

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, March 6, 2014

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Dennis Whitehouse, John Nelson, Mark Poppoff

BOARD MEMBERS ABSENT:

Jeff Stiles*

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, Senior Planner Dawn Marie Hert, City Engineer Dale McCabe, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Poppoff and seconded by Zukin to approve the agenda as submitted. The motion carried unanimously; Stiles absent.

APPROVAL OF MINUTES:

It was moved by Nelson and seconded by Poppoff to approve the February 20, 2014 minutes as submitted. The motion carried unanimously; Stiles absent.

*Note: Commissioner Stiles joined the meeting at 6:03 PM.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING

Application Number: CUP #172-14; **N. Wasco County School District #21; Request:** Application to gain approval for the installation of two modular buildings. Property is located at 922 Chenoweth Loop Road West, The Dalles, Oregon, and is further described as 2N 13E 29C t.l. 400. Property is zoned "RL/CFO" – Low Density Residential District with a Community Facility Overlay.

Chair Lavier read the rules for a public hearing and asked the Commissioners if they had any conflict of interest, ex-parte contact, or bias that would hinder them from making an impartial decision on the application. Whitehouse stated he would be making the presentation on behalf of the school district and recused himself at 6:04 PM. Nelson stated he did not believe he had a conflict of interest that would hinder him from making an impartial decision. He stated he was a school board director, and he also attended the City's Site Team meeting on this application. City Attorney Parker asked Nelson if he had discussed this application with any of the school board members, had he seen this application previously, or received any advance knowledge about the application. Nelson said he had. Parker

asked if any of that information might hinder him from being objective. Nelson said it would not. Parker advised Nelson that if at any time during the hearing he felt there was something that would hinder him from being impartial, he should disclose it during the hearing so that the applicant or others could address it at that time. In regards to the Site Team meeting, Parker asked Nelson if there was anything from that meeting that would cause him concern either way. Nelson said he did not believe so.

Chair Lavier asked if anyone wished to challenge the qualifications of the Commissioners. None were noted. He opened the public hearing at 6:06 PM.

Senior Planner Hert presented the staff report and highlighted the following portions:

- Pg. 5 – Regarding promoting pedestrian, bicycle and vehicular welfare, staff requested the installation of a sidewalk along the immediate property frontage of the property up to the end of the school building. Hert presented an aerial view hand out of the school property to the Commissioners (Exhibit 1).
- Pg. 7 – Regarding five bicycle spaces being required per classroom, Hert said there was the potential for four classrooms existing in the two modular structures. Therefore, 20 bicycle parking spaces would be required by code. She asked the Commissioners to address that issue and she reminded the board that previous applications that had been presented were granted a reduction in bike spaces from code requirements.
- Pg. 8 – Regarding the installation of a connecting walkway from the public sidewalk to the front of the building, Hert spoke with the State Building Codes inspector who advised truncated domes were required if a walkway crossed a travel lane. The applicant's proposed walkway crossed a travel lane. City Engineer McCabe said the nature of the truncated dome was identical to the requirements for an American Disabilities Act (ADA) ramp.

Hert stated staff recommended approval of the application including the 14 conditions of approval.

Stiles asked where the walkway/sidewalk would be installed that would transverse the parking lot. Senior Planner Hert indicated that sidewalk was not in the plans yet, and the applicant could discuss the possibilities and/or challenges in meeting that condition of approval. Nelson asked if there was a potential of the applicant's project being subject to the 10% increase in square footage that would require additional parking spaces. Hert said she would be surprised if additional parking would be required. Sidewalks in the Right of Way were not calculated into the 10% rule, Hert said.

Testimony:

Proponents

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated the school district requested approval of the application. Regarding the pedestrian access, there currently was a small sidewalk. It was the district's intent to paint out a sidewalk that would lead to the front of the building. It was not the district's desire to build out an entire sidewalk due to cost. The plan was to put a yellow caution sidewalk from the end of the existing sidewalk to the main building only.

Regarding the bicycle racks, they were located in front of the cafeteria on the north end in front of the cafeteria, and there were currently six bike spaces.

