Request for Qualifications # 2024-004

# Assessment of the Unified Development Code

Pflugerville, Texas

CLARION

## CLARION

1600 Stout Street, Ste 1700 Denver, CO. 80202 303.830.2890 www.clarionassociates.com

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February 23, 2024 City of Pflugerville, Planning and Development Services 100 W. Main Street Pflugerville, Texas 78660 Email submission to UDC@pflugervilletx.gov CLARION 1600 Stout Street, Suite 1700

> Denver, CO. 80202 303.830.2890

#### Re: RFQ Assessment of Unified Development Code

Dear Members of the Evaluation Committee:

On behalf of Clarion Associates, we are pleased to submit this proposal to assist the City of Pflugerville in the Assessment of the City's Unified Development Code. We applaud the City for taking this important first step in amending its development regulations. We place high value on thoroughly assessing ordinances and exploring best practices and optional approaches before beginning the actual drafting process.

Clarion Associates is a land-use consulting firm with offices in Colorado and North Carolina. Clarion's Denver office will lead the project. We have significant experience in all the key areas of expertise requested by the City's Request for Qualifications. Clarion understands the work to be performed and has facilitated projects of similar scale and complexity in Texas (including Austin, New Braunfels, and San Antonio) and throughout the nation.

Our relevant experience includes:

- Extensive experience in drafting award-winning, user-friendly, well-organized, graphically rich, and plan-grounded codes that are written in plain English; and
- In-depth knowledge of best practices on zoning issues generally, and in substantive areas that will be especially relevant to this code project in Pflugerville, such as infill and redevelopment, transit-oriented development, and sustainable community development.

We believe that our team's enthusiasm, approach, regional knowledge, and depth of collaborative experience will lead to a successful new Unified Development Code strongly grounded in public support that will meet the needs of the City both now and in the future.

We are excited about the prospect of working with the City of Pflugerville and welcome the opportunity to discuss our qualifications and approach with you in person. Please let me know if you have any questions or if you need additional information to evaluate our statement of qualifications. I will serve as the Project Manager and can be reached at the firm address and phone numbers noted above or via e-mail at mgoebel@clarionassociates.com.

Sincerely,

Matt Goebel, AICP Director 303-830-2890 ext. 2



#### Submission of Bid/Proposal and Acknowledgment of Addenda

#### RFQ No. 2024-004 Issued by City of Pflugerville, Texas

The entity identified below hereby submits its response to the above identified RFQ. The entity affirms that it has examined and is familiar with all of the documents related to RFQ.

#### **DECLARATION OF INTENT**

I attest that the bid submitted is: (check one box below)

 $\checkmark$ 1. to the exact Specifications and the Terms and Conditions of the bid documents.

\_\_\_\_2. to the exact specifications with modifications to the Specifications and/or the Terms and Conditionsas noted in the attached documentation.

or

\_\_\_3. NOT to the exact Specifications and/or the Terms and Conditions and is

therefore an alternate bid, submitted for the City's consideration, with attached justification(s) and documentation defending the alternate bid as meeting or exceeding the intent of the specifications or scope of work.

Submitter further acknowledges receipt of the following addenda:

Addendum No 1 issued 1/24/24

Addendum No 2 issued 2/6/24

Addendum No\_\_\_\_\_issued \_\_\_\_\_

Addendum No\_\_\_\_issued \_\_\_\_\_

Date : 2/23/24

Bid of (entity name) Clarion Associates

Signature of Person Authorized	
to Sign Submission:	

Utton /

Signor's Name and Title Matt Goebel, Director (print or type): \_\_\_\_\_

#### PLEASE SIGN AND RETURN WITH BID



**Purchasing Services** 100 E. Main Street Suite 100 Pflugerville, TX 78660 512-990-6156 Fax 512-251-5768

Date: 02/06/2024 Commodity: **RFQ 2024-004 Assessment of Unified Development Code** 

#### Due Date: 4:00 P.M., February 23, 2024

#### Addendum No: 2

The above-mentioned bid invitation has been changed in the following manner. Submitting this page signed by your authorized agent will serve to acknowledge this change. All other requirements of the invitation remain unchanged. If you have any questions, please call or email Purchasing.

#### THE FOLLOWING IS BEING ISSUED AS ADDENDUM NO. 2

#### Please review the following pages for answers to questions submitted.

Firm: Clarion Associates

Address 1600 Stout Street, Suite 1700, Denver, CO 80202

Signature of Person Authorized to Sign Bid:

Mohn	1			
		11	/	

Signor's Name and Title Matt Goebel, Director (print or type):

Date: 02/23/24

\_\_\_\_\_Telephone: 303-830-2890 ext 2 Fax: 303-860-1809

## **1. EXPERIENCE OF PROJECT TEAM**

If selected to complete the Assessment of Pflugerville's Unified Development, Clarion Associates is prepared to lead the project and all work will be managed from Clarion's office in Denver, Colorado. All project team members have experience with developing land use regulation assessments and full code updates. Our experience and qualifications are detailed on the following pages of this proposal, and full resumes for each team member with detailed project experience can be found in the Appendix.



#### MATT GOEBEL, AICP | DIRECTOR

ROLE: PROJECT MANAGER

Matthew Goebel is a planner and attorney in the Denver office of Clarion Associates, and a Director of the firm. He works principally in the areas of planning, zoning, and historic preservation. His numerous projects have included award-winning codes, plans, and special studies for dozens of large and small jurisdictions around the country.

#### Five Code Assessment Projects Completed in the Last Ten Years

- Activity Center Implementation | Sugar Land, Texas
- Land Development Code Assessment and Update | Sedona, Arizona
- Unified Development Code Assessment and Update | McKinney, Texas
- Unified Development Code Assessment and Update | Denton, Texas
- Zoning Code Assessment and Update | Reno, Nevada



#### JENNY BAKER | SENIOR ASSOCIATE

ROLE: PROJECT PRINCIPAL

Jenny is a senior associate in Clarion's Denver office who believes that zoning can make communities better in many ways, including preserving open space, making housing more affordable, and enabling interesting streetscapes equally shared by many users. These and other community goals are always better accomplished when supported by development regulations that are clear, concise, and comprehensible to everyone. Prior to working in the planning field, Jenny spent 10 years with the American Red Cross and FEMA's Region V, focusing on resiliency planning, and responding to over 50 disasters around the US.

#### Five Code Assessment Projects Completed in the Last Ten Years

- Land Development Ordinance Assessment and Update | New Braunfels, Texas
- Land Development Code Diagnostic Review and Targeted Updates | Santa Fe, New Mexico
- Unified Development Code Update | Clark County, Nevada
- Unified Development Code Update | McKinney, Texas
- Unified Development Code Update | Rochester, Minnesota



#### CHRISTY FIERROS | ASSOCIATE

ROLE: CODE ASSESSMENT RESEARCH

Christy Fierros is an Associate in Clarion's Denver Office. She joined Clarion after earning her Master's in City and Regional Planning, specializing in Land Use and Environmental Planning and Natural Hazards Resilience. She is familiar with planning issues from multiple angles through her diverse professional experiences of teaching nutrition education in under-resourced schools, mapping parcels in local government, and natural hazard resiliency research in academia. These experiences shape her belief that honoring connections to people and place is essential to any planning approach.



#### HOLLY WHITE | DESIGN LEAD

ROLE: PROJECT MARKETING & GRAPHICS

Holly is the Design Lead in Clarion's Denver office. With her expertise in 3D visualization and Graphic Design skillset, she works to support a wide range of planning and regulatory projects. Her passion for designing illustrative logos, clean infographics, and overall project branding help Clarion to deliver clear and beautifully designed graphics. Holly has a diverse background in Urban, Landscape, and Web Design. Above all, she is enthusiastic about helping cities and towns preserve their character while enhancing public spaces and encouraging public engagement.

#### WE'RE PFASCINATED BY PFLUGERVILLE!

- A city that has seen a rapid rate of growth over in recent years with an annual growth rate of over .6%. The City's population has increased by nearly 40,000 residents since 2000.
- Easy access to Austin Executive Airport and Austin city limits, Pflugerville has become an attractive place for business, with recent arrivals Amazon and FedEx.
- A city that values its recreational trail network and is now known as the Trail Capital of Texas.

- Home to one of the county's largest utility scale solar energy production facilities, the Pflugerville Solar Project.
- A community that celebrates together! Pflugerville Pfestivals run throughout the year- from summertime Pfarmers Markets to the winter Pfeeze Pflop.
- A welcoming city for tech innovators such as Austin 3D and Data Centers.
- With a healthy mix of low unemployment, cost of living metrics, cultural and entertainment amenities, and more, Pflugerville was recently listed in the top 50 most livable small cities in the country.

## 2. EXPERIENCE AND AVAILABILITY OF PROPOSED STAFF

### **TEAM ORGANIZATION**

Key team members and their roles for the project are listed below. Full resumes for each key team member are provided in the Appendix of this proposal.

Matt Goebel, AICP, a Director of Clarion Associates, will be the overall Project Manager and will be responsible for day-to-day project management, quality control and oversee preparation of all work products. Senior Associate, Jenny Baker, will serve as the Project Principal and will assist in project management and with the development of all work products. Matt and Jenny will be supported by Associate, Christy Fierros, with the drafting and research of the Code Assessment. Clarion's Design Lead Holly White will lead the development of all Assessment graphics. If selected for this effort, key team members are available to dedicate the time needed to complete the project within the established deadline. We accomplish this by working with staff to map out a schedule when the project is initiated and use that timeframe to back into tentative timeframes for meetings with key stakeholders. Getting key meetings on the calendar early eliminates (or at least dramatically reduces) the time-consuming process of polling busy elected and appointed officials about their availability along the way and the potential for unforeseen delays. It also provides the project team with clear dates and deliverables to work toward.



MATT GOEBEL, AICP ROLE: PROJECT MANAGER



JENNY BAKER ROLE: PROJECT PRINCIPAL



CHRISTY FIERROS ROLE: CODE ASSESSMENT RESEARCH



HOLLY WHITE ROLE: PROJECT MARKETING & GRAPHICS



## **CLARION STRENGTHS**

No two code projects are alike. Our extensive experience provides Clarion with a solid foundation for developing effective zoning update processes; however, we recognize that the most successful work plans are carefully created with the input of staff, taking into account local circumstances and priorities. Collaborative development of a Work Approach/Timeline follows a proven model we have crafted over several years of experience.

Here are some of the unique qualities of our firm that would contribute to a successful Pflugerville assignment.

**Depth of Experience.** Clarion Associates offers an unparalleled amount of national expertise, combined with a long track record of success in similar projects. We have been working throughout the country since the firm's founding 32 years ago, performing a full range of planning and zoning services for small, mid-sized, and large communities all over the United States. Clarion has prepared zoning regulations and plans for over 200 communities across the U.S. and Canada, and we're no strangers to Texas, where current and recent development code projects have included Addison, Arlington, Austin, Denton, Irving, McKinney, New Braunfels, Rowlett, San Antonio, and Sugar Land.

Hybrid Codes. Hybrid zoning projects are multi-faceted because communities today have a broad range of zoning tools to choose from to address different planning goals in different physical contexts. It is imperative that the mix of form-based and traditional zoning controls in each community be fully integrated in a manner that sends a clear and consistent message to residents and the development community. We have extensive experience working with clients to successfully select and integrate form-based zoning controls into traditional code structures across the country. More importantly, we put the results of our research and publication to work for our clients. For example:

• Many of our projects involve moving away from traditional, Euclidean zoning approaches that emphasize separation of uses toward hybrid-style approaches that also integrate form-based and sustainable elements. For instance, we helped Fort Collins, Colorado, move from a performance-based zoning system to one based on more hybrid zoning districts with form-based standards and considerable opportunities for innovative development.

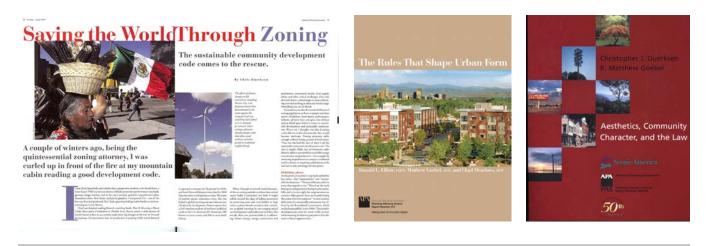
 We've helped or are helping communities like McKinney, Texas, Aurora, Arvada, Carbondale, Parker, and Arapahoe County, Colorado, transition away from a dependence on negotiated PUD-based approvals

#### **Procedural Streamlining and User-Friendly**

**Codes.** Clarion has been retained by communities across the United States to streamline procedures, reorganize and reformat codes, and make them more user-friendly. We use a wide variety of tools, ranging from relatively simple formatting techniques to highly sophisticated, interactive, web-friendly computerized codes. In many communities, development regulations have been amended in a piecemeal fashion over the years to remedy particular problems. As layers of regulations build up, so do layers of procedures, and over time, that can result in complicated and time-consuming processes. We find that revised regulations can result in a streamlined set of procedures that are easier to use and understand.

Equally important, we understand that modern codes rely heavily on graphics and illustrations to explain complex concepts and to illustrate how regulations are applied. The ability to find and understand the law is not just a key to good development — it's a key to good governance in general.

Leaders in Sustainable Best Practices. Clarion is recognized as a national leader in creating the concept of sustainable development codes and conducting sustainability audits of codes. We have drafted comprehensive plans and regulations that incorporate ambitious sustainability goals, ranging from reduction of carbon emissions to density bonuses for infill housing. The firm takes particular pride in its innovative approach to code assessments involving identification of regulatory barriers and opportunities for the use of incentives and flexible menus to achieve community sustainability goals. Additionally, Clarion is one of the few firms in the nation that has actually gone beyond code audits and has drafted new



Sample of Clarion-authored publications

and updated development codes with extensive sustainability sections related to renewable energy, energy efficiency, and low-impact development, among numerous other sustainability topics. An example is the point-based menu of sustainability options we helped develop for Henderson, Nevada, which has been used as a model by other cities.

We have a proven track record in teaching and educating local officials about sustainable code revisions in a clear and practical fashion. Clarion led a popular series of national sustainable development code workshops for the American Planning Association that has educated hundreds of planners on how to remove code barriers, create incentives, and fill regulatory gaps to move their communities towards a more sustainable future.

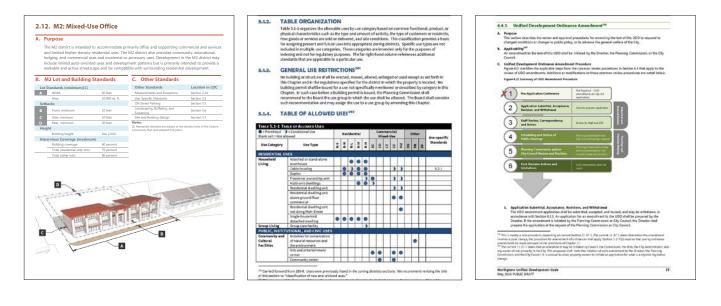
Infill and Mixed-Use. Clarion has drafted numerous regulations and policies that differentiate between infill development and new development at the edge of communities, in terms of both design and development standards and review procedures. We also recognize that many cities need a hierarchy of mixed-use districts that range from high-intensity areas surrounding transit stops and key activity nodes, to smaller-scale mixed-use areas that integrate well with established neighborhoods. Many Clarion projects have addressed these issues, such as Aurora, Northglenn, and Littleton, Colorado; Indianapolis, Indiana; Arlington and Austin, Texas; Portsmouth, Virginia; Duluth, Minnesota; and Winnipeg, Manitoba. For Sugar Land, Texas, we prepared a series of case studies of communities that have adopted zoning tools to help encourage redevelopment of suburban patterns into thriving mixed-use centers.

#### Historic Preservation Planning and Policy.

Clarion Associates has worked on numerous projects aimed at revitalizing and redeveloping historic areas, as well as projects to draft standards and guidelines for existing and future historic districts. One such effort is San Antonio's historic district standards and guidelines. Our expertise includes crafting historic district zoning and regulations, economic analysis of historic restoration, integrating new development projects, and developing heritage tourism initiatives. Our combination of talents in real estate economics, urban planning, and land-use law allows us to develop creative solutions to difficult historic preservation questions.

