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November 26, 2025

New Kent County
Attn: Mr. Joshua Airaghi, Director – Community Development
12007 Courthouse Circle
P.O. Box 150
New Kent, VA 23124

RE: Work Order 1: Zoning Ordinance and Subdivision Ordinance Update

Dear Mr. Airaghi:

We are pleased to present the associated scope and fee to provide professional planning services to support the comprehensive update of the Zoning and Subdivision Ordinances to New Kent County, VA. If you have any questions related to the scope and associated fee for the work order, please let me know.

Thank you for the opportunity to work with you and your staff to help achieve the County's goals.

Sincerely,

Andrew D. Williams
Chief Executive Officer

I have reviewed the scope and fee for the associated work order and I hereby give the consultant notice to proceed for the work described herein.

Joshua Airaghi, Director – Community Development

Date

I. SCOPE OF WORK

Berkley Group will assist the County in the comprehensive update of its Zoning and Subdivision Ordinances by updating structure, integrating new state mandates, and achieving alignment with the newly adopted Comprehensive Plan.

The following tasks will be conducted:

INVESTIGATION PHASE

Task A1 – Investigation Management / Staff Input

Manage the investigation of the project and coordinate with County staff regularly and as needed to collect input and information related to the project. This scope assumes project meetings will occur virtually; a total of up to one (1) hour per month is allocated for these meetings, which may be scheduled biweekly or as needed depending on the project needs and availability.

Task A2 – Project Kickoff with Staff

Conduct an initial virtual meeting with County staff to review project scope, goals, expectations, deliverables, and examine the strengths and weaknesses of the existing ordinance.

Task A3 – Document Review / Diagnostic Report

Assess the County's Zoning and Subdivision Ordinances. Berkley Group will identify Code of Virginia Title 15.2, Chapter 22 mandates to be incorporated into the ordinance and include guiding "best practices" recommendations. During the virtual project kickoff, Berkley Group will interview staff knowledgeable of the zoning and subdivision regulations to incorporate staff-identified strengths and weaknesses into the diagnostic analysis. The report will document identified deficiencies and make recommendations for improvements, along with recommendations for alignment with the Comprehensive Plan. This scope assumes no more than one (1) round of review and associated revisions with the Diagnostic. The final report will be submitted in digital (PDF) format to the County. Berkley Group will present this report to the Planning Commission and County Board of Supervisors during the joint kickoff meeting.

Task A4 – Focus Groups

Conduct up to four (4) focus groups with key stakeholders identified by County staff. Each focus group will contain up to 10 individuals with knowledge and experience utilizing the current ordinances. Stakeholders typically include representatives of the development and real estate community; business owners; large landowners; agricultural agencies and farmers, among others. Each focus group session will be up to 1.5 hours each and will be logically organized by County staff for productive conversation. The focus group sessions will occur on the same day as the in-person public workshop. If focus group sessions cannot occur on the same day, Berkley Group will host and facilitate focus groups on Microsoft Teams or another virtual platform. Berkley Group will summarize the results of each focus group session for inclusion in the engagement summary.

Task A5 – Public Workshops

Facilitate up to one (1) in-person workshop and one (1) virtual workshop. Berkley Group will provide a promotional flyer and digital event materials. The County will coordinate the workshop location, advertise and promote the event, print materials, set up, and provide staff support during the event. Each workshop will include a brief introduction to the project, including the purpose of a Zoning Ordinance and Subdivision Ordinance and the basic elements included in each. The presentation will be followed by interactive small group exercises on land use and zoning issues. Berkley Group will organize and host the virtual public workshop on Zoom, Teams, or a similar platform. Virtual public workshop exercises will be similar to those conducted at the in-person workshop but tailored for a digital format. Berkley Group will summarize the results of each workshop for inclusion in the engagement summary.

Task A6 – Public Pop-Ups

Facilitate up to two (2) pop-up events. The County will advertise and promote the popups; coordinate logistics, set up, and printing of small-format materials; and provide staff support during the event. Berkley Group will provide a promotional flyer, event materials in digital format, printing of event boards, and a summary of event results.

Task A7 – Community Survey

Conduct an open link community-wide survey utilizing an online survey instrument. Berkley Group will draft the survey and provide it to County staff for one (1) round of review and refinement. The survey will be open for 45-60 days and provided to the County for digital and hard-copy distribution. Berkley Group will provide a digital flyer, manually enter any hard-copy surveys, and summarize the survey results. The County will advertise the survey, print and distribute hard copies, and electronically transmit hard-copy surveys within five (5) business days of survey closing.

Task A8 – Engagement Summary

Compile the engagement results from each engagement method into a summary report. This summary will be presented to Planning Commission and the Board of Supervisors and utilized throughout drafting of the Zoning and Subdivision Ordinances.

