

2I. Consideration to approve the recodification of the Monticello Zoning Ordinance, Chapter 153 of the Monticello City Code at an estimated cost of \$12,000

Prepared by: Community Development Director	Meeting Date: 9/12/2022	<input checked="" type="checkbox"/> Consent Agenda Item <input type="checkbox"/> Regular Agenda Item
Reviewed by: City Clerk, Chief Building and Zoning Official	Approved by: City Administrator	

ACTION REQUESTED

Motion to approve the recodification of the Monticello Zoning Ordinance, Chapter 153 of the Monticello City code at an estimated cost of \$12,000.

REFERENCE AND BACKGROUND

In 2019, the City completed a recodification of its ordinances, converting the ordinances to a more user-friendly online version through American Legal Publishing. With that process, the City also completed amendments to various chapters of the City’s code. The recodification completed at that time did not include the Zoning Ordinance, in part because the Zoning Ordinance had gone through an extensive revision process in 2010.

City Council is being asked to authorize the recodification of the Zoning Ordinance to the same format as the balance of City Code. Recodification will create consistency in format between the Zoning Ordinance and the City Code, converting the document to the more searchable and user-friendly online version. In addition, the Zoning Ordinance exists at this time as a single large Word document that is posted as a .pdf. Editing of the Word document is cumbersome and time-consuming due to the numerous Word styles and formatting requirements. Amendments to the Zoning Ordinance under the American Legal Publishing format will be a much more efficient and streamlined process.

With the recodification for formatting, it is also anticipated that amendments to the Zoning Ordinance will be prepared for consideration. During the recodification process, staff and the Planning Commission will identify and consider amendments to bring the ordinance into alignment with the Monticello 2040 Plan.

Planning Commission will hold the required public hearings on any amendments which will then be forwarded to the Council for consideration.

Councilmember Charlotte Gabler serves as the Council liaison to the Commission and will be part of the Planning Commission’s workshops for the more extensive amendment discussions.

Staff will also prepare update information for the Council as the recodification process moves forward.

Pending Council authorization, the project would begin in September and is anticipated to take up to 6 months to complete.

- I. **Budget Impact:** \$10,000 of funding for this project was included in the 2022 Planning & Zoning budget. The balance of funding will come from an allocation proposed in the 2023 budget for this project.
- II. **Staff Workload Impact:** As the recodification of the ordinance in 2010 included significant review, additional review for amendment is expected to be fairly modest and focused on specific areas of the overall ordinance. Staff anticipates that the Department of Building Safety & Code Enforcement, Community Development, and the Clerk's office will be involved in the recodification process.
- III. **Comprehensive Plan Impact:** The Monticello 2040 Plan states: "The City will need to update its zoning regulations and zoning map, to achieve consistency with the Comprehensive Plan Vision and Land Use Plan. The update should reflect best practices in zoning, including considering the use of form-based codes, and should explore innovative and creative ways to achieve a more pedestrian-friendly and sustainable land use pattern. To the extent needed, the update should also address zoning "fundamentals" such as definitions, allowable densities and floor area ratios, height and bulk controls, design standards, and the use of overlays to achieve specific objectives." The Implementation Chapter of the Plan also identifies various other code amendments for consideration.

STAFF RECOMMENDED ACTION

City staff recommends approval of the recodification of the Zoning Ordinance. The process will create consistency in formatting throughout the city's codes, produce a more user-friendly end product, reduce staff time in editing for amendments, and allow the City to consider amendments to align the code and the Monticello 2040 Plan.

SUPPORTING DATA

- American Legal Publishing Proposal

Zoning Ordinance Codification

Monticello, MN



American Legal Publishing Corporation

525 Vine Street, Ste. 310; Cincinnati, Ohio 45202

1-800-445-5588

ZONING ORDINANCE CODIFICATION CONTRACT

September 7, 2022

The City of Monticello, Minnesota (hereinafter referred to as "City") and American Legal Publishing Corporation, (hereinafter referred to as "Publisher") agree as follows:

SCOPE OF SERVICES:

The City desires to codify in full the Zoning Ordinance along with amendments.

A. Publisher's Duties:

- (1) Codify the full text of the Zoning Ordinance in Chapter 153 of the Code of Ordinances, or as its own stand-alone publication. And once codified, post the Zoning Chapter online.
- (2) **Formatting:** Format the new zoning chapter in a similar manner as the rest of the Code of Ordinances (adding blank lines between subsections, etc.) to match the style of the existing code. (Tables and images would be included).

Numbering: At the option of the City, the Publisher will either:

- (a) Convert the codified Zoning Ordinance into the same numbering scheme as the rest of the code (e.g. § 153.001, 153.002, etc), or
 - (b) Include the codified Zoning Ordinance as currently numbered (e.g. §1.1; 1.2; 1.3, etc.). The Zoning Code would then be included as an appendix to Chapter 153, or as a separate publication.
- (3) Insert headers on the top of each page with the code title and page numbers to match the style established in the rest of the code.
 - (4) Update the Code Index with revised Zoning entries.
 - (5) Provide a draft to the City for review before final printing.
 - (6) Print 10 copies of the newly codified pages for the Code. Printed copies will include graphics in color.
(The City currently has 10 copies of the general Code of Ordinances books.)
 - (7) Convert the Zoning into the search program used for the Code of Ordinances, and place it on the Internet as part of the Code of Ordinances database. As an option, defined terms can be linked to their definitions within the Zoning.

B. City's Duties:

- (1) Provide a copy of the Zoning Ordinance to the publisher in an editable electronic format such as MS Word or WordPerfect, if available.

(2) Pay to the Publisher for shipping of the final code order the following sums:

(a) Editing: \$8,500-10,000 estimated

(b) Posting Codified Zoning on the Internet (in search program):

One-time Initial Conversion/Setup Fee: \$850-1,000

Optional: Link terms to their definitions: \$95/hour (estimate provided upon request)

C. Supplements:

(1) After delivery of the codified pages, the Publisher shall incorporate new pertinent zoning ordinances submitted by the City as part of the regular supplements to the Code of Ordinances, in accordance with the original agreement for code supplementation at \$18/page for editing (plus additional fee of 50 cents per page that has color printing).

Images, including text embedded in the images, cannot be altered by the Publisher. New images would need to be provided by the City if there are changes needed to existing images in the Code.

(2) After conversion into Internet version, future updates to the Internet version of the codified Zoning Ordinance chapter will be made as part of the regular supplements to the Code of Ordinances at \$1.95/page.

OPTIONAL SERVICES:

The City exercises the following options:

Initial:

(1) **PUBLICATION** (choose one):

Include Zoning Ordinance in the Code of Ordinances in Chapter 153.

Create a separate book for Zoning

(2) **BINDERS** will most likely be needed to fit the Zoning Ordinance in the current code, or if creating a separate book. (Binders are \$25/each)

Order new binders (circle one): YES NO

Number of new binders ordered: # _____

(3) **NUMBERING** (choose one):

Apply the numbering scheme from the Code (153.001, 153.002, etc.)

Keep the numbering as set out in the Zoning Ordinance (1.1, etc.)

(4) **LINKS TO DEFINED TERMS IN ONLINE VERSION** (choose one):

Link terms to their definitions: \$95/hour (total estimate provided upon request): _____

Do not link terms in online version: _____


TRANSMITTAL.

The transmittal of this document by American Legal Publishing to the City is an offer by the Publisher to perform the stated services at the prices and terms referenced within. The City accepts by signing below:

City of Monticello, Minnesota

American Legal Publishing Corp.

BY _____

BY 

TITLE _____

TITLE President

DATE _____

DATE 9/7/22