



TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN 531**
How to request a “Certificate of Determination”
How Do I Find A Copy Of My Plat?

DATE: February 25, 2011/*Revised August 1, 2014*

CREATED BY: Land Development Division/Land Entitlements Section

Purpose:

As a customer service initiative, the Development Services Department (DSD) created this **revised** bulletin to update Information Bulletin (IB) 531 on how to request a certificate of determination and how to find a copy of a plat. This bulletin has been updated to incorporate the department’s new format for Information Bulletins.

As identified in [IB 529](#), DSD will require provision of a Subdivision Plat or a Certificate of Determination for various types of permits. This IB further describes the process to obtain a Certificate of Determination as well as information on locating a plat should you not wish to request a Certificate of Determination from DSD staff.

Scope:

1. How to request a “Certificate of Determination”

Section 35-430(c) of the Unified Development Code (UDC) provides exceptions from the City’s plat requirements for *unplatted* property and a few exceptions for the replatting of property. Land Entitlement Section staff will evaluate a particular site on your behalf to determine if the property meets one of these plat exceptions through the Certificate of Determination process. When an applicant applies for a Certificate, staff will determine which of the exceptions listed in the UDC apply, or, if the subject property will require platting or replatting. If staff determines that a property qualifies for an exception, then a Certificate of Determination shall be issued to the owner or the agent of the subject property indicating the applicable exception.

Below is a generalized summary of the Certificate of Determination process:

- 1) Property owner completes the Application for Certificate of Determination and pays the current fee (\$200.00 in FY 2014).

- 2) Upon receipt of a completed application, and payment of the fee, Staff will review the application based on the information provided by the applicant and make a formal determination whether the property a). Requires platting b) was previously platted or c) qualifies for plat exception listed in the UDC. The applicant will be provided a copy of such determination.
- 3) If an applicant is aggrieved by the determination of staff, they may request an appeal to the City's Planning Commission. The fee for an appeal is \$350.00 in FY 2014. As part of this process, staff will make a recommendation based on the circumstances associated with the property to the Planning Commission who will make the final determination.

Should you have any question concerning this process, please contact the Land Entitlements Section at (210) 207-1111.

Summary:

This Information Bulletin is for informational purposes only.

Prepared by: Elizabeth Carol, Principal Planner
Reviewed by: Melissa Ramirez, Planning Manager
Authorized by: John Jacks, Assistant Director

ON THE NEXT PAGE, WE HAVE PROVIDED AN APPLICATION:



**City of San Antonio
Development Services Department
Land Development Division**

**CERTIFICATE OF
DETERMINATION
REQUEST FORM**

Section 35-430(c) of the UDC allows exceptions to platting requirements. If the site meets one of these plat exceptions, a Certificate of Determination will be issued to the owner of the subject property.

DATE: _____

Owner/Agent: _____ Phone: _____

Address: _____ Zip code: _____

Owner's Email Address: _____

Property physical address: _____

Legal Description: NCB/CB: _____ Block: _____ Lot/Parcel: _____

County: _____ Total Acreage: _____

1. Proposed Use: Residential Other – specify _____

2. Inside City Limits Outside City Limits / Extra Territorial Jurisdiction (ETJ)

3. Type of Service Requested:
 Water Service Sewer Service Electric Service Building Permit
 Other – specify _____

4. Number of existing residential structures located on the property: _____

Required Documents:

- Warranty Deed (Show ownership & legal description of property)
- Survey, Map, and/or Drawing (Showing size, shape, and location of property)
- Current Original Tax Certificate
- Non- Refundable Two hundred dollar fee (\$200.00)

I hereby certify that all of the information on the entire COD Application is true and correct.

Print Name: _____ **Signature:** _____

Date: _____ Owner Agent (Requires a notarized Letter of Agent.)

Note: Certificates are only issued in the name of the owner of the property.

Official Use Only

COD # _____

Planner _____

35-430(c) Plat Exceptions *(excerpted from Unified Development Code)*

In accordance with VTCA, Local Government Code, §§ 212.004 and 212.0045, the platting exceptions set forth below are established. Applicants exempt from subdivision plat approval may be subject to Development Plat approval requirements pursuant to § 35-435 of this Article.

