



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 60888

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File Type: Ordinance

Status: Passed

Version: 3

Reference:

Controlling Body: Attorney's Office

Lead Referral: PLAN COMMISSION

Cost:

File Created Date : 06/09/2020

File Name: Bird-safe Glass

Final Action: 08/04/2020

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

Notes: 6366birdglass.SUB2
MAYOR APPROVAL DATE 8/7/2020.

Code Sections:

CC Agenda Date: 08/04/2020

Indexes:

Agenda Number: 7.

Sponsors: Marsha A. Rummel, Keith Furman, Syed Abbas and Grant Foster

Effective Date: 08/15/2020

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

Enactment Number: ORD-20-00069

Author: John Strange

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Entered by: jphelps@cityofmadison.com

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Approval History

Version	Date	Approver	Action
1		Michael Haas	Approved as to Form
1		Brent Sloat	Approve
1		Michael Haas	Approved as to Form
1		Brent Sloat	Approve
3		Michael Haas	Approved as to Form
3		Brent Sloat	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	06/09/2020	Referred for Introduction Public Hearings: Plan Commission (6/18/20), Common Council (7/14/20)				
1	COMMON COUNCIL	06/16/2020	Refer For Public Hearing	PLAN COMMISSION	06/18/2020	07/13/2020	Pass
1	PLAN COMMISSION	07/13/2020	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass
<p>Notes: On a motion by Cantrell, seconded by Ald. Rummel, the Plan Commission recommended to Common Council to adopt the zoning text amendment creating Section 28.129 MGO, with the following condition:</p> <p>- That subsection 'C' of the proposed amendment be deleted.</p> <p>The motion to recommend approval passed by voice vote/ other.</p>							
1	COMMON COUNCIL	07/21/2020	Re-refer for Recessed Public Hearing	COMMON COUNCIL		08/04/2020	Pass
<p>Notes: Adopt 8/4/20.</p>							
3	COMMON COUNCIL	08/04/2020	Adopt and Close the Public Hearing				Pass

Text of Legislative File 60888

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-GLOSS~~ 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-g~~Glass 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 1/4" 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.
- (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."
- (e) 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."

(5) This Ordinance shall become effective on October 1, 2020.

REVISED Figure 2 - 60ft Graphic (see Attachments)
Figure 3 - Glass Corner Graphic (see Attachments)"