

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