

SUBJECT: An amendment to extend the term of the professional services agreement with De Novo Planning Group for the Focused Zoning Ordinance Update and Objective Design Standards

DEPARTMENT: Community Development

STAFF: Alexis Morris, Director of Community Development
Erik Nolthenius, Planning Manager

TITLE/RECOMMENDATION

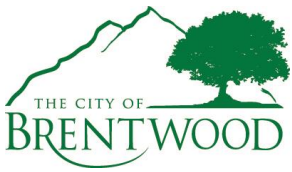
Adopt a resolution amending the professional services agreement with De Novo Planning Group for the Focused Zoning Ordinance Update and Objective Design Standards to extend the term from the initial two years to "until services are complete."

FISCAL IMPACT

The total cost of the agreement is a not to exceed amount of \$250,000. The Focused Zoning Ordinance Update, CIP Project No. 337-37228 is included in the adopted 2025/26 – 2029/30 Capital Improvement Program, and has a total project budget of \$450,000. Funding for this project includes \$440,737 from the General Fund and \$9,263 from a State grant (SB 2). Approximately \$157,000 has been expended on this agreement to date, with approximately \$93,000 remaining to be spent.

BACKGROUND

On January 24, 2023, staff provided the City Council with a presentation and requested direction on revising the scope of the Zoning Ordinance Update project to be more in line with the Strategic Initiative to implement a Zoning Ordinance Update focused on compliance with State law, including developing objective design standards. Specifically, staff recommended that the Zoning Ordinance Update project be scaled down in size and focused into specific tasks, to be completed in approximately 18 months. The City Council agreed with staff's recommendation and provided direction to move forward with the revised project scope and to proceed with a new consultant.

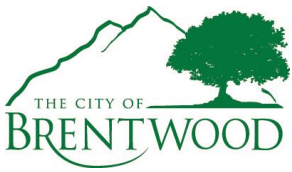


CITY COUNCIL AGENDA ITEM NO. F.10
12/09/2025

On May 23, 2023, staff provided the City Council with a draft professional services agreement with De Novo Planning Group for consideration. The agreement was for a not to exceed amount of \$250,000 and a term of two years. The City Council unanimously adopted Resolution No. 2023-64, authorizing the City Manager to execute the agreement. The two-year agreement became effective on June 27, 2023 and expired on June 27, 2025.

The scope of work in the agreement incorporates the three main tasks discussed at the January 24, 2023 City Council meeting, briefly summarized as follows:

- Objective Design Standards (ODS)
 - *Interim Objective Design Standards.* This task is complete, as the City Council adopted Urgency Ordinance No. 1059 on June 27, 2023.
 - *Permanent Objective Design Standards.* This work is extremely detailed and remains ongoing. Staff prepared a draft set of ODS that was presented to the Land Use and Development Committee as an overview at its May 19, 2025 meeting. This was followed by a public hearing with the Planning Commission on September 16, 2025, at which time the item was continued to allow for additional review. The Planning Commission held a second public hearing on October 21, 2025 and made several recommended changes, but requested that the ODS come back again before a final recommendation was made. The date of the next public hearing with the Planning Commission is to be determined. This will be followed by one or more public hearings with the City Council.
- Updates Required by State Law and the Housing Element
 - This task is partially complete, as the City Council adopted Ordinance No. 1084 on March 11, 2025, updating the Brentwood Municipal Code to comply with State law as required by the City's adopted Housing Element implementation policies. Staff continues to work on other updates required by State law and will be bringing those to the Planning Commission and the City Council in early 2026.
- Focused and Prioritized Updates
 - These include updates to various sections of the Zoning Ordinance based on feedback from the community and the City Council. Six separate updates were identified, including those related to gas stations, car washes, alcohol sales, self-storage, short-term rentals, and drive-throughs. So far, updates have been completed for car washes, self-storage, short-term rentals, and drive-throughs. Work continues on gas stations and alcohol sales, with those anticipated to be considered by the Planning Commission and the City Council in early 2026.



While an initial term of two years for this agreement was reasonable, the tasks have taken significantly longer to complete than anticipated and more time is needed. As a result, staff is requesting that the City Council approve an amendment to the agreement that would change the term to “until services are complete.”

CITY COUNCIL STRATEGIC INITIATIVE

City of Brentwood Strategic Plan FY 2022/23 – FY 2023/24 Focus Area 4: Community Development, Goal 1: Implement Zoning Ordinance update to maintain compliance with State law, including developing objective design standards (SB 330 compliance).

PREVIOUS ACTIONS

Previous Actions taken by the City Council are included on Attachment 1.

DATE OF NOTICE

Not Applicable.

ENVIRONMENTAL DETERMINATION

Not Applicable.

ALTERNATIVE OPTIONS

The following are alternative options that the City Council may consider:

1. Continue the item for further discussion or request additional information.
2. Do not approve the contract extension. The project is ongoing and the full budget has not been expended. If the contract is not extended, the project would be delayed in order for staff to identify another consultant and execute a contract with City Council approval, or to reallocate staffing resources from other projects to this project.

ATTACHMENTS

1. Previous Actions
2. Resolution