Habitable uses within the regulatory floodplain shall always require platting. The applicant for plat exception shall provide proof of ownership in the form of a warranty deed and a current tax certificate with indication of no taxes due. The department of development services may issue building permits and public utility providers may provide utility service, on any unplatted parcel otherwise subject to this section for the following activities:

- (1) The division of land into parts greater than five (5) acres within the city limits of the City of San Antonio, where each part has access and no public improvement is being dedicated, shall not require a subdivision plat. For purposes of this subsection, access shall mean a minimum frontage of fifteen (15) feet onto a public street or recorded access easement of fifteen (15) feet onto a public street. Public improvement shall mean creation of new streets, alleys or the extension of off-site utilities or the installation of drainage improvements. *(The intent of this subsection is for an unplatted parcel of land within the city and limited to single-family or agricultural uses.)*
- (2) The division of land into parts greater than ten (10) acres in the ETJ of the City of San Antonio, where the owner does not lay out part of the tract for 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 on or adjacent to the street, alley squares, parks, or other parts shall not require a subdivision plat. *(The intent of this subsection is to authorize subdivision of land within the ETJ into parts greater than ten (10) acres of land, which runs with the undeveloped land.)*
- (3) Each tract greater than ten (10) acres in size is eligible for up to three (3) single-family utility connections provided each part is held under common ownership, each tract has access and no public improvement is being dedicated. For purposes of this subsection, access shall mean each tract has a minimum frontage of fifteen (15) feet on an existing public or platted private street or irrevocable access easement. *(The intent of this subsection is to allow the division of land without platting so long as the land remains limited to three single family units.)*
- (4) Uninhabitable uses that are to be retained in an undeveloped state shall not require a subdivision plat, provided: (1) the division does not create more than three (3) parcels, (2) each parcel contains a minimum area of five thousand (5,000) square feet, (3) the division does not involve the creation of any streets or alleys, and (4) no utility services shall be provided to the parcel parcels, provided however, that the director of development services may exempt other uninhabitable uses from subdivision plat requirements upon determining that the uses are consistent with the intent of these provisions. *(The intent of this subsection is to allow the division of land without platting so long as the land remains undeveloped. Platting is required at the time utility services or building permits are requested unless one (1) of the other plat exceptions applies.)*
- (5) Other uninhabitable uses including, but not limited to, pumps, oil wells, sheds, security lights, traffic devices, monuments, signs, utility equipment huts, communication towers, or public infrastructure shall not require a subdivision plat. This shall also include fences as well as unenclosed structures such as porches, carports, decks, gazebos and pavilions *(The intent of this section is to allow division of land without platting for uses that are not occupiable in accordance with the International Building Code or Residential Code and for accessory uses of a limited nature that are subordinate to another use.)*
- (6) Public parks and golf courses owned, operated, or maintained by a governmental entity shall not require a subdivision plat. This exception shall not include athletic facilities such as stadiums, natatoriums, concession facilities or similar improvements within park facilities *(The intent of this section is to allow division of land without platting for public parks that require tree permits or site work permits only).*

