

**CITY OF SAN ANTONIO
ECONOMIC DEVELOPMENT
DEPARTMENT**



**Business Development Fee Waiver
Program Guidelines**

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I. Purpose

To foster business development, job creation, and economic growth, the City of San Antonio's Economic Development Department (EDD) established a Business Development Fee Waiver Program to offset City development fees and SAWS sewer and water impact fees for the following:

- Local small, minority, women, and veteran-owned businesses (S/M/W/VBE)
- Health providers in vulnerable communities
- Industry development projects that align with the priorities in the City's Tax Abatement Guidelines

The Small Business segment of the Business Development Fee Waiver Program will focus on the following goals:

- Foster the development of S/M/W/VBEs in the growth phase to spur both capital investment and job growth;
- Provide direct financial assistance to S/M/W/VBEs to allow business owners to invest savings in their equipment purchase, development upscaling, and new employees.
- Address disparities related to access to capital that small, minority, and women-owned businesses experience, as documented in the City's 2015 Disparity Study;
- Promote development within a City of San Antonio census tract with an Equity Atlas Combined Score of six (6) or greater (Appendix A); and
- Connect S/M/W/VBEs seeking fee waivers to other City small business programs, such as the Small Business Economic Development Advocacy (SBEDA) program, Mentor-Protégé program in partnership with Alamo Colleges, and Launch SA & Loan Interest Buydown programs in partnership with LiftFund.

The Health Provider in Vulnerable Communities segment of the Business Development Fee Waiver Program, due to the impact of COVID-19, will focus on the following goals:

- Foster the development of an individual, small business or nonprofit that provides one or more primary health care services as defined in Section III.B.
- Promote development within or adjacent to a City of San Antonio census tract with an Equity Atlas Combined Score of six (6) or greater (Appendix B).
- Connect S/M/W/VBE health providers seeking fee waivers to other City small business programs, such as the Small Business Economic Development Advocacy (SBEDA) program, Mentor-Protégé program in partnership with Alamo Colleges, and Launch SA & Loan Interest Buydown programs in partnership with LiftFund.

The Industry segment of the Business Development Fee Waiver Program will focus on the following goals that align with the priorities in the City's Tax Abatement Guidelines:

- Attract, retain, and expand targeted industries, as identified in City's current Tax Abatement policies;
- Foster employment, high wage jobs, and long term-capital investment;
- Promote development within EDD's Inclusive Growth Policy Area Map, which includes distressed zip codes in San Antonio where the poverty rate is 20% or greater, as well as City prioritized areas such as Opportunity Zones and the SA Tomorrow Regional Centers as plans are adopted by City Council; and
- Connect industry development fee waivers to the City's overall business recruitment and expansion competitive incentive package, which may include tax abatements, economic development grants, workforce development support, and possible nomination for state incentives.

II. Background

The Business Development Fee Waiver Program was crafted after a 2017 City Council Consideration Request (CCR) called for the review of the City of San Antonio Inner City Reinvestment/Infill Policy (ICRIP) established in 2010. City Council approved the ICRIP policy to encourage infill activity and the creation of sustainable neighborhoods that are safe, walkable, mixed-use, and well designed. The policy provided City development and SAWS sewer and water impact fees for a variety of projects in a designated boundary. Eligible business development projects under the ICRIP policy included both small businesses and industry development projects with fee waivers for small businesses granted solely based on geographic location and industry development projects evaluated based off the competitiveness of the project. The CCR requested that residential and commercial incentives be broadened to include local, small, medium, and large businesses citywide and remove eligibility criteria that businesses must operate within a specified boundary per the ICRIP. As a result, the City of San Antonio Fee Waiver Program replaced ICRIP. The Business Development Fee Waiver Program represents one component of the larger City of San Antonio Fee Waiver Program that focuses on the following five (5) categories:

1. Affordable Housing
2. Owner Occupied Rehabilitation
3. Historic Preservation
4. Legacy Businesses
5. Business Development

In Fiscal Year 2021, due to the impact of COVID-19, City Council approved the inclusion of health providers in vulnerable communities as eligible for incentives under the Business Development category of the City of San Antonio Fee Waiver Program.

