

Meeting Minutes
City Of Hendersonville
Planning Board, Dark Sky Committee

Monday, April 12, 2021

The initial meeting of the City's Planning Board, Dark Sky Committee, was convened at approximately 3:03 pm. by Chairman Neil Brown. Also in physical attendance were City Planners Matt Manley and Tyler Morrow, and City Planning Board Chairman Jim Robertson. Joining virtually were City Historic Preservation Commission member Ralph Hammond-Green, and City resident Ken Fitch.

Mr. Manley extended an invitation to attendees Hammond-Green and Fitch to become formal members of the Committee. Mr. Hammond-Green accepted, while Mr. Fitch declined and deferred to the experience and expertise of Mr. Hammond-Green.

Mr. Manley proposed that the Committee goals be amended to focus today on becoming comfortable with the nuances of the Model Lighting Ordinance (MLO). Then, following meetings could be spent addressing specific ordinances adopted by various municipalities for positive and negative aspects vs. this MLO. No objections were voiced.

Mr. Manley then started a review of the MLO. For Section 6-19-2, Lighting Zones, Mr. Robertson asked how many zoning districts the City has. Mr. Manley replied "...30 or 40.". Mr. Robertson noted that would mean that multiple City zoning districts could fall under any of the five listed Lighting Zones from the MLO.

The list of potential exemptions, included in Section 6-19-3, was noted.

For Section 6-19-4, Non-Residential Lighting, Mr. Manley noted that some threshold will need to be decided to define the number of domiciles in a multiple residential property that will trigger conformance with the ordinance. The MLO lists seven units, which current City zoning uses nine (the level at which a proposal needs to go to the Planning Board). Mr. Hammond-Green said that the easiest solution is to refer to the general zoning code for the City.

(the next four paragraphs group discussion points primarily by topic, and do not necessarily reflect the exact order of questions or comments)

Mr. Manley then led an examination of MLO Section 6-19-4 and its two methods of quantifying an application's compliance under the ordinance. Options are the Prescriptive Method (maximum lumens are a function of either the number of parking spaces or the total hardscape area) and the Performance Method (total installed lumens per the site plan). Attention then turned to Tables LZ-0 to LZ-4 in the MLO. Mr. Robertson asked how compliance with the latter could be monitored. Per Mr. Manley, that would be per the submitted site plan. Mr. Robertson noted that the site plan does not preclude the lighting fixtures being swapped out after-the-fact for more intense lighting, in conflict with the ordinance. Mr. Manley noted that such compliance is complaint-based, as the City has neither the resources nor desire to be checking randomly with photometers after dark.

Mr. Hammond-Green asked how the tables in the MLO compare with street lighting restrictions in the City. He also noted that, under the Prescriptive Method, a light fixture at the edge of a property could cast light out at a 90 degree angle, disturbing the neighbor. This would fit the letter, but not the spirit,

of the ordinance.

Mr. Manley noted that the Prescriptive Method applies only to sites with a maximum of 10 parking spaces, or any area of hardscape.

There was some discussion of the BUG calculation (Backlight/Uplight/Glare) as part of the light distribution analysis in Table C of the MLO. After several minutes, the Committee concluded that it needed to undertake more research on exactly what the differences in BUG ratings were, and their implications.

A quick look was taken at Table G in the MLO, referencing residential lighting. Mr. Manley stated that the Committee will need to decide if residential lighting is something that should be regulated, and what would trigger having to come into compliance.

For the next meeting on April 26, the Committee agreed to read the MLO summary again, research the various BUG meanings (City staff), and come prepared to look at lighting ordinances in other jurisdictions.

The meeting was adjourned at 3:52 p.m.

Respectfully submitted,

Neil Brown