#### **Protecting and Enhancing Community**

**Character.** High-quality site and building design that meets community expectations is extremely important in communities like Pflugerville. Clarion team members have significant experience in drafting standards to ensure that development respects and protects established neighborhoods and community character and meets local goals for high-quality design. Our team's project manager, Matt Goebel, co-authored the influential American Planning Association report, *Aesthetics, Community Character, and the Law*.



Sample of pages from Clarion-authored land use code updates

Our approach is to keep design standards as focused as possible. Standards that are too rigid and overly complex can often emerge from a design standards effort, and as a result the standards are neither supported by the development community nor effective in achieving the quality of development desired. It is important to "pick the battles" that are key to encouraging desired development patterns. We target prescriptive approaches only on those aspects of site and building design that are essential to meeting community goals. We also strongly support building flexibility and incentives into the code, to help avoid monotonous results and support creativity.

**Transit-Oriented Development.** With our breath of experience in community planning, urban design, and implementation, Clarion Associates brings its depth of experience to the table and works collaboratively with communities to develop plans, policies, and regulations that respond appropriately to the timing of the transit facility, the type of transit facility (e.g., light rail, bus rapid transit (BRT), or commuter rail) and to the surrounding neighborhood context. Committed to growing and improving planning and implementation practices in this area, our staff have written on TOD best practices and frequently present on TOD-related topics at state and national conferences.

Access, Mobility, and Public Health. Clarion Associates' work with sustainable development has led us to understand the key role that access and mobility play in reducing carbon dioxide emissions and improving public health, specifically related to walking, biking, and transit. Clarion also completed a best-practices study for policies and standards related to connectivity for Boise, Idaho. Recent Clarion zoning and development codes often include a separate section on access and connectivity that addresses the need to "build in" these elements at both the subdivision approval and the site development approval stages. Integrating all zoning provisions related to mobility and access in a single section of the development code ensures that those topics receive more attention and avoids the possibility of conflicting inconsistent regulations in zoning and subdivision regulations.

Land Use Law. Clarion team members include some of the country's most experienced land-use law practitioners. Team members have detailed knowledge of U.S. constitutional and federal land use law, including how to avoid takings claims, deal with First Amendment issues (signs, adult uses), and ensure that standards meet due process requirements. Additionally, a host of recent projects in Texas have deepened our familiarity with Texas state statutes, such as recent changes to local authority to regulate building materials and limitations on the creation of nonconformities.

#### Exhibit B

#### REFERENCES

Please list three (3) references of current or recent past municipalities (clients) who can verify the quality of service your company provides. The City prefers customers of similar size and scope of work to this RFQ.

#### THIS FORM MUST BE RETURNED WITH YOUR RFQ

	REFERENCE ONE			
Government/Company Name	City of McKinney, TX - Housing & Community Development Dept			
Address	406 S. Tennessee St. McKinney, TX 75069			
Contact Person and Title	Aaron Bloxham, Principal Planner			
Phone 972-547-7407	Email Address abloxham@mckinneytexas.org			
Contract Period 2019-2022	Scope of Work Unified Development Code			
REFERENCE TWO				
Government/Company Name	City of New Braunfels, TX - Planning & Development Services			
Address	550 Landa St. New Braunfels, TX 78130			
Contact Person and Title	Christopher J. Looney, Assistant Director Development Services			
Phone 830-221-4055	Email Address clooney@newbraunfels.gov			
Contract Period 2022-present	Scope of Work Land Development Code Update			
REFERENCE THREE				
Government/Company Name	City of Reno, NV - Development Services			
Address	1 E. First Street, 2nd Floor, Reno, NV 89505			
Contact Person and Title	Angela Fuss, Assistant Director of Development Services			
Phone 775-399-3843	Email Address fussa@reno.gov			
Contract Period 2018 - 2022	Scope of Work Zoning Code Update			

CLARION 7

## **3. COMPARABLE PROJECT EXPERIENCE**

Clarion Associates is a nationally recognized land-use and zoning consulting firm founded in 1992 with offices in Denver, Colorado, and Chapel Hill, North Carolina. The firm includes professionals with a variety of backgrounds including planners, architects, landscape architects, and attorneys. No firm in the country matches the combination of land use and zoning, urban design, community development, and planning experience of Clarion's firm principals and staff. Clarion is recognized for its expertise in:

- Streamlined, efficient code assessments and updates;
- Land use and planning law;

 Innovative development codes that draw on best practices from a variety of organizing approaches, including hybrid, traditional, form-based, and unified development codes; and



WHAT WE DO Public-sector plans and codes have been Clarion's core focus for more than 30 years. Many of our staff members have experience working on both plans and codes. This cross-training enables us to not only provide effective plan and policy direction, but to also build in recommendations regarding future code updates that may be needed to implement the plan. We are often hired to implement those recommendations following the adoption of the plan, either through targeted code amendments as an extension of the plan process or as a standalone code rewrite.

Clarion has a reputation for preparing user-friendly plans and codes that are accessible to all members of the community while still being very strong on substance to ensure that they meet the needs of plan administrators and decision-makers. We accomplish this by focusing on organizational structure, the development of clear and concise policy language, legibility of key plan concepts, and use of illustrative graphics and images. We are highly experienced at translating complex concepts and technical data into user-friendly language and graphics.

WHY US Clarion takes a hands-on approach with all our projects. Our ability to do this is supported by our emphasis on maintaining a relatively small, but highly skilled and efficient staff. We establish strong working relationships with our clients that extend from the first set of meetings through adoption.



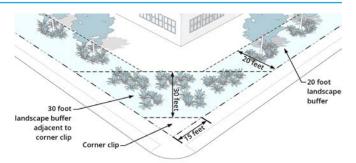


#### MCKINNEY, TEXAS Unified Development Code

Starting in 2019, Clarion Associates began working with the City of McKinney to revise their development regulations to better align with the City's recently adopted ONE McKinney 2040 comprehensive plan. In addition to implementation of the plan, the Town also wanted a set of regulations that could help it respond flexibly to challenges associated with the area's very rapid growth and significant development pressure. When the New Code McKinney project began, some of the City's regulations dated to the late 1960's, and were perpetuating outdated development styles, while failing to accommodate modern development trends.

For the first phase of the project, Clarion conducted a code assessment of the City's existing development code, including recommendations for ways to improve the regulations through the update process. The assessment contained a detailed annotated outline of how a new unified development code would be organized, which served as a blueprint throughout the project.

Following the annotated outline, Clarion updated the McKinney regulations in a series of three installments, broken down into manageable parts for internal and public review. The first module was related to administration and included general provisions and procedures for development review. Clarion proposed numerous clarifications to the existing review processes, designed to make development review faster, and with more predictable outcomes.



McKinnev

The second installment included land uses and zoning districts. Zoning districts were substantially simplified and included revisions to allow different varieties of residential housing types to be developed by right. Uses were modernized, and permissions updated throughout the new districts. The final installment addressed the development standards, and included several new alternatives for parking, landscaping, and building design standards.

Each module offered staff, the appointed and elected officials, and the public a chance to review and comment prior to Clarion developing a final consolidated adoption draft of the unified development code. The McKinney UDC was unanimously adopted by the City Council in November 2022 and received the APA TX Best Practice Award in 2023.

#### View the McKinney UDC

#### REFERENCE

Aaron Bloxham, Principal Planner, Housing & Community Development Department

972-547.7407 abloxham@mckinneytexas.org

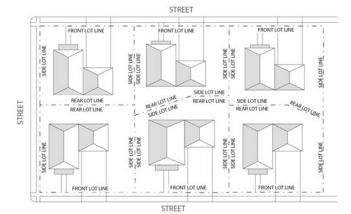


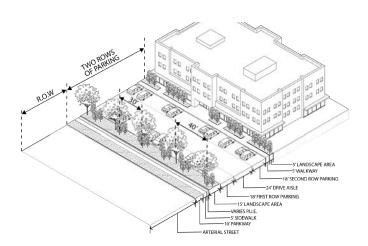
#### DENTON, TEXAS Unified Development Code

Clarion Associates was retained by the City of Denton to revise their current development regulations and consolidate provisions into a unified development code. During Phase I of this project, Clarion assessed the current development code and prepared a detailed annotated outline of how a new Denton Development Code would be organized. The annotated outline was based on a thorough review of current regulations, analysis of best practices, and feedback from extensive stakeholder outreach.

