

Appendix A: Unified Development Code Definitions

1. Abandonment: (see nonconforming structures)
2. Access Point: A place of ingress or egress to a property from a boundary street.
3. Accessory Building or Accessory Structure: A subordinate building or structure on the lot occupied by the main building having an incidental use in connection with the main building.
4. Accessory Dwelling: A separate dwelling unit that is associated with, incidental to, and subordinate to another dwelling unit as the principal use, and is located on the same lot as the principal dwelling (commonly referred to as "In-laws Quarters" or "Garage Apartment").
5. Accessory Garden: A garden maintained by residents or tenants primarily for on-site use. An accessory garden is an accessory use to a primary use, and shall comply with the lot and building standards, according to the zoning of the property.
6. Administrative modification: a requested modification to Overlay District standards that complies with the administrative modifications provisions of Section (c) (3) - Administration.
7. Administratively Complete: A submittal that has met all of the associated submission requirements and includes the specific form and content items included in these regulations.
8. Adult Bookstore: A business which has a substantial or significant portion of its stock in trade in, or which has as its main purpose the offering for sale or rent of books, magazines, pamphlets, pictures, drawings, photographs, motion picture films, video or sound recordings, or printed, visual or audio material of any kind, which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities; or a business which offers for sale books, magazines, pamphlets, pictures, drawings, photographs, motion picture films, or sound recordings, or printed, visual or audio material of any kind, which entire business establishment, because of the depiction or descriptions of specified anatomical areas or specified sexual activities in the materials offered for sale or rent, is restricted to adults, or is advertised or promoted as being restricted to adults.
9. Adult Entertainment Establishment: A business where live entertainment is provided for patrons, or a portion of a business set aside for providing live entertainment to patrons, in which a significant portion of the entertainment is characterized by an emphasis on the exhibition, depiction, or description of specified anatomical areas or specified sexual activities; or a place where entertainment is provided to patrons wherein, because of the exhibition of specified anatomical areas or specified sexual activities, admittance is limited to adults, or admittance is advertised or promoted as being restricted to adults.
10. Adult Motion Picture Theater: A business where motion pictures are shown to paying customers when such place is used for presenting material having as its dominant theme, or distinguished or characterized by, an emphasis on the depiction or description of specified anatomical areas or specified sexual activities for observation by patrons, and where admittance to such showings is totally limited to adults.
11. Agriculture: A farm, orchard or similar use of land in horticulture, or a ranch or similar use of land to raise animals as livestock, including as an accessory use the seasonal or incidental sale of products grown or raised on the property, but excluding retail plant nurseries, kennels, stables and feedlots.
12. Agriculture: Agriculture is herein defined as the activity of raising, harvesting, and selling crops; of feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, fur-bearing animals or bees; of dairying and the sale of dairy products; of any horticultural, floricultural or vinicultural use; of animal husbandry; of stabling or training equines, including, but not limited to, providing riding lessons, training clinics and schooling shows; of growing or harvesting forest tree species or trees used for commercial or related purposes; of research and testing of agricultural products and techniques; or any combination thereof.
13. Alley: A minor public right-of-way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Appendix A: Unified Development Code Definitions

14. Alluvial fan flooding: flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
15. Alteration: See "Structural Alteration".
16. Animal ~~b~~Bboarding ~~-(i)indoor~~ - An establishment primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets. This section is for facilities with indoor animal boarding.
17. Animal ~~B~~bboarding ~~-(o)outdoor~~ - An outdoor establishment primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets. This section is for facilities with outdoor animal boarding.
18. Apex: a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
19. Appurtenant structure: a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.
20. Area of future conditions flood hazard: the land area that would be inundated by the one (1) percent annual chance (100-year) flood based on future conditions hydrology.
21. Area of shallow flooding: a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
22. Area of Special Flood Hazard: the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.
23. Artisan Craft Production: Production of handmade items by an artisan or a tradesperson, manufactured with tools but not with automation which may be sold on-site.
24. Assembly: An establishment that conducts organized services, assemblies, or programs on a periodic or occasional basis, primarily for the convenience, entertainment, education, and social or spiritual welfare of the community. ~~Assemblies are limited in the districts by the seating capacities in the primary facility (this excludes any support facilities such as, education buildings, athletic buildings).~~
25. Assisted Living Facility- An establishment primarily engaged in providing residential and personal care services (i.e., without on-site nursing care facilities) for (1) the elderly or other persons who are unable to fully care for themselves and/or (2) the elderly or other persons who do not desire to live independently. The care typically includes room, board, supervision, and assistance in daily living, such as housekeeping services.
26. Single-family aAttached ~~d~~Dwelling: A dwelling unit in a structure designed for more than two principal dwelling units, and where the units are separated by a party wall and located on separate lots if they are intended for individual ownership. Units may be located on a single lot if the structure is intended for single or condominium ownership. Each unit has the same orientation and front façade and has its own private entrance to the exterior of the structure.
27. Attached sign: A sign that is fastened, attached, connected or supported in whole or in part by a building or building component.

Appendix A: Unified Development Code Definitions

28. ~~Automobile Convenience Store: A retail use primarily engaged in the sale of a limited selection of food and personal and home care items, or a combination of such items and the sale of automotive fuels, but excluding any business selling alcoholic beverages for on-site consumption, and involving no more than 3,600 of gross leasable area which is primarily designed for convenient automobile access.~~
29. Automobile Gas Station: A retail business which is principally devoted to the sale of motor vehicle fuels, and which may include as accessory uses the sale of automotive lubricants, tires, batteries and accessories, automotive service, short term rental of light trucks and trailers, and the sale of a limited range of food and consumer items for the convenience of travelers, but excluding any sale of alcoholic beverages for on-site consumption.
30. Automobile Parts & Parts Sales: A business selling parts and accessories for automobiles or other motor vehicles provided that no installation of the parts and accessories and no servicing of vehicles is conducted on the premises.
31. Automobile Rental: A business renting or leasing automobiles, motorcycles or light trucks, but excluding large vehicle and machinery rental.
32. Automobile Sales: A business selling automobiles, motorcycles, trucks, recreational vehicles.
33. Automobile Service with outside storage: A business repairing or servicing automobiles, motorcycles or light trucks, or selling, installing and servicing their parts and accessories, but excluding gas stations and large vehicle and machinery service establishments (storage of vehicles or outside storage of vehicle parts shall not exceed 30 days).
34. Automobile Service without outside storage: A business repairing or servicing automobiles, motorcycles or light trucks, or selling, installing and servicing their parts and accessories, but excluding gas stations and large vehicle and machinery service establishments.
35. Auxiliary Sign: A sign of any construction, not exceeding one square foot in area, which is not part of another sign and which is customarily secondary and incidental to the principal use, such as one indicating hours of operation, credit cards accepted, or restrictions of sale to minors, or which is customarily secondary and incidental to a residence, such as "no soliciting" or "beware of the dog."
36. Avenue: A roadway design for slow speeds and high pedestrian amenities, appropriate as a "main street" and support streets for mixed-use or commercial centers.
37. Average Day - A non-holiday Tuesday, Wednesday or Thursday during the school year for most uses. The average day may be a Saturday or Sunday for uses that have higher peak-hour traffic volumes on a Saturday or Sunday rather than mid-week.
38. Awning Sign: A sign painted on, affixed to or suspended from an awning.
39. Awning: A lightweight frame with a covering, wholly supported by the building to which it is attached, which projects from the face of a building.
40. Balloon: A non-porous, flexible inflated device used solely for the purpose of advertising including cold-air inflatable balloons, and inflatable devices of any other kind as well as devices supported by rushing air.
41. Bank Kiosk: A small unmanned structure used as a bank service location.
42. Bank/Financial Institution: A business engaged in monetary transactions and personal finance services for the general public.
43. Banner: A flexible sign intended to be hung or mounted either with or without frames, made of paper, plastic, fabric or any other flexible material, and which is used by its colors, characters, lettering, illustration or ornamentation to call attention to an establishment on the site or to a community, civic or other event either on or off the site. Flags are distinguished from banners for the purposes of this ordinance.
44. Bar/Wine Bar: An establishment that sells alcohol for ready or immediate consumption, but where there is no onsite alcohol productions, and where alcohol sales account for 50% or more of gross revenue. A business primarily engaged in

Appendix A: Unified Development Code Definitions

- ~~serving alcoholic beverages for consumption on premises. Any food or entertainment services are generally secondary or accessory to the business.~~
45. Barber ~~Shop or B/~~beauty ~~shop~~Parlor/Hair Salon: A business offering hair care and limited beauty related procedures such as nail care services and waxing.
46. Base Flood - means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.
47. Base Flood Elevation (BFE) - The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A 1- A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one percent (1%) chance of equaling or exceeding that level in any given year - also called the Base Flood.
48. Basement: any area of the building having its floor subgrade (below ground level) on all sides.
49. Beacon: Any light with a beam directed into the atmosphere or directed at a point which is not on the same lot or tract of land as the light source, or a light with one or more beams that rotate or move.
- ~~52. Bed & Breakfast Identifier: A sign located on the property that includes a bed & breakfast (as defined in the City of Boerne Zoning Ordinance.)~~
- ~~53. Bed & Breakfast: Providing tourist lodging services within rooms of a residence or within a separate accessory structure on the same lot and served by the same water meter and electric meter as the principal structure.~~
- ~~54-50.~~ Best Management Practices (BMPs): Low impact development design and techniques as defined and identified in the City of Boerne edition, San Antonio River Basin Low Impact Development Technical Design Guidance Manual hereby referred to as LID Manual.
- ~~53-51.~~ Billboard: Any sign which is used or designed to be used to advertise or call attention to any product or service which is produced at a place other than on the premises on which the sign is located, or to advertise or call attention to any establishment which is not located on the same premises as the sign.
- ~~54-52.~~ Blade Sign: A building-mounted sign with sign faces which are perpendicular to the wall of the building. A type of Projecting Sign.
- ~~55-53.~~ Boarding House: A business in which three or more persons who are not members of the same family reside in a dwelling unit and are provided lodging under separate rental agreements, whether written or verbal, within a dwelling unit. This use is distinguished from a Bed & Breakfast that provides short-term lodging.
- ~~56-54.~~ Border Street - A public street that is adjacent to and/or abutting one or more sides of a proposed site. A border street could be an existing facility or a planned/proposed street included on the Major Thoroughfare Plan.
- ~~57-55.~~ Breakaway Wall: a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
- ~~58-56. Brewery/dDistillery/Winery - An establishment where alcoholic beverages are produced for wholesale/distribution. Brewery/distillery does not have a minimum requirement for retail space and does not have a maximum limit to manufacturing-related Brewactivity. Brew pub: A small establishment at which beer is made but not distributed. May also be in combination with a bar or restaurant.~~
- ~~58-57.~~ Building Code: The building code as adopted and amended per city ordinance.
- ~~59-58.~~ Building Envelope: The area that is allowed for construction within the setbacks of a lot.
- ~~60-59.~~ Building Line: A line at which the building is actually constructed, including the horizontal extension of that line to the lot edges.
- ~~64-60.~~ Building Setback Line: The line within a property defining the minimum horizontal distance between a building and the adjacent street line or lot line.

Appendix A: Unified Development Code Definitions

- ~~62-61.~~ Building: A structure designed, built, or occupied as a shelter or roofed enclosure for persons, animals, or property, except such structures as may be otherwise specifically defined herein. See also "Accessory Building" and "Office Building".
- ~~63-62.~~ Bulletin Board: A sign which is principally devoted to posting announcements of interest to the members or clientele of an organization concerning the activities of the organization, such as is customarily erected by a church, social club, society or charitable organization.
- ~~64-63.~~ Bus Terminal: A central facility for the mass boarding and exiting of buses.
- ~~65-64.~~ Business Park/~~or-C~~campus: A mixed-use development which includes a number of separate office, commercial, wholesaling, and compatible laboratory, industrial and other uses which primarily support the function or employees of those uses, and which is designed and developed as an integrated unit. Each of the individual establishments or uses contained within the business park must be a permitted use in the district in which the business park is located, and all on-site functions or operations of these uses must be conducted entirely inside a building.
- ~~66-65.~~ Caliper: The diameter measurement of the stem or trunk of nursery stock. The location of the measurement depends on the plant type. For fruit trees, small fruits, understock, and seedling trees and shrubs, caliper measurement shall be taken at the root collar or at other points expressly described in the latest edition of The American Standard for Nursery Stock (ANSI Z60.1). For all other nursery stock, caliper measurement is taken six inches above the ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four-inch caliper size interval (i.e., from four inches up to, but not including, 4.5 inches). If the caliper measured at six inches is 4.5 inches or more, the caliper shall be measured at 12 inches above the ground level, soil line, or root flare, as appropriate. [also see Diameter Breast Height]
- ~~67-66.~~ Candela: A measure of luminous intensity in a certain direction. Useful in determining how much light is shining out of a fixture and in what direction. It is commonly called one (1) candlepower.
- ~~69.~~ ~~Canopy Roof Sign: A sign which is mounted above a canopy roof parallel to the facing wall and which may not project higher than the main roof of the building.~~
- ~~70-67.~~ Canopy Sign: A sign that is part of, attached to or painted on an attached or detached canopy structure.
- ~~70-68.~~ Canopy, attached: An attached canopy is partially supported by the building to which it is attached, but is also supported by suspended wires or by posts, columns or pillars.
- ~~71-69.~~ Canopy, detached: A detached canopy is a canopy that is structurally independent of a building.
- ~~72-70.~~ Canopy: A permanent structure of rigid construction with a covering, which provides a covering beyond the building wall. It may either be detached or attached.
- ~~71.~~ ~~Carnival: A traveling amusement show or circus and may include amusement rides.~~
- ~~73-72.~~ Car Wash: A business primarily engaged in offering its facilities for full-service, automatic, or self-service cleaning of the exterior of vehicles, and other ancillary services for automobiles.
- ~~74-73.~~ ~~Cemetery - An establishment primarily engaged in operating sites or structures reserved for the interment of human or animal remains.~~
- ~~77.~~ ~~Central Area: The B-3 zoning district, the River Corridor zoning district, the River South Arts & Design District, and lots that front River Road from Esser Road to Main Street.~~
- ~~78.~~ ~~Central Business District: The zoning designation B-3, the limits of which are reflected in the official City of Boerne zoning map.~~
- ~~79-74.~~ Changeable Copy Sign: A sign or part of a sign on which characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign, such as a theater marquee, a gasoline price sign, or a sign identifying the occupants of a multi-tenant building or shopping mallshopping center. A sign on

Appendix A: Unified Development Code Definitions

which the only copy that changes is a matter of general public information, such as the current time and temperature or an index of stock market averages, and which contains no other commercial message, is a public service sign. Any other sign on which the message changes more than once per day is a flashing sign.

~~78-75.~~ Chapter 245 petition: a vested rights petition that alleges rights under Chapter 245 of the Local Government Code to develop property under ordinances, regulations, or rules other than those in effect on the date the permit application is submitted.

~~79-76.~~ Character Zone: An area identified in the regulating plan of the SoBo Overlay that identifies placement of proposed uses and is intended to preserve and/or create a building form that is distinct from other areas within the overlay district.

~~81-77.~~ Childcare Facility: A business or institution where organized care or instruction is imparted to children under the age of seven years during typical business hours.

~~80-78.~~ City Manager - The City Manager and/or his/her duly authorized representative

~~81-79.~~ City of Boerne edition, San Antonio River Basin Low Impact Development Technical Design Guidance Manual: LID Manual.

~~82-80.~~ Civic Open Space System: Parks and outdoor recreation areas, landscaped pedestrian paths (other than required sidewalks along streets), bicycle paths (separate from a street right-of-way), natural or landscaped stream courses, natural or artificial lakes and other water features, greenbelts, and other landscaped public or common areas which are incorporated into the design of a the community and which benefit the community at large rather than being the private domain of individual lot owners.

~~83-81.~~ Class 1 Lighting: All outdoor lighting where color rendition is required to preserve the effectiveness of the application. Class 1 Lighting includes, but is not limited to, outdoor sales, advertising displays and other signs, recreational facilities, amphitheaters and other similar applications.

~~84-82.~~ Class 2 Lighting: All outdoor lighting where general illumination for safety and security of grounds is the primary concern and color rendition is not required to preserve the effectiveness of the application. Class 2 Lighting includes, but is not limited to, illumination for walkways, roadways, equipment yards, parking lots, outdoor eating areas, and outdoor security lighting.

~~85-83.~~ Class 3 Lighting: All outdoor lighting for primarily decorative effect where safety and security of grounds is not the primary concern and color rendition is not required to preserve the effectiveness of the application. Class 3 Lighting includes, but is not limited to, architectural illumination, flag and monument lighting, landscape illumination, signs and seasonal holiday lighting and lighting in residential areas (District 3).

~~86-84.~~ Clear Cutting: The indiscriminate cutting of trees and vegetation.

~~87-85.~~ Club or Lodge: A building housing an association of persons for the promotion of some non-profit common object, as literature, science, politics, good fellowship, etc., meeting periodically, limited to members, with residential occupancy accounting for not more than one-third of the gross floor area occupied by the use.

~~88-86.~~ Clustered parking: Parking for each cottage unit that is adjacent to one another to create more open space. No more than five continuous parking spaces are allowed in a cottage development.

~~89-87.~~ College/-or Uuniversity - An establishment primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels.

~~90-88.~~ Commercial ~~c~~Communications ~~S~~system: Any installation such as a radio, microwave or cellular telephone tower, antenna or related switching equipment in which the principal use is the transmission of information as a business, as distinguished from an antenna which is incidental to the remote monitoring or operation of a utility plant, industrial site or governmental facility.

~~92.~~ Commercial Complex Identifier: A monument sign not to exceed thirty-two (32) square feet, five (5) feet in height, located on property that may be separated from the principal development; however, the property on which it is located shall be part

Appendix A: Unified Development Code Definitions

- ~~of the same PUD or subdivision. The Identifier shall contain the name of the commercial complex and shall not advertise for individual establishments.~~
- ~~93-89.~~ Commercial Complex: Any development which consists of two or more establishments on a single platted lot such as a shopping ~~mall~~enter or an Industrial Park/ Business Park or Campus office park on two or more contiguous lots, which may be separated only by a street or drainage rights of way.
- ~~94.~~ ~~Commercial Sign: Any sign, regardless of its location or construction, whose wording or other contents, directly or indirectly, names, advertises or calls attention to any business, product, service, institution, organization, event, cause, purpose or other activity.~~
- ~~95-90.~~ Commercial Vehicle: A motor vehicle, other than a motorcycle, that has a manufacturer's rated capacity in excess of one and one-half (1.5) tons including related commercial equipment designed or used primarily to transport property.
- ~~95-91.~~ Common Open Space for Cottages: An area improved for passive recreational use or gardening. Common open spaces are required to be owned and maintained through a homeowners' association. Parking areas, yard setbacks, private open space and driveways do not qualify as common open space.
- ~~96-92.~~ Common Open Space: Open space that has been set aside in a Master Planned Community for use by inhabitants of the community and that is accessible to each subdivision within the Master Planned Community by pedestrian pathways.
- ~~97-93.~~ Community Athletic Field: A noncommercial facility for active outdoor recreation and organized sports, including a facility which is an accessory use to a school, but excluding any facility with lighted fields or permanent buildings for refreshment stands, locker rooms or shower facilities.
- ~~98-94.~~ Community garden: A use in which land managed by a group of individuals is used to grow food or ornamental crops for donation or for use by those cultivating the land and their households. Community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.
- ~~99-95.~~ Community Home: A residential establishment that is licensed by the State of Texas, where not more than six (6) Persons in Need and/or persons with a Disability may reside at the same time and are provided food and shelter, personal care services, as well as supervised care and rehabilitation. The limitation on the number of Persons in Need or persons with a Disability applies regardless of the legal relationship of those persons to one another. Supervisors may live in the Community Home, provided that no more than a total of eight (8) persons may live within the Community Home at any time. The establishment shall not have more than two (2) persons per bedroom.
- ~~102.~~ ~~Community Pride Sign: Temporary sign or banner which is used to identify establishments that have been recognized by the Chamber of Commerce or local newspaper not to exceed 90 days.~~
- ~~103.~~ ~~Community Service Sign: A temporary sign which solicits support for, or participation in, a non-profit, non-political, community, public or social purpose, cause, event or activity, such as one marking a holiday or holiday season, or one supporting school activities, charitable programs, religious activities, or events of community interest.~~
- ~~104-96.~~ Complete street: a street that not only accommodates various modes of transportation such as automobiles, bikes, and pedestrians, but also establishes a design context that is conducive for redevelopment along the street.
- ~~103-97.~~ Composting: Composting is the natural degradation of organic material, such as yard and food waste, into soil.
- ~~104-98.~~ Condominium: A form of ownership, typically for a dwelling unit, within which designated units or apartments are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land. The condominium form of ownership may apply to

Appendix A: Unified Development Code Definitions

various lot types and building type combinations, provided all other zoning ordinance standards for the physical format of the development are met.

~~405.99.~~ Construction Sign: A sign placed on a construction site identifying or announcing the character of the project and/or the names of the owners, developers, financiers, architects, engineers, contractors, leasing agents and others associated with the project.

~~406.100.~~ Construction Vehicle: Means mobile construction equipment, including but not limited to, dump trucks, graders, back-hoes, front-end loaders, skid loaders, and other similar equipment.

~~407.101.~~ Continuing use petition: a vested rights petition that alleges rights under Section 43.002 of the Local Government Code to continue or begin a land use that was begun or planned prior to annexation of the land by the City.

~~408.102.~~ Contractor: A business which involves the outdoor storage of materials for use at another location, or the outdoor storage of equipment which is intended for use by the business at another location or for rent, as distinguished from any trade in which all activity on the site is conducted inside a building.

~~103.~~ Convenience Store - An establishment known as convenience stores or food marts (except those with fuel pumps) primarily engaged in retailing a limited line of goods that generally includes milk, bread, soda, and snacks

~~409.104.~~ Convenience Store: A retail use primarily engaged in the sale of a limited selection of food and personal and home care items, or a combination of such items and the sale of automotive fuels, but excluding any business selling alcoholic beverages for on-site consumption, and involving no more than 3,600 of gross leasable area which is primarily designed for convenient automobile access. [VM1]

~~440.105.~~ Corner Lot: A lot at the point of intersection of and abutting on two or more intersecting streets, the angle of intersection being not more than 135 degrees. It is the land occupied or to be occupied by the corner building and its accessory buildings. A corner lot, the rear of which abuts upon the side of another lot, whether or not across an alley, is a "reversed corner lot".

~~444.106.~~ Correctional Facility/-or-Jail - Government establishments primarily engaged in managing and operating correctional institutions. The facility is generally designed for the confinement, correction, and rehabilitation of adult and/or juvenile offenders sentenced by a court.

~~442.107.~~ Cottage Cluster: A group of four to ten Cottages, arranged around a common open space (See common open space for cottages).

~~443.108.~~ Cottage Food Production Operation: A cottage food production operation is defined as an individual, operating out of the individual's home, who: Produces a baked good, candy, coated and uncoated nuts, unroasted nut butters, fruit butters, a canned jam or jelly, a fruit pie, dehydrated fruit or vegetables, including dried beans, popcorn and popcorn snacks, cereal, including granola, dry mix, vinegar, pickles, mustard, roasted coffee or dry tea, or a dried herb or dried herb mix; Has an annual gross income of \$50,000 or less from the sale of the described foods; and Sells the foods produced directly to consumers at the individual's home, a farmers' market, a farm stand, or a municipal, county, or nonprofit fair, festival or event; Delivers products to the consumer at the point of sale or another location designated by the consumer.

~~444.109.~~ Cottage Housing Development (CHD): A cluster housing development consists of one or more clusters of cottages developed under a single land development plan, or as part of another land development plan. Cottages are clustered in a group or groups to create a small community that is aligned around open space and pedestrian-oriented, where visibility of off-street parking is minimized.

~~445.110.~~ Cottage Housing Development Plan: The site plan of a cottage housing development that is submitted for a recommendation by the Planning and Zoning Commission and approval by City Council as the basis for development of the preliminary and final plats Master Development Plan or plat of a Cottage Housing Development.

