



Date: January 22, 2024

Subject: Unified Development Ordinance – Request for Proposal

Contact: Kaitlyn Lindler, Project Manager

The City of Conover Planning Department is now accepting proposals for a Unified Development Ordinance (UDO). The requirements for submitting a Proposal are stated in the attached Request for Proposal (the “RFP”).

Sealed proposals endorsed Unified Development Ordinance (UDO) to be furnished to the City of Conover (the “City”) will be received by the Planning Department until **Friday, March 8, 2024 at 2:00 P.M. EST**. The City reserves the right to reject any or all proposals.

This RFP outlines a description of the services sought and the required documents. Interested firms must submit in-person or through mail in an envelope specifically labeled Unified Development Ordinance. Electronic proposal submissions will be accepted in PDF format via email.

**Mailing Address:**

Request for Proposals – Unified Development Ordinance  
Attention: Kaitlyn Lindler, Project Manager  
P.O. Box 549, Conover, NC 28613

***If mailed, proposal must be received by deadline.***

**Physical Address:**

Request for Proposals – Unified Development Ordinance  
Attention: Kaitlyn Lindler, Project Manager  
101 1<sup>st</sup> Street E, Conover NC 28613

**Email Submission:**

[Kaitlyn.Lindler@conovernc.gov](mailto:Kaitlyn.Lindler@conovernc.gov)

Please reference: “RFP-Unified Development Ordinance” in the subject line.

Proposals submitted after this deadline or to any location other than that listed above will not be considered. Written questions concerning this RFP may be submitted until 4:00 P.M. Eastern Standard Time (EST), Friday, March 1, 2024 to Heather Stephens, by email only at [heather.stephens@conovernc.gov](mailto:heather.stephens@conovernc.gov). Please reference: “RFP-Unified Development Ordinance” in the subject line.

## **REQUEST FOR PROPOSALS FOR UNIFIED DEVELOPMENT ORDINANCE (UDO)**

### **INTRODUCTION**

The City of Conover (approximate population 8,500) is in the Western Piedmont area of North Carolina and is part of the Hickory Metropolitan Statistical Area (MSA), the sixth largest MSA in the state. Conover is located approximately 50 miles northwest of Charlotte; 60 miles west of Winston-Salem; and 80 miles east of Asheville and is the geographic center of Catawba County. Interstate 40 traverses through the City along with other major roads including US 70, US 321, US 70A, and NC 16.

The City of Conover is requesting proposals from experienced consultants for the creation of a Unified Development Ordinance (UDO). The City of Conover was chartered in 1876, with the adoption of the current Zoning Ordinance & Subdivision Ordinance in 1975. Adoption of these ordinances was followed only by individual text amendments over the years. In 2022, the Conover City Council adopted an update to the Land Development Plan, which provides the vision and framework for future development in Conover through 2030. The Zoning and Subdivision Ordinances and other land development related regulations will need to be combined into a Unified Development Ordinance (UDO). The consultant that is awarded the contract will have the responsibility of leading the process through ordinance adoption while working in direct coordination with Conover Planning Staff, Conover Planning Board, Conover City Council, and Conover citizens and stakeholders.

### **PROJECT OVERVIEW**

The City of Conover Zoning and Subdivision Ordinances are the primary regulatory documents guiding all development and land use within the City of Conover and its Extra Territorial Jurisdiction (ETJ). The current ordinances are outdated and cumbersome to navigate. There is a lack of graphics, illustrations, and clear definitions. There are insufficient cross-references, outdated standards, and design guidelines along with vague language. The City wishes to modernize its land development regulations and address major issues in the creation of a UDO that combines several, if not all, regulations, and ordinances into a single document. The following anticipated goals have been set for this project:

- Ensure consistency between UDO and the City of Conover Land Development Plan (LDP) 2022 Update;
- Regulations shall incorporate and be consistent with the North Carolina General Statutes, as well as applicable federal statutes pertaining to zoning, land use, subdivision, environmental protection, permitting, administration, appeals/variances, conditional uses, and enforcement;
- Create clear procedures in a user-friendly format that are easily administered by staff;
- Minimize text redundancies and the need to reference multiple sections of the UDO. Provide cross-references where multiple sections of the ordinance must be accessed;
- Update the land use table to reflect both existing and future uses along with possible consolidation of existing zoning districts;
- Maximize use of diagrams and graphics to promote intuitive understanding and use of the UDO;

### **SCOPE OF WORK**

The following Scope of Work is intended to guide preparation of the creation of a Unified Development Ordinance (UDO) for the City of Conover. This is not a comprehensive list. A complete Scope of Work and an estimated fixed fee will be developed in consultation with the selected firm based on the City's needs and the firm's experience and capabilities.

