

**City of Coral Gables
Planning Department Staff Report**

To: Planning and Zoning Board Members

From: Planning Department

Date: January 14, 2009

Subject: **Zoning Code Text Amendments – Article 4, Section 4-201, and Article 5, Sections 5-603, 5-1801, 5-1802 and 5-1804.** Six (6) separate Zoning Code text amendments clarifying/amending requirements for the screening of mechanical equipment.

Background

Attached are six (6) separate proposed Zoning Code text amendments requested by the Building and Zoning Department clarifying/amending requirements for the screening of mechanical equipment. The Building and Zoning Department has provided for the Planning and Zoning Board's review and information completed Planning Department Zoning Code Text Amendment Request forms and a draft Ordinances containing specific language in ~~strike thru~~ / underline format for each proposed Zoning Code text amendment (see Attachments A thru L).

Building and Zoning Department Staff will present the proposed amendments to the Board at the meeting and secure input and testimony.

Public Hearing Timeline

These Zoning Code amendments are under the purview of the Planning and Zoning Board and City Commission since it requires public hearing review. Upon recommendations from the Planning and Zoning Board, the proposed text amendments are tentatively scheduled to proceed forward for public hearing before the City Commission as follows:

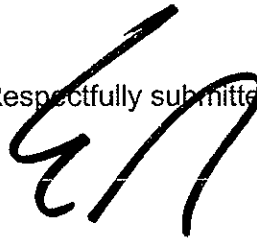
City Commission, 1st Reading – February 10, 2009, 9:00 a.m.
City Commission, 2nd Reading – February 24, 2009, 9:00 a.m.

The above dates and times are subject to change.

Public Notification

The Planning and Zoning Board meeting agenda has been advertised and posted on the City web page. The Planning Department staff report and attachments are also posted on the City web page.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'ERIEL', is written over the text 'Respectfully submitted,'.

Eric Riel, Jr.
Planning Director

Attachments:

- A. Planning Department Zoning Code Text Amendment Request form; Sec. 4-201(F)17.
- B. Draft Ordinance; Sec. 4-201(F)17.
- C. Planning Department Zoning Code Text Amendment Request form; Sec. 5-603(H)6.
- D. Draft Ordinance; Sec. 5-603(H)6.
- E. Planning Department Zoning Code Text Amendment Request form; Sec. 5-603(H)7.
- F. Draft Ordinance; Sec. 5-603(H)7.
- G. Planning Department Zoning Code Text Amendment Request form; Sec. 5-1801(D).
- H. Draft Ordinance; Sec. 5-1801(D).
- I. Planning Department Zoning Code Text Amendment Request form; Sec. 5-1802.
- J. Draft Ordinance; Sec. 5-1802.
- K. Planning Department Zoning Code Text Amendment Request form; Sec. 5-1804.
- L. Draft Ordinance; Sec. 5-1804.

City of Coral Gables Zoning Code Text Amendment Request

1

Date of request:

12-22-08

Sponsoring department(s):

Building and Zoning Department

Code section(s) to be amended (attach additional sheets as necessary):

Article 4 Division 2

4-201 Table 1. F. Design Regulations #17

Purpose or explanation of text amendment (attach additional sheets as necessary):

Clarification/amended requirements of screening from view for mechanical equipment.

Proposed text amendment (attach additional sheets as necessary):

17.		Rooftop screening.	All mechanical, electrical, cellular antennas and other similar roof top building support services shall be entirely screened from public view subject to the discretion and approval from the Board of Architects for design and screening material. applicable requirements of these regulations.
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Sponsoring department(s) signature:

Martha Salazar-Blanco

Martha Salazar-Blanco

12-22-08

Print name

Signature

Date

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 4, SECTION 4-201, TABLE 1, DESIGN REGULATIONS, #17, "ROOFTOP SCREENING", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code for "Rooftop Screening", updating screening requirements for mechanical equipment; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 14, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended approval (vote: ____) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 10, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: ____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 24, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing 'WHEREAS' clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~striketrough~~ / underline format):

Article 4. Zoning Districts

Division 2. Overlay and Special Purpose Districts

Section 4-201. Mixed Use Districts (MXD).

17.		<i>Rooftop screening.</i>	<i>All mechanical, electrical, cellular antennas and other similar roof top building support services shall be entirely screened from public view subject to the discretion and approval from the Board of Architects for design and screening material. applicable requirements of these regulations.</i>
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SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.

(Moved: _____ / Seconded: _____)

(_____, _____, _____, _____, _____)

(Vote: ____ - ____)

(Agenda Item ____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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City of Coral Gables Zoning Code Text Amendment Request

1

Date of request:

12-22-08

Sponsoring department(s):

Building and Zoning Department

Code section(s) to be amended (attach additional sheets as necessary):

Article 5 Division 6 Section 5-603 Architectural style. H. Specific standards #6.

Purpose or explanation of text amendment (attach additional sheets as necessary):

Clarification of referenced division for screening from view of mechanical equipment.

Proposed text amendment (attach additional sheets as necessary):

6. Rooftop equipment such as that used in air conditioning and any other type of mechanical or service equipment shall be screened from view, as required by Article 5, Division 47 18.

Sponsoring department(s) signature:

Martha Salazar-Blanco

Martha Salazar-Blanco

12-22-08

Print name

Signature

Date

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-603-H-6, "SPECIFIC STANDARDS", CORRECTING REFERENCED CODE SECTION FROM DIVISION 17 TO DIVISION 18; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code for "Specific Standards", correcting referenced code section from Division 17 to Division 18; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 14, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended approval (vote: _____) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 10, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: _____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 24, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing 'WHEREAS' clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~strikethrough~~ / underline format):

Article 5. Development Standards

Division 6. Design Review Standards

Section 5-603. Architectural style.

6. Rooftop equipment such as that used in air conditioning and any other type of mechanical or service equipment shall be screened from view, as required by Article 5, Division ~~17~~ 18.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.
(Moved: _____ / Seconded: _____)
(_____, _____, _____, _____, _____)
(Vote: ____ - ____)
(Agenda Item ____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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City of Coral Gables Zoning Code Text Amendment Request

1

Date of request:

12-22-08

Sponsoring department(s):

Building and Zoning Department

Code section(s) to be amended (attach additional sheets as necessary):

Article 5 Division 6 Section 5-603 Architectural style. H. Specific standards #7.

Purpose or explanation of text amendment (attach additional sheets as necessary):

Clarification of requirements for screening from view of mechanical equipment.

Proposed text amendment (attach additional sheets as necessary):

7. Air-cooled condensing and/or compressors equipment, water-cooling towers and any other type of mechanical equipment or apparatus installed on or attached to a the premises shall be screened from view from the street, waterway, bay or golf course by ~~a wall~~ and landscaping.

Sponsoring department(s) signature:

Martha Salazar-Blanco

Martha Salazar-Blanco

12-22-08

Print name

Signature

Date

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-603-H-7, "SPECIFIC STANDARDS", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code for "Specific Standards", updating screening requirements for mechanical equipment; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 14, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended approval (vote: _____) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 10, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: _____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 24, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~striketrough~~ / underline format):

Article 5. Development Standards

Division 6. Design Review Standards

Section 5-603. Architectural style.

7. *Air-cooled condensing and/or compressors equipment, water-cooling towers and any other type of mechanical equipment or apparatus installed on ~~or attached to a~~ the premises shall be screened from view from the street, waterway, bay or golf course by ~~a wall and~~ landscaping.*

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.