III. Small Business Development Fee Waiver Program

A. Eligibility Criteria

To be considered eligible for a City development or SAWS sewer and water impact fee waiver under the Small Business Development portion of the program, all six (6) conditions listed below **MUST** be satisfied:

1. Projects seeking waivers must consist of new construction, rehabilitation, repair or maintenance of an existing structure.
2. A business must meet the definition of a Small Business Enterprise (SBE) per the United States Small Business Administration (SBA) guidelines, which is a for-profit business of any legal structure, independently owned and operated by a majority of U.S. Citizens or permanent residents, and meets SBA size requirements. SBA small business size standards vary by industry and are based on the number of employees or the amount of annual receipts a business has. For more information about the size standard for your industry, please contact Small Business Office or see link: <https://www.sba.gov/document/support-table-size-standards>.
3. A business entity must be registered to do business in Texas with the Bexar County and/or Texas Secretary of State for at least two (2) years.
4. A business entity must be located within the San Antonio city limits. Businesses located in extraterritorial jurisdictions (ETJ) are not considered to be within the city limits and are not eligible for this program.
5. Projects seeking waivers must be appropriately zoned for the intended use at the time the application is submitted, which will be verified by City staff from a cursory review of the City's zoning map. This verification is only cursory and DOES NOT guarantee 100% accuracy. Before significantly investing in any property, we strongly recommend (if required) that you obtain a Zoning Verification Letter from the Development Services Department to ensure that the proper zoning is in place. Failure to do so may threaten your project and result in financial losses (<https://www.sanantonio.gov/DSD/Constructing/Land#146511324-zoning-verification-letters>). Fee waivers cannot be used to cover the cost of rezoning a property to allow for its intended use.
6. The business must intend to occupy the address for which the waiver is being requested for business purposes only, as a new business headquarters or branch office ***for at least two years from the date of receiving the waivers.***

B. Tier Based Fee Guidelines

Fee waivers are available in increasing amounts based on the following tiers:

Tier 1 – Up to \$15,000: A business meets all eligibility requirements listed in Section III.A.

Tier 2 – Up to \$40,000: A business meets all eligibility requirements listed in Section III. A., while also meeting the definition a Minority-Owned Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), or Veteran-Owned Business Enterprise (VBE) as defined below.

MBE – A business structure that is owned, operated, managed and controlled by one or more ethnic minority member(s) who have a total of at least 51% or more ownership. An ethnic minority member is either an African American-Owned Business, Asian American-Owned Business, Hispanic American-Owned Business, or Native American-Owned Business.

WBE – A business structure that is owned, operated, managed and controlled by one or more women who have a total of at least 51% or more ownership.

VBE – A business structure that is owned, operated, managed and controlled by one or more individuals who served in this United States Armed Forces, and who was discharged or released under conditions other than dishonorable who have a total of at least 51% or more ownership. Please note this certification type should not be confused with the Service Disabled Veteran designation available through the SBA.

Tier 3 – Up to \$50,000: A business meets all eligibility requirements listed in Section III.A., while also having the businesses new construction, rehabilitation, and repair or maintenance of an existing structure be located within a City of San Antonio census tract with an Equity Atlas Combined Score of six (6) or greater (Appendix A). A business in this tier can be a veteran-owned, women-owned and/or minority-owned business enterprise but is not required to have such certifications to be eligible for the full amount.

