



DEVELOPMENT SERVICES

TO: Development Services Department Customers

SUBJECT: **INFORMATION BULLETIN 571**
City of San Antonio's Procedures for Establishing an Urban Farm, Greenhouses, Indoor Growing, and Residential Gardens and Markets

DATE: March 21, 2019

CREATED BY: Land Development Division

Purpose:

The City Council approved amendments to the City's UDC (Unified Development Code) December 2015, defining Urban Farm and establishing the zoning districts in which it is allowed. As a customer service initiative, the Development Services Department (DSD) created this Information Bulletin (IB) 571 on the City of San Antonio's policies and procedures regarding the development of an Urban Farm. This IB also seeks to explain other important development criteria related to Greenhouses, Indoor Growing, Residential Gardens and Markets, accessory structures, and permitting requirements.

Definitions

Farmstand: A smaller market located near a farm typically run and owned by one farmer.

Greenhouse: A structure constructed of translucent material, which is devoted to the protection or cultivation of flowers or other tender plants.

Indoor Growing: Consists of growing plants indoors, such as in a warehouse or other built structure on a non-residential lot. Any structure used for indoor growing on a non-residential lot is subject to building permit and setback regulations.

Residential Market Garden: A garden at one's residence that grows produce incidental to a residential use. Excess produce may be sold onsite or elsewhere. Sales on the property must be conducted out of sight of the general public.

Urban Farm: A tract of land within city limits, not at one's own residence, on which produce is raised and sold on site or elsewhere. This can include farming and/or greenhouses on vacant lots or acreage. A farmstand or market may be located on the site. In addition to holding a market, an urban farm may host educational events and/or serve as an event venue, provided that sufficient off-street parking is provided.

Step 1. Zoning Verification

The first step is to determine if the proposed use is allowed in a zoning district. The following tables identify the permitted zoning districts for the uses discussed above. “P” is defined as Permitted by Right and “S” is defined as requiring a rezoning for a “Specific Use Authorization.”

TABLE 311-2 NONRESIDENTIAL USE MATRIX														
	PERMITTED USE	O-1 & O-1.5	O-2*	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)	
Agriculture	Greenhouse	P	P	P	P	P	P	P	P	P	P	P	9140	
Agriculture	Indoor Growing	P	P	P	P	P	P	P	P	P	P	P	9140	
Agriculture	Urban Farm	P	P	P	P	P	P	P	P	P	P	P	9140	

TABLE 311-1 RESIDENTIAL USE MATRIX																				
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-18	MF-25	MF-33	MF-40	MF-50 & MF-65	ERZD	(LBCS Function)	
Residential Greenhouse (incidental to a primary residential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9140
Residential Market Garden (incidental to a primary residential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9100
Urban Farm	P	P	P	P	P	P	S	S	S	S	S	S	P	P	P	P	P	P	P	8100

If the subject property is not zoned to permit/allow the use, the applicant must submit a rezoning application to change the zoning to permit the use prior to issuance of a building permit or a COO (Certificate of Occupancy). Refer to the following link for the rezoning application: [Plan Amendment and Zoning Application](#). The application will outline the zoning process. Staff in the Zoning Section will also be available to assist with questions regarding the rezoning process.

Step 2: Plat Determination

In accordance with the UDC and the LGC (Texas Local Government Code), platting may be required to obtain a new utility service to a property not previously served by utilities. In addition, an extension of utilities may require the lot to be platted. A lot that has or had a pre-existing habitable structure on the lot with previous utilities may qualify for an exemption for platting.

A Certificate of Determination can be issued for a plat exception for an Urban Farm under 35-430(c)(3) of the UDC which states:

“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 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.”

If the proposed use meets the criteria listed below, it may be eligible for a Certificate of Determination:

- A. There are no habitable structures on site (habitable does not include a utility shed).
- B. There are no permanent toilets on site.
- C. The water service is for agricultural irrigation only.
- D. The site meets the UDC definition of an urban farm, greenhouse and/or indoor growing.
- E. Signs are posted stating that the water from standpipes is not for drinking or is non-potable.

