

Meeting Minutes  
City Of Hendersonville  
Planning Board, Dark Sky Committee

Monday, April 26, 2021

The third meeting of the City's Planning Board, Dark Sky Committee, was convened at approximately 3:01 pm. by Chairman Neil Brown. Those in attendance at this virtual-only meeting were City Planners Matt Manley, Lew Holloway and Tyler Morrow, City Planning Board member Tamara Peacock, and City resident Ken Fitch. Planning Board member Hunter Jones joined the meeting after its inception.

Mr. Brown started with a summary of what he hoped to accomplish at the next few meetings of this committee:

Today: Debate features of what we collectively want to see in a Dark Sky ordinance

May 10: A short meeting because of the Planning Board meeting at 4:00. Hope to have City staff ready with a prototype zoning ordinance to discuss

May 24: Committee agreed on prototype ordinance

May 26: Ordinance presentation to City Council

June 14: Consideration of ordinance by Planning Board

Mr. Manley referred the attendees to the comparison of dark sky ordinances adopted by other municipalities (“matrix”), and requested input as to additional comparison columns which could be added. Three were suggested: Date of Ordinance Adoption, treatment of Skylights, and treatment of Historic Districts.

Mr. Morrow initiated an overview of the BUG concept. He obtained a 4-page addendum from the IESNA (note – promised to forward said addendum to Committee members) and focused on tables C-1 and page 27 of the MLO. He described why the BUG system is a better approach than the old system of “full cutoff, half cutoff, etc.”, and that the gradations of BO-1 through BO-5 were just an attempt by an independent body to set a standard.

Ms Peacock asked if this Committee could make the application/approach simpler for developers and homeowners. Mr. Morrow replied that the approach to lighting would be similar to that for stormwater, insofar as the real examination for compliance isn't performed until the final site plan is submitted to the City.

Mr. Manley advised that this group needs to consider and prioritize what it wants to accomplish via any proposed ordinance, to wit:

- effectiveness
- ease of use
- metrics (e.g. full-cutoff vs. BUG)
- how often to revisit (Blanco, TX, admitted in its preamble that its previous approach to dark

skies regulation was a failure)

Mr. Fitch asked is an easier approach might be to include the specifications in an appendix to the ordinance, which might be easier to change as technology advances.

Ms. Peacock advocated for a “maximum lumens per acre” approach to setting standards, adjusted for the specific zone. She cannot agree to a long ordinance which spells out requirements in minute detail and makes it hard to understand and administer.

Mr. Manley replied that it might be best to make residential zones simple, as the greatest impact of any ordinance will be on commercial zones, along with parking lots and streetlights.

Mr. Brown offered to draft an appropriate ordinance for the Committee as a way of moving from general discussion to specifics. Mr. Holloway replied that this was more the province of City staff, as they had more intimate knowledge of how to craft a defensible ordinance. He suggested that our job was to give the parameters to City staff, and let them craft the details.

Mr. Manley suggested that we use the MLO as a stand-alone starting point, and authorize he and Tyler to streamline it while integrating it with current zoning and special cases, trying for a best-fit with current code. This approach seemed satisfactory to all.

Mr. Fitch advised us to be aware of how any change engages with the public, and inquired if a zoning approach vs. a uses approach might be better. Mr. Manley replied that the uses approach might play out better, but that the zones approach is easier to administer.

Mr. Fitch asked:

- what will be the economic burden to developers and homeowners?
- What are the current transportation corridors?

For the next meeting, we collectively agreed on the following:

- Mr. Morrow and Mr. Manley will craft a first draft of a lighting zone ordinance, using the MLO as a base
- Ms. Peacock, Mr. Hammond-Green, and the author will attempt to find useful analyses if any incremental costs involved with dark skies compliance.
- The May 10 meeting will include an examination of streetlights, public vs. private lighting, and NCDOT requirements.

The meeting was adjourned at 4:12 p.m.

Respectfully submitted,

Neil Brown