(Moved: _____ / Seconded: _____)

(_____, _____, _____, _____, _____)

(Vote: ____ - ____)

(Agenda Item ____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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City of Coral Gables Zoning Code Text Amendment Request

1

Date of request:

12-22-08

Sponsoring department(s):

Building and Zoning Department

Code section(s) to be amended (attach additional sheets as necessary):

Article 5

Division 18 Screening Section 5-1801. D. Solar water heaters and equipment

Purpose or explanation of text amendment (attach additional sheets as necessary):

Clarification/amended requirements of screening from view for mechanical equipment.

Proposed text amendment (attach additional sheets as necessary):

D. Where rooftop hot water storage tanks are used they shall be screened from view subject to the discretion and approval from the Board of Architects for design and screening material. ~~or shall be incorporated in some architectural feature such as cupolas, chimneys, etc.~~

Sponsoring department(s) signature:

Martha Salazar-Blanco

Martha Salazar-Blanco

12-22-08

Print name

Signature

Date

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-1801-D, "SOLAR WATER HEATERS AND EQUIPMENT", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code for "Solar Water Heaters and Equipment", updating screening requirements for mechanical equipment; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 14, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended approval (vote: ____) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 10, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: ____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 24, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~strikethrough~~ / underline format):

Article 5. Development Standards

Division 18. Screening

Section 5-1801. Solar water heaters and equipment..

D. Where rooftop hot water storage tanks are used they shall be screened from view subject to the discretion and approval from the Board of Architects for design and screening material. ~~or shall be incorporated in some architectural feature such as cupolas, chimneys, etc.~~

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.

(Moved: _____ / Seconded: _____)

(_____, _____, _____, _____, _____)

(Vote: _____ - _____)

(Agenda Item _____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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City of Coral Gables Zoning Code Text Amendment Request**1****Date of request:**

12-22-08

Sponsoring department(s):

Building and Zoning Department

Code section(s) to be amended (attach additional sheets as necessary):**Article 5****Division 18 Screening Section 5-1802. Screening of rooftop equipment****Purpose or explanation of text amendment (attach additional sheets as necessary):**

Clarification/amended requirements of screening from view for mechanical equipment.

Proposed text amendment (attach additional sheets as necessary):**Section 5-1802. Screening of rooftop equipment.**

Air-cooled condensing and/or compressor equipment, water cooling towers and any other type of mechanical or service equipment or apparatus installed on roofs of all buildings constructed on or after October 1, 1969, shall be screened from view ~~by a parapet or some other type masonry wall or screening.~~ subject to the discretion and approval from the Board of Architects for design and screening material.

Those buildings constructed prior to October 1, 1969, shall be exempt from this requirement until such time as renovation or rehabilitation of any portion of said building is permitted. At the time of permitting for any renovations or rehabilitation in which the value of such construction exceeds twenty (20%) percent of the assessed value of the structure, any air-conditioning and/or mechanical apparatus mounted on roof tops, whether new or existing, shall be screened. Said screen shall be ~~constructed so as to conceal the machinery from the eye on a horizontal plane of observation.~~ subject to the discretion and approval from the Board of Architects for design and screening material.

Sponsoring department(s) signature:**Martha Salazar-Blanco***Martha Salazar-Blanco***12-22-08***Print name**Signature**Date*

CITY OF CORAL GABLES, FLORIDA**ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-1802, "SCREENING OF ROOFTOP EQUIPMENT", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code for "Screening of rooftop equipment", updating screening requirements for mechanical equipment; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 14, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended approval (vote: ____) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 10, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: ____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 24, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~striketrough~~ / underline format):

Article 5. Development Standards

Division 18. Screening

Section 5-1802. Screening of rooftop equipment.

Air-cooled condensing and/or compressor equipment, water cooling towers and any other type of mechanical or service equipment or apparatus installed on roofs of all buildings constructed on or after October 1, 1969, shall be screened from view ~~by a parapet or some other type masonry wall or screening.~~ subject to the discretion and approval from the Board of Architects for design and screening material.

