



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 15 or fewer occupants (both customers and employees) in which case one unisex accessible restroom may be provided. The occupant capacity is based on the service area inside and the number of seats in any 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 interceptors 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.

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.



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- 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

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BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION