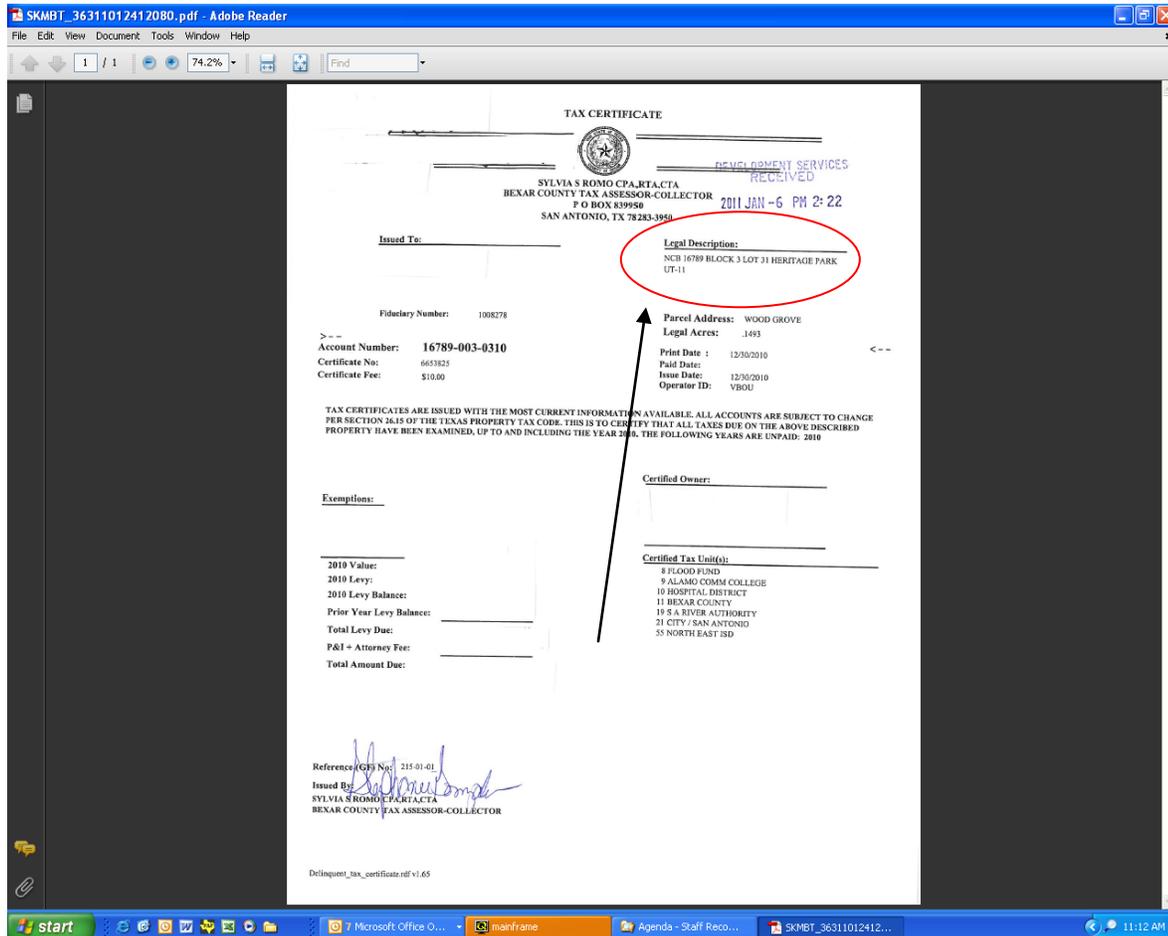
- (7) Temporary field/subdivision sales offices or seasonal type uses shall not require a subdivision plat (*The intent of this section to allow division of land without platting for temporary uses described in the UDC 35-391 or subdivision sales offices in accordance with UDC 35-389.*)
- (8) Replacement and/or repair of a preexisting or existing single family dwelling unit or related accessory structure shall not require a subdivision plat if it was damaged, destroyed or ruined by flooding, fire, windstorm or other natural disaster. This exception shall only apply in such cases where reconstruction does not increase the building footprint or height by more than ten (10%) percent. (*The intent of this section to allow division of land without platting for replacement or repair to a house that was damaged or destroyed by natural disaster with a house of similar size and scale. An allowance to increase the footprint or height by up to 10% is provided in recognition that certain older homes may not meet current International Residential Code requirements.*)
- (9) The land for which a building permit or utility service is being requested is a lot or remaining portion of a lot previously platted under the jurisdiction of the county or city. (*The intent of this section is to recognize the validity of a previously platted lot, even if its configuration may have changed due to changes in right of way or replatting of other lots in the original subdivision.*)
- (10) The division of any tract of land into parcels which are to be used solely for agricultural, mining, or quarrying purposes shall not require a subdivision plat, provided: (1) each parcel contains a minimum area of twenty (20) acres, and (2) no utility services shall be provided to an inhabitable use (*The intent of this section to allow division of land without platting for resource extraction activity provided an occupiable use under the International Building Code is not provided.*)
- (11) The provision of utility service to not more than three (3) detached single family dwelling units on an unplatted tract or antiquated plat shall not require a subdivision plat provided all of the following requirements are met:
- (a) The tract is located outside the city limits within the extraterritorial jurisdiction of the city;
 - (b) The tract has a minimum of fifteen (15) feet of frontage on a public street or a recorded irrevocable access easement;
 - (c) The tract was created prior to January 1, 2005;
 - (d) The tract has a minimum area of five thousand (5,000) square feet for each dwelling unit, additional County requirements may be imposed where on-site sewage facility is proposed;
 - (e) The tract is held under single ownership;
 - (f) No dwelling unit will be located within a regulatory floodplain; and
 - (g) No utility extension is required;
 - (h) No major thoroughfare dedication is required.
- When major thoroughfare dedication is required, the owner of an unplatted parcel abutting a designated major thoroughfare may voluntarily execute a street dedication instrument in accordance with form "S" in Appendix "B" in lieu of public dedication through platting when necessary. Any further subdivision shall require approval of a subdivision plat as provided herein. (*The intent of this subsection is to allow the division of land in the ETJ without platting so long as the land remains limited to three single family units.*)
- (12) Sewer and water service to existing buildings. If existing buildings on an unplatted tract are occupied, sewer and water services may be provided if "all" of the following conditions are met:
- (a) The applicant provides evidence that non single-family development and/or non single-family improvements had received electrical service for more than (5) years prior to the date of application for sewer and/or water services;
 - (b) The site is not subject to major thoroughfare dedication;
 - (c) If applicable, existing building(s) shall comply with the floodplain ordinance;
 - (d) Service is restricted to existing uses; and
 - (e) Impact fees are paid at the time of application for service.
- (*The intent of this subsection is to promote public health and sanitation by allowing long-standing existing uses to obtain water and sewer service.*)

