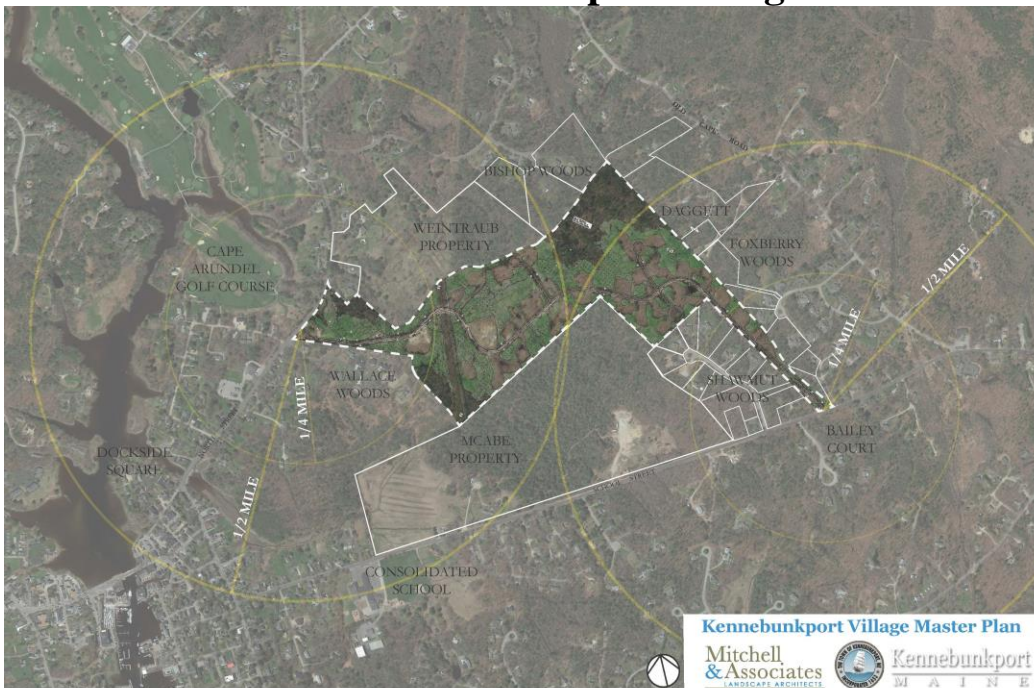




# TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653

## Request for Proposal (RFP) For Consultant(s) to Prepare a Form-Based Code/Zoning District for Kennebunkport Village Parcel



### General Information-Town of Kennebunkport

Kennebunkport is a small coastal community located in York County Maine. The population was 3,629 people at the 2020 census and is part of the Portland–South Portland–Biddeford metropolitan statistical area. Historically a shipbuilding and fishing village, for well over a century the town has been a popular summer colony and seaside tourist destination. In addition, “The Port” prides itself on being a family-oriented community and boasts a diverse blend of rich history. The predominant land use is primarily single family residential with a mix of hospitality, retail, and marine based commercial activity.

Kennebunkport’s current land use regulations were initially adopted in 1972 and have been amended periodically. It is a traditional use-based “Euclidean” ordinance that segregates land use and bulk, space, height, and yard requirements by zoning districts.

Over the years however, the town has recognized new community goals, objectives, and strategies identified within its Comprehensive Plan (recently drafted and adopted in 2022) that favor more traditional patterns of development while incorporating an emphasis on environmental sustainability, open space preservation and maintaining its small-town community character.

## **Project Background and Description-Village Parcel**

The Kennebunkport Village property is a unique parcel that connects both North Street and School Street. This parcel over the years has been heavily reviewed by multiple authorities, including the Kennebunkport Planning Board, Maine DEP, and US Army Corp of Engineers. In the early 2000's it was considered as a future school site, but eventually was purchased by a private developer who had received approvals to construct eighty condominium units throughout the property. The developer had begun the process of roughing in the road, constructing the wetland crossings, and clearing the building sites when the town offered to purchase the property, believing that it offered unique opportunities to the community that would be forever missed should it have been developed as a private subdivision. The property is 86.67 acres in size and has the following properties/constraints.

- There are approximately fifty-two acres of upland area
- CMP has a 135-foot transmission line easement that crosses the property approximately 1,300 feet in from the North Street end.
- There are two stream segments flowing from on-site wetlands that flow under North Street to the Kennebunk River.
- The property contains about 16+/- acres of forested wetlands.
- There are three (3) significant vernal pools, two located within the CMP transmission line easement on the southerly edge. The third significant vernal pool is in the northeast quadrant of the parcel. Significant vernal pools have a one hundred foot, no disturbance, setback. There are also several non-significant vernal pools that have no setback requirements.
- Current site conditions include 6,100 +/- LF of roughed in road connecting North Street to School Street.
- Clearing on site for road and lot areas was completed for the development of a previously approved project.
- Public sewer and water have been extended to the North Street frontage.
- The parcel is approximately 1/10th of a mile from the Village Fire Station and 7/10th of a mile to Cape Porpoise from the School Street side.

