

Ellie Myers

From: Timothy Batin <batt@yakamafish-nsn.gov>
Sent: Wednesday, September 16, 2026 10:27 AM
To: Ellie Myers
Cc: Dan Young; Marvin Douvier; Kim Dawson; adminstaff@kittcom.org; storch@kittcom.org; Julie Kjorsvik; Laura Kukes; Public Health Inspectors; Lisa Lawrence; Patti Stacey; Kelee Hodges; Candie Leader; Tate Mahre; Jackie Sharp; Samantha Cox; Josh Fredrickson; Rebecca Cruse; Jeremy Larson; Steph Mifflin; Haley Mercer; Christy Garcia; matt.boast@kittitaspud.com; kyle.bennett@kittitaspud.com; sepa@dahp.wa.gov; enviroreview@yakama.com; jessica_lally@yakama.com; kozj@yakamafish-nsn.gov; sam.rushing@colvilletribes.com; jordan.bovee.hsy@colvilletribes.com; darnell.sam.adm@colvilletribes.com; john.sirois.adm@colvilletribes.com; milton.davis.adm@colvilletribes.com; karen.capuder.adm@colvilletribes.com; kiana.sam.adm@colvilletribes.com; amelia.stanger.hsy@colvilletribes.com; steve@snoqualmietribe.us; dahp@snoqualmietribe.us; adam@snoqualmietribe.us; russell.mau@doh.wa.gov; tebu461@ecy.wa.gov; lowh461@ECY.WA.GOV; FormerOrchards@ecy.wa.gov; wendy.neet@ecy.wa.gov; rand461@ECY.WA.GOV; Scott.Downes@dfw.wa.gov; Jennifer.Nelson@dfw.wa.gov; Cassandra.Weekes@dfw.wa.gov; Emily.Grabowsky@dfw.wa.gov; Michael.Ritter@dfw.wa.gov; Michelle.Huppert@dfw.wa.gov; solarandwind@dfw.wa.gov; rivers@dnr.wa.gov; luke.warthen@dnr.wa.gov; SEPACENTER@dnr.wa.gov; MARTIN.MAUNEY@dnr.wa.gov; Amanda.Moody@dnr.wa.gov; jhoff@usbr.gov; ken.graham@parks.wa.gov; John.Ernster@parks.wa.gov; rachel.mazzacavallo@parks.wa.gov; SEPA@parks.wa.gov; kimberly.larned@usda.gov; Jenae.N.Churchill@usace.army.mil; Jacob.Prilucik@wsdot.wa.gov; SCPlanning@wsdot.wa.gov; AviationLandUse@wsdot.wa.gov; CMOlcese@bpa.gov; jcmurray@bpa.gov; accastle@bpa.gov; vlconnell@bpa.gov; dxroddgers@bpa.gov; rightofway@pse.com; jorgjenja@cwu.edu; nelmsk@cwu.edu; brooksideconsulting@gmail.com; westsideirrigationco@gmail.com; johnsond@kvfr.org; habermanj@kvfr.org; prevention@kvfr.org; Chris Moen; clerfp@kvfr.org; matthew.stubbs@dammanschool.org; marsha@dammanschool.org; kim.snider@esd401.org; leslee.caul@esd401.org; angela.garrettgordon@esd401.org; carol.chrisman@esd401.org; traci.russell@esd401.org; yusid@ci.ellensburg.wa.us; pubworks@ci.ellensburg.wa.us; comdev@ci.ellensburg.wa.us; jonesc@ci.ellensburg.wa.us; hendersons@ellensburgwa.gov; Jamey Ayling; Bradley Gasawski
Subject: Re: SP-26-00010 Brown Road Estates II - Notice of Application

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

The project, SP-26-00010 Brown Road Estates II, Lies within the Ceded lands/ Usual & Accustomed Area of the Confederated Tribes and Bands of the Yakama Nation. The project review did not yield new information requiring further investigation of the potential impacts on Archaeological/Cultural

Resources.

Thank You,

Timothy Batin, TFW Archaeologist, Yakama Nation Fisheries

On Tue, Sep 15, 2026 at 11:00 AM Ellie Myers <ellie.myers@co.kittitas.wa.us> wrote:

Good morning,

Please review the following Short Plat application: SP-26-00009 Boitano. Any comments need to be received by **5PM on September 30, 2026**.

Please let me know if there are any questions or issues accessing the material.

Internal Link: [SP-26-00010 Brown Road Estates II](#)

External Link: SP-26-00010 Brown Road Estates II

If the links above do not work, please go to the CDS website at:

<https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigate to “Short Plats - Post 2018 - Preliminary” and then the project file number “SP-26-00010 Brown Road Estates II”.

Best,



Ellie Myers

Planner I | **Kittitas County Community Development Services**

[411 N Ruby Street, Suite 2 Ellensburg, WA 98926](#)

P: [509-962-7048](tel:509-962-7048) | E: ellie.myers@co.kittitas.wa.us

<https://www.co.kittitas.wa.us/>

If this is about a Public Records Act request, please go to <http://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

Ellie Myers

From: Murray, Jamie C (BPA) - TERR-KALISPELL <jcmurray@bpa.gov>
Sent: Wednesday, September 16, 2026 7:04 AM
To: Ellie Myers
Subject: [ENCRYPTED]RE: SP-26-00010 Brown Road Estates II - Notice of Application

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

BPA has reviewed the proposed plat and does not have any facilities within this area. BPA has no comments at this time.

Thank you for the opportunity to review.

Jamie C. Murray

BONNEVILLE POWER ADMINISTRATION

DEPARTMENT OF ENERGY

Realty Specialist | Real Property Field Services | TERR-Kalispell
jcmurray@bpa.gov | 406-751-7820 office | 406-309-1398 cell

From: Ellie Myers <ellie.myers@co.kittitas.wa.us>

Sent: Tuesday, September 15, 2026 12:00 PM

To: Dan Young <dan.young@co.kittitas.wa.us>; Marvin Douvier <marvin.douvier.sh@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; adminstaff@kittcom.org; storch@kittcom.org; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Public Health Inspectors <PublicHealthInspectors@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; Tate Mahre <tate.mahre@co.kittitas.wa.us>; Jackie Sharp <jackie.sharp@co.kittitas.wa.us>; Samantha Cox <samantha.cox@co.kittitas.wa.us>; Josh Fredrickson <josh.fredrickson@co.kittitas.wa.us>; Rebecca Cruse <rebecca.cruse.pw@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <steph.mifflin@co.kittitas.wa.us>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; matt.boast@kittitaspud.com; kyle.bennett@kittitaspud.com; sepa@dahp.wa.gov; enviroreview@yakama.com; jessica_lally@yakama.com; kozj@yakamafish-nsn.gov; batt@yakamafish-nsn.gov; sam.rushing@colvilletribes.com; jordan.bovee.hsy@colvilletribes.com; darnell.sam.adm@colvilletribes.com; john.sirois.adm@colvilletribes.com; milton.davis.adm@colvilletribes.com; karen.capuder.adm@colvilletribes.com; kiana.sam.adm@colvilletribes.com; amelia.stanger.hsy@colvilletribes.com; steve@snoqualmietribe.us; dahp@snoqualmietribe.us; adam@snoqualmietribe.us; russell.mau@doh.wa.gov; tebu461@ecy.wa.gov; lowh461@ECY.WA.GOV; FormerOrchards@ecy.wa.gov; wendy.neet@ecy.wa.gov; rand461@ECY.WA.GOV; Scott.Downes@dfw.wa.gov; Jennifer.Nelson@dfw.wa.gov; Cassandra.Weekes@dfw.wa.gov; Emily.Grabowsky@dfw.wa.gov; Michael.Ritter@dfw.wa.gov; Michelle.Huppert@dfw.wa.gov; solarandwind@dfw.wa.gov; rivers@dnr.wa.gov; luke.warthen@dnr.wa.gov; SEPACENTER@dnr.wa.gov; MARTIN.MAUNEY@dnr.wa.gov; Amanda.Moody@dnr.wa.gov;

jhoff@usbr.gov; ken.graham@parks.wa.gov; John.Ernster@parks.wa.gov; rachel.mazzacavallo@parks.wa.gov; SEPA@parks.wa.gov; kimberly.larned@usda.gov; Jenae.N.Churchill@usace.army.mil; Jacob.Prilucik@wsdot.wa.gov; SCPlanning@wsdot.wa.gov; AviationLandUse@wsdot.wa.gov; CMOlcese@bpa.gov; Murray,Jamie C (BPA) - TERR-KALISPELL <jcmurray@bpa.gov>; accastle@bpa.gov; Connell,Valorie L (BPA) - TERR-PASCO <vlconnell@bpa.gov>; Rodgers,Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrogers@bpa.gov>; rightofway@pse.com; jorgenja@cwu.edu; nelmsk@cwu.edu; brooksideconsulting@gmail.com; westsideirrigationco@gmail.com; johnsond@kvfr.org; habermanj@kvfr.org; prevention@kvfr.org; Chris Moen <moenc@kvfr.org>; clerfp@kvfr.org; matthew.stubbs@dammanschool.org; marsha@dammanschool.org; kim.snider@esd401.org; leslee.caul@esd401.org; angela.garrettgordon@esd401.org; carol.chrisman@esd401.org; traci.russell@esd401.org; yusid@ci.ellensburg.wa.us; pubworks@ci.ellensburg.wa.us; comdev@ci.ellensburg.wa.us; jonesc@ci.ellensburg.wa.us; hendersons@ellensburgwa.gov
Cc: Jamey Ayling <jamey.ayling@co.kittitas.wa.us>; Bradley Gasawski <bradley.gasawski@co.kittitas.wa.us>; Ellie Myers <ellie.myers@co.kittitas.wa.us>
Subject: SP-26-00010 Brown Road Estates II - Notice of Application

Good morning,

Please review the following Short Plat application: SP-26-00009 Boitano. Any comments need to be received by **5PM on September 30, 2026**.

