

Zoning Alignment Project RFP Questions and Answers

The following questions were submitted to the City prior to the May 26th deadline.

1. Is it the City's intent to use the existing code as its base and update accordingly or is it more in the direction of complete code rewrite? Task 1 asks for an assessment of the advantages of a Unified Development Ordinance approach but Task 2 seems to involve more of an updating process. How will this assessment influence the scope of work in Task 2?

Answer: The City is looking to primarily update its existing Zoning Code (Code). New sections will only need to be developed if the City, in coordination with the consultant, determines that starting over would be more prudent or if entirely new sections are desired. There are sections that are currently functioning well but may need some minor updates. Other sections need substantial revisions to meet the City's objectives and to be in accordance with *Rochester 2034*. In addition, there will be some new elements of the Code explored (and potentially added) during the process, such as the merits of a Unified Development Code (UDC) or incentive zoning. In the case of a UDC, if the project team determines to move forward with the concept, it will involve modifying sections of the existing Code (as needed) to be consistent with the UDC approach as well as adding new language around processes and regulations to frame the entire code as a UDC. The City does not have experience with UDCs and will be looking for advisement from the consultant on the impacts on various sections of the Code. The UDC issue should be addressed at a concept level in proposals. Generally speaking, the Zoning Map and district regulations need the most comprehensive overhaul in order to be in accordance with *Rochester 2034*. City staff will be doing the majority of this work, looking to the consultant to review those revisions in light of *Rochester 2034*, and have already begun the process.

2. Is the listed budget a firm maximum? Are there other funding sources that could supplement this budget?

Answer: Yes, it is a firm maximum. The City welcomes suggestions for additional funding sources available to supplement the budget. In addition, per the Fees section of the RFP, the City welcomes recommendations in proposals for work tasks to be reorganized or divided differently between the consultant and City staff. The City's inter-departmental project team will be investing substantial hours into reviewing and revising the Code, a process that has already begun. The budget is reflective of that staff contribution, but there is room for some modification of responsibilities.

3. Please clarify the extent of the consultant's involvement in the public participation process? Seems to be a support role to the City but what are the expectations in terms of level of effort? Will the city lead all meeting presentations, etc. with the consultant acting in an advisory role? Will the consultant be responsible for preparation of all presentation materials such as boards, PowerPoint, etc.

Answer: The consultant will lead the mapping workshops and other public meetings, with the City Team playing a secondary role. The consultant will develop the agenda and presentation, with our review and approval. The consultant will be responsible for the primary presentation and facilitating any smaller groups. As for printed materials, the City will develop any necessary large format maps and plot them. The consultant will provide other facilitation materials, as needed for

any additional interactive exercises developed by the consultant. The City will also look to the consultant for assistance with stakeholder meetings and City Planning Commission meetings, especially the 3rd and 4th of the anticipated 4 meetings.

4. Who will perform any necessary supporting studies such as a build-out analysis and traffic assessment?

Answer: We don't anticipate performing any buildout analyses. We anticipate the use of a GEIS that will contain a generalized discussion of the existing setting, background, and rationale for the proposed action, including a discussion of alternatives that were considered for several areas of new/revised direction from the existing code/map. We anticipate discussion on the environmental benefits of the new mapping and code revisions. Traffic and utility impacts will be generally included in the GEIS section that outlines considerations for future site-specific environmental reviews. Development review regulations in the Zoning Code will be highlighted as built-in environmental protections.

5. Will the City hold a SEQR public scoping meeting? What are the scoping expectations for the consultant other than preparing the draft scoping document? Other than the DGEIS and FGEIS, what other SEQR-related tasks are expected of the consultant, if any? Does the City have the capabilities and capacity to undertake the SEQR task on its own?

Answer: The consultant will assist the City in pulling together the DGEIS as described in #4 above. We are proposing to use a Special Meeting of the City Planning Commission (CPC) to present proposed Code changes and give the public a chance to comment on the proposed Scope. The Draft Scope will be generated by the Code changes that are being proposed. The City team may need some support from the consultant for the preparation for the CPC meeting. The City team will prepare the Final Scope.

6. What is City staff capacity to work on the project? Will there be specific staff assigned to this project?

Answer: As noted in the answer to Questions 1 and 2 above, the City has a dedicated inter-departmental team, including staff from Planning, Zoning, and Law departments, which will be contributing substantial work to the project. Major elements that the City team will be responsible for include:

- Drafting a Public Participation Plan, with consultant advisement welcomed
- Drafting a new zoning district map, based on *Rochester 2034's* Placemaking Plan, including associated district regulations (bulk and use standards)
- Revising all definitions related to uses and developing district use regulations and limitations
- All GIS and mapping work, unless the consultant recommends additional helpful GIS data analysis
- Section by section analysis of the Code, resulting in some specific changes to Code language and some questions or ideas requiring consultation
- Exploring potential reconciliation with the Building Code
- Identifying process improvements, with consultant advisement welcomed
- Providing the consultant with a variety of resources and analyses, as outlined in Task 1a in the RFP

- Preparing the SEQR EAF and coordinating Lead Agency, and issuing the Positive Declaration
- Teaming with the consultant to prepare remaining SEQR documents

7. Please clarify the MWBE participation requirements for this project, including the distinction between business and workforce goals referenced in the RFP.

Answer: Please refer Section 8D starting on page 17 of the RFP.

8. A SEQR DEIS and FEIS typically contain more information and analysis than items 1-4 of the scope. Will staff be responsible for completing the rest of the information required in the DEIS and providing the DEIS format for the consultant to package the information from scope items 1-4 into?

Answer: See answer to questions #4 and #5.

9. Has the public outreach and participation plan for the Zoning Update been created?

Answer: No. The City Team will be preparing it this summer.

10. In light of the current public health concern and resulting economic concerns, will the City be seeking alternative approaches to community engagement while updating its zoning code?

Answer: Yes. We encourage consultants to propose creative solutions to this challenge. The City Team will address this issue in the Public Participation Plan, but we are open to incorporating other strategies proposed.

11. Will the city be open to considering future land use alternatives that may not have been addressed in its Rochester 2034 Plan?

Answer: Extensive community engagement was performed in development of *Rochester 2034*, including the land use plan found in The Placemaking Plan. In accordance with NYS Law, we intend to have our updated Zoning Code be in accordance with the adopted land use plan. However, The Placemaking Plan does not get into the level of detail found in zoning regulations, so there is room for fleshing out the guidance provided by The Placemaking Plan. For example, The Placemaking Plan identifies general locations of Character Areas (the predecessors to new zoning districts), as well as the primary uses that should define each Character Area. The Zoning Code update process will make parcel-specific decisions about future zoning districts and provide a more comprehensive set of bulk and use regulations, consistent with the vision of *Rochester 2034*.