- Conduct a comprehensive review and analysis of existing land use ordinances and develop a Unified Development Ordinance (UDO), including assessing the strengths and weaknesses of the existing regulations in terms of structure, organization, clarity, ease of use, existing zoning districts and district standards, regulations of general applicability, definitions, and all procedures.
- Identify and recommend for inclusion, text, and procedures in the professional opinion of the selected firm and should be addressed to ensure a complete and effective ordinance that meets the City's needs.
- Identify and correct any internal inconsistencies, contradictions, omissions or errors, including grammatical and other issues in the plans.
- Review other City adopted regulations that are relevant to the composition of the UDO.
- Ensure that the UDO conforms to general statutes, land use law and principles, as well as federal statutes and case law.
- Develop framework for UDO composition that is based on the City's current Zoning and Subdivision ordinances, along with any other relevant ordinances. The framework should combine the existing ordinances with new elements. This framework shall be established with input from City staff and other governing boards.
- Create a "user-friendly" UDO with graphics and charts wherever possible to communicate regulatory elements of the ordinance.
  - Revise vague, unclear, or confusing language and ensure that language, terms, and intent are consistent from one section to another.
  - Ensure the essential words used in the text of the document are defined in the Definitions section and revise incorrect or inadequate definitions.
  - Revise sections of the ordinances that are in conflict with other sections, have unintended impacts on other sections or are overly complex.
  - Recommend improvements to the layout of the ordinance.
- Consultant shall draft UDO text composition with all necessary charts, graphics, and appropriate references.
- The consultant will be required to attend and facilitate public hearings and meetings with the citizens and stakeholders, Planning Board, City Council, and other appropriate stakeholders. Multiple draft copies of the proposed UDO should be available for review and comment at these meetings.
- Chosen consultant will be required to participate in the adoption of the UDO, including map amendments.

## **REQUIRED DOCUMENTS**

- A description of the firm(s) with emphasis on work related to writing new complete zoning/unified land development ordinances, particularly those with a form-based and urban design-focused approach.
- A description of unified land development ordinances/zoning ordinances recently completed.
- A list of recent projects on which principal staff have worked and a description of their responsibilities, with project references with names and emails of contact persons.
- Legal experience in writing/defending zoning regulation in North Carolina.
- If sub-consultants will be utilized, a detailed explanation of the responsibilities of each firm.
- Statement of Project Approach – the approach to be used on this project, including overall approach to the project, any deviations from the proposed scope or schedule, innovative community engagement, and project management.
- Consultant's expectation of the city. A brief description of the services and tasks that the Consultant would expect the city to provide.
- Budget proposal for the project based on the stated scope of work. A schedule of hourly rates and fees for additional work outside of the agreed upon scope. Any anticipated reimbursable expenses.

## **PROJECT FUNDING**

The City is operating on an appropriate fixed budget for the project. Funding for the UDO is anticipated to spread over multiple fiscal years with an anticipated start date of spring 2024. The work will be performed on a fixed price basis with a specific amount and payment program to be determined through contract negotiations with chosen consultant and will be based upon major milestones and/or identified tasks and subtasks. The expected project budget is a maximum of \$150,000 depending on the project approach and value-added features.

The City reserves the right to seek clarification of any proposal and reject any and all submissions received as a result of this solicitation, to negotiate with any qualified source, to waive any formality and any technicalities, or to cancel in part or its entirety this RFP if it is in the best interest of the City. The City may, at its discretion, conduct short interviews with proposed consultants.

## **TIMELINE**

- Request for Proposals issued: January 22<sup>nd</sup>, 2024
- Request for Proposals due: March 8<sup>th</sup>, 2024 at 2:00PM
- Selection Process: March 2024
- Contract awarded: April 1<sup>st</sup>, 2024
- Target start of project: May 2024
- Target completion date: June 2025

## **SUBMISSION DEADLINE AND ADDRESS**

The complete submittal, consisting of one (1) electronic copy and three (3) additional hard copies must be submitted in a sealed envelope with name of the applicant, clearly marked RFP – Unified Development Ordinance (UDO), and delivered to Attn: Kaitlyn Lindler, PO Box 549 Conover, NC 28613 by no later than **2:00 p.m. on March 8th, 2024**. Submittals received after this deadline will not be considered. The City of Conover reserves the right to reject any and all submittals.

## **ADDITIONAL INFORMATION**

The City of Conover reserves the right to award the contract to any qualified responder. This solicitation in no way obliges the City to award a contract. All proposals become the property of the City upon submission.

The cost of preparing, submitting, and presenting proposals lies solely with the responder. All data, databases, reports, designs, and materials in digital and hard copy format created under this project shall be transferred to the City of Conover upon completion of the project and become the property of the City. Ten percent (10%) of total contract cost will be withheld pending successful project completion to the City's satisfaction.