If the lot proposed for development requires platting, a private engineer is required to prepare the plat, complete the [Plat Application](#) and the plat must be approved before any building permits or new utility connections can be issued.

Step 3: SAWS Impact Fees and CPS Fees

SAWS (San Antonio Water System) charges impact fees to start new utility connections for water, sewer, and irrigation service. For questions regarding water and sewer services, please contact SAWS at 210-704-7297. CPS does not charge impact fees, however an urban farm would be assessed as a commercial rate payer. Customers can call 210-353-4050 or submit an application for service at CE@CPSENERGY.com.

Step 4: Building and Trade Permits

Building: Urban farms are intended for agricultural purposes and DSD recognizes that there may be a need for small storage structures, tool sheds, greenhouses, or other similar structures. Therefore, single story structures that are used in this manner and that are less than 300 square feet

are exempt from building permits. These structures are not intended to be occupied and therefore, restroom facilities are not required or permitted. These structures must comply with all local, State, and Federal laws and ordinances. Existing structures in excess of 300 square feet or that are not used as tool shed, greenhouses, or storage sheds are required to obtain a Certificate of Occupancy by applying for a building permit with applicable inspections.

Electrical: Customers may elect to utilize CPS Energy services to energize pumps, tools, security lights, or other agricultural service equipment. However, CPS Energy services are not required and remain the customer's choice. Customers electing to secure such utility services will need to coordinate with CPS Energy in advance for approval and authorization. In addition, electrical installations on the customer side of CPS Energy service distribution equipment will require a DSD electrical trade permit and inspections. As an alternative, urban farm owners may elect to install independent solar array systems that are not connected to CPS infrastructure. DSD will not require a permit nor inspect any standalone installation of solar systems that are used in connection with the urban farming less than 2KW. However, any single or combination of solar array systems in excess of 2 KW or any CPS grid connected array system will require a DSD solar electrical trade permit and inspection.

Plumbing: Customers may elect to utilize San Antonio Water System services to water and irrigate agriculture land. However, San Antonio Water Systems services are not required and remain the customer's choice. Customers electing to secure such utility services will need to coordinate with San Antonio Water System in advance for approval and authorization. Water conservation practices and monitoring will be established by San Antonio Water System. Customers electing to connect to San Antonio Water System water sources will be required to install an approved and listed reduced pressure principle backflow prevention assembly at the service delivery point. The installation of the backflow prevention device will require a DSD plumbing permit and inspection. DSD will not perform any plumbing inspections or require plumbing permits for the installation of any watering systems installed downstream of backflow preventer intended for agricultural purposes. DSD will not require a permit nor inspect the installation of rain harvesting systems that are used as a supplemental watering source utilized for agricultural purposes only.

Parking: Parking requirements must comply with the parking and loading standards in Sec. 35-526, Unified Development Code.

Signs: All signs must comply with Chapter 28, City Sign Code. The type of arterial is used to determine the height and square feet allowed. No portable signs are allowed.

Step 5: Tree Permits

Urban farms are intended for agricultural purposes and DSD recognizes there may be a need to remove trees or areas of tree canopy. Therefore, a valid tree application must be filed with the city arborist for review and approval to include: all applicable exhibits, tree preservation plans, landscape plans, Habitat Compliance Forms and fees. When mitigation may be required, the city arborist may weigh the value of smaller trees, clusters of trees, and natural vegetation that may be retained on site and/or added to meet mitigation requirements. The use of landscaped Low Impact

Development (LID) practices may receive tree canopy and mitigation credit when approved by application of the standards in Sec. 35-210 and Appendix H of the Unified Development Code.

Summary:

This Information Bulletin has been prepared as a courtesy to assist customers who wish to establish an urban farm. Notwithstanding the guidance provided in this document, the regulations of the City of San Antonio shall apply in all cases. If you have any questions regarding this Information Bulletin, please call (210) 207-1111.

This Information Bulletin is for informational purposes only.

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