Clarion then updated the Denton Development Code through a series of installments that separated the new unified development code sections into manageable phases for internal and public review. The first module was related to land uses and zoning districts, while the second covered administration and general provisions and procedures for development review, followed by the final module on development standards. Each successive module allowed staff, appointed and elected officials, and the public a chance to review and comment prior to Clarion developing a final consolidated adoption draft.

Clarion worked closely with staff and the Planning and Zoning Commission on the execution of this project. In the fall of 2018, the updated Denton Development Code was adopted, and subsequently received an award from the Texas APA.





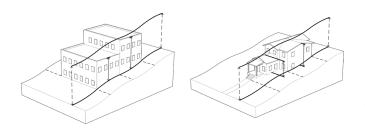
#### REFERENCE

Scott McDonald, Deputy Director/Building Official 940-349-8539 <u>scott.mcdonald@cityofdenton.com</u>

#### View the Denton UDC



# GLENWOOD SPRINGS, COLORADO Development Regulations Update



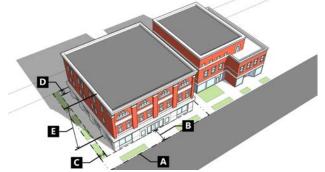
#### Article 070.020: Zoning Districts 070.020.100 Mixed-Use Core (M2) District (a) Purpose

070.020.100 Mixed-Use Core (M2) District

#### (a) Purpose

The M2 district is intended to accommodate walkable and active development within Glenwood's core commercial areas, including but not limited to central downtown. The M2 district includes the most recognizable and prominent areas of Glenwood Springs and therefore places an emphasis on high-quality building and site design, as well as the surrounding streetscape. The M2 district is intended to allow for a mix of residential and nonresidential uses while ensuring compatibility with surrounding established neighborhoods.

#### Figure 020-8: M2 District Dimensional Standards



(b) Standards

Fable 020.12: M2 District Dimensional Standards		Other Key Standards	
Dimensional Standards		Measurements and Exceptions	070.020.190
ot Standards, Minimum		Table of Allowed Uses	070.030.020
Lot area (sq ft)	None	Use-Specific Standards	070.030.030
Landscaped area (%)	None	Development Standards	
etbacks, Minimum		Landscaping, Screening, and Fencing	070.040.050
Front, min (ft)	None	Off-Street Parking and Loading	070.040.060
Front, max (from arterials) (ft)	40	Nonresidential and Mixed-Use Site	070 040 090
Front, max (from other streets) (ft)	20	and Building Design	070.040.090
Side, min (ft)	None	=	
Rear, min (ft)	None	-	
Building Standards, Maximum		Note: [1] 60 feet max building height by special review	
Building height (ft)	40 <sup>[1]</sup>	-	

Clarion Associates worked with the City of Glenwood Springs to revise their development regulations. Phase 1 in 2015 included preparation of a development regulations analysis and assessment, including an annotated outline detailing how the new development regulations would be organized. That document included several recommendations for improving Glenwood's development regulations, based on best practices from other communities and feedback from stakeholder outreach.

Phase II, which kicked off in March 2016, involved an overhaul of Glenwood's development regulations. based on the recommendations from Phase I and supplemental guidance from a Project Advisory Group and staff. The update to the development regulations occurred in three modules to separate the document into manageable parts for internal and public review. The first module, Administration and Procedures, included improvements to the procedures for development review. The second module included a revised lineup of zoning districts and amended use regulations, addressing mixed-use and reducing barriers to infill and redevelopment. The final module focused on development standards, including the addition of a new suite of sensitive area protection tools. The final code integrated input received during public review of the three modules. The code was adopted unanimously in August 2018.

#### REFERENCE

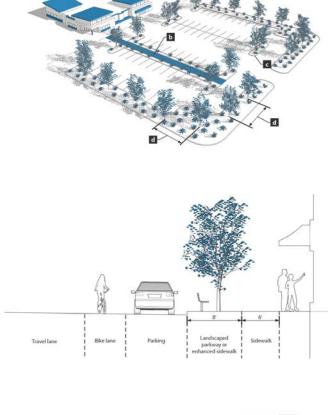
Gretchen Ricehill, Senior Planner 970.384.6428 gretchen.ricehill@cogs.us





#### RENO, NEVADA Zoning Code RENOvation

Reno, the third most populace city in Nevada, is rapidly growing and experiencing skyrocketing housing costs, traffic congestion, concerns about environmental protection, shifting transportation priorities, and a desire to continue diversifying the local economy. To address these issues, and others, Clarion Associates was hired to update the City's Land Development Code after Clarion successfully updated Reno's Master Plan (unanimously adopted 2017). The updated Code balances the City's desire to keep parts of the Code that are achieving desired outcomes while making many significant improvements. The updated Code simplifies a complex system of zoning districts and overlay districts, modernizes the allowed uses and use standards, works to achieve the City's sustainability goals, overhauls standards for parking, better protects established neighborhoods from incompatible development, and establishes a more intuitive and predictable development review process. Reno adopted their new Zoning Code in 2022.



#### View the updated Reno Zoning Code.

#### REFERENCE

Angela Fuss, Assistant Director Development Services

775.399.3843 fussa@reno.gov

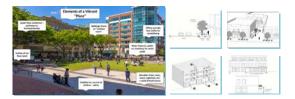




## SUGAR LAND, TEXAS Activity Center Plan Implementation

Located just southwest of Houston, the City of Sugar Land, Texas is a rapidly growing suburb known for its diverse population, high quality neighborhoods, and employment opportunities. In 2018, the City adopted an update to the City's Land Use Plan that emphasized the need for a more robust set of zoning tools to promote the redevelopment of aging commercial areas throughout the City. In early 2021, the City initiated a project to explore potential zoning and economic development tools to encourage redevelopment of the Regional and Neighborhood Activity Center (RAC and NAC) land use categories identified in the Land Use Plan. Clarion Associates worked closely with City staff and a variety of stakeholders including developers, architects, engineers, local and elected officials and other key players in the development process in Sugar Land to evaluate the methods and tools necessary to implement the activity center land use categories and redevelopment of these areas. Phase 1 of the project resulted in an Assessment Report that provides an overview of current applicable Sugar Land zoning regulations, a summary of similar case study communities, and recommendations for how to facilitate mixed-use redevelopment within the activity centers. The Assessment Report covers a range of recommendations for updates to the Development Code such as introducing new mixed-use zoning districts, adopting mixed-use

WALKABLE PLACES FOR PEOPLE: MIXED-USE DEVELOPMENT







a rea between the street buildings that provides the sical space for pedestrian vity, buffering from the icular and bicycle traffic g the street, and space for do and other elements that

The overall form, massing, ar architecture for an individua building including windows doors, balconies and decks, roofs, walls, and exterior

oriented development standards, and scaling back the planned development process. It also provides recommendations for economic incentives and community outreach tools outside of the Development Code to further support mixed-use redevelopment. The final document offers a framework for discussion of these issues among public and local officials and serves as a guide to future Development Code amendments, Land Use Plan updates, and other policy discussions.

#### REFERENCE

Ruth Lohmer, AICP, Assistant Director of Community Planning & Redevelopment 281-275-2319 <u>rlohmer@sugarlandtx.gov</u>

## 4. PROJECT UNDERSTANDING & APPROACH

#### PROJECT UNDERSTANDING

The City of Pflugerville is seeking consultant assistance to assess the City's Unified Development Code (UDC) and provide recommendations to bring the UDC into alignment with goals outlined in the Aspire Pflugerville 2040 Comprehensive Plan, Future Land Use Map, and Transportation Master Plan, and other related plans. Pflugerville has experienced rapid growth and change and needs updated development regulations to help continue to manage growth and also to create and maintain a sense of place and walkability. This assessment project will involve a variety of tasks including identifying inconsistencies in the current regulations, proposing new development standards (in areas such as tree preservation, exterior lighting, landscaping, and site design), and generally exploring optional approaches based on current trends in land use patterns and development in Texas and around the nation. It will require a robust public engagement effort to understand how the current regulations are working well and also how they can be improved.