- (13) An existing single-family residence can add a second residential structure provided they utilize the same electrical meter and the occupant is family. In addition, the applicant will need to comply with all zoning, building and on-site sewage facility requirements. *(The intent of this subsection is to allow the accessory dwelling units on a parcel without platting. This provision in no way waives any other Code requirements including but not limited to UDC 35-371.)*
 - (14) Requests for permits within the existing building's footprint area of an otherwise lawfully permitted structure. *(The intent of this subsection is to allow ordinary repairs and maintenance to existing buildings including remodeling, general repair and maintenance, roofing, ADA accessibility, trade permits and similar improvements.)*
 - (15) The lot is located within the original thirty-six (36) square mile area of San Antonio, and the boundaries of the lot were recorded in the Deed and Property Records of Bexar County prior to June 14, 1927 and the lot remains in its original configuration. It shall be the obligation of the applicant for plat exception to provide documentation of the lot's recording prior to June 14, 1927. *(The intent of this subsection is to recognize the platted status of properties that have remained in their original configuration prior to enactment of the City's original subdivision ordinance. This exception does not apply to properties that have changed their configuration or that have been further subdivided)*
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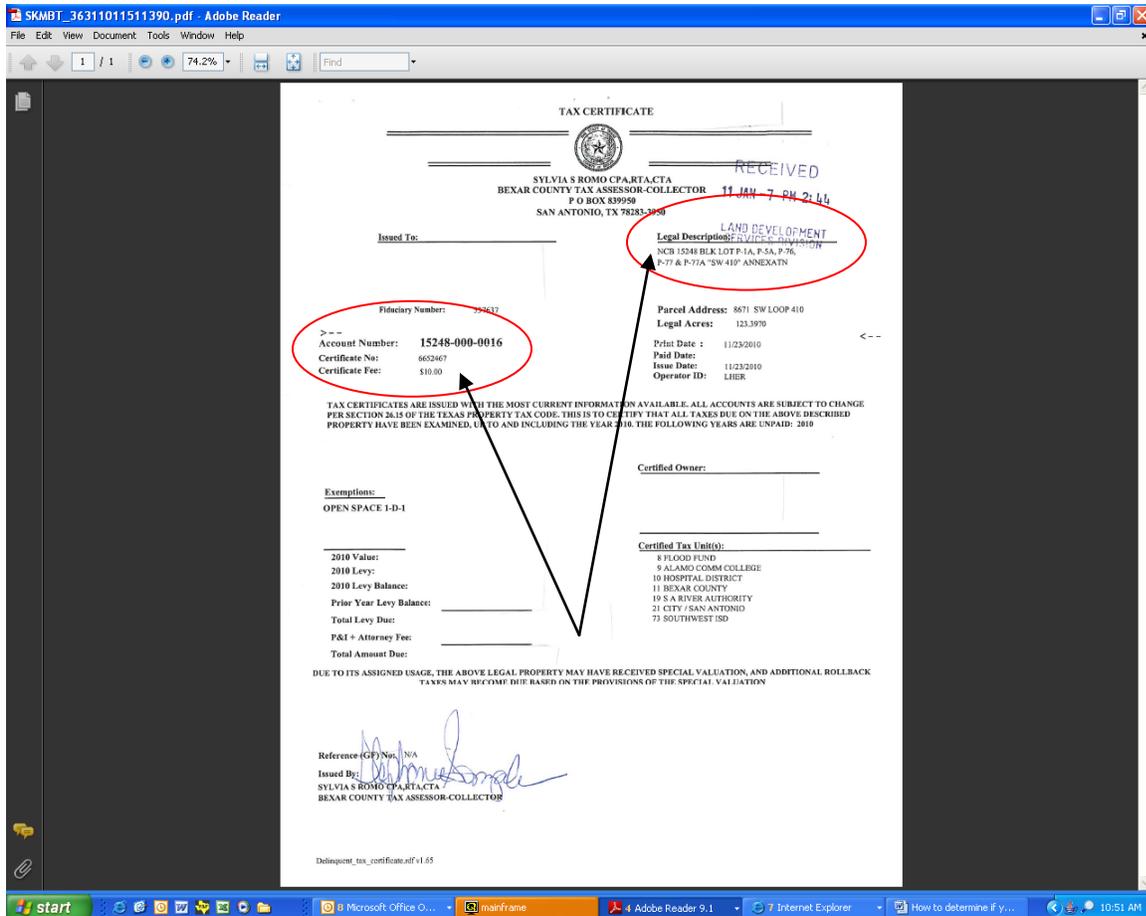
2. Locating a Plat (in lieu of requesting a Certificate of Determination)

