



Statement of Barbara Miller  
On behalf of the Advocates for Herring Bay  
Concerning Bill 79-14

A bill for the purpose of adding a limitations period to enforcement of certain zoning use violations; and generally relating to nonconforming uses  
October 20, 2014

Under Bill 79-14, an illegal land use that goes undetected for 10 years could be re-classified as a legal activity as long as ownership of the property is unchanged.

Enacting this bill would create an incentive for people to violate zoning restrictions. The risk of abuse is especially high in rural, wooded areas like ours where illegal activities can be hard to detect. We experienced this firsthand a few years ago when someone was using his property as a transfer station for trash. Luckily, neighbors caught a glimpse of the dumpsters after the leaves fell off the trees and reported them to the county. Had the dumpsters been less visible, this legislation would have legalized that land use—and made a RA property in the Critical Area a dumping ground for trash.

The bill also would preempt the county's zoning process. At present, landowners can seek a zoning change only as part of the county's decennial comprehensive planning process. Why should illegal uses be approved without the same scrutiny?

There is no public good to be served by undermining the rule of law. The Advocates for Herring Bay urge you to vote against this bill.