Zukin asked if the truncated dome ADA requirement would be an issue. Mr. Whitehouse said he did not believe it would be; they could use plastic ones. City Engineer McCabe said it would meet code requirements to glue them down. Whitehouse said the width of the walkway would be four feet.

Anne Evans, 922 Chenowith Loop Road, The Dalles, Oregon, pointed out on the display board of the school properties the natural walk lines of students entering the property in the mornings. She indicated most students would not be using the required sidewalk because they naturally cut off at earlier openings. The exception to that were the children who approached the property from the other side of Chenowith Loop Road. They have been trained to cross at the crosswalk located towards the middle of the property because of the vehicular traffic. Ms. Evans also pointed out that at the end of the school day all of the students were funneled from the south end of the building, across the front of the building, all the way to the south end of the sidewalk to avoid bus and other vehicular traffic on school property.

Chair Lavier asked about the feasibility of sidewalks at the other two entrances. Mr. Whitehouse said there were issues on the north side because cars parked there, and the buses needed to make a turnaround in that area. Ms. Evans said that was why children were funneled to the south side of the building, because the flow of vehicular traffic went northward. It could, however, be addressed if needed, she stated.

Ms. Evans said she observed and counted bicycle rack usage. Out of 500 students, there were less than 10 students that rode bikes. The day of this hearing, there were three bikes in the rack. She requested no additional bike racks be required at this time, because the current ones were not being used, and there had been theft issues in the past.

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated Tenneson Engineering produced an analysis of the parking lot. Their conclusion was that the school district fell well within the Land Use and Development Ordinance (LUDO) guidelines. Whitehouse pointed out that there was also another parking lot across Chenowith Loop Road on Irvine Street.

Zukin asked if a walking area could be painted on the south side of the property. Mr. Whitehouse said they could, but it would somewhat interfere with the special education buses that come at a different time after the main school was in session.

There were no opponents.

Chair Lavier closed the public hearing at 6:33 PM.

Deliberation:

Nelson asked if the extra pedestrian walkway should be included as a condition of approval. Lavier said it didn't necessarily need to be in the resolution, but he would like to see it marked off on the south end. Since the morning students and the special education students entered at different times, it seemed as if that extra walkway could be added, Lavier stated.

Zukin asked if the truncated domes should be added in a condition of approval. It was the consensus of the Commission and staff that it was a building codes requirement and could be dealt with at that level, not as a condition of approval.

The board discussed revising condition of approval #7 regarding bicycle racks. City Attorney Parker offered the following revision: "Details of the parking spaces will need to be provided to ensure that the site contains parking to meet the code requirements. Applicant needs to show that the number of existing parking spaces meets code requirements. For elementary schools the minimum number of automobile parking spaces is 1.5 spaces per classroom. The applicant will not have to comply with Land Use and Development Ordinance (LUDO) requirements for bicycle spaces at this time. In the event there is a sufficient demand shown to require the number of bicycle spaces required by the LUDO, the applicant will install those spaces."

It was moved by Zukin and seconded by Stiles to approve CUP #172-14, based upon the findings of fact and testimony, and to include the 14 conditions of approval with the suggested language revision offered by City Attorney Parker for condition of approval #7. The motion carried unanimously; Whitehouse abstained.

Application Number: CUP #173-14; N. Wasco County School District #21; Request: Application to gain approval for the installation of two additional modular buildings. Property is located at 1314 East 19th Street, The Dalles, Oregon, and is further described as 1N 13E 10 t.l. 100. Property is zoned "RL/CFO" – Low Density Residential District with a Community Facilities Overlay.

Chair Lavier stated that the rules of a public hearing applied as was previously read. He asked if any Commissioners had any ex-parte contact, bias, or conflict of interest that would hinder them from making an impartial decision on the application. Whitehouse indicated he would continue to recuse himself because he would be making the presentation on behalf of the school district. Nelson said he had previous knowledge of the application as a school board director, and he had attended the City's Site Team meeting regarding this application as in the previous CUP application. Based upon the previous questioning by City Attorney Parker, Nelson said he did not believe he would be hindered in making an impartial decision on this application.

Chair Lavier asked if anyone wished to challenge the qualifications of any of the Commissioners. None were noted. He opened the public hearing at 6:45 PM.