Please let me know if there are any questions or issues accessing the material.

Internal Link: [SP-26-00010 Brown Road Estates II](#)
External Link: [SP-26-00010 Brown Road Estates II](#)

If the links above do not work, please go to the CDS website at:
<https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigate to “Short Plats - Post 2018 - Preliminary” and then the project file number “SP-26-00010 Brown Road Estates II”.

Best,



Ellie Myers

Planner I | Kittitas County Community Development Services

411 N Ruby Street, Suite 2 Ellensburg, WA 98926

P: 509-962-7048 | E: ellie.myers@co.kittitas.wa.us

<https://www.co.kittitas.wa.us/>

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Ellie Myers

From: Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>
Sent: Wednesday, September 16, 2026 11:12 AM
To: Ellie Myers
Cc: Shane Johnson
Subject: [ENCRYPTED]Re: SP-26-00010 Brown Road Estates II - Notice of Application

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Ms. Myers:

The Department of Health (DOH) Office of Drinking Water (ODW) has reviewed the application generating the following official comments regarding providing drinking water:

1. The applicant needs to contact the Department of Ecology regarding whether the four (4) properties meet the definition of a "project" for which groundwater extractions.
2. If the applicant will provide drinking water via a single water system, the four (4) properties would meet the definition of a Group B public water system - and Kittitas County Health has exclusive authority to administer Group B water systems.

If anyone has any questions or concerns, please contact DOH ODW, thanks,

Russell E. Mau, PhD, PE

Engineer

Office of Drinking Water

Washington State Department of Health

Russell.Mau@doh.wa.gov

www.doh.wa.gov | 509-329-2116

From: Ellie Myers <ellie.myers@co.kittitas.wa.us>

Sent: Tuesday, September 15, 2026 11:00 AM

To: Dan Young <dan.young@co.kittitas.wa.us>; Marvin Douvier <marvin.douvier.sh@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; adminstaff@kittcom.org <adminstaff@kittcom.org>; storch@kittcom.org <storch@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Public Health Inspectors <PublicHealthInspectors@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; Tate Mahre <tate.mahre@co.kittitas.wa.us>; Jackie Sharp <jackie.sharp@co.kittitas.wa.us>; Cox, Samantha (DOHi) <samantha.cox@co.kittitas.wa.us>; Josh Fredrickson <josh.fredrickson@co.kittitas.wa.us>; Rebecca Cruse <rebecca.cruse.pw@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <steph.mifflin@co.kittitas.wa.us>; DOR CU Kittitas <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; matt.boast@kittitaspud.com <matt.boast@kittitaspud.com>; kyle.bennett@kittitaspud.com <kyle.bennett@kittitaspud.com>; DAHP SEPA

<sepa@dahp.wa.gov>; enviroreview@yakama.com <enviroreview@yakama.com>; jessica_lally@yakama.com <jessica_lally@yakama.com>; Jeff Kozma <kozj@yakamafish-nsn.gov>; batt@yakamafish-nsn.gov <batt@yakamafish-nsn.gov>; sam.rushing@colvilletribes.com <sam.rushing@colvilletribes.com>; jordan.bovey.hsy@colvilletribes.com <jordan.bovey.hsy@colvilletribes.com>; darnell.sam.adm@colvilletribes.com <darnell.sam.adm@colvilletribes.com>; john.sirois.adm@colvilletribes.com <john.sirois.adm@colvilletribes.com>; milton.davis.adm@colvilletribes.com <milton.davis.adm@colvilletribes.com>; karen.capuder.adm@colvilletribes.com <karen.capuder.adm@colvilletribes.com>; kiana.sam.adm@colvilletribes.com <kiana.sam.adm@colvilletribes.com>; amelia.stanger.hsy@colvilletribes.com <amelia.stanger.hsy@colvilletribes.com>; steve@snoqualmtribe.us <steve@snoqualmtribe.us>; dahp@snoqualmtribe.us <dahp@snoqualmtribe.us>; adam@snoqualmtribe.us <adam@snoqualmtribe.us>; Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>; Petropoulos, Terra (ECY) <tebu461@ECY.WA.GOV>; White, Lori (ECY) <lowh461@ECY.WA.GOV>; ECY RE Former Orchards <formerorchards@ECY.WA.GOV>; Neet, Wendy (ECY) <wnee461@ECY.WA.GOV>; Anderson, Ryan (ECY) <rand461@ECY.WA.GOV>; Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>; Weekes, Cassandra L (DFW) <Cassandra.Weekes@dfw.wa.gov>; Grabowsky, Emily R (DFW) <Emily.Grabowsky@dfw.wa.gov>; Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>; Huppert, Michelle (DFW) <Michelle.Huppert@dfw.wa.gov>; Solar and Wind (DFW) <solarandwind@dfw.wa.gov>; DNR RE AQ LEASING RIVERS <DNRREAQLEASINGRIVERS@dnr.wa.gov>; Warthen, Luke (DNR) <Luke.Warthen@dnr.wa.gov>; DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>; MAUNEY, MARTY (DNR) <MARTIN.MAUNEY@dnr.wa.gov>; Moody, Amanda (DNR) <Amanda.Moody@dnr.wa.gov>; jhoff@usbr.gov <jhoff@usbr.gov>; Graham, Ken (PARKS) <Ken.Graham@PARKS.WA.GOV>; Ernster, John (PARKS) <John.Ernster@PARKS.WA.GOV>; Mazzacavallo, Rachel (Parks) <Rachel.Mazzacavallo@PARKS.WA.GOV>; SEPA (PARKS) <SEPA@PARKS.WA.GOV>; kimberly.larned@usda.gov <kimberly.larned@usda.gov>; Jenae.N.Churchill@usace.army.mil <Jenae.N.Churchill@usace.army.mil>; Prilucik, Jacob <jacob.prilucik@wsdot.wa.gov>; SCPlanning@wsdot.wa.gov <SCPlanning@wsdot.wa.gov>; AviationLandUse@wsdot.wa.gov <AviationLandUse@wsdot.wa.gov>; CMOlcese@bpa.gov <CMOlcese@bpa.gov>; jcmurray@bpa.gov <jcmurray@bpa.gov>; accastle@bpa.gov <accastle@bpa.gov>; vlconnell@bpa.gov <vlconnell@bpa.gov>; dxrogers@bpa.gov <dxrogers@bpa.gov>; rightofway@pse.com <rightofway@pse.com>; jorgenja@cwu.edu <jorgenja@cwu.edu>; nelmsk@cwu.edu <nelmsk@cwu.edu>; brooksideconsulting@gmail.com <brooksideconsulting@gmail.com>; westsideirrigationco@gmail.com <westsideirrigationco@gmail.com>; johnsond@kvfr.org <johnsond@kvfr.org>; habermanj@kvfr.org <habermanj@kvfr.org>; prevention@kvfr.org <prevention@kvfr.org>; Chris Moen <moenc@kvfr.org>; clerfp@kvfr.org <clerfp@kvfr.org>; matthew.stubbs@dammanschool.org <matthew.stubbs@dammanschool.org>; marsha@dammanschool.org <marsha@dammanschool.org>; Kim Snider <Kim.Snider@esd401.org>; leslee.caul@esd401.org <leslee.caul@esd401.org>; angela.garrettgordon@esd401.org <angela.garrettgordon@esd401.org>; carol.chrisman@esd401.org <carol.chrisman@esd401.org>; traci.russell@esd401.org <traci.russell@esd401.org>; yusid@ci.ellensburg.wa.us <yusid@ci.ellensburg.wa.us>; pubworks@ci.ellensburg.wa.us <pubworks@ci.ellensburg.wa.us>; comdev@ci.ellensburg.wa.us <comdev@ci.ellensburg.wa.us>; jonesc@ci.ellensburg.wa.us <jonesc@ci.ellensburg.wa.us>; hendersons@ellensburgwa.gov <hendersons@ellensburgwa.gov>
Cc: Jamey Ayling <jamey.ayling@co.kittitas.wa.us>; Bradley Gasawski <bradley.gasawski@co.kittitas.wa.us>; Ellie Myers <ellie.myers@co.kittitas.wa.us>
Subject: SP-26-00010 Brown Road Estates II - Notice of Application

External Email

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Please review the following Short Plat application: SP-26-00009 Boitano. Any comments need to be received by **5PM on September 30, 2026**.

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Best,



Ellie Myers

Planner I | **Kittitas County Community Development Services**

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P: 509-962-7048 | E: ellie.myers@co.kittitas.wa.us

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KITTITAS COUNTY FIRE MARSHAL'S OFFICE

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

Fire Marshal (509) 962-7000 Deputy Fire Marshal (509) 962-7657



September 18, 2026

Fire Marshal comments
Brown Road Estates II
SP-26-00010

Ellie Myers, Project Planner

This application was reviewed by Dan Young in the Fire Marshal's Office. Dan can be reached at (509) 962-7000 or e-mail at Dan.young@co.kittitas.wa.us. Where there are difficulties in meeting these conditions or if additional information is required, contact Dan in the Fire Marshal's office immediately.

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.

Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval.

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application do not adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building.

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are not adequate. Provide an approved turnaround constructed in accordance with the International Fire Code Appendix D.

This application is sited in the designated high fire hazard Wildland - Urban Interface zone. Additional setback, building construction, access, fire flow and addressing requirements will be applied at the time of building permit application.

No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet.

