

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, November 8, 2023, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Sherman Howard, Richard Howard, John Valenti, and Matt Juluson; Staff: Derek Imlay, Christy Ballard, and Kyle Gubler; Public: Brad Robbins-Sunrise Engineering, Patricia Wise, Dalyon Ruesch, and Jacob Ruesch.

Commissioners Hugh Howard and Kyson Spendlove were excused.

A. Call to Order: Chair Allen Bice called the meeting to order at 6:00 pm.
The invocation was given by Darren Prince, Pledge of Allegiance-Sherman Howard.

B. Approval of Agenda:

The motion was made by Commissioner Sherman Howard to approve the agenda, second by Commissioner Matt Juluson. Valenti-yes, Juluson-yes, Bice-yes, Sherman Howard-yes. The motion carried unanimously.

C. Approval of Minutes: October 11, 2023, regular meeting, and October 25, 2023, work meeting

The motion was made by Commissioner Matt Juluson to approve the October 11, 2023, regular meeting and the October 25, 2023, work meeting, second by Commissioner John Valenti. Sherman Howard-yes, Bice-yes, Juluson-yes, Valenti-yes. The motion carried unanimously.

D. Reports:

City Council-Councilwoman Wise reported on the November 1, 2023, City Council meeting.

Commissioner Richard Howard arrived at 6:04 pm.

Director of Operations-The irrigation water will be out of the system on November 15th.
The 100 South Road Project has been completed.

Kyle reported on the 111 South Main council chamber remodel. We will meet in the gym for about six months starting on January 11, 2024.

E. Business:

1. Discussion and direction on workforce housing in commercial zones.

Commissioner Bice stated this has been discussed over several meetings, and the Rueschs would like to know if the Commission is willing to pursue the idea.

Commissioner Sherman Howard is in favor of the idea for the property.

Commissioner Juluson mentioned the Commission had received multiple requests for mixed-use, and he is in favor of looking into the idea.

Commissioner Richard Howard stated he loves the idea as long as it is written to bring quality to La Verkin.

Commissioner Bice mentioned he is in favor of the concept but would want the commercial to happen first. It will take a while to create a mixed-use zone, and there is no guarantee the result would fit what is being proposed by Ruesch's.

Kyle reported some of Mayor Wilson's concerns are anything that happens would be for the entire zone, not just this specific property, and he feels we need to protect what little commercial property area La Verkin has.

Commissioner Bice commented that the Commission has discussed mixed-use for a long time, but he is not sure he feels it is appropriate for the eight or nine blocks of commercial we have. We are not like other communities that can develop and include additional commercial into that growth. We only have State Street until the topside is developed. He understands this isn't the clear answer being hoped for.

Derek explained there are a lot of logistics with mixed-use. In the past, there was a lot of concern about ensuring the commercial was the primary use in the commercial zones, but it was okay to look at potential residential use in the back. When the idea was first discussed, the City was considering property owner, manager, or employee housing. Ruesch's concept opens that up to anyone.

He agreed that the majority vote was if the City does move forward with residential in commercial, the commercial does need to be the primary use.

He met with the Rueschs to let them know where he thought the City stood on the concept and told them the City Council is the ultimate decision maker.

Derek is in favor of workforce housing in the commercial zone but agrees the Commercial needs to be first. The UDOT/La Verkin Corridor Study calls for a walkable downtown to alleviate traffic. Still, we definitely need to protect our commercial areas because that brings revenue into the City.

Housing needs to be addressed within commercial zones, but he was not sure to what extent.

Kyle stated his feeling from several elected officials is that the commercial and residential must be done simultaneously. You can't hold anybody to a promise of future commercial.

Commissioner Bice explained that a zone change would take some time. He would also expect commercial to be done first or in conjunction with the residential use.

Dalyon Ruesch mentioned they are not asking for a zone change.

Derek answered it would be an addition to the permitted uses, but the City would still need to come up with the criteria. The Rueschs could give their presentation to the City Council for their opinion on the concept.

Dalyon explained they are asking for the property to be a hybrid property. They want the residential housing first. It is an existing structure. He is from La Verkin, has a deep interest in developing his business here, and knows that housing is needed.

In this last presentation, he mentioned that the State of Utah supports the alignment of economic development incentives with housing development infrastructure and growth needs.