Eligibility Criteria	Tier 1	Tier 2	Tier 3
Small Business			
Operating for 2 Years			
Located in the San Antonio City Limits			
Minority, Women, or Veteran - Owned Business			
Located within a City of San Antonio census tract with an Equity Atlas Combined Score of six (6) or greater			
Maximum Fee Waiver	\$15,000	\$40,000	\$50,000

Waiver recipients that do not have their fees waived in full may reapply for City development or SAWS sewer and water impact fee waivers to be considered for any remaining funds for the current fiscal year October 1, 20xx - September 30, 20xx. Re-applications will not be accepted until August 1st of a given fiscal year. Funds will be distributed on a discretionary basis and dependent on the number of applicants received and the availability of funds.

Exceptions: Any exceptions to the amounts allocated to the fee waiver shall be submitted directly to the Small Business Office, Economic Development Department and will be reviewed by the Director or Designee of the Economic Development Department on case-by-case basis. The decision by the Director or Designee will be final.

IV. Health Providers in Vulnerable Communities

A. Eligibility Criteria

To be considered eligible for a City development or SAWS sewer and water impact fee waiver under the Health Provider in Vulnerable Communities portion of the program, all eight (8) conditions listed below **MUST** be satisfied:

1. Projects seeking waivers must consist of new construction, rehabilitation, repair or maintenance or of an existing structure.
2. An entity must meet the definition of “healthcare provider” which, under this program, is an individual, small business or nonprofit that provides one or more of the following **primary health care services**:
 - a. Dental care
 - b. Illness diagnosis and treatment
 - c. Emergency services
 - d. Environmental health services
 - e. Family planning services
 - f. Health education
 - g. Health screening and physical exams
 - h. Home health care
 - i. Laboratory, X-ray, nuclear medicine, or other appropriate diagnostic services
 - j. Nutrition services
 - k. Podiatry services
 - l. Prescription drug, devices, and durable supplies
 - m. Preventive health services, including immunizations
 - n. Social services
3. Upon submission of the fee waiver application, healthcare providers are required to submit proof of licensure or certification for every individual providing healthcare services at the address listed on an application. If an individual, small business or nonprofit healthcare provider provides services not described in IV.A but wants consideration for eligibility,

they may submit an application for exception, subject to final approval by the Director or Designee of the Economic Development Department.

4. The healthcare provider must be located within or adjacent to a City of San Antonio census tract with an Equity Atlas Combined Score of six (6) or greater (Appendix B). In addition, A business entity must be located within the San Antonio city limits. Businesses located in extraterritorial jurisdictions (ETJ) are not considered to be within the city limits and are not eligible for this program.
5. An entity intending to qualify as a small business must meet the definition of a Small Business Enterprise (SBE) per the United States Small Business Administration (SBA) guidelines, which is a for-profit business of any legal structure, independently owned and operated by a majority of U.S. Citizens or permanent residents, and meets SBA size requirements. SBA small business size standards vary by industry and are based on the number of employees or the amount of annual receipts a business has. For more information about the size standard for your industry, please contact Small Business Office or see link: <https://www.sba.gov/document/support-table-size-standards>. An entity intending to qualify as a nonprofit must meet all legal designations as required per federal, state, or local law.
6. A business intending to qualify as a small business or nonprofit entity must be registered in Texas with the Bexar County and/or Texas Secretary of State for at least two (2) years.
7. Projects seeking waivers must be appropriately zoned for the intended use at the time the application is submitted, which will be verified by City staff from a cursory review of the City's zoning map. This verification is only cursory and DOES NOT guarantee 100% accuracy. Before significantly investing in any property, we strongly recommend (if required) that you obtain a Zoning Verification Letter from the Development Services Department to ensure that the proper zoning is in place. Failure to do so may threaten your project and result in financial losses (<https://www.sanantonio.gov/DSD/Constructing/Land#146511324-zoning-verification-letters>). Fee waivers cannot be used to cover the cost of rezoning a property to allow for its intended use.
8. The entity must intend to occupy the address for which the waiver is being requested for health provider purposes only, as a new business headquarters or branch office ***for at least two years from the date of receiving the waivers.***

B. Fee Guideline

Fee waivers are available up to \$50,000 if the health provider meets all eligibility requirements listed in Section IV.A.