Those buildings constructed prior to October 1, 1969, shall be exempt from this requirement until such time as renovation or rehabilitation of any portion of said building is permitted. At the time of permitting for any renovations or rehabilitation in which the value of such construction exceeds twenty (20%) percent of the assessed value of the structure, any air-conditioning and/or mechanical apparatus mounted on roof tops, whether new or existing, shall be screened. Said screen shall be ~~constructed so as to conceal the machinery from the eye on a horizontal plane of observation.~~ subject to the discretion and approval from the Board of Architects for design and screening material.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.
(Moved: ____ / Seconded: ____)
(____, _____, _____, _____, _____)
(Vote: ____ - ____)
(Agenda Item ____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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City of Coral Gables Zoning Code Text Amendment Request

1

Date of request:

12-22-08

Sponsoring department(s):

Building and Zoning Department

Code section(s) to be amended (attach additional sheets as necessary):**Article 5****Division 18 Screening Section 5-1804 Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises****Purpose or explanation of text amendment (attach additional sheets as necessary):**

Clarification/amended requirements of screening from view for mechanical equipment.

Proposed text amendment (attach additional sheets as necessary):**Section 5-1804. Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises.**

A. ~~In a residential or mixed-use district, Air~~air-cooled condensing and/or compressor equipment which is a part of an air-conditioning system or a water cooling tower, and any other type of mechanical equipment or apparatus installed on or attached to premises ~~shall be completely retained within the primary building, or shall meet side and rear setback requirements for the principal structure and shall be allowed to within fifteen (15) feet of any street or waterway property line with the following conditions:~~

1. All air-conditioning units or equipment shall meet noise level requirements in the City Code.
2. Any air-conditioning unit or equipment, except for window wall units, ~~located closer than fifteen (15) feet to any rear or side property line, or closer than twenty-five (25) feet to any street or waterway property line~~ shall be visually screened from view with landscaping which shall be in addition to the requirements of Article 5, Division 44 Section 5-603 H. 7

B. ~~In all districts, permanent generators shall be approved by the Board of Architects, located within a screened structure, outside all applicable setbacks for the principal building, with soundproofing.~~

Sponsoring department(s) signature:**Martha Salazar-Blanco***Martha Salazar-Blanco***12-22-08***Print name**Signature**Date*

CITY OF CORAL GABLES, FLORIDA**ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-1804, "AIR-CONDITIONING UNITS AND EQUIPMENT, AND OTHER TYPES OF MECHANICAL EQUIPMENT OR APPARATUS INSTALLED ON OR ATTACHED TO PREMISES", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code for "Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises", updating screening requirements for mechanical equipment; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 14, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended approval (vote: _____) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 10, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: _____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 24, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as

follows (changes in ~~strikethrough~~ / underline format):

Article 5. *Development Standards*

Division 18. *Screening*

Section 5-1804. *Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises.*

A. ~~In a residential or mixed-use district, Air~~air-cooled condensing and/or compressor equipment which is a part of an air-conditioning system or a water cooling tower, and any other type of mechanical equipment or apparatus installed on or attached to premises ~~shall be completely retained within the primary building, or shall meet side and rear setback requirements for the principal structure and shall be allowed to within fifteen (15) feet of any street or waterway property line with the following conditions:~~

- 1. All air-conditioning units or equipment shall meet noise level requirements in the City Code.*
- 2. Any air-conditioning unit or equipment, except for window wall units, ~~located closer than fifteen (15) feet to any rear or side property line, or closer than twenty-five (25) feet to any street or waterway property line shall be visually screened from view with landscaping which shall be in addition to the requirements of Article 5, Division 11 6 Section 5-603 H. 7~~*

B. ~~In all districts, permanent generators shall be approved by the Board of Architects, located within a screened structure, outside all applicable setbacks for the principal building, with soundproofing.~~

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.

(Moved: _____ / Seconded: _____)

(_____, _____, _____, _____, _____)

(Vote: _____ - _____)

(Agenda Item _____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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