



**REQUEST FOR INFORMATION (RFI)
TOWN OF LEESBURG ZONING ORDINANCE COMPREHENSIVE UPDATE**

ISSUE DATE: Tuesday, November 23, 2021

RFI NO.: 100511-FY22-23

INFORMATION DUE DATE: Thursday, December 9, 2021; 5:00P.M. ET

DEPARTMENT CONTACT: Susan Berry Hill
Director
Planning and Zoning
Phone: 703-771-2770
Email: sberryhill@leesburgva.gov

PROCUREMENT CONTACT: Kelly Neff, VCA, VCO
Buyer
Phone: 703-771-6501
Fax: 703-771-2799
E-mail: bidquestions@leesburgva.gov

NOTICE OF ADDENDA: Any addenda to this RFI will be posted on the Town's Bid Board (<http://www.leesburgva.gov/bidboard>) and will only be emailed to those firms who have ***REGISTERED*** on this site. It is the firm's responsibility to provide a correct email address and to be aware of any addenda.

I. PURPOSE

The Town of Leesburg (“Town”) is issuing this Request for Information (“RFI”) to gather information and industry feedback from potential, qualified vendors of professional consultant services in regards to a comprehensive re-write of the Town’s Zoning Ordinance.

This RFI shall in no way be interpreted as an Invitation for Bid (“IFB”) or Request for Proposal (“RFP”) and any information obtained as a result of this RFI may or may not be used by the Town to develop a future IFB or RFP.

In compliance with the Town’s Procurement Policies, all submissions will be available for public inspection. Trade secrets and proprietary information submitted in connection with this RFI shall not be subject to public disclosure under the Virginia Freedom of Information Act. However, firms submitting a response to this RFI must invoke the protection of this section before or upon submission of the data or other materials, and must identify the specific area or scope of data or other materials to be protected and state the reasons why protection is necessary. An all-inclusive statement that the entire response is proprietary is unacceptable.

II. BACKGROUND

The Town of Leesburg is located in the Commonwealth of Virginia. It is 12.5 square miles with a population of 54,215. A comprehensive update of the Zoning Ordinance was last done in 2003. Over the years, the Town’s Zoning Ordinance has been maintained using two means. A yearly batch process is initiated for the purpose of addressing State Code changes and administrative clarifications. Secondly, Town Council initiates independent amendments to address specific community needs.

There are multiple reasons the Town currently wants to update the Ordinance.

- 1. Town Plan Implementation.** The Town has been engaged in a rewrite of the town’s comprehensive plan. The process began with extensive public engagement on which the draft plan was predicated. The Planning Commission is expected to certify the draft on December 2, 2021. The Town Council will begin review of the document in January 2022, and adoption of the plan is anticipated in the March-April 2022 timeframe. The Plan will be implemented largely through regulatory documents and the capital improvement program. Several key factors for implementing Legacy Leesburg Town Plan would include but not be limited to:
 - A key goal in the plan is to focus on maintaining the existing character of the town and assuring that change through development will complement this character.
 - Economic development goals encourage business and job development that will serve the residents of the town. One area of consistent demand

is for flex industrial uses. Flex office and industrial space has changed dramatically in recent years and the town wishes to update our Ordinance to reflect current trends.

- Mixed use
- Amenity and open space

2. Crescent Design District. The Crescent Design District (CDD) is a zoning district that is approximately 423 acres. It is located adjacent to the historic core of the town on the east, southeast and south sides of the downtown and broadly extends from south King Street to just north of East Market Street inside of the Route 15 Bypass. The Crescent District Master Plan (CDMP) was approved in 2006 and was developed as a recommendation of the 2003 Business Development strategy to expand the business footprint of the downtown to achieve:

- Economic development opportunities
- A mixed land use, live-work-play environment
- Construction of more and different types of housing options at varying costs
- Extension of the traditional urban street and block development patterns from the downtown and transition to the more suburban development patterns further from the downtown
- Achieve ‘placemaking’ through development of a variety of public spaces and open spaces that will enhance livability and the work environment
- Architectural design that compliments Leesburg’s architectural history.

The Crescent Design District (CDD) was approved by the Leesburg Town Council in January, 2013 and became effective in March, 2013 to implement the CDMP. It is a special purpose zoning district that is form-based but which also has aspects of typical use-based zoning. In essence, it is a hybrid approach to form-based and modified Euclidean zoning. The goals of the Crescent Design District expand upon the goals of the CDMP to:

- Set the stage for long-term redevelopment in the district
- Result in a predictable development outcome
- Respect the character of Leesburg’s historic downtown and address architectural character of the district
- Concentrate growth in areas already served with infrastructure
- Establish clear building rules that will result in defined public areas and a usable and attractive public realm.

The Town has received input from various stakeholders including property owners, developers, building and design professionals, the Leesburg Planning Commission, the Form-based Code Institute, and Town staff regarding provisions in the ordinance that are difficult to use or which should be revised.

The Town is desirous of improving the ordinance so that it will yield the type of development that has been envisioned and make it easier to use and administer. The Town is also desirous of assuring that the redevelopment building parameters are correct for the Town in terms of complimenting the character of the Town and also meeting market demands. Particular attention should be given to building heights and allowed densities. The Development and Construction Standards Manual (DCSM) is also important implementation document, and a diagnostic assessment should be done to assure that the Zoning Ordinance regulation in the CDD and the DCSM regulations work together to achieve the goals of the Crescent District.