After the purchase of the property in 2019 the town promptly embarked in a planning and visioning process with the property becoming known as "Village Parcel". Months of meetings followed with a site assessment, public listening sessions and municipal needs assessments culminated in a community advised vision.

This document is available at:

[https://www.kennebunkportme.gov/sites/g/files/vyhlif3306/f/uploads/200715\\_village\\_parcel\\_report\\_no\\_appendix.pdf](https://www.kennebunkportme.gov/sites/g/files/vyhlif3306/f/uploads/200715_village_parcel_report_no_appendix.pdf)

Additional information can be found at:

<https://www.kennebunkportme.gov/advanced-search?keywords=village%20parcel>

## SCOPE OF SERVICES:

**PRIMARY WORK PRODUCT:** This contract will result in a proposed form-based code, meant to supersede in part the present zoning ordinance and other local land development regulations that apply to property known as the Village Parcel. This code is to be consistent with the definitions and evaluation criteria established by the Form-Based Codes Institute (FBCI); see [www.formbasedcodes.org](http://www.formbasedcodes.org) for more details. As part of the Consultants tasks, you should be prepared to undertake the following as part of the process:

### 1. INITIAL REVIEW AND ANALYSIS

- a. **Site Analysis.** The Consultant will become familiar with the physical details of the Village Parcel and the historic patterns of urbanism and architecture in the surrounding area.
- b. **Review background information.** Kennebunkport will provide all necessary base map information as needed by the Consultant. These documents will be used to produce the maps that will be used during the preparation of the form-based code.

### 2. PUBLIC DESIGN PROCESS/COMMUNICATION

- a. **Public Workshop and/or Design Charrette.** Building on past visioning sessions and workshops, the Consultant will organize and lead design workshops or a full planning charrette to engage the community, gather ideas and goals, and formulate implementation strategies. The charrette format will build off the findings of the previous work of the Village Parcel Committee, initial site analysis, input from staff, and information obtained at previous meetings, workshops, and interviews. While the result will be new land development regulations, the public process will include discussions of alternatives for street design, street connectivity, and town planning strategies that create livable neighborhoods and accessible open space. At the conclusion of the workshop(s), the Consultant will present the work generated to-date. Plans, renderings, and initial coding ideas that reflect ideas articulated will be publicly presented and further feedback solicited from the community. It is essential that local government officials attend this presentation along with citizens and interested stakeholders. It is anticipated that there will be approximately 5 public meetings. These meetings may include the Board of Selectmen, Stakeholder groups, and a working group committee.
- b. **Interviews.** The Consultant may interview appropriate stakeholders involved with the project. These interviews can include groups and individuals, consisting of elected officials, nonprofit organization leaders, property owners, neighborhood representatives, local design

professionals, developers, business organizations, and municipal staff. Interviews are not considered as part of the 5 public meetings.

- c. **Media coverage.** The Consultant will coordinate and participate in all public media outreach and draft occasional press releases to inform the local citizenry about the planning efforts being undertaken.
- d. **Website.** The Consultant will maintain and update a separate website, linked to the town website which will provide information and updates regarding the project. As officials deem appropriate, the Consultant will provide materials including text, photographs, maps, renderings, and other images for the web site. This material will describe the Consultant's credentials and help explain the project's process.

### 3. DRAFTING THE FORM-BASED CODE

- a. **Design Parameters for the Form-Based Code.** The new code will regulate development to ensure high-quality public and private spaces defined by a variety of building types and uses consistent with a traditional New England Village. The new code will incorporate a regulating plan, building form standards, street standards (plan and section), use regulations as needed, descriptive building or lot types (optional), and other elements needed to implement the principles of functional and vital urbanism and practical management of growth. Sections of this document would typically include the following:
  - i. Overview, including definitions, principles, and intent; and explanation of the regulations and process in clear user-friendly language.
  - ii. Regulating Plan (a schematic representation of the master plan) illustrating the location of streets, blocks, public spaces (such as greens, squares, and parks), and other distinctive features. Regulating plans may also include aspects of Building Form Standards such as "build-to-lines" or "required building lines" and building type or form designations.
  - iii. Building Form Standards governing basic building form, placement, and fundamental urban elements to ensure that all buildings complement neighboring structures and the street. These standards should be based upon study of building types appropriate for the region, climate, and neighborhood vitality.
  - iv. Public Space/Street Standards defining design attributes and geometries that balance the needs of motorists, pedestrians, and bicyclists, while promoting a vital public realm. These standards should include design specifications for sidewalks, travel lane widths, parking, curb geometry, trees, and lighting.
- b. **Integration of the Form-Based Code.** The form-based code must be integrated into Kennebunkport's existing regulatory framework (zoning and land development regulations) in a manner that ensures procedural

consistency, meshes with state and local legal requirements, provides clarity as to applicability of existing regulations, and maximizes the effectiveness of the code.

- c. ***Uniqueness to Kennebunkport.*** Kennebunkport as noted earlier is a very traditional New England waterfront community. It is important that during this process, and input from the various groups that this FBC reflect Kennebunkport's rich history and not be a cookie cutter code that can be found in other communities.

