

**From:** Rick Tryon [mailto:ricktryon@msn.com]

**Sent:** Tuesday, April 03, 2012 2:11 PM

**To:** Bob Jones; Mike Winters; bill.bronson@bresnan.net; maryjolley@q.com; Fred Burow

**Cc:** Greg Doyon; Michael Haynes; Wendy Thomas; munroescentury21@yahoo.com; charliewebercentury21@yahoo.com; g\_sorum@bresnan.net; terry@gtfar.com; hbagf@bresnan.net; smalicott@greatfallschamber.org; talfrey@greatfallschamber.org; jim@deateam.com; linafelterr@msn.com

**Subject:** Coalition Recommendations

Greetings City Commissioners,

After having met with four of you individually, and having met with the City Manager, our coalition has agreed upon a document (attached) outlining some recommendations concerning the business and development climate in Great Falls for your consideration. These recommendations are based on our coalitions public, online survey results, our discussions with you, and our own discussions with business and development stakeholders within our various organizations and in the general community.

After talking with Mayor Winters, Commissioner Bronson, and Mr. Doyon we feel that the best way to bring these recommendations forward for discussion and formal consideration would be in a Commission work session rather than a public forum venue. We feel these issues are important and have some urgency so we would like to discuss them with you and determine a process for moving forward at a work session at the soonest available date.

Thank you all for the hard work, which unfortunately is mostly thankless, you diligently perform for this city and it's citizens. On behalf of our coalition I look forward to working with you to make Great Falls an even greater place to live and work.

**Rick Tryon**

Government Affairs Director

Great Falls Association of REALTORS

Great Falls, MT 59401

406-788-8904

## Coalition Recommendations to the City of Great Falls

The following are recommendations, presented in a Problem-Example-Recommendation format, which we believe will help move Great Falls forward in the areas of business climate and overall development. Our goal is to help to bury the notion that Great Falls is not business and development friendly. We stand ready to work as partners with the City Commission, City Manager, and department personnel in the implementation of these recommendations going forward.

The examples used are excerpts from our business and development survey conducted online and amongst coalition participating organizations memberships. Although most responses were not anonymous we are, at this point, presenting the response examples anonymously.

A summary list of recommendations is included at the end of this document.

**I. Vision, mission, and attitude** – we believe the most important thing the City Commission can do is to define the policies and overall attitude as they relate to business and development.

**Problem 1** – Perception that Great Falls is not truly “open for business” and does not proactively encourage development through policies, procedures and ordinances which instead may be discouraging business and development.

### Examples

“...we should have the reputation as the place that has streamlined codes and reviews and that it is a no-hassle place to do business. Why can't that happen??”

“... (Notice, I did NOT say working with developers.) The city deals a tough hand all around the table. It is no wonder, more and more projects fold!”

“Take a look at what is spurring development in other cities in Montana. I know for a fact what has happened in Helena. Have you seen the new interchange and public road recently developed by the city (Helena)-leading directly to new “big box” stores? Were you also aware that the city (Helena) gave this “big box” store a 3 year deferral on tax payments- enticing them to come to Helena? What a “pro-active” approach the city of Helena took to gain this business. How many other cities in Montana are following suit?”

“Personally, I tried the developer route here in Great Falls. I have a highly desirable large track of land adjacent to the city limits. One would think the city would encourage land owners in our situation to develop the property. What an opportunity for the city to increase its' tax base and stimulate the local economy. Right? ~ WRONG~

If you are considering a development in Great Falls, you BETTER have deep pockets full of resources! The city wants developers to pay for the infrastructure

of the development; (some of which encompass- bringing out water mains, sewer, utilities, widen AND UPGRADING roads, sidewalks, retention ponds)- then- on top of this, the developer has to pay the city engineers to “inspect the work.” You want to know what our fees for these inspections were? (estimated \$45,000) One would THINK the city would offer, “we will partner with you and absorb the cost of the pipe and installation.”~OR~ develop a low interest loan for funding for the project ~OR~ A tax deferred break on the land until it is developed~ come on Great Falls- Wake UP! The city is the direct beneficiary of the development so why not assist in some way, instead of acting like a business partner they act ANTI business-making it very difficult to justify the cost of doing these projects. If the city wants to grow and develop, they have to look at themselves as a “partner” not an “overseer.” That is the way it works in the private sector.”

