

Addition of Article 19, Lighting Standards to the City of Hendersonville
Zoning Ordinance (P21-25-ZTA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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SUMMARY OF TEXT AMENDMENT

Directed on separate occasions by the City Council and Planning Board to explore the work of the International Dark Sky Association and the concept of Dark Sky compliance in the context of Conditional Zoning Districts, the Planning Board established a sub-committee to further explore the potential parameters of a new Lighting Ordinance. The committee began with a review of the Model Lighting Ordinance which was the result of a collaborative effort on the part of the Illuminating Engineering Society and the International Dark Sky Association to create an adoptable ordinance based on the overarching goal of lighting that protects the night.

The Lighting Committee has met on numerous occasions to consider the MLO and how it would work within the City of Hendersonville. The concept of Dark Sky Lighting and an earlier draft of a City of Hendersonville specific version of the Lighting Ordinance were also reviewed by the Business Advisory Committee of the City of Hendersonville.

Following these early and initial reviews of the draft ordinance, staff conducted a review targeting opportunities for simplification and alignment with existing standards established within the Zoning Ordinance. A major theme in staff review was to avoid creating a new process within the Planning Department, but rather to create an ordinance which, while creating a new standard within the ordinance, would be applied within the context of the existing review processes. A primary component of this effort was aligning the Lighting Ordinance and its requirements with the standards established in the Zoning Ordinance for Site Plan review and non-conformities.

The Lighting Sub-Committee and Business Advisory Committee will review this ordinance prior to the Planning Board meeting. Staff will plan to include that feedback and recommendations in the Board presentation.

The primary components of the Ordinance are a set of standards for site lighting designed to minimize Offsite Impacts. Specifically, the ordinance applies "Total Site Lumens Limits" to site plans based on the initial lumens' rating of proposed on-site lighting as a factor of either total parking spaces or total hardscape on-site.. Furthermore, it establishes allowable BUG ratings for proposed lighting based on location of lighting on-site and associated lighting zones Other notable sections of the ordinance include allowances for Special Uses and standards or thresholds for bringing non-conforming lighting into compliance with the standards of the ordinance.

COMPREHENSIVE PLAN CONSISTENCY ASSESSMENT AND STATEMENT:

The Comprehensive Plan does not specifically address lighting standards in a targeted way. It does however discuss the protection of natural resources and the promotion of compatible redevelopment and infill development as important overarching themes in the creation of the goals and strategies of the 2030 Comprehensive Plan.

Infill Development

Chapter 8 Land Use and Development provides broad general support for efforts to develop “site development practices that maximize energy and water efficiency and respect the natural features on a site.”

Strategy LU-3.5: Minimize negative impacts from growth and land use changes on existing land uses.

Strategy LU-3.6: Update the Zoning Code to ensure conformance with the Comprehensive Plan. This includes “...necessary changes, including but not limited to:...Landscaping and urban design guidelines and standards.”

Chapter 3 Natural Resources provides specific support for “additional guidelines and provisions for low-impact building and site design.”

Strategy NR-1.2: Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat. Action NR-1.2.2 Continue to enforce and improve upon the City Stream Buffer Protection Standards...additional guidelines and provisions for low-impact building and site design.

CONSISTENCY STATEMENT:

The proposed zoning text amendment for the “Addition of Article 19 Lighting Standards (P21-25-ZTA)” is consistent with Comprehensive Plan because it:

- 1) Encourages compatible redevelopment and infill development by reducing the potential negative impacts of these projects on existing development and on natural resources.

REASONABLENESS STATEMENT:

The text amendment is reasonable and in the public’s interest because:

- 1) It protects natural resources within the City.
- 2) It promotes compatible redevelopment and infill within the City.
- 3) It reflects adaptation by the City to changes in development intensity and density.

PUBLIC COMMENT:

The proposed text amendment has been reviewed in several public meetings including a sub-committee of the Planning Board, the Business Advisory Committee and the Planning Board. The Planning Board will host a public hearing on the text amendment at their January 10th, 2022 regular meeting.

Applicable Minutes:

April 8th, April 12th, April 26th, May 10th, May 20th, May 24th (all 2021) and January 4th, 2022

June 22nd and July 12th Business Advisory Committee

December Planning Board Presentation: differences between MLO and staff recommended changes reviewed (no Board discussion)

PLANNING BOARD - SUMMARY OF ACTION

Summary of Planning Board Recommendations

TBD

ATTACHMENTS:

Lighting Committee Minutes

June & July Business Advisory Committee Minutes