#### 4. **REFINING THE FORM-BASED CODE.**

- a. ***Presentation of First Draft.*** The Consultant will present the first draft of the form-based code for the purpose of gathering comments. Copies of the first draft will need to be in hardcopy and digital form and posted on the website. The presentation may be presented before a joint gathering of municipal boards and committees, as determined by the Town of Kennebunkport.
- b. ***Presentation of the Second Draft.*** After making revisions in response to comments on the first draft, the Consultant will present the second draft of the form-based code at another meeting convened by the Town of Kennebunkport.
- c. ***Meetings with Stakeholders.*** The Consultant will attend and participate in meetings with key stakeholders to explain the details of the new code and obtain further input and comments. Stakeholders may include an appointed working group committee.

#### 5. **APPROVAL PROCESS**

- a. ***Public Hearing Presentations.*** The consultant will make formal presentations to the Planning Board, Growth Planning Committee, and the Board of Selectmen.
- b. ***Additional Revisions.*** The Consultant will be responsible for two rounds of revisions that may become necessary between presentations. Kennebunkport staff will be responsible for collecting comments, questions, and suggestions for these refinements from various sources and consolidating them into a series of action items for revision or responses.

### **RECOMMENDED FORMAT FOR SUBMITTALS:**

1. **DESCRIPTION OF APPROACH:** Up to two pages describing the Consultant's typical approach to projects like this one, including the nature of the public process and intended extent of public involvement.

2. **TEAM EXPERTISE:** Brief description of general qualifications, the multi-disciplinary nature of the team assembled for this project, specific evidence of relevant experience creating form-based codes, and a listing of key personnel that would be available to work on this project.
3. **COMPARABLE PROJECTS:** Summary of form-based code projects in progress or completed, with the following information for each code:
  - a. Reference name, with current contact information
  - b. Status of code (drafting in progress; drafting completed; adopted?)
  - c. Nature of public involvement in formulation of code
  - d. Client type (clarifying role of private sector client, if any)
  - e. Was the vision plan created as part of this process, or done separately?
  - f. Size and scale of geographic area
  - g. Type of development (greenfield? infill/redevelopment? city-wide code?)
  - h. Type of code
    - i. Mandatory (integrated into existing code, or freestanding?)
    - ii. Optional “parallel” code?
    - iii. Floating-zone code?
4. **SAMPLE CODE DOCUMENT:** Please include one or more sample code documents selected from the list of comparable projects. If this document is the code as originally proposed by consultant, please also include the code as formally adopted by the municipality and a brief explanation of differences between the two. Photos of designed or built results of the code are encouraged but must be accompanied by a description of their specific relationship to the form-based coding process.

## **EVALUATION OF SUBMITTALS:**

Consultants responding to this RFP must demonstrate the following:

- Experience in preparing municipal form-based codes that regulate development and redevelopment in other communities.
- Experience in building community consensus to support innovative regulatory structures.
- Strong graphic skills.
- Strong skills in written and oral communication.
- Experience in identifying, evaluating, codifying, and explaining the essential qualities of community design and character.
- Experience in writing or implementing municipal land development regulations.

The Town will evaluate all submittals to determine which Consultants have the experience and qualifications that are most suited for this project. The Town may request personal interviews with the highest-ranked Consultants or may request one or more prospective Consultants to submit detailed proposals, which may include the following:

1. Detailed description of the methodology being proposed.
2. Work program detailing:
  - a. Tasks to be performed.
  - b. When each will be completed (timeline).
  - c. Tentative allocation of person days by task.
  - d. Schedule of work products.
3. Methods the Consultant proposes to use to manage the project and communicate with the Town and the public as to project progress, reviews, and conduct of public meetings.
4. Identification of key personnel to be assigned to the project and their roles, with resumes of all key personnel.
5. Hourly rates (inclusive of overhead and profit) for personnel or personnel categories.
6. Data expected to be provided by the Town.
7. Negotiations surrounding the project concerning final scope and costs will be addressed prior to contract signing.

## **SUBMITTAL SUMMARY:**

To be considered, interested parties must submit five (5) copies of the proposal outlining their qualifications and complete information as requested in the Proposal Requirements as well as an electronic version provided on a thumb drive or similar format. Submissions must be received no later than May 5th, 2023. The proposals shall be submitted in a sealed envelope and shall be clearly identified on the outside as " Form-Based Code/Zoning District for Kennebunkport Village Parcel" to the following address:

Laurie Smith, Town Manager Town of Kennebunkport  
P.O. Box 566  
6 Elm Street  
Kennebunkport, Maine 04046

All proposals shall be signed in ink by a principal of the firm with the authority to negotiate and contract for these services. The proposing firm may utilize any method of proposal delivery, except facsimile, telephone, telegraphic, or e-mail proposals which will not be accepted. Any proposal received late for any reason will not be accepted.

Inquiries regarding this RFP must be made in writing and submitted via e-mail to: [lsmith@kennebunkportme.gov](mailto:lsmith@kennebunkportme.gov)