Clarion Associates has completed dozens of development regulation updates, most of which start with a code assessment. Our team has also provided code assessment services as a separate contract just as proposed through this RFQ. In our experience, the code assessment results in a smooth transition into the update process and serves as a necessary venue for discussing issues that are either contentious or might include several approaches for moving forward. The Project Manager, Matt Goebel, has successfully led code assessment projects in over 20 communities. Each of those projects included extensive outreach and stakeholder interviews, and an annotated outline of a new code as an element of the work product.

#### CLARION'S GENERAL PHILOSOPHY AND APPROACH TO ZONING UPDATES

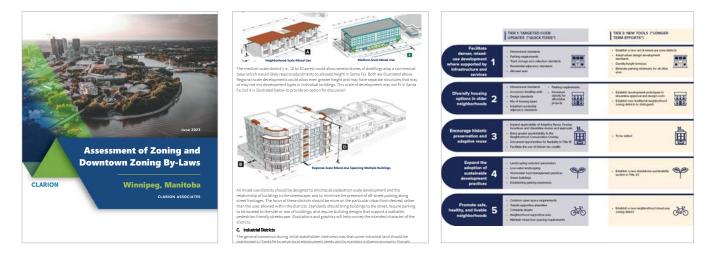
Over the past 30+ years, Clarion Associates has successfully worked with more than 200 cities and towns in the U.S. and Canada to modernize, streamline, and improve their zoning codes. While every community is unique and we are always refining our approach to these complex projects, the following principles represent core elements of our firm's philosophy:

**Plan-Based:** Ensure that any updated zoning and subdivision regulations are compatible with locally adopted plans, such as the Aspire Pflugerville 2040 Comprehensive Plan. Proposed code revisions must clearly and transparently promote the development vision in the Comprehensive Plan in order to inspire, guide, and direct smart growth in the community.

**Informed Choices:** Begin the code update process by ensuring that officials, staff, and community stakeholders are fully educated on the wide range of zoning tools available to guide future development, as well as the pros and cons of those tools, and examples of where they have been successfully adopted.

**Focus Public Involvement:** Develop a robust and inclusive public outreach strategy. This is an essential part of any effective code update. When it comes to public involvement, zoning codes are not like plans. They require more technical discussion. It takes skill and timing to present complex materials in an engaging and understandable way that avoids technical topic burnout, which can undermine the process.

**Build Momentum and Support:** Ensure that momentum and constituencies of support are built throughout the code update process. While many stakeholders understand the need to replace old codes, they often don't wish to be involved in a process that seems unlikely to ever reach the finish line. In addition to coordinating effective, understandable public involvement, it is important to set a progress schedule and stick to it.



#### Streamline Administration: Ensure

administrative flexibility. The global economy, as well as public revenue shortages, are forcing all U.S. cities to strive for more predictable development decisions reached through more efficient review processes. That means, in part, crafting zoning codes so that as many applications as possible can be processed as by-right development without the need for discretionary review or hearings. This process requires clear and objective development standards.

**Predictability & Balance:** Ensure that updated zoning and subdivision controls are fully integrated with other local regulations and policies so that a clear, consistent, and fair message regarding development expectations is sent to citizens and the development community. Moreover, the updated regulations must strike the appropriate balance between encouraging growth and development while also protecting public health, safety, and welfare.

## PROPOSED GENERAL SCOPE OF SERVICES

This proposed scope generally tracks the scope of services starting on page 6 of the RFQ, which we support. We do not repeat information from the RFQ, but rather include a general outline and note where we propose minor reorganization and/or additional tasks. Our team commits to providing all deliverables noted in the RFQ, as modified below. All elements are open to discussion and modification.

#### TASK 1. PROJECT ORIENTATION

Clarion will review background materials as identified in the RFQ and as provided by staff. We will meet with staff to discuss project goals and finalize the work plan and schedule. City planning staff will organize and facilitate a tour so that the project team can see first-hand how key substantive issues are playing out in practice. We will hold "get-acquainted" meetings with elected and appointed officials, if appropriate.

#### TASK 2. ISSUE IDENTIFICATION

Clarion will oversee an intensive set of interviews with staff and other key stakeholders. Participants will discuss the strengths and weaknesses of the current development regulations, the ability of current tools to implement Pflugerville's Comprehensive Plan, and general expectations for future development regulation updates. We will develop an online survey to assist in producing a methodical analysis of the existing UDC. We will compile the results of the stakeholder interviews and our initial review of development regulations into a draft Issue Identification memorandum. Clarion will produce a final draft of the Issue Identification memorandum after addressing any comments received by City staff.

#### TASK 3. UDC ANALYSIS

Clarion will undertake a technical review and diagnostic examination of the current UDC and zoning map. We will prepare a technical analysis and evaluation report to identify strengths and weaknesses of the current development regulations, based on the consulting team's experience and also the need to implement the Aspire Pflugerville 2040 Comprehensive Plan, and other land use and development standards and policies as identified in the RFQ.

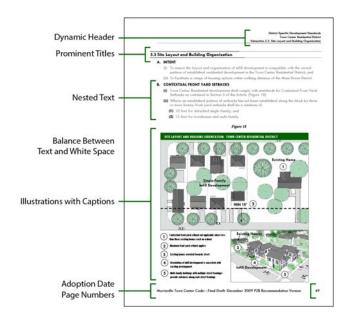
This analysis will focus on the strengths and weaknesses of the current UDC, including:

- Ways in which the current regulations work well;
- Ways in which the current regulations are ineffective or difficult to use;
- Areas of consistency and inconsistency between existing City policies and practices, the adopted plans, and the existing ordinance language;
- Ways to make the revised document(s) more user-friendly;
- Process and procedure modifications to streamline the development review process; and
- Necessary changes related to new statutory and/or case law.

The report will integrate relevant national best practices based on other jurisdictions. Our analysis will be based on lessons learned from our work on other projects, as well as our extensive zoning experience from elsewhere in Texas and around the country.

The report will focus attention on issues such as, but not limited to:

- Consistency with the Comprehensive Plan and other city ordinances and standards;
- User-friendliness of the development regulations (e.g., formatting, organization, graphics);
- Sustainable community development regulations;
- Urban design standards;
- Mixed-use zoning districts;
- · Infill and redevelopment; and
- Transit-oriented development and enhanced mobility.



We will review all major sections of the development regulations and discuss the purpose and extent to which each regulation carries out adopted planning policies. The report will present options and alternative techniques for revisions.

We will prepare a first draft of the report for internal staff review to identify any factual errors or major issues that should be adjusted in the document prior to public review. After making revisions, we will prepare a revised draft for presentation at meetings in Pflugerville to discuss the major findings. We will present the major findings to City Council, the Planning & Zoning Commission, the Parks & Recreation Commission, and other groups identified by staff.



#### PUBLIC ENGAGEMENT STRATEGY

Code projects often involve detailed, sometimes technical discussions. Developing and implementing an effective public participation strategy for a code project requires creativity, persistence, and patience. It takes skill and timing to present complex materials in an engaging and underst¬¬andable way. Our team has extensive experience preparing for and moderating these discussions using a wide range of interactive formats and media. The careful attention that Clarion gives to focused public participation will enable us to build momentum and create support throughout the project timeline.

At the beginning of the project, we will discuss and finalize a detailed public participation plan with City staff. The plan will take full advantage of the various forums available that have proven effective in other code projects. As a starting point, this general approach proposes public involvement through regular meetings with staff; regular reports to elected officials; and meetings that invite the public to engage at important milestones during the process. Online materials will be hosted on the City's website or distributed through email.

A first draft of the plan will be developed following the project orientation meetings. Following discussion, we will prepare a final version for implementation that spans the duration of the project.

Specific issues addressed by the draft public participation plan will include, but not be limited to:

 Potential educational opportunities, such as public workshops focused on specific proposed amendments that will receive heightened public attention (such as the elimination of minimum parking requirements).