Senior Planner Hert highlighted the staff report. She commented that this school facility had a history of traffic issues for drop offs and loading. Staff asked that these issues be addressed, and that the school district review the traffic issues and formulate a traffic plan. Hert brought the bicycle parking requirement to the board's attention stating the requirements, again, were 20 spaces. Staff recommended approval with 13 conditions of approval.

Chair Lavier said Dry Hollow School had been limited with space because of the area around it, and the traffic issues had been addressed by the Planning Commission in the past.

Nelson stated, in Findings A14 and A32 of the report, the street name should be East 19th, not Dry Hollow Road.

Testimony:

Proponents

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated the school district was requesting approval of the application. He also requested the Planning Commission approve the same revision to

the bicycle parking spaces as was adopted in the previous hearing for Chenoweth Elementary School. Regarding condition of approval #13, Whitehouse stated the school district had developed a tentative plan to address the parking issue and he gave a brief explanation of the plan. He stated it was an expensive concept, and they were hoping for some funding. Lavier asked that if not all funding was obtained, would there be a prioritization of the project. Whitehouse stated the school district would first like to try to gravel the student drop off area. Lavier asked if there was vehicular access to the modular. Whitehouse said they would put in a gravel road off of an existing paved public easement access road. Nelson asked if a car would be able to come back out the old exit. Whitehouse said it would not be allowed. Nelson asked if sight distance off of Dry Hollow had been considered. Whitehouse said, at this time, the plan is a concept; and a traffic study would follow later.

Discussion followed regarding placing the modular on the back portion of the property rather than on the east end. Whitehouse said the school district had looked at several options, and there were some substantial issues with placing the modular structures behind the main building towards the back of the property.

Lavier addressed staff and applicant that the applicant should not only come up with a plan, but it should be executed as funds were available. Mr. Whitehouse said funding was the issue. Lavier said for the safety of the children and traffic, the issue should be somewhat of a high priority.

Director Gassman suggested some language could be added requiring a plan to be reviewed by the Commission, and if the plan was too vague in terms of a timeline, the Commission could reject the plan. Senior Planner Hert suggested adding the language "and shall provide" options and timings of necessary improvements to ensure the safety of the children. City Attorney Parker advised the Commission could establish a deadline, but if the school district chose not to comply, it would be difficult to enforce the deadline.

Teresa Peters, 1314 E. 19th Street, The Dalles, Oregon, explained the student exiting issues at the end of the school day. Ms. Peters stated there were approximately 10 to 12 bicycles and scooters on the premises at a time, and she was agreeable to the proposed bicycle language. She thought the number of staff vehicular parking spaces was adequate. Lavier suggested the parent drop off parking area could be graveled in order for it to come to fruition sooner since gravel would be less expensive.

Opponents

Dan Hammel, 2005 Lewis Street, The Dalles, Oregon, stated he had personally witnessed near-miss accidents along East 19th Street and traffic backed up at the intersection of Dry Hollow and East 19th Street. He stated there had been no study or adjustments to accommodate increased student population at the facility.

Mr. Hammel said he was concerned about preserving the residential character of a zone and to ensure that structures within a given area would not appear out of character or have a negative impact on the visual aesthetics of the neighborhood. The land use code called for a Neighborhood Compatibility review.

Mr. Hammel also stated that the school district's plan for the creation of an emergency access from what is now a public access easement would make that easement unavailable to the general public. He stated the school district needed a clear plan, or they would keep coming back every few years asking for additional classroom space. In closing, Mr. Hammel asked the Commission to look at the safety

issues for the children and the effect that the proposed placement of the modular buildings would have on his neighborhood. His recommendation was to place the modular units behind the existing school building.

Zukin asked Mr. Hammel his opinion on the conceptual traffic plan. Hammel said there needed to be a timeline or an expiration on the Conditional Use Permit. He said the area behind the school could hold five to six units, and there were existing utilities and a fire hydrant in that location. Speaking as the Fire Marshal for Mid-Columbia Fire District, Mr. Hammel said the fire department already had access to that location and the turnaround requirement could easily be met.

