

Town of Kill Devil Hills



Request for Proposals

**Update Town of Kill Devil Hills Code of Ordinances -
Chapter 153 Zoning Ordinance**

March 25, 2022

Introduction

The Town of Kill Devil Hills is seeking a qualified firm to update the currently adopted Zoning Code (Chapter 153 of the Town of Kill Devil Hills Code of Ordinance) by eliminating redundancies and by reformatting, consolidating, deleting and possibly adding section that create consistency with policy and practices. The Town's Zoning Ordinance was last updated in 2001 and has been amended several times to meet the community needs, further the goals of the Land Use Plan and meet changes to NC General Statues. The consultant will be tasked to address significant challenges and limitations including but not limited to:

- Awkward and confusing format and structure
- Redundant review procedures and requirements
- Lack of User-friendliness
- Dated development standards
- Dated procedures
- Lack of innovative development standards

Overview

The Town of Kill Devil Hills is located in northern Dare County on the Outer Banks of North Carolina bordered by the Atlantic Ocean to the east and the Albemarle Sound to the west, with an area of approximately 4.86 square miles. The Town of Kill Devil Hills is a vacation destination with tourism as the primary industry. The Town is divided by two state highways NC12 and US158, the oceanfront (east of NC12 and between the highways (west of NC12 and east of US158) is comprised of vacation rental homes and commercial development. The area west of US158 is comprised largely of single family dwelling and permanent residents. The year round population is approximately 7,700, but swells to 36,000 in the summer months. The Wright Brothers National Memorial is located on 403 acres in the center of Kill Devil Hills. Additionally, approximately 60% of the remaining vacant land in Kill Devil Hills is protected or considered fragile areas including the Nature Conservancy Maritime Forest and Run Hill State Park (a natural area). Kill Devil Hills is largely built out and redevelopment is common.

Scope of Services

This Scope of Services is offered to provide a non-exhaustive outline of elements that should be considered and/or included in the Zoning Code to provide a consistent format to help the Town of Kill Devil Hills compare qualification submittals. The Town is receptive to modifications to this format if the proposing firms feels greater detail or clarification would be helpful. However, please address the minimum information requested therein.

Update format and structure:

The Town of Kill Devil Hills seeks to reformat the ordinance to create a more user friendly ordinance by relocating sections to a more appropriate location in the ordinance, consolidating sections, remove conflicting regulations and/or revising sections clarify the regulations.

Updates in General Statutes:

The selected consultant shall work with Town staff to evaluate current regulations with all applicable local, state and federal regulations. Staff recently completed updates to the Town Code for compliance with 160D requirements.

Review and recommend updates to Town regulatory policies:

Include activities for updating the currently adopted Zoning Code by eliminating redundancies, conflicting regulations, and by reforming, consolidating, deleting and reworking sections to make a more streamline, easy to use ordinance. Current regulatory policies need improving by incorporating innovative technique and application. The following policies have been identified by staff for more intensive analysis in addition to the review and recommendation of all sections of the ordinance:

- Nonconformities Ordinance
- Sign Ordinance
- Site Plan Review Process
- Commercial Building Exterior
- Redevelopment Ordinance (new section)
- Exceptions

The Town Zoning Code can be found on American Legal and can be viewed using the following link: https://codelibrary.amlegal.com/codes/killdeveilhills/latest/killdevilhills_nc/0-0-0-18560

The following is a breakdown of the services requested by the Town of Kill Devil Hills:

- Community Participation – The selected consultant will work with the Town to determine the appropriate community engagement outreach. This may include but not be limited to, discussions and documented issues with current ordinance with the general public and those individuals and groups that frequently utilize the ordinance, such as developers and builders.
- Client Meetings/Review – It is the desire of the Town to work closely with the selected consultant throughout the project. The Planning Director and Assistant Planning Director will be assigned to the project to work alongside the selected consultant. Interested consultants should submit a proposed draft scope of work to include Town staff driven tasks for completion throughout the project.
- Progress Reporting: The Consultant shall:
 - Facilitate public workshops and provide support to Town staff at Planning Board and Board of Commissioners meetings
 - Provide monthly email updates on progress

Deliverables shall include:

- Acrobat 9 (or more recent) files
- Word text file

- One set of handouts and all public meeting materials shall be delivered electronically in both PDF and Word format 10 days before public meetings

Document accessibility and ownership

- All documents, printed or electronically produced as part of this project shall be the property of Kill Devil Hills
- The Town of Kill Devil Hills shall remain free to copy and edit any and all documents and presentations materials, electronic or otherwise
- Electronic documents shall not be locked or password protected and the Town of Kill Devil Hills shall retain the ability to edit and update documents, including original word processing, spreadsheet, database and resulting Adobe Acrobat files.