The quickest way to determine if a property is platted is to refer to your Property Tax Statement or Tax Certificate provided by Bexar County Tax Assessor-Collector Albert Uresti, MPA, PCC.

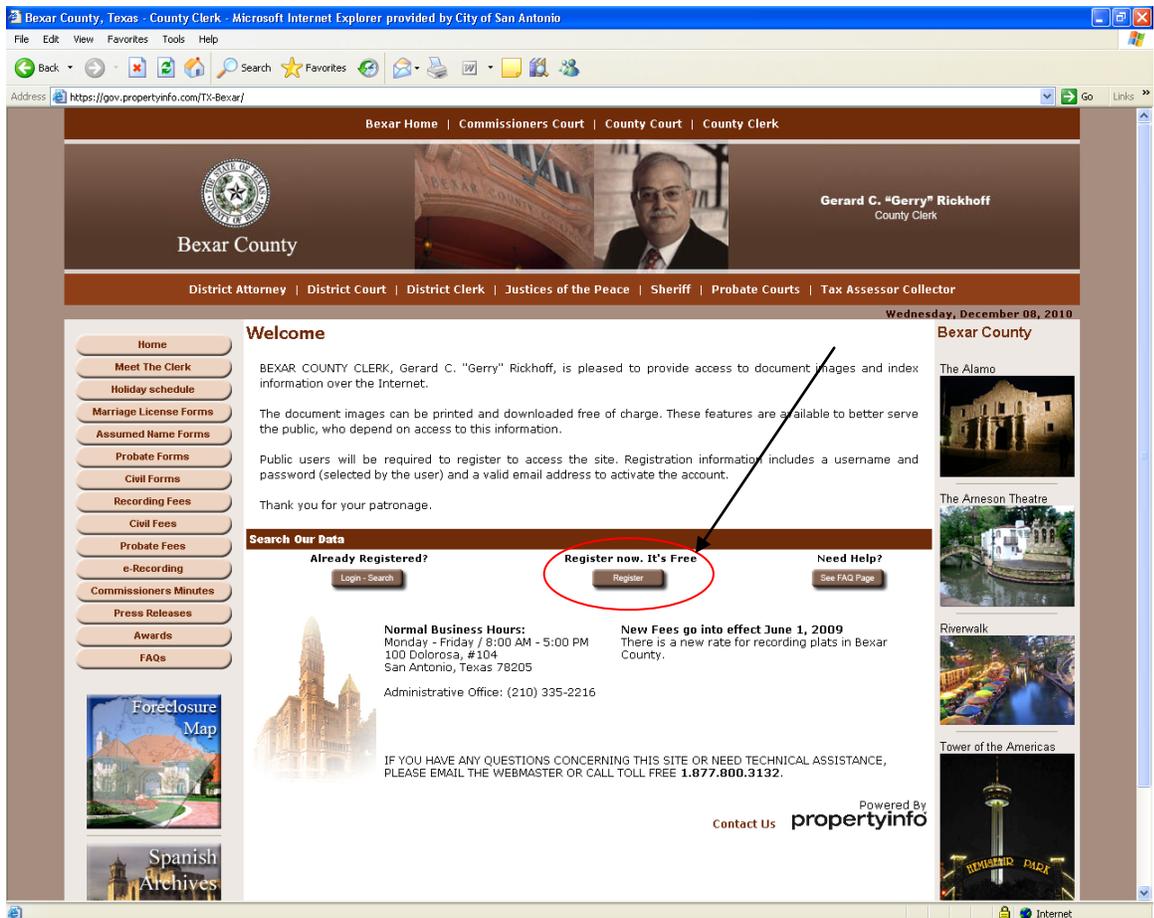
In the event you must request a Tax Certificate, you may visit the Bexar County Tax Assessor-Collector office located in the Vista Verde Plaza Building, 233 Los Pecos La Trinidad. For location information, the main phone number is (210) 335-2251.



