

# RESOLUTION 1950

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND THE SI VIEW METROPOLITAN PARK DISTRICT FOR THE TOLLGATE FARMSTEAD IMPROVEMENTS, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME**

**WHEREAS**, the Si View Metropolitan Park District (the “District”) manages Tollgate Farm Park for the City of North Bend under an Interlocal Agreement for the Development, Maintenance, Scheduling, and Operation of Tollgate Farm Park approved pursuant to North Bend City Council Resolution 1448; and

**WHEREAS**, the District has proposed to construct improvements to Tollgate Farm Park consisting of a new barn, parking area located off Bendigo Boulevard N., agricultural wash station, and other associated improvements (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 City and the District wish to allow the Project to proceed without the requirement to underground overhead utility lines and construct full conventional street frontage improvements within the right-of-way fronting at Tollgate Farm Park, the cost of which would be excessive relative to the cost of the Project, and not in the public interest as further articulated in the proposed development agreement for the Project; 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 July 23, 2020 the Planning Commission held a Public Hearing on this Agreement, and after which, made a recommendation of approval; and

**WHEREAS**, on September 1, 2020 the City Council passed Resolution No. \_\_\_\_\_, 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 hereby approves the Development Agreement Between the City of North Bend and Si View Metropolitan Park District for the Tollgate Farmstead Improvements attached hereto as Exhibit A, or in a substantially similar form in a final form acceptable to the City Attorney, and authorizes the Mayor to execute the same.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1<sup>ST</sup> DAY OF SEPTEMBER, 2020.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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

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

**ATTEST/AUTHENTICATED:**

Effective: September 1, 2020  
Posted: September 2, 2020

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**Susie Oppedal, City Clerk**