

# Memo

To: Plan Commission

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: APPROVAL OF REQUEST FOR PROPOSAL FOR ZONING CODE REWRITE PROJECT

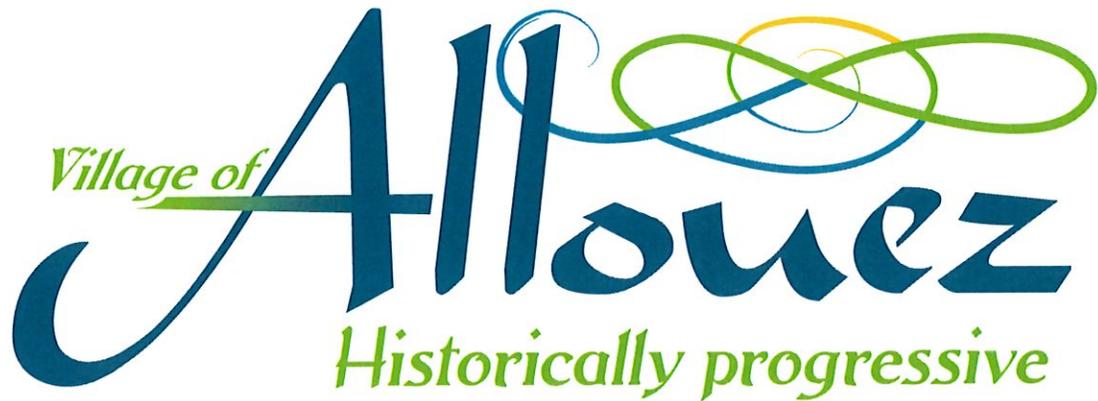
Date: 18 January 2018

The Plan Commission has discussed the need to rewrite the zoning code and review the zoning districts. The purpose for this work would be to align our zoning code with our Comprehensive Plan, as well as to streamline development.

A rewrite to the zoning code should be considered every 20-40 years, depending on the size and growth rate of the community. The Village of Allouez Zoning Code dates back to 1972 (possibly even earlier). Knowing that this is a 20+ year investment, it is appropriate to hire a consultant with the background and expertise specific to zoning codes.

Funds were set aside in the 2018 budget to hire a consultant to begin work on this project. Staff recommends sending out a Request for Proposals (RFP) to find a qualified consultant firm to perform this work. Attached is the proposed RFP with the anticipated scope of work and timeline identified. The project is estimated to take anywhere from 18-24 months.

Plan Commission is asked to review the RFP to ensure the anticipated scope of work covers the main issues in the existing zoning code and the new features that should be incorporated in the new zoning code. Plan Commission is also asked to recommend the RFP to the Village Board for final approval.



**Request for Proposal:**

## **Village of Allouez Zoning Ordinance Rewrite**

**RFP Release Date:** February 9, 2018  
**RFP Proposal Due Date:** March 16, 2018, 4:00p.m.

**Submit one digital\* and five hard copies to:**  
Village of Allouez Economic Development and Planning Department  
ATTN: Trevor Fuller  
1900 Libal Street  
Allouez, WI 54301

*\*The digital copy may be e-mailed to [trevor@villageofallouez.com](mailto:trevor@villageofallouez.com) in PDF format if file size is less than 10MB.*

## **A. General Request Information**

The Village of Allouez, through its Request for Proposals (RFP), is seeking qualified planning and zoning consultants, multi-disciplinary firms, or teams to undertake a complete zoning ordinance rewrite project. The new zoning code must be easy to read, understandable by the public, and enforceable by the village.

The original zoning code was written in the 1970's with periodic insertions of different sections and minor maintenance corrections made over the years. The current state of the zoning code includes parts that are no longer consistent with development goals of the Village of Allouez, language which makes effective code review by staff difficult, and processes which make efficient infill development challenging. The existing code does not function in an era of technology that provides fast answers.

## **B. Village of Allouez Background**

The 13,874 residents that call Allouez, Wisconsin home know that the community provides a high quality of life in the Greater Green Bay Metropolitan Area. The community has a considerable amount of loyalty and pride, with a rich history, a great park system, a quality mix of residential housing stock, an easy access to regional highways and trails, borders made up by two rivers, and an unmatched geographic location within the Greater Green Bay Metropolitan Area.