He showed a picture of the architectural drawing of the housing unit and commercial building. Phase one would be the ten studio apartments in the existing building. The second phase would be demolition of the parking lot, and phase three would be a six-unit commercial building.

Derek explained we are not saying no, just that we would need time to work through logistics. The sticking point would be if the Planning Commission & City Council would allow residential before commercial.

Kyle reiterated the City needs to be very clear on what is allowed in the ordinance because it will affect all of the General Commercial Zone.

Commissioner Bice pointed out the Commission has been working on the concept of mixed-use on State Street for a couple of years now without a clear consensus. Everyone is in favor of the idea in some fashion, but it may take a while to come to an agreement, which then needs to go on to the City Council for approval.

2. Presentation and discussion on creating a new commercial zone for the topside.

Brad Robbins with Sunrise Engineering gave a presentation on a staff report he had passed out to the Commissioners on a proposed Luxury Resort Zone. See Exhibit A.

The proposed Luxury Resort Zone will require a development agreement, primarily because this project is ahead of the larger development. There will need to be some coordination between the 40-acre parcel and what occurs there in the larger sense. It will also allow the City some control over what goes in.

The recommended action is that the La Verkin City Planning Commission and City Council establish the new zone of Luxury Resort, change the zone on the 40-acre subject property from Planned Community Development (PCD) and OSMU-20 to Luxury Resort (LR), and amend the general plan on the same 40 acres of land from Planned Community Development and Open Space to Commercial based on the findings contained in the staff report (Exhibit A).

He included the findings in the staff report because he feels it is important to show why something is being approved.

Commissioner Richard Howard said that after the initial presentation, he went up to the property and was shocked at how beautiful it is if developed right. He just remembered it being where he rode dirt bikes as a kid. La Verkin has a lot of potential on the topside.

Commissioner Sherman Howard feels developments like this can attract other unique things in the area.

Commissioner Juluson asked if this new zone would be worked in with the topside planned development along with the 40 acres.

Brad answered that we don't know what will happen with the larger development, but he thinks there will be some type of spinoff. The current PCD zone allows for residential and commercial, so this isn't really spot zoning. It is just going ahead a little until the larger development catches up.

The developer did have one correction they would like to make to the permitted uses in the proposed Luxury Resort Zone. That was to remove the Sauna from the Spa/Sauna.

Derek said the packet included staff comments on the proposed Luxury Resort Zone that may require some discussion. Once the Commissioners are comfortable, staff will draft the ordinance for review and possible setting of a public hearing.

The public hearing for all three items, the General Plan amendment, creating the new zone, and rezoning the property, will be at the same meeting.

Commissioner Juluson would like to keep the PCD height restriction of forty feet to minimize the impact on the view for the entire topside.

Brad said the great thing about the area is that it's a blank slate. The City can work with the property owner, America First, to create a vision of what works for both parties.

Derek reported the PCD ordinance does not allow for mass grading. It mentions working with the topography of the area. It also allows the Planning Commission and City Council to dictate colors, roof design, etc., to minimize the impact on the corridor. At the same time, allowing the property owner to develop their property. He suggested a field trip to the property. There are survey markers that give a good idea of the layout. Only one small section touches SR9, and the rest sets back hundreds of feet.

He asked the Commissioners to review the comments staff added to the luxury zone proposal for the first meeting in December with the possible setting of the public hearing at the following meeting.

The zoning may be different for the topside, but the City still wants things to be consistent with what already exists.

3. Discussion and possible action to move Subdivisions to the first item on the priority list. Commissioner Bice explained this item changes the current policy to allow the City to own the infrastructure before the subdivisions are complete.

Derek went over the current policy. A developer must finish the entire project and give the City a 25% construction cost bond for a one-year warranty.

If we allow developers to record the subdivision first, they can sell lots to help fund the project. Once the subdivision starts building, construction can begin. The developer would need to bond for 125% of the subdivision cost. That way, if the developer went defunct in the process, the City could take that money and have someone else complete the project. It also gives the City ownership of the utilities in the road. This would be an option for the developer, not a requirement.

It has been discussed for 8-9 years, and staff would like to move it to the number 1 spot on the priority list.

Commissioner Richard Howard asked if this benefits the City.

Derek replied it helps both parties. The road and infrastructure will be ours, and developers can sell lots to begin recouping some of their money.

