



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER:	Matthew Manley	MEETING DATE:	December 12, 2022
AGENDA SECTION:	New Business	DEPARTMENT:	Community Development
TITLE OF ITEM:	Zoning Text Amendment: Lightning Ordinance (P22-100-ZTA) – <i>Matthew Manley, AICP – Planning Manager</i>		

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official City of Hendersonville Zoning Ordinance, Article VI. – General Provisions adding Section 6-19, revising Section 6-2. Nonconformities and Section 6-13. Nuisances and Article VII. Development Review and Article XII. Definition of Terms, based on the following:

1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition aligns with the Comprehensive Plan's goals to minimize the negative impacts of growth (Strategy LU-3.5) and to protect wildlife habitat (Strategy NR-1.2).

2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

1. The proposed text amendment establishes standards which allow for the sufficient and safe lighting of sites while reducing negative impacts on people, plants and animals.
2. The proposed text amendment establishes standards which address light pollution, an issue of growing international, national and regional concern.
3. The text amendment would ensure that both public lighting and private, nonresidential

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-6-3.1. 'Parking Loading' in the C-1 Zoning District, based on the following:

1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition aligns with Goal LU-10 of the Land Use and Development Chapter which calls for maintaining a highly urban, pedestrian-focused environment through building and streetscape design.

2. We [do not find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

1. The text amendment would place an undue burden on new commercial and multi-family residential developments.
2. The text amendment would place an undue burden on existing commercial and multi-family residential uses at the end of the amortization period.

[DISCUSS & VOTE]

lighting would meet standards that minimize light pollution.	
[DISCUSS & VOTE]	

***SUMMARY:** The City of Hendersonville initiated efforts related to this text amendment at the behest of City Council and the Planning Board in early 2021. Initial request revolved around the concept of “Dark Sky compliance”. Initial drafts of the ordinance were based on the Model Light Ordinance (MLO) provided by the International Dark Sky Association in conjunction with the Illuminating Engineering Society (IES). A local “Lighting Ordinance Subcommittee” as well as the Business Advisory Council reviewed these initial drafts in 2021. Ultimately it was determined that a simplified Lighting Ordinance would be preferred. The current draft is based on the efforts to create a simple but effective set of standards for exterior, commercial and multi-family lighting.*

Many of the basic standards of the proposed text amendment were provided by representatives of the Business Advisory Council. The proposed draft combines this input with the input from staff and elected and appointed officials. A version of the current draft was reviewed by the Legislative Committee of the Planning Board in October 2022. At least one member of this committee also participated in the Lighting Ordinance Subcommittee which convened across 2021.

The proposed standards apply to non-residential and multi-family uses while single-family and two-family residential uses are exempt. The proposal also addresses streetlighting with a provision in the City Code of Ordinances restricting lighting on local streets to ensure there is limited uplight.

PROJECT/PETITIONER NUMBER:	P22-100-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Draft Ordinance 3. Collaboration Exhibit of Draft Ordinance 4. Lighting Inventory and Estimated Replacement Cost