Planned as an inner-ring suburb of the City of Green Bay, the Village of Allouez is approximately 97 percent developed, with 59 percent of the developed land classified as single-family or two-family residential. The main thrust of the project is to establish a new zoning code that addresses the current and future development realities of the village. At the time the existing zoning code was written, Allouez was a growing suburb of the City of Green Bay and automobile focused. Today, development is focused on infill and redevelopment, and while the automobile is still very much important, strategies are focused on ways to incorporate all methods of multi-modal transportation and promote connectivity, walkability, and mixed use areas that enhance community life in the Village of Allouez.

In 2015, the Village of Allouez completed the Riverside Drive and Webster Avenue Corridor Study and incorporated it as part of the Village Comprehensive Plan. The plan focused on the properties and area immediately adjacent to the northern segments of Riverside Drive and Webster Avenue in the Village of Allouez. These high traffic corridors have few vacant parcels; however, with the majority of the land area being commercially developed, the focus was set on urban renewal, inclusion of the riverfronts, façade improvements, and on the public/private interactions of this urban space.

The goal of this project is to build on the vision of the Comprehensive Plan and the Riverside Drive and Webster Avenue Corridor Study and to develop a code that is easy to read, understandable by the public, and enforceable by the Village of Allouez.

## **C. Project Overview and Objectives**

The Allouez Zoning Code, in its current format, was adopted in the 1970s and segregates land uses. It does not always reflect current best and desirable zoning and planning practices and is not always sufficient for implementing the vision, goals, and objectives as set forth in the Comprehensive Plan.

As one of the main tools to implement the Comprehensive Plan, it is essential that a new code be developed to build on the vision of the Comprehensive Plan and the Riverside Drive and Webster Avenue Corridor Study. The new code should include progressive provisions that address flexible development (mixed-use development and accessory dwelling units), consider form-based concepts or context sensitive applications, incorporate attractive aesthetics and regulations that are consistent with the village vision and goals, and create design and infill standards for development in the village.

Primary focus of the project will be planning for redevelopment of existing commercial areas, as well as development of vacant land and other growth areas identified in village planning documents. However, inclusion of different strategies to address the existing, non-conforming residential uses in the village should also be incorporated. Emphasis should also be to preserve the residential historic integrity and aesthetics, while incorporating design elements that are more reflective of the character of newer development.

The purpose of this project is to rewrite the zoning code for the Village of Allouez, including a new zoning map. The Village Comprehensive Plan identifies several goals involving the Allouez Zoning Code:

- Modernize the zoning ordinance to allow for flexibility and creativity in land use and housing development across the village.
- Rewrite the zoning ordinance to meet the evolving needs of residents, developers, and business prospects.
- Allow development with higher densities and a greater range of uses throughout the community, while maintaining an attractive aesthetic.

To accomplish the goals of the Village Comprehensive Plan, The zoning ordinance should utilize a combination of text, graphics and images/photographs to help clarify and define regulations. The ordinance must ensure predictable, high-quality outcomes that are sensitive to the character of surrounding development, while allowing economic growth in areas where that growth can benefit the identity of the community. This would ideally include a blending of zoning districts, sub-categories within each district, and overlays that allow special uses for districts depending on the district location geographically within the village.

The new ordinance should be designed to accommodate the following document design features:

1. The ordinance needs to be easy to navigate and translate by the public, and simple to be enforced by the village.
2. Text that is supported and enhanced with charts, graphics, images, and photos.
3. The ordinance needs to function online with General Code.
4. The text needs to clearly identify how and when elements are allowed and specifically identify when elements, that are assumed approvable, are not allowed.
5. The ordinance must be designed and formatted in such a way that the document provides flexibility when desired, without constant text revision, yet there is a solid foundation for regulation.
6. The ordinance should minimize need for the user to flip back and forth between lists and different sections.
7. Clear, concise, and well defined permitted and conditional land uses.
8. The ordinance should have flexibility and a process defined for when a new or unique land use is not on any list.

