

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2009-21**

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: 4-3) 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: 4-0); 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 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. *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 meet setback requirements for the principal structure 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, shall be visually screened from view from a canal, waterway, lake, bay, golf course or street view with a wall or 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 passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF FEBRUARY,  
A.D., 2009.

(Moved: Anderson / Seconded: Cabrera)  
(Yea: Withers, Anderson, Cabrera, Slesnick)  
(Absent: Kerdyk)  
(Majority (4-0) Vote)  
(Agenda Item: E-9)

APPROVED:

  
DONALD D. SLESNICK II  
MAYOR

ATTEST:

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY