

Members of the Albemarle County Board of Supervisors:

*Albemarle County Land Use Law.* “since 1980 each Virginia locality has been required to have a comprehensive plan. A comprehensive plan is defined as a plan for the physical development of the territory within the locality’s jurisdiction. A comprehensive plan does not have the status of a zoning ordinance. It is advisory only, and serves as a guide for the development and implementation of the zoning ordinance.

A comprehensive plan is to be general in nature. It designates the general or approximate location, character, and extent of each feature...” The County Planning staff Comprehensive Plan wish-list of proposed regulations is micromanaging at the extreme, and thereby fails the legal definition of “general in nature.” Their volumes of proposed detailed regulations laced with “shalls” and “wills” attempt to anticipate all modes of citizen behavior and private property use, and to write a regulation to cover them. Rather than let County government and citizens deal with issues on an “ad hoc” basis, planners are convinced that they are able to see the future and best know how to regulate it. The Nobel Prize winning economist F.A. Hayek wrote a book about this mindset titled: *“The Fatal Conceit.”*

These proposals include a stated regulatory war on the rural areas and the property rights of its rural citizens. Preservation of rural areas is one regulatory mantra. Preserved as what and for whose benefit? Does it mean that the rural areas are to be a stagnant museum of lost economic development? Natural resources are just that...resources. Common sense acknowledges that resources are sources of value to be used to the benefit of the owner and the community.

*“Building One America,”* and the intellectual leaders of the “anti-sprawl” movement have been working on a program of social reform. Part of that is contained in “Regionalism,” the idea that the suburbs should be merged into the cities, merging schools, housing, transportation, and eventually taxation. The Virginia regional planning districts already contain the basic framework to become regional governments, ready to supplant elected County government. Watch out for your jobs supervisors.

The “regional planning grants” funded under the *Sustainable Communities Initiative* recommend development plans, designed to undercut America’s suburbs, wrapped in the impenetrable jargon of “sustainability.”

The *Planners Network* states: “We believe that planning should be a tool for allocating resources and developing the environment to eliminate the great inequalities of wealth and power in our society...we believe that planning should be used to assure adequate food, clothing, housing, medical care, jobs, safe working conditions, and a healthful environment. We advocate public responsibility for meeting these needs, because the private market has proven incapable of doing so.”

The County Planning staff has set forth a voluminous proposal of regulations effectively supporting such a socialist vision rather than the more general road map required by Virginia law.

In total, the planning process makes property development more expensive at each regulatory step. Having themselves created an unnecessary and artificial scarcity of developable and affordable land, the planners then bemoan that housing has become more expensive and that taxpayer funded “affordable housing” must be a priority.

County planning staff created their own definition of what “seniors” needs and wants are, as though there were a standardized “senior.” Proximity to entertainment is a county-defined senior “want.” Perhaps proximity to the family farm is the real “want,” and the imposition of increasing property taxes is the real threat to affordability...taxes which ratchet upward because of uncompensated, county regulatory-takings. Private property taxes do not reflect the loss of land value resulting from the extinguishing of legitimate development rights. The land is still yours to pay taxes on, but your right to fully use it has been zoned away.

Members of the Board, please defend the rights of the citizens who elected you.

Charles Battig  
Albemarle County  
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