

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: August 24, 2009
Item No.: 12.c

Department Approval

City Manager Approval



Item Description: Authorize the Issuance of a Request for Proposals to Qualified Firm for Zoning Code Update

BACKGROUND

On March 23, 2009, the City Council granted approval to solicit qualified firms to assist with the completion of this update.

On April 2, 2009, staff sent out the Request for Qualifications to twenty-nine consulting firms that have experience with zoning development and received eight responses by the April 24, 2009 deadline. Those firms submitting qualification packages included Bonestroo, Cuningham Group, Hoisington Koegler Group Inc. (HKGi), McCombs Frank Roos Associates (MFRA), Northwest Associated Consultants (NAC), Resource Strategies Corporation, SEH and Sanders Wacker Bergly, Inc.(SWB). Staff has reviewed the submissions and provided a ranking for each firm on their discussion of form-based code, public participation, the team's experience in form-based codes, project leader, and understanding of Roseville. See the Staff Recommendation section of this report to see the discussion of the recommended firms.

Working with the Planning Commission in June and July 2009 Planning Commission meetings, staff prepared a draft Request for Proposals (RFP) and sought Commission input into this document at its August 5, 2009 meeting. Planning commissioner comments focused on the limited budget, the need to maintain Council support of the zoning process, and the location of the discussion of public input within the RFP. At the meeting, the Planning Commission passed a motion recommending that the City Council authorize staff to send the RFP to the qualified firms. See Attachment A to review the meeting minutes.

Since the Planning Commission meeting, staff has revised the draft RFP to include mention of public outreach earlier in the document and described the need to integrate design guidelines in appropriate districts instead of in all districts. See Attachment B to review the draft RFP.

POLICY OBJECTIVE

The zoning code is one of the primary planning tools used to implement the City's Comprehensive Plan. Updating the code for consistency with the Comprehensive Plan is identified in the Plan and is also required under State law. The City has not undertaken a comprehensive update of its zoning code since its adoption in 1959.

BUDGET IMPLICATIONS

The City Council budget approved a \$35,000 allocation for this project in the 2009 City Budget.

30 **STAFF RECOMMENDATION**

31 Staff recommends that the City Council authorize staff to request full proposals to the following
32 qualified firms: Bonestroo, Cunningham Group, HKGi, SEH, and SWB. Each of these firms has
33 experience in the development of zoning codes and urban design, which is critical to the
34 successful implementation of this project.

35 **REQUESTED COUNCIL ACTION**

36 Authorize staff to

Prepared by: Jamie Radel, Community Development

Attachments: A: August 20, 2009 Planning Commission Meeting Minutes
B: Draft Request for Proposals

Extract of the Draft August 5, 2009 Planning Commission Meeting

Project File 0017

Finalization of the Request for Proposals (RFP) pertaining to the forthcoming update of Roseville's zoning ordinances

Mr. Paschke provided a draft Request for Proposals (RFP) prepared to go before the City Council in the near future seeking consultants for the Zoning Update from qualified firms. Mr. Paschke sought comments from the Commission, noting that some language of the RFP was standard, and some indicated the preferences of the City as previously discussed.

Commissioner Boerigter sought clarification on the actual goal of the City, whether for use-based or form-based zoning provisions (page 1, Introduction, 4th and 5th bullet points) to be integrated through all zoning districts, or applicable to specific areas depending on the most appropriate zoning district. Commissioner Boerigter expressed concern that the proposed language in the RFP appeared to tell the consultants that those two provisions needed to be included, when his recollection of the intent was that the City was open to either/or or a combination (hybrid) of the two, rather than dictating specifics on those two points, providing a directive versus an intended decision. Commissioner Boerigter opined that 99.9% of the things to be accomplished could be accomplished by use-based code, even though it may not be as neat or as fashionable, or may not sell as well as form-based zoning. Commissioner Boerigter further noted that, page 2, Section C (Code Development and Revision) didn't clearly identify involvement early on in the process by the Planning Commission and City Council, rather than simply a monthly report coming before the Planning Commission of work completed to-date by staff and the consultant. Commissioner Boerigter expressed his concern that, if interaction was not early and ongoing throughout the process, the consultant faced the possibility of proposing something that would not be supported by the Commission and/or City Council; and opined that there needed to be buy-in by all parties long before a final document was achieved, including the big picture as well as detailed minutiae.

Mr. Paschke advised that design standards varied (i.e., exterior materials, turf establishment, solar panels), and that a number of nuances were not specifically addressed in current code. Mr. Paschke advised that the intent was to move from the guiding documents to a zoning code allowing performance without incorporating Euclidean actions; with staff recognizing the need for the RFP to frame up the scope of work for interaction, pending recommendations of the chosen firm as to the actual process to be used, and incorporating the Commission's comments from tonight's meeting.

Commissioner Boerigter noted that on page 3, Section 5 (Budget), the \$35,000 budget seemed somewhat limited given the amount of work to be accomplished.

Commissioner Gisselquist concurred that the estimated budget amount seemed unrealistic.

Mr. Paschke noted that this was staff's estimate; however, this remained an unknown until the RFP was distributed and returned. Mr. Paschke advised that this budget was specified in the original Request for Qualifications that was distributed to consultants. Mr. Paschke noted that the fewer meetings the consultant needed to attend, the lower their cost, and the more funds available for designing the code or nuances with staff and other parties. Mr. Paschke noted that with modern technology, a lot could be accomplished via e-mail. Mr. Paschke indicated that part of the RFP included individual proposals for how they would interact with the public and create the document. Mr. Paschke opined that staff felt the budgeted amount of \$35,000 was a fair price in addition to staff's input.

Commissioner Boerigter noted that there was no mention of public involvement in the proposed RFP, while recognizing that such involvement increased costs. Commissioner Boerigter noted that substantial public input had been received to-date through the *Imagine Roseville 2025* and Comprehensive Plan Update process; however, he wanted to know whether this RFP omission was intentional on staff's part.

Chair Doherty echoed Commissioner Boerigter's comments related to the public input objective and budget; and noted in Section C, that the way this was phrased, the process seemed inadequate if the City Council was not on board with the proposed code revisions from the initial phase.

Commissioner Cook opined that the budget appeared to be very modest, given the gigantic scope of the work to be accomplished. Commissioner Cook recognized staff's expertise in providing assistance to the consultant, if they were prepared to do so, and the proposed budget was based on that assistance.

Commissioner Gottfried concurred with Commissioner Cook; and questioned if that budget was based on staff performing substantial backfill for the consultant, and was prepared for such a time commitment. Commissioner Gottfried concurred as well with the need for public review, hearing and vetting.

Mr. Paschke noted that on page 4, Item "C" the scope of services did require the submittal of how the consultant was going to engage the public through the process. Mr. Paschke then summarized Commissioner comments to provide consistency throughout the document, and revise and/or clarify Section 2 (Scope of Work); Section C (Code Development and Revision), while allowing the consultant to provide the City with their proposal for the best process to follow.

Further discussion included the proposed process for interaction between staff, the consultant and the Planning Commission, depending on the firm chosen, with staff anticipating that they would make presentations to the Commission, rather than the consultant to reduce costs, and allowing for initial discussion between the Commission and consultant to develop a timeline; and whether those updates would be accomplished during regular meetings, similar to those during the Comprehensive Plan Update process, or if special meetings would be indicated.

Commissioners further recommended that staff emphasize the scope of service with respect to public involvement shown on page 4 of the RFP, rather than currently located on the last page

MOTION

Member Doherty moved, seconded by Member Boerigter to RECOMMEND TO THE CITY COUNCIL to authorize staff to seek proposals from the qualified consultants to assist with preparation of revisions to the City's Zoning Code; based on details presented in the August 5, 2009 staff report; and amended as per the above-referenced discussion at tonight's meeting.

Ayes: 6

Nays: 0

Motion carried.

Roseville Zoning Code Update

Request for Proposals

The City of Roseville is seeking proposals from those firms that were selected through the qualification process to complete the update of the City's Zoning Code. The following request for proposals provides project background, project scope, and submittal requirements.

1. Introduction

The City has not undertaken a comprehensive rewriting of its zoning code since its adoption in May 1959. Over the last 50 years, innumerable revisions have been cobbled on to the original ordinance and the cumulative effect of this process is a code that is difficult to understand and often cumbersome to administer. A copy of the existing zoning code can be found at www.ci.roseville.mn.us/zoning.

The objective of this project is to have a zoning code that:

- Ensures that the new Zoning Code implements the goals and polices of Imagine Roseville 2025 and the City's 2030 Comprehensive Plan, which will be brought to the Council for final adoption in September 2009
- Promotes high-quality residential renovation and development, creative infill projects, and innovative commercial and industrial redevelopment to allow the community to prosper into the future
- Advances the City's efforts to become a more environmentally sustainable community by integrating smart-growth, mixed-use, and sustainable-development principals
- Incorporates use-based (Euclidean) and form-based zoning provisions that address the design and land use recommendations of the City's vision and plans
- Integrates design standards in appropriate zoning districts and creates transitions between zoning districts
- Creates a code that is understandable to the general public and administrable by City staff and elected officials
- Meets the requirements of Minnesota State Statutes
- Establishes performance standards, such as noise and lighting standards, that could be in a zoning code or a separate ordinance
- Is supportive of existing neighborhoods
- Interfaces the new Zoning Code with other ordinances of the City
- Integrates graphics that illustrate regulations and makes the Code easy to use and is logically organized, easy to read and understand, and is consistent in terms of processes and requirements
- Provides for the possible replacement of Planned Unit District (PUD) zoning districts, if feasible, with other appropriate approaches

To achieve these objectives, the City anticipates that the zoning code must undergo a significant revision, including reorganization of the code, creation of new zoning districts, amendments to existing districts, and an overhaul of the environmental management sections. Due to the breadth of the changes involved, it will be necessary to reach out to the public to keep them informed of the process.

