From:	David Gray
To:	Gwen Jones
Cc:	Grp. City Council and City Web Site
Subject:	Re: Building Permit Fees and Resubmittal Fees
Date:	Friday, July 15, 2022 9:49:51 AM
Attachments:	image.png

Thank you for your response Gwen.

I hear a lot of talk about the City wanting housing but from the Development side we are seeing the opposite. Just this year my office has had a 30 unit, 45 unit, and 3 unit developments canceled because of the city. Various department involvement from Engineering, Fire Department and zoning, (All projects are allowed as-of-right by zoning on the property and it was the roadblocks by the city that stopped them.) Just the cost of meeting city requirements for permits has canceled way more projects this year as the requirements keep getting more onerous and costly. People cannot deal with 3 plus months to have a permit reviewed or get a business licence approved. It stops their ability to finance the project, keep new tenants who are leasing vacant commercial space, cover overhead while their permits just sit in somebody's pile waiting to be reviewed. I get that the city is having a labor issue but so is everyone, yet they still function as close to business as usual as they can manage.

Not being able to go to Development Services and talk to people or pick up over the counter permits is causing a great deal of hardship, resubmittals and delay. Development services will not even respond after 3 p.m. to calls, when they do take calls. That is 10 hours or 25% of a work week that projects and customers are sidelined. The customer may not always have the opportunity to "try again in the morning" as they also have other obligations like their job, childcare, meetings, school, etc. It is just ballooning the problem Development Services is having with permit review in my opinion.

Thank you for your kind words and the MRA support for the Radio Central Building restoration. I cannot say enough good things about what the MRA has done to preserve the History of the Downtown. They have supported in some manner multiple preservation projects which just wouldn't have happened without their assistance. They only cover a small portion of the actual cost of the work typically but that portion help can be what makes a project something Missoula can be proud about for decades versus just another development.

Sincerely,

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On Thu, Jul 14, 2022 at 10:08 PM Gwen Jones <JonesG@ci.missoula.mt.us> wrote:

Good morning David. Thank you for this email. I appreciate you taking the time to talk through all of these specific issues and raise concerns. I'm going to forward it on to administration and the Community Planning Development and Innovation office for their review. I know that our CPDI department has had staffing issues, as the labor shortage is affecting everyone in town, but nonetheless our goal is to provide the best service possible. Additionally, getting more housing built in Missoula is crucial so I think we're all working towards the same goal.

Thanks again for all of this feedback. Additionally, just wanted to let you know how many compliments I'm hearing from many people regarding the Union building on Main Street. I hope a lot of those compliments are getting back to you, as you were absolutely integral on that project! Thanks, – Gwen

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From: David Gray <david@dvgarchitects.com>
Sent: Thursday, July 14, 2022 10:39:22 AM
To: Grp. City Council and City Web Site <Council@ci.missoula.mt.us>
Subject: Building Permit Fees and Resubmittal Fees

Dear City Council members,

I just received a notice that the city intends to become even more unfriendly by adding Resubmittal fees for building permits on top of all of the other thousands of dollars in fees they hand out like candy at a parade.

Some examiners have made almost every project resubmit no matter what engineering firm does the work. This individual has gone as far as requiring an isometric diagram on how to swap out an existing lavatory sink for a new one at the same wall connections. If the plumber could not figure out how to install a sink to the existing wall supply shutoff valves and drain hub he would lose his license.

Some plan examiners do not know the bounds of their authority so they review and require resubmittal for work not even in their purview. The administration supports the review of the same assemblies by multiple departments causing confusion, lack of clarity and contradictory information.

I have had engineering examiners bad mouth my firm to my clients because he had a huge chip on his shoulder and has hence been barred from reviewing my company's work. That plan examiner used every opportunity to require a rereview and threatened my clients many times to get his way and enhance his power.

I have had comments from Building, as of late, wanting more information on the most basic code knowledge which has never been required in the past or is written as a requirement in any permit submittal information. I have been practicing in Missoula for 28 years and have submitted my share of permits.

The waste and mismanagements of Development Services is at an all time high of my

career with building permits and then resubmittals taking three months, each, with nobody in departments even being assigned to review the permit for over a month. Emails do not get returned for a week or possible two. Questions asked may not ever be answered or acknowledged. Calling a human for clarification or questions has become impossible so a resubmittal is not necessary during submission.