Attached above is a Tax Certificate of a platted property. The platting process establishes a Legal Description to every piece of property. The legal description assigned to this property is Lot 2, Block 23. Typically when a legal description identifies a property as a Tract, Parcel or a portion of a Tract or Parcel Lot number, such properties are subject to further research, and may not be platted. The legal description is often followed by a Block number then followed by a New City Block (NCB) number if inside the city or County Block (CB) number if the property is located five (5) miles outside the city limits, known as the Extra-Territorial Jurisdiction (ETJ). Please note that if you are unable to locate your plat through this process, it may be an indication that your property is not platted.



This Tax Certificate describes an unplatted parcel of land. The legal description is described by Lot followed by a P, which is the abbreviation for Parcel number. A property owner may visit the official public office that records plats, surveys and legal documents, Bexar County Clerk, Deed and Plat Records, located at 101 W. Nueva, Suite 112, contact at (210) 335-2216. Another option may be to enter the property legal description in the Bexar County website at: <https://gov.propertyinfo.com/tx-bexar/> and/or Account Number entered in the Bexar Appraisal website at: www.bcad.org to obtain deed reference that may link you to a recorded copy of a plat. The Bexar Appraisal office is located at 411 North Frio or you may contact them at (210) 224-2432.



This is a snap shot of the Bexar County website. As a new user, you must first register to access this site at no cost.

Account Registration

To access this site a new user must first register and obtain a user ID and password. Every registered user will be able to search and display index information.

* Indicates required fields

Login Information

User ID <input type="text"/>	Password <input type="password"/>	Confirm Password <input type="password"/>
must be at least 6 characters	must include: at least 8 characters, 1 lower case letter, 1 upper case letter and 1 number	
	Password Currently Invalid	8 characters lower case upper case number

User Information

Last Name / Organization Name <input type="text"/>
First Name <input type="text"/>
Street Address <input type="text"/>
<input type="text"/>
City <input type="text"/>
Country <input type="text"/>
State/Territory/Province <input type="text"/>
(Canadian Provinces at the end of the list)
Zip <input type="text"/>
Phone <input type="text"/>
Email <input type="text"/>
Confirm Email <input type="text"/>

