

From: Stan Shawver
To: Bill Florea; Paula Evans; Thaddeus Yonke; Uriah Mach
Date: 9/27/2012 2:05 PM
Subject: Fwd: Proposed Sundivision Changes

>>> Don Stamper <dstamper@conagg-mo.com> 9/27/2012 2:02 PM >>>

To: Members of the County Commission

From: Billy Sapp
President
Central Missouri Development Council

Re: Proposed Changes to County Subdivision Regulations

Dear Mr. Atwill, Elkin and Ms. Miller

I am writing today on behalf of the Central Missouri Development Council and its members with major reservations to the draft changes to the county subdivision regulations. Our organization represents community developers and other interested parties in development issue. We believe that these changes have not been properly processed and leave major questions to the potential impact if adopted. Our specific concerns are as follows;

- * The proposed changes have not been adequately discussed and significant questions remain on the potential impact of the proposed changes;
- * CMDC met with members of the county staff over 2 years ago and had no feed back or communication until the staffs new draft appeared on the Planning and Zoning Commissions agenda earlier this month
- * The staff has suggested a number of changes that were not previously discussed;
- * The shifting of limits in splitting/dividing land and its increase to 40 acres appears to have no basis and will significantly inhibit proper and orderly growth of our county while failing to promote diversity in house choices;
- * We have seen an increase in interest for living areas of this type that are rural in character, offer private roads/drives while accommodating 2, 5,10 to 20 acre home sites
- * There are a number very successful developments that will be eliminated if these changes are adopted in current form;
- * The staffs solution to eliminate private drives unless the property fronts on a public roadway raises safety concerns and seems to promote unhealthy multiple access points on existing roads;
- * The changes if adopted in current form, will in our opinion result in a regulatory taking of private property rights and will significantly limit land use choices to our citizens;
- * Staff has reported that the changes were only to "clean up" discrepancies in the old code and that

nothing significant was proposed. Let there be no miss understanding there are very significant changes included that were not previously discussed;

* During a recent work session with the planning and zoning commission the staff suggested that the County Commissioners commonly receive complaints from residents who live on private roads and do not receive county snow removal and road maintenance. While these calls may be uncomfortable the issues surrounding private roads/drives are easily dealt with via recorded development agreement or memorandum of understanding as related to the specific area;

* We see no valid reason to eliminate this type of development as an option

* The commission has often promoted an inclusive and open process for policy development. Form our position and with the per stated position of staff when members of the P&Z Commission requested more time to study the changes they were told that " the County Commission wanted to hurry this along and get it passed quickly before the new Commission is elected" we find this position to be less than open and inclusive;

In closing we join the HBA and others to urge you to commit to and expanded level of communications. These decisions are critical and they should not be made lightly. If not properly considered they can have many unintended or unforeseen consequences. We caution you not to trade off quality for expediency and offer or members to meet and discuss theoptions.

Thank you for considering our request should you have comments or questions please follow up with our staff.

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