

3 | Scope of Work

“Compact, mixed–use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources.” - Kent County Comprehensive Plan (2018), pg. 9

The 2018 Comprehensive Plan seeks not only to preserve the County's traditional patterns and forms, but also to “support agriculture as a permanent and preferred land use, which will include the review of plans, policies, and regulations to ensure the continuation of agriculture as a viable industry in the County along with promoting regional initiatives to expand resource-based economies.”

The County's Land Use Ordinance (LUO) should be shaped by the goals, policies, and recommendations of the Comprehensive Plan. It should also be informed by its Economic Development Strategy 2017. This report provides more focused economic and employment context through a SWOT analysis and through the nature of the strategies it contains. If the County wants to attract new businesses and provide a workforce trained for the 21st century, its zoning should be able to keep pace with changes happening in various sectors.

The agricultural and food sectors, in particular, have been experiencing unparalleled change and innovation, ranging from the development of plant- and cell-based meats to indoor hydroponic farming. People's habits, preferences, and tastes related to agriculture and food have also been changing. All of this change is happening faster than government policies and regulations can respond and adapt. This includes zoning, and make sure zoning is contemporary is critical for being able to capture new forms of industry, commerce, and living.

At the same time, the County needs to mitigate risks from climate change sea level rise. The County's Climate Change and Sea Level Rise Report from 2016 assess the County's vulnerability sets forth a strategic framework for preparedness and resilience. Land Use and Land Management is one of the topics covered, and zoning may have a role. While the County's Land Use Ordinance (LUO) applies to unincorporated land, the opportunity to update the LUO is an opportunity to enhance the quality-of-life for the whole County.

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Our team understands the challenges of approving modern projects under outdated zoning regulations. Piecemeal updates, while addressing discrete problems, frequently do not address the bottlenecks, inefficiencies, and undesirable outcomes that can plague efforts to modernize a zoning ordinance.

We will balance the existing character of the County with the desire to encourage sustainable growth. We always respect findings of studies, strategies, and planning objectives into our regulations as we consider and anticipate future land uses. The environmental specialists at NV5 will ensure that we are heeding the various environmentally-focused plans, like the Water and Sewage Plan, Solid Waste Plan, and Hazard Mitigation Plan. Calfee Zoning has developed a three module approach to zoning ordinance updates that is intuitive, and ensures that current issues are uncovered, and then addressed with efficiency and attention to detail. The tasks listed in the RFP have been organized into our three-module format within the work plan on the following pages. We will work with the Director of Planning and staff to refine this workplan as needed.

The goal of each module is summarized below:

Diagnose. The diagnostic module begins with a robust planning document review, followed by a comparison of the current ordinance against the goals from the County's Comprehensive and Strategic plans. We develop an intimate understanding of current planning practice in the County while creating a report that outlines exactly how the current document, and current zoning districts, are falling short. Recommended changes are prioritized and reviewed by the County.

Calibrate. In this module, we calibrate the base regulations. The calibration module rigorously tests and refines the base regulations within each section of the code so that they are ready to input when we get to the codification stage. The County will review and greenlight these regulations so that they can be codified.

Codification. The final module takes the calibrated regulations, and inputs them into an ordinance language that is clear, concise, consistent, usable and defensible. The text updates will be concise, innovative, graphically-rich, and will improve the user experience for both staff and residents.

“Quality of Life and Sustainability: A high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment.”

- Kent County Comprehensive Plan (2018), pg. 9



Scope of Work: Diagnose

Project Initiation and Orientation

We will initiate the project with an in-person kick-off meeting. We will review project goals, timeline, work approach, and the public engagement strategy. NV5 and Calfee Zoning will review the engagement strategy with staff.

We will begin with a robust planning document review, including the existing ordinances, the Comprehensive Plan, the Economic Development Plan, and any other plans, forms or documents deemed relevant.

We will hold the first public forum to receive input on the proposed process for the ordinance updates.

Code Assessment

At the close of Task 1, we will have an understanding of current planning practice in the County and we will begin to draft a Diagnostic Report that outlines exactly how the current ordinances are falling short, and how the code compares with best practices in zoning and planning.

We start with a thorough line-by-line analysis that scores goals and objectives from the Comprehensive Plan against the current ordinances and provides supplementary notes for every section within a matrix. The matrix scores the entire code, and the findings from this exercise are subsequently distilled and summarized within the Diagnostic Report.

As we finalize the Diagnostic Report, we will create a prioritized list of changes and

updates. We will begin to uncover how zoning districts could be re-organized to better meet County objectives, and how they are not serving the County's vision. At the close of this task, we will provide the County with the deliverables listed below.

Deliverables:

- Diagnostic Report accompanied by the line-by-line scoring matrix
- A list of zoning districts (some may not change)
- A draft table of contents which will display how we intend to re-organize the code
- A mock-up of the word document design style we intend to use

Meetings:

- Kick-off Meeting, Solidification of Engagement Strategy, Tour of County
- Public Forum for Input on Process



Scope of Work: Calibrate

Draft Zoning and Subdivision Base Regulations

In the previous tasks, we will have developed new districts, and created a prioritized list of updates for the ordinance. We will lay out base regulations for the various sections of the code, like districts, generally applicable regulations, and the subdivision ordinance within a table format. At the same time we will create an "administrative inventory" whereby we assess the kinds of approvals needed and in which scenarios. We will communicate with staff to understand where they feel there are administrative bottlenecks or inefficiencies.

We will begin to "calibrate" all of these regulations. The Calibration Table lays out all of the standards and base regulations for each zoning district and the rest of the ordinance. The Calibration module creates efficiencies; when we begin to draft new language, the base regulations will be fleshed out and the team can focus on the document text and graphics.

Test Subdivision and Zoning Base Regulations

After receiving feedback, we will review and revise the calibration table.

At this time, we can hold an internal review with staff, or we can test the base regulations with residents as a public forum. We generally recommend testing

the base regulations with residents. Testing the base regulations ensures that questions can be addressed prior to going through the process of drafting the language of the zoning code, which requires consistency throughout.

When the calibration table is finalized, NV5 will begin to create graphics that will make the code more readable and user-friendly.

Deliverables:

- Draft Calibration Table
- Final Calibration Table

Meetings:

- Possible Public Forum to review Base Regulations / Calibration Table



Scope of Work: Codify

Task 3.3: Draft Subdivision and Zoning Ordinances

The previous modules efficiently flow into the Codification Module. With the base regulations fleshed out, The team can focus on the language of the ordinance.

We recommend that as we undertake the drafting process, that we deliver the new ordinance language in sections. We can work with you to prioritize section delivery. We have found efficiencies in providing clients a chance to review completed chapters or sections while the team moves forward with document drafting. This also saves our clients from reviewing a document that is possibly several hundred pages at one time.

When all sections have been drafted and reviewed by staff, we will have the first draft ready for the public forum. We will have draft graphics completed at this time.

Task 4: Public Forum

We will work with staff to coordinate the public forum to review the administrative draft document.

Task 5: Finalize Ordinance Language

We will create an inventory of feedback received during the previous task and integrate it into the document.

Deliverables:

- Draft Subdivision and Zoning Ordinance Language
- Public Review Draft of Subdivision and Zoning Ordinance Language
- Final Subdivision and Zoning Ordinance Language

Meetings:

- Public Forum to Review Draft Ordinance Language

December 2020, close out consultant contract.