Waiver recipients that do not have their fees waived in full may reapply for City development or SAWS sewer and water impact fee waiver to be considered for any remaining funds for the current fiscal year October 1, 20xx - September 30, 20xx. Re-applications will not be accepted until August 1st of a given fiscal year. Funds will be distributed on a discretionary basis and dependent on the number of applicants received and the availability of funds.

Exceptions: Any exceptions to the amounts allocated to the fee waiver shall be submitted directly to the Small Business Office, Economic Development Department and will be reviewed by the Director or Designee of the Economic Development Department on case-by-case basis. The decision by the Director or Designee will be final.

V. Industry Development Fee Waiver Guidelines

B. Eligibility Criteria

To be considered for a City development or SAWS sewer and water impact fee waiver under the Industry Development portion of the program, please find more information, including the Joint Incentive Application, under the Economic Development Department's current Tax Abatement Guidelines at: <https://www.sanantonio.gov/EDD/Development-Opportunities/Incentives>. Attached is a link current copy of the Tax Abatement Guidelines: Appendix C

VI. General Business Development Fee Waiver Guidelines

A. Limitations

The following limitations apply:

1. Waivers will be limited to not more than two projects and/or locations per entity in one calendar year.
2. **All waivers are subject to funding availability. Not all city fees will be waived under this program. Click here for the list of City Fees (eligible fees are in red; ineligible fees are in black)** <https://www.sanantonio.gov/DSD/Online/Fee/Fee-Schedule> **from the Development Services Department.**
3. Previously paid City development and/or SAWS sewer and water impact fees will not be retroactively approved under this program without first obtaining an approved fee waiver from EDD.
4. City Development fee waivers are valid for one year from the date of approval of the application by EDD. Fee waivers not claimed or utilized before the deadline of one year following date of approval forfeit the ability to claim the fee waiver. Businesses may

contact EDD to learn if funding is available and reapply for consideration to receive a fee waiver.

5. In no case shall fee waivers exceed the total cost of fees incurred by the project.

B. Waiver Application

1. Eligible entities approved for City Development Services (DSD) fees will receive an upfront waiver *for the approved fees only* ([click here for list of eligible fees](#)) *by DSD* per the eligibility in Section III.B. or IV.B, and for the amount approved on the Small Business Development Fee Waiver application or Health Provider in Vulnerable Communities Fee Waiver application.
2. Eligible entities approved for the SAWS sewer and water impact fees will receive an upfront waiver *before the actual payment to SAWS* per the eligibility in Section III.B. or IV.B, and for the amount approved on the Small Business Fee Waiver application or Health Provider in Vulnerable Communities Fee Waiver application.

C. Project Exclusions

In accordance with the City's existing policies and guidelines, the following projects are NOT ELIGIBLE for City development and/or SAWS sewer and water impact fee waivers:

- a. Projects over the Edwards Aquifer Recharge or Contributing Zones that result in additional impervious cover.
- b. Projects within a FEMA-designated 100-year floodplain.
- c. Religious or sectarian facilities or facilities used for religious or sectarian purposes.
- d. Surface parking lots that are not part of a larger development or expansion project.
- e. 100% publicly-funded projects. This includes bond-funded projects and projects on military installations.
- f. Schools, including all public, private, and charter institutions.
- g. Hotels, motels, pawn shops, nightclubs, bars, gun shops, liquor stores, tattoo parlors, tanning salons, tobacco/tobacco-like related establishments, specified financial institutions (see UDC Section 35-A101), kiosks, sexually-oriented businesses, and non-permanent structures such as manufactured homes.
- h. Projects located outside the current city limits, including the extraterritorial jurisdiction.

- i. Projects that are intended for Short-Term rentals, VRBO, AirBnB, or any similar type of program.

