

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
CHAPTER 46 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES ADDING
ARTICLE VI – STREET LIGHTS TO THE CODE OF ORDINANCES.**

WHEREAS, the City of Hendersonville’s Planning Board has reviewed and recommended for adoption an amendment establishing Lighting Standards for public streets and sidewalks within the City of Hendersonville’s zoning jurisdiction; and

WHEREAS, the proposed amendment is intended to reduce the potential negative impacts of public street lighting on city maintained streets on existing development and on natural resources; and

WHEREAS, City Council desires to minimize adverse offsite impacts of lighting such as light trespass and obtrusive light, curtail light pollution, reduce skyglow, improve the nighttime environment, help protect the natural environment from the adverse effects of artificial lighting at night and conserve energy and resources to the greatest extent possible.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that Chapter 46 – Streets, Sidewalks, and Other Public Places be amended to add the following:

Chapter 46 – Streets, Sidewalks, and Other Public Places

Article VI – Street Lights

Sec. 46-184. – Definitions

Whenever and wherever used in this article the following words and names shall have the following meanings:

Public Roadway or Highway and Sidewalk Lighting shall mean lighting provided for freeways, expressways, limited access roadways, and roads on which pedestrians, cyclists, and parked vehicles are generally not present. The primary purpose of roadway or highway lighting is to help the motorist remain on the roadway and help with the detection of obstacles within and beyond the range of the vehicle's headlights.

Public Street and Sidewalk Lighting shall mean lighting provided for boulevards, major & minor thoroughfares, and local roads where pedestrians and cyclists are generally present. The primary purpose of street lighting is to help the motorist identify obstacles, provide adequate visibility of pedestrians and cyclists, and assist in visual search tasks, both on and adjacent to the roadway.

Public Ornamental Street and Sidewalk Lighting shall mean a luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:

- Designed to mount on a pole using an arm, pendant, or vertical tenon;
- The top shall be capped or opaque, while the sides shall be translucent;
- An optical aperture that is either open or enclosed with a flat, sag or drop lens;
- Mounted in a fixed position.

Sec. 46-185. – Applicability

The provisions of this article shall apply to all public streets and sidewalks except where pre-empted by federal, state or other superseding jurisdiction.

Sec. 46-186. - Light Shielding and Distribution

All street lighting shall have no light emitted above 90 degrees with the following exception:

- a) Ornamental street lighting shall be permitted on all public streets and sidewalks.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8th day of February 2023.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney