

Zoning Code Update Proposal

Prepared by H3 Studio for the City of Frontenac

Revised May 24, 2023

Objective

The purpose of the tasks contained within this proposal is for H3 Studio to assist the City of Frontenac in creating a comprehensive update to the City's zoning regulations (Chapter 405 of the City of Frontenac Code of Municipal Ordinances). The zoning regulations update shall conform to the recommendations of the City of Frontenac Comprehensive Plan Update ("Frontenac 2050"), which was adopted on May 3, 2023.

The update process is anticipated to consist of four (4) major topic areas, as described herein:

- Repeal of obsolete zoning district classifications
- Residential zoning district updates
- Creation of New Business District (BD) zoning district and commercial zoning district update(s), as required
- Administrative Review and Update(s), as required

This topic areas are projected to occur in parallel, with simpler amendments (i.e. repealing obsolete zoning district classifications) drafted and adopted sooner than more complex amendments (i.e. the new "BD" Business District).

Assumptions and Disclaimers

This proposal incorporates the following assumptions and disclaimers:

- The entirety of this Scope of Work, including Public Hearing(s) and adoption of zoning regulation update(s), is desired by the City of Frontenac to be completed as soon as possible, subject to a mutually agreed-upon schedule between the City and H3 Studio. Achieving this goal will depend on the capacity of the City of Frontenac's staff and third-party consultants to review and approve the update(s), as outlined herein.
- This process will be kicked-off with a work session between the Mayor, City Administrator, City Attorney, and a representative of the Planning & Zoning Commission. The purpose of this work session is to itemize all required activities, statutory procedures, notifications, and legal requirements for the process. A project schedule will be formulated at agreed-upon as part of this kick-off work session.
- It is projected that repeal of the obsolete zoning districts, as outlined in Task 1, should be completed for adoption as soon as possible.
- It is assumed that, as part of the public hearing and adoption process, owners of properties affected by zoning changes are required to be notified individually, by Registered Mail. The City of Frontenac shall be responsible for all notification materials and costs to notify affected property owners.
- It is projected that no additional public workshops shall be conducted as part of this process. This does not include required Public Hearings.

Scope of Work

Task 1: Project Kick-Off & Statutory Requirements

1.1: Zoning Work Group Formation

H3 Studio will work with the City to assemble a Zoning Work Group. This group should consist of the Mayor, City Administrator, City Attorney, and a representative of the Planning & Zoning Commission. The Zoning Work Group will provide, at minimum, review of each component of the zoning regulation update.

1.2: Project Kick-Off Meeting

This process will be kicked-off with a work session between the Zoning Work Group and H3 Studio. The purpose of this work session is to itemize all required activities, statutory procedures, notifications, and legal requirements for the process. A project schedule will be formulated at agreed-upon as part of this kick-off work session.

1.3: Planning & Zoning Commission Kick-Off Meeting(s)

H3 Studio will conduct informational presentations and discussion meetings with the Planning & Zoning Commission at the start of the project (a total of 2 meetings is anticipated). The purpose of these meetings will be to inform the Planning & Zoning Commission of the process, objectives, and outcomes of the process, and collect any initial feedback from the members of the Commission to inform and/or refine the parameters of the zoning code update.

Task 2: Preparation of Draft Text Amendments

H3 Studio will prepare a series of draft text amendments for the following zoning code updates:

2.1: Repeal the following obsolete zoning district classifications from Chapter 405:

- a. "R-3" Villa Residence District Regulations; and
- b. "PD" Planned Development District Regulations (PDR, PDC, PDMX)

2.2: Update residential zoning districts:

- a. Review and calibrate setback, height, bulk, and mass limitations of buildings in "R-1" One-Acre Residence and "R-2" Residence zoning districts (Section 405.100);
- b. Review and revise impermeable site coverage and green space requirements (Section 405.161);
- c. Review and revise regulations pertaining to accessory buildings and accessory structures, including fences and gates (Section 405.010, Section 405.040, Section 405.050, Section 405.140; and Article VI-A, as required); and
- d. Review and revise regulations pertaining to stormwater runoff (Chapter 506, as required).

Task 3: Preparation of New "BD" Business District Zoning District Regulations

H3 Studio will prepare the new regulations for the proposed "BD: Business District Regulations:

3.1: Building height and land use work session with City staff and elected officials (1 work session anticipated)

3.2: “BD” Business District parameters work session with commercial property owners (1 work session anticipated)

3.3: Draft “BD” Business District zoning district regulations

- a. Setbacks for building and parking areas;
- b. Build-to line;
- c. Limited and safe vehicular access points from major roads;
- d. Landscape requirements;
- e. Buildable area open greenspace requirements;
- f. Permitted land uses, by building floor;
- g. Maximum and minimum building height;
- h. Architectural design standards; and
- i. Standardized parking requirements.

