

Chapter 4 General Policies and Regulations

4.1.3 Regulations -- Existing Uses

sub section 4.

"If a use is discontinued for twelve consecutive months or for twelve months during any two-year period, any subsequent use, if allowed, shall comply with this program."

This sounds to me like a use-or-lose provision, similar to the water rights provision. Never have I heard of losing a structure "existing use" for not being a user, other than my own definition/terms and not "someone's" subject process.

My question is will the authors explain the rationale, the purpose, the legality of such a provision which is seen as a taking, and how this remotely connects to the intent of shoreline management in respect to the balance between the land and the property owner?

submitted by Ed Bowen @ Aug. 7th PC mtg