Paul Karp, 2009 Lewis Street, The Dalles, Oregon, stated that he thought the area behind the existing school building would be a better area for the placement of the additional modular buildings, and the school district would not have to spend money installing a fire hydrant. He said he was concerned about his grandchildren's safety with the proposed location of the buildings being somewhat removed from the main area of the school.

Rebuttal:

Dennis Whitehouse, 3632 W. 10th Street, The Dalles, Oregon, stated that one reason the school district didn't propose a location behind the existing buildings was that there were future plans to expand the existing building towards the back of the property. He also advised that the two existing modular buildings behind the school had no bathrooms. Nelson asked if they could cut into the back area topography. Mr. Whitehouse said the school district looked at that, and it would be cost prohibitive.

Teresa Peters, 3414 E. 19th Street, The Dalles, Oregon, said the school district had discussed the proposed location, and they determined school staff would have a direct line of vision out to the proposed area and to the students. She felt the proposed area was the best area. Ms. Peters commented that if the two buildings were placed behind the school, parents would go directly to those classrooms, and for safety purposes the best plan was to have all visitors come through the main doors of the school.

Chair Lavier closed the public hearing at 7:33 PM.

Deliberation:

Nelson said he would like to see more teeth in the conditions of approval for safety reasons. He went to the site and observed the entire dismissal routine. There were 25 to 30 cars parked along E. 19th Street, and it was frightening to watch the pedestrian children walking down the hill, even with traffic safety personnel and crosswalks.

Lavier asked staff about the possibility of installing gravel parking lots. City Engineer McCabe said the code did not allow gravel parking lots. Lavier said a gravel parking lot would be better than nothing, at least for a first step.

Chair Lavier recessed the meeting at 7:41 PM to give City Attorney Parker time to determine if the public hearing could be reopened in order to allow other school personnel to testify. He reconvened the meeting at 7:55 PM. City Attorney Parker determined that state statutes did not allow the public hearing to be reopened.

Discussion on some possible additional language requiring a traffic safety and improvement plan into condition of approval #13 followed amongst the staff, Commissioners, and Mr. Whitehouse. Upon the realization there were many questions and comments to be given, it was the consensus of the Commission to continue the deliberation to the next meeting.

It was moved by Zukin and seconded by Nelson to continue deliberation for CUP #173-14 to the next meeting and task staff to work with North Wasco County School District #21 to refine condition of approval #13 for the completion of construction and a traffic plan. The motion carried unanimously; Whitehouse abstained.

RESOLUTION:

It was moved by Zukin and seconded by Poppoff to approve P.C. Resolution #537-14, CUP #173-14, N. Wasco County School District #21 to include the changes and amendments to the conditions of approval of record. The motion carried unanimously; Whitehouse abstained.

STAFF COMMENTS:

Director Gassman suggested placing the continuation of CUP #173-14 on the agenda for the March 20 meeting. He also suggested a brief Planning Commission Work Session regarding discussion on the sub-groups' recommendations.

Note: Whitehouse rejoined the meeting at 8:14 PM.

Gassman reported there was one interested party for the Planning Commissioner vacancy. The interested person lived within the Urban Growth Boundary, not within the City limits. A determination would need to be made since the applicant did not live within the City limits.

REPORTS FROM THE STANDARDS AND FINANCE SUB-GROUPS:

Zukin reported that the Standards sub-group formed the attached proposed draft that mirrored a current city resolution attached to the LUDO regarding local streets (Exhibit 3). The group took that model and expanded it to arterial and collector streets. In summary, except for properties already developed on both sides, improvements would be reviewed on a case-by-case basis with some minimum requirements. Zukin said Public Works would detail out the draft after the Planning Commission gave its input.

Stiles reported that the Finance group discussed the cost of \$351 per linear foot for street improvements and decided that was not a correct number any longer because projects would be reviewed on a case-by-case basis. The group also discussed funding sources such as raising the gas tax, and adding a dollar or two to the storm water which was mildly received by the group. Stiles stated it was difficult reach some recommendations without knowing the direction of the other sub-group (Exhibit 4).

Gassman said copies of the working drafts would be made available to anyone requesting a copy.

COMMISSIONER COMMENTS/QUESTIONS:

None

NEXT MEETING

March 20, 2014

ADJOURNMENT:

The meeting was adjourned at 8:26 PM.

