

ORDINANCE NO. 3672

**AN ORDINANCE OF THE CITY OF SWEETWATER, FLORIDA, RELATIED TO ZONING, MODIFYING DEFINITIONS IN SECTION 33-1 (DEFINITIONS) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AS APPLICABLE TO THE CITY OF SWEETWATER; ADDING TO THE LIST OF PERMITTED USES IN SECTION 33-259 (IU-1, INDUSTRIAL LIGHT MANUFACTURING DISTRICT) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AS APPLICABLE TO THE CITY OF SWEETWATER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on December 14, 2010, qualified electors approved the annexation of certain adjoining lands (the "Annexed Area") into the City of Sweetwater (the "City"); and

**WHEREAS**, on December 22, 2010, the Mayor and Commission of the City adopted Ordinance No. 3519, maintaining the Miami-Dade County Comprehensive Development Master Plan designations and the Miami-Dade County zoning district and map designations on the Annexed Area, and establishing a process for future zoning and land use applications; and

**WHEREAS**, the Miami-Dade County Code currently defines and lists the approved uses in the zoning districts where the Annexed Area is located; and

**WHEREAS**, the City Commission wishes to add "Furniture Merchandise Mart" to the list of allowed uses in the IU-I (Industrial, Light Manufacturing District); and

**WHEREAS**, the City Commission finds that the enactment of this Ordinance is necessary so as to protect the public health, safety and welfare of the residents of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMISSION OF THE CITY OF SWEETWATER, FLORIDA AS FOLLOWS:**

**Article 1.** Ordinance number 3519 is hereby amended by adding the following underscored text to the Miami-Dade County Comprehensive Development Master Plan designations and the Miami-Dade County zoning district and map designations applicable in the Annexed Area:

**Section 33-1. Definitions.**

For the purposes of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise:

\* \* \*

(46.2) Furniture merchandise mart. A structure or series of structures consisting of a minimum floor area of 250,000 square feet on one (1) contiguous property, displaying, offering for sale and selling home and office furniture, accessories, furnishings, equipment and related merchandise to the public, including, without limitation, showroom, warehouse and storage and which use or operation may offer or furnish other accessory uses and supportive services to its patrons, employees and otherwise to the public including, without limitation, restaurant and/or food service for on or off premises consumption, supervised children play areas, food market and sale of food and beverages for on or off premises consumption.

\* \* \*

**Section 33-259. Uses permitted.**

No land, body of water or structure shall be used or permitted to be used and no structure shall be erected, constructed, moved or reconstructed, structurally altered, or maintained, which is designed, arranged or intended to be used or occupied for any purpose, unless otherwise provided herein, in IU-I District, excepting for one (1) or more of the following:

(34.1) Furniture merchandise mart, as defined in Section 33-1 (46.2) of this Code. Furniture merchandise marts may, but are not required, to include the manufacture or assembly of the products being sold or offered for sale to the public. Furniture merchandise marts shall not be subject to the limitations of retail sales area provided in Section 33-259(69).

**Article 2.** All ordinances or portions of the Code of Ordinances of the City of Sweetwater in conflict with the provisions of this ordinance shall be repealed upon the effective date hereof.

**Article 3.** It is the intention of the Mayor and the City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention codifiers may change the words "ordinance" or "section" to other appropriate words.

**Article 4.** If any portion of this ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of the ordinance.

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**Article 5.** This ordinance shall become effective upon its adoption by the City Commission and approval by the Mayor or, if vetoed, upon its reenactment by the City Commission as provided by the Charter of the City of Sweetwater.

**PASSED AND ADOPTED** on June 4, 2012.

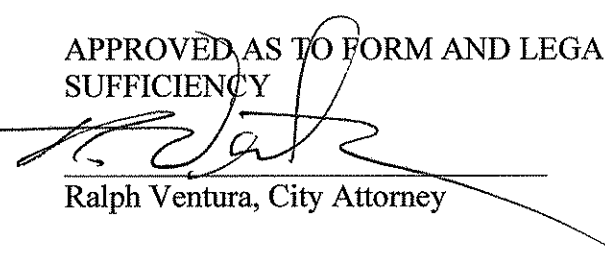
  
Manuel Marono, Mayor

  
Jose M. Diaz, Commission President

ATTEST:

  
Marie O. Schmidt, City Clerk

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

  
Ralph Ventura, City Attorney

**VOTE UPON ADOPTION:**

Jose M. Diaz, Commission President  
Orlando Lopez, Commission Vice President  
Jose Bergouignan, Jr., Commissioner  
Prisca Barreto, Commissioner  
Manuel Duasso, Commissioner  
Jose M. Guerra, Commissioner  
Isolina Marono, Commissioner

yes  
yes  
yes  
yes  
yes  
yes  
yes

Date of first reading

June 4, 2012

Date of publication

June 20, 2012

Date of second reading

July 2, 2012

Ord #3672



**PUBLISHED DAILY**

MIAMI, FLORIDA

**STATE OF FLORIDA  
COUNTY OF DADE**

Before the undersigned authority personally appeared:

Elayne Cardoso

Who on oath says that she is an

Account Executive

Of The Miami Herald, a daily newspaper published at Miami in Miami-Dade County, Florida; that the advertisements for **City of Sweetwater** appeared in said newspaper in the issues of:

**May 10<sup>th</sup>, 2012**

**Miami Herald All Neighbor Zones**

Affidavit further says that the said Miami Herald is a newspaper published at Miami, in the said Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida, each day and has been entered as second class mail matter at the post office in Miami, in said Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement.

Sworn to and subscribed before me

This 11<sup>th</sup> Day of May, 2012



## NOTICE OF PERMITTED USE ZONING CHANGE

The City of Sweetwater proposes to adopt the following ordinance.

AN ORDINANCE OF THE CITY OF SWEETWATER, FLORIDA, RELATED TO ZONING, MODIFYING DEFINITIONS IN SECTION 33-1 (DEFINITIONS) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AS APPLICABLE TO THE CITY OF SWEETWATER; ADDING TO THE LIST OF PERMITTED USES IN SECTION 33-259 (IU-1, INDUSTRIAL LIGHT MANUFACTURING DISTRICT) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AS APPLICABLE TO THE CITY OF SWEETWATER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A public hearing on the ordinance will be held on May 21, 2012 at 8:00 PM at Sweetwater City Hall Commission Chambers, Third Floor 500 SW 109 Avenue Sweetwater, FL 33174.

If any person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, such person will need to ensure that verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes).

Persons who need an accommodation in order to attend or participate in this meeting should contact City Clerk Marie Schmidt at (305) 221-0411 by noon on Wednesday, May 16<sup>th</sup>, 2012 in order to request such assistance. (American with Disabilities Act).

Dated this 10<sup>th</sup> day of May 2012.

MARIE O. SCHMIDT  
CITY CLERK