The new ordinance must specifically address the following:

1. The existing ordinance is based on broad village-wide zoning categories. The new ordinance needs to link to details that will be unique for specific geographical areas and translate to specific commercial areas, riverfronts, neighborhood retail, office, apartments, etc.
2. The ordinance must link strongly to the Comprehensive Plan to better demonstrate how people want to live in or use an area.
3. Special use districts need to be identified.
4. A process for addressing non-conforming uses. Terminating the continuation of non-conforming uses needs to be spelled out
5. Zoning categories that address the same “use” in different areas of the village is needed.
6. Minimize the use of Planned Development Districts (PDD).
7. Parking needs to be flexible for a diversity of locations.
8. Shared parking needs based on the “time of day” that a parking stall is used (e.g. – a development with a daytime salon and a night time bar can use the same stalls rather than doubling up) should be addressed.
9. Discrepancies in different sections of the ordinance need to be eliminated.
10. Landscaping requirements are not clear and consistent for all zoning categories.
11. Should include references to geographic location rather than just the zoning district.
12. Allowances for acceptable “required” building materials, with flexibility to add and revise newer and more modern technologies, needs to be incorporated because the development sections of the code do not allow flexibility to accommodate modern building materials.
13. Design standards that address the desired appearance of the building and site based on geographical location (e.g. neighborhood retail, entertainment district, commercial corridor).
14. Interface the new Zoning Code with any relevant and continuing overlay zoning districts and ordinances (floodplain, wetland, historic preservation etc.).
15. Establish sound principles of Smart Growth, mixed-use and sustainable development.
  - Consider and incorporate form-based zoning elements where feasible and incentive-based zoning standards where practical – knowing that a hybrid approach of both, with the inclusion of existing land use-based (Euclidean) provisions is most achievable. The provisions shall address the design and land use recommendations of the village’s various codes, ordinances and plans. The code shall include design standards (text and graphics) as deemed necessary by the village. These could be in a zoning code or a separate document.
16. Provisions that will help the village achieve high quality infill and redevelopment projects that are consistent with the context of existing development in the area.
17. Link land use and transportation and promotes and supports a multi-modal transportation system (bicycles, pedestrians, freight truck, rail, automobile, etc.).
18. A zoning map that establishes a zoning district for all properties within the village and aligns with the Zoning Code.

## D. Expected Tasks and Services

The successful respondent is expected to perform many tasks for the development of the zoning ordinance rewrite including, but not limited to the following:

1. **Diagnostic Review:** A comprehensive review and executive summary of deficiencies identified in the current zoning code. This should include a review of the zoning code against the following measures, at a minimum:
  - Meeting and discussions with village staff

- Concurrency with the Village Comprehensive Plan and other planning documents
  - Compliance with State and Federal laws and case law
  - Overall cohesiveness and consistency
  - Enforceability
  - Workability for staff and the general public
  - Public Outreach comments (see below)
2. **Public Outreach:** Conduct individual or small-group interviews and public open houses with community stakeholders. Consider a public meeting for the general public and/or online methods of engagement to gain public input throughout the process. The consultant should provide a written summary and analysis of the comments made by the individuals and groups.
  3. **Solutions and Code Outline:** Develop an outline of solutions to the problems identified in the above outreach and diagnostics steps. Determine if elements from the original zoning ordinance can be incorporated into the rewrite text. Develop a working outline of the newly updated ordinance.
  4. **Draft Code:** Complete an initial draft of the new Zoning Ordinance. Facilitate a process of presentation of the draft to stakeholders and the general public; ongoing refinement of the draft based on feedback from staff, stakeholders, and citizens; and tracking of all changes. Identify changes needed on the zoning map. Assist village staff with public outreach and explanation of the proposed changes.
  5. **Maps and Graphics:** Provide maps and graphics identifying parcels with uses and structures that become inconsistent with proposed standards and zoning regulations.
  6. **Legal Consultation:** Provide legal opinions regarding specific questions that arise during the process as well as a full legal review of the final draft.
  7. **Reference Guide:** Create a reference guide that summarizes key parts of the code. See following sample of City of Philadelphia Zoning Code Reference Guide--  
[http://www.phila.gov/CityPlanning/projectreviews/PDF/Quick\\_Reference\\_Guide.pdf](http://www.phila.gov/CityPlanning/projectreviews/PDF/Quick_Reference_Guide.pdf)
  8. **Adoption:** Assistance with presentations to the Economic Development Committee, Board of Appeals, Plan Commission, Village Board, and any additional revisions requested from these meetings until final adoption of the rewritten Zoning Ordinance is made by the Village Board.

Throughout the entire process, extensive interaction is expected with village staff. The detailed schedule for the project shall be included in the consultant’s proposal, and should be limited to eighteen (18) to twenty-four (24) months.