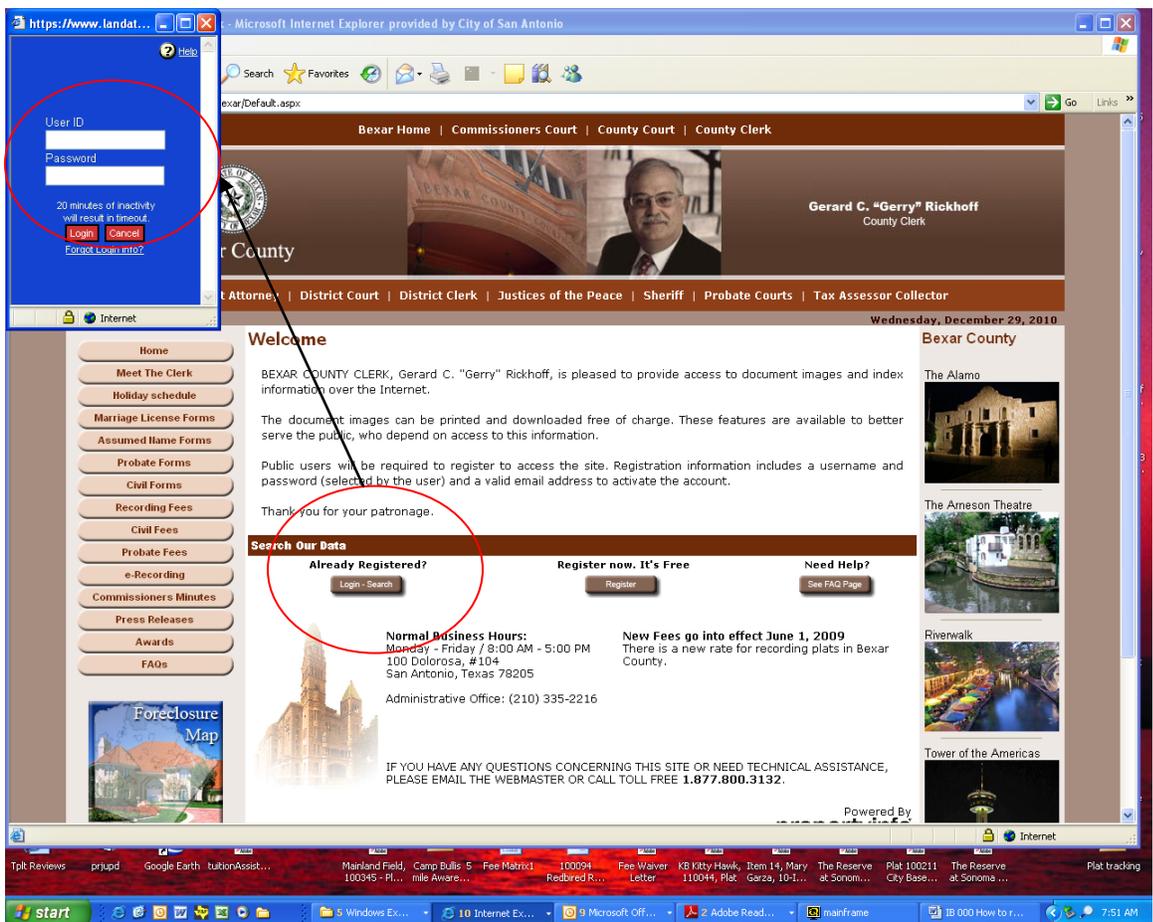
About Your Registration

The information you provide is completely secure and we will never share this data with anyone else. The information entered will be secured by encryption for your protection. Please also see our [privacy statement](#) for additional information.

A valid email address is **REQUIRED** before being allowed to use the site. You will be sent a confirmation email to the address you enter here. Your account will not be validated and will be unusable until you respond to the confirmation email, so be sure you enter a valid email address.

[Create Account](#)

This is a snap shot of the required fields within the Account Registration page.



You may now select the Login – Search button and enter your created user ID and password to access the site.

Bexar County Clerk Powered by **propertyinfo**

Logged in as: [ecarol](#) [Logout](#) [My Account](#) [Help](#)

Bexar County - Bexar Records

Searches Available

- Name
- Document #
- Book / Page
- Date / Doc Type
- Land Info

To Begin Your Search
Click one of the search option(s) on the left.

Date Range

Land Records [Details](#)
Index Data: from 1/1/1837 through 8/18/2014
Images: from 1/1/1837 through 8/18/2014

Assumed Names [Details](#)
Index Data: from 8/29/1977 through 8/20/2014
Images: from 2/21/1997 through 8/20/2014

UCC / Personal Property [Details](#)
Index Data: from 1/1/1985 through 8/12/2014
Images: from 3/1/1995 through 8/12/2014

Marriage Licenses [Details](#)
Index Data: from 5/1/1959 through 5/30/2014
Images: from 5/19/1994 through 5/30/2014

Foreclosure Notices [Details](#)
Index Data: from 9/23/2002 through 8/20/2014
Images: from 9/23/2002 through 8/20/2014

Public Notices [Details](#)
Index Data: from 10/3/2002 through 8/20/2014
Images: from 10/3/2002 through 8/20/2014

Spanish Archives [Details](#)
Index Data: from 5/29/1850 through 1/6/2011
Images: from 5/29/1850 through 1/6/2011

