October 23, 2026

The Honorable Mayor Gina Ortiz Jones
The Honorable Council Members Kaur, McKee-Rodriguez, Viagran, Mungia, Castillo, Galvan, Alderete Gavito, Meza Gonzalez, Spears, and Whyte
The City Council of San Antonio

Re: Adoption of Draft 2 Plus of the Proposed Unified Development Code (UDC) Amendments to Address Data Center Siting and Impacts

The Greater Edwards Aquifer Alliance (GEAA) is a nonprofit organization dedicated to the protection and preservation of the Edwards and Trinity aquifers, their springs, watersheds, and the Hill Country that sustains them. Our alliance has 59 member groups across 21 counties in the Texas Hill Country. We work to ensure the protection of the health, safety, and welfare of all those who rely on these sources of water. Earlier this year, we released a white paper on data center challenges and recommendations.

Public Citizen is a nonprofit consumer advocacy organization that champions the public interest in the halls of power. We defend democracy, resist corporate power, and fight to ensure that government works for the people – not big corporations. We have 30,000 members and supporters throughout Texas and a million throughout the country.

Here is our joint letter we sent to the City Council on September 1, 2026 with more detailed information.

Introduction

The process to amend the UDC to account for data center development in San Antonio was initiated by the Council Consideration Request (CCR) submitted by Councilmember Galvan on October 29, 2025. This CCR specifically requested that City staff "explore potential amendments to the Unified Development Code that **introduce a special use authorization for regulating the location and development of data centers, along with strategies to mitigate impacts such as noise pollution and water and energy use***." The people of San Antonio join other cities in Texas that are attempting to shape or contest the expansion of data centers in their communities. Community members are concerned about the negative impacts large scale development of data centers may have on water supplies, utility bills, air quality, public health, flooding, and land preservation.*

We ask that the City Council and Development Services incorporate the following recommendations into the Unified Development Code amendments for data centers. As San Antonio works on updating the UDC, we also ask that SAWS and CPS refrain from issuing Utility Service Agreements and the City refrain from issuing plat approvals until the new regulations are in effect so as not to trigger grandfathering.

Recommendations

GEAA and Public Citizen recommend the City Council adopt a permitting framework that allows for special use permitting in the designated districts; does not allow permit by-right in any district; removes general commercial districts from the list of acceptable districts; and sets standards and requirements necessary to protect residents from air pollution, noise and light pollution, and land use impacts.

- **Adopt Proposal 2 Plus, Specific Use Authorizations, as presented to the Council on October 14, 2026**
- **Remove C-3 General Commercial as either a permitted or special use for *Data Centers***

Additional Requirements and Requests

As Public Citizen and GEAA have talked to communities and residents about their concerns and experiences related to data centers, many issues have arisen time and again: noise pollution, light pollution, air quality impacts and health concerns, stormwater issues, a lack of transparency, and a system at the local and state level that promotes development at the expense of public health and the protection of natural resources. First and foremost of these concerns is that people often did not know a data center was moving into their community until construction commenced.

The measures laid out in Option 2 Plus would address the concerns San Antonians have around this rapidly growing, resource- and land-intensive, and continuously changing industry. The nine requirements plus requests laid out in Option 2 Plus are common-sense measures that will protect our neighbors, natural resources, and public health. Option 2 Plus provides consistency for industry, protections for residents, and flexibility for council.

1. *A prefiling notice and public engagements requirement solves the most immediate concern of San Antonians – a lack of transparency and no opportunity to weigh in on an intensive industry in their community.*

2. *Strong noise limits solve the public health and nuisance challenges facing residents living next to data centers across the country.*

3. *One-thousand-foot setbacks ensure that facilities are far enough away from residents and other sensitive uses so as to mitigate noise, light, and air pollution concerns. This setback length is within the range of setbacks established or recommended by many other communities across the U.S., including DeKalb County, Georgia; Luzerne County, Pennsylvania; Nashville, Tennessee; and Loudon County, Virginia. The Kentucky Resources Council Model Data Center Zoning Ordinance and the Sierra Club Model Data Center Ordinance recommend similar setbacks.*

4. *Greenspace replacement minimizes the impacts to land, public health, and natural resources that can be caused by the massive scale and impervious cover of hyperscale data centers*

5. *Backup generation enclosure and ventilation responds to another immediate concern of San Antonio residents – air quality impacts caused by diesel generator routine testing and emergency use. This measure is especially important as Bexar County is classified as being in "serious nonattainment" under the National Ambient Air Quality Standards.*

6. *Air quality monitoring and reporting likewise responds to the concerns raised by data center diesel generators and on-site "behind-the-meter" generation that could further push Bexar County out of air quality standards attainment.*

7. *Strong stormwater management requirements would ensure that the scale of impervious cover on a data center site is not contributing to downstream stormwater or flooding impacts or degrading downstream water quality. Existing large data centers in the San Antonio region have already been flagged for poor stormwater detention and management.*

8. *Asking for disclosure of utilities usage, while not a requirement for obtaining a permit, would allow data center companies to demonstrate their commitment to being a good neighbor and to ensuring that the costs of water supply, wastewater treatment, energy generation, and infrastructure buildout are not burdening San Antonio residents.*