## E. Deliverables

The result of this process is an innovative zoning code, with a corresponding zoning map. The final product may contain past Euclidean provisions, but where possible allows for the creation of form-based code, hybrid, or other innovative approaches.

All items delivered as part of this project shall be the sole property of the Village of Allouez. The consultant shall be responsible for the submittal and execution of the following:

1. **Progress Reports and Research:** The consultant shall be responsible for submitting monthly progress reports and research information relative to the project. The consultant shall clearly communicate how the regulatory effects of the proposed ordinance may differ from the effects of the current ordinance. Background information regarding subjects addressed in the new ordinance, which are not addressed in the current ordinance, shall also be submitted by matrix.

2. **Draft Ordinances/Maps:** Copies of the draft documents are required, at quarterly intervals, during the development stages of the project for review, presentation, and use by the Plan Commission and staff.
3. **Meetings:** The consultant is expected to meet with the Plan Commission for plan updates at a quarterly interval basis. The consultant will also meet with staff as the project develops on a regular basis. The number and frequency of the meetings will be determined in consultation with all parties before the project begins. The purpose of the meetings will be to establish objectives, discuss alternatives, provide direction and review progress. In addition, the consultant may be expected to attend periodic meetings of the Village Board.
4. **Final Work Products:** The new zoning ordinance must be provided in print and electronic format compatible with General Code. Easy-to-use charts, checklists, graphics, and images/photos within the document are expected where necessary. The consultant shall provide the following specific ordinance products:
  - The electronic ordinance in both a Microsoft Word version and a PDF version.
  - The final zoning map in a digital format that can be edited by the Village of Allouez staff (i.e. shape files at the individual parcel level, which uses an ESRI platform).

## F. Existing Ordinance and Map

The Village of Allouez went through a codification process of all our ordinances in 2015-2016. This codification process eliminated blatant inconsistencies between chapters of the ordinances and with applicable state statutes. The Village of Allouez Zoning Code of Ordinances includes Chapter 475 of the Village Municipal Code. The majority of Chapter 475 was written in the 1970's and, with the exception of the codification project and periodic insertions for sections like sign and site plan and design review, has primarily remained unchanged and has maintained the Euclidean, suburban-oriented nature.

Chapter 475 is anticipated to require the most substantial amount of review and rewrite; however, minor edits to Chapter 248 (Historic Preservation), Chapter 453 (Floodplain Zoning), Chapter 460 (Land Divisions), and Chapter 468 (Shoreland-Wetland Zoning) may be necessary to ensure consistency and avoid future conflict.

The consultant will be expected to complete a comprehensive, independent review of the Zoning Ordinance to determine if items should be retained as part of the rewrite. Below is a list of the overall ordinance elements that the consultant will be expected to update and/or review independently:

### Reference Links:

- Village of Allouez website: <http://www.villageofallouez.com/>
- Municipal Code: <https://ecode360.com/AL3593>
- Zoning Map: <http://www.villageofallouez.com/wp-content/uploads/2013/04/Zoning-Map2.pdf>
- Village of Allouez Comprehensive Plan: <http://www.villageofallouez.com/wp-content/uploads/2013/04/2015-Amendment-Corridor-Study-Incorporation-Final.pdf>
- Riverside Drive and Webster Avenue Corridor Study: <http://www.villageofallouez.com/village-updates-news/>

## G. Request for Proposals Requirements

Consultants are asked to respond to this request for proposals by developing a proposal to fully meet the work associated with this project. Consultants are asked to submit a concise proposal describing their capacity to manage the project and their experience with similar projects. Samples of zoning ordinances/rewrites and public participation plans are expected. The proposals should include a clear outline of how the consultant will meet the objectives of the project.

The Village of Allouez does not have a specific proposal format; however, the village expects the following information to be included with the proposals:

1. **Contact Information:** Consultant's name, address, phone number, e-mail, along with the name and signature of the authorized agent and contact person.
2. **Firm History:** Brief history of the firm, including short case studies of similar projects carried out by the firm.
3. **Project Statement:** Statement of overall project understanding and general approach to meet project objectives and tasks of the project, description and modifications or expansion of the information provided.
4. **Time Schedule:** A detailed project time schedule for accomplishing the expected tasks and services, including start dates, major project milestones and anticipated completion dates. Time schedule should specifically identify how and when outreach to the public, staff, and elected officials occurs. The timeframe for project completion should be approximately eighteen (18) to twenty-four (24) months.
5. **Examples:** Demonstrate related projects that were completed for other communities that are similar to the village. Projects that include logical graphics and imagery within or as a supplement to a zoning ordinance are preferred.
6. **References:** A list of client references for whom the consultant has provided similar services including name, address, e-mail and phone number of a contact person for each reference. Indicate the type, scope and duration of the work done for each client.
7. **Project Manager Qualifications:** A statement indicating the qualifications of the key person who will be assigned as the project manager by the consultant and their responsibilities within the scope of services.
8. **Budget Proposal:** A proposed budget with level of effort for each member of the team and for each major task.
9. **Fee Schedule:** A fee schedule for personnel involved with the project.
10. **Insurance:** A certificate of insurance provided with your submittal for this request for proposals according to the attached requirements (see attachment).

## H. General Selection Process

A selection committee will evaluate and rank the proposals based on the following criteria:

1. **Qualifications:** Qualifications and previous related work experience particularly related to similar sized communities.
2. **Understanding:** Demonstrated understanding of project objectives, tasks, and services.
3. **Price:** The proposed price/cost will be considered. Weighing of the project fee will be subjective; however, lowest cost does not assure selection.
4. **Related projects:** Examples of related completed and in-progress projects.

5. **Proposal quality:** Quality of requested submission requirements, including sample materials and proposal package.

The Village of Allouez will select a short list of applicants to meet with the selection committee to clarify submitted proposals, provide supplemental information, confirm proposal representations and answer any questions.

The village reserves the right to select any consultant it believes to be in its best interest and to negotiate proposed scope elements and fees, or to reject any or all proposals at its sole discretion.

The Village of Allouez will not be liable for any costs incidental to the preparation of the request for proposals, presentations, or interviews relating to the selection process.

## **I. Terms**

The Village of Allouez reserves the right to accept or reject all proposals or parts thereof and reissue the request for proposals without stated cause.

The Village of Allouez is not bound to accept the proposal with the lowest cost, but may accept the proposal that best meets the needs of the village.

The Village Attorney will review the consultant's standard consulting agreement. Modifications to that agreement may be required at the Village Attorney discretion.

Upon selection of a consultant, the Village of Allouez shall attempt to negotiate and reach a final agreement. If the village, for any reason, is unable to reach a final agreement with the selected consultant, the village then reserves the right to reject the selected consultant and negotiate with others.

## **J. Request for Proposals Schedule**

1. Request for proposals issued:
  - a. February 9, 2018
2. Questions due to the village: (sent via e-mail to [trevor@villageofallouez.com](mailto:trevor@villageofallouez.com))
  - a. By February 23, 2018
3. Responses to questions:
  - a. By March 2, 2018
4. Proposals due to the village:
  - a. By March 16, 2018 at 4:30p.m.
5. Possible interviews with finalists and selection committee recommendation:
  - a. March – April 2018
6. Plan Commission and Economic Development Committee approvals:
  - a. April – May 2018
7. Village Board consultant selection:
  - a. May 15, 2018

*Please note these dates are for planning purposes only. The dates represent the village desired timeline for implementing this project. The timeline may be adjusted as needs and circumstances dictate.*

## **K. Project Budget**

Proposals shall include a lump sum not to exceed cost for the services required to fulfill the requirements of this request for proposals and any additional recommendations within the submitted proposal. The not to exceed cost shall include all travel and incidental project costs. A breakdown of the estimated expenses for the project, including but not limited to the hourly rates for consultants and sub consultants, proposed meeting schedule and type (i.e. phone meeting, staff meeting, committee/Village Board meeting, and/or public information meeting), and work product(s) to be produced is required.

If necessary, the applicant shall agree to appear at a pre-selection interview at no cost. No reimbursement will occur for preparation costs by the proposer or their sub consultant.

Proposed resources for each task and work that the consultant or sub consultant would not provide must also be identified.

## **L. Contact and Questions**

This request for proposals has been distributed by the Village of Allouez Economic Development and Planning Department. All questions or inquiries concerning this request for proposals should be directed to:

Trevor Fuller, Village Planning and Zoning Administrator  
Village of Allouez  
1900 Libal Street  
Allouez, WI 54301  
Phone: 920-448-2800 ext. 134  
Fax: 920-448-2850  
E-mail: [trevor@villageofallouez.com](mailto:trevor@villageofallouez.com)