



Request for Proposal (RFP):

To Prepare a Zoning and Land Division Ordinance
Comprehensive Update for the City of Avenal

Submittals Due By: November 1, 2021

Certified Mail to:
City of Avenal
Community & Economic Development Department
ATTN: Kao Nou Yang, Director
919 Skyline Blvd.
Avenal, CA 93204

Electronic Submission to: kyang@cityofavenal.us

Submittals must be received no later than 4:00 p.m. on November 1, 2021 at the address listed above. The City will not be responsible for late or lost submittals or accept submittals that fail to be delivered to the address listed above by the time and date listed above.

Prepared By:
Kao Nou Yang, Community & Economic Development Department Director
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SECTION 1. STATEMENT OF INTENT

The City of Avenal intends to update the City's Zoning and Land Division Ordinance. Therefore, the City is accepting proposals from qualified land use firms with expertise in zoning and land divisions to comprehensively amend and update the City's Zoning and Land Division Ordinance. The new Zoning and Land Division Ordinance shall be in compliance with state regulations and be consistent with the City's 2035 General Plan and various specific plans.

SECTION 2. BACKGROUND

The City of Avenal was a community service district under the Kings County land use jurisdiction. In 1979, the Avenal Community Service District was incorporated and became its own City and now has authority over its land use jurisdiction. Located along State Highway 33 and State Highway 269 on the southwest portion of Kings County, the City also encompasses a portion of Interstate 5 North of the City's boundary lines. Within the developed areas of the City, the main designation as laid out in the General plan is Residential and Public Facilities.

City's General Plan.

The City of Avenal adopted the 2035 General Plan in March of 2018. The General Plan is an updated expansion and reorganization of the 1992 General Plan. The Plan contains goals and objectives of the City and its future plans for development. The City's Housing Element is in conjunction with Kings County and Cities of Corcoran, Hanford and Lemoore which encompasses the entire County for the period years of 2016 through 2024.

Current Zoning Ordinance

The City's current zoning ordinance is a few decades old, and staff has been patching it through minor amendments in order to keep up with any new state regulations and requirements. Through these amendments, it has become apparent that some amendments are contradictory to the Adopted General Plan as well as the State Regulations.

In addition, a lack of staffing and resources since the adoption of the 2035 General Plan has resulted in a zoning ordinance that is not reflective and sometimes inconsistent with the policies and goals of the City's Municipal Code.

The City is looking for a comprehensive update of its current zoning ordinance. The zoning ordinance updates shall reflect and address the following issues and concerns:

- It Has Not Been Comprehensively Updated For Almost 2 Decades
- Contains Standards That Are Outdated And Difficult To Administer And Often Hidden In Many Other Different Sections
- It Is Often Inconsistent With The Current 2035 General Plan Which Was Adopted In 2018
- Numerous Amendments Have Been Made That Are Not Consistent With The Rest Of The Ordinance

- Numerous Amendments Have Been Created But Not Implemented Within The Ordinance (i.e., Cannabis Ordinance)
- There Are Inconsistencies Between Overlay Districts And Underlying Zoning Districts As Well As Their Requirements
- The Code Does Not Reflect Recent Changes Resulting From Legal Decisions And Changes Of State Statues i.e., Accessory Dwelling Units (ADU)
- The Code Lacks The Ability To Address Modern Development And Trends Throughout The City
- Some Of The Sections In The Ordinance Lacks Clarity And Makes Some Zoning Enforcement Difficult To Pursue
- It Is Not User Friendly And Lacks Graphics To Improve Readability To The Community

The Current Land Division Ordinance

The City's land division ordinance is very outdated and requires a comprehensive update to reflect the current and future amendments of the California Subdivision Map Act (SMA). The last update of the City's land division ordinance was in the 1980s' in regards of Parcel Map Waivers. The Ordinance is strenuously outdated and will need to be fully and comprehensively updated in order to reflect the new rules and regulation adopted and amended pursuant to the SMA.

