accessory use only in support of a permitted or approved special use on the site. Accessory uses are subject to all other applicable regulations of the Code, including any standards in §3.3.2, *Accessory Use General Standards*.

D. Temporary Uses

"T" in a cell indicates that the use is allowed as a temporary use. A temporary use or structure is a use or structure intended for limited duration and permitted in the applicable zoning district. Temporary uses are subject to all other applicable regulations of the Code, including any standards in §3.3.8A, *General Standards*.

E. Prohibited Uses

A blank cell indicates that the use is not allowed in the respective zoning district.

F. Use-Specific Standards

"*" in a cell next to a "P" or "S" indicates that additional standards may be applicable to that use, regardless of whether the use is allowed by right or with approval of a special use. The use may not be allowed by-right at all times in the respective zoning district. Where there are no asterisks and the final column in the table is blank, there are no use-specific standards that accompany that use.

3.2.2 Table Organization

In Table 3-1: Table of Allowed Uses, land uses and activities are classified into general use categories and specific use types based on common functional, product, or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. For example, the use category "Residential" contains two use subcategories, "Household Living" and "Group Living." Certain uses may be listed in one category when they may reasonably have been listed in one or more other categories. This classification does not list every use or activity that may appropriately exist within each use category.

3.2.3 Review and Approval of Unlisted Uses³³

A. General

New types of land uses not specifically listed in Table 3-1: Table of Allowed Uses will develop over time and such uses may seek to locate within the City. The following procedure shall apply if an application is submitted for a use type that is not specifically listed in Table 3-1. Submission and approval of such an application shall be required prior to approval of any other permit or development approval associated with the use.

B. Procedure

1. The Planning and Development Services Department shall review the new and unlisted use to determine if it is materially similar to a listed use type by considering characteristics including the following: whether it includes dwellings, sales, processing, or storage; employment and operational characteristics; potential nuisances; requirements for public utilities; transportation requirements; and other elements of the use that might impact surrounding uses.
2. If the Planning and Development Services Department determines that the new and unlisted use is materially similar to a listed use type, the new and unlisted use type shall be treated as being the same as the listed use type to which it is materially similar.
3. If the Planning and Development Services Department determines that the new and unlisted use is not materially similar to any listed use type, the Department shall, at the request of the applicant, forward the application **<administrative procedure>** as a request to amend the Code. The referral from the Department shall include recommendations regarding the classification of the use within the three-tiered categorization system, and the following:
 - a. In which zoning district(s) the use type should be allowed;
 - b. What parking ratio, existing or new, should be applied to the use type;
 - c. How the use type should be defined; and
 - d. Any other conditions or standards that should be adopted to ensure the proper development of the use type.

3.2.4 Use for Other Purposes Prohibited

The use of land and buildings shall be in accordance with the uses listed in this Article 3. All uses not specifically listed are not allowed and shall be unlawful unless the Planning and Development Services Department has determined an appropriate use type for the unlisted use pursuant to the procedure in §3.2.3 or this Code has been amended to allow the use.

³³ This builds on the regulations in Sec. 144-4.1-2 of the Code of Ordinances. The criteria used to determine whether a use is adequately similar to be permitted is simplified, and the detail regarding the procedural steps for submitting a proposed amendment to the text of the Code have been removed; the standard procedures applicable to an amendment to the Code will apply.

3.2.5 Table of Allowed Uses

COMMENTARY

The Table of Allowed Uses has been reorganized and includes numerous proposed changes to the allowed uses. The Table is arranged into categories and sub-categories, with related uses listed alphabetically by category/sub-category, rather than the current table's strictly alphabetized list. Some uses have been carried forward, though often with changes to the use name, and many uses have been consolidated. Consolidation is proposed where there are numerous individual uses, all of a certain type, such as retail and office uses, with very similar land use impacts.

For further information on consolidations and changes to current use names, see the accompanying file on changes to uses.

Other changes include:

- Reduce reliance on pyramidal allowances. In particular, this effort involves allowing far fewer uses in New Braunfels' two industrial zoning districts. This should help to preserve lands zoned for industry for actual industrial uses.
- Changing the permissions in the AG (formerly APD) district to focus on actual agricultural uses, along with limited permissions for uses that require large land areas.
- Allowing diverse housing types in more districts, to encourage provision of other types of housing besides detached single-family dwellings.
- The addition of "S" for uses that would require Council approval through a Special Use.
- The use of * to indicate that that use is subject to specific standards to be permitted in a given district. These standards apply for both uses permitted by right (P*) and those that require use (S*).

During drafting and review, the columns that demonstrate correspondence between existing districts and proposed ones will remain in the drafts. In the Adoption draft, these rows will be eliminated, as will highlighting that shows newly added uses.