Task A9 – County Tour; Joint Kickoff with PC & BOS

Tour the County with County staff. The route, stops, and attendees will be organized by County staff. The joint kickoff with Planning Commission & Board of Supervisors will occur on the same day. During this meeting, Berkley Group will present a summary of diagnostic findings, review community engagement to date, and elicit initial feedback on ordinance strengths and weaknesses.

Task A10 – Project Branding and Website Development

Create a project logo and brand identity based on County staff ideas and one (1) round of refinement. The logo and brand will be used in all public materials. Berkley Group will build and maintain a project

website using ArcGIS StoryMaps. The website will inform the public of engagement opportunities, project progress, and drafted materials and resources. The website may be built within the County's current GIS system or transferred to the County at project completion. Berkley Group will develop up to three (3) short informational videos related to the update. Each video will be less than four (4) minutes in length; topics may include Zoning 101, a "topical" 101, advertisement of an event, or project update.

Investigation Phase Deliverables:

1. Diagnostic report in digital (PDF) format.
2. Public engagement flyers, survey, and workshop materials in digital (PDF) format.
3. Public engagement summary in digital (PDF) format.
4. Project logo, brand identity, and interactive website.

DEVELOPMENT PHASE

Task B1 – Development Management / Staff Review Sessions

Manage the development of the draft and facilitate up to seven (7) review sessions with County staff to review drafted material, answer questions, and discuss edits. This scope assumes staff review sessions will take place virtually and will last no longer than two (2) hours. The virtual review sessions will occur bimonthly, or as needed depending on the project needs and availability.

Task B2 – Table of Contents / Crosswalk

Draft a new table of contents and a crosswalk comparing the location of the existing ordinance text with the new proposed locations. This document will be updated throughout drafting and shared with staff, the Planning Commission, and Board of Supervisors prior to work sessions.

Tasks B3-B11 – Ordinance Drafting

Draft the Zoning and Subdivision Ordinance with an agreed upon table of contents and format. Any stylistic or formatting preferences (e.g., font/document layout, preferences for language/word usage) shall be identified by County staff prior to drafting. The articles and tasks are predicted to fall into four (4) categories: Tasks B3-B5, Administration; Tasks B6-B7, Districts; Tasks B8-B9, Uses; and Tasks B10-B11, Design and Subdivision. For each drafting task, Code of Virginia references and/or text will be added for compliance and transparency; redundant and conflicting text will be removed; Zoning Administrator interpretations will be incorporated; text will be streamlined into tables as appropriate; and vision and goals of the Comprehensive Plan and public incorporated. The scope assumes a maximum of one (1) new district or overlay district will be created; but any associated mapping amendments are not included.

Task B12 – Basic Graphics

Draft graphics to aid in the usability of the ordinance. Berkley Group will incorporate 10-20 graphics depicting concepts such as measuring building height, setbacks, buffer screening, sign square footage, and similar concepts. The graphics may be a mix of 2D and 3D images, and will determine the final quantity of graphics included, with the inclusion of 3D images reducing the overall quantity of graphics.

Task B13 – Review and Refinement

Incorporate one (1) round of revisions per article during staff review and one (1) round of revisions per article during drafting work sessions. Comments from the Staff/Board/Commission will be provided through the platform Konveio or in a consolidated comment response sheet to Berkley Group for review and consideration prior to each work session. The fee estimate for drafting is based on revisions directed during the work sessions identified in the scope of work. Revisions associated with additional work sessions, meetings, or iterative staff reviews will require a scope amendment and additional fee.

Task B14 – Joint Work Sessions

Facilitate up to six (6) in-person drafting work sessions with the Planning Commission and Board of Supervisors. The focus of each work session will be to review and fine-tune drafted text. The drafted text will not include a red-line version due to the complexity of the update. Editor's footnotes will be included to highlight major changes, and the ordinance crosswalk will be provided to detail the new proposed location of the existing ordinance text. Berkley Group will also draft and provide memos summarizing the major changes to articles in advance of each work session. Meeting materials will be provided in digital format up to, but not earlier than, ten (10) business days before a work session. Printing of hardcopy materials necessary for meetings will be the responsibility of the County.

Development Phase Deliverables:

1. Table of contents / crosswalk in digital (PDF) format.
2. Staff review draft articles in digital (PDF) format.
3. PC & BOS review draft articles in digital (PDF) format.
4. Joint work session memos and associated meeting materials in digital (PDF) format.
5. Joint work session summary notes in digital (PDF) format.

ADOPTION PHASE

Task C1 – Adoption Management / Staff Input

Manage the adoption of the ordinance and coordinate with County staff regularly and as needed to collect input and feedback related to the project. This scope assumes project meetings will occur virtually; a total of up to one (1) hour per month is allocated for these meetings, which may be scheduled biweekly, or as needed depending on the project needs and availability.