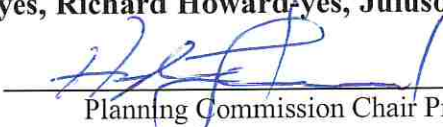
The Commissioners agreed to move Subdivisions to the top priority.

F. Adjourn:

The motion was made by Commissioner Sherman Howard to adjourn, second by Commissioner Matt Juluson. Sherman Howard-yes, Valenti-yes, Bice-yes, Richard Howard-yes, Juluson-yes. The motion was carried unanimously at 6:54 pm.

12/13/25

Date Approved


Planning Commission Chair Pro Tem



La Verkin City Staff Report

Date: November 8, 2023

To: La Verkin City Planning Commission and City Council
From: Brad Robbins – Sunrise Engineering Planning Manager

Application Request:

Establish a new Luxury Resort Zone (LR) (Applicant – City of La Verkin). Staff is requesting the establishment of a new Luxury Resort zone with the purpose of allowing specialty accommodations and associated retail.

Change of Zone (Applicant – Lance Ferguson of Stone Water LLC). Stone Water LLC is requesting to change the zone of approximately 40 acres of land from Planned Community Development (PCD) and Open Space (OSMU-20) to a new zone called Luxury Resort (LR) generally located south of State Highway 9 and west of the city's corporate boundary (Attachment 1).

General Plan Amendment (Applicant – Lance Ferguson of Stone Water LLC). Stone Water LLC is requesting to amend the general plan from Planned Community Development and Open Space to Commercial for approximately 40 acres generally located south of State Highway 9 and west of the city's corporate boundary (Attachment 1).

Recommended Action

That the La Verkin City Planning Commission and City Council establish the new zone of Luxury Resort, include the zone in the city's municipal code in reserve Section 10-6-3(Article I) and amend Section 10.6.1 to include the new zone, approve the change of zone on the 40 acre subject property from Planned Community Development (PCD) and OSMU-20 to Luxury Resort (LR), and amend the general plan on the same 40 acres of land from Planned Community Development and Open Space to Commercial subject to the findings contained in this staff report.

Subject Property Summary

Size of Property: Approximately 40 acres

Zoning: Planned Community Development (PCD) and Open Space (OSMU-20)

General Plan: Planned Community Development and Open Space

Existing Land Use: Vacant

Owner: SITLA

Background

The applicant approached the city regarding developing a luxury hotel and associated retail on approximately 40 acres of land owned by SITLA generally located in the area known as the Top Bench. The 40-acre subject property is presently zoned Planned Community Development (PCD) and Open Space (OSMU-20). The intent of the PCD zone is to provide for comprehensive design to accommodate residential development (with an accumulative project size not less than 200 acres), non-residential development (nonresidential developments of accumulative project size of not less than 200,000 square feet), airports and attractions. The subject property, at approximately 40 acres in size, does not presently meet the criteria of the PCD zone. As such, the applicant is requesting that the zone be changed to accommodate this request.

The city is presently in the process of considering how to comprehensively plan the entire Top Bench area. Most of the Top Bench property is presently owned by a bank and SITLA. It is expected that comprehensively planning the entire Top Bench area will take some time because not only does the area need to be planned, but studies will be required to properly assess such a large area. Moreover, a financing mechanism will also need to be considered to provide appropriate infrastructure in the area. In discussion with the applicant, time is of the essence and, therefore, the applicant wants to proceed ahead of the comprehensively planned Top Bench area. The applicant is aware that his planned luxury resort hotel will need to fit into the vision of the eventual developed plan for the Top Bench area. In order to ensure that coordination with the developer will occur after the potential approval of a change of zone on the subject property, the proposed development standards within the LR zone require that a development agreement be entered into between the city and the developer prior to the issuance of any building permits.

Project Description

The applicant is requesting a change of zone for approximately 40 acres of land to allow for the eventual establishment of a luxury hotel and some associated retail/restaurant. To properly accommodate the request, a new zone needs to be established, the subject property's existing zoning will need to be changed and the general plan will need to be amended. A description of each application follows.