Table 3-1: Table of Allowed Uses

P = Permitted use S = Special use Blank Cell = Prohibited use
 A = Accessory use T = Temporary use * = Special conditions apply, see use-specific standard
 New uses = Yellow Highlight

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Current Districts

APD	R1A-12	R1A-8	R-1, R-1A-6.6	R1A-5.5	R1-a4	R-2, R-2A	R-3, R-3L	R-3H	B-1B	MU-A, C-O	C-O	MU-B	C-2	C-1, C-1A	C-1B, C-2A	C-3	C-4, C-4A, C-4B	M-1, M-1A	M-2, M-2A	
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Proposed Districts

AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
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Agriculture

Auction sales, livestock	P																				P		
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Farm	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			\$3.3.3A
Farmers market	P											P	P	P	P	P	P	P	P				
Grain elevator	P																			P	P		
Plant nursery	P																			P	P		
Stable, commercial	P																						
Wholesale farm sales	P																						

Residential

Household Living

Accessory building or structure	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	\$3.3.4A
Accessory dwelling unit	A	A	A	A	A	S	S	A	A	A	A	A	A	A	A	A	A	A	A				\$3.3.4B
Carport	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A				\$3.3.4C
Cottage home development		S	S	S	S	S	S	S	S	P	P	P	S	P	P	S	S		S				\$3.3.4D
Day care home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				\$3.3.4E
Dwelling, live-work	P												P	P	P	P	P	P	P				\$3.3.4F
Dwelling, manufactured home ³⁴	P	P	S						P	P	P	P	S	P	P				S				

³⁴ Based on discussions regarding the difference between manufactured homes and industrialized homes, this draft updates permissions for manufactured homes.

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Current Districts

APD	R1A-12	R1A-8	R-1, R-1A-6.6	R1A-5.5	R1-a4		R-2, R-2A	R-3, R-3L		R-3H	B-1B	MU-A, C-O	C-O	MU-B	C-2	C-1, C-1A	C-1B, C-2A	C-3	C-4, C-4A, C-4B	M-1, M-1A	M-2, M-2A	
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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Dwelling, multi-family									P	P	P		P	P	P	P	P			P				§3.3.4G
Dwelling, single-family attached (townhouse)		P					P	P	P	P	P		P	P	P	P	P							§3.3.4H
Dwelling, single-family detached	P	P	P	P	P	P		P					P			P	P			P				§3.3.4I
Dwelling, two-family (duplex)		P	P		P	P		P	P	P	P		P	P	P	P	P	P	P	P				
Dwelling, three-family (triplex)		P	P					P	P	P	P		P	P	P	P								
Dwelling, four-family (fourplex)		P						P	P	P	P		P	P	P	P	P							
Dwelling, zero lot line	P	P	P	P	P	P		P					P			P	P			P				§3.3.4J
Home occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				§3.3.4L
Stable, accessory	A	A	A	A				A																
Swimming pool	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			P	
Tiny home, individual lot installation	P	P	P	P	P	P	P	P	S	S	S	P	P	P		P	P							§3.3.4M
Tiny home, pocket neighborhood development		S	S	S	S	S	S	S	S	P	P	P	S	P	P	S	S			S				§3.3.4N

Group Living

Active/independent senior living facility									P	P	P	P	P	P	P	P	P	P	P				
Assisted living facility									P	P	P		P	P	P		P	P					
Boarding house									P	P	P		P	P	P	P	P	P	P				

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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Group home, FHAA small ³⁵	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				\$3.3.4K
Group homes, FHAA large	P	P	P	P				P	P	P	P			P	P	S	S	P	P					\$3.3.4K
Residence hall									P	P	P		P	P	P	P				P				
Supportive housing, small													P	P	P	P	P	P	P	P	P			
Supportive housing, large														P	P	S	S	P	P	P	P			

Institutional and Civic

Community and Cultural Uses

Audio or video studio	S												P	P	P	P	P	P	P		P	P		
Cemetery	P								P	P	P		P	P	P	P	P	P	P					
Civic club								P	P				P	P	P	P	P	P	P	P				
Community building		P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P				
Conference or convention center														P	P	P		P	P	P				
Day care center									S*	S*	S*	S*	S*	P	P	P*	P	P	P					\$3.3.5B
Event or reception center													S*	S	P	P	S*	P	P	S				\$3.3.5C
Fairground	P																			P	P	P	P	
Government or municipal facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Museum	S	S	S	S	S	S	S	S	P	P	P		P	P	P	P	P	P	P	P			S	

³⁵This use has been renamed from "Community home" to reference the same type of shared living arrangements commonly included in the term group home, including group living that is subject to the federal Fair Housing Act.