Dan Young
Fire Marshal

These comments are based on the information provided with the pre-application materials. Any revision to the proposal may change the Fire Marshal comments.



To Protect and Promote the Health and the Environment of the People of Kittitas County

To: All Staff
From: Environmental Health
Date: 9/15/2026
Subject: SP-26-00010 Brown Road Estates II

Drinking Water	• The proposed water system is identified as a Group B Public Water System. A Group B water system application and design workbook must be submitted to and approved by KCPHD in accordance with KCC 13.30.030 and Chapter 246-291 WAC. • Prior to final short plat approval, the proposed water system must be completed and approved, or otherwise satisfy the requirements of KCC 13.30.080, and all requirements for the Adequate Water Supply Determination must be met.
Wastewater	• Soil logs must be completed for each proposed lot.





KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: All Staff
FROM: Public Works Plan Review Team
DATE: September 29, 2026
SUBJECT: SP-26-00010 Brown Road Estates II

ACCESS	1. An approved access permit shall be required from the Kittitas County Department of Public Works prior to creating any new driveway access or altering an existing access. 2. Per KCC 12.04.04.050 Road Certification is required. 3. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses. 4. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards. In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal. Access is not guaranteed to any existing or created parcel on this application. (RC)
ENGINEERING	Except as exempted in KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080). (CBP)
SURVEY	1. Please provide reference to Anderville Lane Easement document, to show legal access to proposed parcels. The following comments are only in regards to final submittal. 2. Please show or note Basis of Bearing. 3. Please describe "Found pin and cap", or change legend to include cap details. 4. Property corners need to be set in the field and shown on the face of the Short Plat. (JT)
TRANSPORTATION CONCURRENCY	Please be aware that additional short plats in this area may trigger further transportation concurrency requirements based on increasing lot numbers. Currently the estimated additional trips per day provided by the two extra lots are equal to 18 trips per day. Once more than 41 trips per day are generated a TIA will be required. It is advised that if additional divisions of lots are to be

	expected to include those within the TIA report otherwise it will have to be either amended, or a new TIA will be required to reflect full build-out conditions. (CBP)
FLOOD	No comments. (SC)
WATER MITIGATION/ METERING	The following comments outline the requirements for legal availability of water and metering for the proposed short plat: The applicant must provide legal water availability for all new uses on the proposed lots of this project. Prior to final plat approval and recording, the following conditions shall be met: In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval: 1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use; 2. An adequate water right for the proposed new use; or 3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC. Final Plat Notes The following notes shall be placed on the face of the plat: C-1 "Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations." C-2 "The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law." (SC)
AIRPORT	Not located within Airport Overlay. (RC)

Please contact Kittitas County Public Works (509) 962-7523 with any questions.

Ellie Myers

From: Kyle Bennett <kyle.bennett@kittitaspud.com>
Sent: Monday, September 28, 2026 3:00 PM
To: Ellie Myers; matt.boast@kittitaspud.com
Subject: [ENCRYPTED]RE: SP-26-00010 Brown Road Estates II - Notice of Application

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Hi Ellie,

Our electrical distribution system is a bit more than a mile to the South of these locations at the corner of Brown and Manastash. If the applicant would like, they can submit a request for service with the PUD, although it may be a bit expensive to get the mile up the road. We have no other comments.

Best Regards,

Kyle Bennett, P.E.
Engineering Supervisor
PUD #1 of Kittitas County
1400 Vantage Highway
Ellensburg, WA 98926
Phone: 509-260-2300 Ext 816
Kyle.Bennett@Kittitaspud.com



From: Ellie Myers <ellie.myers@co.kittitas.wa.us>
Sent: Tuesday, September 15, 2026 11:00 AM
To: Dan Young <dan.young@co.kittitas.wa.us>; Marvin Douvier <marvin.douvier.sh@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; adminstaff@kittcom.org; storch@kittcom.org; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Public Health Inspectors <PublicHealthInspectors@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; Tate Mahre <tate.mahre@co.kittitas.wa.us>; Jackie Sharp <jackie.sharp@co.kittitas.wa.us>; Samantha Cox <samantha.cox@co.kittitas.wa.us>; Josh Fredrickson <josh.fredrickson@co.kittitas.wa.us>; Rebecca Cruse <rebecca.cruse.pw@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <steph.mifflin@co.kittitas.wa.us>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Matt Boast <matt.boast@kittitaspud.com>; Kyle Bennett <kyle.bennett@kittitaspud.com>; sepa@dahp.wa.gov; enviroreview@yakama.com; jessica_lally@yakama.com; kozj@yakamafish-nsn.gov; batt@yakamafish-nsn.gov; sam.rushing@colvilletribes.com; jordan.bovee.hsy@colvilletribes.com; darnell.sam.adm@colvilletribes.com; john.sirois.adm@colvilletribes.com; milton.davis.adm@colvilletribes.com; karen.capuder.adm@colvilletribes.com;

kiana.sam.adm@colvilletribes.com; amelia.stanger.hsy@colvilletribes.com; steve@snoqualmtribe.us; dahp@snoqualmtribe.us; adam@snoqualmtribe.us; russell.mau@doh.wa.gov; tebu461@ecy.wa.gov; lowh461@ECY.WA.GOV; FormerOrchards@ecy.wa.gov; wendy.neet@ecy.wa.gov; rand461@ECY.WA.GOV; Scott.Downes@dfw.wa.gov; Jennifer.Nelson@dfw.wa.gov; Cassandra.Weekes@dfw.wa.gov; Emily.Grabowsky@dfw.wa.gov; Michael.Ritter@dfw.wa.gov; Michelle.Huppert@dfw.wa.gov; solarandwind@dfw.wa.gov; rivers@dnr.wa.gov; luke.warthen@dnr.wa.gov; SEPACENTER@dnr.wa.gov; MARTIN.MAUNEY@dnr.wa.gov; Amanda.Moody@dnr.wa.gov; jhoff@usbr.gov; ken.graham@parks.wa.gov; John.Ernster@parks.wa.gov; rachel.mazzacavallo@parks.wa.gov; SEPA@parks.wa.gov; kimberly.larned@usda.gov; Jena.N.Churchill@usace.army.mil; Jacob.Prilucik@wsdot.wa.gov; SCPlanning@wsdot.wa.gov; AviationLandUse@wsdot.wa.gov; CMOlcese@bpa.gov; jcmurray@bpa.gov; accastle@bpa.gov; vlconnell@bpa.gov; dxrogers@bpa.gov; rightofway@pse.com; jorgenja@cwu.edu; nelmsk@cwu.edu; brooksideconsulting@gmail.com; westsideirrigationco@gmail.com; johnsond@kvfr.org; habermanj@kvfr.org; prevention@kvfr.org; Chris Moen <moenc@kvfr.org>; clerfp@kvfr.org; matthew.stubbs@dammanschool.org; marsha@dammanschool.org; kim.snider@esd401.org; leslee.caul@esd401.org; angela.garrettgordon@esd401.org; carol.chrisman@esd401.org; traci.russell@esd401.org; yusid@ci.ellensburg.wa.us; pubworks@ci.ellensburg.wa.us; comdev@ci.ellensburg.wa.us; jonesc@ci.ellensburg.wa.us; hendersons@ellensburgwa.gov
Cc: Jamey Ayling <jamey.ayling@co.kittitas.wa.us>; Bradley Gasawski <bradley.gasawski@co.kittitas.wa.us>; Ellie Myers <ellie.myers@co.kittitas.wa.us>
Subject: SP-26-00010 Brown Road Estates II - Notice of Application

Good morning,

Please review the following Short Plat application: SP-26-00009 Boitano. Any comments need to be received by **5PM on September 30, 2026**.

Please let me know if there are any questions or issues accessing the material.

Internal Link: [SP-26-00010 Brown Road Estates II](#)
External Link: [SP-26-00010 Brown Road Estates II](#)

If the links above do not work, please go to the CDS website at:
<https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigate to "Short Plats - Post 2018 - Preliminary" and then the project file number "SP-26-00010 Brown Road Estates II".

Best,



Ellie Myers

Planner I | **Kittitas County Community Development Services**
411 N Ruby Street, Suite 2 Ellensburg, WA 98926
P: 509-962-7048 | E: ellie.myers@co.kittitas.wa.us
<https://www.co.kittitas.wa.us/>

If this is about a Public Records Act request, please go to <http://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

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subject to the Washington Public Records Act, RCW 42.56. Therefore, this email, and its attachments if any, may be disclosed as a public record.

Ellie Myers

From: April Richter <richter.april@yahoo.com>
Sent: Tuesday, September 29, 2026 1:45 PM
To: Ellie Myers
Subject: Letter of Opposition- Brown Rd Short Plat

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear Ms. Myers:

I am a neighboring property owner and am submitting these written comments in opposition to **SP-26-00010**. I request that Kittitas County deny the proposed four-lot short plat. Since there is no public hearing for this administrative short plat, I am submitting this letter for inclusion in the official record.

The applicant proposes four 2.5-acre lots on property zoned **Agriculture-5 (Ag-5)** and states that TDR Density Credits in the form of TDR Certificates will be used to meet the density being requested. I do not believe TDR credits should be used in this manner because doing so is inconsistent with the purpose of Washington's TDR program, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 requires five-acre lots.

The Agriculture-5 zone has a five-acre minimum lot size. A short plat outside an urban growth area may create up to four lots under **KCC 16.08.186 and Chapter 16.32**, but the resulting lots must still comply with the underlying zoning.

TDR credits should not be considered a variance from the minimum lot size or a substitute for a rezone.

The limited small-lot exception in **KCC 16.12.040** allows a single one-to-three-acre lot around an existing residence, subject to restrictions preventing further division while the property remains designated for agricultural use. It does not authorize four 2.5-acre lots across two Ag-5 parcels.

