



**New Hanover County**  
**Request for Proposal**  
**Unified Development Ordinance**

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Due Date: August 24, 2018

Mailing Address:

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## **PROJECT OVERVIEW**

### **I. Introduction**

The New Hanover County Planning & Land Use Department requests proposals from interested consulting firms with proven experience evaluating, researching, merging, and writing land use regulations to develop a Unified Development Ordinance (UDO) for the unincorporated county. Experience with land use code drafting in North Carolina and familiarity with state statutes is preferred. Currently, the County's development regulations are contained within several different ordinances that have been adopted and amended since the 1960s.

Staff began working a consulting firm on this project in 2016, but due to unforeseen circumstances, that firm is no longer able to complete the project. New Hanover County is issuing this Request for Proposals (RFP) in order to find a consultant or team to complete the remainder of the project.

Staff and the previous consultant team have developed an assessment of the existing code, public engagement plan, and some draft portions of the UDO. Phase 1 of this project (zoning districts, uses and use-specific standards, and use definitions) is approximately 60% complete. A partial draft of Phase 2 (general development standards) is approximately 20% complete.

The selected firm will have primary responsibility for completing the UDO, working in close coordination and consultation with the New Hanover County Planning & Land Use Department. Completion will entail finishing the drafts of Phases 1 and 2, and writing Phase 3 (processes, procedures, and administrative manual), multiple reviews and rewrites with County staff are expected during the process.

### **II. Project Background**

New Hanover County is located in the rapidly growing southeastern coastal region of North Carolina. The County is bordered by the Atlantic Ocean to the East, the Cape Fear River and Brunswick County to the West, and Pender County to the east. The most recent population projections for this anticipate the county's total population growing an additional 84,000 by 2040 to approximately 310,000. Based on recent trends, almost half of that growth is expected to take place in the unincorporated county.

In 2016, New Hanover County adopted a Comprehensive Land Use Plan. One purpose of creating a Unified Development Ordinance is to develop new zoning tools to support the development pattern envisioned by the Comprehensive Plan.

New Hanover County's land use regulations have been amended periodically via text amendments since the adoption of the original code in order to address changing conditions. However, the ordinance contains essentially the same foundation and approach to development as the original document. The County is approximately 65% developed, and the current development pattern is generally characterized by low-density, large lot single family subdivisions with commercial uses lining major corridors. In future years, a development pattern consisting of a more mixed-use, integrated, multi-modal pattern is desired primarily in a 14+ square mile vacant area in the northeastern portion of the county, as well as smaller infill lots.

The original consulting team completed an assessment of existing ordinance in 2017, and Planning & Land Use staff began working with the consultant to develop Phase 1 of the UDO project in accordance with the redrafting strategy outlined in Section IV below. Phase 1 of this project (zoning districts, uses and use-specific standards, and use definitions) is approximately 60% complete.

### **III. Reference Documents**

The ordinances, plans, and documents listed below comprise local land use regulations and will be extensively referenced and drawn upon throughout the development of the UDO. As such, the selected consultant should be familiar with the inventory and general content of the reference documents.

#### **Ordinances:**

- New Hanover County Zoning Ordinance  
<http://laserfiche.nhcgov.com/weblink/0/edoc/3397071/NHC%20Zoning%20Ordinance%20Updated%206.5.18.pdf>
- New Hanover County Subdivision Ordinance  
<http://laserfiche.nhcgov.com/weblink/0/edoc/3273274/NHC-Subdivision-Regs-updated-April-2014.pdf>
- New Hanover County Flood Damage Prevention Ordinance  
<http://laserfiche.nhcgov.com/weblink/0/edoc/3273273/Flood-Damage-Prevention-Ordinance.pdf>
- New Hanover County Mobile Home and Travel Trailer Park Ordinance  
[http://laserfiche.nhcgov.com/weblink/0/edoc/3273278/mobile\\_home\\_park\\_standards.pdf](http://laserfiche.nhcgov.com/weblink/0/edoc/3273278/mobile_home_park_standards.pdf)
- Airport Height Restriction Ordinance  
<http://laserfiche.nhcgov.com/weblink/0/edoc/3273270/Airport-Height-Restriction-Ordinance.pdf>
- New Hanover County Stormwater Ordinance  
[https://library.municode.com/nc/new\\_hanover\\_county/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH23EN\\_ARTVIISTMA](https://library.municode.com/nc/new_hanover_county/codes/code_of_ordinances?nodeId=COOR_CH23EN_ARTVIISTMA)

