



Legislation Details (With Text)

File #: 60888 **Version:** 3 **Name:** Bird-safe Glass
Type: Ordinance **Status:** Passed
File created: 6/9/2020 **In control:** Attorney's Office
On agenda: 8/4/2020 **Final action:** 8/4/2020
Enactment date: 8/15/2020 **Enactment #:** ORD-20-00069
Title: 2nd SUBSTITUTE - Creating Section 28.129 of the Madison General Ordinances requiring bird-safe vision glass treatment on specified buildings and structures.
Sponsors: Marsha A. Rummel, Keith Furman, Syed Abbas, Grant Foster
Indexes:
Code sections:

Attachments: 1. Bird Glass_Public Comment_061820.pdf, 2. 60888 Version 1.pdf, 3. 60888 Version 2.pdf, 4. Figure 1 - Window Mullion Graphic.jpg, 5. REVISED Figure 1 - Window Mullion Graphic.jpg, 6. Figure 2 - 60ft Graphic.jpg, 7. REVISED Figure 2 - 60ft Graphic.jpg, 8. Figure 3 - Glass Corner Graphic.jpg, 9. Zoning Text Memo 7-13-20.pdf, 10. Bill Connors_Comment.pdf, 11. Cathy O'Donnell_Comment.pdf, 12. Candy Schrank_Comment.pdf, 13. Comments_PC071320.pdf, 14. Staff_Presentation_7-13-20.pdf, 15. Connors_08-04-20_#7.pdf, 16. O'Donnell_08-04-20_#7.pdf

Date	Ver.	Action By	Action	Result
8/4/2020	3	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
7/21/2020	1	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
7/13/2020	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
6/16/2020	1	COMMON COUNCIL	Refer For Public Hearing	Pass
6/9/2020	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

2nd SUBSTITUTE - Creating Section 28.129 of the Madison General Ordinances requiring bird-safe vision glass treatment on specified buildings and structures.

Body

DRAFTER'S ANALYSIS: Nationwide research has shown that large predominantly glass buildings heighten the risk of bird collisions and deaths, especially within the first sixty feet of a building. This is also true for corner windows, glass railings, sky-bridges, and upper-level landscape elements. Therefore, this ordinance creates Section 28.129 of the Madison General Ordinances (Zoning Code) to require bird-safe vision glass (window) treatment on certain buildings and structures. Specifically, this ordinance applies to buildings or structures greater than 10,000 square feet in size, measured as a sum of the floor area on all above-grade stories. The ordinance then sets out requirements for how much of the vision glass on such buildings must be treated. Further, the ordinance provides examples of the type of bird-safe vision glass treatment that must be used in order to reduce the number of bird strikes on a building. Finally, the ordinance provides that all glass railings, sky-bridges, and upper-level landscape elements must be treated with bird-friendly vision glass.

This second substitute was necessary to incorporate feedback received during the Plan Commission meeting on July 13, 2020 ~~graphics to help further clarify and explain the regulatory text.~~

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 28.129 entitled “Bird-Safe Vision Glass” of Subchapter 28I entitled “General Regulations” of Chapter 28 entitled “Zoning Code” of the Madison General Ordinances is created to read as follows:

“28.129 BIRD-SAFE VISION GLASS REQUIREMENTS.

- (1) Statement of Purpose . The Bird-Safe Vision Glass Requirements in this section are intended to reduce the heightened risk for bird collisions with vision glass on specified building designs and configurations.
- (2) Applicability . Subsection (4) applies to all exterior construction and development activity, including the expansion of existing buildings and structures, as specified therein.
- (3) Measuring Vision Glass Area . Under this ordinance, vision glass area shall be measured as one (1) continuous panel of glass or other transparent material, or a set of two (2) or more such panels divided by mullions of six (6) inches in width or narrower. Panels surrounded on all sides by solid walls or mullions wider than six (6) inches shall be considered individual windows. Spandrel and or opaque glass with reflectivity of 14% or less shall not be included in the calculation of vision glass area. See Revised Figure 1.

REVISED Figure 1 - Window Mullion Graphic (see Attachments)

- (4) Bird-Safe Vision Glass Treatment Requirements . Vision gGlass areas on the following buildings or structures shall be treated to reduce the risk of bird collisions by incorporating a pattern of visual markers that are either: a) dots or other isolated shapes that are ¼” in diameter or larger and spaced at no more than a two-inch (2”) by two four-inch (2”4”) pattern; or b) lines that are 1/8” in width or greater and spaced no more than 2” apart of visual markers; low reflectance opaque materials; building-integrated structures like non-glass double-skin facades, metal screens, fixed solar shading, exterior insect screens, and other features that cover the glass surface that mute reflections on glass surfaces; or other similar mitigation treatments method approved by the Zoning Administrator.
 - (a) Buildings or structures over 10,000 square feet . For any building or structure over 10,000 square feet in size (floor area of above-grade stories), bird-safe vision glass treatment is required as follows:
 1. For building façades where the first sixty (60) feet (see REVISED Figure 2 in Attachments) from grade are comprised of greater than or equal to fifty (50%) vision glass:
 - a. At least eighty-five percent (85%) of the vision glass must be treated; and
 - b. All vision glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. See Figure 3.
 2. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) vision glass:
 - a. At least eighty-five percent (85%) of the vision glass on vision glass areas fifty (50) square feet or over must be treated; and
 - b. Of all vision glass areas over fifty (50) square feet, any vision glass within fifteen (15) feet of a building corner must be treated.

3. All ~~vision~~ glass railings must be treated.
 4. All glass on enclosed building connections shall be treated up to sixty (60) feet above-grade.
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- (b) Sky-bridges . For buildings and structures of any size, all ~~vision~~ glass on above-ground bridges must be treated.
 - (c) At-grade glass. For buildings and structures of any size, all at-grade glass features such as sound walls or glass screens must be treated."
 - (c) Upper-level landscape elements . For buildings and structures of any size, all vision glass areas fourteen (14) feet above a green roof/upper level landscaping must be treated."
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- (5) This Ordinance shall become effective on October 1, 2020.

REVISED Figure 2 - 60ft Graphic (see Attachments)

Figure 3 - Glass Corner Graphic (see Attachments)"