



City of Atascadero Request for Proposals Comprehensive Zoning Code Update

NUMBER CD-2024-02

PROPOSALS REQUESTED BY:

CITY OF ATASCADERO

**COMMUNITY DEVELOPMENT DEPARTMENT
6500 PALMA AVENUE
ATASCADERO, CA 93422**

PHONE: (805) 461-5000

DATED: JUNE 17, 2024

PROPOSALS DUE: FRIDAY, AUGUST 9, 2024

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I. OVERVIEW

The City of Atascadero, California is currently accepting proposals from qualified firms with expertise in zoning for leading a process resulting in the preparation of a new zoning code for the city. Proposals received via the request for proposals (RFP) process will be reviewed by a selection committee comprised of City staff in the City of Atascadero.

The City is currently in the process of updating the General Plan (www.Atascadero2045.org) and is ready to begin crafting a code that will implement the General Plan, which is scheduled for adoption in late 2024. The city's Housing Element was previously updated in 2020.

II. BACKGROUND

The City of Atascadero is a community located in San Luis Obispo County, California, incorporated in 1979. The city has an area of 26 square miles and a current population of approximately 30,000 and is situated between the Salinas River to the east and the oak-covered hillsides of the Santa Lucia Mountains to the west. Atascadero is a vital community with a rural landscape, a rich history, and a bright future. The community has a quaint downtown and linear commercial corridor along the El Camino Real and Morro Road. The city offers residents a small-town lifestyle with modern amenities.

The existing Zoning Code was adopted in the 1980s shortly after incorporation. While it has been amended several times, the City of Atascadero's Zoning Code has not been comprehensively updated since the original adoption and still exhibits the format and code references from a time past.

While striving to maintain the character and prosperity that the city enjoys, the new General Plan lays out a blueprint for the City's future that includes a re-visioning of the city's land use districts and patterns. The 2045 General Plan will set a hierarchy of goals, policies, and implementation measures to guide future development in the city, encouraging infill development and providing guidance for the city's orderly expansion in a manner that is economically sustainable. While many overarching policies will carryover from previous visioning documents, the age of the current zoning ordinance, layered revisions over time, and identification of new General Plan land-use designations has created a need for a comprehensive update. The new code will implement the new General Plan, including new zoning designations and associated policies. It is the City's goal to start drafting the new zoning code prior to the adoption of the new General Plan, so that the new zoning code will be completed shortly after the adoption of the General Plan in early 2025.

Current Zoning Code:

The City's zoning code is a patchwork of the original municipal code from 1980 along with new revisions that are completed annually. The current zoning code:

- Has as not been comprehensively updated and is internally inconsistent;
- Contains standards that are outdated, difficult to administer, and often hidden in many different sections;
- Will be inconsistent with the City's new 2045 General Plan;
- Does not reflect some recent changes resulting from legal decisions and changes to state laws;
- Lacks the ability to address modern development trends;
- Lacks specificity or clarity, making zoning enforcement often difficult; and
- Code is not user-friendly and lacks graphics that improve readability.

The City is looking for a comprehensive update and reorganization of its current zoning code that includes a clear and concise description of new land use categories with the adoption of the 2045 General Plan. The zoning code has been recently updated to include provisions such as SB9, ADU's and Multi-Family Objective Design Standards. These and other relevant items should be carried forward into the new zoning code.

The City anticipates that Community Development staff members and the City's Planning Commission and City Council will play a significant role in the process by guiding and supporting the effort through a series of workshops, discussions, and public engagement opportunities. New policies, goals, and development pattern visioning will have been completed through the General Plan Update process and will help lay a foundation for the zoning update.

III. SCOPE OF WORK

With assistance from City Staff, the selected Consultant will conduct a public process to develop a new Zoning Ordinance for the City of Atascadero. The City anticipates that the Consultant will work with staff, the Planning Commission, Council and community to develop a zoning ordinance that will bring the code into consistency with the new General Plan, resolve any inconsistencies or remnants over the years, and reorganize for clarity and readability.