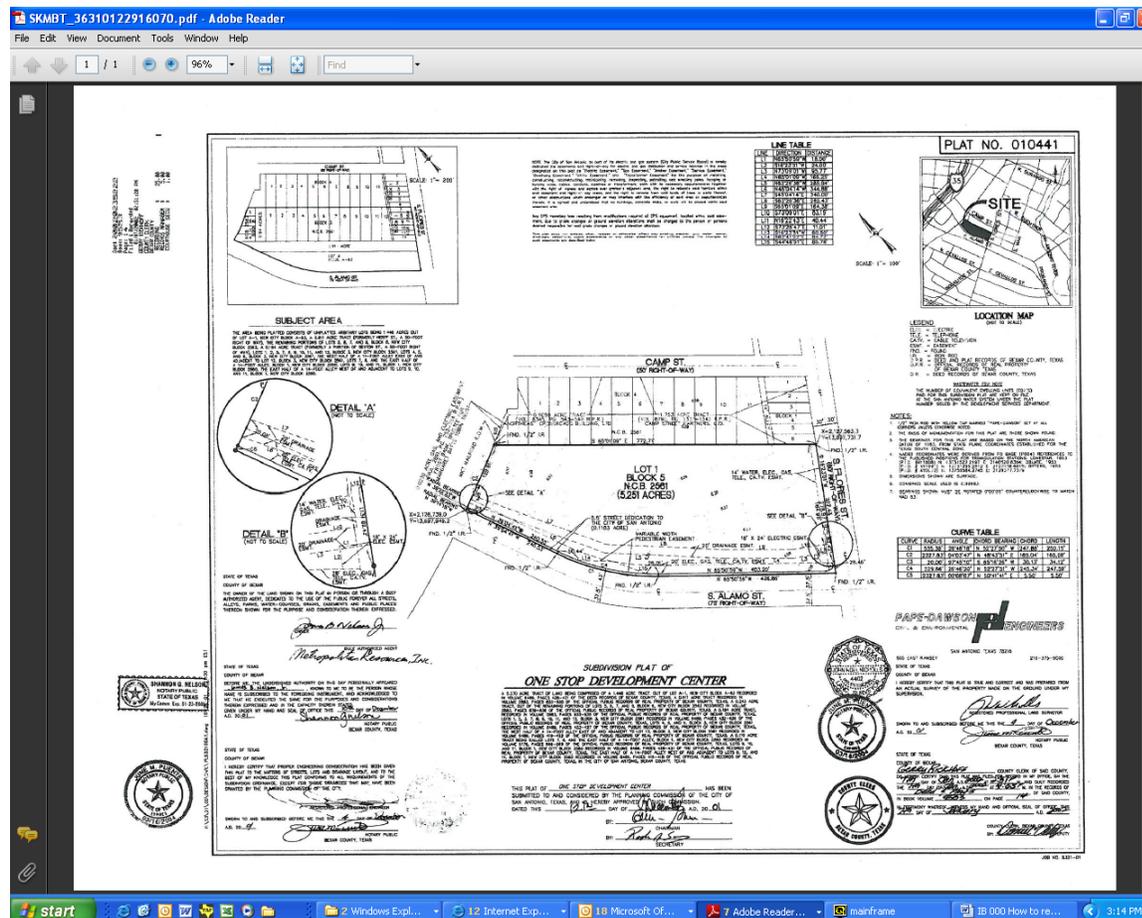
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<https://govapps1.propertyinfo.com/wam3/SearchMenu.asp?iCntyNum=17&iAppNum=17...> 8/21/2014

The Search Menu list offers various options to begin your research. For property research your focus will be on the “Land Records” menu.

The Land Records button further displays a dropdown list to narrow the research. The Select Application button takes you back to the Application Menu. One option is to select the Land button to enter the legal

description retrieved from your Tax Certificate. Another option is to select the Book/Page button to enter the Volume and Page deed reference retrieved from your Warranty Deed or from the Bexar Appraisal site.



This is a copy of the recorded plat of our office building the Cliff Morton Development and Business Services Center located at 1901 South Alamo Street, Suite 107. Your plat should look very similar to this documentation but the drawing will reference your property.

In some cases a requestor (such as a lending institution) may wish to see both a recorded plat and certification by the City of San Antonio to verify that the City recognizes such plats. In such instances the Certificate of Determination may be used as specified on page 1 of this IB.