2. TDR is intended to transfer development rights away from agricultural land.

Washington's TDR programs are intended to preserve agricultural and forest lands and other resource lands by transferring development potential to appropriate receiving areas where growth is intended to occur.

This purpose is reflected in Washington's Growth Management Act, **WAC 365-196-815**, and TDR statutes including **RCW 43.362 and RCW 39.108**.

Kittitas County's **KCC Chapter 17.13** follows the same concept by conserving rural farm and forest land through the transfer and extinguishment of development rights.

Using TDR certificates to increase density on Ag-5 land appears to reverse that purpose. If the TDR credits being proposed originated from properties within an Urban Growth Area, that raises additional concerns under **GMA Goals 1, 2, and 8 of RCW 36.70A.020**, concerning urban growth, reducing sprawl, and conserving natural resource industries.

3. TDR credits should not override the underlying zoning.

KCC Chapter 17.13 allows TDR density credits to be used in certain county actions, including short plats, but only on eligible receiving sites and in a manner consistent with the Comprehensive Plan and other development regulations.

That authority does not eliminate the Ag-5 five-acre minimum or turn an agricultural/rural property into a higher-density residential development.

A short plat should not be allowed to accomplish a density that would otherwise be prohibited by the underlying zoning.

4. The proposal increases development on agricultural land.

Creating four 2.5-acre residential lots from two five-acre agricultural parcels would increase rural residential density.

It would also result in additional wells, on-site sewage systems, driveways, traffic, and demand for rural services. These are the types of scattered rural development impacts that the County's TDR program and Washington's growth-management policies are intended to address.

The proposed development is also directly adjacent to **Ag-20 agricultural land**, making the increased residential density particularly concerning.

5. The TDR credits need to be fully documented.

Before this application is approved, the County should require documentation showing exactly where the TDR credits are coming from and why they can legally be used for this proposal.

If staff believes TDR credits can lawfully reduce the Ag-5 minimum from five acres to 2.5 acres, the decision should identify:

- (a) the specific **KCC 17.13** provision and exchange rate being used;
- (b) copies of the TDR certificates and sending-site conservation instruments;
- (c) identification of the sending parcels and whether they are urban or rural/resource lands; and

(d) written findings explaining how the proposal is consistent with GMA resource-land conservation and the County Comprehensive Plan.

My understanding is that the proposed sending parcels include **016833, 962710, 962711, and 962712**. The status and eligibility of these parcels should be clearly established in the public record.

I am very concerned that allowing this application would establish a precedent for using TDR credits to bypass the five-acre minimum in the Ag-5 zone. The County should not allow the underlying zoning to be effectively changed through the use of TDR credits.

Request for relief

I respectfully request that **Community Development Services deny SP-26-00010** and require the applicant to comply with the five-acre minimum lot size required under the Agriculture-5 zoning designation.

Please provide written notice of the administrative decision so that I may appeal under **KCC Chapter 15A.07**, if necessary.

Thank you for considering these comments and including this letter in the official record.

Sincerely,

April Richter
1251 Brown Rd
509-929-3747
richter.april@yahoo.com

Deer Meadow LLC
P.O. Box 219
Ellensburg, WA 98926



Kittitas County CDS

September 30, 2026

Kittitas County Community Development Services

RE: Brown Road Estates II (SP-26-00010)

Applicant: Brown Road Estates LLC (Property Owners)

Dear Kittitas County Community Development Services:

I am writing in opposition to the Brown Road Estates II proposal and would like to provide some history regarding this property, its agricultural use, and Brown Road.

My family purchased this property in 1960, and it remained in agricultural use from 1960 through 2025. During the 1970s, the property was zoned as a 3-acre agricultural parcel. When the County determined that 3-acre zoning was not appropriate for agricultural areas, we petitioned to have our property placed in the 5-acre Rural Agricultural zone.

We understood the significance of that zoning designation and what applying it to this particular property would mean. I also served on the Kittitas County Planning Commission for many years, giving me a firsthand understanding of the County's planning and zoning considerations.

The property is designated Rural Residential, and I do not believe that a 2.5-acre development is consistent with that designation or with the surrounding land uses. A development of this density does not foster the traditional rural lifestyle of the area and is not compatible with the surrounding agricultural operations.

When we sold the property through Dairyview LLC, we did so with the understanding that it would be developed as a 5-acre residential development that would be compatible with the surrounding agricultural practices. Had I known that the owners of Brown Road Country Estates would pursue a substantially different type of development, I would not have agreed to sell the property to them.

I also find it ironic that a development called "Brown Road Country Estates" would seek to create 2.5-acre lots. In my view, 2.5-acre lots do not reflect what has traditionally been understood as a country estate in this area.

This proposal directly abuts 20-acre zoning and is located next to a viable farming operation. The Urban Growth Area is located to the north and east of Ellensburg. Approval of this proposal could establish a precedent for similar development on the west side of the valley.

I am also concerned that the proposal would result in the conversion of agricultural land in conflict with the County's agricultural conservation objectives under the Growth Management

Act. WAC 365-196-815 requires development regulations that address the conservation of designated agricultural land and identifies Transfer of Development Rights (TDR) as a tool for transferring development rights from agricultural lands to appropriate urban receiving areas.

Allowing four 2.5-acre residential lots on AG-5 land constitutes a conversion of agricultural land and would increase rural residential density, the number of wells, on-site sewage systems, driveway access points, and demand for rural services. These are precisely the types of scattered rural development impacts that the County's TDR program was designed, in part, to help reduce.

Brown Road

I would also like to address the significant concerns this proposal raises regarding Brown Road.

Brown Road is a rural road between Hansen Road and Umtaneum Road. It has no shoulders and is regularly used by pedestrians, children, bicyclists, and horseback riders. Although the posted speed limit is 35 mph, many drivers do not observe that limit, including hay trucks, construction vehicles, and vehicles associated with the applicant.

I have personally experienced this many times while traveling on Brown Road and have observed vehicles traveling at speeds at which I cannot safely keep up.

Adding additional residential lots and traffic will place further pressure on Brown Road and the residents who currently use it. Has the County evaluated whether Brown Road has the capacity to safely accommodate this additional development? If significant improvements are required, the cost of reconstructing Brown Road could be in the millions of dollars.

Water and Wells

Water availability is another significant concern. There is already a recognized shortage of water resources in Kittitas County. If this application is approved, I believe the development should be required to use a community water system rather than adding additional individual wells.

I also request that any future applications associated with Brown Road Country Estates be subject to the same community-water requirement.

Anderville Lane

Finally, as the owners of Anderville Farms, we take exception to the naming of the proposed road "Anderville Lane." We have no affiliation with Brown Road Country Estates and do not consent to the use of our farm's name in connection with this development.

For all of these reasons, we respectfully request that Community Development Services **deny application SP-26-00010**. We request that Community Development Services make specific written findings addressing each of these issues before any approval of this application is granted.

Please provide written notice of the administrative decision so that we may exercise our right to appeal under KCC Chapter 15.A.07, if necessary.

Thank you for your consideration of these concerns and for reviewing the potential impacts of this proposal on surrounding agricultural land, existing residents, roads, water resources, and the rural character of the area.

Respectfully submitted,

Arlein Anderson

Arlein Anderson

Owner, Deer Valley LLC

Owner, Anderville Farms

509 856 7928

arleinanderson@gmail.com

Kittitas County Community Development Services

411 N Rub Street, Suite 2

Ellensburg WA 98926

elliemyers@co.kittitas.wa.us

I am a neighboring property owner and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

When we purchased our property in 2020, we were told that if property next door was ever developed it could not go below 5-acre parcels per zoning, so we proceeded with the purchase. I find it very disappointing that codes are “tweaked” for certain developers. Well water is not taken into consideration. There are several homes that have wells from the 1940-1950’s including ours that are not as deep as new wells in the area. I am concerned about much more water being taken out of the ground and these home wells that have been here for decades that work great, water is regularly test will become contaminated and/or dry up as I have heard been happening in the Cle Elum area. Secondly, traffic going below the 5 acres per zoning would add minimum 60+ vehicles daily on Brown Road.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 does not permit 2.5-acre lots.

The agriculture-5 zone requires a five-acre minimum lot size. A short plat outside an urban growth area may create no more than four lots under KCC 16.08.186 and Chapter 16.32, but each lot must still meet the underlying zone. TDR credits are not a variance from minimum lot size and are not a rezone.

The only small-lot exception in KCC 16.12.040 is a single one-to-three-acre lot around an existing residence, subject to a covenant precluding further division while the land remains designated for agricultural use. That exception does not authorize four 2.5-acre lots across two parcels.

2. Washington TDR law transfers density off farmland, not onto it.

State TDR programs exist to move growth from areas a community wants to conserve—agricultural and forest lands of long-term commercial significance and rural resource land—to urban areas where growth is supposed to occur. That direction is stated by the Washington State Department of Commerce, by GMA implementing rules in WAC 365-196-815, and by the regional TDR statutes (including RCW 43.362 and RCW 39.108).

KCC Chapter 17.13 has the same purpose: permanently conserve rural farm and forest land by extinguishing development rights on designated sending sites and redeeming density

credits on eligible receiving sites. Agriculture-5 land is a sending-site zone under KCC 17.13. Using TDR certificates to increase density on AG-5 land reverses the program. If the credits originated in an urban growth area, the transfer is even more contrary to GMA Goals 1, 2, and 8 in RCW 36.70A.020 (urban growth, reduction of sprawl, and conservation of natural resource industries).

