



CITY OF HENDERSONVILLE BUSINESS ADVISORY COMMITTEE SPECIAL CALL MEETING

**Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Tuesday, June 22, 2021 – 12:00 PM**

MINUTES

Present: Steve Dozier, Chair, Ken Gordon, Vice Chair, Mike Summey, Beau Waddell, Will Penny, Brittany Brady, Rebecca Waggoner

Absent: Judy Stroud, Cam Boyd, Council Member Dr. Jennifer Hensley

Others Present: Randy Hunter

Staff Present: City Manager John F. Connet, City Clerk Angela Reece, Communications Manager Allison Justus, Senior Budget Analyst Adam Murr, Community Development Director, Lew Holloway, Planning Manager, Matthew Manley, and others

1. CALL TO ORDER

The meeting was called to order at 12:02 p.m.

2. NEW BUSINESS

A. Presentation of Draft Lighting Ordinance – *Matthew Manley, Planning Manager*

Planning Manager, Matthew Manley presented information regarding a proposed zoning text amendment for Dark Sky and said currently there is no way to review, measure or to enforce a specific outcome under the current standards. Mr. Manley stated a Dark Sky Subcommittee of the Planning Board was formed and tasked with comparing various lighting ordinances from regional and national jurisdictions and said they have utilized the Model Lighting Ordinance (MLO) created by the Illuminating Engineering Society in conjunction with the International Dark Sky Association as the basis for proposed lighting ordinance and tailored it to fit the needs of the City of Hendersonville. He provided Light to Protect the Night – five principles for responsible outdoor lighting information and encouraged everyone to visit darksky.org to obtain more information. Mr. Manley discussed creation of lighting zones stating the Committee considered the nature of zoning and development within the zones to make recommendations which correlate with different lumens allowed in each zone.

Planning Manager, Matthew Manley also discussed Backlight, Up-light, Glare (BUG) ratings explaining the ratings were developed by the Illuminating Engineering Society in conjunction with the International Dark Sky Association and are used to calculate the light escaping in unwanted directions from an outdoor light fixture. Mr. Manley stated BUG ratings serve as a measurement tool to determine the appropriate commercial outdoor lighting for certain applications. Mr. Manley stated the Committee recommended ratings based on these standards and noted that every lighting fixture has a BUG rating so it is additional information a developer would not have to supply.

Business Advisory Board Chairman, Steve Dozier inquired regarding the rationale for comparison with Buncombe County and Mr. Manley said the subcommittee selected nearby municipalities who had lighting ordinances implemented as comparison.

Chairman Dozier inquired regarding amortization and grandfathering clauses for lighting conformance. Mr. Manley stated there is an option to have an amortization date and said this was not recommended by the Committee due to it being problematic with enforcement but said another recommendation was to add conformance triggers where nonconforming lighting would have to come into compliance based on specific standards as stipulated in the proposed ordinance.

Committee Member Brittany Brady inquired if representatives for the hospital project were consulted regarding costs for conformance of lighting and Mr. Manley stated the site plan has been approved. Mr. Manley clarified that the hospital used fixtures which conformed to most Dark Sky Standards. Community Development Director Lew Holloway recalled conversations with Gary Steinberg, System Manager with GE Current regarding increased development costs related to conforming to a lighting ordinance and clarified that no additional lighting would have been required for the hospital. Director Holloway said additional costs are not triggered by compatible lighting but rather than pole height and number of fixtures placed on each pole. Director Holloway Lew said there are alternatives to this such as using a different fixture to concentrate the lighting on a specific area using a lower pole. Director Holloway further clarified that many lighting manufacturing companies are providing conforming lighting plans which may be submitted with site plans for development.

Randy Hunter stated he does not support regulations but understands the need for a lighting ordinance. Mr. Hunter stated the proposed ordinance should allow for flexibility to some extent. Community Development Director Lew Holloway stated this recommendation can be included in the proposed ordinance to allow staff to make administrative adjustments.

Committee Member Ken Gordon stated there is no clear definition of “property line of concern” and “ambient light control” and asked staff to address this within the proposed ordinance.

Larry Rogers addressed the Committee and stated he does not believe there is lighting problems other than the tennis courts in the city.

Committee Member Brittany Brady left the meeting at 12:50 p.m.

Chairman Steve Dozier asked staff to seek out cities of similar size to include in comparisons.

3. ADJOURNMENT

There being no further discussion the meeting was adjourned at 12:54 p.m. upon unanimous assent of the Committee.

s/Steve Dozier, Chair

ATTEST:

s/Angela L. Reece, City Clerk