“The government needs to actively compete with other cities in Montana for the development dollars. You cannot expect our city to grow without investing in it. So, before it is too late, I encourage you to take a different approach and attitude toward new development. You will find if you do, the money invested will come back to you time and time again.”

“Then talk to developers and get their “reaction in dealing” with the city. All too common, I hear, the city is difficult to deal with at best. They, the city, take an adversarial approach when dealing with developers.”

### **Recommendation 1**

Establish a publicly stated goal, mission and vision that Great Falls will be proactive in becoming *the most business and development friendly city in the state*. This could be in the form of a motto, a written policy or proclamation, a memo to staff, and perhaps a banner put up in the Planning and Community Development Department. It needs to be in writing and accompanied by a system of follow-up and accountability.

**Problem 2** – Perception that the Planning and Community Development Department does not have a “how can we help you get your project done” and “we are here to serve you” attitude but rather a “you can’t do that” attitude.

### **Examples**

“There was no feeling of “they are there to aid us in our needs and help in producing something of value”. It was a completely obstructionist ordeal and left us with a bad taste in our mouths.”

“City says they want growth, but it doesn't according to its policies...No, No, No”

“...I explained this to one of the gentlemen at the city, and he said I needed to spend more money getting this place compliant, or sell if I could not find funds to make this duplex totally compliant with new standards.”

“...impression that the city was doing us a favor by even considering our project.”

“...you serve us, we don't serve you.”

### **Recommendation 2**

Along with **Recommendation 1** establish a publicly stated goal, mission and vision that all levels of staff in the Planning and Community Development Department will strive to always implement a **“we are here to serve you, how can we help you get your project done” attitude**. This could be in the form of a motto, a written policy or proclamation, a memo to staff, and perhaps a banner put up in the Planning and Community Development Department. It needs to be in writing and accompanied by a system of follow-up and accountability.

## **II. City boards**

**Problem 3** – The Design Review Board serves no useful purpose that isn't already addressed in code and zoning policy and leaves too much room for personal preference and conflict of interest.

### **Examples**

“Furthermore the landscape requirements and other (design review board) requirements are self serving as the board consists of persons involved with the services they require the landowner to do. I feel this is a conflict of interest. It seems they don't want you to actually do a project without their input.”

“Design Review Board imposes personal preferences on private development and DRB members have conflicts of interest. The whole DRB process is very subjective which is to say it presents an unknown and uncertainty to any developer. Every single DRB review is an example of subjective demands. IN particular the landscaping is subjective and at time perceived as self serving to members of the board that are either active suppliers of material and / or actively engaged in landscape designs within the community and reviewed by DRB. , Eliminate the DRB or develop more specific guidelines to remove the subjectivity from the process.”

“Too much good old boy stuff going on especially when it comes to self interest on the Design Review Board. Members should sign disclosures and recues

themselves from decisions that they or their family or partners have a financial interest in. This also applies to City/County commissioners and employees.”

### **Recommendation 3**

Eliminate the Design Review Board.

**Problem 4** – There isn’t an independent, objective 3<sup>rd</sup> party board or committee to provide a mechanism to address ongoing grievances and issues as they relate to business and development matters in the city.

### **Example**

Other cities have established such boards. The Billings Development Process Advisory Board is an example.

### **Recommendation 4**

Create a Great Falls Business and Development Advisory Board with members appointed in equal numbers by the business/development community and the city. This board could serve several purposes:

- a. a sounding board for ongoing code, permitting, and process issues
- b. a communication conduit between the Planning and Community Development Department and the community
- c. provide a review process for proposed and current city code, policy and ordinance matters

## **III. Codes, permitting, plan review –**

**Problem 5 & 6**– The plan review and inspection processes take too long, especially for smaller projects. We’ve identified 3 major reasons for this:

1. The “first-in first-out” system currently being used for submitting plans for review.
2. Inability to use combination inspectors.
3. No sense of urgency by the staff to get it done, time is money for a builder/developer.