3. TDR credits cannot be used to ignore the underlying zone.

KCC 17.13 allows TDR density credits to be applied in specified county actions, including short plats, but only on eligible receiving sites and only consistent with the Comprehensive Plan and other development regulations. That authority does not repeal the AG-5 five-acre minimum or convert a resource/rural parcel into a suburban short plat. Outside a UGA, a planned unit development generally cannot exceed underlying-zone density. A short plat should not be allowed to do what a Planned Unit Development cannot.

4. The proposal converts agricultural land in violation of GMA conservation requirements.

WAC 365-196-815 requires development regulations that prevent conversion of designated agricultural land and identifies TDR as a tool to send rights from agricultural land to urban receiving areas. Four 2.5-acre residential lots on AG-5 land is conversion. It increases rural residential density, wells, on-site sewage systems, driveway cuts, and demand for rural services—the scattered rural development costs the County's TDR program was adopted to reduce.

5. The application file should not be approved without a documented TDR trail.

If staff believes TDR can lawfully reduce AG-5 lots to 2.5 acres, that interpretation should be stated in the decision with: (a) the exact KCC 17.13 subsection and exchange rate used; (b) copies of the TDR certificates and sending-site conservation instruments attached to the file; (c) identification of the sending site, including whether it is urban or rural/resource land; and (d) written findings that the result is consistent with GMA resource-land conservation and the County Comprehensive Plan. Those materials and findings are not established by the Notice of Application.

I request that Community Development Services deny SP-26-00010.

Thank you for considering these comments.

D. Baumgardner

1320 Brown Rd

Ellensburg, WA 98926

Ellie Myers

From: Brenda Bland <Brenda.Bland@cwu.edu>
Sent: Wednesday, September 30, 2026 8:16 AM
To: Ellie Myers
Subject: Opposing SP-26-00010

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Brenda Bland
2360 Brown Road
Ellensburg, WA 98926

September 30, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
[411 N. Ruby Street, Suite 2](#)
[Ellensburg, WA 98926](#)
ellie.myers@co.kittitas.wa.us

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

I am a neighboring property owner and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 does not permit 2.5-acre lots.

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The only small-lot exception in KCC 16.12.040 is a single one-to-three-acre lot around an existing residence, subject to a covenant precluding further division while the land remains designated for agricultural use. That exception does not authorize four 2.5-acre lots across two parcels.

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State TDR programs exist to move growth from areas a community wants to conserve—agricultural and forest lands of long-term commercial significance and rural resource land—to urban areas where growth is supposed to occur. That direction is stated by the Washington State Department of Commerce, by GMA implementing rules in WAC 365-196-815, and by the regional TDR statutes (including RCW 43.362 and RCW 39.108).

KCC Chapter 17.13 has the same purpose: permanently conserve rural farm and forest land by extinguishing development rights on designated sending sites and redeeming density credits on eligible receiving sites. Agriculture-5 land is a sending-site zone under KCC 17.13. Using TDR certificates to increase density on AG-5 land reverses the program. If the credits originated in an urban growth area, the transfer is even more contrary to GMA Goals 1, 2, and 8 in RCW 36.70A.020 (urban growth, reduction of sprawl, and conservation of natural resource industries).

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Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully submitted,

Brenda Bland
Neighboring Property Owner
2360 Brown Road
Ellensburg, WA 98926

Brenda Bland
Math/CS Admin. Assistant
509-963-2103

brenda.bland@cwu.edu

Ellie Myers

From: Caron Van Orman <vanormc@gmail.com>
Sent: Wednesday, September 30, 2026 3:25 PM
To: Ellie Myers
Subject: Comments opposing SP26-00010 Brown Rd Estates

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Caron Van Orman
2530 Brown Rd
Ellensburg, WA

September 30, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA
Applicant: Brown Road Estates, LLC
Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

I am a neighboring property owner and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 does not permit 2.5-acre lots.

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The only small-lot exception in KCC 16.12.040 is a single one-to-three-acre lot around an existing residence, subject to a covenant precluding further division while the land remains designated for agricultural use. That exception does not authorize four 2.5-acre lots across two parcels.

2. Washington TDR law transfers density off farmland, not onto it.

State TDR programs exist to move growth from areas a community wants to conserve—agricultural and forest lands of long-term commercial significance and rural resource land—to urban areas where growth is supposed to occur. That direction is stated by the Washington State Department of Commerce, by GMA implementing rules in WAC 365-196-815, and by the regional TDR statutes (including RCW 43.362 and RCW 39.108).

KCC Chapter 17.13 has the same purpose: permanently conserve rural farm and forest land by extinguishing development rights on designated sending sites and redeeming density credits on eligible receiving sites. Agriculture-5 land is a sending-site zone under KCC 17.13. Using TDR certificates to increase density on AG-5 land reverses the program. If the credits originated in an urban growth area, the transfer is even more contrary to GMA Goals 1, 2, and 8 in RCW 36.70A.020 (urban growth, reduction of sprawl, and conservation of natural resource industries).

3. TDR credits cannot be used to ignore the underlying zone.

KCC 17.13 allows TDR density credits to be applied in specified county actions, including short plats, but only on eligible receiving sites and only consistent with the Comprehensive Plan and other development regulations. That authority does not repeal the AG-5 five-acre minimum or convert a resource/rural parcel into a suburban short plat. Outside a UGA, a planned unit development generally cannot exceed underlying-zone density. A short plat should not be allowed to do what a Planned Unit Development cannot.

4. The proposal converts agricultural land in violation of GMA conservation requirements.

WAC 365-196-815 requires development regulations that prevent conversion of designated agricultural land and identifies TDR as a tool to send rights from agricultural land to urban receiving areas. Four 2.5-acre residential lots on AG-5 land is conversion. It increases rural residential density, wells, on-site sewage systems, driveway cuts, and demand for rural services—the scattered rural development costs the County’s TDR program was adopted to reduce.

5. The application file should not be approved without a documented TDR trail.

If staff believes TDR can lawfully reduce AG-5 lots to 2.5 acres, that interpretation should be stated in the decision with: (a) the exact KCC 17.13 subsection and exchange rate used; (b) copies of the TDR certificates and sending-site conservation instruments attached to the file; (c) identification of the sending site, including whether it is urban or rural/resource land; and (d) written findings that

the result is consistent with GMA resource-land conservation and the County Comprehensive Plan. Those materials and findings are not established by the Notice of Application.

Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully submitted,

Caron Van Orman
Neighboring property owner

September 29, 2026

Re: SP-26-00010 – Brown Road Estates II

To Kittitas County Community Development Services:

I am writing as a concerned adjacent landowner and neighbor regarding Brown Road Estates II, SP-26-00010. I am opposed to approval of this short plat and ask the County to carefully consider the overall impact of this development and the continued use of TDR credits to increase residential density in this rural agricultural area.

The application proposes dividing approximately 10 acres, currently zoned AG-5, into four approximately 2.5-acre lots. The application specifically states that TDR density credits will be used to increase the density beyond what would otherwise be allowed under the AG-5 zoning.

My concern is not simply these four lots. These 10 acres are part of a larger area of approximately 70 acres that has already been divided or reconfigured into approximately 5-acre parcels. The applicant is now seeking to further divide these parcels into approximately 2.5-acre lots through individual short plats and the use of TDR credits.

I believe the County should consider the **cumulative impact of the entire development**, rather than looking at each 10-acre short plat as a separate four-lot development. If this same process is repeated throughout the approximately 70 acres, the overall increase in homes, vehicles and traffic will be considerably greater than what is represented by this one application.

Brown Road and Traffic Safety

The application identifies Brown Road and Anderville Lane as the access to the development. Brown Road is one of my primary concerns.

Brown Road is narrow and has little or no usable shoulder in many areas. A number of people in the neighborhood regularly walk along Brown Road, yet there is no separate pedestrian area.

Winter conditions make this situation worse. After significant snowfall, snow along the sides of the road reduces the usable roadway even further, and there are times when it is difficult for two vehicles to comfortably pass each other.

The posted speed limit on Brown Road between Barnes Road and Hanson Road is 35 mph. In my experience, many vehicles travel considerably faster, often approximately 40–50 mph. Increasing the number of residential lots will mean additional daily vehicle trips on this road.

I would like the County to consider not simply the additional traffic from the four lots in this application, but the traffic that could ultimately result if the other approximately 5-acre parcels in this development are also divided into 2.5-acre lots.

Before approving additional density, I would like the County to address:

- Has a traffic and road-safety evaluation considered the **ultimate development of the entire approximately 70 acres**, rather than only the four lots proposed in SP-26-00010?
- Is Brown Road adequate for the cumulative increase in residential traffic?
- How will pedestrian safety be addressed where Brown Road has little or no shoulder?
- Have winter conditions and the reduced usable road width following snowfall been considered?
- If Brown Road needs to be widened, shoulders added, or other safety improvements made as development continues, **when will those improvements occur and who will be responsible for paying for them?**

Agricultural and Rural Character

This is still a rural agricultural area. Much of the surrounding property is zoned AG-20 and is actively farmed.

Changing approximately 5-acre AG-5 parcels into approximately 2.5-acre residential lots substantially increases residential density next to larger agricultural properties. I believe the County should consider the long-term effect this additional density will have on neighboring farming operations and on the rural character of this area.

TDR Moratorium and Current County Review

I also have concerns about approving this increased density while Kittitas County is reviewing its TDR program.

I understand the County's position that this application was submitted before the current TDR moratorium and therefore must continue to be processed. I am not suggesting otherwise.

However, the fact that the County has determined that the TDR program warrants further review should be relevant when evaluating an application that relies on TDR credits to substantially increase rural residential density.