Tentative Schedule

- All proposals shall be submitted to the Town of Kill Devil Hills Planning Director no later than **5:00 p.m. on Monday April 25, 2022.**
- The first Public Workshop shall be held no later than three months following execution of contract.
- The second Public Workshop shall be held no later than six months following execution of contract.
- Deliver draft recommended amendments to the Town of Kill Devil Hills within eighteen months following execution of contract.
- Public hearing on recommended Town Code update before the Town of Kill Devil Hills Board of Commissioners.
- Approval by Town of Kill Devil Hills Board of Commissioners.
- Final Town Code update delivered.

The Town of Kill Devil Hills will provide information and assistance in this project where available. Applicants should feel free during the selection process to provide any suggestions or comments that might be advantageous for the Town of Kill Devil Hills to consider in terms of any efficiencies, issues, processes, or products.

Administrative Information

Standard Terms and Conditions of Request for Proposals

1. The Town of Kill Devil Hills reserves the right to reject any and all proposals, to consider alternatives, to waive irregularities and to re-solicit proposal submittals.
2. All proposals must be valid for a minimum period of ninety (90) days after the submittal deadline.
3. The Town of Kill Devil Hills reserves the right to select the most responsible and responsive proposal which it finds to be within the best interests of the Town.
4. The Town of Kill Devil Hills makes no guarantees to any proposing firm until such time the Town approves the negotiated contract.

Project Contact

The Town of Kill Devil Hills contact for this project is Meredith Guns, Planning Director. Prospective applicants may make inquiries concerning the Request for Proposals to obtain clarification of the requirements. Direct all inquiries to:

Meredith Guns, Planning Director
PO Box 1719
102 Town Hall Drive
Kill Devil Hills, NC 27948
252-449-5318
meredith@kdhnc.com

or

Cameron Ray, Assistant Planning Director
252-449-5311
cameron@kdhnc.com

Purpose

This Request for Proposals (RFP) provides prospective firms with sufficient information to prepare and submit qualification submittals for consideration by the Town of Kill Devil Hills. To be considered, each qualification submittal must provide completion of the tasks outlined in the RFP.

Scope

This RFP contains the instructions governing the information and materials that are required to be submitted as part of the proposal. These are mandatory requirements that must be met to be eligible for consideration.

Submittal Deadline

Proposals shall be submitted to the attention of Meredith Guns, Planning Director by 5:00 p.m. on **Monday, April 25, 2022** by mail PO Box 1719, Kill Devil Hills, NC 27948 or electronically (preferred) to meredith@kdhnc.com. Late submittals will not be accepted.

Proprietary Information

Any restrictions on the use of the data contained within the proposal must be clearly stated in the proposal itself.

Response Material Ownership

All materials submitted regarding the RFP become the property of the Town of Kill Devil Hills and will only be returned at the Town's option. Responses may be viewed by any person after the final selection has been made. The Town has the right to use any or all of the material outlined in the Proprietary Information above.

Incurring Costs

The Town of Kill Devil Hills is not liable for any costs incurred by those who have submitted proposals prior to issuance of a signed contract.

Acceptance of Proposed Content

The contents from the selected firm will become contractual obligations if a subsequent agreement is reached. Failure of the selected firm to accept these obligations may result in cancellation of the award.

Acceptance Time

The Town may request an interview with a qualifying firm(s) prior to final decision. The Town of Kill Devil Hills intends to make a consultant decision by May 16, 2022.

Payment for Services

The vendor agrees to bill the Town of Kill Devil Hills as each task is completed and approved and allow 30 days for payment to be received.

Proposal Content

The proposal submitted must clearly address the requirements outlined in the RFP. Any concerns that the proposing firm may have about meeting these requirements shall be specifically identified in the proposal document. The proposing firm must insure that all proposed work meets all applicable Local, State, and Federal requirements.

Consultants interested in the project are invited to submit a proposal that addresses the criteria listed above and include the following:

- 1. Personnel** Provide the proposing firm's name, address, contact name(s), telephone number(s), and email addresses.
- 2. General Profile and Qualifications** Provide a general profile of your firm. Also provide the qualifications that the personnel of your firm possess in order to prepare the services outlined in this RFP. Provide names of principals, key persons, or associates who would be involved in the project and their qualifications. Provide a list of similar projects completed by the person/firm, giving names, addresses, and phone numbers of clients.
- 3. Scope of Services** Provide an outline of the understanding of each task of the project. Summarize the basic approach to providing the services, and any recommendations on

improving efficiencies in the process. Provide the names of the staff that will be assigned to complete each task. The scope of services description should be a maximum of 800 words.

4. **Summary Timeline** Include a timeline for completion of each task.

Consultant Evaluation and Selection

All proposals shall satisfy the requirements of the RFP. The firm's qualification submittal shall address all aspects of the RFP and clearly express the firm's understanding of the Town of Kill Devil Hills' specific requirements, indicating the firm's personnel qualifications to conduct these services in a thorough and efficient manner.

It is anticipated that up to three firms will be interviewed by the Planning Director, Assistant Planning Director and other Town Staff prior to a selection. Following the selection of a firm, a contract shall be negotiated between the Town and the selected firm.