

Memorandum of Understanding

This Memorandum provides details about the Subdivision Ordinance Update that we, Hansen Planning Group, will provide for Hildale. It also describes the process, work plan, and timeline that we will follow.

WHY THIS PROJECT

The Utah Legislature passed Senate Bill 174 in early 2023. This law changes how local land use ordinances governing subdivisions are handled in the state and requires local governments to update their ordinances accordingly. The new law gives your municipality a date certain in 2024 to bring your code into compliance. The purpose of this Subdivision Ordinance Update is to produce a subdivision code and administrative process that will help your municipality comply with current state statutes and planning best practices.

FUNDING

This ordinance update is *available at no cost to your municipality* thanks to the program administered by the Utah Department of Workforce Services (DWS). The DWS webpage explaining this initiative is at <https://jobs.utah.gov/housing/community/subpool.html>. Our company is one of a handful of private entities with which the Department has contracted to do this work. For reference, our contract number with the state is #246143.

Your jurisdiction is eligible for up to \$14,000 of professional code writing services. Hansen Planning Group is authorized to provide this to your jurisdiction. *We expect that completing this project could require this entire amount.* It is therefore important that the municipality does not engage another provider for the same work without consulting with us first. Not only are we confident that we can get you the best result, but you will be responsible to pay for any services (rendered by us or another company) once the state funding is obligated. *We will not exceed your state-funded amount unless you request it. This would require us to enter into a separate agreement with your municipality.*

PROJECT MANAGEMENT

We are happy to collaborate with other planners or law firms that are eligible entities in the consulting pool at your request. For efficiency—and to ensure we do not exceed the state funding budget—Hansen Planning Group will manage the project and the specific involvement (hours billed to the project, deliverables, etc.) of these other entities.

TIMELINE FOR COMPLETION

Based on our code writing experience, we expect that each subdivision project we conduct will have a unique timeline. At a minimum, we estimate your code revisions to take us up to three months to complete from the project's formal initiation. Your project may go faster, and it may go slower. At the latest, we will finish your subdivision ordinance revisions no later than October 1, 2024. Our availability date to begin your municipality's subdivision update is as early as: February 1, 2024.

WORK PLAN and DELIVERABLES

At a minimum, the Hansen Planning Group will produce (1) a state-compliant subdivision title for your municipality, (2) a memo recommending changes to subdivision-related engineering standards, (3) updated subdivision application forms.

We can also provide you with optional services such as (1) codifying and uploading your adopted ordinances into the civiQ.com online platform, and (2) hosting a training event with City Council, Planning Commission, and staff that helps explain the recommended changes (focusing on administrative vs legislative decision making).

Your update project will follow the following general steps in revising your subdivision ordinances:

1. **Audit existing subdivision ordinances.** We will review the current version of your subdivision code and identify issues and omissions, especially involving nonconformity with state law.
2. **Make material changes.** We will (1) revise your subdivision ordinances to compliment your community's general plan and vision, (2) audit the municipal code for relevant elements regarding authorities, roles, definitions, etc, and (3) make other recommendations that bring the code into conformity with state and federal law, resolve inconsistencies, simplify processes, and correct any other substantive or procedural issues.
3. **Rewrite in plain language.** Where needed, we will rewrite your subdivision ordinances so that a normal person can easily understand them. This will likely involve eliminating "legalese", consolidating and reorganizing content, and adding summary charts, tables, headings, and illustrations.
4. **Explain changes.** Along with our revisions to your subdivision ordinances, we will deliver a "Policy Discussion Catalog" identifying and explaining the changes we've made. This catalog will help your local legislative body review and adopt the code quickly and easily.

MEETINGS

Our team will be available to meet virtually to answer any questions you have about the process and our progress on your ordinances. We may also be available for the occasional in-person meeting, depending on your need and our availability.

WHAT WE NEED FROM YOU

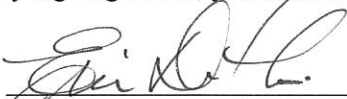
Our team will make this update as easy and "hands free" for you as possible. DWS requires that you do just a few things:

- **Sign this Memorandum.** We also need you to provide us with the most current copy of your subdivision ordinance and a copy of your subdivision application form(s).
- **Provide public notice (as per UCA 10-9a-205).** Our firm can help provide notice language.
- **Promptly adopt your amended subdivision code after it is developed.** We will be carrying the cost of this project, and DWS will not reimburse us until your code is adopted. You must agree to act on your updated code through the public process without delay.

- **Sign our invoice.** Once your code is adopted, our company will submit an invoice to DWS. DWS requires that you also sign this invoice to certify that we worked on your code and that you adopted the code. You must agree not to withhold your signature.

SIGNATURES

By signing below, you indicate that you acknowledge, understand, and agree to the above.



Signature

ERIC DUTHIE, CITY MANAGER

Name and Title, on behalf of the Municipality

NOV. 8, 2023

Date



Signature

Mike Hansen, Principal

Name and Title, on behalf of HPG

3 November, 2023

Date