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**BEFORE THE CENTRAL PUGET SOUND
GROWTH MANAGEMENT HEARINGS BOARD
STATE OF WASHINGTON**

6 Jocelynn Fallgatter
7 13231 Trout Farm Road
8 Sultan, WA 98294
9 (360) 793-2919

10 Jocelynn Fallgatter, Jeff Kirkman
11 Petitioners,
12 vs.
13 City of Sultan,
14 Respondent

Case No.:

PETITION FOR REVIEW

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I. PETITIONERS

18 Petitioners are Jocelynn Fallgatter and Jeff Kirkman. Mrs. Fallgatter will
19 represent herself. Mrs. Fallgatter is a resident of Snohomish County residing in
20 the Urban Growth Area of the City of Sultan. The mailing address for Mrs.
21 Fallgatter is 13231 Trout Farm Rd., Sultan WA 98294, phone (360) 793-2919.
22 Mr. Kirkman will represent himself. Mr. Kirkman is a resident of Snohomish
23 County residing within the city limits of the City of Sultan. The mailing address
24 for Mr. Kirkman is 210 Woodwind Pl., Sultan, WA 98294, phone (360) 799-2315.
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1 Pursuant to the settlement agreement, the City adopted by Resolution 05-
2 13, Development Regulation Amendment Procedures and Public Hearing and
3 Participation Process. on June 8, 2005 attached to this PFR as Exhibit 2. We
4 commend the City for promptly taking that action.
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6 Of the items in paragraph 2.e of the settlement agreement to be
7 completed by the City, the City has failed to complete the following items; adopt
8 a surface water management plan, update the parks element with revised park
9 impact mitigation fee, and update the capital facilities plan. The City did update
10 the Transportation Improvement Plan (TIP) and adopt water and sewer plans.
11 However, these items, which were completed within the current year (2005),
12 were not done in a "legally compliant" manner.
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15 In the update of the Transportation Improvement Plan (Exhibit 3),
16 adopted by Resolution 05-18 on July 27, 2005 nothing was done to remedy the
17 problems with the existing transportation element of the adopted comprehensive
18 plan which is the basis of the 6-year TIP. Some of the deficiencies in the existing
19 transportation element which must be addressed were recognized in the
20 settlement agreement at the end of paragraph 2.e with the identification of the
21 need to detail population projections and capacities as well as levels of service.
22 The 6-year TIP is inconsistent with the Capital Facilities Plan which was not
23 amended in 2005, either along with the 6-year TIP, or concurrently with the
24 2006 City budget amendment process.
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