

# RESOLUTION 1945

## A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND HABITAT FOR HUMANITY

**WHEREAS**, the Developer has entered into an Agreement with the owner of certain real property located at 250 East 2<sup>nd</sup> Street, North Bend, Washington, King County Tax Parcel No. 2700600050 (“Property”) with the accompanying commitment to develop the Property under Developer’s land trust program in which Developer retains ownership of the land in perpetuity and sells homes to low income buyers pursuant to long term ground leases; and

**WHEREAS**, the Developer proposes to construct 7 townhomes and improvements on the Property, located in the Downtown Commercial (DC) zoning district in the City of North Bend (the “Project”); and

**WHEREAS**, this form of development is consistent with North Bend’s Comprehensive Plan goals and policies for this area; and

**WHEREAS**, the Washington State Legislature has authorized the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

**WHEREAS**, a development agreement must set forth the development standards and other provisions that shall apply to, govern, and vest the development, use and mitigation of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

**WHEREAS**, a development agreement must be consistent with the applicable development regulations adopted by local government planning under RCW Chapter 36.70A; and

**WHEREAS**, a development agreement must be approved by ordinance or resolution after a public hearing pursuant to RCW 36.70B.200; and

**WHEREAS**, on May 14, 2020 the Planning Commission held a Public Hearing on this Agreement; and

**WHEREAS**, on July 21, 2020 the City Council passed Resolution No. 1945, approving and authorizing the Mayor to enter into this Agreement on behalf of the City;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The City Council hereby approves the Development Agreement between the City of North Bend and Habitat for Humanity Seattle King County for development at 250 East 2<sup>nd</sup> Street and authorizes the Mayor to execute the Development Agreement in the form attached hereto as Exhibit A, or in a substantially similar form, in a final form acceptable to the City Attorney.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 21<sup>ST</sup> DAY OF JULY, 2020.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Rob McFarland, Mayor**

\_\_\_\_\_  
**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: July 21, 2020  
Posted: July 22, 2020

\_\_\_\_\_  
**Susie Oppedal, City Clerk**