TO: HONORABLE CITY COUNCIL

ATTN: POLICY AND SERVICES COMMITTEE

FROM: CITY MANAGER

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: MAY 14, 2002

CMR:228:02

SUBJECT: ZONING ORDINANCE UPDATE – CONSULTANT SERVICES

This is an information report and no Council action is required.

BACKGROUND
In 2001, the Policy and Services Committee requested general information on the scopes of work for consultant contracts related to the Zoning Ordinance Update. The cumulative total of the contracts would be greater than the $65,000 “trigger” for Committee review, but the Committee agreed that a summary of the contracts could instead be brought back to the Committee at a future date.

DISCUSSION
In 1998, the City adopted its updated Comprehensive Plan to address the community’s needs through the year 2010. Among the many programs outlined in the Plan, fifty-five (55) were to be implemented through an update of the City’s Zoning Ordinance, which had not been revised in a comprehensive manner since 1978. In addition to implementing Comprehensive Plan programs, the Zoning Ordinance Update will allow the City to modify the code to reflect modern land uses, clarify terms and definitions, explore new zoning techniques and formats, make the code more user-friendly, and enhance its online usefulness. The City Council has deemed the Zoning Ordinance Update one of its top five priorities for implementation.

In the summer of 2000, the Planning and Community Environment Department initiated a work program for the Zoning Ordinance Update. As approved by the City Council on September 18, 2000, the work program designated staff to lead the Update effort, with considerable input from consultants. The consultants were to “be drawn from local, regional and nationally known planning and urban design professionals with knowledge
of zoning code formats, innovative zoning techniques, urban design approaches, parking and transportation standards, graphics, and online options. This approach will allow staff to understand and choose from a variety of techniques and approaches those that best suit Palo Alto.” Consultant costs at that time were estimated at $383,200, to be divided among the several planning, design, and environmental consultants, as well as for contract planning assistance.

Staff has entered into a series of contracts intended to provide professional services to further the preparation of the Zoning Ordinance Update. The following summarizes each contract, the purpose and status of the work product(s), and the amount of the contract:

- **Paul Crawford (Crawford Multari & Clark):** Mr. Crawford, who has prepared a number of zoning ordinances for cities and counties, was retained to 1) prepare a brief written overview of the zoning ordinance update process, 2) conduct a half-day workshop for interested staff, Planning and Transportation Commission, and City Council members regarding issues related to the update of a zoning ordinance, and 3) provide peer review and editing services as sections of the ordinance are developed. The first two tasks were completed in early 2001, and the extent of Mr. Crawford’s future involvement depends on the timing of work products. The contract amount was $17,300.

- **Michael Dyett (Dyett & Bhatia):** Mr. Dyett, who has also prepared a number of zoning ordinances for cities and counties, was retained to prepare a discussion paper regarding zoning techniques to address flexibility in the ordinance and balancing that flexibility with a degree of certainty desired by applicants and others in the community. The discussion paper was completed and presented by staff to the Planning and Transportation Commission in July of 2001. The contract amount was $3,000.

- **Rick Williams (Van Meter Williams Pollack):** Mr. Williams, a San Francisco architect who has provided design services on other projects for the City, was retained to prepare an analysis of how the City’s present code constrains effective multi-family residential and mixed-use development, including visual representations of those constraints. The requested work is in a preliminary report and will be presented to the Planning and Transportation Commission in July of 2002. The contract amount was $20,000.

- **Rod Jeung (EIP Inc.):** Mr. Jeung is providing environmental review services to advise the City regarding what form the environmental review should take and what measures or standards can be incorporated into the ordinance to minimize potential environmental impacts. On March 6, 2002, Mr. Jeung presented an afternoon workshop to discuss environmental review requirements with interested staff, Planning and Transportation Commission members, City Council members, and the public. He will be involved throughout the Update, but a separate contract will be let
to prepare the environmental document upon compilation of a draft ordinance for public hearing. Mr. Jeung’s work began early this year, and the contract amount was $25,000.

- **Paul Jensen, AICP:** Mr. Jensen provides contract planning services to prepare analyses and discussion papers regarding land uses and land use classifications in the zoning ordinance. He has prepared two discussion papers and presented them to the Planning and Transportation Commission in July of 2001 and February of 2002. The contract amount was $15,000.