Establishment of a New Zone: In order to accommodate the request while still providing the city with proper development standards to address any anticipated development issues, the luxury resort zone is being recommended (Attachment 4). In addition to defining the purpose of the zone, the LR zone provides for a limited number of permitted uses but also introduces a new process by which the planning commission has the authority to review and approve a use that may be similar to those listed (Similar Use Finding). The Similar Use Finding process will provide the city with the ability to fully assess if a use is compatible with other already permitted uses and then determine if such a use should be permitted. Development standards associated with the LR zone will require a developer to provide and adhere to an approved site plan, proposed architecture, studies, setback, lot coverage, density, fencing, building height, hotel unit size,

parking, access, signage, landscaping, storage, loading areas, trash enclosures, lighting, bike racks, dark sky requirements and the requirement for a development agreement (Attachment 4).

Change of Zone: In order to accommodate the developer's request for the eventual development of a luxury hotel, a change of zone application will need to be approved on the 40-acre subject property. The zone recommended for the 40-acre subject property is the new LR zone (Attachment 4).

General Plan Amendment: Presently, the general plan land use designation for the 40-acre subject property is Planned Community Development and Open Space. Even though Utah State Code states that a general plan is an "advisory guide", it is proper to keep the general plan future land use map up-to-date and consistent with the zoning map. As such, it is also recommended to process a general plan amendment on the 40-acre subject property to change the existing general plan land use designation from Planned Community Development and Open Space to Commercial.

Fiscal Impact

The applicant has paid all processing fees for this application process. The applicant has also deposited funds into a city deposit account to pay for the processing services of Sunrise Engineering. The applicant will be responsible for extending all infrastructure to serve the subject property. As such, the city will not be financially responsible for the development of the 40-acre site. Moreover, in the after-development condition, the city will benefit from increased property tax, sales tax and transient occupancy tax (TOT).

Findings

1. La Verkin Municipal Section 10-2-9 (CHANGES AND AMENDMENTS) provides the planning commission with recommendation authority and the city council with authority to "amend the number, shape, boundaries, or area of any zoning district, any regulation of or within the zoning district, or any other provision of the land use ordinance, including the map."
2. Utah State Code Section 10-9a-4 provides guidance and authority for a city to amend its general plan.
3. Starting on Page 26 of the La Verkin General Plan, goals and policies related to land use are identified. Again, even though Utah State Code defines the general plan as an "advisory guide", it is prudent to address the manner in which the proposed actions relate to the general plan goals. The proposed applications as presented are consistent with the following goals as outlined in the general plan:
 - a. **Goal 3 – Support a mix of land uses:** The application(s) provide for a unique mix of land uses (i.e., new zone that will provide for a luxury hotel) that will complement and enhance the city's mix of residential, commercial and industrial zones. It will also support specialized commercial development that does not

impact planned or existing residential development. When details of the larger PCD development become apparent, the proposed development associated with the establishment of a new zone, change of zone and general plan amendment will be incorporated into the plan to complement and not detract from the larger development to ensure compatibility with future land uses and adjoining properties.

- b. **Goal 4 – Preserve Natural Resource Assets:** Development requirements of the new LR zone have been designed to preserve the natural environment to the greatest extent possible by providing a multitude of low intensity development standards. These development standards are meant to provide for development that will complement and be sensitive to the natural environment, while also providing for a quality developed product.

Condition of Approval - Disclosure

1. To the fullest extent permitted by law, the applicant shall defend, indemnify and hold LaVerkin City and its directors, officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, proceedings, costs, expenses, liabilities, losses, damages or injuries of any kind, in law or equity, in any manner arising out of, pertaining to, or incident to any attack against or attempt to challenge, set aside, void or annul any approval, decision or other action of La Verkin City, whether such approval, decision or other action was by its city council, planning commission, director, official, officer, employee, volunteer or agent. The applicant's obligations hereunder shall include without limitation the payment of any and all damages, consultant and expert fees, and attorney's fees and other related costs and expenses. The city shall have the right to retain such legal counsel as the city deems necessary and appropriate.

