

Zoning in our modern world is anti-thesis of property rights

Thank you for admitting public comments today. I am here to speak on behalf of the “Free Counties” organization and we can be reached at www.freecounties.com

We advocate for all things that keep counties FREE for all citizens to live, equally. We don't let partisan politics divide our progress because we are confident that all citizens of La Plata County are concerned with protecting their property rights, no matter what their political affiliation.

Zoning is a planner's term for re-organizing a county in the name of social engineering and wealth re-distribution using form-based codes, under the guise of economic development. It is about expanding the current system via a grant of power that would permit the government, acting through both elected and non-elected officials, to “take” up to 90% of the value of other people's property...all in the name of “public welfare.” The 501(c)3 non-elected boards such as [Region 9](#) and the [SW Council of Governments](#) (among many others) are put into place to remove the voice of the people. The public [can't even do “Freedom of Information Act” requests](#) of these non-elected boards.

The planning staff has been fully trained by the *American Planning Association* and their own studies have even shown how ineffective zoning really is. The APA is a member of the Planner's Network whose statement of principles is: “***We believe planning should be a tool for allocating resources – and eliminating the great inequalities of wealth and power in society – because the free market has proven incapable of doing this.***” That is social engineering using re-distribution of wealth.

So, what is property **ownership**? This definition is a solid explanation of what property “ownership” means. It was written by Washington State Supreme Court Justice, Richard B. Sanders:

“Property in a thing consists not merely in its ownership and possession, but in the unrestricted right of use, enjoyment, and disposal. Anything which destroys any of the elements of property, to that extent, destroys the property itself. The substantial value of property lies in its use. If the right of use be denied, the value of the property is annihilated and ownership is rendered a barren right.”

That definition speaks to the rightful usage that one has of their property; however, it doesn't go against the local government's ability to plan, nor impose a legal zoning policy as long as such policies protect the owner's use of their private property.

Of course, government plays a role in protecting the public health, safety, and welfare so we found a *model plan* from [Baca County, Colorado](#) that still maintains those things but does so while protecting the property rights of the people. [As the Carlson report](#) points out, this rollout of land use planning must be reformed and we ask the county to begin with a bottom-up approach and then decide what zoning should look like, within the constraints of their jurisdiction, instead of this top-down approach based on a model of re-distribution of wealth.

We believe that all of you are concerned about the rights of the people of La Plata County but what guarantees do we have that you will protect our private property rights? We would like to present you with a “Resolution to Protect La Plata County Citizen's Property Rights” and ask if you would please sign it?