This application provides a good example of why I believe caution is appropriate. Property zoned AG-5 is being divided into approximately 2.5-acre residential lots through TDR credits, and this appears to be part of a larger development where the same process may be repeated through additional short plats.

If the County is currently reviewing whether its TDR regulations are accomplishing the intended purpose of the program, I believe it would be prudent to carefully examine whether using TDR credits in this manner is consistent with that purpose before approving additional short plats.

Consider the Development as a Whole

My primary concern is the cumulative effect.

SP-26-00010 may appear on its own to be a four-lot short plat on 10 acres. However, if it is part of a larger approximately 70-acre development where 5-acre parcels will progressively be divided into approximately 2.5-acre lots using TDR credits, the overall impact is much different.

I respectfully ask the County to consider the **entire development pattern and its ultimate potential density** when evaluating this application, including traffic on Brown Road, pedestrian and winter road safety, infrastructure, neighboring agricultural uses and the rural character of the area.

For these reasons, I respectfully request that **SP-26-00010 not be approved at this time** until these cumulative impacts and the concerns surrounding the use of TDR credits for this development have been fully evaluated and addressed.

Thank you for considering my comments and the concerns of neighboring property owners.

Colleen Anderson

Adjacent Landowner and Neighbor
Owner of 3 Lots on Woodscreek
Home Resident: 231 Peavine Road
Ellensburg, WA

Corey and Karrine Rogers Cell: 509-899-2786 Email: corey@wardrugh.com
221 Woodscreek Lane
Ellensburg, WA 98926

September 29, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us



Kittitas County CDS

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA
Applicant: Brown Road Estates, LLC
Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

I am a neighboring property owner and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 does not permit 2.5-acre lots.

The Agriculture-5 zone requires a five-acre minimum lot size. A short plat outside an urban growth area may create no more than four lots under KCC 16.08.186 and Chapter 16.32, but each lot must still meet the underlying zone. TDR credits are not a variance from minimum lot size and are not a rezone.

The only small-lot exception in KCC 16.12.040 is a single one-to-three-acre lot around an existing residence, subject to a covenant precluding further division while the land remains designated for agricultural use. That exception does not authorize four 2.5-acre lots across two parcels.

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KCC Chapter 17.13 has the same purpose: permanently conserve rural farm and forest land by extinguishing development rights on designated sending sites and redeeming density credits on eligible receiving sites. Agriculture-5 land is a sending-site zone under KCC 17.13. Using TDR certificates to increase density on AG-5 land reverses the program. If the credits originated in an urban growth area, the transfer is even more contrary to GMA Goals 1, 2, and 8 in RCW 36.70A.020 (urban growth, reduction of sprawl, and conservation of natural resource industries).

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KCC 17.13 allows TDR density credits to be applied in specified county actions, including short plats, but only on eligible receiving sites and only consistent with the Comprehensive Plan and other development regulations. That authority does not repeal the AG-5 five-acre minimum or convert a resource/rural parcel into a suburban short plat. Outside a UGA, a planned unit development generally cannot exceed underlying-zone density. A short plat should not be allowed to do what a Planned Unit Development cannot.

4. The proposal converts agricultural land in violation of GMA conservation requirements.

WAC 365-196-815 requires development regulations that prevent conversion of designated agricultural land and identifies TDR as a tool to send rights from agricultural land to urban receiving areas. Four 2.5-acre residential lots on AG-5 land is conversion. It increases rural residential density, wells, on-site sewage systems, driveway cuts, and demand for rural services—the scattered rural development costs the County's TDR program was adopted to reduce.

5. The application file should not be approved without a documented TDR trail.

If staff believes TDR can lawfully reduce AG-5 lots to 2.5 acres, that interpretation should be stated in the decision with: (a) the exact KCC 17.13 subsection and exchange rate used; (b) copies of the TDR certificates and sending-site conservation instruments attached to the file; (c) identification of the sending site, including whether it is urban or rural/resource land; and (d) written findings that the result is consistent with GMA resource-land conservation and the County Comprehensive Plan. Those materials and findings are not established by the Notice of Application.

Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully submitted,



Corey and Karrine Rogers

Neighboring Property Owner

221 Woodscreek Ln, Ellensburg, WA 98926

Dana Ogan

710 Barnes RD
Ellensburg, WA 98926
509.312.0608
danaoganRDN@gmail.com

30th September 2026

Kittitas Co Community Development Services

Attn. Ellie Myers
411 Ruby St.
Ellensburg, WA 98926

RE: Public Comment Opposing SP-26-00010, Brown Road Estates II

To Whom it May Concern.,

I am a nearby resident and property owner near the Brown Road Estates II development that is requesting a further short plat of this property/development. I urge the County to deny this proposal for a variety of reasons. Please consider this letter my public comment to be included on the official record.

I have read other letters that have been submitted and want to highlight what some of my neighbors have already proposed as very practical reasoning for denying this proposal.

- The property is zoned Agriculture 5, which does not permit 2.5 acre parcels. Exceptions should NOT be made for this. According to another neighbor, Tom Morris, this is inconsistent with WA State TDR Policy, Growth Management Act and Kittitas County Code.
- The property is designated Rural Residential Land. According to KCC Chapter 17.13, preservation of farm and forest land is the priority, not increasing rural residential density. This would clearly not align with the written code.
- There are many practical reasons that increasing rural residential density is problematic, including the need for wells/water systems, sewage/septic systems, road/driveways and many others. In addition, preservation of the agricultural beauty of Kittitas County cannot be forgotten.

-
- The only benefit to further development of this property is financial. There is no net benefit to our community. Codes, Policies and other governances should never be adjusted or ignored for financial gain, whether it be for the Developer or the County.

I request that the Application SP-26-00010, Brown Road Estates II be denied by Community Development Services for these reasons and the many other reasons that have been brought up by our respected community members.

Sincerely,

Dana Ogan

September 29, 2026

Kittitas County Community Development Services
Attn: Staff Planner
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

RECEIVED
SEP 29 2026
Kittitas County CDS

Re: SP-26-00010 — Brown Road Estates II / Proposed Use of TDR Density Credits

Dear Kittitas County Community Development Services:

I am writing as a neighboring property owner at **751 Barnes Road** to respectfully but strongly oppose approval of the proposed Brown Road Estates II short plat and, specifically, the proposed use of Transfer of Development Rights (TDR) Density Credits in connection with this application.

Barnes Road is perpendicular to Brown Road, and from my property I have a direct view of the area proposed for development. I have a personal interest in the appropriate application of the County's land-use regulations to this property. My primary concern, however, is not simply the visual or neighborhood impact of the proposal. It is whether the proposed use of TDR Density Credits complies with the requirements and purpose of **Kittitas County Code Chapter 17.13**, particularly KCC 17.13.040.

TDR Density Credits must be established and used as authorized by KCC Chapter 17.13

I understand that the underlying property is zoned Agriculture-5 and that the proposed short plat would create four approximately 2.5-acre residential lots. I also understand that the applicant is relying upon TDR Density Credits to obtain density beyond what would otherwise be permitted under the underlying zoning.

I recognize that KCC 17.13.055 expressly provides that TDR Density Credits may be used to increase density within an established receiving-site project boundary and that parcel sizes within that boundary may therefore be decreased. The code also expressly identifies Short Plats as one of the County actions in which TDR Density Credits may be used.

My concern is therefore not that TDR credits can never be used to increase density or reduce parcel sizes. Rather, my concern is whether **the specific TDR credits being relied upon for SP-26-00010 were properly established, calculated, documented, and transferred under KCC Chapter 17.13, and whether their use remains authorized under the County's current TDR regulations and moratorium.**

KCC 17.13.040 requires a specific calculation and documentation

KCC 17.13.040 establishes how the number of residential development rights, or TDR Density Credits, available from an unincorporated sending site is determined. The calculation is tied to

the sending site's underlying zoning and/or established density, subject to the limitations contained in that section.

The code further provides that the determination of available TDR Density Credits must be documented in a TDR Density Credit certificate and that the determination is for purposes of the TDR program. The code also makes clear that the TDR determination does not itself change the underlying zoning designation of the sending parcel.

For that reason, I respectfully request that the County identify in the administrative record the precise basis for the TDR credits being used for this application, including:

- The identity and parcel numbers of the TDR sending site or sites;
- The underlying zoning and acreage used to calculate the development rights;
- The calculation performed pursuant to KCC 17.13.040;
- The number of TDR Density Credits determined to be available;
- The date on which those credits were established and certified;
- The applicable TDR Density Credit certificates and/or certificates of intent;
- The TDR easement or other documentation establishing that the corresponding development rights were properly extinguished;
- The number of credits being applied to SP-26-00010;
- The calculation showing how those credits result in the proposed four-lot density; and
- Any remaining TDR Density Credits associated with the sending site or sites.

These documents are particularly important because KCC 17.13.040 provides that development rights from a sending site may be transferred to more than one receiving site. Consequently, if the applicant has additional TDR Density Credits available after this proposal, the County should clearly establish what development rights have been extinguished, what credits remain, and how those remaining credits may subsequently be used.

The applicant's other parcels warrant careful review

I understand that the applicant owns or controls approximately **twelve other parcels** to which TDR Density Credits could potentially be applied if this proposal is approved.

I am concerned about the precedent created if TDR credits are used in a manner that permits substantially increased residential density on one property while leaving additional credits available for use on other properties.

I am not asking the County to assume that such future development will occur. Rather, I am asking the County to determine and document the extent of the development rights being transferred through this application and whether approval of this proposal would leave additional TDR credits available for subsequent receiving-site applications.

That information is important to understanding the actual effect of this application and whether the proposed transaction is consistent with the County's stated purpose for the TDR program.