The Ordinance is not a workable document to discuss processing and review and lays out the bare minimum standards for Mapping.

SECTION 3. SCOPE OF WORK

With the assistance from City staff, the selected Consultant will conduct a public process to develop a new zoning ordinance and land division ordinance for the City of Avenal. The City anticipates that the Consultant will work with City staff, the Planning Commission, the City Council, and the community to develop a workable Zoning and Land Division Ordinance that will help with readability, processing projects, transparency and conceptual zoning and land division standard for the City.

The project goals that staff has identified for updates are as follows:

- Implement The 2035 General Plan Policies
- Be Consistent With State And Federal Laws
- Be Easy To Read Graphic And User Friendly
- Create A Transparent Predictable And Consistent Process
- Promote Areas Of Development Design
- Respond To Community Concerns
- Promote Infill Mixed Use And Active Transport SRT Plans, And Mix Use Overly Areas

- Standardized And Simply Simplify Development Review

The Consultant will develop a final work program in conjunction with the City staff and it should include references and implementation of the findings.

Background

The Consultant will review the key background materials of the City and work with City staff about any questions and concerns about the material. After reviewing, the Consultant will provide a summary of recommended changes or suggestions to the Zoning and Land Division Ordinance. City staff will provide the following background documents and development standards to the Consultant as reference and information:

- 2005, 2025, 2035 General Plan
- Economic Development Plan
- Active Transportation and Safe Routes To School Plan
- Zoning Ordinance With all Amendments Passed By The City Council
- USBR Waste Management Plan
- Land Division Ordinance

The staff will work with the Consultant to identify areas of concern, implementation, inconsistent information etc.

Public Outreach

The Consultant will incorporate a public outreach component designed to inform the community stakeholders, the Planning Commission, the City Council and the public on the new Zoning and Land Division Ordinance. The public outreach component should include at least:

- One (1) Kickoff Meeting
- Four (4) Workshops With Planning Commission

For Review And Adoption:

- At Least One (1) Planning Commission Meeting
- At Least Two (2) City Council Meetings

The Consultant shall be responsible for preparing all presented materials for the workshops and meetings. The City will establish a project website for the Zoning and Land Division Ordinance effort for comments and concerns. All Materials for the Project site will be provided by the consultant and its team.

Drafting The Zoning Ordinance

At minimum the comprehensive zoning ordinance update should address the following items but not limited to:

- Zoning Code Administration And The Types Of Permits
- Zoning Districts
 - Define the Allowed Use Permitted With A Zoning Permit Such As A Conditional Use Permit (CUP, or A Site Plan Review Permit (SPR) Or A Use Permitted By Right (No Land Use Permit)
 - The Development Standards For Each Zone District
- Permit Procedures And Processes
- Overlay Zones
- Penalties And Enforcements
- Nonconforming Structures And Use Procedures
- Specific Uses Such As Mobile Home Reviews And Home Occupation Permits Regulation
- Lighting And Signs
- Parking (on or off street)
- Landscaping and Fencing And Gates
- Definition / Glossary

The Consultant shall prepare an Administrative Draft, a Public Review Draft, a revised Public Review Draft incorporating the changes and comments resulting from the public hearing process and a Final Draft of the Zoning Ordinance for presentation to the Planning Commission and City Council meetings. The process of going from administrative draft to public draft review and to the final draft will need to be consulted in coordination with City staff. Once the Final Draft has been recommended for approval from the Planning Commission, it will then be presented to the City Council for First Reading and then a second reading for approval by City Council. The Consultant will provide the Final Version to City staff after the City Council Adoption.

The Consultant shall help provide education to the Planning Commission as part of the scope of work educating the Commission on the basics of planning and zoning permits and how residential neighborhood uses or commercial uses can be successfully incorporated within a mixed use. At least one (1) education session shall take place during the kickoff meeting.

