



Building or Renovating a Restaurant

Building a restaurant is a complex undertaking since there are many different regulations that apply. Following is a summary of the most common issues for restaurants that can be a problematic if not understood and addressed in the design process.

Restaurant capacity is regulated by the Florida Building Code, the Florida Fire Prevention Code and the Town's Code of Ordinances. It is imperative that your design professional has a full understanding of the applicable provisions of these codes.

1. **Capacity.** Occupant capacity in a food service establishment is determined by the customer service area including outdoor seating.

Section 1004 of the Florida Building Code allows one person for each 15 square feet of customer service area. Outdoor dining and sidewalk cafés are included in this calculation.

2. **Restrooms.** Section 403.2 of Florida Building Code Plumbing "Required Plumbing Fixtures" states separate facilities must be provided for each sex when plumbing fixtures are required.

There is an exception for food services establishments with 10 seats or less in which case one unisex accessible restroom may be provided. We determine the occupant capacity based on the service area and/or fixed seats for indoor and outdoor service areas.

3. **Sprinkler requirements.** Any new or renovated restaurant with a seating capacity of 100 or more inside the building requires an automatic fire sprinkler system with an automatic fire alarm system.

4. **Renovations to existing Food Service Establishments.** Be aware when undertaking the renovation of a Food Service Establishment that certain types of renovations can increase the intensity to a point that it triggers additional code requirements.

5. **Grease Traps.** Section 20-22 of the Town's Code of Ordinances requires grease, oil and sand inceptors for the proper handling of liquid wastes containing grease.

The cart or dumpster enclosure for a restaurant has to have water and the drain connected to a grease trap.



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6. **Dumpsters.** Section 10-31 of the Town Code requires that all waste containers (carts or dumpsters) must be kept in an enclosure that is constructed of the same material as the main building. The enclosure for a restaurant has to have water and the drain connected to a grease trap.
7. **Parking.** The Town requires one parking space for every 50 square feet of customer service area (CSA), the definition of which is established in Sec. 30-318 (q) of the Town Code. The customer service area excludes food and drink preparation areas, bathrooms, storage areas, and other areas not directly utilized by the public in patronizing the restaurant. The customer service area must be clearly marked on the plans.

Section 30-128 of the Town Code provides a process for a property owner to apply for a parking reduction, which may allow the waiver of providing a small number of parking spaces.

A parking table must be included on the plans that show the existing parking, the proposed parking, any exempted/reduced parking and parking spaces provided as part of Sec. 30-314.

Parking areas must be included in the plans, with the parking spaces, dimensions, drainage and landscaping indicated. The applicant should review Section 30-137 (c) (3) which includes standards for existing non-conforming parking areas.

8. **Sidewalk Cafés.** Article VI of Chapter 17 Town Code of Ordinances regulates sidewalk cafés which are by definition located on Town property. If you are interested, stop by and talk with us about your plans and then submit an application, which is available at <http://www.lauderdalebythesea-fl.gov/town/docs.htm>, to the Town's Development Services Department.

A square footage fee is charged for the use of the sidewalk area and an annual fee is charged based on the number of chairs in the sidewalk café. The square foot fee is waived for the first 12 month.

9. **Outdoor Dining.** Outdoor dining (outdoor seating on private property) is addressed in Section 30-271. An application must be filed with the Town's Development Services Department with information about the location of the seating area, brochures or pictures of the selected outdoor furniture, a trash management plan and written consent from the building owner. The first 1,000 sq. feet of outdoor dining that is not located under a structural roof is exempt from parking requirements.

If you have questions, please talk with us sooner rather than later.

Best,

Development Services Staff 954-640-4210