As Roseville is located within the jurisdiction of the Metropolitan Council, the City must make its zoning code consistent with its adopted plan within nine months of the plan's final approval; final approval of the Comprehensive Plan is expected to occur in September 2009.

2. Scope of Work

The scope of work for the Roseville Zoning Code Update consists of five primary work elements, including:

- A. Review of the zoning code
- B. Determination of appropriate districts, code organization, and zoning format
- C. Code development and revision
- D. Zoning map amendments
- E. Code adoption

Please note that Section 9 of this RFP outlines the submission requirements, including the need to describe public outreach through all elements of this process. The following provides an overview of each of work element.

A. Review of the zoning code

The consultant will review the existing zoning code and related City documents, including Imagine Roseville 2025 and the 2030 Comprehensive Plan.

B. Determination of districts, zoning format, and organization

Based on the review of the existing code and related planning documents, the Consultant will provide the City with recommendations on the most appropriate:

- Districts
- Type of zoning for specific districts (e.g. use-based and/or form-based)
- Organization of code (e.g. should parking standards be a standalone section or be integrated into each district)

C. Code development and revision

Code revisions and development will occur as a related group. Preliminary identified groupings are: residential districts, commercial districts, industrial/business park/institutional districts, and non-district sections (i.e. environmental, process, and administrative sections). Upon completion of a draft district, mock plan reviews need to be completed to demonstrate that the code is implementable. Final draft documents will be taken to the Planning Commission and City Council for input prior to bringing them through the formal adoption process.

D. Zoning map amendments

The City has full GIS capabilities and will lead on this element. The consultant will act as a resource to the City staff in amending the City's zoning map and applying the appropriate zoning districts to specific properties.

E. Code and map adoption process

The consultant will support City staff through the zoning code adoption process. It is anticipated that the adoption will occur incrementally, with each grouping and related map amendments having a separate public hearings and City Council considerations.

3. Final Product

The consultant shall provide the City with an editable, electronic copy of the final Zoning Code, including text and graphic files. The graphic files shall be labeled in a manor consistent with that in the zoning code (e.g. the file name referencing Figure 1-A might be Figure 1-A).

4. Role of Consultant and City Staff in the Project

City staff will be heavily involved in this project. The selected consultant will serve as lead planner, developing the planning process and framework, providing guidance to staff, and reviewing and providing comment on code prepared by staff. City staff will serve as a resource to the selected consultant in preparing maps, drafting code language, and preparing for public meetings. The city planner will serve as the designated city contact and will serve as the City's liaison with the consult.

5. Budget

The City has budgeted \$35,000 to undertake this work in its 2009 budget. It is anticipated that City staff will work closely with the selected consulting team throughout the revision process in order to complete it in a cost-effective manner.

6. Selection Process and Timeline

Submittals will be reviewed by a selection committee, comprised of City staff, which will make a recommendation to the Planning Commission and City Council.

Proposals Due:	September 17, 2009
Review of Proposals:	September 18 – 25, 2009
Interviews:	September 28, 2009 – October 2, 2009
Recommendation to Council:	October 12, 2009
Begin Work:	October 26, 2009
Complete Work:	June 2010

7. Data

The City will provide the selected consultant with a copy of the most recent land information data. The consultant will need to sign a use agreement prior to receiving the data. In addition, the City will provide the consultant with copies of all relevant documents and plans.

8. Compensation

Following the selection of a firm, the scope of work, cost attributed to the project elements, and a contract for services will be finalized. Reimbursement will be made according to a schedule set forward in the contract.

9. Submission Requirements and Deadline

The proposal package must include the following information:

- A. Firm description
- B. Project approach
- C. Scope of service: As part of your methodology to complete the elements described in Section 2, describe how you will:
 - 1. Engage in public outreach throughout the process
 - 2. Utilize city staff resources to complete these tasks
- D. Process and timeline
- E. Budget by element and staff-time breakout
- F. Resumes of key team members
- G. List of billing rates
- H. Examples of two recently completed, relevant zoning projects (electronic copies only)

Send six paper copies and one electronic copy of the proposal package to:

Thomas Paschke, City Planner
Community Development Department
City of Roseville
2660 Civic Center Dr.
Roseville, MN 55113

Proposals must be received no later than 4:00 p.m. on Thursday, September 17, 2009. Late proposals will not be accepted.

10. Contact Information

Please contact Thomas Paschke at (651) 792-7074 or thomas.pashke@ci.roseville.mn.us with any questions or to request information.