

Ordinance No. 5695

Ordinance of the Council of the City of Palo Alto Amending Chapter 18.40
(General Standards and Exceptions) of Title 18 (Zoning) of the Palo Alto
Municipal Code to Adopt Bird Friendly Design Standards

The Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and Declarations.

The City Council finds and declares as follows:

- A. On November 13, 2017, the City Council adopted the 2030 Comprehensive Plan. The plan included a policy encouraging bird-friendly design and a program to develop guidelines for bird-friendly building design that minimizes hazards for birds and reduces the potential for collisions.
- B. On January 29, 2024, the City Council selected four City Council priorities, one of which is “Climate Change & Natural Environment – Protection & Adaptation.” This priority includes an objective to approve a bird-safe glass and wildlife light pollution protections ordinance.
- C. On February 14, 2024, and July 18, 2024, the Architectural Review Board conducted study sessions and provided feedback on this ordinance.
- D. On August 14, 2024, the Planning and Transportation Commission reviewed the draft ordinance, provided feedback, and continued the hearing to a date uncertain.
- E. On October 30, 2024, the Planning and Transportation Commission initially reviewed the proposed ordinance and recommended its adoption to the City Council.
- F. On December 10, 2025, after considering additional information presented by staff, the Planning and Transportation Commission again recommended adoption of the ordinance to the City Council.
- G. This Ordinance is intended to reduce bird mortality rates by reducing the possibility of bird collisions with buildings, contributing to a healthier and more resilient environment.
- H. This Ordinance provides clear and consistent standards, streamlining the approval process by reducing the need for case-by-case review of individual projects.

SECTION 2. Section 18.40.280 (Bird-Friendly Design Standards) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) of the Palo Alto Municipal Code is added to read as follows:

18.40.280 Bird-Friendly Design Standards

- (a) Purpose. The intent of this section is to establish bird-friendly design standards for glass to minimize hazards for birds and to reduce the potential for collisions.

(b) Definitions. The following terms are defined for the purposes of this section:

- (1) “Bird Sensitive Area” means the areas located east of Highway 101 and west of Foothill Expressway.
- (2) “Bird-Friendly Treatment” means treatment to glazing that provides visual cues to birds and reduces the likelihood of bird collisions by incorporating one of the following:
 - (A) Patterned Treatment, Permanent. Glazing shall be permanently translucent or obscured, or include patterns are etched, fritted, stenciled, silk-screened, or otherwise permanently incorporated into the transparent material.
 - (i) For patterns using dots or other isolated solid shapes, each dot or shape must be at least a 1/4 inch in diameter and be no more than 2 inches apart in any direction.
 - (ii) For patterns using lines, they must be at least 1/8 inch in width and spaced no more than 2 inches apart.
 - (iii) Frit, ceramic ink, or other marker types must be opaque, permanently adhered, and durable for the life of the glazing, unless an alternative compliance method is chosen as outlined in Section 18.40.280(e).
 - (B) Patterned Treatment, Limited. Films, decals, or other similar markers approved by the American Bird Conservancy or its equivalent, subject to Director approval, may be used only for residential development or the residential portion of mixed-use development, or the portions of a nonresidential elevation under 35 feet. These Limited Patterned Treatments shall have the same visual cues or patterns as Permanent Patterned Treatment under 18.40.280(b)(2)(A) and be applied to the outer surface to the extent possible.
 - (C) Exterior Features. Panes with exterior screens, shutters or shading devices installed permanently over windows, structures, or building features such that there is no gap larger than 9 inches in one dimension. Exterior features include, but are not limited to, metal screens, insect screens, shutters, window grilles, fixed solar shading such as louvres, and exterior insert, brise soleil, or solar screens.
- (3) “Bird Hazard Installations” are defined as visually unbroken, exterior glazing and/or glass panels that are reflective or transparent that provide a clear line of sight through the glazed elements to porches, courtyards, water features, trees, vegetation, landscaping, or the sky on the other side of the glazed element, including, but not limited to: (A) Free standing features such as transparent awnings, (B) Transparent handrails and guards, (C) Transparent wind break panels, acoustic barriers, bus, weather shelters, other free-standing transparent walls, or see-through building protrusions; (D) Transparent skyways or walkways; (E) Two or more

parallel transparent elements with a distance of 30 feet or less between them, when at least one of the parallel panes is 24 square feet or larger; or (F) Two or more transparent elements on opposing sides and within 12 feet of a corner (perpendicular, acute, or obtuse) when at least one of the panes is 24 square feet or larger.

- (4) "Elevation" means any exterior walls of a building or structure, as seen from a two-dimensional perspective like the front, side, or rear.
- (5) "Fenestration" means the openings in a building's façade, such as door, skylights, and windows.
- (6) "Glazing" means the reflective, transparent or translucent materials that fill openings in a building's exterior walls. This typically includes glass but can also encompass other materials like plastic or acrylic sheets that allow light transmission.

(c) Applicability. The bird-friendly design requirements apply to any of the following projects, when a permit is otherwise required:

- (1) All newly constructed structures and buildings;
- (2) Substantial Remodel, as defined in Section 16.14.070 of the Code; or
- (3) Any new fenestration or new or replacement Bird Hazard Installations.