The TDR moratorium makes this review particularly important

Kittitas County has acknowledged the need to review its TDR regulations. Pursuant to Resolution 2026-101, the County enacted a moratorium on the submission of TDR applications on June 8, 2026, citing the need to ensure that County regulations are consistent with the intent of the TDR program.

Because the County has itself determined that its TDR regulations warrant review, I respectfully request that the County clearly establish the legal status of any TDR Density Credits being relied upon by SP-26-00010.

Specifically, the County should identify when the relevant TDR application, certificate, certificate of intent, and TDR easement were submitted or established, and explain why the proposed use of those credits is permitted notwithstanding the current TDR moratorium and any subsequent extension or applicable transition provisions.

I believe this issue should be expressly addressed before the County approves the proposed short plat.

Purpose of the TDR program

KCC 17.13.010 states that the purpose of the County's TDR program is to provide public benefits by permanently conserving rural farm and forest land through acquisition and extinguishment of development rights on designated sending sites.

I support the County's objective of protecting agricultural and rural lands through properly structured TDR transactions. My concern is that the County should ensure that the transaction proposed here actually satisfies the requirements established by Chapter 17.13 and accomplishes the conservation and development-right objectives contemplated by that chapter.

The existence of TDR credits should not, by itself, end the County's inquiry. The County should establish that the credits were properly created, that the appropriate development rights were permanently extinguished, that the credits are valid and available for this receiving site, and that the proposed use complies with all applicable provisions of Chapter 17.13 and other County regulations.

Request for denial

For these reasons, I respectfully but strongly oppose approval of the proposed use of TDR Density Credits in connection with SP-26-00010.

I request that the County **deny the proposed TDR authorization and not approve the short plat unless and until the applicant has demonstrated, and the County has documented in the administrative record, that the proposed TDR transaction fully complies with KCC Chapter 17.13, including the calculation and certification requirements of KCC 17.13.040,**

the receiving-site requirements, and all applicable provisions governing the current TDR moratorium.

I further request that the County provide written notice of its decision and the basis for that decision, including the applicable appeal rights.

Thank you for considering these comments and for including this letter in the administrative record for SP-26-00010.

Respectfully,

Jack Piper
751 Barnes Road
Ellensburg, WA 98926

Jeff & Carrie Satterland
160 Woodscreek Lane
Ellensburg, Wa 98926
253-397-6334

September 28, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us



Kittitas County CDS

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

I am a neighboring property owner and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 does not permit 2.5-acre lots.

The Agriculture-5 zone requires a five-acre minimum lot size. A short plat outside an urban growth area may create no more than four lots under KCC 16.08.186 and Chapter 16.32, but each lot must still meet the underlying zone. TDR credits are not a variance from minimum lot size and are not a rezone.

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2. Washington TDR law transfers density off farmland, not onto it.

State TDR programs exist to move growth from areas a community wants to conserve—agricultural and forest lands of long-term commercial significance and rural resource land—to urban areas where growth is supposed to occur. That direction is stated by the Washington State Department of Commerce, by

GMA implementing rules in WAC 365-196-815, and by the regional TDR statutes (including RCW 43.362 and RCW 39.108).

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Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully submitted,

Jeffrey C Satterland

Carrie Satterland

Jeff & Carrie Satterland

Neighboring Property Owner

160 Woodscreek Ln

Ellensburg, WA 98926

Ellie Myers

From: Jeff Seapulski <jeffseapulski@gmail.com>
Sent: Wednesday, September 30, 2026 4:58 PM
To: Ellie Myers
Subject: Public Comment – SP-26-00010 Brown Road Estates II – Groundwater Concerns

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear Ms. Myers,

I am a nearby resident and live approximately four parcels from the proposed Brown Road Estates II development. The property where I live is owned by my father and relies on a well for its water supply.

My primary concern with this proposal is the effect that increased residential density could have on the groundwater supply that existing nearby properties depend on. I understand that development of this property may occur, but this application is proposing four 2.5-acre lots, which means more residential water demand concentrated in a relatively small area.

The project narrative states that the four proposed lots would share a Group B well. My concern is not simply whether that well is capable of supplying four new homes. My concern is whether pumping from that well could lower groundwater levels or otherwise affect the reliability of existing nearby wells, including the well serving the property where I live.

This concern is especially important to me given Kittitas County's history of groundwater restrictions and the repeated drought conditions affecting the Yakima Basin, including the recent consecutive drought years. Water availability has clearly been a concern in this area for many years, and once an existing well is affected, the consequences for the people relying on it can be significant.

I would therefore like to know what groundwater and water-supply review has been completed, or will be required, for this development. In particular, I would like to know whether the County's review considers potential impacts on existing nearby wells, rather than only whether the proposed new well can produce enough water to serve the four new lots.

If the well testing or required water-supply review has not yet been completed, I ask that final approval not occur until that review has been completed and the County is satisfied that the proposed development has an adequate water supply.

I am not objecting simply because homes may be built on the property. My concern is that allowing greater residential density should not come at the expense of the water supply that existing residents already depend on.

Please include this email as a public comment in the official record for SP-26-00010 and provide me with notice of the County's decision.

Thank you,

Jeffrey Seapulski
362 Peavine Rd Ellensburg WA 98926
JeffSeapulski@gmail.com

Ellie Myers

From: Tri Valley Crop Insurance <trivalleycropinsurance@gmail.com>
Sent: Wednesday, September 30, 2026 8:46 AM
To: Ellie Myers
Subject: Opposing SP-26-000010, Brown Road Estes II

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

September 30, 2026

Ellie Myers
Staff Planner
Kittitas County Community Development Services
411 N Ruby St, Suite 2
Ellensburg, WA 98926

e: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

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The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

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WAC 365-196-815 requires development regulations that prevent conversion of designated agricultural land and identifies TDR as a tool to send rights from agricultural land to urban receiving areas. Four 2.5-acre residential lots on AG-5 land is conversion. It increases rural residential density, wells, on-site sewage systems, driveway cuts, and demand for rural services—the scattered rural development costs the County’s TDR program was adopted to reduce.

5. The application file should not be approved without a documented TDR trail.

If staff believes TDR can lawfully reduce AG-5 lots to 2.5 acres, that interpretation should be stated in the decision with: (a) the exact KCC 17.13 subsection and exchange rate used; (b) copies of the TDR certificates and sending-site conservation instruments attached to the file; (c) identification of the sending site, including whether it is urban or rural/resource land; and (d) written findings that the result is consistent with GMA resource-land conservation and the County Comprehensive Plan. Those materials and findings are not established by the Notice of Application.

Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully,

Jill Orcutt Goodman and Glen Goodman

2661 Brown Rd

Ellensburg, WA 98926

509.929.2850



Virus-free. www.avg.com

Luke Bergford
1251 Brown Rd.
Ellensburg, WA 98926
(360) 815-2486
Lbergford@lmcoconstruction.com

9/28/2026

Ellie Myers
Kittitas County Community Development
411 N. Ruby St.
Ellensburg, WA 98926

Public Comment in Opposition to "Brown Road Estates II" (Short Plat Application SP-26-00010)

Ms. Myers,

I am writing to express my strong opposition to the proposed short plat application for Brown Road Estates II (SP-26-00010). The applicant's request to subdivide two 5-acre parcels into 2.5-acre parcels violates both the intent of the local zoning code and the foundational principles of Washington's Transfer of Development Rights (TDR) program.

The proposed short plat is located in an area strictly zoned as Agricultural 5 (Ag 5), which establishes a clear 5-acre minimum lot size to protect rural character and agricultural viability. Furthermore, these parcels directly abut Ag 20 zoning. Allowing 2.5-acre high-density rural residential lots here creates an incompatible transition zone and encroaches upon the more intensive agricultural operations protected under the Ag 20 designation. The 5-acre minimum should be strictly maintained to serve as a necessary buffer.

Beyond the zoning conflict, the application suffers from a serious lack of administrative transparency and procedural compliance. The applicant has completely failed to disclose the sending parcels for their intended TDR credits within any of their submitted public application documents. A proposal relying on density bonuses must provide clear, accessible documentation regarding the source of those credits so the public and reviewing agencies can properly vet them. This omission alone should stall the application until full disclosure is made.

Through conversations with the County Planning Department, it is understood that the applicant intends to utilize Parcels 016833, 962710, 962711, and 962712 to secure these TDR Density Credits. These specific parcels should be completely disqualified from consideration. While they technically sit outside current city limits, they are either entirely unincorporated islands or located immediately adjacent to the city boundary. Crucially, all four parcels lie well within the Urban Growth Area (UGA).

The primary intent of a TDR program is to conserve long-term resource lands, active farms, and critical ecological zones by transferring development potential into urban centers. Utilizing parcels within the UGA—lands already designated for future urban absorption and infrastructure development—defies the purpose of the program. It allows the applicant to artificially double rural density in an Ag 5 zone without achieving the genuine, long-term agricultural preservation that TDR programs are legally enacted to secure.

Approval of SP-26-00010 would set a dangerous precedent, effectively allowing developers to use urban-adjacent UGA lands to bypass rural zoning protections and increase density next to protected Ag 20 farmlands—all while omitting these vital details from the public record. I urge the Planning Department to deny this application and require the applicant to adhere to the established 5-acre minimum lot size required under Ag 5 zoning.

Thank you,

Luke Bergford

Tyler Morris
3980 Hanson Road
Ellensburg, Wa 98929
509-859-4757 Tyler@rrautobody.com

September 28, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us

Subject: Comments on Short Plat SP-26-00010 (Brown Road Estates II)

Tax Parcels 953834 and 428333 — 100 and 300 Anderville Lane

Owner / Applicant: Brown Road Estates, LLC

Zone: Agriculture-5 Comp Plan: Rural Residential

Dear Ms. Myers:

Please accept these comments on SP-26-00010. I own property in the area and I am opposed to this short plat. I ask the County to deny it.