Task C2 – Public Open House

Facilitate up to one (1) in-person open house event. As part of the public review, Berkley Group will develop an online comment form using an online survey tool to solicit additional public feedback. The survey will run concurrently with the public open house for a 30–45-day period. The County will advertise and promote the open house and survey; coordinate logistics, set up, and print small-format materials; and provide staff support during the open house event. Berkley Group will provide a promotional flyer, a clean draft ordinance in PDF format, digital event materials, printing of event boards, and summary of event results.

Task C3 – Final Review Joint Work Session

Facilitate up to one (1) joint work session with the Planning Commission and Board of Supervisors. The work session will focus on reviewing the public engagement comments and refining the ordinance prior to adoption.

Task C4 – Final Review & Revisions

Prepare draft Zoning Ordinance for public review and adoption with two (2) rounds of revisions. The first round will occur prior to the public open house and include incorporation of all edits from staff and Planning Commission, final formatting, a references check, and typographical clean-up. After the Final Review Joint Work Session, Berkley Group will incorporate one (1) round of revisions based on comments from the work session and conduct another general clean-up.

Task C5 – Public Hearings

Conduct one (1) public hearing with the Planning Commission and one (1) public hearing with the Board of Supervisors for the adoption of the updated Zoning and Subdivision Ordinance. The County will be responsible for public notification requirements associated with the project. Prior to the public hearings, Berkley Group will provide a clean draft ordinance in PDF format and a summary memo highlighting major changes.

Task C6 – Post-Adoption Deliverables

Provide final digital versions in PDF and .docx format and three (3) printed, bound copies of the Zoning and Subdivision Ordinance to the County. Berkley Group will create up to ten (10) new support documents, which may include standard operating procedures, checklists for applications,

or application forms. These supporting documents will be provided in digital PDF and .docx format within 60 days of ordinance adoption.

Adoption Phase Deliverables:

1. Open house draft ordinance in digital (PDF) format.
2. Final table of contents and crosswalk in digital (PDF) format.
3. Open house flyer, survey, and event materials in digital (PDF) format.
4. Open house and public review summary in digital (PDF) format.
5. Summary memo of major changes to the ordinance in digital (PDF) format.
6. Joint work session memo in digital (PDF) format.
7. Joint work session summary notes in digital (PDF) format.
8. Public hearing draft ordinance in digital (PDF) format.
9. Final ordinance in three (3) hard copies and digital (PDF and .docx) format.
10. Supporting documents in digital (PDF and .docx) format.
11. Project webpage, if County desires continued usage.

The following assumptions shall apply:

1. **Initiation:** The County will provide up-to-date copies of the current zoning and subdivision ordinances and other relevant material.
2. **Point of Contact:** The County will designate a primary point of contact who will be responsible for coordinating communication, collecting and providing access to necessary information and resources, and reviewing or approving work products in a timely manner.
3. **Management / Staff Coordination:** If the project schedule is extended, or additional sessions needed beyond the scoped tasks above, project meetings or review sessions will be charged based on hourly rates for each staff by position unless a work order amendment occurs.
4. **Same Day Events:** Tasks occurring on the same day are noted above. With mutual agreement and depending on scheduling constraints, County staff and Berkley Group may consolidate or reorganize events to occur on the same day as another in-person event. Additional trips for in-person meetings will require a scope amendment and additional fee.
5. **Comments & Revisions:** Anticipated revisions are noted in the tasks above. Revisions associated with multiple reviews, multiple submissions of comments, or comments submitted without using a consolidated tracker or a streamlined platform will require a scope amendment and additional fee.
6. **Mapping:** This scope and budget do not include any mapping.
7. **External Legal Review:** This scope and budget do not include an external legal review. If desired, we have partners that can be added to this scope of work.

8. **Work Session Cancellations:** Work sessions cancelled with notice of less than five (5) business days will be counted toward the scoped work sessions, and the client will be charged for the preparation hours for the cancelled meeting. Multiple cancellations may result in charges beyond the work session fee, based on hourly rates for each staff by position unless a work order amendment occurs.
9. **Indirect Fee:** The indirect fees include display boards, meals, travel, and lodging associated with the scoped meetings. Costs for printed copies of reports or meeting materials are the responsibility of the County and not included in the fee estimate.
10. **Completion:** If project completion is delayed beyond 60 days due to lack of client responsiveness, indecision, or failure to complete required tasks, Berkley Group reserves the right to consider the project substantially complete, issue final billing and close out the contract. Additional tasks may be completed under a new agreement or amendment by mutual agreement of both parties.