Zoning Map Revisions - The City's zoning map may be altered to include areas of concern and need through the defined overlay zones and for consistency.

Environmental Review - The Consultant shall prepare any necessary California Environment Environmental Quality Act (CEQA) documents for the adoption of the new zoning ordinance

Implementation of Geographic Information Systems (GIS) - The Consultant shall be knowledgeable of GIS and assist staff in integrating zoning into the web-based GIS system that the City will be implementing within the next few years.

Drafting Land Division Ordinance

At minimum the comprehensive update of the land division ordinance should include the following but not limited to:

- The Advisory Agency – Define The roles and the Authority
- Types Of Subdivision Such As Tentative Parcel Maps, Subdivision Maps, Lot Line Adjustments, Reversions To Acreage, Certificate Compliance, and etc.
- Preliminary Subdivision Procedures
- Define Tentative Tract Subdivision Maps, Parcel Maps, Lot Line Adjustments, etc.
- Procedures Of Processing For All Types Of Land Divisions, Adjustments, Compliances, etc.
- Procedures and Processing of Appeals/ Extensions Of Time
- Penalties And Enforcement
- Fees; Changes; Dedications And Other Requirements Per the Subdivision Map Act

The Land Division Ordinance must be consistent pursuant to the California Subdivision Map Act (SMA). The Consultant shall prepare an Administrative Draft, a Public Review Draft, a Revised Public Review Draft after the Public Review, and a Final Draft. The Final Draft will be presented to the Planning Commission for recommendations of approval, then to the City Council for adoption. The Consultant will Provide the City with the Final Version after Adoption of the Ordinance.

Final Work Deliverables

The Consultant shall provide the Zoning and Land Division Ordinance Draft and Final version to the City both printed and electronically. At least 10 bounded copies, an electronic WORD Document and a PDF of each draft; the Administrative Draft which will only be for staff review, the Public Review Draft, the Revised Public Review Draft, the Final Draft which is presented to the Planning Commission for recommendation and City Council for Adoption, and the Final Version after the adoption.

California Environmental Quality Act

The Consultant shall prepare if any, all the environmental documents necessary for the revision and/or review of the Zoning and Land Division Ordinance including if needed an Initial Study and Notice of Determination and/or Exemption for the purpose of adopting the Zoning and Land Division Ordinance.

SECTION 4. SCHEDULE

The following identifies the estimated schedule for the RFP and the Consultant selection process.

September 23rd, 2021	RFP is issued
October 7th, 2021	Consultant questionnaires due
October 14th, 2021	City responds posted
November 1st, 2021	Proposals are due at 4:00 o'clock PM
November 15th, 2021	Consultant reviews parentheses City will only be utilizing the top three scored
November 22nd, 2021	Consultant will be selected
December 9th, 2021	City Council approves of contract*

*It is the estimated time that the Consultant will begin their work within seven days of the awarded contract.

SECTION 5. COMPENSATION

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

- All services rendered as described in the scope of work including all labor, equipment, materials, and expenses. The Consultant shall be compensated on time and expenses based on the task or phase of the work completed.
- The City anticipating to not exceed the amount for services estimated up to \$100,000. This amount should be broken down by phasing and proposed deliverables. The funding for this contract is from the SB 2 Planning Grant and the Local Early Action Planning Grant awarded to the City in April 2020 and April 2021 by the California Department of Housing and Community Development. The City and the Consultant will be bound by the requirements of the grant.

SECTION 6. PROPOSAL REQUIREMENTS

Submittals

Interested firms are invited to submit an electronic PDF format of their proposal to: Kao Nou Yang, Community Development Director kyang@cityofavenal.us, and three (3) hard copies of the proposal to the following address:

City Of Avenal
Community And Economic Development Department
919 Skyline Blvd
Avenal California 93204
Attention: Kao Nou Yang, Director

The proposals will be accepted until no later than 4:00 P.M. on November 1, 2021.