Appendix A: Unified Development Code Definitions

- ~~416~~.~~111~~. Cottage Lot: A lot within a Cottage Housing Development that has access within 60 feet to pedestrian walkways, walkable distance to driveways, vehicular parking and open green space. It does not have to front a public street but must have public access to a utility easement or fire lane access.
- ~~417~~.~~112~~. Cottage: A detached, small single-family dwelling unit containing 1000 square feet or less of gross floor area.
- ~~418~~.~~113~~. Coving: A method of subdivision development characterized by non-uniform lot shapes and home placement. When combined with winding roads, lot area is increased and road area reduced. Coving is used as an alternative to conventional "grid" subdivision layout in order to reduce road costs, such as road surfacing, while improving aesthetics, and increasing the amount of land available for construction.
- ~~419~~.~~114~~. Craft ~~a~~Alcohol ~~p~~Production: A craft production establishment where alcoholic beverages are produced and where retail activity, including dining, merchandising and/or beverage sales also occurs. Retail, manufacturing related activity areas are limited.
- ~~420~~.~~115~~. Critical Feature: an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- ~~421~~.~~116~~. Critical Root Zone (CRZ): Area of soil around a tree where the minimum amount of roots considered critical to the structural stability or health of the tree are located. CRZ determination is sometimes based on the dripline or a multiple of DBH, but because root growth can be asymmetrical due to site conditions, onsite investigation may be required.
- ~~422~~.~~117~~. Day ~~c~~Care, ~~A~~/~~a~~Adult: A business or institution where organized care or instruction is imparted to adults over the age of 18 during typical business hours.
- ~~423~~.~~118~~. Day Care ~~+~~ Before or After-school program: An operation that provides care before and/or after the customary school day and during school holidays, to children who attend pre-kindergarten through grade six.
- ~~424~~.~~119~~. Days: Refers to Calendar Days unless otherwise noted.
- ~~120~~. DBH: Tree diameter at breast height. Tree DBH is the outside bark diameter measured at 4 1/2 feet above the ground from the uphill side of the tree. For the purposes of determining breast height, the ground includes the dirt layer that may be present but does not include unincorporated woody debris that may rise above the ground line.
- ~~425~~.~~121~~. Decorative Post and Panel Sign: A post and panel sign is a freestanding sign that is supported by decorative posts, with no structural enclosure of the sign face or sign panels.
- ~~426~~.~~122~~. Depth: As applied to the dimensions of a lot, the average horizontal distance between the front and rear lot lines; as applied to a front, side or rear yard, the average horizontal distance between the front, side or rear wall of a building, other than an accessory building, and the front, side or rear lot line, as appropriate.
- ~~427~~.~~123~~. Single-family ~~d~~Detached, ~~D~~ddwelling: A free-standing structure designed for a single principal dwelling unit as the only use (also commonly referred to as a "Single-family Residence").
- ~~428~~.~~124~~. Detached: As applied to a building or structure, one having no party or common wall with another building or structure except an accessory building or structure.
- ~~429~~.~~125~~. Developed Athletic Field/~~or~~ ~~S~~Stadium: A facility for active outdoor recreation and organized sports which is operated as a business or which includes lighted fields, permanent grandstands, or permanent buildings for refreshment stands, locker rooms or shower facilities.
- ~~430~~.~~126~~. Development Project: Any residential, commercial, industrial or mixed-use subdivision plat or development plan which is submitted to the City of Boerne for approval or for permit.
- ~~431~~.~~127~~. Development: any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling,

Appendix A: Unified Development Code Definitions

grading, paving, excavation or drilling operations or storage of equipment or materials; Includes buildings, roads and other structures; construction; and excavation, dredging, grading, filling and clearing or removing vegetation associated with residential or nonresidential construction.

~~432.128.~~ Digital Sign: signage displayed on a digital screen.~~(definition)~~

~~433.129.~~ Digital Wrap Sign: A freestanding sign made out of flexible material mounted on sign board or a similar rigid product.

~~434.130.~~ Direct Illumination: Illumination from artificial light sources that exceeds .5 foot candles as measured horizontally.

~~436.~~ ~~Directional Sign, River Corridor: An off-premise sign that gives directions to an establishment located in the River Corridor Zone.~~

~~437.131.~~ Directional Sign: A sign which is separate from other signs, incidental and secondary to the principal use of the land on which it is located, and whose primary purpose is to give directions such as to parking lots, exits, entrances, ~~drive-through~~drive-thru windows, or directives such as "No Parking."

~~437.132.~~ Disability: As defined in 42 U.S.C. §12102 as may be amended or recodified from time to time.

~~133.~~ Donation bin: An outdoor receptacle designed with a door, slot or other opening that is intended to accept and temporarily store donated items such as books, clothing or other non-perishable goods and materials.

~~438.134.~~ Door Sign: Any sign which is painted or placed inside or upon a door or mounted against a door and oriented so as to be read from outside the building.

~~439.135.~~ Drainageway: A route or course along which water moves or may move to drain a region.

~~440.136.~~ Drainageway Protection Zone: An area that extends horizontally landward a specified distance from the center line of a route or course along which water moves or may move to drain a region. Area that contains the Protection Zones as detailed in Chapter 8, Environmental Design~~Section 6.03.005 of the Boerne Subdivision ordinance, current version.~~

~~441.137.~~ Drip-line: An imaginary line defined by the branch spread of a single plant or group of plants, projected onto the ground.

~~442.138.~~ Duplex: A dwelling unit in a free-standing structure designed for two principle dwelling units as the only uses, and where the units may be separated by a party wall and located on separate lots if they are intended for individual ownership. The units may be separated by different stories where the structure is intended for single or condominium ownership.

~~443.139.~~ Easement, Non-Access: An easement dedicated to the public prohibiting vehicular traffic on, over or across said easement.

~~444.140.~~ Easement, Overhang: An interest in land granted to the City, to the public generally, and/or to a utility corporation, for installing or maintaining overhead utilities over private land. This easement does not grant the right of entry thereon with machinery and vehicles for maintenance.

~~445.141.~~ Easement, Sidewalk: An interest in land granted to the public for the installation of and public use of, a sidewalk across or over private land, together with the right to enter thereon with machinery and vehicles necessary for the installation and maintenance of said sidewalk.

~~446.142.~~ Easement, Utility: An interest in land granted to the City, to the public generally, and/or to a private utility corporation, for installing or maintaining utilities across, over or under private land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of said utility.

~~447.143.~~ Easement: An acquired right to use land owned by another for a limited purpose, or an interest or privilege short of ownership in land owned by another, such as easement of light, of building support or maintenance, or right of way.

~~448.144.~~ Electronic Changeable Copy Sign: A sign that uses computer-generated words, numbers or symbols that can change.

Appendix A: Unified Development Code Definitions

- ~~149.~~145. Electronic Message Display: A sign capable of displaying words, symbols, figures or images, which can be electronically or mechanically changed by remote or automatic means.
- ~~151.~~ ~~Elevated Building – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.~~
- ~~152.~~146. Elevated building: for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
- ~~152.~~ ~~Entrance Corridors: The primary vehicular entrances to Boerne, either City or County roads as determined by City Council, as well as the following State Highways: Interstate 10 east and west, Highway 46 east and west, US 87 north and south, and FM 474 in which established parameters are set for properties.~~
- ~~153.~~147. Environmentally Sensitive Area: Areas that require protection of native landscape, plant life, wildlife of ecological values. Environmentally sensitive areas shall include steep slopes and 100-year flood plains.
- ~~153.~~148. Establishment: A use of land for any purpose which requires a building on the land, regardless of the commercial, nonprofit or public nature of the activity, but excluding a residence or active agricultural use in any form.
- ~~156.~~ ~~Event Sign, Off-Site: A sign giving directions to an occasional event at another location, other than a business event at a commercial establishment, such as directions to a civic or other non-commercial ceremony, to an event for the members of an organization, or to an event at a residence such as a garage sale, home for sale, real estate open house, or private party.~~
- ~~157.~~ ~~Event Sign, On-Site: A sign which is placed to advertise or mark the location of an occasional event on the same site, such as the location of a civic or other non-commercial ceremony, of an event for the members of an organization, or of an event at a residence such as a home for sale, real estate open house, or private party.~~
- ~~158.~~149. Exhibition or Fairgrounds: Exterior grounds used for periodic venues for large scale gatherings to display items, watch special events, or participate in social and recreational games and activities.
- ~~157.~~150. Existing Construction: means, for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
- ~~158.~~151. Existing Manufactured Home Park or Subdivision: a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets , and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community .
- ~~159.~~152. Expansion to an Existing Manufactured Home Park or Subdivision: the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- ~~160.~~153. Fabrication, (indoors) - A manufacturing, processing or assembly facility in which all activities and storage of materials occurs indoors.
- ~~161.~~154. Family: A single individual, living upon the premises as a separate housekeeping unit, or a collective body of persons living together upon the premises as a separate housekeeping unit, whether or not they are living in a domestic relationship based upon birth, marriage, or other domestic bond. A family is distinguished from a group occupying a rooming or boarding house, club or lodge, or living in a hotel or motel or other arrangement by the fact that they function together as a single housekeeping unit.

Appendix A: Unified Development Code Definitions

- ~~462.155.~~ Farm: A public or private, for profit or nonprofit agricultural operation consisting of planting and harvesting crops and/or raising livestock.
- ~~463.156.~~ Farmers market: A farmers market is a permitted, recurring event, held outdoors or in another defined place, on designated days and times, where multiple vendors are organized for the purpose of selling their products directly to the public, and where at least forty (40) percent of market vendors are selling agricultural products, such as produce, eggs, or meat.
- ~~465.157.~~ Feather Flag Sign: ~~A temporary sign made of fabric, whose side and top are fully attached to a mounting arm or post.~~
- ~~464.158.~~ Fire Protection Plan: A set of civil plans illustrating the proposed layout of an internal vehicular circulation systems including and the number of access points, inside turning radius specifications at intersections, roadway width throughout the development, specifications of any gated entry and egress systems, cul-de-sac dimensions, proposed fire hydrant locations, and the number of proposed dwelling units.
- ~~465.159.~~ Flag Sign: A sign that is attached to a permanent post or pole using a system of rope or wire, which enables the flag to be raised and lowered.
- ~~466.160.~~ Flag: A flag adopted by a business, institution or other organization and containing the name, logo or other symbolic emblem of that business, institution or organization.
- ~~467.161.~~ Flashing Sign: A sign with flashing, blinking, moving, rotating or traveling lights, or with lights that change in color or intensity, or have multiple views and objects that digitally or electronically produce color and/or black and white images whether the sign is directly or indirectly illuminated, or a sign which uses lights to form traveling messages or messages which change more than once per day, except for a public service sign.
- ~~468.162.~~ Flood (or flooding): a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; mudflow; or collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.
- ~~469.163.~~ Flood Elevation Study: an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
- ~~470.164.~~ Flood Insurance Rate Map (FIRM): an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.
- ~~471.165.~~ Flood Insurance Study (FIS): See flood elevation study.
- ~~473.~~ Flood Proofing ~~-- any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.~~
- ~~474.166.~~ Flood Protection System: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- ~~474.167.~~ Floodplain: any land area susceptible to being inundated by water from any source (see definition of flooding).
- ~~475.168.~~ Floodplain Management: the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Appendix A: Unified Development Code Definitions

- ~~176.~~169. **Floodplain Management Regulations:** zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- ~~177.~~170. **Floodplain Variance:** a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)
- ~~178.~~171. **Flood-Prone Area:** any land area susceptible to being inundated by water from any source (see definition of flooding).
- ~~179.~~172. **Floodproofing:** any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- ~~180.~~173. **Floodway** - see Regulatory Floodway
- ~~181.~~174. **Foot Candle:** A measure of illuminance, i.e. visible light falling on a given surface. One foot candle (fc) is equal to one lumen per square foot. Illumination can be measured in foot-candles both horizontally and vertically with an illumination photometer.
- ~~183.~~ ~~**Free Standing Sign:** Either a monument sign or a self-supported sign.~~
- ~~184.~~175. **Freestanding Sign:** A sign that is not attached to a building or building component, and that is supported permanently upon the ground by poles, braces, or a structure other than a building or building component.
- ~~184.~~176. **Full Cut-Off Fixture: (FCO)** Outdoor light fixtures shielded or constructed so that no light rays are emitted above a horizontal plane through the fixture.
- ~~185.~~177. **Fully Shielded:** Light fixtures constructed such that all light rays emitted are projected below the horizontal plane passing through the lowest point on the fixture from light emitted, as evidenced by a manufacturer's photometric data or by photometric measurement.
- ~~186.~~178. **Functionally Dependent Use:** a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- ~~187.~~179. **Fundraising activities by not-for-profits:** Fundraising or noncommercial events for nonprofit religious, educational or community service organizations where the public is invited to participate in the activities and which last longer than 72 hours, but not longer than 45 days. This description shall not preclude the use of existing religious institutions or other not-for-profit facilities for events conducted entirely within a building.
- ~~188.~~180. **Funeral ~~h~~Home/~~or M~~mortuary:** Buildings or facilities for the preparation and treatment of deceased humans, and ceremonies prior to burial or cremation.
- ~~189.~~181. **Gas Station - An establishment known primarily engaged in (1) retailing automotive fuels or (2) retailing these fuels in combination with activities, such as providing repair services; selling automotive oils, replacement parts, and accessories; and/or providing food services.**
- ~~190.~~182. **Garden Home:** A dwelling designed to be occupied by a single family, built on a lot line but separated from any other building by open space on all sides.
- ~~191.~~183. **General Office:** A business which is not an accessory to another use devoted primarily to professional services or the management of the affairs of a business or other organization, as distinguished from the actual production of goods by that business or organization. Individual units of gross leasable area are between 3,000 and 30,000 square feet and each owner or tenant employs between 20 and 100 employees on premises. Examples include moderate scale professional services such as accountants, architects, insurance, law, real estate, or other similar

Appendix A: Unified Development Code Definitions

businesses which cannot operate within the unit square footage and employee limits of the neighborhood category, or other moderate size business or corporate employment operations.

~~492.184.~~ Glare: Light emitting from a luminaire of sufficient intensity such that it reduces a viewer's ability to see or causes temporary blindness.

~~493.185.~~ Golf Course: An outdoor recreation area offering the use of its grounds to play golf for a daily or other periodic fee.

~~494.186.~~ Government Facility: A facility or area of land controlled and/or operated by a government entity to aid in providing a service to the citizens under the jurisdiction of that entity.