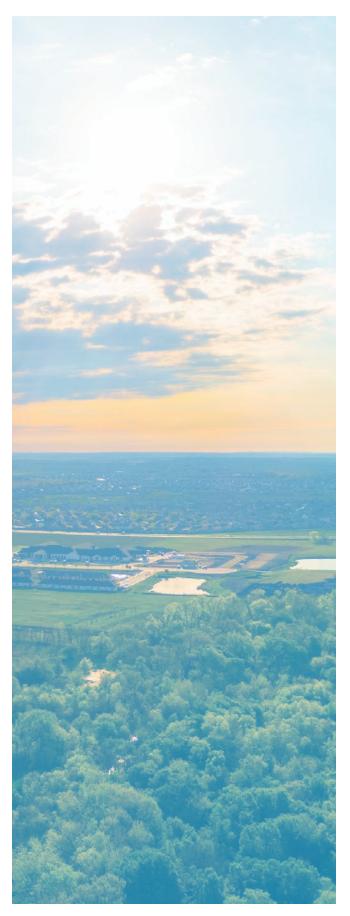


- How technology will be used to keep Pflugerville stakeholders informed about project progress.
- The overall schedule/timeline for public participation activities throughout the duration of the project.

The City may consider assembling an internal Technical Advisory Committee consisting of representatives from the departments of Planning and Development Services and also related departments (e.g., housing, transportation, public works). This group would receive provide ongoing status updates and comment on preliminary draft work products. Some communities also work with an external Citizen Advisory Committee.

Other public engagement techniques that may be considered include:

- A distinctively branded webpage with key background resources and project materials.
- Press coverage of the project goals, scope, and timetable at project inception.
- Informal open houses (showcasing pictures and graphics illustrating the impacts of proposed zoning code amendments).
- Online surveys and interactive web portals that collect on-going public feedback on the project, deliverables, and milestones.
- Individual and group meetings with stakeholders.
- An open email list so that stakeholders can receive regular project updates, particularly when new interim work products become available for public review.
- Well-publicized public meetings to present work products and receive community feedback.



### PRELIMINARY PROJECT SCHEDULE

Based on work in similar projects, we believe that the Assessment Report/Annotated Outline can be completed and presented to local officials and the public within five or six months of the project start-up date.

## 5. PREVIOUS LITIGATION HISTORY

Clarion Associates has not been involved in any litigation in the last five years.







Juris Doctor and Master of Regional Planning **University of North Carolina, Chapel Hill** 

> Bachelor of Arts (Plan II Honors) University of Texas at Austin

## PROFESSIONAL ASSOCIATIONS

American Institute of Certified Planners

Denver, Colorado, and American Bar Associations Member

#### EXPERIENCE

Partner and Vice President Clarion Associates, LLC 2001 – present Associate, 1997-2000

Research Assistant, 1993-1997 Professor David R. Godschalk

#### PUBLICATIONS

**Rules that Shape Urban Form** American Planning Association, PAS 489/490, 2012. (with Donald Elliott and Chad Meadows)

Aesthetics, Community Character, and the Law American Planning Association, Planning Advisory Service 489/490, 2000. (with Christopher J. Duerksen)

Natural Hazard Mitigation: Recasting Disaster Policy and Planning Washington, D.C.: Island Press, 1999. (with David R. Godschalk et al.)

## Matt Goebel, AICP

#### DIRECTOR

Matthew Goebel is a planner and attorney in the Denver office of Clarion Associates, and a Director of the firm. He works principally in the areas of planning, zoning, and historic preservation. His numerous projects have included award-winning codes, plans, and special studies for dozens of large and small jurisdictions around the country.

#### **KEY PROJECTS**

Land Development Regulations

- · Alaska: Anchorage
- · Arizona: Buckeye, Oro Valley, Sedona, Tucson
- California: Pasadena, Sacramento County, Tahoe Regional Planning Agency
- Colorado: Buena Vista, Carbondale, Eagle County, Englewood, Erie, Fort Collins, Frisco, Garfield County, Glenwood Springs, Lake County, Longmont, Mesa County, Northglenn, Pagosa Springs, San Miguel County
- Florida: Tamarac
- · Idaho: Boise
- · Michigan: Detroit
- Nevada: Clark County, Henderson, Reno, Sparks, Tahoe Regional Planning Agency
- · New Mexico: Santa Fe, Silver City
- New York: Marcy, Syracuse
- North Carolina: Apex, Cary, Charlotte, Morrisville
- · Oklahoma: Broken Arrow
- **Oregon:** Jackson County
- · South Carolina: Greenville
- Texas: Addison, Arlington, Addison, Austin, Cedar Hill, Denton, Irving, McKinney, New Braunfels, Rowlett, San Antonio, Sugar Land
- Wisconsin: Dodge County

#### Plans and Other Studies

- Colorado: Economic Benefits of Historic Preservation (four editions) (award); Economic Benefits of Archaeology (History Colorado);
   Planning for Hazards (for Department of Local Affairs) (award);
   Regulatory Barriers to Affordable Housing (award)
- Michigan: Economic Benefits of Historic Preservation
- North Carolina: Apex, Cary, and Wake County growth management plans
- Texas: McAllen preservation plan
- Utah: Salt Lake City preservation plan







Master's in Urban Planning University of Illinois at Chicago

> Bachelor of Arts University of Pennsylvania

#### AFFILIATIONS

Bicycle & Pedestrian Advisory Board Vice Chair Missoula, MT 1 year, 3 months

#### EXPERIENCE

Senior Associate Clarion Associates Denver, CO 3 years, 6 months

Planner III Development Services Missoula, MT 3 years, 6 months

Research Assistant Participatory Budgeting Project Chicago, IL 1 year, 5 months

## Jenny Baker SENIOR ASSOCIATE

Jenny is a senior associate in Clarion's Denver office who believes that zoning can make communities better in many ways, including preserving open space, making housing more affordable, and enabling interesting streetscapes equally shared by many users. These and other community goals are always better accomplished when supported by development regulations that are clear, concise, and comprehensible to everyone. Prior to working in the planning field, Jenny spent 10 years with the American Red Cross and FEMA's Region V, focusing on resiliency planning, and responding to over 50 disasters around the US.

#### **KEY PROJECTS**

Adopted Development Codes

- · Rochester, Minnesota, September 2022
- McKinney, Texas, November 2022
- · Clark County, Nevada, August 2023

#### Current Development Code Projects

- · New Braunfels, Texas, Land Development Ordinance Rewrite
- · Santa Fe, New Mexico, Land Development Code Rewrite
- · Racine, Wisconsin, Zoning Ordinance Update

#### Comprehensive Plans

- · Clark County, Nevada Transform Clark County Master Plan Rewrite
- · Pueblo County, Colorado Pueblo Regional Comprehensive Plan

#### Other Projects

- · Hawaii County, Hawaii Land Development Entitlement Review, 2020
- · Bozeman, Montana Affordable Housing Code Revisions, 2022
- · Albany, New York Sign Code Revisions, 2021
- Winnipeg, Manitoba, Zoning By-law Assessment, 2023
- · Rochester, Minnesota, Parkland Dedication Revisions, 2023
- · Fairfax County, Virginia, Data Center Regulation Best Practices, 2023

#### Reports and Studies

· American Planning Association, Equity in Zoning Policy Guide





Master of City and Regional Planning University of North Carolina at Chapel Hill

> Bachelor of Science, Geography University of Arizona

Bachelor of Arts, Environmental Studies University of Arizona

#### EXPERIENCE

Associate Clarion Associates

Research Assistant UNC-Chapel Hill

Tax Mapper Durham County NC Tax Administration

Brunswick County NC Tax Administration

#### AFFILIATIONS

American Planning Association (APA) Member

#### **PROJECT SKILLS**

Environmental Planning Land Use Planning GIS Mapping and Analysis Natural Hazards Resilience

# Christy Fierros, MCRP

Christy Fierros is an Associate in Clarion's Denver Office. She joined Clarion after earning her Master's in City and Regional Planning, specializing in Land Use and Environmental Planning and Natural Hazards Resilience. She is familiar with planning issues from multiple angles through her diverse professional experiences of teaching nutrition education in underresourced schools, mapping parcels in local government, and natural hazard resiliency research in academia. These experiences shape her belief that honoring connections to people and place is essential to any planning approach.