(d) Bird-Friendly Design Requirements

- (1) Basic Requirement. Bird-Friendly Treatment is required for:
 - (A) All Bird Hazard installations.
 - (B) All glazing on an elevation of a building or structure that is unbroken and 24 square feet or larger in size.
 - (C) Glazing within 15 feet of a green roof.
- (2) Residential and the residential portion of mixed-use development.
 - (A) Within the Bird Sensitive Area, in addition to the requirements of (d)(1), no more than ten percent of an elevation of any structure or building shall be untreated glazing.
 - (B) Outside of the Bird Sensitive Area, in addition to the requirements of (d)(1), no more than 40 percent of an elevation above 35 feet of any structure or building shall be untreated glazing.
- (3) Nonresidential and the nonresidential portion of mixed-use development. In addition to the requirements of (d)(1), no more than ten percent of an elevation of any structure or building shall be untreated glazing.

(A) Any portions of an elevation under 35 feet may be allowed to use films, decals, or other products approved by the American Bird Conservancy or its equivalent, subject to Director approval.

(e) Alternative Compliance. Property owners or applicants may request an alternative means of compliance with requirements established in Section 18.40.280(d). The alternative shall be recommended in a report by a biologist or ornithologist holding a degree in wildlife biology or a specialization in ornithology, and having experience in bird-friendly building design. The request shall be submitted and reviewed in accordance with the applicable procedures in Chapter 18.77, and is subject to approval by the Director. The proposed alternative compliance shall:

- (1) Reduce the risk of bird collision to a level equivalent to or less than that which would result from strict compliance with Section 18.40.280(d); and
- (2) Be consistent with the intent of this section as set forth in Section 18.40.280(a).

(f) Lighting. All projects shall comply with the outdoor lighting requirements pursuant to Section 18.40.250 of the Municipal Code.

(g) Exemptions. The following types of projects shall be exempt from Section 18.40.280(d):

- (1) Any historic structure located within the City's Historic Districts or listed on the City's Historic Inventory or the State or National Historical Registers, except for new additions where treatment conforms to Secretary of Interior Standards for Rehabilitation of Historic Properties.
- (2) The first floor of commercial uses facing a public street, up to 14 feet in height, within the following districts:
 - (A) Retail Shopping (R) Combining District
 - (B) Pedestrian Shopping (P) Combining District
 - (C) Ground Floor (GF) Combining District
 - (D) North Ventura Coordinated Area Plan Districts
- (3) 100% affordable housing projects as defined in Section 18.32.030.
- (4) Accessory Dwelling Units and Junior Accessory Dwelling Units pursuant to Chapter 18.09.
- (5) Outside of the Bird Sensitive Area, any portions of residential structures under 35 feet.
- (6) Glazing that is necessary for airport safety or navigation in connection with operations at the Palo Alto Municipal Airport

SECTION 6. Pipeline Projects. This Ordinance shall not apply to any project application deemed complete prior to the effective date of this Ordinance. Any project completed pursuant to such application shall be deemed a legal non-conforming structure and/or use, subject to the provisions of Palo Alto Municipal Code Chapter 18.70.

INTRODUCED: MARCH 16, 2026

PASSED: APRIL 6, 2026

AYES: BURT, LAUING, LU, RECKDAHL, STONE, VEENKER

NOES: LYTHCOTT-HAIMS

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

DocuSigned by:
Makaelani Ili Yun
8691CE5898F6400...
City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Albert Yang
15B6C45220134DC...
Assistant City Attorney

Signed by:
Nicki L. Veenker
D9D070CD5EEA403...
Mayor

APPROVED AS TO CONTENT:

DocuSigned by:
Ed Shikada
F2DCA19CCC8D4F9...
City Manager

Signed by:
Jonathan Lait
293CF322E1294F6...
Director of Planning & Development Services

Certificate Of Completion

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 250 Hamilton Ave
 Palo Alto , CA 94301
 Christine.Prior@PaloAlto.gov
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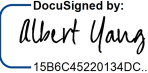
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 Christine.Prior@PaloAlto.gov
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Location: DocuSign

Signer Events

Albert Yang
 Albert.Yang@paloalto.gov
 Assistant City Attorney
 City of Palo Alto
 Security Level: Email, Account Authentication
 (None)

Signature

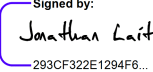
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Electronic Record and Signature Disclosure:
 Not Offered via Docusign

Jonathan Lait
 Jonathan.Lait@paloalto.gov
 Director, Planning and Development Services
 City of Palo Alto
 Security Level: Email, Account Authentication
 (None)

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Electronic Record and Signature Disclosure:
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Ed Shikada
 Ed.Shikada@paloalto.gov
 City Manager
 City of Palo Alto
 Security Level: Email, Account Authentication
 (None)

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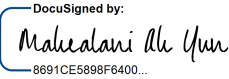
Vicki Veenker
 Vicki.Veenker@paloalto.gov
 City of Palo Alto
 Security Level: Email, Account Authentication
 (None)

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Electronic Record and Signature Disclosure:
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Signer Events	Signature	Timestamp
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Electronic Record and Signature Disclosure:
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Notary Events	Signature	Timestamp
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