~~495.187.~~ Governmental Flag: Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction.

~~496.188.~~ Governmental Sign: A sign owned or sponsored by the City of Boerne, Cow Creek Ground Water Control District, Kendall County or the Boerne Independent School District that is used to provide general information to the community.

~~497.189.~~ Grandfathered Nonconforming Luminaires: Luminaires not conforming to this ordinance that were in place on the effective date of this ordinance.

~~498.190.~~ Greenway: An undeveloped area of continuous linear natural features, often following a stream, floodplain, or road corridor.

~~499.191.~~ Grocery Store: A business engaged in the retail sale of a broad range of food products and limited household products for consumption off premises, although some limited areas may be dedicated to the on-premise sale and consumption of food. ~~A grocery store typically involves less than 40,000 square feet of gross leasable area and is characterized by a target market of approximately 1-mile radius.~~

~~200.192.~~ Gross Density: The total area of the subdivision (including public improvements), divided by the total number of residential dwelling units contained on the plat being submitted for approval.

~~201.193.~~ Gross Floor Area: The sum of the gross horizontal area of the several floors of a building, including interior balconies and mezzanines. All horizontal dimensions are to be measured between the exterior faces of walls, including the walls of roofed porches having more than one wall. The floor area of a building shall include the floor area of accessory buildings, on the same lot, measured in the same manner.

~~202.194.~~ Ground Sign: See Monument Sign.

~~203.195.~~ Group Home: A residential establishment that is licensed by the State of Texas where seven (7), but no more than sixteen (16), Persons in Need or persons with a Disability may reside at the same time and are provided food, shelter and personal care services as well as supervised care and rehabilitation. Supervisors may live in the Group Home, provided that no more than a total of nineteen (18) persons, inclusive of supervisors, may live therein, regardless of the legal relationship of those persons to one another. The establishment shall not have more than two (2) persons per bedroom.

~~204.196.~~ Gym/[sports training facility](#) (Fitness facility): A person, firm, corporation, organization, club or association engaged in the sale of instruction, training, or assistance in a program of physical exercise or weight reduction. The zoning, lighting, parking and design regulations fall under the category of Retail (Neighborhood, General or Major).

~~205.197.~~ Habitat Corridor: A strip of land that aids in the movement of species between disconnected areas of their natural habitat.

~~206.198.~~ Half-Street: Any portion of a street which does not meet the minimum right-of-way widths required by this ordinance or which is to be widened to full width at some later date.

~~199.~~ [Halfway House - A facility with 5 bedrooms or less that provides for the housing and rehabilitation or training of adults on probation, parole, early or pre-release or any other form of executive, judicial or administrative release from a penal institution,](#)

Appendix A: Unified Development Code Definitions

including without limitation community residential facilities established in accordance with Tex. Code of Criminal Procedure Ann. Art. 42.18, as amended from time to time. Halfway house includes facilities which provide in-patient treatment for chemical dependency to persons on probation, parole, early or pre-release or any other form of executive, judicial or administrative release from a penal institution if such persons are ordered to obtain such treatment for chemical dependency as a condition of release.

~~208. A community-based establishment set up to provide access to community resources and offer transitional opportunities for individuals who are attempting to return to society after they have been found guilty of a crime.~~

~~209.~~200. Handheld Sign: A sign which is not permanently or temporarily attached to the ground or to a permanent structure, and which is designed to be transported or carried by an individual.

~~210. Hanging Sign: A sign that is attached to the underside of an awning or canopy.~~

~~211.~~201. Hazardous Areas: Areas shown in the Contract Documents as having Class I or Class II area classifications.

~~212. Health Clinic: An establishment in which one or more physicians, dentists, or other health care professionals and their allied professional assistants are associated for the purpose of carrying on their professions. A health clinic may include a dental or medical laboratory, after hours emergency care, but it may not include in-patient care or operating rooms for major surgery.~~

~~213.~~202. Height - As applied to a building: The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the ceiling of the top story in the case of a flat roof, to the deck line of a mansard roof, and to the average height between the plate and ridge of a gable, hip or gambrel roof.

~~213.~~203. Height - As applied to any sign: the vertical distance between the highest attached component of the sign or of its supporting structure, whichever is higher, and the average established ground level beneath the sign. The established ground level beneath the sign is the lower of (1) the existing grade prior to construction of the sign or (2) the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign, unless the curb elevation at the street in front of the sign is higher than the established ground level, in which case the height shall be measured from curb level.

~~214.~~204. Heritage Tree: A Legacy tree species that has a trunk diameter (DBH) larger than 24 inches.

~~215.~~205. Highest Adjacent Grade: means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

~~217. Historic District: A district designated by City Council under this ordinance as an area containing significant concentrations, linkage or continuity of buildings, structures, sites, areas or lands which are united by architectural, historical, archaeological or cultural importance or significance such that the area requires protection and preservation.~~

~~218.~~206. Historic Landmark: Any building, structure, site, area or land of architectural, historical, archeological or cultural importance or value, which the City Council has determined to have sufficient significance, balancing public and private interests, to require that it be protected and preserved.

~~218.~~207. Historic structure: any structure that is: Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the

Appendix A: Unified Development Code Definitions

Interior; or Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: By an approved state program as determined by the Secretary of the Interior or; Directly by the Secretary of the Interior in states without approved programs.

219:208. Home Occupation: A business which is carried on entirely within a dwelling as an accessory use to the resident's principal use of the dwelling as a home.

220:209. Hospital: An institution providing health services, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities and staff offices.

221:210. Hotel – ~~b~~Boutique: A small, intimate hotel of historic design and elegance that is reflective of the local community. Boutique hotels are 30 units or less and typically not part of a franchise.

222:211. Hotel/~~or M~~otel: A business other than a bed & breakfast or a rooming or boarding house in which rooms are rented, generally for short-term occupancy by transient guests, together with incidental meeting rooms, restaurants and recreation facilities for the primary benefit of the guests.

223:212. IESNA: Illumination Engineering Society of North America, an association of professionals in the field of lighting and related professions.

224:213. Illuminance: Luminous flux incident on a surface per unit area. Illuminance is normally expressed in foot-candles (lumens per square foot) or lux (lumens per square meter).

225:214. Impact Area: the limits of the area for which the Traffic Impact analysis is to be conducted. This area shall be determined by the Engineering Firm conducting the Traffic study and City Manager prior to the start of the study.

226:215. Impervious Cover: The paved surface of any street, alley, sidewalk, driveway or parking area, the roof of any building or structure, and the top surface of any deck or other construction of any character which is so designed or built that rain falling on the surface is carried off that surface without directly penetrating the ground beneath it or designed to infiltrate to other immediately adjacent areas on the site.

227:216. Impervious Surface: Includes all streets and pavement within a development, to include roads, parking areas (paved and unpaved), buildings, pools, patios, sheds, driveways, concrete, sidewalks and other impermeable construction covering the natural land surface. For an uncovered wood deck that has drainage spaces between the deck boards and that is located over the previous surface, 50 percent of the horizontal area of the deck shall be counted as impervious cover.

228:217. Incidental Sign: A small sign, emblem or decal informing the public of goods, facilities or services available on the premises, including hours of operation and whether the establishment is open or closed.

229:218. Included Structure: Any building or structure which is located in whole or in part in any historic district, whether or not the building or structure itself is designated as an historic landmark.

230:219. Industrial ~~a~~Arts ~~s~~Studio - a business where fabrication of objects in wood, metal and various materials takes place using a variety of hand, power, or machine tools.

231:220. Industrial ~~p~~Park: A development which is intended to be the site for a number of manufacturing, industrial, warehousing and related uses, and which is designed and developed as an integrated unit. Each of the individual establishments or uses contained within the industrial park must be a permitted use in the district in which the industrial park is located.

232:221. Industry, or Industrial: A land use involving processing, manufacturing, or warehousing, or the outdoor storage of goods or materials intended for processing or manufacturing, or the outdoor storage of machinery or equipment to be used by the business at another location rather than being offered for sale or rent, all as distinguished from wholesale or retail trade and services. A laboratory which is not

Appendix A: Unified Development Code Definitions

incidental or accessory to another use, such as a health clinic or a hospital, is also an industrial use.

233.222. Integral Sign: A sign indicating the name of a building, as distinct and clearly distinguished from the name of a business, institution or other entity occupying the building, or indicating the date or other information of historical interest about the building's construction, when such sign is cut or molded into a masonry surface which forms part of a wall of the building or when it is constructed as a plaque or tablet of bronze or other incombustible material and permanently mounted on the face of the building.

234.223. Internal Street: A private street within or connecting parking lots.

235.224. ITE – Institute of Transportation Engineers: An international educational and scientific association of transportation professionals that conducts research on trip generation characteristics of various development types and establishes industry best practices for the preparation of traffic studies.

236.225. Junk Yard: The use of any lot for the storage, keeping or abandonment of junk, whether inside or outside a building.

237.226. Junk: Any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage, recycling or conversion to some use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered junk.

238.227. Kelvin: a measurement used to describe the color temperature of a light source. This is the specification that gives a description of the warmth or coolness of a light source.

239.228. Kennel: Any lot or premises, other than a veterinary clinic, on which four or more domestic animals more than four months of age are housed, groomed, bred, boarded, trained or sold.

240.229. Laboratory: Any business or free-standing establishment in which the principal activity involves testing or analysis of any material, and which is not an accessory to another use, such as an accessory to a manufacturing or processing plant or a hospital or health clinic. No manufacturing is conducted on the premises except for experimental or testing purposes.

241.230. Land Use Determination: The classification of land uses when such use is not explicitly named or described in this ordinance.

242.231. Landmark: See "Historic Landmark".

243.232. Landscape Plan: A map or site plan which illustrates the general layout of proposed buildings, structures, driveways and on-site areas on a lot or tract of land, along with the design of landscaped areas, including detail of the location, species and diameter (DBH) of all protected trees, other existing trees which are to be retained or removed, and caliper of trees which are to be planted as replacement or additional trees.

244.233. Landscaped Area: The area of a lot which is devoted to and consists of plant material adaptable to this region, including but not limited to grass, trees, shrubs, flowers, vines, ground cover, and other native plant materials, along with planters, brick or stone walkways, natural forms, water forms, aggregate or mulch beds, and other landscape features, but not including any paved area of smooth concrete or asphalt.

245.234. Large Vehicle and Machinery Rental, Sales and Service: A business renting, leasing, repairing, servicing or selling buses, motor homes, trucks larger than standard pickup trucks, or off-road machinery or equipment of any character, or selling, installing or servicing parts and accessories for such vehicles, machinery or equipment.

246.235. Laundry (self-service): A business engaged in renting the use of coin operated machines for cleaning cloths and other personal goods.

247.236. LED Sign: A sign composed of light emitting diodes.

248.237. LED: Light emitting diode

Appendix A: Unified Development Code Definitions

- ~~249-238.~~ Legacy Tree: The following species of trees with a diameter (DBH) between 12.0 and 23.9 inches: Cottonwood, Sycamore, and all species of Cypress, Elm, Maple and Oak (with the exception of all varieties of red oaks), Pecan and Texas Ash.
- ~~250-239.~~ Levee: a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- ~~251-240.~~ Levee System: a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- ~~252-241.~~ Level of Service (LOS) - A measure of the level of congestion experienced on roadways. LOS shall be calculated using methodologies consistent with the latest edition of the Highway Capacity Manual published by the Transportation Research Board. In addition, the following characteristics shall be addressed when evaluating levels of service:
- ~~253.~~ ~~Capacity as determined in the latest edition of the Highway Capacity Manual.~~
- ~~254.~~ ~~Environmental Condition topography, sight distance and other safety hazards~~
- ~~255.~~ ~~Physical Configuration Intersection and roadway geometry~~
- ~~256.~~ ~~Traffic Characteristics peak hour factor~~
- ~~257.~~ ~~Traffic Control signalized and unsignalized control~~
- ~~258-242.~~ Library - An establishment set apart to contain books, periodicals, and other material for reading, viewing, listening, study, or reference, as a room, set of rooms, or building where books may be read or borrowed.
- ~~254-243.~~ Light Pollution: Artificial light that causes a detrimental effect on the environment, or astronomical enjoyment of the night sky, or causes undesirable glare or unnecessary illumination of adjacent properties.
- ~~255-244.~~ Lighted Sign: A sign that is backlighted or lighted from within, a neon sign, or a LED sign but not a sign that is only illuminated by external lights that shine upon it.
- ~~256-245.~~ Lighting Districts: All lighting areas discussed below shall be as defined on the City of Boerne Lighting Area Map. Lighting District 1 is an urban area with primary land uses for commercial, business, and apartments surrounded by suburban residential areas. Lighting District 2 is a business area along US 87, and River Road, and the Historical District surrounded by residential areas. Lighting District 3 is composed of primarily residential uses.
- ~~257-246.~~ Lighting Plan: A plan used for an approval process or construction indicating all site improvements and the number, location, type of fixture, and manufacturer's data on all the proposed lighting, both pole and building mounted.
- ~~258-247.~~ Limited Access Streets: A street along which direct vehicular ingress and egress to and from adjacent residential property is prohibited (except as provided for in Section 3.04.005 B Lot Access), regional thoroughfares, arterial streets, primary and secondary collectors and avenues are limited access streets.
- ~~259-248.~~ Limited Outdoor Retail Display: The limited orderly display of merchandise on a sidewalk or an exterior private area of a site for the sale associated with an otherwise permitted Retail use.
- ~~260-249.~~ Live-Work Unit - A single unit (~~e.g., single-family residential~~) consisting of both a commercial/office and a residential component that is occupied by the same resident.
- ~~261-250.~~ Local Floodplains - shall be designated as the area inundated by the 100-year flood for all watersheds draining 25 acres or more that do not have a FEMA regulatory floodplain and are defined as a drainageway per this Code. Local floodplains are further defined by a minimum 1-foot flow depth to exclude shallow concentrated or sheet flows from being identified as elevated risk zones per FEMA guidelines.
- ~~262-251.~~ Long Term Care Facility: An establishment such as a hospice, nursing home, sanitarium or rehabilitation center where seventeen (17) or more Persons in Need and/or persons with a Disability are attended for a relatively extended period of time,

Appendix A: Unified Development Code Definitions

as distinguished from a hospital or other institution for acute care and short term therapy.