9. *Asking for public benefits, while not a requirement, would similarly provide companies the opportunity to demonstrate their commitment to being a good neighbor and is in line with what many companies are already doing through community benefit agreements.*

Special Use Permits

The Draft 1 UDC amendment recommends permitting by right for the districts outlined above. Data centers must not be a use that is permitted by right. **Draft 1 or any by-right permitting should not be adopted.** *By-right permitting does not allow for public hearings where concerned residents could offer input on or oppose the development. By-right permitting also does not provide city council with the flexibility needed to ensure facilities are appropriate for different communities.*

One recurrent trend among other cities, and among model zoning ordinances,[i] is to have data centers obtain a conditional (CUP) or special (SUP) use permit (these terms are often used interchangeably). This is our preferred and recommended approach and adheres to the request of the original CCR. We appreciate that the Draft 2 and Draft 2 Plus proposals have Data Centers under specific use authorization.

Special uses are those that "are considered to have a potentially greater impact on neighboring properties or the public than uses permitted by right, so a public review process and a decision by a local governmental body is required before they may be built."[ii] Special Use Permitting "reflects the considered judgement of the community…that some land uses may have more intensive or negative impacts on surrounding properties requiring a heightened level of review and control."[iii] Developers must meet certain conditions set by the local government before receiving approval. The conditions should help mitigate adverse impacts of the proposal. These conditions should be clearly specified, compliant with constitutional and statutory limitations, and reasonably related and proportional to the impacts the public body is seeking to address.[iv]

Special Use Authorization is considered a best practice for hyperscale data center zoning. **Special Use Authorizations provide transparency, opportunity for public input and awareness, and the flexibility to ensure facilities are appropriate for the area in which they are located.** *Special use permitting provides the greatest opportunity for the public to weigh in on and shape data center developments in their neighborhoods. By-right permitting, on the other hand, essentially cuts the public out of the process and provides city council with no flexibility.* **Data centers, and the industry they support, are growing and changing too rapidly to not have public input.**

New Braunfels, Texas is proposing that "any property that is proposed to be developed with a data center should have an industrial base zoning district plus require a Special Use Overlay (currently called a special use permit or SUP).[v] New Braunfels has also proposed establishing a set of "development standards for all data centers that address issues such as water demand and water supply; electric and utility capacity; noise; building and equipment setbacks; screening and landscaping; floodplain and natural resource protection; stormwater and drainage; compatibility with surrounding properties; etc." In addition to establishing the standards outside of the zoning process laid out here, we also encourage the city to establish the standards laid out by New Braunfels' proposal where feasible. **Option 2 Plus would achieve many of these goals.**

We appreciate that the Draft 2 proposal sets out a paragraph authorizing the City to "by ordinance impose such reasonable standards, conditions or requirements, in addition to or which supersede any standard specified in this chapter, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to, special setbacks, yard requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation, number of occupants and similar characteristics." **We look forward to the city adopting robust development standards.**

Non-Residential Use Matrix

We recommend against allowing Data Centers to be permitted in any form within C-3 General Commercial Districts. Data centers operate 24 hours a day, seven days a week, generating significant levels of noise, air, and light pollution while bringing very few jobs into the community. While data centers "may look like warehouses, they function more like major pieces of energy infrastructure."[vi] Though they may appear similar to other commercial buildings, such as big box stores, noise and other nuisances associated with data center operations could have negative impacts on neighboring stores and public facilities that are the appropriate designees of C-3 General Commercial Zoning. Additionally, General Commercial Districts are built in locations intended to serve residential areas, so data centers in these zones are likely to impact nearby neighborhoods. **C-3 General Commercial Districts should be removed from the use matrix for *Data Centers* regardless of which proposal is adopted.**

Edwards Aquifer Recharge Zone

We appreciate that Data Center is proposed to be a non-permitted use within the Edwards Recharge Zone District (ERZD). This non-permitted designation must be adhered to in the final UDC amendment. Data centers and their associated infrastructure and energy sources should not be permitted to be over the Edwards Aquifer Recharge Zone. Their large impervious surfaces, non-traditional wastewater streams, and (often) fossil fuel infrastructure pose unique risks to the Edwards Aquifer. The city might also consider expanding this prohibition for three miles into the contiguous Edwards Aquifer Contributing Zone.

Thank you for your consideration. Please do not hesitate to view the undersigned parties as resources on this matter. We look forward to working with you to create robust and sufficiently protective amendments to the Unified Development Code

Sincerely,

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[i] *Data Centers Model Ordinance; Core_Model_Ordinance_LLDC_v7.3.pdf - Google Drive; Model Data Center Zoning Ordinance Version 1.4*
[ii] *SELC-Data-Center-Development-Report-All-0126_F.pdf*
[iii] *What is the difference between a SUP, CUP, and SLUP? - FSBR*
[iv] *SELC-Data-Center-Development-Report-All-0126_F.pdf*
[v] *City of New Braunfels, Texas - File #: 26-979*
[vi] *Data centers are here, and more are coming. Our zoning is not ready. - Smart Growth America*