Project Goals: City staff have identified the following goals for the zoning code update effort:

- Implement 2045 General Plan policies, land use descriptions and related standards

- Be consistent with State and federal law
- Be intuitive, graphic, and user-friendly and digital
- Create a transparent, predictable, and consistent process
- Consolidate and organize text for ease of use
- Promote high quality design through flexible development standards

Scope of Work: The Consultant will develop a final work program in conjunction with City staff, but the scope of work should include the following:

- **Background research and analysis of existing code:** The Consultant will review the key background materials as well as the existing code and will join City staff on a tour of the community. The consultant will work with staff to identify key code sections to be carried over and sections that are out of date. At the end of this task, the Consultant will provide a summary of recommended changes to the zoning code. In addition, the Consultant shall prepare a proposed outline of the recommended format, content, and organization of the new zoning code. Staff will provide a summary of the key policies and development standards that will be the basis for the zoning update, that may include:

- 2045 Atascadero General Plan Policies and Implementation Plan
- City of Atascadero Housing Element 2020 Policies and Implementation Plan
- Existing Zoning Code Regulations
- Objective Design Standards
- Development standards from other specific plans and planned development (PD) zoning overlay districts in the City.
- Council and staff policies
- State law

The new General Plan will introduce a variety of new land uses and generally increase residential density, which will require differing and specific regulations for each new land use category. The Consultant will work with staff to identify these areas, determine the appropriate zoning approach to these areas and draft appropriate zoning regulations. Examples include Downtown Atascadero, mixed-use infill development standards, and development incentives along the city's commercial corridors. The new Zoning Regulations will need to develop an entirely new set of zoning districts that will implement the new General Plan.

Public Outreach: The Consultant should incorporate a public outreach component designed to inform community stakeholders, the Planning Commission, Council, and the public on the new zoning code. It should include:

- One (1) kickoff meeting with staff
- Two (2) Public outreach workshops, virtual and in-person
- Staff meetings and workshops to formulate draft zoning districts
- Three (3) workshops with the Planning Commission and/or city Council based on the phases for the project
- One (1) Planning Commission hearing, and two (2) Council hearings for final adoption (consultant may be virtual)
- The Consultant shall be responsible for preparing all presentation materials for the workshops and meetings
- The Consultant team will establish a project website for the zoning code effort. The Consultant shall provide all outreach materials, and regularly update the website.

Draft Zoning Code: At a minimum, the comprehensive update of the City's zoning code should address the following topics:

- Zoning Code Administration & Permits
- Implementation of the General Plan into Zoning Districts
- Allowed Uses
- General Development Standards and standards for each district
- Special Uses Categories like cannabis, restricted land uses, farm animal raising, home occupations, native tree regulations, etc.
- Definitions/Glossary

While the new zoning code will be adopted in its entirety, the project may be done in several phases as proposed by the consultant. The Consultant shall identify a budget per phase as well as an overall budget. The project schedule should also identify the timing, duration, tasks and deliverables for each individual phase.

In addition, the Consultant will work with City staff to prepare a simple user-guide/handbook for the public that explains how to use the new zoning code. The handbook should be easy to understand with graphics and examples that demonstrate how the public can navigate the code and find answers to frequently requested information (e.g., residential setbacks, fence requirements, commercial building signage, accessory structure standards, development standards, etc.). This should be provided in PDF format that is internally hyperlinked for easy navigation within the handbook.

Final Zoning Map Development: The Consultant shall work with City staff to prepare the new zoning map. Please note that City staff may require assistance in including any necessary changes in GIS to prepare the final zoning map for Council adoption.

Integration of the New Code into User-Friendly Formats: The Consultant shall work with City staff to ensure the new code is easily accessible to the public, interactive, and searchable. The City uses eCode360 for its web platform for the zoning code. This task would include formatting the code to make it web-ready.