263:252. Lot Line: A property boundary line separating one lot from another or from a street or alley. Any lot line which is not a street line, or a rear lot line is a side lot line.

264:253. Lot, Corner: A lot at the point of intersection of and abutting on two or more intersecting streets, the angle of intersection being not more than 135 degrees.

265:254. Lot, Double Front: Any lot, not a corner lot, with frontage on two streets which are parallel to each other or within 45 degrees of being parallel to each other.

266:255. Lot: An undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, which is designated as a distinct and separate tract, and/or which is identified by a tract, lot number or symbol in a duly approved subdivision plat which has been properly filed on record.

267:256. Low Impact Development (LID): A stormwater management and land development strategy applied at the parcel and subdivision scale, emphasizing conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions, where stormwater runoff is managed as close as possible to the source.

268:257. Low Impact Development Strategies: Structural stormwater BMPs and planning techniques that are intended to closely model predevelopment hydrologic conditions by reducing impervious surfaces and infiltrating, evaporating, and storing stormwater runoff using native or improved soils, vegetation, and bioengineering.

269:258. Lowest Floor: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

270:259. Lumen: A measure of visible light power or luminous flux intercepted by a surface of one (1) square foot, all points of which are one (1) foot from a uniform source of one (1) candela. A one candela source provides 12.57 lumens.

271:260. Luminaire: A complete lighting unit, consisting of a lamp(s), reflector, refractor, lens, wiring, and sockets. Often referred to as a "fixture".

272:261. Luminance: Luminance flux per unit solid angle. Luminance is normally expressed in candelas per square meter (lumens per square meter per steradian) or foot-lamberts (l/pi lumens per square foot per steradian). Luminance is composed of the light impinging on a scene and the light reflected back from all of the objects and surfaces in the scene.

273:262. Major Office or Office Complex: A business which is not an accessory to another use devoted primarily to professional services or the management of the affairs of a business or other organization, as distinguished from the actual production of goods by that business or organization. Individual units of gross leasable area may be more than 30,000 square feet in a single building or group of buildings, and each owner or tenant may employ more than 100 employees on premises. Examples include large scale professional services or major corporate offices or headquarters.

274:263. Manual Changeable Copy Sign: A sign where individual letters or numbers are mounted on or in a track system.

275:264. Manufactured Home Park or Subdivision: a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

276:265. Manufactured Home: A structure that is transportable in one or more sections. In traveling mode, the home is eight feet or more in width and forty feet or more in length. A Manufactured Home is designed and constructed to the Federal Manufactured Construction and Safety Standards and is so labeled. When erected on site, the home is: at least 400 square feet, built and remains on a permanent chassis and designed to be used as a dwelling with a permanent foundation built to FHA criteria. The structure must be designed for occupancy as a principal residence

Appendix A: Unified Development Code Definitions

by a single family. The term “manufactured home” does not include a “recreational vehicle.”

~~277-266.~~ Manufacturing: All operations of fabrication, such as assembling, stamping, cutting or otherwise shaping processed materials into useful objects, as opposed to the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber. Excludes products used for onsite sales or consumption.

~~278-267.~~ Marquee Sign: A sign that is fully integrated with the building to which it is attached, with no added support elements.

~~279-268.~~ Marquee: A permanent, roofed structure that is fully supported by a building.

~~280-269.~~ Boerne Master Plan - The plan adopted by the City of Boerne which illustrates the intended future land use patterns.

~~281-270.~~ Master Planned Communities: Tracts of land 25 acres and larger which are anticipated to be developed sequentially in contiguous units.

~~271.~~ Mean Sea Level: for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVO) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

~~272.~~ Medical – fFreestanding Eemergency Rroom – A freestanding emergency room providing emergency medical services at a place outside of a hospital campus to treat those conditions that a typical emergency room would treat.

~~273.~~ Medical - hHospital/iinpatient Ccare Ffacility - a medical facility that includes a range of units, where the primary purpose is to provide both intensive and non-intensive care, but on a somewhat short-term basis. Hospitals are open 24 hours a day, 7 days a week, and offer a range of services, including emergency care, scheduled surgeries, labor and delivery, diagnostic testing and lab work. Hospitals provide inpatient care and may provide outpatient care.

~~274.~~ Medical - lLaboratory/Ddiagnostic Sservices – A medical facility that provides diagnostic testing services, medical imaging, and/or a wide range of laboratory procedures for individual patients and physicians in the treatment and care of patients.

~~275.~~ Medical – – Ooffices/-and Ooutpatient Sservices – A medical facility that is occupied by a medical professional (ie: medical doctor, dentist, psychiatrist) that provides services on an outpatient basis, primarily by appointment.

~~276.~~ Medical – pPharmacy – a facility which provides pharmaceutical drugs, fills prescriptions and may include a small medical quick clinic and retail products as an accessory use to the pharmacy (also known as a drugstore, apothecary).

~~277.~~ Medical – sSurgical cCenter - A medical facility providing outpatient surgical care, including diagnostic and preventative medical procedures.

~~282-278.~~ Medical – uUrgent cCare Services or Walk-In Clinic – A medical facility that provides immediate medical attention on an outpatient basis. May keep extended hours, up to 24 hours.

~~289-279.~~ Mini-Warehouse: A business in which separate storage units are rented to individuals who are entitled to exclusive and independent access to their respective units.

~~290-280.~~ Mixed-use building: A structure containing one or more dwelling units but is designed for one or more non- residential use as principal uses, and where the dwelling units are not accessory to those uses. (commonly seen as ground level retail or office with upper level residential “condominiums” or “apartments”)

~~291-281.~~ Mixed-use lot - a lot in which multiple buildings that house different uses are all on one lot.

~~292-282.~~ Mobile Food Vendors: A readily movable, motorized-wheeled vehicle or a towed vehicle designed and equipped to prepare, or serve, and sell food.

~~293-283.~~ Mobile Home: A detached residential dwelling unit, built prior to 1976 HUD regulations, designed for transportation after fabrication on streets or highways on its own wheels or a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary

Appendix A: Unified Development Code Definitions

or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered a mobile home.

~~294.~~284. Model Home Sign: A sign which is located on the same lot as a model home in a residential subdivision and which calls the attention of prospective buyers to the model home.

~~295.~~285. Modular Home: A dwelling that: Is manufactured in a production facility and are built in two or more sections in a controlled factory setting that are then transported and assembled on location. The assemble process typically uses a traditional concrete foundation (permanent). Unlike a manufactured home (mobile home), a modular home cannot be moved once built. Is designed to be used as a residence when the modules are transported to the home site, joined together and installed on a permanent foundation in accordance with the Building Code Requirements of the City of Boerne; Meets all the requirements of the Texas Manufactured Housing Standards Act, and has the Texas Industrial Standard Seal and; Contains the plumbing, heating/air conditioning and electrical systems within the structure. The term "modular home" does not apply to a manufactured home (formally known as mobile home) as defined in this ordinance and the Texas Manufactured Housing Standards Act, nor does it include building modules incorporating concrete or masonry as a primary component.

~~297.~~ ~~Monument Sign, Changeable Copy: A monument sign which incorporates a changeable copy feature into the sign.~~

~~298.~~286. Monument sign: A monument sign is a freestanding sign that is supported by a base structure, with structural enclosure on at least one other side. Also known as Ground Signs.

~~298.~~287. Mounting height: The vertical distance between the ground and the bottom of a light source.

~~299.~~288. Movie theater - An establishment primarily engaged in operating motion picture theaters and/or exhibiting motion pictures or videos at film festivals, and so forth.

~~300.~~289. Moving Picture Sign: A sign capable of displaying words, symbols, figures, images, animated graphics and video, which can be electronically or mechanically changed by remote or automatic means.

~~304.~~290. Moving Sign: A sign or any part of a sign which rotates, moves, or uses lighting to simulate motion.

~~302.~~291. Multi-family Dwelling: A building or portion thereof, arranged, intended, or designed for occupancy by three or more families, being separate quarters and living independently of each other. Multi-family dwelling also means more than three dwelling units on a single lot or parcel, whether attached or detached (commonly referred to as Apartments ~~or Plexes with more than two units~~).

~~292.~~ Multi-tenant building: a nonresidential building with spaces for two or more tenants, including but not limited to offices, and retail. Each of the tenant uses contained within the multi-tenant building must be a permitted use or a use allowed with an SUP in the base zoning in which the multi-tenant building is located.

~~303.~~293. Multi-tenant Sign: A sign with sign cabinets or faces representing more than one tenant.

~~304.~~294. Multi-trunk Tree: A tree having two or more trunks arising from the root collar or splitting below diameter at breast height. Stems that fork below DBH are considered two separate trees.

~~306.~~ Multi-unit ~~home~~dwelling: a multi-unit residential building (~~32~~ to 4 units) on one lot that is designed to appear as a large, single-family home from the exterior, but functions as a multi-unit building on the interior. ~~Multi-unit homes have one main front door for the building but may also have side and rear entries. Parking is accessed from an alley or a driveway leading to the rear of the lot.~~

~~307.~~295. Museum: A nonprofit, noncommercial establishment operated as a repository for a collection of natural, scientific or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

Appendix A: Unified Development Code Definitions

- ~~307.296.~~ Name Plate: A sign, mounted flat against the wall of a building and not projecting more than one inch from the face of the wall, indicating the name and/or address of the building, and/or the name of an occupant thereof, and/or the practice of a permitted home occupation therein.
- ~~308.297.~~ ~~Neighborhood Office: A business which is not an accessory to another use devoted primarily to professional services or the management of the affairs of a business or other organization, as distinguished from the actual production of goods by that business or organization. Individual units of gross leasable area are less than 3,000 square feet and each owner or tenant employs less than 20 employees on premises. Examples include small-scale professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses which can operate within the unit square footage and employee limits of this category.~~
- ~~308.298.~~ Neighborhood: A roadway design for moderate or slow speeds and moderate pedestrian and landscape amenities to create a formal transition abutting lot frontages, appropriate for connections in and between all residential areas.
- ~~309.299.~~ Neon Sign: Gas filled glass tubing sign.
- ~~340.300.~~ Net Acreage: The remaining ground area after deleting all portions for proposed and existing public streets within a development, parcel, or subdivision.
- ~~344.301.~~ Network Nodes: equipment at fixed locations that enable wireless communications between user equipment and a communications network (see City of Boerne Design Manual).
- ~~342.302.~~ New Business Sign: A temporary sign advertising the opening of a new business in an existing structure.
- ~~343.303.~~ New Construction: means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- ~~344.304.~~ New Manufactured Home Park or Subdivision: a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community .
- ~~345.305.~~ Nightclub: A business primarily engaged in offering live entertainment or stage shows. Any food or alcoholic beverage services are generally secondary or accessory to the business.
- ~~346.306.~~ Node Support pole: a pole installed by a network provider for the primary purpose of supporting a network node (see City of Boerne Design Manual).
- ~~347.307.~~ Nonconforming Lot: A lot in lawful existence at the time this Code became effective, which does not conform to all standards and regulations prescribed herein.
- ~~348.308.~~ Nonconforming Sign: A sign in lawful existence at the time this Code became effective, which does not conform to all standards and regulations prescribed herein.
- ~~349.309.~~ Nonconforming Site: A site in lawful existence at the time this Code became effective, which does not conform to all the standards and regulations prescribed herein.
- ~~320.310.~~ Nonconforming Structure: A structure or part thereof, lawfully existing on the effective date of this Code that does not conform to all the standards and regulations prescribed herein.
- ~~324.311.~~ Nonconforming Use: A use of a building, structure or land, lawfully existing on the effective date of this ordinance, which does not conform all the standards and regulations prescribed herein.

