



# Office of the City Clerk

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## Legislation Text

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File #: O2019-320, Version: 1

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### ORDINANCE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. Article 13 of the Municipal Code of Chicago is amended by inserting a new Chapter 13-150, Bird Friendly Design, as follows:

#### **CHAPTER 13-150 BIRD FRIENDLY DESIGN**

##### **13-150-010 Name.**

This chapter shall be known and may be cited as the "Bird Friendly Design Ordinance".

##### **13-150-020 Purpose.**

The purpose of the Bird Friendly Design Ordinance is to establish bird safe standards for new building construction and substantial renovations to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards". While these controls do not apply retroactively, the purpose of these controls is to ensure new construction is bird-safe and to decrease existing bird-hazards over time.

##### **13-150-030 Definitions.**

For the purpose of the Bird Friendly Design Ordinance, the following terms shall be construed as follows:

"IEC Code" means the most current version of the International Energy Conservation Code.

"LEED" means Leadership in Energy and Environmental Design.

"Lighting zone" is as determined at the time construction begins in accordance with the definitions in the most current version of the Illuminating Engineering Society (IES) and International Dark Sky Association (IDA) Model Lighting Ordinance User Guide.

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"Pilot credit" refers to the most current version of LEED Pilot Credit 55 - Bird Collision Deterrence issued by the U.S. Green Building Council.

"Threat Factor" refers to the degree of risk that a material poses to birds, as defined by the most current American Bird Conservancy's Bird Collision Deterrence: Summary of Material Threat Factors, initially established in October 2011.

**13-150-040 Interpretation.**

The requirements of this chapter are in addition to any required pursuant to the City's Sustainable Development policy. If there is a conflict between that policy and the Bird Friendly Design Ordinance, this ordinance shall control.

**13-150-050 Applicability.**

- a) The Bird Friendly Design Ordinance applies to new construction and those buildings renovated or rehabilitated that require permits.
- b) This Ordinance does not apply to detached homes, townhouses, two-flats or residential buildings of six units or less.
- c) Provided that the exemptions in this chapter are inapplicable if glazing on at least one facade exceeds thirty percent of the facade.

**13-150-060 Site selection.**

Site selection must consider nearby existing bird habitats, landscaped plantings, and known bird migratory paths.

**13-150-070 Architecture and Glazing.**

- a) Buildings where all materials on the facade have a threat factor of fifteen or less are not subject to the requirements of this section.

- b) The building should be designed to make the building and site structures visible as physical barriers to birds.
- c) Interior landscaping creates an extremely hazardous avian environment. Therefore, all interior landscaping shall be deemed to be the "Greatest Threat Potential." Consequently, visible interior landscaping should always be behind the highest level bird-friendly exterior glazing.

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- d) Other structures, including but not limited to railings, windscreens, skywalks, and bus shelters must be constructed entirely of materials with a threat score of fifteen or less.
- e) Buildings must be designed and built in accordance with either:
  - 1. At least 95% of the exposed facade material from ground level to 36 feet and the first story above any podium, including but not limited to a green roof or landscaped area, is not glass or has glass that:
    - i) Has elements mounted outside glass that eliminate reflectivity, like secondary facades, netting, screens, shutters, or exterior shades
    - ii) Is opaque, etched, stained, frosted, or translucent glass
    - iii) Includes patterns applied to or integral to glass on at least sixty percent of the exposed facade above 36 feet and in the first story above any podium which are:
      - A. Visible from the outside, from an inspection distance of 18", regardless of location of pattern (i.e., side one, side two) and reflectance of surface
      - B. Created by regular or irregular lines spaced no more than 2" apart at any point, with a minimum line width of Vs"
      - C. Composed of dots or other shapes with a minimum dimension of  $\frac{3}{8}$ " or
  - 2. Satisfies the Pilot credit requirements.

### **13-150-080 Exterior lighting.**

- a) The requirements of this section do not apply to the following types of exterior lights: emergency, signage, code-mandated, airport, and athletic field lighting.
- b) The following exterior lighting types of lights are prohibited: mercury vapor, searchlights, and aerial laser.
- c) All exterior luminaires must satisfy the requirements for the applicable lighting zone and not exceed the applicable luminaire uplift rating pursuant to IES TM-15-11, Addendum A.
- d) Exterior building fixtures that are unnecessary for safety, building entrances, and circulation shall automatically shut off between 11 p.m. and sunrise. There may be a manual override for occasional after-

hours lighting.

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**13-150-090 Interior Lighting.**

Interior lighting sensor controls must be in accordance with the EC Code. Occupant sensor lighting must be maximized. All other interior lighting must have time-switch controls with manual overrides. All light reduction controls must have manual overrides allowing the reduction of the lighting load by at least fifty percent. The use of task lighting to accommodate a limited number of users after hours should be maximized.

**13-150-100 Architectural features.**

- a) In those circumstances where the building is adjacent to a natural area, or separated by a roadway from a natural area, the glazing treatment must be the greater of the height of the mature tree canopy or fifty feet above grade.
- b) Grade level building ventilation grates shall have porosity no greater than  $\frac{3}{8}$ " x  $\frac{1}{2}$ " or  $\frac{3}{8}$ " x  $\frac{3}{8}$ ".

**13-150-110 Severability.**

If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional, or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid application or provision, and each invalid provision or invalid application of this chapter is severable.

BRIAN HOPKINS Alderman, 2<sup>nd</sup> Ward

SECTION 2. This ordinance shall be effective for all permits applied for beginning on January 1, 2020.

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