### **Examples**

“Most of our contractors are Small, therefore when the contractor is in the Planning or Permitting office no work is being done. Jan Feb would be a good time to hold meetings / seminars where the planning office tells stories of the screw ups they see AND contractors can tell stories of the delays they experience.”

“I don't think the problem is too strict of zoning, it's time and delay”

“Completely unaccommodating in permits. We built a small addition on our surgery office to allow access from one part to the other (of the existing building). The architecture was complete; the engineering was all done to city standards with complete drawings and proposals. It took FIVE months to get the permit as they pettily jerked us around and then ALLOWED us to proceed as originally planned. Not a gratifying experience in the least.”

“Delay of completion of Crooked Tree Restaurant after they had signed the lease and after the plans had been submitted and approved. The city kept requiring changes... Get it done right the first time. Rent for two months while the city staff holds up opening is unfair. Make the city pay private folks rent then we will see some changes.”

### **Recommendation 5**

Work towards implementation of a two or three tiered plan review process to handle small, medium and large projects respectively. This will result in less time for approval of smaller projects along the lines of an “expedited window” for residential and small commercial projects.

### **Recommendation 6**

Work towards a system utilizing combination inspectors to create efficiencies within the Planning and Community Development Department and help expedite inspection and approval times for projects.

**Problem 7** – First-time, infrequent, (and sometimes frequent) users of the Planning and Community Development Department can find the process confusing with insufficient instructions and directions for various procedures and no clearly defined avenues of communication to staff who can address their particular problems and definitively answer their questions in a timely manner.

### **Examples**

“...a perception of ambiguity about what can be done”

“...there is a byzantine labyrinth of regulations and policies, implemented over the last century, that appear to contradict each other. They may have seemed like good ideas at the time but the rationale for their implementation likely no longer exists.

...you get a different answer to the same question depending on who you ask, which to me indicates that decision making has been delegated a bit too far down the ranks.”

“You can talk to 4 different people at the city and get 4 different answers, but no one will stand behind their words or put them in writing.

...we’ve done 2 commercial remodels and the city was an impossible joke to deal with. They want us to know what we were doing, when they didn’t have a clue

themselves. I doubt I will expand in this town, more likely move to a more business friendly place like Billings.”

### **Recommendation 7**

Develop a simple, user-friendly, easy to understand introduction packet to hand out to people spelling out, step by step, the process for all services offered by the Planning and Community Development Department. It could include an FAQ section and contact information for staff qualified to answer questions in their area of expertise.

**Problem 8** – The city sometimes requires permits/inspections beyond what state code requires, especially as it relates to non-structural re-models like replacing windows and doors etc.

### **Examples**

“I want to replace the header over the garage at my house, but I was told I have to fill out several pages of forms, including drawing a "plot plan" of my lot with dimensions to property lines and utilities, etc., etc, even though no dimensional change to the house is proposed....I would have spent the money and done the project if it weren't for that strange requirement that I haven't had time or inclination to fulfill.”

“Permits should not be required for any interior or exterior repairs that are not of a structural nature and the ones that are structural should not require an engineer unless the project warrants it. I thought the inspector should be able to determine feasibility. The permit structure is too far reaching, time consuming and inflationary by nature.”

“What we will need is a comprehensive review of building codes, inspection policies, permits, licensing, etc., to determine what is really necessary, reasonable and appropriate across the board.”

“Lighten up on coffee kiosk requirements – think 200 jobs and expanded tax base.”

**Recommendation 8** – Make it city policy, in writing, that projects which do not require structural changes and which do not involve public safety or state/federal code issues will not be required to obtain a city permit or inspection.

**Problem 9** – Current sign codes are too restrictive and expensive.

### **Examples**

“Not letting IHOP come over a 4 inch variance.”

“I wanted to change a couple of panels on my sign in front of my shop. It wasn't an issue of getting a new sign, just changing a couple of panels on an existing sign

and I still had to pay the city \$200 for permit/inspection. My margin is razor thin and this doesn't help.”

“Let people put up signs, paint the curves, whatever, and become pro-active not discriminating and punitive.”

“The city should not require new sign permits for changing text and art design on existing signs. This should either have a much reduced permit cost or none at all.”