Appendix A: Unified Development Code Definitions

- ~~322~~312. **Non-protected Tree:** Any living tree that the city forester certifies in writing is injured, dying, diseased, or infested with harmful insects; that is in danger of falling, interferes with utility service, or creates unsafe vision clearance; or, in any manner, creates a hazardous or dangerous conditions so as to endanger the public health, welfare, or safety.
- ~~323~~313. **Non-residential Area:** Inside the city limits, the area within any non-residential zoning district; in the City's extra-territorial jurisdiction, any lot or tract of land which is the site of an establishment or commercial complex.
- ~~324~~314. **Numerical standard:** any standard that has a numerical limit (minimums and maximums) or value as established within both the text and graphic standards of the SoBo Overlay District.
- ~~325~~315. **Nursing/Residential Care Facility -** An establishment primarily engaged in providing residential care services for persons diagnosed with intellectual and developmental disabilities. These facilities may provide some health care, though the focus is room, board, protective supervision, and counseling.
- ~~326~~316. **Office -** An establishment that is used primarily for conducting business transactions other than retail sales.
- ~~327~~317. **Open Space:** Any open piece of land with no buildings or other built structures, where paving is limited to trails. "Open space" does not include streets, alleys, utility easements, public parks or required building setbacks.
- ~~328~~318. **Ornamental Lighting:** Decorative lighting that is unshielded low-wattage in which individual lamps do not exceed twenty (20) watts.
- ~~329~~319. **Ornamental Tree:** A tree which is indigenous or adapted to this region of Texas, and which normally reaches a height at maturity or is trimmed to maintain a maximum height of 20 feet or less.
- ~~330~~320. **Outdoor Entertainment:** A restaurant, nightclub or bar that offers entertainment in an outdoor setting. A venue allowing outdoor entertainment shall provide a sound barrier, with sound being directed away from the residentially zoned district nearest their location.
- ~~334~~321. **Outdoor Lighting Fixture (Luminaire):** The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means. This definition does not include outdoor lighting governed exclusively by state or federal law, traffic control devices, as that term is defined by the Texas Transportation Code, or lighting equipment that is required by law to be installed on motor vehicles, or for the safe operation of aircraft. The total light output of each outdoor light fixture shall be based on the largest lamp that the outdoor light fixture is rated to accommodate. For the purpose of compliance with this section, the largest lamp rating for fluorescent and high intensity discharge fixtures shall be based on the installed ballast rating.
- ~~332~~322. **Outdoor Retail Sales Area:** The orderly display and sale of merchandise where the primary business is generated by merchandise displayed permanently and year-round on an exterior portion of the site. Examples of uses which are intended to be encompassed by this definition are boat and marine sales, lawn and garden supply stores, residential accessory portable building sales, and retail building material supply and lumber yards.
- ~~333~~323. **Outparcel:** An individual tract of land designated as part of a nonresidential group development, such as a shoppingretail mall or shopping-center, not physically connected and secondary in nature to the primary development.
- ~~334~~324. **Owner occupancy:** a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means. (permitted use...accessory dwelling)
- ~~335~~325. **Owner:** The person or entity who has legal title to property, or who has effective custody and control of property.
- ~~337~~. **Parapet Sign:** A sign that is mounted to a building's parapet, which is a wall or railing that runs along the edge of the roof.

Appendix A: Unified Development Code Definitions

- ~~338.326.~~ Park: Land dedicated for the purpose of providing recreational and/or open areas whether the land is public or privately held.
- ~~338.327.~~ Parking Lot or Parking Garage: A facility, whether outdoors or in a building or structure, in which the parking of motor vehicles is the principal use rather than an accessory to another use.
- ~~339.328.~~ Partially Shielded: Light fixtures constructed such that the lower edge of the shield is at or below the centerline of the light source or lamp so as to minimize light transmission above the horizontal plane, or at least ninety percent (90%) of the emitted light projects below the horizontal plan as evidence by the manufacturer's photometric data, or by photometric measurement.
- ~~340.329.~~ Pawn Shop: A business engaged in offering credit for pledged goods or personal property, or the purchase of tangible personal property on the condition that it may be re-sold, or may be re-deemed or repurchased at a new price at a later time.
- ~~341.330.~~ Peak Hour - A one hour period representing the highest hourly volume of traffic on the adjacent street system during the morning (AM peak hour); during the afternoon or evening (PM peak hour); or representing the hour of highest volume of traffic entering or exiting a site (peak hour of generator).
- ~~342.331.~~ Peak Hour Trips Generated (PHTG) -The number of vehicle trips generated by the proposed land use(s) in the development during the peak hour of adjacent street traffic (defined as one hour during the AM or PM peak hour, whichever is higher).
- ~~343.332.~~ Perimeter Wall Sign: A perimeter wall sign is a sign that is mounted on, embedded in or permanently affixed to a structural wall that is not a building wall.
- ~~344.333.~~ Person in Need: A person in need of personal care services. This does not include individuals with current alcohol or drug addiction or an individual that has been convicted under federal or state law of illegal manufacture or distribution of a controlled substance.
- ~~346.~~ Personal Care Home: ~~A residential establishment that provides food, shelter and personal care services to three (3) or fewer Persons in Need or persons with a Disability unrelated to the proprietor of the establishment. The establishment shall not have more than two (2) persons per bedroom.~~
- ~~347.334.~~ Personal Care Services: Assistance with feeding, dressing, moving, bathing, or other personal needs or maintenance; administration of medication by a person licensed or otherwise authorized in this State to administer the medication or provide assistance with or supervision of the administration of medication; or general supervision or oversight of the physical and mental well-being of a person who needs assistance to maintain a private and independent residence or who needs assistance to manage the person's personal life, regardless of whether a guardian has been appointed for the person.
- ~~347.335.~~ Planned Unit Development or PUD: A development which includes a mixture of housing types and/or land uses, along common area facilities.
- ~~348.336.~~ Plant Nursery: A use of land to grow plants of any kind for transplanting to another location or for sale as live plants rather than as crops, including the sale of related gardening equipment and supplies.
- ~~349.337.~~ Plat, Final: ~~The map or plan of a subdivision that is submitted to the City staff and the Planning and Zoning Commission for final approval. After approval, the plat is recorded under provisions of Chapter 192 of the Local Government Code, a cadastral map, drawn to scale, by a licensed surveyor showing the division of a piece of land to show the distance and bearing between section corners to become legally valid lot which is recorded in the County deed and plat records.~~
- ~~357.338.~~ Plat, Preliminary: ~~The first or introductory map or plan of a proposed subdivision that is submitted to the City staff and the Planning and Zoning Commission for initial approval as the basis for development of a final plat.~~
- ~~350.339.~~ Pole Height: An outdoor light mounted on a wooden or metal pole twelve (12) or more feet in height, for the purpose of illuminating a yard or other open area.
- ~~351.340.~~ Pole Sign: A freestanding sign that is permanently supported by poles, pillars or beams that are not clad or enclosed.

Appendix A: Unified Development Code Definitions

- ~~352.~~341. Political Sign: A sign which is primarily political in nature or which supports or opposes any candidate for public office or any proposition to be voted upon at an election, or which makes a political statement in the nature of constitutionally protected non-commercial free speech.
- ~~353.~~342. Portable Building Sales: A business selling either mobile homes or other portable buildings or structures larger than residential accessory storage sheds, whether in finished or kit form.
- ~~354.~~343. Portable Changeable Message Board Sign: Any sign which is not permanently attached to the ground or to a permanent structure, which is designed to be transported, whether on attached wheels or otherwise, whose sign panels, on either one or both sides, are designed to accommodate variable messages that may be changed either manually or electronically.
- ~~356.~~ ~~Post and Panel Sign: A post and panel sign is a freestanding sign that is supported by decorative posts, with no structural enclosure of the sign face or sign panels.~~
- ~~357.~~344. Private Parkland: any tract of land owned, operated and maintained by a homeowner's association, property owner's association, developer or other private entity that provides active or passive recreation to a specific area, neighborhood or group of individuals and is not available to the general public for recreational use.
- ~~357.~~345. Private Street: A street that is not dedicated to the public on a plat and which is not maintained by the City. A private street shall be maintained by an Association such as a Homeowners Association. Private streets shall provide signage that identifies them as private, i.e. different color, labeled as private. Private street ROW's shall be dedicated as utility easements so that the utilities can be installed in their usual locations and configurations.
- ~~358.~~346. Processing: Any operation changing the nature of material or materials, such as their chemical composition or physical qualities, as distinguished from the fabrication operations defined as manufacturing.
- ~~359.~~347. Produce stand: A produce stand is a permitted, temporary structure used for the display and sale of produce grown at a garden or a farm, operated by a sole vendor.
- ~~360.~~348. Project: an endeavor over which a regulatory agency exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.
- ~~361.~~349. Projecting Sign: A sign whose outside edge extends more than four (4) inches from the face of a wall to which it is attached, or which extends at any point above or beyond a wall to which it is attached.
- ~~362.~~350. Protected Tree: Any a Standard, Legacy or Heritage tree.
- ~~363.~~351. Public Parkland: any noncommercial, not for profit area that predominately consists of open space areas designed to meet the active or passive recreational needs of the public and is owned, operated and maintained by the City.
- ~~364.~~352. Public Service Sign: A sign or part of a sign which is devoted to changeable messages of general public information without other commercial content, such as the current time and temperature or an index of stock market averages.
- ~~365.~~353. PUD plan: The general plan or map of a planned unit development that is submitted for a recommendation by the Planning and Zoning Commission and approval by City Council as the basis for development of the preliminary and final plat plat application of a PUD development.
- ~~367.~~ Real Estate Sign: ~~(definition)~~
- ~~368.~~354. ~~Realty Sign:~~ A sign which advertises the property on which it is located for sale, lease, or rent.
- ~~368.~~355. Rear Yard: A yard, unoccupied except by an accessory building, extending for the full width of the lot between the main building and the rear lot line.
- ~~369.~~356. Recreational and Entertainment Facility: Any business or establishment (1) which is not defined separately in this ordinance or enumerated as a distinct use in a Table of Permitted Uses, and (2) in which the primary use is the provision of recreational opportunities or the production of entertainment for paying customers.

Appendix A: Unified Development Code Definitions

- ~~370.357.~~ Recreational space: That area in a public or private park that is set aside for recreational and social activities.
- ~~371.358.~~ Recreational Vehicle: A vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- ~~372.359.~~ Redevelopment: any development on previously developed land, other than rebuilding activity.
- ~~373.360.~~ Regulatory floodway: the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- ~~374.361.~~ Remove, Removal: As applied to a protected tree, the uprooting of the tree, severing of the main trunk of the tree, or any other act which causes, or may reasonably be expected to cause the tree to die.
- ~~375.362.~~ Required Building Line: A line at which, or range within which a building line must be established, most often associated with a front building line abutting particular Street Design Types. Where a setback line is expressed as a range, it shall be interpreted as a required building line range.
- ~~376.363.~~ Residential Area: Inside the city limits, the area within any residential zoning district; in the City's extra-territorial jurisdiction, any lot or tract of land which is vacant or in any form of agricultural use, or in which the principal use of the land is as a residence.
- ~~378.~~ ~~Residential Development Sign: A sign at the entrance to a residential development, such as a series of townhouses, an apartment complex or a residential subdivision, which identifies the name and/or the address of the residential development.~~
- ~~379.364.~~ Residential use building: a building that is built to accommodate only residential uses on all floors of the building such as a detached single-family home, attached single-family home (i.e. townhome), two- or three-family home (i.e. duplex, triplex), multiple family (4 or more), apartment building (under single ownership or under multiple owners within a condominium regime).
- ~~379.365.~~ Responsible Party: The person, firm, organization or other entity whose product, service, activity or enterprise of any character is announced or advertised by the sign, or whose message is carried by the sign, and/or the owner of the land upon which the sign is located.
- ~~382.366.~~ ~~Restaurant (Convenience drive-thru): Any business engaged in the preparation and retail sale of food and beverages, such as a soda fountain, ice cream parlor, sandwich shop, cafe, or coffee shop offering drive-thru service, excluding any restaurant offering live entertainment or alcoholic beverages for on premise consumption.~~
- ~~383.367.~~ ~~Restaurant (Convenience non drive-thru): Any business engaged in the preparation and retail sale of food and beverages, such as a soda fountain, ice cream parlor, sandwich shop, cafe, or coffee shop, excluding any restaurant offering drive-thru service, live entertainment or alcoholic beverages for on premise consumption.~~
- ~~382.368.~~ ~~Restaurant (Full serviceGeneral): An establishment where food is prepared and served onsite and may include onsite alcohol sale/consumption, if alcohol sales are less than 50% of gross revenue. No onsite alcohol production. Any business engaged in the preparation and retail sale of food and beverages which offers live entertainment with amplified sound or sells alcoholic beverages as an accompaniment to meals, provided that such beverages produce less than 50 percent of the gross revenue of the business. A business in which the sale of alcoholic beverages produces 50 percent or more of gross revenue is a bar or nightclub.~~

