

**CITY OF MIAMI
PLANNING & ZONING DEPARTMENT
OFFICE OF ZONING
MEMORANDUM**

TO: Francisco J. Garcia, Director, Planning & Zoning Department
FROM: Irene S. Hegedus, Zoning Administrator
DATE: July 28, 2014
RE: Zoning Interpretation
2014-005

This zoning interpretation is issued to clarify, interpret and regulate Limited Kitchen Facilities. Specifically, clarification is required in order to determine whether a Lodging Unit used as hotel/ condominium unit or extended stay unit can avail itself of a full Kitchen Facility.

At this time, the Miami 21 Code does not provide a definition for Limited Kitchen Facilities and nor do previous Zoning Ordinances. The City has received a number of requests for clarification as to what would be considered a Limited Kitchen Facility. In order to answer this question we need to evaluate the difference between a Dwelling Unit and a Lodging Unit. Properties with Lodging Units are allowed a significant increase in density as well as significant reduction in the number of required parking spaces required. Article 3, Section 3.4.3 states that Lodging Units shall be considered as equivalent to one-half (0.50) of a Dwelling Unit; and Article 4 requires a minimum of one (1) parking space for every two (2) Lodging Units as opposed to one and one-half (1 ½) parking spaces per Dwelling Unit. Additionally, Impact Fees are significantly lower for lodging uses. It is the intent of Miami 21 to maintain transient uses as such and assure that changes in Use are strictly documented and regulated for full compliance.

Article 1.1(b) of Miami 21, the City of Miami's ("City") Zoning Ordinance states *"This category is intended to encompass land Use functions predominantly of sleeping accommodations occupied on a rental basis for limited periods of time. These are measured in terms of lodging units; a lodging unit is a furnished room of a minimum of two hundred (200) square feet that includes sanitary facilities, and that may include limited kitchen facilities"*

An inference can be made that the kitchen serving a Lodging Unit is meant to serve for a limited period of time where it would not be necessary to prepare full course meals on a regular basis; and, in order for a kitchen to be considered a "limited kitchen facility" kitchen fixtures may be smaller, cooking appliances may be limited and the floor area may be restricted.

In conclusion, a Limited Kitchen Facility prohibits the preparation of full course meals and shall follow the following criteria:

- (1) One small sink not exceeding fifteen inches (15") in length and width and no deeper than six inches (6"), with a drain or trap size no larger than one one-quarter inch (1/4") in diameter.
- (2) Stoves, ranges and ovens or a combination thereof are strictly prohibited. Microwave ovens are allowed.
- (3) The total area for the footprint of all Limited kitchen facilities, including sink, microwave, refrigerator, and any other permitted items may not exceed 64 square feet.

No Waiver shall be permitted to alleviate this requirement.

This interpretation shall be final unless appealed to the Planning, Zoning, and Appeals Board within 15 days of the date of its issuance.

Cc: Victoria Méndez, City Attorney
Department of Planning & Zoning
Office of NET