



Memorandum

Date: March 29, 2024
To: City Council
From: Christina D. Day, AICP, Director of Planning
Subject: Zoning and Subdivision Ordinance Rewrite Contract

The regular City Council agenda for April 8, 2024, includes consideration of award of a contract to update the Zoning and Subdivision Ordinances. This project was previously budgeted for \$500,000 in the Fiscal Year 2022-23 and 2023-24 budgets; however, to complete the project as proposed, additional funds will be needed in future years to support the project.

Current Situation and Need

The city's primary development regulations are split into two separate ordinances, the Zoning Ordinance and Subdivision Ordinance, which are largely rooted in the policy aims of the comprehensive plan from the 1980s. This plan addressed a rapidly growing city with a large amount of undeveloped land; however, today 4% of land in the city remains undeveloped and most development projects involve redevelopment of a property. The ordinances were not designed to address these demands. Additionally, the ordinances have been amended many times as development and legislative issues arose, leading to a complicated system of regulations that could use a comprehensive review.

With the adoption of Comprehensive Plan 2021, the city's development regulations need to be realigned to ensure that they support the intent of the new plan. Simplifying the ordinances where possible to streamline review will benefit the whole community - city leaders, residents, staff, property owners, and developers. Additional graphics, updated language, and use of technology, can make the documents more user friendly.

Evaluation Process and Project Proposal

After an evaluation process, Freese and Nichols, Inc. was ultimately selected for the project as they were deemed to be the most qualified due to their collective experience with zoning and subdivision regulations, the experience of the project team, as well as the quality and design of previous work.

The contract with Freese and Nichols, Inc. exceeds the amount previously budgeted. When the initial budget request was made, the reference contracts available at the time for similar work were for projects initiated before the Covid-19 pandemic and for, generally, smaller communities. Additional cost was factored in, due to these limitations; however, it did not meet the full needs. Plano's standards for excellence and inflationary pressures also likely impacted the cost for the project.

The project will begin with a diagnostic report to establish issues that need to be addressed along with general recommendations, including a thorough review of the comprehensive plan. This report will be followed by four modules focused on ordinance content. The scope includes a designated Steering Committee meeting over 19 months and 7 meetings with the Planning & Zoning Commission to ensure the project is meeting expectations as the ordinance is drafted. This process is designed to provide robust

public stakeholder review, including availability for input and comment at public meetings with the Planning & Zoning commission throughout the process. This level of transparency creates additional expense. A joint City Council and Commission workshop is also planned before public hearings take place at the Commission and City Council. To help create transparency in case of future change orders, the scope of work includes a set cost for additional meetings.

This project will help to ensure the community gains efficient access to quality development standards which are aligned with the policy goals of the City Council. If the contract is awarded, additional budget request will be made for the FY2024-25 and FY2025-26 budgets, since the scope of work extends over three budget years, into 2026. This request will include funds for legal review, technology implementation for a user-friendly ordinance, and administrative costs (e.g., public meetings expenses, bus rentals for tours). The total amount to be requested is expected to be: \$664,615:

Freese and Nichols Contract:	\$966,300
Legal Review:	\$100,000
Technology Implementation:	\$50,000
Administrative Costs (5% of contract):	\$48,315
Total:	\$1,164,615
Budgeted:	\$500,000
Future Budget Request(s):	\$664,615