### **Recommendation 9**

Revamp the current sign codes to make it easier and less expensive to put up and change signage by relaxing dimension strictures and not requiring a permit to change panels and or sign content.

**Problem 10** – Off-street parking space requirements are cost prohibitive for developers.

### **Examples**

“After many inspections, renovations... on the north side of our structure, which added eight 8 parking spaces, we were told we needed 3 more spaces for a total of 11.

The city said I needed the 11 spaces for 4 apartments and 2 businesses, which were in place when we purchased the property and there was not ONE off-street parking space, now we have 8 and that's not enough. The zoning had not changed. This is the second building we've renovated and the LAST! We've received NeighborWorks awards for properties but the difficulties far outweigh the rewards.”

### **Recommendation 10**

Review and revise off-street parking space requirements to make it more cost efficient and feasible for a developer to build and renovate in the city.

## **IV. Other – following are some miscellaneous recommendations which are ongoing issues that may best be addressed by a city/coalition Business and Development Board as mentioned above in Recommendation 4.**

**Recommendation 11** – improve communications between city staff and business/development stakeholders by establishing a system to collect and evaluate compliments, complaints and comments from both sides.

**Recommendation 12** – increase the lead time and improve the method for informing the public and business/development stakeholders of policy, code, etc. changes at the Planning and Community Development Department.



**Recommendation 13** – whenever state or federal code are cited by staff as reasons why something cannot be or must be done it should be accompanied by appropriate documentation explaining the prohibition or mandate.

## **Summary of Recommendations**

### **Recommendation 1**

Establish a publicly stated goal, mission and vision that Great Falls will be proactive in becoming *the most business and development friendly city in the state*. This could be in the form of a motto, a written policy or proclamation, a memo to staff, and perhaps a banner put up in the Planning and Community Development Department. It needs to be in writing and accompanied by a system of follow-up and accountability.

### **Recommendation 2**

Along with Recommendation 1 establish a publicly stated goal, mission and vision that all levels of staff in the Planning and Community Development Department will strive to always implement a “we are here to serve you, how can we help you get your project done” attitude. This could be in the form of a motto, a written policy or proclamation, a memo to staff, and perhaps a banner put up in the Planning and Community Development Department. It needs to be in writing and accompanied by a system of follow-up and accountability.

### **Recommendation 3**

Eliminate the Design Review Board.

### **Recommendation 4**

Create a Great Falls Business and Development Advisory Board with members appointed in equal numbers by the business/development community and the city. This board could serve several purposes:

1. a sounding board for ongoing code, permitting, and process issues
2. a communication conduit between the Planning and Community Development Department and the community
3. provide a review process for proposed and current city code, policy and ordinance matters

### **Recommendation 5**

Work towards implementation of a two or three tiered plan review process to handle small, medium and large projects respectively. This will result in less time for approval of smaller projects along the lines of an “expedited window” for residential and small commercial projects.

### **Recommendation 6**

Work towards a system utilizing combination inspectors to create efficiencies within the Planning and Community Development Department and help expedite inspection and approval times for projects.

**Recommendation 7**

Develop a simple, user-friendly, easy to understand introduction packet to hand out to people spelling out, step by step, the process for all services offered by the Planning and Community Development Department. It could include an FAQ section and contact information for staff qualified to answer questions in their area of expertise.

**Recommendation 8**

Make it city policy, in writing, that projects which do not require structural changes and which do not involve public safety or state/federal code issues will not be required to obtain a city permit or inspection.

**Recommendation 9**

Revamp the current sign codes to make it easier and less expensive to put up and change signage by relaxing dimension strictures and not requiring a permit to change panels and or sign content.

**Recommendation 10**

Review and revise off-street parking space requirements to make it more cost efficient and feasible for a developer to build and renovate in the city.

**Recommendation 11**

Improve communications between city staff and business/development stakeholders by establishing a system to collect and evaluate compliments, complaints and comments from both sides.

**Recommendation 12**

Increase the lead time and improve the method for informing the public and business/development stakeholders of policy, code, etc. changes at the Planning and Community Development Department.

**Recommendation 13**

Whenever state or federal code are cited by staff as reasons why something cannot be or must be done it should be accompanied by appropriate documentation explaining the prohibition or mandate.