Appendix A: Unified Development Code Definitions

- ~~383.369. Restaurant (Limited): Any business engaged in the preparation and retail sale of food and beverages, which offers live entertainment without amplified sound or which sells alcoholic beverages as an accompaniment to meals, provided that at least 75% of the gross floor area of the business including preparation and serving area is dedicated to the retail sale of food.~~
- 380.370. Re-subdivision: The division of an existing subdivision, together with any change of lot size therein, or with the relocation of any street lines.
- ~~383.371. Retail (General): A retail use primarily engaged in the sale of merchandise for general household and consumer products and involving between 3,000 and 10,000 square feet of gross leasable area.~~
- ~~384.372. Retail (Major): A retail use primarily engaged in the sale of merchandise for general household and consumer products and involving between 10,000 and 50,000 square feet of gross leasable area.~~
- ~~385.373. Retail (Neighborhood): A retail use primarily engaged in the small-scale sale of merchandise for general household and consumer products and involving less than 3,000 square feet of gross leasable area.~~
- 381.374. ~~Retail~~ (Warehouse ~~retail~~): A retail use primarily engaged in the small-scale sale of merchandise for general household products, consumer products, or wholesale products to businesses and industry, and involving greater than 50,000 square feet of gross leasable area.
- ~~382.375. Retirement Community: A residential development which includes separate dwelling units specifically designed to meet the needs of the elderly, together with incidental recreation and support facilities for the benefit of the residents.~~
- ~~383.376. Reversed Corner Lot: (See Corner Lot)~~
- ~~385. River Corridor District Directional Sign: An off-premise sign that provides directions to an establishment located within one block of Main Street or located in the River Corridor District.~~
- ~~386.377. Riparian: of, on or relating to the banks of a natural course of water.~~
- ~~386.378. Riverine: relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.~~
- ~~387.379. Roof Sign: Any sign that is mounted on or above the roof of a building, excluding projecting signs and wall signs.~~
- ~~388.380. Roof, butterfly: A butterfly roof is a V-shaped roof constructed of two tandem pieces which are angled up on the outside. The midsection is angled downward where the two pieces meet into a valley.~~
- ~~389.381. Roof, flat: Flat roofs appear to be completely flat with no pitch. However, they do have a slight pitch to allow for water run-off and drainage.~~
- ~~390.382. Roof, gambrel: A gambrel roof has two different slopes on two sides opposite sides, with the lower sloped side steeper than the upper sloped side.~~
- ~~391.383. Roof, hip: A hip roof has slopes on all four sides. The sides are all equal length and come together at the top to form a ridge.~~
- ~~392.384. Roof, mansard: A mansard roof, also known as a French roof, is a four-sided roof with a double slope on each side that meet forming a low-pitched roof. The lower slope is much steeper than the upper. The sides can either be flat or curved, depending on the style.~~
- ~~393.385. Roof, salt box: A salt box roof is a gable-style roof with a central ridge line and asymmetrical sloping sides. One side slopes to the first floor and one to the second floor.~~
- ~~394.386. Roof, sawtooth: A sawtooth roof is two or more parallel pitched roofs in which the sloped and vertical surfaces alternate. As the name suggests, the roof resembles the side view of a saw blade.~~
- ~~395.387. Roof, skillion: Skillion roofs, also called shed roofs or lean-to roofs, consist of a single, sloping roof, usually attached to a taller wall.~~
- ~~396.388. Root Protection Zone: An area surrounding the base of the trunk of a tree which is to be protected from disturbance during grading and construction. This area shall have an average radius of one foot for each inch of tree diameter (DBH), provided~~

Appendix A: Unified Development Code Definitions

~~that it need not exceed 2,000 square feet for any tree.~~ The area need not be exactly centered around the tree or circular in shape, but at a minimum it shall be positioned so that no disturbance may occur closer to the tree than one-half the radius of the zone or within five feet of the tree, whichever is greater.

~~397.~~389. Row crops: Row crops shall be defined as grain, fruit or vegetable plants, grown in rows, which are 24 inches or more in height. "Row crops" shall not mean cultivated or attended trees or shrubbery and shall not include grain, fruit or vegetable plants that are part of the front yard's borders, that extend no more than 8 feet from the side property lines or from the front of the principal building.

~~398.~~390. Rural: A roadway design for moderate speeds aligned with rough, informal and natural vegetation, appropriate for all rural areas.

~~399.~~391. Sandwich Board Sign: A sign consisting of two faces connected and hinged at the top. Also known as A-frame signs.

~~400.~~392. School: An institution of learning which offers and maintains a course of instruction leading to degrees or certificates of graduation recognized by the Texas Education Agency, including a community athletic field as an accessory use, but excluding a developed athletic field or stadium, which is considered a distinct use. See also "Trade School".

~~401.~~393. Secondary/Support Street: A local and/or access street as defined in the City of Boerne UDC Subdivision Ordinance.

~~402.~~394. Self-Supported Sign: A permanent sign which is erected on supports placed on or anchored in the ground. The supports may be enclosed by a non-supporting veneer approved by the City Manager.

~~403.~~395. Setback Line: A line, established by law, beyond which a building shall not extend, except as specifically provided by law.

~~404.~~396. Setback: The amount of open space required between the lot line and the building line or the amount of land required surrounding improvements.

~~405.~~397. Shielded: The light source is equipped with a fixture that provides a shielding of the emitted light.

398. Shopping mall – An integrated grouping of commercial activity, primarily of a retail and personal service nature, all within a shared complex having the individual establishments joined by a common pedestrian walkable area.

~~406.~~399. ~~Shopping Center: A development containing a combination of retail business establishments, restaurants, recreational and entertainment facilities, offices and related uses, which is designed and operated as a single unit. Each of the individual establishments or uses contained within the shopping center must be a permitted use in the district in which the shopping center is located.~~ Short-term Rental Identifier: A sign located on the property that includes a bed & breakfast (as defined in the City of Boerne Zoning Ordinance.)

~~407.~~400. Short-term rental - Providing tourist lodging services within rooms of a residence or within a separate accessory structure on the same lot and served by the same water meter and electric meter as the principal structure.

~~408.~~401. Side Yard: A yard between a building and a side lot line, extending through from the street line to the rear lot line of the lot, including overlapping portions of the front yard and rear yard.

~~409.~~402. Sidewalk Sign: A sign, regardless of its construction, which is designed to be placed on the ground or sidewalk adjacent to an establishment in order to advertise or call attention to the goods or services offered at that establishment.

~~410.~~403. Sign Area: The area of a sign that is used for display purposes, excluding the minimum frame and supports.

~~411.~~404. Sign Area: As applied to any sign, the square foot area enclosed by the perimeter of the sign face with each face contributing to the aggregate area. The area to be measured encompasses the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign material from the

Appendix A: Unified Development Code Definitions

backdrop or structure against which the sign is placed, but excludes any sign supports or supporting framework, and any finials, decorations or scrollwork entirely outside the area of substantive sign content. In cases where a sign, or a portion of a sign, is composed only of letters, figures, or other characters standing against no sign face background or secured to a monolith, then the sign face area is the area of the smallest simple imaginary figure (circle, triangle, rectangle, or other) which fully contains the sign content. The area of a sign with more than one face is the sum of the areas of all sign faces visible from any one point. However, a sign structure with two (2) faces back-to-back, oriented in opposite directions, with the same copy on both sides, shall be counted only as the area of one face. [VM2]

~~411.405.~~ Sign Cabinet: A three-dimensional sign structure comprised of a frame and face or faces. A sign cabinet may or may not be internally illuminated.

~~412.406.~~ Sign Face: The surface of the sign that contains sign copy, excluding decorative borders, supports or trim.

~~413.407.~~ Sign: every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer for identification, advertisement or promotion of the interests of any person, entity, product or service. The definition of sign shall also include the sign structure, supports, lighting system and any attachments, ornaments or other features used to draw the attention of observers. This definition does not include any flag, badge or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

~~414.408.~~ Single Family Address Sign: A sign, other than a name plate, which identifies the name of the occupants and/or the address of a single family or duplex residence but excluding any commercial sign.

~~415.409.~~ Slope Map: A map depicting native slopes of 15–25%, 25–35%, and over 35%. Slopes shall be calculated for each two-foot contour interval over 50 horizontal feet and shall be established.

~~417.~~ ~~SoBe: An area located between IH 10 and Old San Antonio south of Herff Road as identified in the Overlay District map identified in Article 5, Section 32.~~

~~418.410.~~ Spa: A business establishment which people visit for professionally administered personal care treatments such as massages and facials which may include services offered by a beauty parlor and cosmetic medical treatments that do not require an overnight stay.

~~418.411.~~ Special Event Sign: Signs or banners which announce or advertise a community event.

~~419.412.~~ Special flood hazard area: See area of special flood hazard.

~~420.413.~~ Spot Zoning: The re-zoning of a small parcel of land for a use classification incompatible with that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners or the community, or without any substantial public purpose.

~~421.414.~~ Stable: Any business or institution in which horses or other livestock are housed, groomed, bred, boarded, trained or sold.

~~422.415.~~ ~~Standard or Heritage~~ Tree Removal Permit: A Permit required prior to the removal of Standard, Legacy or Heritage trees from any real property as described in Article 4.05.003.

~~423.416.~~ Standard Tree: Any Legacy tree species with a diameter (DBH) between 8.0 and 11.9 inches.

~~424.417.~~ Start of Construction: (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a

Appendix A: Unified Development Code Definitions

manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

~~425.418.~~ Steep Slope Area: That part of the lot that encompasses the steep slope.

~~426.419.~~ Steep Slope: Land area where the inclination of the land's surface from the horizontal plane is fifteen percent (15%) or greater. Slope is determined from on-site topographic surveys prepared with two-foot contour interval or topography taken from controlled aerial photography at two-foot contour intervals. The percent of slope shall be calculated for each two-foot contour interval and shall be established by measurement of distance perpendicular to the contour of the slope (rise in feet per horizontal distance in feet). Man-made slopes (such as a quarry or retaining wall) constructed prior to 2013 shall not be considered steep slopes.

~~427.420.~~ Step-back: Floors above the first floor stepped back a minimum distance as identified in this ordinance. Step-back requirements help assure a comfortable street environment by preventing fortress-like facades, providing light and air at the street level, and providing features of interest to pedestrians along streets in commercial districts.

~~428.421.~~ Story: That portion of a building included between the surface of any floor and the ceiling above.

~~429.422.~~ Stream/natural water course: a natural, intermittent or perennial stream flowing in a well-defined bed or channel; one formed by the natural flow of the water, as determined by the general surfaces or conformation of the surrounding country, as distinguished from an "artificial" water course, formed by the work of man, such as a ditch or canal.

~~430.423.~~ Stream Bank: The portion of the channel which tends to restrict lateral movement of water. It often has a slope less than 90° and exhibits a distinct break in slope from the stream bottom. Also, a distinct change in the substrate materials or vegetation may delineate the bank.

~~431.424.~~ Stream Setback: An area that extends horizontally landward a specified distance from each side of a stream bank. Stream Setback Zone 1 is the streamside zone and is measured from the stream center line. The streamside zone is intended to protect the physical and ecological integrity of the stream. Vegetation must remain undisturbed to the maximum practical extent in this zone to assure proper functioning of this zone. Stream Setback Zone 2 is the outer setback zone and is measured from the outer edge of Stream Setback Zone 1 and extend horizontally the remaining distance of the setback. The outer zone is intended to prevent encroachment into the streamside zone, and to provide distance between development activity and the streamside zone.

~~432.425.~~ Street Line: A lot line dividing a lot from a street.

~~433.426.~~ Street, Access: A street of little continuity designed solely for access to lots or the interior of blocks, and not permitting any through traffic. Access Streets are further classified as "Residential" or "Non-residential" based upon the function and characteristics in the overall transportation network according to the technical standards of this ordinance.

~~434.427.~~ Street, Arterial: A limited access street of considerable continuity that provides direct connections to different areas within the City and surrounding areas for large volumes of vehicles. Arterial Streets in a residential district shall be limited access streets. Specific Arterial Streets are further classified into "Major" or "Minor" based upon the City's Official Thoroughfare Plan or based upon the function and

Appendix A: Unified Development Code Definitions

characteristics in the overall transportation network according to the technical standards of this ordinance.

~~435.428.~~ Street, Collector: A street of moderate continuity that provides direct access between adjacent neighborhoods or districts for medium volumes of traffic. Collector Streets in a residential district shall be limited access streets. Specific Collector Streets are further classified into "Primary" or "Secondary" based upon the City's Official Thoroughfare Plan or based upon the function and characteristics in the overall transportation network according to the technical standards of this ordinance. Primary and secondary collectors are considered limited access streets.