#### **Plans:**

- New Hanover County Comprehensive Plan  
[http://laserfiche.nhcgov.com/weblink/0/edoc/3270860/PlanNHC\\_LR.pdf](http://laserfiche.nhcgov.com/weblink/0/edoc/3270860/PlanNHC_LR.pdf)
- Cape Fear Transportation 2040 Plan  
[http://www.transportation2040.org/PDFs/CFT2040\\_adoptiondate\\_111815.pdf](http://www.transportation2040.org/PDFs/CFT2040_adoptiondate_111815.pdf)
- Market Street Corridor Study  
[https://www.wmpo.org/wp-content/uploads/2016/05/2010-09\\_MSCS\\_FinalReport.pdf](https://www.wmpo.org/wp-content/uploads/2016/05/2010-09_MSCS_FinalReport.pdf)

#### **Additional Documents:**

- New Hanover County UDO Project Blueprint Report  
<https://planning.nhcgov.com/wp-content/uploads/2017/07/NHC-Blueprint.pdf>
- Addressing Standards and Procedures Manual  
[http://laserfiche.nhcgov.com/weblink/0/edoc/3273269/Addressing\\_Roads\\_standards.pdf](http://laserfiche.nhcgov.com/weblink/0/edoc/3273269/Addressing_Roads_standards.pdf)
- *A Competitive Realities Report of New Hanover County, North Carolina*. Prepared by Garner Economics, LLC  
<http://news.nhcgov.com/wp-content/uploads/2014/05/NHC-CRR-3-31-14.pdf>
- New Hanover County/City of Wilmington LID Manual  
<http://laserfiche.nhcgov.com/weblink/0/edoc/3273331/LID-Manual.pdf>

#### **IV. Project Goals:**

The process to create the ordinance will address and complete the following overarching goals:

- Develop zoning tools, such as new zoning districts, development incentives, etc. to allow and encourage the development pattern described in the Comprehensive Plan (integration of uses, reduce the need for driving long distances to access basic needs, greater diversity of housing options, etc.)
- Create clear regulations and procedures that are easy for staff to administer and for code users to understand, using graphics and illustrations as much as possible, cross-referencing appropriate sections, and limiting the use of technical jargon
- Update terms and regulations in accordance with current land development laws and practices
- Reduce the need for conditional negotiated zoning by providing objective general development standards and new zoning districts that provide appropriate transitions between higher intensity and lower intensity development patterns
- As much as possible, coordinate regulations and format with the City of Wilmington, also currently undergoing a code update.

#### **V. Expected Deliverables**

The prominent deliverable of this project is a modern, innovative and consolidated UDO. During the process, the product should include, but not be limited to, these additional deliverables:

- Draft and Final documents in a file format which the County has ability to take ownership of and edit (Microsoft Word or Microsoft Word and Adobe InDesign);
- Administrative Manual to UDO in the same digital format(s).

#### **VI. Expectations of Selected Consultant**

The selected consultant will be expected to serve in the following capacities and accomplish certain tasks, including, but not limited to:

- Draft, edit, and revise content of UDO in consultation with County staff;

- Provide visuals including, but not limited to, graphs, charts, graphics, illustrations, examples, etc. to format and structure a more user friendly and intuitive UDO;
- Provide an evaluation of different approaches and recommendations to land use regulations.

## **SCOPE OF WORK**

The consultant will be tasked with completing the comprehensive drafting of New Hanover County's Unified Development Ordinance. A project manager will be assigned by the County to serve as the primary point of contact for the consultant. The overall scope of work shall include, but not be limited to, the following key components:

### **I. Project Orientation**

At the beginning of the project, the consultants will meet with the County representatives and the project manager for the project orientation meeting in order to provide an understanding of project components. This initial briefing will include an update to the consulting team on work completed to date, the status of work currently in progress, and remaining steps to completion of the project.