**CLARION** 

#### **KEY PROJECTS**

#### Development Codes

- Pueblo County, CO Pueblo County Unified Development Code Update
   Santa Fo, NM Land Development Code Update
- Santa Fe, NM Land Development Code Update

#### Reports & Studies

- Department of Homeland Security, Coastal Resilience Center | A Landscape Study of Social Equity Data Needs and its Access and Availiability to Support the Disaster Resilience of Marginalized Communities\*
- University of North Carolina at Chapel Hill, Department of City and Regional Planning | Inundated: An Analysis of Flooded Environmental Disamenities in Eastern North Carolina\*

\* Work with previous employers





B.A. Urban Design University of Colorado, Boulder

Con't. Ed. Advanced Architectural Graphics **Art Institute of Colorado** 

#### PUBLICATIONS

*Change, Here, Now*, North Atlantic Publishers 2018, Illustrator

#### CERTIFICATIONS

Permaculture Design Certificate Denver Permaculture Guild

> Graphic Recorder Certificate Graphic Change UK

#### EXPERIENCE

Design Lead, **2022-present** Graphics and Marketing, Clarion Associates

Graphic Designer, United Airlines **2016-2018** 

Creative Services, The Aquaponic Source **2012-2016** 

#### **PROJECT SKILLS**

Project Management Document Design Website Development 3D Visualization Graphic Recording & Illustration

## Holly White

#### DESIGN LEAD

Holly is the Design Lead in Clarion's Denver office. With her expertise in 3D visualization and Graphic Design skillset, she works to support a wide range of planning and regulatory projects. Her passion for designing illustrative logos, clean infographics, and overall project branding help Clarion to deliver clear and beautifully designed graphics. Holly has a diverse background in Urban, Landscape, and Web Design. Above all, she is enthusiastic about helping cities and towns preserve their character while enhancing public spaces and encouraging public engagement.

#### **KEY PROJECTS**

#### Comprehensive Plans

- · Clark County, NV Transform Clark County Comprehensive Plan
- · Lyons, CO Lyons Thrive Comprehensive Plan
- Park County, WY Plan Park County Land Use Plan
- Pueblo County, CO Pueblo Regional Comprehensive Plan

#### Development Codes

- · Colorado Springs, CO ReTool COS Development Code Graphics
- · Larimer County, CO Land Development Code
- · Lawrence, KS Land Development Code
- · Pueblo County, CO Unified Development Code
- · Reno, NV Zoning Code RENOvation
- · Santa Fe, NM Land Development Code

#### Document Design

- · Clark County, NV Transform Clark County Comprehensive Plan
- · History Colorado Economic Benefits of Archaeology
- · Fort Collins, CO Air Quality Report City Plan
- · Superior, CO Marshall Fire Recovery ULI Briefing Book
- Syracuse, NY ReZone Syracuse Administrative Manual

#### Branding & Websites

- · History Colorado The Economic Benefits of Archaeology
- · Carson City, NV Envision Carson City
- · Lyons, CO Lyons Thrive Comprehensive Plan
- Pueblo County, CO Unified Development Code
- **Bozeman, MT** Affordable Housing Code Audit



Planning | Zoning & Land Use | Sustainability & Resiliency

## CLARION

This questionnaire reflects changes made to the law by H.B. 23, 94th Leg., Regular Session.       OFFICE USE ONLY         This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who was a business relationship as defined by Section 176.00(1-1), with a local governmental entity and the law section 176.00(6-1), business day after the date the vendor becomes avare of facts that require the statement to be filed. See Section 176.00(6-1), business day after the date the vendor becomes avare of facts that require the statement to be filed. See Section 176.00(6-1), business day after the date the vendor becomes avare of facts that require the statement to be filed. See Section 176.00(6-1), business day after the date the vendor knowingly violates Section 178.006, Local Government Code. An offence under this socilon is a midemeanor.         I Name of vendor who has a business relationship with local governmental entity.       Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the originally filed questionnaire was incomplete or inaccurate.)         I Name of local government officer about whom the information is being disclosed.       Name of Officer         I Describe each employment or other business relationship with the local government officer, cor a family member of the officer, as described by Section 176.003(a/Q)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.         A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from or a	CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity	FORM CIQ
This questionaria is being filled in accordance with Chapter 176, Local Government Code, by a vendor who wendor meets requirementia under Section 176,000(1a) with a local governmental entity and the being of the data that require the statement to be filled. See Section 176,000(a) (1), Local Government Goto, Local Government Code, An other a method with the records administrator of the local government Code. An other a under this section 176,000(a) (1), Local Government Goto, Local Government Code, An other a under this section is a misdemeance. <ul> <li>Question and the end of the vendor knowingly violates Section 176,006, Local Government Code. An other a under this section is a misdemeance.</li> <li>Question and other is the vendor knowingly violates Section 176,006, Local Government Code. An other a under this section is a misdemeance.</li> <li>Question and the end of the vendor knowingly violates Section 176,006, Local Government antity.</li> <li>Question and the end of the appropriate filling authority not taker that is an indexe on which you became aware that the originally filled questionnaire was incomplete or inaccurate.</li> <li>Name of local government officer about whom the information is being disclosed.</li> <li>Name of local government officer business relationship with the local government officer, or a family member of the officer, as described and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.</li> <li>A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?</li> <li>Yes</li> <li>No</li> <li>B. Is the vendor neceving or likely or receive taxable income, other than investment income is not received from the local government officer or a family member of</li></ul>	This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.	OFFICE USE ONLY
than the 7th business day after the date the vendor becomes aware of facts that require the statement to be fact. See Section 176.006(-1): Local Government Code. An other and under this section 178.006(-1): Local Government Code. An other and under this section is a misdemeanor.         I Name of vendor who has a business relationship with local governmental entity.         Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)         Name of local government officer about whom the information is being disclosed.         Name of officer         Pescribe each employment or other business relationship with the local government officer. Or a family member of the officer as described by Section 176.003(2)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form ClQ as necessary.         A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, from the vendor?         Yes       No         B. Is the vendor receiving or likely to receive taxable income, from the endor?         Yes       No         S. Is the vendor receiving or likely to receive taxable income, from the endor?         Yes       No         B. Is the vendor receiving or likely to receive taxable income is not received fr	This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the	Date Received
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All bescribe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.         A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?         Yes       No         B. Is the vendor receiving or likely to receive taxable income, other than investment officer or a family member of the officer AND the taxable income is not received from the local government officer or a family member of the officer AND the taxable income is not received from the local government of bicer or a family member of ficer as an officer or director, or holds an ownership interest of one percent or more.         6       Check this box if the vendor has given the local government officer or a family member of the officer or director, or holds an ownership interest of one percent or more.	Check this box if you are filing an update to a previously filed questionnaire. (The law recompleted questionnaire with the appropriate filing authority not later than the 7th business	s day after the date on which
A     Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.      A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?     Yes No     B. Is the vendor receiving or likely to receive taxable income, other than investment officer or a family member of the officer AND the taxable income is not received from the local government officer or a family member of the officer AND the taxable income is not received from the local government all entity?     Yes No     Social government of business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer or a family member of ficer serves as an officer or director, or holds an ownership interest of one percent or more.	3 Name of local government officer about whom the information is being disclosed.	
officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.         A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?         Yes       No         B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local government officer or a family member of the officer serves as an officer or director, or holds an ownership interest of one percent or more.         S       Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer or a family member of the officer or director, or holds an ownership interest of one percent or more.         6       Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).         7       Matheta	Name of Officer	
B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?   Yes No   5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.   6   Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).	Complete subparts A and B for each employment or business relationship described. Attac CIQ as necessary. A. Is the local government officer or a family member of the officer receiving or I	h additional pages to this Form
of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?         Yes       No         5       Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.         6       Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).         7       Mathetical government 2/23/24	Yes No	
<ul> <li>Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.</li> <li>Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).</li> <li>Mathematical distribution of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).</li> </ul>	of the local government officer or a family member of the officer AND the taxable	
other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.         6       Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).         7       M44444         2/23/24	Yes No	
Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).      Mutual 2/23/24	other business entity with respect to which the local government officer serves as an o	
Mttm 2/23/24	Check this box if the vendor has given the local government officer or a family member	
	2/23/24	)ate

#### CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/ Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

#### Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

#### Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

DISCLOSURE OF RELATIONS WITH CITY COUNCIL MEMBER, OFFICER, OR EMPLOYEE OF CITY OF PFLUGERVILLE
Failure to fully and truthfully disclose the information required by this form may result in the termination of
any business the City is now doing with the entity listed below and/or could impact future dealings.
1. Name of Entity/Business/Person doing business with City:       Clarion Associates         Is the above entity:       (Check one)         ✓ A corporation       A partnership         Other (specify):
Check all applicable boxes.
<ul> <li>Is any person involved as an owner, principal, or manager of name listed in #1 related to or financially dependent on Council member, officer, or employee of the City of Pflugerville?</li> <li>✓ NO there is no such relationship between Entity/Business/Person and the City of Pflugerville.</li> </ul>
YES, a person who is a/an owner, principal, or manager of this entity/business/person
is: (Check all applicable boxes below)
☐ related to by blood or marriage* and/or ☐ a member of the same household as and / or ☐ financially dependent upon** and/or ☐ financially supporting**
City Council member, officer or employee.
* As used here, "related to" means a spouse, child or child's spouse, and parent or parent's spouse. It also includes a former spouse if a child of that marriage is living (the marriage is considered to continue as long as a child of that marriage lives). ** As used herein, "financially dependent upon" and "financially supporting" refers to situations in which monetary assistance—including for lodging, food, education, and debt payments—is provided by owner, principal or manager of #1 to Council member, officer or employee of City of Pflugerville, or that Council member, officer or employee of City of Pflugerville, or that Council member, officer or employee of City of Pflugerville provides to owner, principal or manger of #1.