"Service" has been removed from Development Services purpose. Customer Service feels like it is not even on the table to be a priority or even needed. If Development Services wants to charge citizens for resubmittals, then they should also be required to pay citizens when a resubmittal is required for new information not noted as required in the original or previous review or PRT or DRT. The department should only be allowed to require a resubmittal if the written, widely published requirements were not provided and had been acknowledged to have been provided by the applicant. Permits should again be allowed to be amended during review to address clarifications or issues, stopping most resubmittals and saving thousands of hours of staff time and tens of thousands of dollars in fees paid to consultants.

The number of flaws in the permitting system and review process could be listed in pages but I will only include a few:

- The time to generate a permit set, submit it and answer all reviewer comments went from 2-6 hours prior to digital submission to over 30 hours now. That is costing Citizens thousands of additional dollars, every permit.
- Any department may require a resubmital for any minor issue and the entire process starts from scratch after every department finishes the first review and the Permit coordinator compiles all of the comments into a single document, then notifies the applicant to start over. As an example I had a reviewer require a resubmittal of a project because the construction porta potty and lumber storage area was shown in the 100 year flood plain and they wanted it moved 20 feet out of the flood plain. Keep in mind this was on an industrial zoned gravel lot where every manner of storage item has occurred in that location over the past 40 years. Semi's, storage containers, pallets, vehicles, barrels, you name it.
- You cannot go to Development Services and pick up a permit, talk to a zoning officer, plans examiner, engineer about a project when needed aka provide customer service. You can apply for a PRT where many people may or may not join to give you some direction of issues you could face. It will take two weeks to a month to get the comments back from the PRT. I have had PRT meetings where staff said everything is good to go but check in with the fire department as they didn't attend. After several weeks of trying to set up a meeting with the fire department and continued work on the project the Fire department's comments were "We will not allow you to develop the Residential building. We want 45 foot access lanes that are not possible for this property, we will not consider any alternative to move the project forward." Several thousands of dollars wasted in fees and two months of design and meetings.
- A contractor or citizen cannot go to Development Services and pick up a Permit. Nobody is there. I have clients waiting over a week for a callback to buy a permit that was processed and ready to go. This causes construction delays, cost increases, loss of subcontractors, financing and lease hardships.
- Business owners are pulling their hair out with the business license process, change of use letters, slow response rate, getting the royal runaround from permitting staff to the point of severe abuse of power. I just had a restaurant cancel their project during

permit review as the time it was taking was costing them thousands in rent, increased construction costs, and income loss. That permit has been languishing in permit review since April.

- Development Services staff not scheduling a requested PRT meeting for 6 months for an introductory meeting for a large development. Two months to get some questions from the PRT meeting answered but not all. No clear direction as to how the city will limit the owner to develop housing and commercial space while Subdivision or Condominium solutions are weighed. (They did find out anything they did to develop could be required to be undone by the city stalling the sale of residential units.) The stall tactic of the city, increases in construction costs while we all waited for Development Services and lack of direction has now postponed or killed that Mixed-use development. This has a significant financial impact on my office, many consultants, property owners and citizens wanting to buy a home that may not be built.

To finish this all off I also get to go to class next week to learn how the permitting process is going to get more cumbersome, time consuming and wasteful. Please repeal any Resubmittal Fees until Development Services becomes a functioning and effective department of the City again. **They are causing the mess** not the Development Community or citizens wanting a business license or fence permit. There are good people in the department but the loss of institutional knowledge has crippled them, overreaching policy has consumed their time, the loss of customer service as the first priority has made them a road block and not a facilitator to Missoula Growth.

Respectfully,

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Dep't.	Fee Rate	Fees for 1-2 Unit & Multi-Dwelling Permits			
Planning & Zoning	50% of application fee	Application fees: $75 - $450 **Resubmittal fees: $37.50 - $225**			
Engineering	50% of application fee	Application fees: $68 - $520 **Resubmittal fees: $34 - $260**			
Building	50% of application fee *= Permit Review Fee & Building Fee* *= Calculated from project cost or valuation*	Project Cost	Building Permit Fees	Plan Review Fee (20%)	**Resubmittal Fees**
		$500	$26	$5	**$15.50**
		$100,000	$1,150	$230	**$690**
		$500,000	$4,042	$808	**$2,425**
		$1,000,000	$6,452	$1,290	**$3,871**