The consultant will be responsible for reviewing and understanding the comprehensive plan, other identified County plans and policies, and all relevant and applicable local, state, and federal laws.

### **II. Stakeholder Engagement**

While Planning & Land Use staff will serve as the lead for stakeholder engagement, the consultant will be expected to provide expertise and assist in explaining recommended technical aspects and concepts within the drafts at public workshops and other related meetings as agreed upon in the project scope (generally one to two held at the end of each project phase). This may include, but not be limited to, producing meeting materials, visual presentations, and any other resources or materials necessary to engage project stakeholders. The consultant may suggest different strategies for stakeholder engagement.

### **III. Draft UDO**

The consultant will prepare the remainder of the draft Unified Development Ordinance that will address identified weaknesses and needed changes, which may be based on the previously completed project audit, outline and approach. Changes to the previously identified project approach may be warranted based on best practices and recommendations from the consulting team and County staff.

The draft will revise and update the County's land use ordinances, as well as the Stormwater Ordinance, Stormwater Design manual, and Sedimentation and Erosion Control Ordinance to include current stormwater practices, updated rainfall amounts, stormwater design practices, and the inclusion of all Sedimentation and Erosion Control updates provided by the North Carolina Department of Environmental Quality.

The draft will include use of graphics and illustrations, tables, flow charts, matrices, and any other methods for facilitating easy use and understanding of the UDO.

The draft UDO is anticipated to be completed in the following phases, but the consultant may suggest a different method of developing the project:

- Phase 1: Zoning Districts, Uses Permissions and Use-Specific Standards, Use and Measurement Definitions
- Phase 2: General Development Regulations and Incentives (Parking, Signs, Buffering, Landscaping and Tree Preservation, Stormwater, Density and Height Bonuses, etc.)
- Phase 3: Processes and Procedures; Administrative Manual

#### **IV. Adoption**

The consultant will prepare a final draft of the UDO for staff to take through the adoption process. In addition, the consultant may assist with preparation of materials and documents explaining the major points of the final draft.

#### **V. Administrative Manual**

The consultant will develop an Administrative Manual as a companion to the Unified Development Ordinance. The UDO Administrative Manual will be a resource to help members of the general public to navigate various planning and zoning processes, and will contain explanations of development review procedures, applications, submittal requirements, and other administrative content deemed necessary. The final manual will be delivered to the County before the adoption of the UDO.

### **BUDGET**

The County is operating on an appropriated fixed budget for the project. The work will be performed on a fixed price basis with a specific amount and payment program being determined through contract negotiations with the successful firm and will be based upon major milestones and/or identified tasks and subtasks.

### **TIMEFRAME**

The anticipated project start with the new consultant is Fall 2018, with the final draft anticipated to be complete by Summer 2019.

### **EVALUATION CRITERIA AND SUBMISSION PROCEDURES**

#### **I. Evaluation Criteria**

Weighted specific criteria, among other factors, will include:

- A. Clear demonstration of the capability to write, rewrite, consolidate, and implement projects comparable to the proposed one in jurisdictions similar to New Hanover County.
- B. Clear demonstration of the ability to manage a project of this size and scope with expertise and attention to detail.

- C. Recommendations from provided references.
- D. The ability to fulfill the objectives and scope of the work within the appropriated budget and within the proposed time frame.
- E. The proposed design approach for the project including, but not limited to, items provided in the Submission Requirements section.
- F. Understanding of local economics, environment, and geographic conditions including but not limited to coastal and legal experiences related to the southeast region of North Carolina.

## II. Submission Requirements

Submitted proposals must include the following information:

**Section 1: Cover Letter-** A cover letter expressing interest in working with New Hanover County that includes a point of contact for the firm. The letter should include:

- A clear indication of the name of the consulting firm, mailing address, telephone and fax numbers, and e-mail address;
- A statement indicating that the firm is independent, properly licensed to practice in the state of North Carolina, and has no conflict of interests with regard to any other work performed by the consulting firm for the County.