II. SCHEDULE

Berkley Group proposes to perform the tasks included in this Work Order according to the schedule outlined below. This schedule is predicated on the assistance of locality staff in providing timely documentation, guidance, and scheduling of necessary meetings and work sessions. If the County fails to provide internal review and/or information in a timely manner, requests additional review time, or reschedules meetings, this may result in unanticipated project or deliverable delays as Berkley Group accommodates existing project commitments and schedules. If this occurs, a new schedule will be provided.

Phase	Task	Task Description	2026												2027												2028	
			January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February
Investigation	A1	Investigation Management / Staff Input																										
	A2	Project Kickoff with Staff (Virtual)	V																									
	A3	Document Review / Diagnostic Report																										
	A4	Focus Groups (up to 4)			X																							
	A5	Public Workshops (up to 1 in-person and 1 virtual)			X	V																						
	A6	Public Pop-Ups (up to 2)				X	X																					
	A7	Community Survey (online and hard copy)																										
	A8	Engagement Summary																										
	A9	County Tour; Joint Kickoff with PC & BOS					X																					
	A10	Project Branding and Website Development																										
Ordinance Development	B1	Development Management/Staff Review Sessions				V		V		V		V		V		V		V		V								
	B2	Table of Contents/Ordinance Crosswalk																										
	B3-B11	Ordinance Drafting																										
	B12	Basic Graphics																										
	B13	Review & Refinement																										
Adoption	B14	Joint Work Sessions (up to 6)											X	X	X		X	X	X									
	C1	Adoption Management/Staff Input																										
	C2	Public Open House (up to 1)																			X							
	C3	Final Review Joint Work Session (up to 1)																				X						
	C4	Final Review & Revisions																										
	C5	Public Hearings (PC 1 & BOS 1)																						X	X			
	C6	Post-Adoption Deliverables																										

If the work order is not signed and returned within 30 days, the proposed schedule and associated fee expires, and Berkley Group may propose a new schedule and fee.



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III. FEE

The fee is developed based on the scope of work presented below and the minimum number of hours (by position) required to perform each task. The fee is fixed and will not increase unless there is a written, mutually agreed upon change to the scope of work. If additional services are desired, they can be provided for an additional fee. Payment will be made to Berkley Group, LLC and invoiced twice monthly.

Phase	Task	Task Description	Total Cost
Investigation	A1	Investigation Management / Staff Input	\$ 3,125.00
	A2	Project Kickoff with Staff (Virtual)	\$ 700.00
	A3	Document Review / Diagnostic	\$ 7,800.00
	A4	Focus Groups (up to 4)	\$ 4,900.00
	A5	Public Workshops (up to 1 in-person and 1 virtual)	\$ 5,475.00
	A6	Public Pop-Ups (up to 2)	\$ 6,600.00
	A7	Community Survey (online and hard copy)	\$ 3,300.00
	A8	Engagement Summary	\$ 3,100.00
	A9	County Tour; Joint Kickoff with PC & BOS	\$ 3,750.00
	A10	Project Branding and Website Development	\$ 14,100.00
Ordinance Development	B1	Development Management/Staff Review Sessions	\$ 5,450.00
	B2	Table of Contents / Crosswalk	\$ 4,900.00
	B3	Definitions	\$ 6,800.00
	B4	General, Administrative, Nonconformity	\$ 8,875.00
	B5	Permit & Application Provisions	\$ 10,375.00
	B6	District Standards	\$ 12,250.00
	B7	Overlay & Special Districts	\$ 6,625.00
	B8	Use Matrix	\$ 7,900.00
	B9	Use Performance Standards	\$ 10,175.00
	B10	Community Design Standards	\$ 9,625.00
	B11	Subdivision	\$ 10,550.00
	B12	Basic Graphics	\$ 10,375.00
	B13	Review & Refinement	\$ 11,750.00
	B14	Joint Work Sessions (up to 6)	\$ 21,450.00
Adoption	C1	Adoption Management / Staff Input	\$ 3,500.00
	C2	Public Open House (up to 1)	\$ 3,400.00
	C3	Final Review Joint Work Session (up to 1)	\$ 4,350.00
	C4	Final Review & Revisions	\$ 7,500.00
	C5	Public Hearings (PC 1 & BOS 1)	\$ 5,300.00
	C6	Post-Adoption Deliverables	\$ 11,000.00
Subtotal			\$ 225,000.00
Non-direct expenses (5% of project cost)			\$ 11,250.00
TOTAL			\$ 236,250.00

The following supplemental services may be employed for an additional fee:		
Options	E1	Additional Focus Group Meeting
	E2	Additional Public Workshop or Open House
	E3	Additional Public Survey (online & paper)
	E4	Additional Work Session / Meeting
	E5	Development Guidance Manual
	E6	External Legal Review
	E7	Zoning Map Evaluation
	E8	Zoning Map Amendments