



## Legislation Text

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**File #:** 19-668, **Version:** 1

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*Report Prepared by: Kim Espinosa, Planning Manager, Development Services Department*

**SUBJECT:** Approval of Professional Services Agreement with Quad Knopf in the Amount of \$96,991 for the Preparation of the Comprehensive Sign Ordinance Update

### REPORT IN BRIEF

Consider approving a professional services agreement with Quad Knopf in the amount of \$96,991 for the preparation of the Comprehensive Sign Ordinance Update.

### RECOMMENDATION

**City Council** - Adopt a motion approving a professional services agreement with Quad Knopf (DBA "QK") in the amount of \$96,991 for the preparation of the Comprehensive Sign Ordinance Update and authorizing the City Manager or the Assistant City Manager to execute the documents.

### ALTERNATIVES

1. Approve the agreement as recommended by staff; or,
2. Approve the agreement, subject to modifications by City Council (identify specific items to be amended in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (to be addressed in motion); or,
5. Continue to a future City Council meeting (date and time to be specified in motion).

### AUTHORITY

Merced Municipal Code Section 20.80, "Zoning Ordinance Amendments," spells out the procedures for amending the Zoning Ordinance.

### CITY COUNCIL PRIORITIES

\$100,000 was allocated in the FY 2019-20 Planning Division Budget to prepare a comprehensive update of the City's Sign Ordinance.

### DISCUSSION

#### Background

The City of Merced's current regulations regarding signage can be found in two locations: 1) Section 17.36 under Title 17 (Buildings and Construction) of the Merced Municipal Code, which is subdivided into four sections; and, 2) Chapter 20.62 (Signs) of the City's Zoning Ordinance (Title 20 of the Merced Municipal Code). Section 17.36, which is more commonly known as the Sign Ordinance, is subdivided into four major sections: 1) Article I-Definitions; 2) Article II-General Regulations; 3)

Article III-Regulations for North Merced; and, 4) Article IV-Regulations for Downtown.

The City completed a comprehensive Zoning Ordinance Update in 2016. Under the previous Zoning Ordinance, regulations regarding signage were spread throughout the Zoning Code in addition to those within the Sign Ordinance (Section 17.36). Under the new Zoning Code, all the sign regulations within the Zoning Code were consolidated and reformatted into Chapter 20.62, but the regulations themselves did not change.

The Sign Ordinance contains general regulations and definitions which apply to all areas of the City, but there are specific regulations that apply only to North Merced (north of Bear Creek) and the Downtown (which generally covers an area from 19th to 14th Streets and Bear Creek to Highway 99 that corresponds to the Design Review/previous Downtown Redevelopment Area boundary). Both the North Merced and Downtown Sign Regulations were established in the early 1980's in an effort to achieve higher standards for signage within those two areas than what was required for the rest of the City.

Various sections of the Sign regulations have been amended over the years to address temporary signs, blade signs, monument signs, commercial sign allowances in North Merced, freestanding shopping center signs, billboards, and the Freeway District. However, a comprehensive update of the Sign Ordinance has not been completed. Subsequently, the City's current Sign Ordinance does not adequately address, and in some cases does not address at all, many modern sign designs (such as LED/Digital signs, inflatable signs, feather signs, sandwich boards, human signs, etc.), the Reed vs. Gilbert Supreme Court Case, and regulations for political signs, signs within the public right-of-way, gasoline price signs, and signs within residential zoning districts, to name just a few. The City Council allocated funds in the FY 2019-20 budget to prepare a comprehensive Sign Ordinance update.

### Request for Proposals Process

On July 30, 2019, City staff sent out a Request for Proposals (RFP) to eight consultants and posted it on the City's website, with proposals due on September 13, 2019. A pre-proposal meeting was held on August 26, 2019. The City received 2 proposals-one from Quad Knopf (DBA "QK") and one from EMC Planning Group. On October 16, 2019, the two consultant teams were interviewed by City staff, including City Manager Steve Carrigan, Assistant City Manager Stephanie Dietz, Director of Development Services Scott McBride, Economic Development Associate Maria Mendoza, and Planning Manager Kim Espinosa. The consensus of City staff was strongly in favor of QK based on their proposed consultant team, experience with similar projects, local knowledge, and their comprehensive approach to the process. See scores and rankings for the 2 consultants in Attachment 1.

### Proposed Agreement and Scope of Work

QK would be the primary consultant and would provide oversight of all project tasks and sub-consultants. QK's consulting team involves one sub-consultant, Coleman & Horowitz, LLP, Attorneys at Law, to provide review of legal issues involved in the sign ordinance.

The scope of work (Exhibit A of Attachment 2) includes the following services for the amount of \$96,991:

- Evaluation of the City's existing sign regulations;
- Public outreach, including Focus Group meetings, public workshops, and joint Planning Commission/City Council study sessions;
- Preparation of a Draft Sign Ordinance;
- Legal Review of Draft Sign Ordinance; and,
- Public Hearings before the Planning Commission and City Council.

The anticipated time frame to complete the above work would be approximately 12 months or by December 2020.

### Focus Group and Public Participation

The Comprehensive Sign Ordinance Update process includes a robust public outreach effort, including public workshops, joint Planning Commission/City Council study sessions, and Focus Group meetings. City staff, in consultation with the consultants, will put together a Sign Ordinance Focus Group made up of 20 to 25 individuals that represent developers, retailers, local businesses, economic development experts, and others interested in signs. That Focus Group will be involved in the entire process and will help make sure that the City's new sign ordinance reflects the values and needs of the community. City staff may also ask for representatives from the Planning Commission and City Council to sit on the Focus Group if there is interest.

### City Council Action

City staff recommends that the City Council approve the Professional Services Agreement with QK (Attachment 2) in the amount of \$96,991 to prepare the Comprehensive Sign Ordinance Update.

### **IMPACT ON CITY RESOURCES**

No appropriation of additional funds is needed because \$100,000 was allocated in the FY 2019-20 Planning Division Budget to prepare a comprehensive update of the City's Sign Ordinance. Planning staff resources will need to be allocated for managing the consultants, attending Focus Group meetings, reviewing draft proposals, etc., over the course of the project. Legal staff will need to review the final Ordinance language prior to adoption.

### **ATTACHMENTS**

1. Consultant Rankings
2. Professional Services Agreement with QK