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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	
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	

Educational Facilities

School, college, or university									S	S	S		S	P	P	S	P	P	P					
School, K-12	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S				
School, vocational													P	P	P	P	P	P	P					

Funeral Services

Crematorium															S				S		P	P		
Funeral home													P	P	P	P	P	P	P		S	S		

Health Care Services

Clinic, medical or dental									S	S	S		P	P	P	P	P	P	P					
Hospice									S	S	S		P	P	P	P	P	P	P					
Hospital														P	P	P		P	P					\$3.3.5E

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Proposed Districts

AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
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Transportation and Utility Facilities

Airport ³⁶														P				S		P	P		
Airstrip or landing field	S													S						S	S		\$3.3.5A
Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Bus barn														S			P	P		P	P		
Bus station													P	P	S		P	P					
EV charging station, level 1 or 2	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
EV charging station, level 3	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Heliport													A	A	A		A	A		P	P		\$3.3.5D
Parking lot, structured												P	P		P	P	P	P	P	P	P		
Parking lot, surface	A											S	P	P	S	P	P	P	P	P	P		
Railroad facilities																					P		
Solar energy system, small-scale	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		\$3.3.5F
Solar farm, large-scale	S													S				S		P	P		\$3.3.5G
Utility, major	S													S			S	P		P	P		
Utility, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

³⁶ These are the uses in the current code, but perhaps we want to just limit P to the location where the airport currently exists and allow as S in other districts.

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Current Districts

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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Water storage ³⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wind energy system, large	S														S				S		P	P		\$3.3.5H
Wind energy system, small	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		\$3.3.5H
Wireless communication facility	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S	S	P	P	S	P	P		\$3.3.5I

Commercial

Animal Uses

Animal boarding	S													P*	P	P*	P*	P	P		P	P		\$3.3.6A
Animal grooming														P	P	P	P	P	P		P			
Pet day care														P	P	P	P	P	P		P			
Veterinary clinic														P*	P*	P	P*	P*	P	P		P		\$3.3.6X

Food and Beverage Uses

Bar or tavern														P*	P*	P	P	P*	P	P	P			\$3.3.6B
Beverage stand				S	S	S	S	S	P	P	P			P	P	P	P	P	P	P	P			\$3.3.6D
Catering														S	P	P	S	S	P	P	P	P		
Coffee shop										S	S			P	P	P	P	P	P	P	P			
Micro-brewery or micro-distillery														P	P	P	P	P	P	P	P			
Mobile food court														S	S	P	P	S	P	P	P			\$3.3.6J

³⁷ This part of the use description from Chapter 144 '(surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system' has been incorporated into the definition from this use.

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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Neighborhood food and service					S	S	S	S	S	P	P		P	P	P	P	P	P	P					
Private club													S	S	P	P	S	P	P					
Restaurant										S	S		P	P	P	P	P	P	P	P				\$3.3.6F

Lodging Uses

Bed & breakfast	P	S	S	S					P	P	P		P	P	P	P	P	P	P	P				\$3.3.6C
Campground	S																			P				
Hotel													P*	P	P	P	P*	P	P	P				\$3.3.6G
RV park	S														P			P	P	P				
Short-term rental	S*								P*	P*	P*		P*	P*	P*	P*	P*	P*	P*	P*				\$3.3.6S

Office and Services

Automated teller machine (ATM)													A	A	A	A	A	A	A	A	A	A		
Bank or financial institution													P	P	P	P	P	P	P	P				
Check cashing														P	P			P	P	P				
Donation collection container														A	A			A	A	A	A	A		\$3.3.6E
Drive-through facility														A	A		A	A	A		A	A		\$3.3.6F
Laundry, commercial														P	P			P	P		P	P		
Laundry, drop-off and self-service													P	P	P	P	P	P	P	P				
Manufacturing, artisan														P*	P*			P*	P*	P*	P			\$3.3.6I
Office													P	P	P	P	P	P	P	P	P	P		



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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Office, contractor's													P	P	P*	P	P	P*	P*	P	P*	P*		\$3.3.6L
Personal instruction facility													P	P	P	P	P	P	P	P				
Personal services													P	P	P	P	P	P	P	P	P			
Research and development													P	P	P	P	P	P	P		P			
Service and repair shop													P	P	P	P	P	P	P	P	P	P		

Recreation and Entertainment

Amphitheater	S												P	P	P	P		P	P	P				
Arcade													P	P	P	P	P	P	P	P				
Country club, private	S	S	S	S				S							P				P	P				
Dance hall or dancing facility ³⁸														P	P	P		P	P	P				
Day camp	S														P			P	P	P				
Golf course	S	S	S	S				S							P			P	P	P				
Music, live or recorded													A*	P*	P	P	A*	P	P	P				\$3.3.6K
Recreation, indoor													P	P	P	P	P	P	P	P				\$3.3.6N
Recreation, outdoor													P*	P	P	P*	P*	P	P	P				\$3.3.6O
River entrance/exit																				S				
River outfitter													S	S	P		S	P	P	P				\$3.3.6U

³⁸ This use has been restored in the public draft. It is not combined with Recreation, indoor, to allow different district permissions. In the current code, dance halls are permitted in industrial zones; that permission has not been carried forward.