Attachments

1. Property map
2. Legal Description
3. Letter of Authorization from SITLA
4. Luxury Resort Zone Text

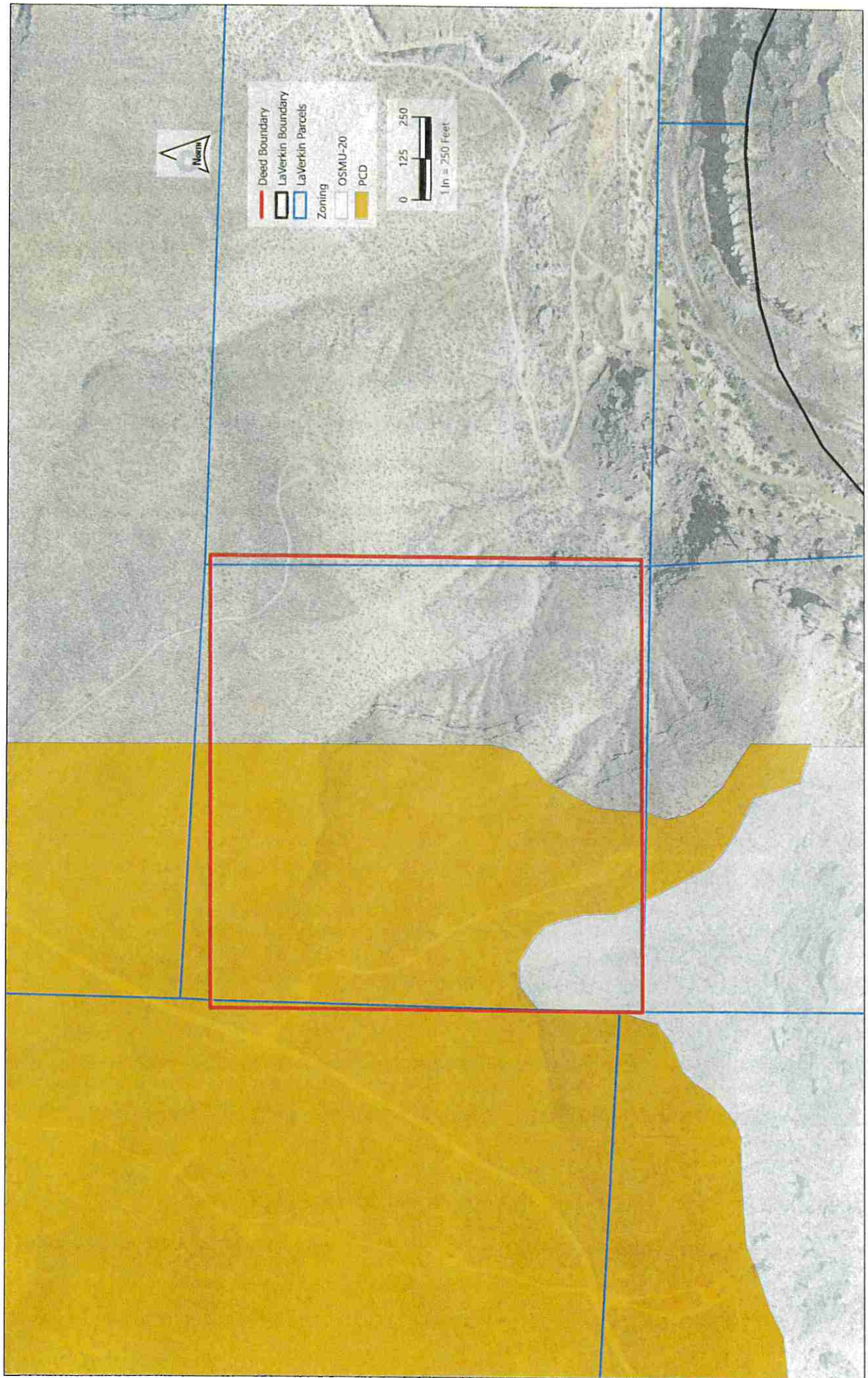


Exhibit "A"

All of Lot 4, Section 19, Township 41 South, Range 12 West, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at the Southeast Corner of Section 24, Township 41 South, Range 13 West, Salt Lake Base & Meridian, and running;

thence North $00^{\circ}14'34''$ East 1,258.93 feet along the section line to the northwest corner of said Lot 4;

thence North $89^{\circ}48'51''$ East 1,372.12 feet along the northerly line to the northeast corner of said Lot 4;

thence South $00^{\circ}13'20''$ West 1,333.00 feet along the easterly line to the southeast corner of said Lot 4, said point being on the section line;

thence South $89^{\circ}51'47''$ West 1,372.58 feet along the section line to the southwest corner of said Lot 4;

thence North $00^{\circ}14'10''$ East 72.91 feet along the section line to the Point of Beginning.

Containing 1,828,514 square feet or 41.98 acres.