- 3. Regulatory Buy-In.** In recent years there have been frequent amendments to adjust the Zoning Ordinance for a wide variety of things including but not limited to signage, uses, parking, and other factors. Over time, community confidence in the Zoning Ordinance has eroded as criticism focuses on outdated zoning regulations or perceived needs for changes to make the Ordinance more contemporary with development practices today. The Zoning Ordinance update process should begin with a robust engagement process with residents, business owners, the development community, the Planning Commission, Town Council and staff. Engagement of these stakeholders should be continued throughout the development and eventual approval of the new document.
- 4. Compliance with State Code.** While staff monitors legislation that is passed every year at the General Assembly, one of the goals of this rewrite effort is to check and verify that the Town's Zoning Ordinance complies with all applicable State Code provisions.

III. PROJECT OBJECTIVE

The Town of Leesburg proposes to obtain a consultant with significant and relevant experience developing a new zoning ordinance for the Town. As noted in the section above there are four general goals for the Zoning Ordinance re-write. Objectives for the task are listed below: that reflect current zoning practices and that with tailor zoning application to the specific needs of Leesburg.

- Assure compliance with the Code of Virginia
- Develop a public engagement strategy to include residents, businesses, the development community, Town Council and Planning Commission. The strategy should include feedback loops with the Council, Planning Commission and staff throughout the project. Work for community consensus and buy-in for the Ordinance.
- Implement *Legacy Leesburg Town Plan* with consideration of new zoning provisions or districts as needed. Build on the descriptions of community character that are in the *Plan* by reviewing the Zoning Ordinance to:
 - Provide better descriptions of suburban and urban areas

- Describe open space and amenity standards for urban and suburban areas
- Describe landscaping requirements for urban and suburban areas
- Allow a wider range of types and densities of housing as is recommended in the new *Town Plan*
- Include manufacture housing and other affordable housing for rental and homeownership
- Include current approaches to flex office/industrial
- Restructure/re-write the Ordinance into streamlined, clear, and user-friendly regulatory provisions that are easy to navigate for the public and simple to enforce by Town staff. This should include but not be limited to:
 - Improvements to the organization of the document
 - Less cross-referencing
 - Update definitions
 - Reduction in the number of zones, if possible
- Design the Ordinance using a graphic-based approach. Explain regulations with use of illustrations, tables, diagrams, graphics, pictures, charts and other means that succinctly demonstrate the purpose of the regulation.
- Crescent Design District - Some objectives include:
 - Consider whether a hierarchy of densities/intensities should be assigned to geographically extending from the interface of the CDD with the downtown and reducing with distance away from the downtown into East Market Street and South King Street.
 - Consider development of a true regulating plan
 - Assure that the zoning code provisions are applicable to the variety of parcel sizes in the district and will allow for redevelopment of individual parcels and not rely on consolidation of parcels.
 - Review the applicability and nonconformity sections of the zoning code. Currently, existing buildings in the Crescent Design District may be expanded up to ten percent of the gross square footage before the full extent of the Crescent Design District applies. The Town wishes to reexamine this to see if there are ways to make compliance easier, especially for smaller parcels, to gradually comply with the Crescent Design District requirements which will not act as a disincentive for redevelopment.
- Incorporation of best zoning practices and contemporary approaches to zoning
- Online and Municode functionality is the desired format
- Diagnostic assessment of the DCSM to assess where it needs to be updated to work effectively with the new Zoning Ordinance provisions, particularly in the Crescent Design District.

IV. SUBMITTAL INFORMATION

In response to this RFI, please provide the following information:

- A. Approach to project.** Staff anticipates a general approach to the project like the following:

1. Consultant and staff conduct public engagement and get input from stakeholders
2. Consultant conducts a review of the input from stakeholders and get input from Planning Commission, Town Council, and staff. Consultant builds consensus with Town Council, Planning Commission, and staff on the objectives of the new ordinance
3. Consultant develops preliminary sections of the draft
4. Consultant seeks feedback from the Planning Commission and Town Council on the general approach proposed to show how the project objectives are being met and to gain buy-in
5. Consultant seeks feedback from staff on the draft language.
6. Consultant develops draft articles of the Ordinance
7. Public review process with public hearings at the Planning Commission and Town Council. Consultant provides assistance to staff, as needed, to answer questions and address changes.

Please provide comment on whether this general approach is advised or if you would propose new/different steps or ideas for an effective Zoning Ordinance review process.

B. Estimated Price Range

The Town does not have a designated budget for contracting with a consultant to provide these services. This RFI is a means to acquire an estimate. Staff will brief the Town Council with the response from the RFI and seek direction on how to fund the project.

1. What types of pricing structures do you recommend for this project?
2. Based on the approach to the project that is outlined in section A above, or an alternative approach that you would propose, what is an estimated price range for the Town to obtain a consultant for this project?
3. Please offer two price estimates. One on the Zoning Ordinance and one that is focused on work needed for the Crescent Design District. The Town will be pursuing work on all but may break the Crescent District work separately.

C. Timeframe for the project

1. What overall timeframe would you recommend for this project and for each portion of the project as outlined in Section A above?
2. Do you recommend doing the entire document at one time? Or a phased approach that breaks the project down by drafting one (or several) articles at a time and taking them through the review process?

D. Staff Support

1. The Zoning Administrator, the Deputy Zoning Administrator and Deputy Director will be working on this project. What type of information/data from staff would be beneficial for this project?
2. What is the approximate amount of preparation and lead time you would need with staff before beginning the project?

E. Additional Information

Provide any additional information that your firm believes would help the Town to evaluate future bids or proposals for this project.

V. RESPONSES

Please submit responses to this RFI via email to:

Kelly Neff
Town of Leesburg
25 W. Market St
Leesburg, VA 20176
kneff@leesburgva.gov

VI. QUESTIONS

Any questions regarding this RFI should be submitted in writing to:
bidquestions@leesburgva.gov.