



MEMORANDUM

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Salt Lake City Council

From: Kelsey Lindquist, Planning Manager
Nick Norris, Planning Director

Date: May 18, 2023

Re: Response to Bird Friendly Glass Straw Poll

During the City Council briefing on Tuesday, May 16, 2023, the City Council voted 6-0 on a straw poll to have Planning Staff research bird friendly glass and building materials, to determine if it should be added to the Downtown Building Height Ordinance. In response to the straw poll, Planning staff has since engaged in research to determine how to best integrate bird friendly requirements within the Salt Lake City Zoning Ordinance. Through research of best practices and successful implementation in other municipalities, staff believes that a separate petition should be initiated for bird friendly glass and building materials throughout Salt Lake City. Please note, staff supports this initiative to create a bird friendly ordinance. The following 5 discussion points outline the challenging aspects of attempting to wedge regulations, such as these, into the proposed Downtown Building Heights Ordinance.

1. Bird friendly regulations are most effective when applied to the first 40-60 feet (approximately to the height of mature tree growth) of either a commercial or residential building. Dependent on the direction of the regulation and where to establish the height threshold, this regulation should be applied to the majority of Salt Lake City's residential, commercial, form based, TSA and manufacturing districts. The Downtown Building Heights Ordinance only addresses the following zoning districts: D-1, D-2, D-3, D-4, CG, GMU, FB-UN1 and FB-UN2. This is approximately 8 out of 62 zoning districts throughout Salt Lake City.
2. Bird friendly regulations require specific and vetted detail, often in the form of guidelines, on how to apply the regulations. Staff reviewed a number of bird friendly ordinances, many of which are accompanied by guidelines that aid applicants and property owners implement the regulations. The requirements can be complex, so developing additional information in the form of guidelines/guidebook will be necessary to help with the public's understanding of the regulations.
3. Required staff time to draft regulations and the needed guidelines for applicability. Staff believes that the creation of bird friendly regulations would take a significant amount of staff time. Staff estimates that drafting ordinance language, engaging with the community and developing digestible guidelines would require reprioritizing the number of city initiatives asked of the Planning Division. The Planning Division currently has a work plan and tentative timelines for our assigned city initiatives. Adding this initiative can be done with the understanding that capacity and attention would likely be reallocated from another city initiative, if staff capacity isn't available.

4. Staff would need to create a detailed public engagement strategy to determine if the proposed bird friendly requirements would be effective in decreasing the number of bird strikes. Staff acknowledges that there are many stakeholder groups and experts in this field of study that need to be part of the public engagement process, so that adequate time can be allocated to incorporating public comments and ensuring that the proposed ordinance will be successful.
5. Analysis of cost implications for the development community. Staff is unaware of the actual difference in construction costs for bird friendly building materials and design. As part of the ordinance development, staff would need to engage with the development community to understand their concerns regarding potential cost increases for future building construction. With that said, the policy direction may desire to implement bird friendly building materials and design with the acknowledgment of an increase in construction costs. However, it's vital for staff to understand the cost difference in order to adequately inform the public, concerned members of the development community, the Planning Commission and the City Council.

In summary, Planning Staff supports the direction of implementing bird friendly building materials and design throughout Salt Lake City. Staff requests that a separate petition be initiated to address this policy direction, so that adequate time and resources can be allocated to ensure a successful ordinance.

Please don't hesitate to contact me with any questions about this information.

Research materials:

<https://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances11/00199-11.pdf>

https://sfplanning.org/sites/default/files/documents/reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%2011-30-11.pdf

<https://sfplanning.org/resource/standards-bird-safe-buildings>

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf

https://www.nyc.gov/assets/buildings/bldgs_bulletins/bird_friendly_guidance_document.pdf

<https://birdfriendlychicago.org/ordinance>