Exceptions: Any exceptions to the eligibility criteria shall be submitted directly to the Small Business Office, Economic Development Department and will be reviewed by the Director or Designee of the Economic Development Department on case-by-case basis. The decision by the Director or his Designee will be final.

D. Application Process

1. Application must be submitted, in their entirety, online on the Center City Development and Operations Department (CCDO) webpage:
<https://www.sanantonio.gov/CCDO/IncentivesandPrograms/ICRIP>
2. Incomplete applications will not be considered. All information asked must be submitted with the application.
3. If the applicant is not the legal owner of the property, they will submit a fully signed “Ownership Acknowledgment Form” completed by the owner of record of the property to be eligible for any fee waivers.
4. Eligibility criteria will be validated by EDD staff.
5. After EDD’s review, each applicant shall receive an email notice to schedule an appointment for a one-on-one consultation with EDD’s Small Business Liaison. **Note: This meeting is mandatory and has to be attended by the entity owner(s) or primary representative(s) only.**
6. Applicant will review the program guidelines, complete and sign the Small Business Development Fee Waiver Application or Health Provider in Vulnerable Communities Fee Waiver Application, to acknowledge and confirm the fee waiver eligibility. **Note: Small Business Office reserves the right to change the language or criteria listed in these guidelines without prior notice. Always contact the Small Business Office for the official copy of these guidelines before applying.**
7. If applying for a SAWS sewer and water impact fee waiver, applicant will submit an official SAWS estimate letter along with a project timeline to apply for these fees. Note that SAWS sewer and water impact fees shall NOT be reimbursed to the applicant, as the approved amount shall be directly discounted by SAWS.
8. Before applying for City Development Services Department (DSD) permitting fees, applicant will submit an estimate of the total fees using the online fee estimator tool and eligible fees would be deducted from the total bill at the time of payment to DSD.
<https://www.sanantonio.gov/DSD/Online/Fee/Estimator>.

9. Notifications will be sent via email provided in the online application. Alternative notification methods can be made by contacting Small Business Liaison at SBEDAinfo@sanantonio.gov or calling (210) 207- 3903.
10. To check if your entity is located within or adjacent to a City of San Antonio census tract with an Equity Atlas Combined Score of six (6) or greater (Attachment A), please see link <https://www.sanantonio.gov/Equity/Initiatives/Atlas> or contact Small Business Office at SBEDAinfo@sanantonio.gov or calling (210) 207- 3903.

E. Renewal Options

1. City Development fee waivers are valid for one year from the date of approval of the application by EDD.
2. SAWS impact and sewer fee waivers are valid for six months from the date of approval and have limited funding and may require additional review prior to approval.
3. A new application must be submitted after the City development and/or SAWS sewer and water impact fee waiver has expired.
4. If fee waivers are not renewed within 30 days of expiration, the waiver cannot be renewed and funds will be released for active projects.