- **Curtis Williams, AICP:** Mr. Williams provides contract planning services as an adjunct to staff on an ongoing basis, approximately half-time. His scope of services includes a wide variety of tasks, including analysis and development of background information; preparation of discussion papers and staff reports; presentations to community groups, the Planning and Transportation Commission, and the City Council; and management of some of the daily zoning ordinance update activities. An initial contract of $80,000 covered work from late 2000 through February of 2002, and a current contract of $40,000 extends through the remainder of this calendar year.

This information is summarized in Table 1 (Attachment A). These consultants were generally retained based on selection from a list of qualified consultants solicited early in the Update process. Contracts have been limited to less than $25,000 (except for contract planning) to allow for the use of “short form” contract procedures to expedite the process.

**Urban Design Consultants**

One of the primary tasks of the Zoning Ordinance Update is to develop design criteria and prototypes for new development types outlined in the Comprehensive Plan, including village residential, mixed use, and transit-oriented residential development. The design work would also address multi-family housing design and methods to provide effective transitions of intense uses adjacent to residential areas. For this purpose, the City seeks to retain design consultants to assess the City’s current code opportunities and constraints, develop design options for these development types, and test the new standards and criteria against real world site scenarios. The consultants would then help to create a form code, including preparation of necessary graphics to be incorporated into the code.

In January of 2002, staff issued a Request for Qualifications (RFQ) to fifteen urban design and architecture firms, and subsequently received seven statements of qualifications. A panel of Planning staff, a Planning and Transportation Commission member, and an Architectural Review Board member interviewed five of the firms and recommended two firms as having complementary skills that would be most valuable to the Zoning Ordinance Update process. Staff is finalizing scopes of work to divide the necessary tasks between the two consultants, and then anticipates preparing contract documents for approval by the City Council.
Attachment C outlines the combined scope of work for the design consultants. It appears likely that the project will involve two phases: Phase 1 to evaluate the City’s existing code constraints and opportunities, and to develop an overall design process; and Phase 2 to develop design alternates and prototypes, to present concepts to the public in community workshops, focus groups, and study sessions, to test the feasibility of the proposed standards, and to produce graphics for the Zoning Ordinance. Costs of the project have not yet been finalized, but Phase 1 is expected to be approximately $40,000, and Phase 2 may be near or in excess of $100,000.

Parking and Traffic Consultants
Staff has developed a scope of work to retain a traffic and transportation consultant to assist with updating the City’s parking standards in the Zoning Ordinance (Attachment D). The consultant would also provide input to the development of criteria for multi-family, mixed-use, and transit-oriented development, as the feasibility of those development types is highly dependent on parking and traffic constraints. Staff is prepared to develop a RFQ to distribute to qualified transportation consultants in the Bay Area upon review by the Policy and Services Committee. The cost for such services is expected to be approximately $30,000 to $50,000.

Future Anticipated Consultant Services
In addition to those consultants already under contract with the City or in the process of being considered, staff expects that the Zoning Ordinance Update will require some additional consultant services in the future, including:

- Economic analysis to assist the urban design consultants to test the feasibility of standards for multi-family, mixed-use, and transit-oriented (and possibly commercial) development, with an estimated cost of $10,000 - $20,000.
- Editing assistance to proofread the draft ordinance from an outside perspective, with an estimated cost of $10,000.
- Preparation of the appropriate environmental review document, the cost for which could range from $30,000 for a Negative Declaration to $100,000 if a full Environmental Impact Report (EIR) is required.

Budget Implications
The 2001-2002 fiscal year budget includes $200,000 for consultant services plus $130,000 for contract planning services (part-time staff) to support the Zoning Ordinance Update. Another $200,000 is programmed for community outreach, printing and graphics, some of which may supplement the consulting services budget. In addition, the proposed 2002-03 budget includes an additional $120,000 for consulting and related services. Table 2 (Attachment B) outlines these figures and indicates contract commitments to date and the remainder available for allocation.
ATTACHMENTS
A. Table 1: Zoning Ordinance Update – Contracts
B. Table 2: Zoning Ordinance Update – Budget for Consultants
C. Urban Design Consultants – Proposed Scopes of Services
D. Parking and Transportation Consultant – Proposed Scope of Services
E. Scope of Services for Current Consultants

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