### **Section 2: Table of Contents**

**Section 3: Introduction/Summary-** Proposals should include an introduction and summary containing but not limited to:

- The company background;
- The names of key personnel to be assigned to the project, their role on the project, their titles, education, experience, and period of service with the team;
- A description of what disciplines are included within the consulting firm;
- Current workload.

**Section 4: Method of Approach-** Proposals should include:

- A narrative that presents the services the firm will provide detailing the approach, methodology, and deliverables, including the strategy used to achieve the project objectives, and scope of services;
- A description of the approach to be taken toward completing the project scope, including the process and any deliverables resulting from each task;
- Any proposed changes to the project scope;
- Additional related services should be incorporated into the proposal if applicable
- Any tasks that will be subcontracted to other disciplines/consultants;
- Organizational chart and management approach, including the roles and responsibilities of any sub-contractor;
- Any additional information the consultant believes to distinguish their proposals from others.

**Section 5: Comparable Projects-** List at least (3) comparable projects in progress or completed, including references, with the following information:

- Contact name, phone number, and email address;
- Current status of the ordinance and the completion year, if applicable;
- Size and scale of the geographic area under jurisdiction of the ordinance;
- Scope of work performed for each;
- Link to each ordinance;
- Additional relevant information may be included.

**Section 6: Timeframe-** Proposals should include:

- Describe how the work will be completed in an effective, timely, economical and professional manner;
- A proposed schedule for the entire process, including the approximate timeline for completing each of the individual tasks, meetings, presentations, deliverables, and final completion;
- An estimated time that would be devoted to this project.

**Section 7: Proposed Fee-** Provide the consulting firm's fees for performing the services required as detailed in your proposal. Including a cost proposal consisting of:

- A cost breakdown of all expenses, including both direct and indirect fees;
- If the use of sub-consultants is proposed, a separate schedule of expenses must be provided for each sub-consultant;
- Identify the total cost for completing each work task;
- Hourly rates and number of hours by task assigned to individual members of the team;
- A summary of estimated labor hours by tasks that clearly identifies the project team members and the number of hours performed by each team member by task;
- Proposals should be all-inclusive detailing your best offer.

### **III. Submission Procedures**

The proposal responses must be submitted as a comprehensive document or package. Please submit your proposal no later than close of business on August 24, 2018 to:

New Hanover County Finance Department  
Attn: Lena Butler, Purchasing Agent  
230 Government Center Drive, Suite 165  
Wilmington, NC 28403

All applicants are required to submit **(5)** hard copies and one **(1)** digital copy of the complete proposal on or before the end of DATE. Late submissions will not be accepted.

## SELECTION PROCESS AND TIMELINE

Date	Task
July 27, 2018	Issue RFP
August 10, 2018	Questions Deadline
August 24, 2018	Proposal Submissions Deadline
August 24-31, 2018	Review of Proposals
August 31, 2018	Final Selection
TBD	Contract Awarded and Execution

### I. Selection Criteria

The County will conduct a fair and impartial process for the selection of the consulting firm. The County may appoint a selection committee to review all proposals and select one or more teams for in-person interviews. The interviews and presentations will be determined using the applicant's proposal document and the stated Evaluation Criteria. All consulting firms should be prepared to present to the selection committee.

### II. Addenda and Clarification of Specifications

Any and all questions regarding this RFP must be submitted to Lena Butler, Purchasing Supervisor, at [lbutler@nhcgov.com](mailto:lbutler@nhcgov.com). Any and all revisions to this RFP will be made only by written addendum from New Hanover County. All questions should be submitted no later than August 10, 2018.

### III. Acceptance/Rejection of Proposals

The County reserves the right to accept and reject any or all statements of proposals submitted, in whole or in part. The County reserves the right to negotiate any and all elements of the proposal by and with any consultants it deems suitable to carry out this project. New Hanover County has no obligation to award work based off this RFP and reserves the right to re-advertise.