Please Understand that the City reserves the right refuse a proposal that does not meet the needs of the City.

Content Of The Proposal

At minimum the proposal should contain information outlined herein. Any Additional information that the applicant deem 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 and informed understanding of the project scope of work and has satisfied itself with the applicable conditions and requirements expressed in those documents.

- The Consultant Firm Background - provide a brief overview of the Consultant contractual responsibilities, related work to the proposed scope of work, and examples of those works.
- The Project Team - please provide the names of the of individuals that will be working on the proposed project along with their title and areas of which they will be focused on. Please list and include all subcontractors as well.
- Statement Of Understanding And Scope Of Work - the proposals should provide a statement of your understanding of the project by highlighting the primary issues and outlining your approach towards addressing those issues. Any recommendations regarding the improvements to the process in order to more efficiently meet the City stated objectives should be emphasized in your proposal as a clear means of demonstrating and understanding of the project requirements.
- Proposed Schedule – the proposal should present an overall project schedule showing milestones, the deliverable dates, and the duration of each phase if possible.

Fee Proposal

The Consulting Firms are requested to provide a fee proposal that presents the estimated fee. The fee proposal should reflect the scope of work, the duration and term of the process, and the compensation.

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 rates, the type of equipment hours and rates and any outside costs for each identified working element.

Any contract resulting from this solicitation will specify at maximum not to exceed fee amount which is estimated up to \$90,000. Except in unusual situations wherein the consultant encounters circumstances that could not be reasonably anticipated. The City will not authorize payments beyond this amount. In consideration of this, any assumptions and/or need for contingencies must be clearly spelled out in the fee proposal. This figure should be sufficient to provide any reasonable anticipated circumstances that may be encountered during project's execution and completion.

SECTION 7. INQUIRIES

All requests for clarifications or interpretation shall be made in writing and shall be emailed to the Project Manager for the update. The Project Manager is Kao Nou Yang, Community Development Director, and be titled Zoning and Land Division Ordinance Update RFP.

The deadline for inquiries is October 7th, 2021.

City staff will post responses to all inquiries in the form of an addendum with the RFP documents located at City of Avenal City Hall 919 Skyline Blvd and/or online at www.cityofavenal.com on or before October 14th, 2021.

SECTION 8. SELECTION CRITERIA AND PROCESS

The selection committee shall select finalists from the completed proposals received before the deadline. The City may ask finalists to present their proposals in person before final selection.

The selection committee shall score finalists on criteria that includes but not limited to:

- Relevant Experience Of The Firm Such As Experience Preparing A New Zoning And Land Division Ordinance for a municipality, or any local agency.
- The Record Of The Firm And Project Manager In Responsiveness To The Clients Request As Well As Preparing Projects Within The Timeframe Required.
- Understanding Of The Issues And The Scope Of Work
- Geographically Located Closely Near The City To Understand The City As Well As It's Public Outreach Process
- Clarity Of Presentation, the Ability To Connect Effectively With The Citizens, the Elected Officials And City Staff

The negotiations will cover the scope of work, the contract schedule, contract terms and conditions, technical specification, and price. If the negotiating team is unable to reach an acceptable agreement with the selected firm, the negotiating team will recommend the negotiations be terminated and negotiations with the second ranked firm be initiated. The City manager has final authority to terminate negotiations and move to the next ranked firm.

Please note that if the consultant does not have in-house expertise to prepare the CEQA document necessary for the adoption of the new zoning ordinance and land division ordinance, the consultant may select a subconsultant to perform that work period; however, the City reserves the right to accept or reject the subconsultant based on their qualifications and/or experience.

SECTION 9. CONTRACT CONDITIONS.

The selected Consultant will be required to sign a Standard City Professional Service Agreement with the City and maintain the required insurance cover as indicated the Agreement. Unless indicated otherwise, the submission of the proposal indicates that the Consultant accepts the terms of said agreement.