3.4: Text amendment to legacy “PHFC” Planned High Fashion Center District regulations, as required (Section 405.080)

3.5: Draft “BD” Business District zoning district work session with City staff and elected officials (1 work session anticipated)

3.6: Draft “BD” Business District zoning district work session with City Attorney (1 work session anticipated)

3.7: Draft “BD” Business District zoning district work session with commercial property owners (1 work session anticipated)

3.8: Reconciliation of Final Draft “BD” Business District zoning district regulations

Task 4: [Review of Existing Commercial District Regulations](#)

H3 Studio will conduct a review of existing regulations for the “C” Commercial and “C-1” Commercial zoning districts, as well as stakeholder engagement with key property owners in the German Boulevard Commercial District. The purpose of this task is to identify if any zoning regulation updates to “C” and “C-1” Commercial districts and/or zoning map amendments are required in this geographical area (to be completed as an optional additional service). This task will focus on identifying and defining barriers in the current zoning code, as opposed to issues with the market and/or flood plain that may limit development potential.

4.1: “C” Commercial and “C-1” Commercial zoning district regulation review

4.2: Review of Deer Creek flood mitigation study findings and recommendations

4.3: One-on-One Stakeholder Engagement (2 interviews anticipated)

4.4: Memorandum of findings to identify and define barriers in the zoning code (as opposed to market and/or flood plain limitations)

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Task 5: Review of Administrative Procedures

H3 Studio will conduct a review of existing administrative procedures. If required and desired by the City of Frontenac, H3 Studio will prepare text amendments to update administrative procedures (to be completed as an optional additional service).

Task 6: Review of Draft Text Amendments / Zoning Regulations Update with Zoning Work Group

H3 Studio will facilitate work sessions with the Zoning Work Group to review draft text amendments and other zoning regulation update components. It is anticipated that a total of six (6) individual work sessions will be conducted. These work sessions will occur prior to the formal submission of materials to the City of Frontenac counsel for review. Work sessions will be topically-based on each individual text amendment / regulation update that is being brought before the Planning & Zoning Commission for public hearing and adoption (i.e. repeal of obsolete zoning districts, residential district amendments, new “BD” zoning district, etc.).

Task 7: Review of Draft Text Amendments / Zoning Regulations Update with City of Frontenac Counsel

H3 Studio will submit the draft of each zoning regulation text amendment and new “BD” Business District zoning district to the City Attorney for review, and will facilitate individual review meetings. It is anticipated that a total of six (6) individual review meetings will be conducted. Amendments may be submitted individually, based on the schedule for taking the amendments to Public Hearing with the Planning & Zoning Commission.

Task 8: Reconciliation of Final Draft Zoning Regulations Update

H3 Studio will reconcile all input from City of Frontenac Counsel and prepare the final text amendments for consideration by the Planning & Zoning Commission.

Task 9: Zoning Map Update

Following reconciliation of the final draft zoning regulations update, H3 Studio will prepare the updated zoning map.

Task 10: Planning & Zoning Commission Public Hearing(s)

For each Public Hearing, H3 Studio will submit the final text amendment to the City of Frontenac and participate in the public hearing process (a total of 3 Public Hearings is anticipated):

- a. Submission of text amendment for public notice and public posting; and
- b. Presentation of final text amendment and answering questions at the public hearing.

Fee Proposal

Completion of the accepted Scope of Work shall be billed on an hourly basis for actual hours worked, according to the following hourly rate schedule, by personnel:

- **Project Director (John Hoal)** **\$210.00/hour**
- **Project Manager (Timothy Breihan)** **\$175.00/hour**
- **Urban Planner (Javier Diaz, Lydia Dickensheet)** **\$130.00/hour**

The Consultant shall not exceed a total project cost of fifty-one thousand, five hundred Dollars and no Cents (\$51,500.00), without the prior written approval of the Client. The Consultant shall not exceed the following maximum number of hours per phase, listed below, without the prior written approval of the Client.

Phase 1: Project Kick-Off and Zoning Code Text Amendments 80 hours

To include the following tasks:

- Project Kick-Off and Statutory Requirements
- Repeal of Obsolete Zoning District Classifications from Chapter 405
- Update Residential Zoning Districts
- Zoning Work Group Meeting (1)
- City of Frontenac City Attorney Meeting (1)
- Reconciliation of Materials (1)
- Public Hearing (1)

Phase 2: “BD” Business District and Commercial District Regulations 125 hours

To include the following tasks:

- Preparation of New “BD” Business District Zoning Regulations
- Review of Existing Commercial District Regulations
- Zoning Work Group Meeting (1)
- City of Frontenac City Attorney Meeting (1)
- Reconciliation of Materials (1)
- Public Hearing (1)

Phase 3: Administration and Final Zoning Map Update 85 hours

To include the following tasks:

- Review of Administrative Procedures
- Zoning Map Update
- Zoning Work Group Meeting (1)
- City of Frontenac City Attorney Meeting (1)
- Reconciliation of Materials (1)
- Public Hearing (1)

Should it be projected that fee in excess of the not-to exceed total project cost, and/or hours in excess of the following maximum number of hours be required due to unforeseen developments in the project or other reasons, the Consultant shall provide an estimate of additional fee and/or hours required, and submit a request for additional fee and/or hours to the Client, in writing, for the Client’s review and approval.