

Congress of the United States

Washington, DC 20515

November 19, 2001.

The Honorable Mel Martinez
Secretary
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

Dear Secretary Martinez:

We are writing to express our strong opposition to the 2002 edition of the *Legislative Guidebook*, a product of the Growing Smart project of the American Planning Association. Further, we respectfully request that you oppose the *Legislative Guidebook*, especially since the report was prepared under a U.S. Department of Housing and Urban Development (HUD) cooperative agreement.

As you know, HUD has been tasked in the coming weeks to approve the publication of the *Legislative Guidebook*, a comprehensive blueprint of model statutes and planning guidelines to govern land use planning at the state and local levels. After carefully reviewing the document it is quite clear that this proposal runs counter to the most basic principles we value.

Specifically, many provisions in the *Legislative Guidebook* would trample the rights of private property owners by seizing their land without the just compensation that our Constitution requires. Indeed, the Framers of the Constitution clearly recognized this right as they laid out the foundations of American Democracy, and it has been reinforced time and time again in the courts.

To complicate matters further, the *Legislative Guidebook* would authorize various land development regulations which would impose financial hardships on many small businesses. For instance, the report contains provisions which would impose moratoriums and, in some cases, strict guidelines on the small business community for the issuance of permits to display outdoor advertising signs.

While we recognize that the report is a research document which does not necessarily represent the policy of HUD, we are certain that this is an important issue that deserves your full consideration. Very simply, your willingness to oppose the *Legislative Guidebook*, as well as continue to consider all views demonstrates your commitment to private property owners, small business owners and economic development. Even further, it helps to ensure that this is a full, open and fair process.

Thank you for your attention to this matter. We look forward to your prompt response as you work toward a solution for this concern.

Sincerely,

Richard Panto

Tom DeLong

Lee Carter

John E. Peterson

Walter B. Jones

Bill Stuy

W. Todd Akin

Donald H. Manzullo

Bob Delfino

Ron Paul

Jim Gibbons

Mike Lee

Ray B. Hall

Gregg Kellieff

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