Project Schedule:

The Consultant shall provide the City with an anticipated schedule for the work broken down by phase with a goal of completion in March 2025.

Deliverables:

The Consultant shall provide the complete zoning code in electronic format (Word, PDF) for each draft:

Document Drafts:

- An Administrative Draft, a final Administrative Draft, a Public Review Draft, and a Revised Public Review Draft incorporating changes resulting from the hearing process and other outreach;
- A Final Draft of the code for presentation at the Planning Commission and City Council adoption hearings.

The Public Review Drafts and Final Draft will be fully formatted and will contain a range of graphics, diagrams, tables, and charts that complement and supplement the code. The process of going from Administrative Draft to Public Review Draft to Final Draft will need to occur in close coordination with the City's Project Manager and will require frequent meetings and/or conference calls. Once the Final Draft has been approved by the City Council, the Consultant shall provide a final version that includes any changes approved by Council.

Once Council has approved the final draft, the Consultant shall update the zoning code to include Council-directed changes and then shall provide staff electronic versions of the final zoning code (e.g., Word, PDF and the original files from any other programs used such as Adobe In-Design, graphics software, etc.).

Supplemental Documents:

- The Consultant will work with City staff to prepare a simple user-guide/handbook for the public that explains how to use the new zoning code
- The Consultant shall work with City staff to prepare the new zoning map

IV. SCHEDULE

The following identifies the schedule for the RFP and consultant selection process:

Activity	Date
RFP Issued	June 17, 2024
Consultant Questions Due	July 18, 2024
City Responses Posted	July 25, 2024
Proposals Due at 4:00 pm	August 9, 2024
Consultant Interviews	August 14-16, 2024
Consultant Selection	August 19, 2024
City Council Contract Approval	September 10, 2024

V. COMPENSATION

The City will negotiate a contract with the selected Consultant based on the following assumptions and conditions:

- All services rendered as described in the Scope of Work, including all labor, equipment, materials, and expenses, the Consultant shall be compensated on a time and expenses basis by task or phase for work completed.
- Not-to-Exceed amount for services is estimated to be between \$75,000 and \$125,000. This amount should be broken down by phase. The funding for this contract is from the General Fund.

VI. PROPOSAL REQUIREMENTS

Submittals:

Interested firms are invited to submit an electronic copy (PDF format) of their proposal kgleason@atascadero.org and three (3) hard copies of their proposals to the following address:

City of Atascadero
Community Development Department
Attn: Kelly Gleason
6500 Palma Avenue, Atascadero, Ca 93422411 E.

Proposals will be accepted until August 9, 2024 at 4:00 PM (PST).

Contents of the Proposal:

At a minimum, the proposal should contain the information outlined herein. Additional information that the applicant deems relevant to the selection process may be included; however, concise and focused submittals are strongly encouraged. By submitting a proposal, and unless otherwise stated, it is understood that the Consultant has reviewed the relevant information, and that based on that review, the Consultant has developed an informed understanding of the projected scope of work and has satisfied itself with the applicable conditions and requirements expressed in those documents.

Consultant Background: In two pages or less, provide a brief overview of the Consultant assuming contract responsibilities. All proposed sub-consultants must be identified.

Project Team: Provide an organizational chart that identifies the individuals and subconsultants, if applicable, assigned to and responsible for the key elements of the work scope and their relationship to those elements. Indicate the number of hours each member has been budgeted and will be assigned to the project. Specifically, identify the personnel assigned to the following duties: project lead, project management, researcher, writing/preparation, graphics, and administration. It is the City's intent to have the proposed project team committed to this project as a contract provision (see Standard Agreement in Attachment 1).

Individual Qualifications and Experience: Provide resumes for each key staff member. Provide up to three examples of recent projects completed (or ongoing) by the proposed project team (staff members, sub-consultants, and public agencies). For each relevant project: 1) indicate the Consultant's role and the staff members who were responsible for the cited project work; 2) provide a brief description of the contract scope of work; 3) state the contract amount and completion date; and 4) include the name, title and phone number of a client reference.

