

Town of Duck



Request for Proposals

Update Town of Duck Code of Ordinances - Chapter 156
Zoning Ordinance

June 26, 2026

Introduction

The Town of Duck is seeking a qualified firm to update the currently adopted Zoning Ordinance (Chapter 156 of the Town of Duck Code of Ordinances) by eliminating redundancies and by reformatting, consolidating, deleting and possibly adding sections that create consistency with policy and practices. The Town's last comprehensive update to its Zoning Ordinance was in 2004, over 20 years ago. Other amendments have been made during this time to meet community needs and further the goals of the Town's Comprehensive and CAMA Land Use Plan, and to comply with North Carolina General Statutes. The Town is seeking to complete a comprehensive review and update, removing any unclear, ambiguous or conflicting language that poses uncertainty, while also providing consistency with any recent North Carolina General Statutes changes and/or downzoning limitations. The consultant will be tasked to address 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 Duck is in northern Dare County on the Outer Banks of North Carolina bordered by the Atlantic Ocean to the east and the Currituck Sound to the west, with an area of approximately 3.72 square miles. The Town of Duck is a vacation destination with tourism as the primary industry. The Town is divided by NC-12 (Duck Road) which separates the sound front (located on the west) and ocean front (located on the east). Most residential roads, which are typically private, are cul-de-sacs that extend east from the highway. Development and density in town is limited by zoning restrictions and the dependence on septic for wastewater treatment. With these limitations, development in Duck is generally of smaller scale than neighboring towns. The year-round population is approximately 700 but swells to over 20,000+ in the summer months. Duck is made up of a collection of small shops, restaurants, offices, parks, and boardwalks that provide an energetic and pedestrian first experience for residents and visitors to enjoy. The Town features a fragile, yet extraordinary environment that consists of beautiful beaches, clean sounds, and natural coastal habitats. Duck strives to ensure environmental sustainability that is guided by forward thinking and environmental awareness. The Town is built on an inclusive community that embraces diversity, talents, and a wide range of expertise among the people who share a common goal to preserve the unique nature of Duck.

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 Duck compare proposal 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.

Chapter 156 Zoning Ordinance Review

The Town of Duck seeks to conduct a comprehensive examination of current zoning regulations as a top priority. This pertains to General Provisions, including Definitions, District Regulations, Exemptions, Non-Conformities, Off-Street Parking and Loading, Commercial Development, Miscellaneous Regulations, Administration and Enforcement, Board of Adjustment, Changes and Amendments

Chapter XV: Land Use

The Town of Duck seeks to consider a review of all remaining sections addressing land use and development matters, including the Floodplain, Buildings and Structures, AECs, and Subdivisions sections.

Full Town Code

The Town of Duck seeks to consider reviewing legislative sections beyond development items, including General Provisions, Administration, Public Works, Traffic Code, General Regulations, Business Regulations, and General Offenses.

Update format and structure

The Town of Duck seeks to reform the ordinance to create a more user-friendly ordinance by relocating sections to a more appropriate location in the Ordinance, consolidating sections, removing conflicting regulations and/or revising sections clarifying the regulations.

Updates in General Statutes

The selected consultant shall work with Town staff to ensure Zoning Ordinance compliance with any changes in applicable local, state and federal regulations.

Town Staff and Planning Board have been reviewing the current Zoning Ordinance over the past six months and are continuing to develop a list of issues and suggested changes to further support this review process.

The Town Zoning Ordinance can be found on American Legal Publishing and can be accessed using the following link: <https://codelibrary.amlegal.com/codes/duck/latest/overview>

The following is a breakdown of the services requested by the Town of Duck:

- Community Participation – The selected consultant will work with the Town to determine appropriate methods of outreach and engagement with community stakeholders, particularly those who frequently interact with the Zoning 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. A representative from the Department of Community Development 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 any recommended public workshops and provide support to Town staff at Planning Board and Town Council 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 Word format 7 days before public meetings

Document Accessibility and Ownership

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

Tentative Schedule

- All proposals shall be submitted to the Town of Duck Planning and Permits Manager no later than **3:00 p.m. on Monday July 27, 2026.**
- If Public Workshop(s) are recommended, the first Public Workshop shall be held no later than three months following execution of contract.
- If recommended, the second Public Workshop shall be held no later than six months following execution of contract.
- Deliver draft recommended amendments to the Town of Duck within eighteen months following execution of contract.
- Public hearing on recommended Town Code update before the Town of Duck Town Council.
- Approval by Town of Duck Town Council.
- Final Town Code update delivered.

Proposers should feel free during the selection process to provide any suggestions or comments that might be advantageous for the Town of Duck 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 Duck 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 Duck 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 Duck makes no guarantees to any proposing firm until such time the Town approves the contract.

Project Contact

The Town of Duck contact for this project is Planning and Permits Manager, Sandy Cross. Prospective proposers may make inquiries concerning the Request for Proposals to obtain clarification of the requirements. Direct all inquiries to:

Sandy Cross, Planning and Permits Manager
PO Box 8369
Duck, NC 27949
252-255-1234
scross@ducknc.gov

or

Connor Winstead, Assistant Town Manager
252-255-1234
cwinstead@ducknc.gov

Purpose

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

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 Sandy Cross, Planning and Permits Manager, by 3:00 p.m. on **Monday, July 27, 2026** electronically (preferred) to scross@ducknc.gov, or by mail to PO Box 8369, Duck, NC 27949. 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 Duck's 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

All costs incurred by the Proposer associated with preparing responses to this RFP and subsequent interviews and/or negotiations, which may or may not lead to execution of an agreement, shall be borne entirely and exclusively by the Proposer.

Acceptance of Proposed Content

The contents of the proposal 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 Duck intends to make a consultant decision within sixty (60) days of the submittal deadline.

Payment for Services

The selected proposer agrees to bill the Town of Duck 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 ensure 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. **Firm Identification** 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 to provide the services outlined in this RFP. Provide a list of similar projects completed by the person/firm, giving names, addresses, and phone numbers of clients.
3. **Cost and 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, and the cost of completing each task. Provide the names of the staff that will be assigned to complete each task.
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 Town will analyze the following criteria in selecting a Provider:

- a. Cost
- b. Experience with related programs
- c. References and financial stability
- d. Completeness of the proposal
- e. Ability to meet expected start-up date of the program
- f. Prior Service Record

It is anticipated that up to three firms will be interviewed by the Assistant Town Manager, Planning and Permits Manager, and other Town Staff prior to a firm being selected for this project. Following the selection of a firm, a contract shall be finalized between the Town and the selected firm.

Contracting with Small and Minority Businesses and Women's Business Enterprises

The Town encourages all businesses, including small, minority and women-owned businesses to respond to all Requests for Proposals. In addition, if subcontracts are let, the awarded Contractor must ensure that the necessary affirmative steps are taken:

- a. Place qualified small, minority, and women-owned businesses on solicitations lists;
- b. Assure that such businesses are solicited when they are potential sources;

- c. Divide total requirement, when economically feasible, into smaller tasks or quantities to permit maximum participation by such businesses;
- d. Establish delivery schedules, where requirements permit, which encourage such businesses to respond;
- e. Use service and assistance from such organizations as SBA, Minority Business Development Agency of the Department of Commerce.

Additional Terms and Conditions

- A. All responses, inquiries, or correspondence relating to the RFP will become the property of the Town when received and will not be returned.
- B. The Town reserves the right to refuse any or all packages received that do not meet the criteria listed above or that are received after the due date and time.