The notice says the applicant wants four lots of 2.5 acres each on Agriculture-5 land, and that TDR Density Credits / TDR Certificates will be used to justify the density. I do not believe that is how the County's TDR program or Washington's Growth Management Act is supposed to work.

The zone already answers the density question.

Agriculture-5 means five acres per lot. That minimum is the zoning regulation this short plat has to meet. A rural short plat can create up to four lots, but those lots still have to be legal under Title 17. Buying TDR certificates does not change the zone from AG-5 to something denser, and it is not a substitute for a rezone.

I am aware the subdivision code allows one small lot around an existing house in certain AG zones. That is a narrow exception for an existing residence, with a recorded restriction against further division. It is not a green light to carve two AG-5 parcels into four 2.5-acre residential lots.

TDR is a conservation tool, not a density loophole.

The point of transfer of development rights in Washington is to protect working land by moving unused residential rights off farms and forests and into places planned for growth. Commerce describes TDR that way. So do WAC 365-196-815 and the GMA goals in RCW 36.70A.020: put urban growth in urban areas, cut sprawl, and keep resource industries viable.

Kittitas County Code Chapter 17.13 follows that same design. Sending sites are rural farm, forest, and similar resource lands—including AG-5. Receiving sites are where extra density is supposed to go. Using TDR credits to pack more houses onto AG-5 land next to existing rural neighbors is the opposite of sending development away from agriculture. If those credits came from an urban growth area, the County would be taking density out of the place growth belongs and dropping it onto farmland. That is not conservation.

Rural services and character will take the hit.

Four 2.5-acre lots means more wells, more septic systems, more driveway approaches, and more traffic on rural roads. Those are the exact costs the County's own TDR materials say the program is meant to reduce by keeping development closer to existing services. Approving this short plat would do the reverse on land the Comprehensive Plan still treats as rural / agricultural.

The file should show the TDR paper trail before any approval.

The notice does not identify the sending site, the certificate numbers, or the exchange rate. Before staff could lawfully treat TDR as satisfying AG-5 density, the record should include the certificates, the sending-site conservation documents, and findings that this use of TDR matches KCC 17.13 and does not convert agricultural land. Those items are not in the mailed notice. Without them, the application should not be approved.

What I am asking the County to do.

Deny SP-26-00010. If the application is not denied, I ask that any decision spell out—cite and quote—the exact code section staff thinks allows 2.5-acre lots in AG-5 with TDR. Please send me notice of the administrative decision. I reserve the right to appeal under KCC 15A.07.

Thank you for your time and for putting these comments in the project file.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Morris', written over a horizontal line.

Tyler Morris
3980 Hanson Road

September 30, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

I am a property owner on Brondt Road, not too far from this proposed amendment and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

1. Agriculture-5 does not permit 2.5-acre lots.

The Agriculture-5 zone requires a five-acre minimum lot size. A short plat outside an urban growth area may create no more than four lots under KCC 16.08.186 and Chapter 16.32, but each lot must still meet the underlying zone. TDR credits are not a variance from minimum lot size and are not a rezone.

The only small-lot exception in KCC 16.12.040 is a single one-to-three-acre lot around an existing residence, subject to a covenant precluding further division while the land remains designated for agricultural use. That exception does not authorize four 2.5-acre lots across two parcels.

2. Washington TDR law transfers density off farmland, not onto it.

State TDR programs exist to move growth from areas a community wants to conserve—agricultural and forest lands of long-term commercial significance and rural resource land—to urban areas where growth is supposed to occur. That direction is stated by the Washington State

Department of Commerce, by GMA implementing rules in WAC 365-196-815, and by the regional TDR statutes (including RCW 43.362 and RCW 39.108).

KCC Chapter 17.13 has the same purpose: permanently conserve rural farm and forest land by extinguishing development rights on designated sending sites and redeeming density credits on eligible receiving sites. Agriculture-5 land is a sending-site zone under KCC 17.13. Using TDR certificates to increase density on AG-5 land reverses the program. If the credits originated in an urban growth area, the transfer is even more contrary to GMA Goals 1, 2, and 8 in RCW 36.70A.020 (urban growth, reduction of sprawl, and conservation of natural resource industries).

3. TDR credits cannot be used to ignore the underlying zone.

KCC 17.13 allows TDR density credits to be applied in specified county actions, including short plats, but only on eligible receiving sites and only consistent with the Comprehensive Plan and other development regulations. That authority does not repeal the AG-5 five-acre minimum or convert a resource/rural parcel into a suburban short plat. Outside a UGA, a planned unit development generally cannot exceed underlying-zone density. A short plat should not be allowed to do what a Planned Unit Development cannot.

4. The proposal converts agricultural land in violation of GMA conservation requirements.

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Brown Road does not have shoulders and if allowed to go through, the County (taxpayers) will more than likely need to widen road and incur a huge expense.

Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully submitted,

Marlene Pfeifer
3740 Brondt Rd
Ellensburg, WA 98926
509-899-0702
marlene@elltel.net

Richard Swanson
170 Brown RD
Ellensburg, Wa 98926
509-899-0056 swanson@fairpoint.net

September 29, 2026



Kittitas County CDS

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

I am a neighboring property owner and submit these written comments in opposition to SP-26-00010. I request that Kittitas County deny the proposed four-lot short plat. Comments are due by 5:00 p.m. on September 30, 2026. There is no public hearing on this administrative short plat, so this letter is submitted for the official record.

The applicant proposes four 2.5-acre lots on land zoned Agriculture-5 and states that TDR Density Credits in the form of TDR Certificates will be used “to meet the requirements of the density being requested to comply with zoning regulations.” That use of TDR is inconsistent with Washington State TDR policy, the Growth Management Act, and Kittitas County Code.

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Request for relief.

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Thank you for considering these comments.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Richard Swanson", is written over a horizontal line.

Richard Swanson

Neighboring Property Owner

170 Brown RD

Ellensburg, WA 98926

Ellie Myers

From: Rodney Van Orman <rodvanorman@gmail.com>
Sent: Wednesday, September 30, 2026 8:30 AM
To: Ellie Myers
Subject: Brown Rd Estates 11 SP-26-00010, parcels 953834 & 428333

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

September 30, 2026

Kittitas County Community Development Services

Attn: Ellie Myers

411 N. Ruby Street, Suite 2

Ellensburg, WA 98926

ellie.myers@co.kittitas.wa.us

Re: Opposition to SP-26-00010, Brown Road Estates II

Dear Ms. Myers:

I am writing to oppose the proposed Brown Road Estates II short plat, SP-26-00010, involving parcels 953834 and 428333 at 100 and 300 Anderville Lane.

The applicant proposes dividing two existing 5-acre parcels into four 2.5-acre lots using TDR density credits. I ask the County to deny the application unless the applicant demonstrates that the proposed subdivision meets all applicable requirements and the County explains its findings in the written decision.

In particular, please document compliance with Kittitas County Code 17.13.055 through 17.13.080. The record should identify the receiving-site boundary and where the credits will be applied; the number, origin, and validity of the TDR certificates; how the credits were transferred; and the recorded easement restricting development on the sending site.

Please explain how the credits support the two additional lots requested under Agriculture 5 zoning.

I also ask the County to evaluate whether all four proposed lots can be served by legal and reliable water supplies, sewage systems, safe road access, and emergency services. Please consider the combined effects of this proposal and other Brown Road Estates development in the area, including traffic and effects on surrounding agricultural operations.

Please include this letter in the application record, address these concerns in the written decision, and notify me when a decision is issued.

Sincerely,

Rodney Van Orman

2530 Brown Rd, Ellensburg

Rodvanorman@gmail.com

Ellie Myers

From: Tim Englund <tim.englund@gmail.com>
Sent: Wednesday, September 30, 2026 10:01 AM
To: Ellie Myers
Subject: Written Comments Opposing SP-26-00010, Brown Road Estates II

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

September 30, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
[411 N. Ruby Street, Suite 2](#)
[Ellensburg, WA 98926](#)
ellie.myers@co.kittitas.wa.us

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

Zoning: Agriculture-5 • Land Use: Rural Residential

Dear Ms. Myers:

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State TDR programs exist to move growth from areas a community wants to conserve—agricultural and forest lands of long-term commercial significance and rural resource land—to urban areas where growth is supposed to occur. That direction is stated by the Washington State Department of Commerce, by GMA implementing rules in WAC 365-196-815, and by the regional TDR statutes (including RCW 43.362 and RCW 39.108).

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Request for relief.

I request that Community Development Services deny SP-26-00010. Please provide written notice of the administrative decision so that I may appeal under KCC Chapter 15A.07 if necessary.

Thank you for considering these comments.

Respectfully submitted,

Tim Englund
Concerned Kittitas County Resident
331 Bountiful Ln
Ellensburg, WA 98926

Tom Morris
171 Woods creek Lane
Ellensburg, Wa 98926
509-929-0959 bodymanmorris@gmail.com

September 28, 2026

Ellie Myers, Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
ellie.myers@co.kittitas.wa.us

RECEIVED
SEP 29 2026

Kittitas County CDS

Re: Written Comments Opposing SP-26-00010, Brown Road Estates II

Parcels 953834 & 428333 • 100 & 300 Anderville Lane, Ellensburg, WA

Applicant: Brown Road Estates, LLC

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Thank you for considering these comments.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tom Morris". The signature is written in a cursive style with a horizontal line underneath it.

Tom Morris

Neighboring Property Owner

171 Woodscreek Ln

Ellensburg, WA 98926