September 6, 2023



TRUST LANDS ADMINISTRATION

SUPPORTING UTAH SCHOOLS AND INSTITUTIONS

Michelle E. McConkie
Executive Director

102 South 200 East, Suite #600
Salt Lake City UT 84111
801-538-5100 Fax 801-355-0922
trustlands.utah.gov

November 1, 2023

La Verkin City
435 N Main St.
La Verkin, UT 84745

To Whom it May Concern,

I, Aaron Langston, am writing to show support for the current land use application signed by Stone Water LLC, Lance Ferguson, and or Ryan Lee. I am aware of the application and the attempt to rezone the subject property for the intended use of the property. It is expected that any future applications pursuant to these entitlements will be signed by SITLA, not by any agents.

The legal description of the subject property is:

All of Lot 4, Section 19, Township 41 South, Range 12 West, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at the Southeast Corner of Section 24, Township 41 South, Range 13 West, Salt Lake Base & Meridian, and running;

thence North 00°14'34" East 1,258.93 feet along the section line to the northwest corner of said Lot 4;

thence North 89°48'51" East 1,372.12 feet along the northerly line to the northeast corner of said Lot 4;

thence South 00°13'20" West 1,333.00 feet along the easterly line to the southeast corner of said Lot 4, said point being on the section line;

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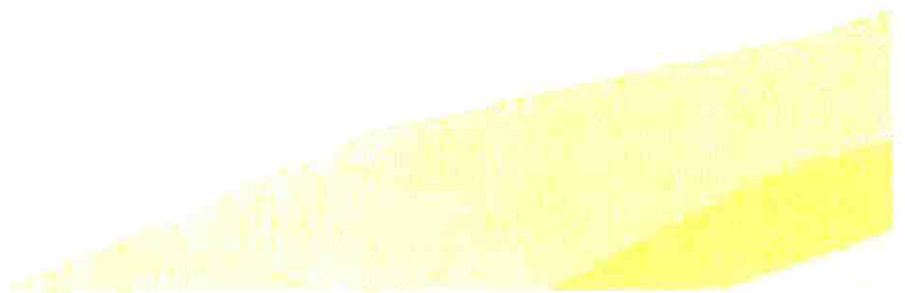
Should you have any questions or require further information, please do not hesitate to contact me at 435-522-7412 or aaronlangston@utah.gov.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Langston', followed by a long horizontal line extending to the right.

[Aaron Langston](#)

Assistant Managing Director



Luxury Resort (LR) Zone – Article I

Section 10-6-I.0: Objectives

The Luxury Resort (LR) zone designation is intended to accommodate luxury hotel nightly rentals, restaurants and small-scale associated retail development. The purpose of the LR zone is to provide a zone unique to any other in the city as further defined below.

1. Hotel development that is low density in nature and is built to work in harmony with the natural features of the land and environment.
2. Retail development that will complement and enhance the luxury hotel experience.
3. Development that will minimize disturbance to the natural environment, encourage and promote recreational activities and maintain view sheds while also enhancing the natural physical attributes of the area.

Section 10-6-I-1: Permitted Uses

A. The following uses are permitted in the Luxury Resort (LR) Zone:

Art gallery
Bakery shop
Bicycle shop
Card/gift shop
Confectionery store
Delicatessen
Doughnut shop
Flower shop
Food specialties store
Gift shop (souvenir)
Grocery store - neighborhood
Health/nutrition store
Jewelry store
Leather goods shop
Luxury hotel as defined in Section 1.0
Outdoor activity center
Restaurants (not drive-thru)

Spa/Sauna

Studio: art or music

B. Uses Subject to Conditions

1. Temporary office or construction trailers on condition that such a trailer is subject to an approved site plan addressing parking, fencing, lighting and signage and that the trailer is removed once development is over.
2. Temporary sales.
3. Alcohol sales subject to State of Utah approval.

C. Uses subject to Similar Use Finding

The planning commission, based on its own discretion, can find that other proposed uses similar to those listed above are consistent with the intent of this land use classification.