Statement of Understanding and Scope of Work: Proposals should provide a statement of your understanding of the project by highlighting the primary issues and outlining your approach toward addressing those issues. Any recommendations regarding improvements to the process, in order to more effectively meet the City's stated objectives, should be emphasized in your proposal, as a clear means of demonstrating an understanding of the project requirements.

Schedule: Proposals should present an overall project schedule showing milestones, deliverable dates, and the duration of each phase.

Fee Proposal: Firms are requested to provide a fee proposal that presents the estimated fee. The fee proposal should reflect the scope of work, term, and compensation conditions cited above. Sufficient information should be provided to justify the proposed fee and to serve as a basis for negotiating a contract. The fee proposal should identify personnel, estimated number of hours, and rate; type of equipment, hours, and rate; and any outside costs for each identified work element. Any Contract resulting from this solicitation will specify a maximum, not-to-exceed fee amount which is estimated to be between \$75,000 and \$125,000. Except in the unusual situation wherein the Consultant encounters circumstances that could not be reasonably anticipated, the City will not authorize payment beyond this amount. In consideration of this, any assumptions and/or the need for any contingencies must be clearly spelled out in the Fee Proposal and used as a basis to compute a “not-to-exceed” figure for the project. This figure should be sufficient to provide for any reasonably anticipated circumstances that may be encountered during project execution and completion.

Amendments to RFP

City reserves the right to amend the RFP by Addendum. If necessary, the Proposal submittal deadline will be extended to allow submitters additional time to respond to the RFP Addendum.

Inquiries

Questions related to this solicitation shall be submitted via email and addressed to:

Kelly Gleason

Planning Manager

Department of Community Development

City of Atascadero

Email: Kgleason@atascadero.org

Deadline for inquiries is July 18, 2024 at 5:00 pm (PST).

VII. SELECTION CRITERIA AND PROCESS

The City may ask finalists to present their proposals in person before final selection. The selection committee shall score finalists on a 100-point scale based on criteria that include:

- Relevant Experience of Firm (25 pts)
- Relevant Experience of Project Team (25 pts)
- Understanding of the Issues (25 pts)
- Public Outreach Process (15 pts)
- Clarity of Presentation (10 pts)

VIII. RESOURCES

The following documents are available for viewing and download at the locations listed below.

- [Existing Zoning Code](#) (Title 9 is Zoning Code)
- [Atascadero General Plan](#)
- [Atascadero General Plan 2045 \(under construction\)](#)

IX. CONTRACT CONDITIONS

The selected Consultant will be required to sign a standard City agreement and maintain required insurance coverage as indicated in Attachment 1. Unless indicated otherwise, submission of a proposal indicates that the proposer accepts the terms of the standard agreement.

ATTACHMENT 1

INSURANCE REQUIREMENTS: CONSULTANT SERVICES

The Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, employees, or subconsultants.

Minimum Scope of Insurance. Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
4. Errors and Omissions Liability insurance as appropriate to the consultant's profession.

Minimum Limits of Insurance. Consultant shall maintain limits no less than:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$1,000,000 per accident for bodily injury or disease.
4. Errors and Omissions Liability: \$1,000,000 per occurrence.

Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees and volunteers; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Other Insurance Provisions. The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its officers, officials, employees, agents and volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the Consultant; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; or automobiles owned, leased, hired or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, official, employees, agents or volunteers.
2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, agents and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

4. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

Additional Insured

The City of Atascadero will need to be added to the policy as Additional Insured by endorsement to the General Liability, adding the City's name to the Certificate of Insurance is not sufficient and will not be accepted.

Verification of Coverage. Consultant shall furnish the City with a certificate of insurance showing maintenance of the required insurance coverage. Original endorsements effecting general liability and automobile liability coverage required by this clause must also be provided. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements are to be received and approved by the City before work commences.