

ORDINANCE NO. 1020

AN ORDINANCE OF THE CITY OF CASHMERE ADOPTING A NEW CHAPTER 18.10 CRITICAL AREAS REGULATIONS INTO TITLE 18 ENVIRONMENT OF THE CASHMERE MUNICIPAL CODE CONTAINING PROVISIONS TO CLASSIFY, DESIGNATE AND PROTECT CRITICAL AREAS PURSUANT TO THE GROWTH MANAGEMENT ACT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Cashmere has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A which covers the incorporated city limits as well as adjacent unincorporated lands within the Urban Growth Area; and

WHEREAS, the City of Cashmere has adopted development regulations to implement the comprehensive plan pursuant to the GMA that regulates development within the city limits; and

WHEREAS, the City of Cashmere compiled, considered and utilized the best available science relating to the City's critical areas, as identified in the Critical Areas Bibliography; and

WHEREAS, the City of Cashmere Planning Commission conducted public meetings and workshops beginning in October of 2001 to review the critical areas regulations and to receive and consider input on the regulations; and

WHEREAS, the City of Cashmere Planning Commission conducted a duly advertised public hearing on January 21, 2002, where there was an opportunity for public testimony, modifications to the draft documents were decided upon and a motion was made, seconded and unanimously approved, recommending to the City Council that the documents be adopted as forwarded; and

WHEREAS, pursuant to the Cashmere Municipal Code, an environmental review was conducted and incorporated into the overall amendment review, resulting in an integrated SEPA/GMA document, as provided for in WAC 197-11-210 – 235; and

WHEREAS, a 60-day state agency review period was conducted during which time comments were received and considered from interested agencies;

WHEREAS, the City of Cashmere City Council received the Planning Commission's recommendation on the critical areas regulations at their regular meeting on February 11, 2002 and has since reviewed the regulations and the agency comments received during public workshops and meetings; and

WHEREAS, the City of Cashmere City Council conducted a duly advertised public hearing on September 9, 2002 where there was an opportunity for public testimony, modifications to the draft documents were decided upon, including changes in response to specific agency comments;

NOW, THEREFORE, the City Council of the City of Cashmere do ordain as follows:

Section 1. A new Chapter 18.10 Critical Areas Regulations is added to the Cashmere Municipal Code as set forth in Exhibit "A" which is attached hereto and incorporated herein by this reference as if fully set forth.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication.

PASSED by the City Council this 9<sup>th</sup> day of September 2002.

CITY OF CASHMERE

---

Gordon K. Irle, Mayor

ATTEST:

---

Ronald G. Hupp, City Clerk

APPROVED AS TO FORM:

---

Terrence McCauley, Attorney

Published in the Cashmere Valley Record