Section 10-6-I-2: Standards

Uses and structures in the LR zone shall comply with the following minimum requirements:

- A. **Site plan.** Prior to the issuance of a building permit, a site plan shall be submitted to the city for review and approval. The site plan shall show the location of all existing and proposed main buildings as well as any other information as requested by the city. A proposed architectural plan shall also be submitted with the site plan. The architectural plan shall demonstrate colors, textures, etc., and the manner in which the proposed development works in harmony with the natural environment.
- B. **Studies.** The city may require studies to analyze the impact of a project. Studies can consist of traffic, noise, drainage or any other study the city requires to properly analyze the impact of the project.
- C. **Setbacks.**
 1. Front or street: 25-feet to a habitable structure (utility structures not included).
 2. Side: 10 feet.
 3. Rear: 10 feet.
- D. **Lot coverage.** Structures on a lot shall not exceed 75% of the total lot area.
- E. **Lot Size.** No minimum.
- F. **Density.** Maximum hotel unit density shall not exceed four hotel rooms per acre.
- G. **Fencing.** Any proposed fencing shall be in keeping with the design/architecture of any development and be approved by the city.
- H. **Height.** Maximum building height shall not exceed two stories or 40 feet.

- I. **Hotel Unit Size.** The minimum hotel unit size shall be 270 square feet.
- J. **Vehicular access/parking.** All facilities/uses shall have paved driveways, points of vehicular ingress and egress and parking as determined by the city. Parking size requirement shall be nine feet by 20 feet with a 25-foot wide drive aisle. One retail parking space shall be required for every 250 square feet of floor area. Restaurants shall be required to provide one parking space for every 100 square feet of restaurant floor space. Each hotel room shall have a minimum of one dedicated parking space per room. One additional parking space shall be required for every 10 hotel rooms to accommodate additional guests. Three additional parking spaces will be required to accommodate staff.
- K. **Signage.** A comprehensive sign plan shall be submitted and approved by the city at the time of building permit issuance. The comprehensive sign plan shall include and where applicable comply with the following:
 - 1. **Site plan:** Site plan shall include locations, dimensions of the sign area and structure, building materials and colors and sketches and elevations of the signs to scale showing the architectural detail and overall size of the proposed signage.
 - 2. **Sign structures:** Shall incorporate the design theme, materials, colors and elements of the center's architecture.
 - 3. **Building signs:** A ratio of 1.25 square feet of sign area for each linear foot of building or tenant space frontage is permitted (one side of building only).
 - 4. **Under canopy:** Under canopy signs are allowed for tenant identification. The maximum size shall be eight square feet and be consistent with the design theme of the center.
 - 5. **Monument signs:** Monument signs shall be permitted for a hotel, retail center and restaurant. Signs shall be located adjacent to a public street and be spaced 300 feet apart. The overall area of a sign shall not exceed 48 square feet and the overall height of the sign shall not exceed six feet. All monument signs shall be placed outside of corner cut-off areas. Monument signs shall match the architecture of the center.
 - 6. **Pylon signs:** Not permitted.
 - 7. **Temporary signs:** Are permitted but must be approved by the city and be consistent with the design standards of the approved sign program.
- L. **Landscaping.** A landscaping plan shall be submitted and approved by the city prior to issuance of a building permit for any structure in the LR zone. All landscaping shall be maintained by means of an automatic sprinkling system. The use of drought tolerant landscaping and sprinkler fixtures shall be incorporated into the landscape plans.

- M. **Storage areas.** If desired, 250 square feet of enclosed storage shall be provided per hotel unit or retail development. This storage is in addition to room closets, coat closets, water heater closets, etc. No outdoor storage is permitted.
- N. **Loading areas.** Loading spaces shall be provided at a ratio of one per every 15,000 square feet of retail floor area or as determined by the city. Loading space size shall be 10 by 40 feet. One dedicated and marked 10- by 20-foot loading space shall be required for a hotel.
- O. **Trash enclosures.** One trash dumpster bin (four yard minimum) located in an enclosure shall be provided for each separate use (i.e., hotel, retail, restaurant). Additional trash enclosures may be required as determined by the city.
- P. **Lighting.** Lighting, including parking lot lights, security lights, and illuminated signs, shall be designed and directed in a manner to prevent glare into the sky and onto adjacent properties.
- Q. **Bicycle Racks.** E.V. ready bicycle parking racks can be provided at locations approved by the city.
- R. **Dark Sky.** To reduce skyglow, glare, spill light and over-lighting, outdoor lighting shall be installed to direct, contain and minimize light beyond the intended target and not into the sky. In order to implement this requirement more fully, a photometric lighting plan may be required to show that there will be no significant overflow lighting.
- S. **Development agreement.** A development agreement is required for review and approval. The development agreement shall specifically address architectural standards, phasing, extension of public services and utilities, and any other pertinent development issue.