

SAWS Impact Fee Waiver Guidelines

A. Policy Statement

It is the intent of the City and the San Antonio Water System (SAWS) to support policies that promote growth and development in targeted areas of the City, as described in the City's Inner City Reinvestment and Infill Policy (ICRIP) Target Area. The ICRIP specifically identifies areas targeted for reinvestment. It is the intent of the ICRIP to utilize SAWS incentives in combination with other City incentives within the target area in order to stimulate investment in creating walkable urban communities.

B. Program Goals

The award and distribution of SAWS impact fee waiver incentives will follow the general and specific goals outlined below.

- (1) Increase new development (housing and commercial) on vacant infill lots.
- (2) Increase redevelopment of underused buildings and sites.
- (3) Increase rehabilitation, upgrade, and adaptive reuse of existing buildings.
- (4) Increase business recruitment and expansion in the City's targeted industries.

C. Eligibility Criteria

1. The following projects are eligible under these Guidelines for a SAWS impact fee waiver equal to 1% of the total project investment. Eligible projects with a total investment of less than \$500,000 qualify for a minimum waiver of \$5,000:

a. All projects within the target area, other than those identified in Section 3.2. Maximum waiver amount of \$500,000.

b. Eligible projects located outside the target area that fall into one of the following categories. Maximum waiver amount of \$100,000:

i. The Project must be in a targeted industry, as defined in the City's Tax Abatement Guidelines, and must include a capital investment of at least \$50 million or create at least 500 new full-time jobs.

ii. A housing project that includes at least some affordable residential units that are occupied by a family whose household income does not exceed 80% of San Antonio's Area Median income, as adjusted for household size and as defined by the U.S. Department of Housing and Urban Development (HUD). For projects with less than 50% affordable residential units as defined here, the maximum waiver amount is proportional to the percentage of affordable units. For example, if a residential housing project, anywhere in the City, has a mix of 70 percent market rate and 30 percent affordable units, then the project would be eligible for a waiver of 30 percent of the SAWS impact fee, up to \$100,000.

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- Currently, SAWS sets aside \$2 million annually for awarding SAWS impact fee waivers as established by ordinance 2006-06-15-0722. It is the City's intent to distribute this available incentive fund in a manner that provides greater focus to the areas within the IPTA, while still allowing the distribution of a portion of this incentive amount in areas that are not within the IPTA. Therefore, the goal is to allocate at least 75% of the SAWS \$2 million annual incentive to projects within the IPTA. Projects outside (... [1])
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iii. A non-profit or public entity performing community service defined as an organization whose mission and goal is to provide community service to benefit or serve the community by offering services for the benefit of the public at no fee to its participants with the intent of improving society. Such services include: child care, education, health care, housing, mentoring, crime prevention, and public safety.

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2. The following project types are not eligible for SAWS impact fee waiver incentives, inside or outside the target area:

- a. Projects over the Edwards Recharge or Contributing Zones.
- b. Retail stores such as, check-cashing agencies, automotive part retailers, tire shops, non-bank financial retail outlets, nightclubs, bars, liquor stores, convenience stores, gun shops, pawnshops, gas stations, tattoo parlors, tanning salons, mobile food vendors and sexually oriented businesses.
- c. Hotels and Motels.
- ~~d. Entertainment facilities, specifically theme park and destination resorts, as defined in the City's Unified Development Code.~~
- ~~e. Projects built by and funded with state or federal appropriations on federal or state land, including projects on military installations.~~
- ~~f. Sectarian or religious facilities.~~
- ~~g. Market-rate single-family or two-family dwellings are excluded, unless:
 - Project is enrolled in the City's Housing Rehabilitation Loan Program
 - Project costs are valued at fifty (50) percent or more of the latest BCAD improvement value; or
 - Project is reconstruction of structures destroyed or ruined by flooding, fire, windstorm or other natural disaster.~~

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. e. . Projects outside of the IPTA that are not in a targeted industry, as defined in . the City and County Joint Tax Abatement Guidelines.¶

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3. Retail projects are generally not eligible for SAWS impact fee waivers; however, the following criteria may be used in evaluating requests for fee waivers for retail projects.

- Retail projects must show some public benefit to the ICRIP target area such as a provider of goods or services currently not available, catalytic retail concept, blight elimination, etc.
- Level of investment, project financing and analysis of the financial gap requiring public assistance
- Fiscal and economic impact
- Public improvements from the project
- Consistency with existing master plans and/or neighborhood plans
- Ability to improve shopping discontinuity, create critical mass of retail and retail market potential
- Job creation
- Alignment with policy goals as stated in Section B above.

- Geographic indicators within the ICRIP target area, such as HUB Zone, Empowerment Zone, Tax Increment Reinvestment Zone, Neighborhood Commercial Revitalization, Community Plan Areas, Texas Enterprise Zone, and HUD Neighborhood Stabilization Tracts.
- The close proximity of a retail project from one of the following educational institutions: UIW, OLLU, St. Mary’s University, St. Phillip’s College, UTSA-Downtown, Trinity, SAC, Palo Alto College, and the Westside Education and Training Center.

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D. Administration & Additional Requirements:

- Applications will be received and processed through the City’s Center City Development Office.
- The City and SAWS will jointly track the number of approved waivers to ensure the total amount of waivers approved in a given fiscal year does not exceed the allotted fiscal year budget for SAWS fee waivers.
- Applicants must certify the project investment for appropriate calculation of the waiver. Applicants may be required to provide proof of total project investment.
- Waiver requests over \$50,000 require a written fee estimate from SAWS prior to processing.
- All SAWS fee waivers of \$100,000 or more require City Council approval.
- Waivers are not retroactive for fees already paid. No reimbursements will be granted.

3. Limitations on the maximum SAWS impact fee waiver amount per project.¶

a. Up to \$500,000 SAWS impact fee waiver for eligible projects within the ICR- IPTA based on the level of capital investment.¶

i. < \$10M investment – up to \$100,000¶

ii. \$10M and < \$20M investment – up to \$200,000¶

iii. \$20M and < \$30M investment – up to \$300,000¶

iv. \$30M and < \$40M investment – up to \$400,000¶

v. >\$40M investment – up to \$500,000¶

b. Up to \$100,000 SAWS impact fee waiver for eligible projects outside the ICR- IPTA.¶

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a. Projects must be initiated within 6 months of receipt of an approved application and verification certificate from the City’s Center City Development Office (CCDO).¶

b. Recipient must claim any waivers and pay any fees due to SAWS as requ... [8]

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