Respectfully submitted by Administrative Secretary Carole Trautman.



Bruce Lavier, Chairman



HLS

HLS

EXHIBIT 1

CHENOWETH LOOP

HLS

HLS

EXHIBIT 2



LEWIS

19TH

21ST

PARK HOLLOW

DRIVEN DRIVE

ACCESS

SCENIC

18TH

FINANCE WORK GROUP
(A sub-group of the City of The Dalles
Planning Commission Work Session
Re: Residential Infill Policies)
City Hall Upstairs Conference Room
313 Court Street
The Dalles, OR 97058
Conducted in a handicap accessible room

Minutes
Thursday, December 19, 2013
6:00 PM

CALL TO ORDER

Chair Stiles called the meeting to order at 6:06 PM.

ROLL CALL

Committee Members Present: Jeff Stiles, Dennis Whitehouse, Alex Hattenhauer, Damon Hult, R G Hager

Committee Members Absent: Mike Zingg

Staff Present: City Manager Nolan Young, City Attorney Gene Parker, Administrative Secretary Carole Trautman

CLARIFICATION OF SUB-GROUP'S PURPOSE

Chair Stiles stated the main purpose of the sub-group was to determine the City's and property owners' financial responsibilities in regards to residential infill and to discuss current and future funding options available for street standards that are in review by the Planning Commission's Street Standards sub-group.

KEY COMMENTS/QUESTIONS

- City Manager Young highlighted his December 13, 2013 memo regarding information that was requested by committee members (Attachment 1).
- It was the general consensus of the committee to remove all existing residential waivers of non-remonstrance and local improvement districts.
- City Attorney Parker said the County Assessor reported that the City's options were somewhat limited, and local budget laws would allow general funds to be used for street improvements. The City could adopt a property levy for a specific purpose, but there were strict tracking regulations in place to ensure the designated funds were used for their intended purpose. The only way to capture new revenue from newly developed properties to pay for public improvements would be to form a new urban renewal district which would include the newly developed properties. The City could decide to dedicate property taxes to street improvements, but it would require going through the budget process and determining funding priorities. The tax rate of \$0.0030155 multiplied times the assessed property value increase from development within the city limits could be used for street improvements, but Parker was unsure if the amounts collected would be sufficient to help with all street improvement costs.

- Whitehouse asked if it was the City's opinion that the homeowner should pay 100% for residential infill development. Young stated the current policy required homeowners to fund development 100 percent. Young said that the City was proposing to participate in cost reduction by contracting an engineer for one year to work strictly on residential infill street improvement that would lessen the current cost estimate of \$351 per linear foot. The City would also allow private contractors to do the work which would, most likely, be at a lower rate than the City's estimated work cost.
- Hattenhauer said he questioned if one year would be enough time for a contracted engineer to do the work, and how would that engineering remain effective through potential street development plan changes? Young recognized plans could change, but to have the base engineering work completed would be good. Young was uncertain how many projects could be done; it would be helpful to prioritize projects.
- In light of "loose end" projects that are unrelated to larger areas of development, Hattenhauer asked if the strategy would be to "sweep the town" or pick up pods of projects. Young said the hope would be to prioritize pods. The current policy of the City Council was to put in infill. The engineering costs would fall on the City, and if problems arose, the responsibility would fall upon the property owners. Young said the neighbors in a problem area might have to form a coalition to do a small project in an area. Costs would be expensive for property owners as R G Hager's Attachment 2 pointed out.
- Hager reviewed his handout (Attachment 2) and summarized by saying property owners could not afford the expenses. Hager also said infrastructures needed to take place in the core area rather than in outlying areas. Hager stated rural areas needed minimum street enhancement and storm water swales.
- Hager stated there was wanton neglect on the City's part to use tax funded money for street maintenance on the east side. Young referred back to three key questions on page 3 of his December 13, 2013 memorandum and asked if some of the City's priorities should shift to do chip seals in those undeveloped areas until there was development. Jerry Johnson, 3102 East 13th Street, The Dalles, Oregon, said it was the infrastructure that hindered development. He said the community should finance street maintenance, and the street department got very little revenue for maintenance. Whitehouse said there was no way to solve the three questions without more revenue. Hattenhauer suggested raising the street maintenance priorities within the City's budget to gain more funds.
- Hager said he would like to pursue gaining federal funds for streets by recognizing this community's past contribution in the aluminum industry. He was currently working with Representative John Huffman on that issue.
- There was discussion on the current City policy for providing/installing new utility services for new development. Stiles asked if a new policy could be considered whereby the City would install and extend utility service lines beyond new development then get reimbursed by future development property owners. Young advised there was no such policy for that now, but the City Council could consider it.
- There was discussion on the Wasco County Transportation Committee (Attachment 3) to seek production of a new transportation district and appropriate funding to bring county and city road systems out of the potential dangers they face. Young stated the financial aspects would be that the City would receive \$750,000 which could help meet current maintenance needs. Policies would need to change to divert monies to the three areas mentioned in his memo regarding the maintenance of streets. A concern would be property tax compression, Young stated.

