



# JEFFERSON COUNTY PUBLIC HEALTH

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December 30, 2013

## JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

### AGENDA REQUEST

**TO:** Board of County Commissioners  
Philip Morley, County Administrator

**FROM:** Jared Keefer, Environmental Health Director  
Tami Pokorny, Environmental Health Specialist II

**DATE:** January 6, 2014

**SUBJECT:** Agenda Request: Hearing for Proposed Ordinance Amending Jefferson County Code (JCC) Chapter 3.08 to Revise the Definition of "Open Space Land" and the Meeting Frequency of the Conservation Futures Citizen Oversight Committee; Hearing Scheduled for Monday, January 6, 2014 at 10:30 a.m. in the Commissioners' Chambers

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**STATEMENT OF ISSUE:** Environmental Health is requesting that the BoCC hold a Public Hearing on a proposed ordinance to amend Jefferson County Code (JCC) Chapter 3.08 in order to revise the definition of "Open Space Land" and the meeting frequency of the Conservation Futures Citizen Oversight Committee. Staff requests that the BOCC hold a public hearing as scheduled on January 6, 2014 at 10:30 AM. At the start of the hearing, Tami Pokorny, staff to the Conservation Futures Citizen Oversight Committee, will make a brief presentation.

**ANALYSIS/STRATEGIC GOALS:**

On December 2, 2013, the BoCC authorized staff to draft an ordinance to reflect two proposals brought forward by the Conservation Futures Citizen Oversight Committee to amend JCC Chapter 3.08. On December 16, 2013, the BoCC approved a Public Hearing Notice for the proposed ordinance. The notice was published in the *Port Townsend & Jefferson County Leader* on December 18, 2013.

The purpose of the ordinance is to 1.) better align the definition of "open space land" in JCC Section 3.08.010(8), to more closely mirror the state law definition of this term by removing the existing phrase, "for public use and enjoyment," and 2.) provide greater flexibility in the

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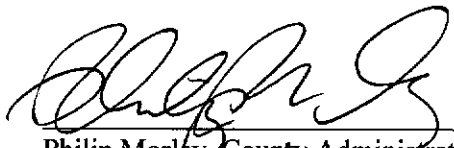
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timing of committee meetings. JCC Section 3.08.050(1) currently requires that meetings be held on a quarterly basis. However, multiple meetings are necessary each spring in order to evaluate applications for CF funding while less activity occurs over the winter. Consequently, the CF Committee has requested to amend JCC Section 3.08.050(1) in order to hold meetings "as needed".

**FISCAL IMPACT:** No significant fiscal impacts are anticipated.

**RECOMMENDATION:** JCPH management recommends that the BOCC hold a public hearing on January 6, 2014, at 10:30 AM to hear comments for and against the proposed changes to JCC Chapter 3.08. After the hearing, the BoCC may decide whether or not to approve the proposed ordinance.

**REVIEWED BY:**

  
Philip Morley, County Administrator

  
Date

STATE OF WASHINGTON  
COUNTY OF JEFFERSON

In the Matter of an Ordinance to Revise the } Ordinance No. \_\_\_\_\_  
Definition of "Open Space Land" and the Meeting }  
Frequency of the Conservation Futures Citizen }  
Oversight Committee (Amends Jefferson County }  
Code (JCC) Section 3.08) }

*WHEREAS*, the Washington State legislature has provided for the acquisition of open space land pursuant to Title 84.34 RCW; and

*WHEREAS*, Jefferson County has identified preservation of open space as important means of retaining community character and accomplishing the open space policies and objectives of the Jefferson County Comprehensive Plan that encourage the coordinated acquisition of key open space lands for long-term protection; and

*WHEREAS*, the 59<sup>th</sup> Legislature passed Engrossed Substitute House Bill 1631 relating to using revenues under the conservation futures levy; and amending RCW 84.24.320 and 84.34.240 effective July 24, 2005; and

*WHEREAS*, Ordinance No.01-0103-06 was adopted on January 3, 2006 to allow disbursement of conservation futures monies for operation and maintenance of interests in real property; and

*WHEREAS*, the Conservation Futures Citizen Oversight Committee has proposed to revise the local definition of "open space land" found in JCC Section 3.08.010(8) to better reflect the definition of "open space land" found in state law (RCW 84.34.020); and

*WHEREAS*, the Conservation Futures Citizen Oversight Committee has proposed to revise JCC Section 3.08.050(1) to allow them to meet on an "as needed" basis rather than quarterly; and

*WHEREAS*, on December 2, 2013, the Board directed staff to generate an Ordinance to enact the proposed changes to Jefferson County Code Chapter 3.08;

*NOW, THEREFORE BE IT ORDAINED* by the Board of County Commissioners of Jefferson County as follows:

SECTION 1. Definition of Open Space: Section 3.08.010(8) of the Jefferson County Code is amended to read as follows:

"Open space land" means the fee simple or any lesser interest or development right with respect to real property including, but not limited to, conservation futures, easements, covenants or other contractual rights necessary to protect, preserve, maintain, improve, restore, limit the future use of or conserve selected open space land, farm and agricultural land and timber land (as those terms are defined in Chapter 84.34 RCW).

Ordinance No. \_\_\_\_\_ re: Amendments to the Jefferson County Code Section 3.08

SECTION 2. Frequency of Meetings: Section 3.08.050(1) of the Jefferson County Code is amended to read as follows:

The citizen oversight committee will meet as needed to review program objectives, finalize application materials, and review project submittals for recommendation to the board of county commissioners. The committee shall be comprised of no less than nine citizen members.

SECTION 3. Severability: If any section, subsection, clause, phrase or figure of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application to other persons or circumstances shall not be affected.

SECTION 4. Effective Date: This Ordinance shall take effect upon adoption by the Board of County Commissioners and publication.

*APPROVED AND ADOPTED* this \_\_\_ day of \_\_\_\_\_, 2014 in Port Townsend, Washington.

SEAL:

JEFFERSON COUNTY  
BOARD OF COMMISSIONERS

ATTEST:

John Austin, Chair

Phil Johnson, Member

Carolyn Avery  
Deputy Clerk of the Board

David Sullivan, Member

**APPROVED AS TO FORM**

*David Alvarez* 12/26/13  
David Alvarez, Chief Civil DPA