If **YES**, provide (a) the name of owner, principal, or manager, <u>and</u> (b) the name of the City Council member, officer or employee (include the department the City officer or employee works for, if known), **and** (c) if a relationship by marriage or by blood/kinship exists. (Use back of sheet if more space is needed)

(a) Name of owner, principal, or manager	(b) Name of Council member, officer or employee & department	(c) What is relationship or household arrangement

3. Is a current City Council member or City employee involved with the name listed in #1 as an owner, principal, manager, or employee, or employed as a contractor for name listed in #1?

NO (no person involved/working for Entity/Business/Person is Council member, officer or employee of the City).

YES, a person is (Check all applicable boxes)

(a)

City Council member,	officer or	] employee ,
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(b) **and is** an owner, a principal, or a manager of the entity/business/person listed in #1,

or an employee or an independent contractor of the entity/business/person listed in #1.

If YES, provide the name of owner,	principal, manager, employee or independent contractor who is a City
Council member, officer or employee.	Include the department the City officer or employee works for, if known.
Signature: Man	Phone #: <u>303-830-2890 ext 2</u> Date: <u>2/23/24</u>

Print Name: Matt Goebel	Print Title: Director

#### The selected contractor or vendor is required to complete this form

#### **CITY OF PLUGERVILLE Purchasing Services Historically Underutilized Business**

The City of Pflugerville is committed to assuring that all businesses are given prompt, courteous, and equal opportunity to provide goods and services to the City. To achieve this goal, the City Council requests the minority women owned status of each vendor on the City vendor list.

Definition: A Historically Underutilized Business (HUB) means a business concern owned and controlled by socially and economically disadvantaged individuals. This means any business concern that (a) is at least 51% owned by one or more socially and economically disadvantaged individuals; or in the case of publicly owned businesses, at least 51% of the stock which is owned by one or more socially or economically disadvantaged individuals; and (b) whose management and daily operations are controlled by one or more other socially and economically disadvantaged individuals who own it. The groups included in this program are Black Americans, Hispanic Americans, Women, Asian Pacific Americans, Service-Disabled Veterans, and Native Americans

..... ... 11 • • • •

Certification: Bidder declares a minority and/or women owned business status: $\underbrace{\qquad } YES \qquad \underbrace{\qquad } NO$
If yes, check one of the blocks (indicate male or female):
Black M/F; Hispanic M/F; Woman; Asian M/F;
Native American M/F; Service Disabled Veteran of 20% or more M/F
HUB certified YES NO
Visit <u>https://texashub.gob2g.com/</u> to become a certified HUB
COMPANY NAME: Clarion Associates
ADDRESS: 1600 Stout Street, Suite 1700
CITY/STATE: Denver, CO 80202
EMAIL/PHONE:mgoebel@clarionassociates.com / 303-830-2890 ext 2
PRODUCT/SERVICE: Land Use Planning Consulting Services
AUTHORIZED SIGNATURE:



#### <u>CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY,</u> <u>AND VOLUNTARY EXCLUSION</u>

Project Name:	Assessment of Unified Development Code
Location:	City of Pflugerville
RFB/RFP #:	2024-004

This certification is required (or may be required) by the federal regulations implementing Executive Order 12549, Debarment and Suspension. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

#### READ INSTRUCTIONS BEFORE COMPLETING CERTIFICATION

- (1) The prospective lower tier participant (BIDDER/PROPOSER/SUBRECIPENT) certifies, by submission of this proposal that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal or State department or agency.
- (2) Where the prospective lower tier participant (BIDDER/PROPOSER/SUBRECIPENT) is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Company Clarion Associates

Name and Title of Authorized Representative Matt Goebel - Director

Signature

Man

\_\_\_\_\_ Date 02/23/24

#### **NON-COLLUSION AFFIDAVIT**

STATE OF TEXAS § S COUNTY OF\_\_\_\_\_ §

By the signature below, the signatory for the bidder certifies that neither he nor the firm, corporation, partnership or institution represented by the signatory or anyone acting for the firm bidding this project has violated the antitrust laws of this State, codified at Section 15.01, *et seq.*, Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in the same line of business, nor has the signatory or anyone acting for the firm, corporation or institution submitting a bid committed any other act of collusion related to the development and submission of this bid proposal.

Signature:

Printed Name:Matt GoebelTitle:DirectorCompany:Clarion AssociatesDate:02/23/24

THE STATE OF Colorado

COUNTY OF Denver

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_

\_\_\_\_\_\_ (the person who signed above), known to me to be the persons whose names are subscribed to the foregoing instruments, and acknowledged to me that they executed same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this \_\_\_\_\_ day of \_\_\_\_\_\_ A.D., 20\_\_\_\_\_.

(Seal)

Notary Public Signature

#### **RESIDENT CERTIFICATION**

#### Texas Government Code - Chapter 2252 "Contracts With Governmental Entity" Subchapter A. Nonresident Proposers

In accordance with Chapter 2252 of the Texas Government Code, a governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident bidder underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principle place of business is located.

Section 2252.001 includes the following definitions:

- (1) "Government contract" means a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment.
- (2) "Governmental entity" means . . . . a municipality, county, public school district, or special-purpose district or authority;
- (3) "Nonresident bidder" refers to a person who is not a resident.
- (4) "Resident Bidder" refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

As used on this form, the term "bidder" includes a person or business entity responding to a request for bids or competitive sealed proposal or request for qualifications.

I certify that as defined in Texas Government Code, Chapter 2252 that:

#### COMPANY NAME: Clarion Associates

Yes, I am a Texas Resident Bidder\_\_\_\_\_  $\sqrt{No}$ , I am not a Texas Resident Bidder

PRINTED NAME: Matt Goebel

SIGNATURE: Mtt

E-MAIL ADDRESS: mgoebel@clarionassociates.com

#### **Texas Public Information Act**

**Steps To Assert Information Confidential or Proprietary** 

All proposals, data, and information submitted to the City of Pflugerville are subject to release under the Texas Public Information Act ("Act") unless exempt from release under the Act. You are not encouraged to submit data and/or information that you consider to be confidential or proprietary unless it is absolutely required to understand and evaluate your submission.

<u>On each page where confidential or proprietary information appears</u>, you must label the confidential or proprietary information. Do not label every page of your submission as confidential as there are pages (such as the certification forms and <u>bid sheet with pricing</u>) that are <u>not confidential</u>. It is recommended that each page that contains either confidential or proprietary information be printed on colored paper (such as yellow or pink paper). At a minimum the pages where the confidential information appears should be labeled and the information you consider confidential or proprietary clearly marked.

<u>The City will comply with the Texas Public Information Act in providing any</u> <u>notice of any request.</u>

In signing this form, I acknowledge that I have read the above and further state:

The proposal/bid submitted to the City <u>contains NO confidential information</u> and may be released to the public if required under the Texas Public Information Act.

□ The proposal/bid submitted <u>contains confidential information</u>, which is labeled, and which may be found on the following pages:

and any information contained on page numbers not listed above may be released to the public if required under the Texas Public Information Act.

Vendor/Proposer Submitting: Clarion Associates

Signature:

Date: 02/23/24

Print Name: Matt Goebel

Print Title: Director

# CLARION