- Stiles asked if property tax rates could be changed. Parker said the rates were locked in. Young felt property taxes were not the solution.
- There was discussion on raising a utility rate by one or two dollars a month to generate revenue. Young advised that the current residential storm water rate was \$2 a month, with revenues to be used for extending storm lines into infill areas. Young said one option could be to potentially remove storm sewer in some areas as a standard, allow more swales, and increase the storm water charge to \$4 a month. Calculated out, in a year's time it would increase the storm revenue close to \$500,000.

COMMITTEE RECOMMENDATIONS

1. Remove all existing residential waivers of non-remonstrance and local improvement districts.
2. Research the feasibility of prioritizing street funding through the City's general fund.
3. Consider having the City invest in extended utility infrastructure to be paid back as infill occurs through amendment of the City's Reimbursement District Ordinance.
4. City contract an engineer for one year to work on residential infill infrastructure.
5. Increase the storm water monthly fee up to \$4, and consider storm water a community issue rather than a neighborhood issue.
6. City increase maintenance work on unimproved streets (other than subdivision development or existing dwellings required to come up to street standards).

ADJOURNMENT

The meeting was adjourned at 8:05 PM.

Public Improvement Guidelines for Arterial and Collector Streets and any Residential Streets not covered by
Resolution #10-007

The public improvement guidelines for Arterial and Collector streets shall be as follows:

1. **Infill development between two fully developed and improved properties or on a lot that is adjacent to continuous full improvement.** When a lot between two previously fully improved lots is to be developed or there is continuous full improvement up to one side of a lot, full public improvement will be required. Such improvement will be consistent with the level of public improvement which exists on the properties adjacent to the subject site. The improvements would be required to be installed at the time of development.
2. **All other properties.** For lots/properties that are not between two fully improved properties, the public improvement requirements will be determined on a case by case basis during a conditional use type of process. It is anticipated that most of the lots in this category will be required to install partial public improvements. Full improvement is the goal but may not always be feasible, due to existing development, topography, level of building/development density in the area, and lack of or distance from existing needed infrastructure. In particular, these two street categories are seen as an integral part of the overall Transportation System of The Dalles. The final plan for these properties should focus on maintaining a uniform right of way width, pavement in the travel lanes, and if not put into place at the time of development, an allowance for the future addition of sidewalks and storm water systems.
3. The conditional use process is expected to be one in which both parties work in good faith to find an appropriate solution for each property. If a mutually acceptable solution could be found at Staff level, there would be no need to go to PC or start a formal conditional use process. City staff is encouraged to be flexible during this process. It is anticipated that besides reducing the level of standard public improvements at such properties, other methods may be used to reach a mutually acceptable improvement plan, such as:
 - a. Custom detailed deferred improvement agreement with a cap on the amount the landowner would be responsible to pay. The custom detailed deferred development agreement may also contain specific triggers for different levels of improvement required, time lines and other agreements specific to the property.
 - b. Bio swales
 - c. Explanation of what events will trigger additional public improvement development in the future, a time frame.
4. These guidelines are not meant to allow serial development scenarios/loophole subdivisions. Multiple (more than three) modified improvement agreements would not be allowed on tracts under one ownership and no more than three lots could be developed on adjacent lots.