Article 3: Land Uses

3.2 Table of Allowed Uses

3.2.5 Table of Allowed Uses

Current Districts

	APD	R1A-12	R1A-8	R-1, R-1A-6.6	R1A-5.5	R1-a4		R-2, R-2A	R-3, R-3L		R-3H	B-1B	MU-A, C-O	C-O	MU-B	C-2	C-1, C-1A	C-1B, C-2A	C-3	C-4, C-4A, C-4B	M-1, M-1A	M-2, M-2A	
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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Shooting range, indoor	S														S				S		P	P		§3.3.6Q
Shooting range, outdoor	S																				S	S		§3.3.6R
Theater													P	P	P	P	P	P	P	P				
Theater, drive-in	S														P				P	P				
Waterfront recreation													S	S	P		S	S	P	P				

Retail Sales Uses

Lumberyard or building supply store														P	P			P	P					§3.3.6H
Outdoor display of merchandise	S												A	A	A	A	A	A	A	A				§3.3.6M
Pawn shop														P	P			P	P	P				
Retail sales, small													P	P	P	P	P	P	P	P				
Retail sales, medium													P	P	P	P	P	P	P	P				
Retail sales, large														P	P			P	P					
Sexually-oriented business																			S		S	S		§3.3.6P

Vehicle-Related Uses

Fleet services														C	P			P	P		P	P		
Truck stop															S				S		C	C		§3.3.6T
Vehicle fuel sales														P	P		C	P	P	P	P	P		
Vehicle repair, major														C	P			P	P		P	P		§3.3.6V
Vehicle repair, minor														P	P		C	P	P		P	P		§3.3.6V

Article 3: Land Uses

3.2 Table of Allowed Uses

3.2.5 Table of Allowed Uses

Current Districts

APD	R1A-12	R1A-8	R-1, R-1A-6.6	R1A-5.5	R1-a4	R-2, R-2A	R-3, R-3L	R-3H	B-1B	MU-A, C-O	C-O	MU-B	C-2	C-1, C-1A	C-1B, C-2A	C-3	C-4, C-4A, C-4B	M-1, M-1A	M-2, M-2A	
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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Vehicle repair, paint and body shop																			S		P	P		
Vehicle sales and rental														P	P			P	P					\$3.3.6W
Vehicle wash														P	P			P	P		P			

Industrial

Extraction Uses

Resource or mineral extraction																					S		
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Manufacturing and Processing Uses

Food processing														P					P		P	P		
Lumber mill																					P			
Manufacturing, heavy																					P			
Manufacturing, light																					P	P		
Printing plant														P			P	P			P	P		

Storage and Warehousing Uses

Distribution center																		P		P	P			
Freight terminal																		P		P	P			
Hazardous materials storage														A				A	A	P	P			\$3.3.7A

Article 3: Land Uses

3.2 Table of Allowed Uses

3.2.5 Table of Allowed Uses

Current Districts

	APD	R1A-12	R1A-8	R-1, R-1A-6.6	R1A-5.5	R1-a4		R-2, R-2A	R-3, R-3L		R-3H	B-1B	MU-A, C-O	C-O	MU-B	C-2	C-1, C-1A	C-1B, C-2A	C-3	C-4, C-4A, C-4B	M-1, M-1A	M-2, M-2A	
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Proposed Districts

	AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO	Use-Specific Standards
Junkyard																						P		
Outside storage	A													A	A			A	A		P	P		\$3.3.7B
Self-storage																		S*	P*		P	P		\$3.3.7D
Vehicle storage facility																			P		P	P		
Warehouse and storage																		P	P		P	P		

Waste-Related Uses

Landfill																						P		
Recycling center																			P*		P	P		\$3.3.7C
Waste transfer station																					P	P		

Wholesale Uses

Wholesale sales	P																		P		P	P		
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Temporary Uses

Itinerant merchant													T	T	T	T	T	T	T	T	T	T	T	\$
Mobile storage unit	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	\$
Seasonal sales													T	T	T	T	T	T	T					
Temporary on-site contractor's office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	\$3.3.8C
Temporary real estate office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	\$3.3.8E
Temporary roll-off dumpster	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	\$3.3.8F