F. Reporting Requirements

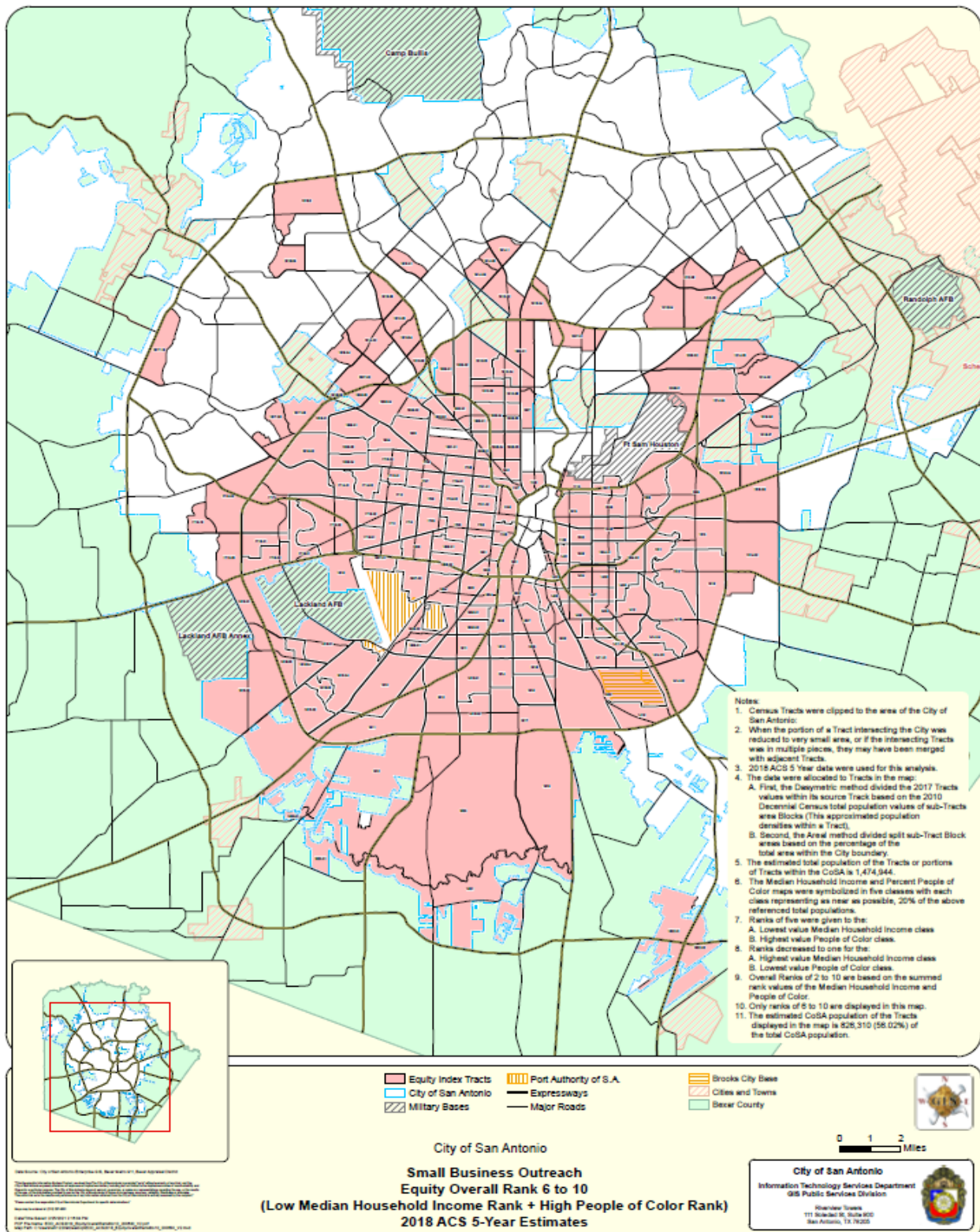
All approved applicants must complete and submit the required forms prior to the approval of any fee waiver amount. Applicants may be asked to provide additional information to support this application. If any information is found to be inaccurate on the documents provided and application, the waiver may be denied.

All approved applicants shall consent to disclose pertinent information related to job creation and investment periodically to enhance and make improvements to the program. The information will be asked in the format of surveys, phone calls, office visits and email correspondence.

APPENDIX A

Check your location online using the Equity Matrix Map:

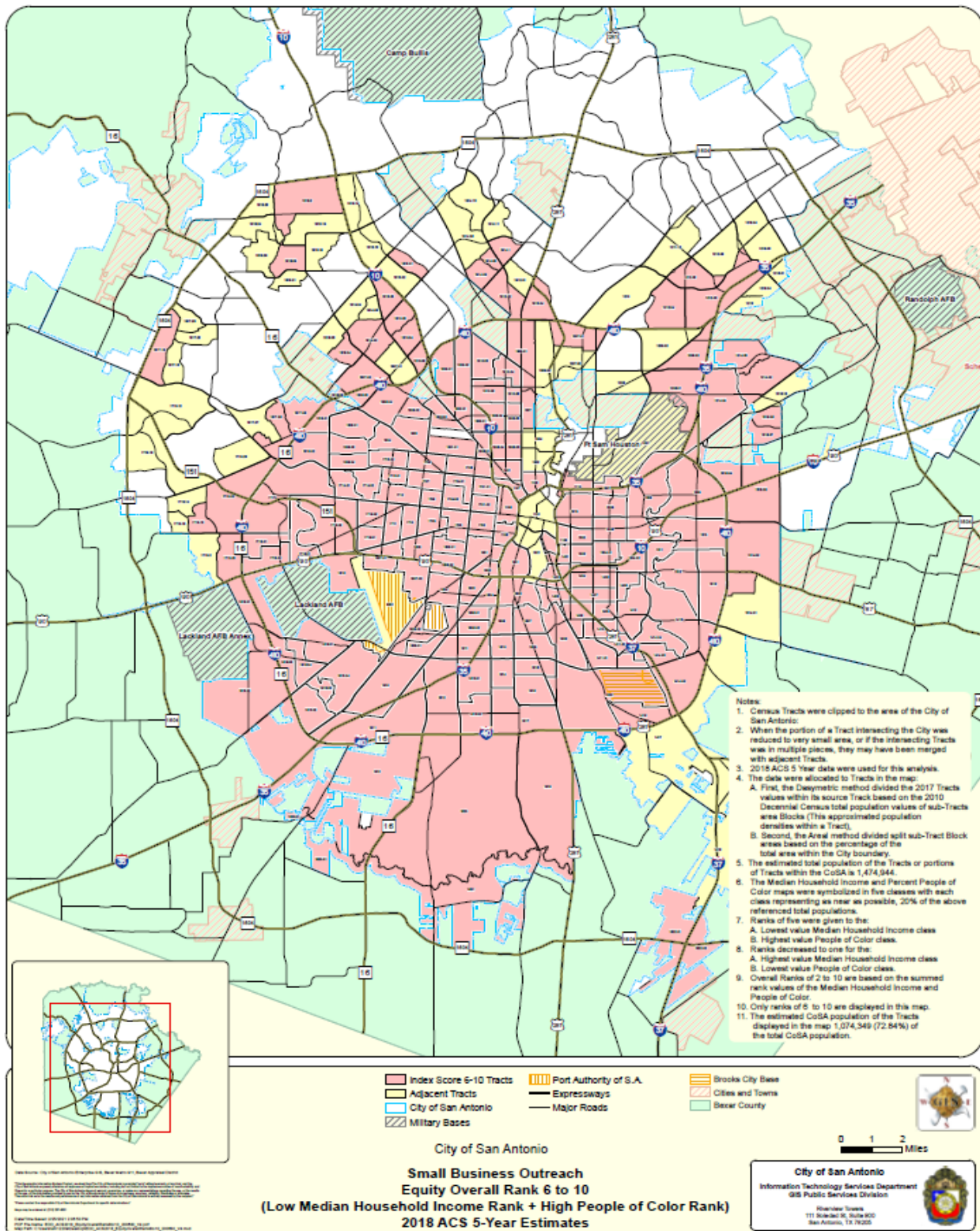
<https://cosagis.maps.arcgis.com/apps/MapSeries/index.html?appid=184271d3b89748e5b6ba183463da804a>