~~436.429.~~ Street, Curvilinear: A street in which the centerline has a total curve length that is 50% or greater than any straight section of the street. On a curvilinear street, minimum lot width as defined in Table 5-2 shall be measured at any point on the lot.

~~437.430.~~ Street, Local: A street of limited continuity that provides connections within neighborhoods and districts for low volumes of traffic. Certain Local Streets are further classified as "Minor" based upon the function and characteristics in the overall transportation network according to the technical standards of this ordinance.

~~439.~~ Street: ~~A public right-of-way, however designated, other than an alley, which carries vehicular traffic or provides vehicular access to adjacent land, and includes all other adjacent pedestrian amenities, landscape areas or other urban design features. All streets are classified by both Functional Classifications and Design Types as specified in the~~ UDC Subdivision Ordinance.

~~440.431.~~ Street: A public right-of-way, however designated, other than an alley, which carries vehicular traffic or provides vehicular access to adjacent land, and includes all other adjacent pedestrian amenities, landscape areas or other urban design features. All streets are classified by both a Functional Classification and a Street Design Type.

~~440.432.~~ Street-facing yard: (front yard, side yard, rear yard)

~~441.433.~~ Structural Alteration: Any change or rearrangement in the structural parts or supporting members of a building or structure, such as bearing walls, columns, beams or girders, or any enlargement of a building or structure, whether by extending on a side or by increasing in height, or the moving of a building or structure from one location or position to another.

~~443.~~ Structure ~~means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.~~

~~443.~~ Structure: (1) anything which is built or constructed, and which requires permanent location on the ground, or which is permanently attached to something having a location on the ground; (2) a building of any kind; (3) For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. See also "Accessory Building or Structure," "Included Structure" and "Nonconforming Structure".

~~444.~~ ; (3) For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. See also "Accessory Building or Structure," "Included Structure" and "Nonconforming Structure".

~~445.434.~~ Subdivider: Any person or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. In any event, the term "subdivider" shall be restricted to include only the owner, developer, equitable owner or authorized agent of such owner or equitable owner, of land sought to be subdivided.

~~445.435.~~ Subdivision: A division of a tract of land into two or more parts for the purpose of laying out a subdivision of the tract or an addition to the City, or to lay out suburban, building or other lots, or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto.

Appendix A: Unified Development Code Definitions

- 446-436.** Substantial Damage: damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- 447-437.** Substantial improvement: any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- 448-438.** Supermarket Store: A business engaged in the retail sale of a broad range of food and household products for consumption off premises, although some limited areas may be dedicated to the on-premise sale and consumption of food. A supermarket typically involves more than 40,000 square feet of gross leasable area and is characterized by a target market of greater than 1-mile radius.
- 449-439.** Temporary Sign: An on-site, detached sign, with or without frames, which is not permanently mounted, which is to be displayed out of doors for a short period of time.
- 450-440.** Terrace: a raised level with a vertical or sloping front or sides faced with masonry, turf, or the like, especially one of a series of levels rising one above another.
- 451-441.** Theater: An entertainment venue where live stage or motion picture performances are offered to audiences as a business.
- 452-442.** Thoroughfare Plan – The plan adopted by the City of Boerne which describes roadway functional classifications and alignments for the existing and future planned roadway network.
- 453-443.** Thoroughfare, Regional: A limited access arterial street designed to carry a large volume of traffic from one part of the city to another, along a route generally indicated in the city's comprehensive plan.
- 454-444.** Thrift Store: A retail establishment that offers for sale used goods (resale shop) or goods for sale by consignment. Also a retail establishment operated by a charitable organization for the purpose of fundraising.
- 455-445.** Throat length: The length of driveway as measured from the street curb line to the curb line of the first on-site intersection, driveway, or parking stall.
- 456-446.** Total Outdoor Light Output: The total amount of light, measured in lumens, from all outdoor light fixture lamps, is calculated as follows: For lamp types that vary in light output as the age (such as fluorescent and high intensity discharge lamps), the mean lumen output, as defined by the lamp manufacturer, shall be the lumen value used.
- 457-447.** Trade School: A business or institution which offers instruction in any occupation, skill or trade, as distinguished from an institution of academic learning.
- 458-448.** Traffic Impact Analysis (TIA) – Study prepared to project the anticipated impact of a proposed development and determine the need for any improvements to the roadway network to maintain acceptable operational conditions.
- 459-449.** Traffic Improvements: any transportation improvement required to support the proposed development. Improvements will be identified during the TIA process and may include, but are not limited to, improvements such as construction of thoroughfare facilities, improvement of substandard streets, installation of traffic signals or construction of turn lanes.
- 460-450.** Trailer Court: Any premises designated for the purpose of parking travel trailers and recreational vehicles overnight or on a short-term basis (6 months or less) and providing public restrooms, temporary water and electrical hookups, and similar services.

Appendix A: Unified Development Code Definitions

- 461.451.** Transitional Use: The transitional use (T in the Table of Uses) designation may be utilized when a use is to be removed from a zoning district and the City Council, following recommendation of the Planning and Zoning Commission, deems it appropriate to allow property owners, their heirs or assigns, a designated period of time in which the use may be implemented before the use is removed from the Table of Permitted Uses.
- 462.452.** Transportation Criteria Manual (TCM) – City transportation guidelines addressing access management, TIA preparation process and documentation requirements, and roadway operational capacity guidelines.
- 463.453.** Travel Trailer: (Known as a RV) a recreational vehicle either motorized or pulled by a vehicle designed for travel and short term living and sleeping of a recreational nature.
- 464.454.** Tree Preservation Plan (TPP): A map or site plan which illustrates the general layout of proposed buildings, structures, driveways and on-site areas on a lot or tract of land, along with the design of landscaped areas, including detail of the location, species and **trunk circumference (TC) diameter at breast height (DBH)** of all Protected trees which are to be retained or removed, and trees which are to be planted as replacement trees and trees which are to be retained for mitigation purposes.
- 465.455.** Tree Protection Zone (TPZ): defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.
- 466.456.** Tree Removal Permit (TRP): A Permit required prior to the selective removal of **Legacy trees that are not Standard or Heritage Protected** trees from any real property that does not require a Building Permit as described in Article 4, Section 6.
- 467.457.** Tree Restoration Fund: Dedicated account which receives funds from developers/property owners who wish to remove protected, **signature, or heritage** trees and do not have space for the required number of replacement trees on their property. These funds are used at the discretion of **City Council, the Planning and Community Development Director** or their appointee to purchase, plant, and provide irrigation for trees on City property, in parks, rights-of-way, **drainage way protection zones** or other suitable **municipal** property. **Additionally, funds may be used for landscape restoration, stream bank stabilization, riparian habitat improvement or protection/restoration of environmentally sensitive areas.**
- 468.458.** Trunk Circumference (TC): The perimeter measurement, in inches, of a tree trunk taken at 4 ½ feet from ground level as demonstrated in the definition of DBH.
- 469.459.** Trunk Main: A water main whose primary purpose is to transport water to the distribution system within a subdivision or a sewer main whose primary purpose is to transport wastewater from the collection system within a subdivision. Trunk mains are not directly connected to individual lots.
- 470.460.** Unshielded: A luminaire that may emit its luminous flux in any direction.
- 471.461.** Urban agriculture: Urban agriculture is agricultural activity in or around urban areas, which are defined by the US Census Bureau as areas having a population density greater than 1,000 people per square mile.
- 472.462.** Urban Farm, Large: A large urban farm is a farm with a farming area, excluding any permitted homestead or residential use, which is at least one (1) acre in size, which is used for commercial agricultural purposes, whether for profit or non-profit.
- 473.463.** Urban Farm, Small: A medium urban farm is a farm with a farming area, excluding any permitted homestead or residential use, which is less than 1 acre, which is used for commercial agricultural purposes, whether for profit or non-profit.
- 474.464.** Urban Farm: An urban farm is a farm in or around urban areas, which are defined by the US Census Bureau as areas having a population density greater than 1,000 people per square mile. Urban farms shall be permitted according to the size of the farm area.

Appendix A: Unified Development Code Definitions

- 475.465.** **Urban Forester** – individual specializing in the fields of arboriculture and urban forestry and having responsibility of management of all or parts of planted and naturally occurring greenspaces on public land.
- 476.466.** **Use:** As a noun, the purpose for which land, and/or the buildings or structures thereon, is designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented or leased. See also "Nonconforming Use," and the Categories and Description of Uses Section in Article I, Section 7.
- 477.467.** **Utility Station, Substation or Service Center:** A facility used for the exterior placement of large-scale equipment used in providing electric or other public utility services to the general public, and any internal facilities or administrative areas associate with the equipment operation.
- 478.468.** **Valet parking:** The provision of parking for vehicles whereby vehicles are parked and unparked in a parking area, parking lot or any parking structure by a person other than the owner or operator of the vehicle.
- 479.469.** **Vehicle:** Any means by which someone travels, or something is carried or conveyed; a conveyance that is propelled or drawn by mechanical power. The term includes, but is not limited to, cars, trucks, motorcycles, travel trailers, commercial trucks and/or boats.
- 480.470.** **Vehicular Sign:** A vehicle, whether motorized or a trailer, which is mounted above the ground as a sign or part of a sign, or any sign attached to or painted on such a vehicle which is mounted above the ground or which is parked so as to be visible from a street when such vehicle is not actually used for transportation in the day-to-day affairs of its owner. However, this term does not include a customary sign in a vehicle window advertising the vehicle itself for sale or containing an incidental non-commercial statement by the vehicle owner.
- 481.471.** **Vested rights petition:** a petition requesting a determination of development rights under Chapter 245 or use rights under Section 43.002 of the Local Government Code.
- 482.472.** **Vested rights:** a right conferred by state law to develop property under ordinances, regulations, or rules other than those in effect on the date a permit application is submitted. The term includes development rights under Chapter 245 and use rights under Section 43.002 of the Local Government Code but does not include a right existing under common law.
- 483.473.** **Vesting date:** the date on which a project accrued development rights under Chapter 245 or use rights under Section 43.002 of the Local Government Code.
- 484.474.** **Veterinary Clinic:** A business or institution devoted to the health care of animals, as distinguished from the boarding, breeding, or raising of animals. A veterinary clinic is distinguished from a kennel or stable by having no outdoor pens or enclosures in which animals are kept, except for short periods as incidentally necessary to their medical care.
- 485.475.** **Video or Pinball Arcade:** A business primarily engaged in entertaining patrons primarily through games, devises, or machines which directly collect fees to participate, such as coin operated pinball or video games.
- 486.476.** **Violation (for floodplain management):** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations.
- 487.477.** **Vision Clearance:** A corner formed by either two streets or a street and a driveway shall provide vision clearance of 25' and no sign shall be placed in this area. The vision clearance area shall form a triangle measured 25' from the corner.
- 488.478.** **Wall Sign:** A sign that is attached to or painted on the exterior wall or fascia of a building, or installed on a false or mansard roof, so that the sign face is parallel to the building wall. Signs that are mounted or painted upon a sloped roof, which are parallel to or the same as the roof plane, which do not extend above the roof line shall also be considered wall signs.
- 489.479.** **Warehousing:** The depositing or securing of goods, wares and merchandise in a warehouse.

Appendix A: Unified Development Code Definitions

- ~~490.480.~~ Washdown Areas: Areas having floor drains or hose bibs.
- ~~491.481.~~ Water Supply Protection Zone: the Water Supply Protection Zone is the area draining into a lake which is used or intended to be used by the City as a surface reservoir for drinking water. It shall include the land on all sides around the shores at normal pool of any lake which is used or intended to be used by the City as a surface water reservoir.
- ~~493. Water Surface Elevation: means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.~~
- ~~494.482.~~ Water surface elevation: the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
- ~~494.483.~~ Wholesale: Sale for resale, not for direct consumption.
- ~~495.484.~~ Width: As applied to a lot, the horizontal dimension of the street line along the frontage street. For a pie shaped lot or a lot on a cul-de-sac, the width of the lot means that dimension measured at the building setback line.
- ~~497. Window or Door Sign: Any sign which is painted or placed inside or upon a window or door or mounted against a window or door and oriented so as to be read from outside the building.~~
- ~~498.485.~~ Window sign: A sign that is applied, painted or affixed to a window or glass panel of a door, or located within three feet of a window inside of a building, and oriented to be read from outside the building.
- ~~498.486.~~ Winery: An establishment at which wine is made. May also be in combination with a bar or restaurant.
- ~~499.487.~~ Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance, between the building and a lot line. See "Front Yard," "Rear Yard" and "Side Yard".
- ~~500.488.~~ Zoning Category: A section of the City for which regulations governing the area, height, design or use of buildings and structures and the uses of land are established by this ordinance.
- ~~501.489.~~ Zoning Change Sign: A sign placed on a property that is under consideration for a zoning change.
- ~~502.490.~~ Zoning District: See Zoning Category.
- ~~503.491.~~ Zoning Ordinance: City of Boerne Ordinance No. 2007-64, adopted December 18, 2007, or other zoning ordinance currently in effect, and all amendments thereafter adopted.