

**OFFICE OF THE CITY COUNCIL**

**RESEARCH DIVISION**

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**SPECIAL COUNCIL TO ASSESS THE CITY’S**

**BUILDING AND DEVELOPMENT PERMITTING PROCESSES**

**Meeting Minutes**

 **June 1, 2021**

**12:00 p.m.**

**Location:** City Council Chamber

**In attendance:** Council Members Randy White (Chair), Michael Boylan, Garrett Dennis (arr. 12:07)

**Also**: Council President Tommy Hazouri; Tommy Carter – Council Auditor’s Office; Jeff Clements – Council Research Division; Shannon Eller and Paige Johnston – Office of General Counsel; Bill Killingsworth, Ellen Cavin, Josh Gideon – Planning and Development Department; Eric Grantham – Council Support Services; Jesse Spradley and Curtis Hart – Northeast Florida Builders Association

**Meeting Convened**: 12:04 p.m.

Council Member White convened the meeting and Council President Hazouri gave the committee its charge. He said he hoped the Special Committee would be able to complete its work in fairly short order, but could be extended by President Newby into his term if that is necessary. The attendees introduced themselves for the record.

Chairman White said he has the highest regard for the staff of the Planning and Development Department and he invited Tom Goldsbury to participate because of his long history with the City as the former Chief of Building Inspections. Council Member Boylan said it would be helpful to understand the department’s organizational structure and work process as a baseline of knowledge to help determine how to improve the permitting process. Council Member Dennis said he has heard frustration from both sides of the issue, both the City and the development industry, and he looks forward to finding ways to solve the problems that will be identified.

Tom Goldsbury, retired from the City’s building inspection office, said the fundamental task is to find out where the primary holdup is and why. That will be important in determining how to remedy the problem. He said that hiring personnel is difficult because of the credentials and experience required of plan reviewers and the salary the City can offer in comparison with pay in the private industry.

Bill Killingsworth, Director of Planning and Development, said the department is in the process of getting approval to hire 2 landscape architects because of the impact of the recent legal settlement agreement over the tree mitigation fund which has increased the department’s review workload. A state law change will take effect on October 1st regarding permitting review timelines and that will be difficult to meet without additional personnel. The timeline for reviewing re-submitted plans has been shortened which will divert resources from initial plan reviews. Ellen Cavin, Chief of Development Services, said that her understanding is that her office is processing the 10-set plan reviews in a timely manner, and agreed that the new landscape architects will help address a problematic area. Josh Gideon, Chief of Building Inspection, said that the department is facing a historically high volume of applications in the post-COVID environment and despite the fact that reviewers are processing more applications faster and many parts of the application process are now done online, the volume is still overwhelming.

Mr. Goldsbury asked the representatives of the building industry for their impressions of where the problems lie. Curtis Hart said that the City is issuing fewer permits now than it issued in 2004-06. The recent City hiring freeze combined with the permitting fee waiver during the height of the COVID pandemic increased the volume of work for his division but not the personnel to handle it. He said the new state law mentioned earlier was mostly intended to address problems in South Florida but applies equally to Jacksonville. He suggested the committee needs to understand the permitting process from start to finish and understand what builders and developers are facing. Despite recent complaints, he said that Jacksonville has the best building department in the area. Jesse Spradley, CEO of the Northeast Florida Builders Association, said that permitting delays show up in all areas, not just new construction or renovations. Delays in permitting affect the price paid for construction materials and thus profits on building jobs. Richard Briggs, a homebuilder, said there need to be expectations about how long each step of the review and permitting process should normally take and to achieve consensus on what is reasonable. Mapping the processes and identifying bottlenecks would be a good step.

Council Member Boylan asked what the industry foresees about the volume of development into the future. Mr. Hart said that projections are only good for about two years, but he doesn’t see the current volume slowing down at least for that long. He said that NEFBA can do a survey of its membership to get an idea of what the industry will be doing over the next few years and what the permitting capacity will need to be. Bill Killingsworth said that both commercial and residential developments are hot right now, which was not the case in 2005-06 when the residential sector was much busier than the commercial side. Mr. Briggs asked if the City has considered private plan review; he understands that the City does full reviews even on plans already reviewed by certified private inspectors. Mr. Gideon said state law provides that private inspectors can only review for compliance with the Building Code – they can’t do landscape review, fire marshal review, etc., so City reviewers will always need to do those reviews. The main advantage of a builder using a private reviewer is that permits tend to get issued on the first submission; the private reviewer catches any missing or incomplete items before the first submission so City reviews tend to be quicker. Council Member Dennis recommended doing the public and private reviews concurrently. Plan reviews during COVID took longer because the applicant and the reviewer weren’t in the same room discussing plans and clarifying questions instantly. Trading emails is much slower than face-to-face conversation, and resubmissions go to the end of the line behind new applications and take a while to get back to the front of the queue. Mr. Briggs said that materials prices are skyrocketing in the last year so processing time is of the essence; each delay increases project costs.

Chairman White said he would like to have future meetings on committee Mondays following the NCSPHS Committee. He would like to see an organizational chart and workflow process chart for the next meeting.

Mr. Goldsbury asked if getting foundation and framing permits early would help speed up the process. Mr. Briggs said that might be helpful, but his biggest holdup currently is waiting for the lot clearing permit.

Council Member Boylan said he needs to know what the norm has been for permits and review times over a period of years to see what the patterns may have been and what may have changed that affects review times. He is intrigued by the concurrent review concept Council Member Dennis mentioned earlier. The industry’s projected needs for the next couple of years give an idea of how many staff are needed. Mr. Dennis said the committee needs to find out how to cut down the permitting time and enact whatever is needed to address it. President Hazouri thanked everyone for coming today. He asked the Planning Department for statistics on the number of residential and commercial permits issued. Mr. Hazouri asked about the possibility of hiring contracted reviewers. Mr. Killingsworth said they tried that and couldn’t find any to hire. They have considered contracting with private plan reviewers to do reviews, but again they can only review the Building Code aspects, not other permitting aspects. Mr. Gideon said there are currently 1,600 permit applications in the queue. Mr. Spradley agreed with Mr. Dennis’ earlier statement about the impact of losing face-to-face plan review; small plan reviews now take much longer than they used to when face-to-face discussion was available.

Tom Goldsbury said that in 2005-06 the department issued 9,000 residential permits with 133 employees who worked like crazy; he cautioned that can’t be considered the norm because the workload was unsustainable. The division now has 108 employees. Mr. Dennis said the building inspection trust fund is dedicated to just that function and needs to be used to pay employees. He noted the building inspection trust fund was “raided” during the COVID pandemic.

Mr. Briggs asked if face-to-face small plan reviews could be done via scheduled appointments on Zoom.

Mr. Killingsworth said that over the last couple of years the Building Inspection Division’s expenses are greater than revenues. He clarified that the trust fund wasn’t “raided”, but the waived fees were not replenished by Council as a result of a policy decision. Mr. Killingsworth listed the items requested by the committee for the next meeting: a departmental organization chart; permitting process chart; recent statutory changes affecting permitting (i.e. re-inspections priority); historical permitting data; private reviewer consideration; status of the building inspection trust fund. Mr. Gideon said the Planning Department has a good working relationship with the development industry and wants to be a good partner.

Next meeting – June 14, 12 noon.

**Meeting adjourned:** 1:15 p.m.

Minutes: Jeff Clements, Council Research Division

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