APPENDIX B

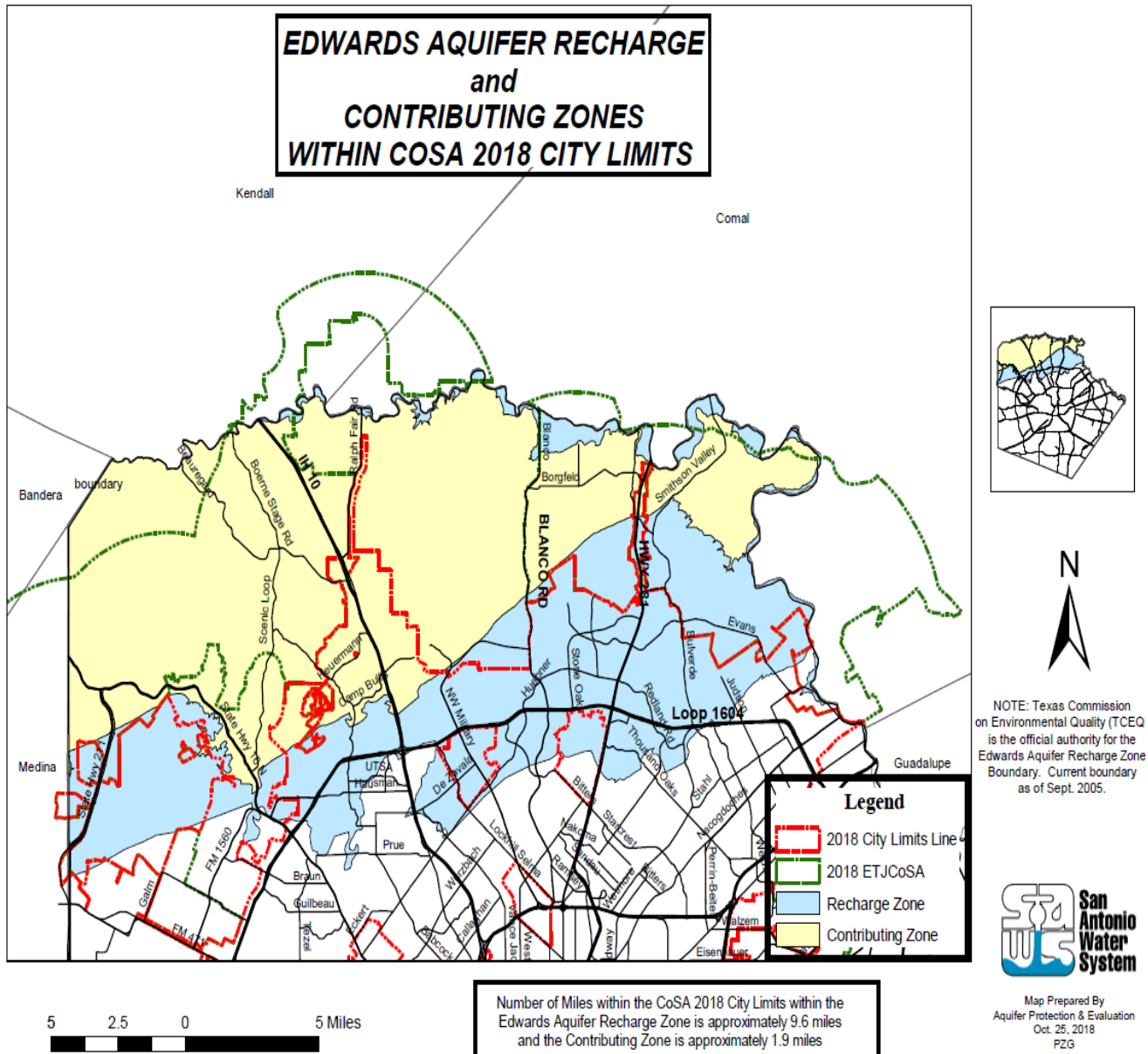
Check your location online using the Equity Matrix Map:

<https://cosagis.maps.arcgis.com/apps/MapSeries/index.html?appid=184271d3b89748e5b6ba183463da804a>



APPENDIX C

Edwards Aquifer Recharge and Contributing Zones Project Exclusion



APPENDIX D

City of San Antonio Tax Abatement Guidelines

<https://www.sanantonio.gov/Portals/0/Files/EDD/2019-2020AbatementGuidelines.pdf>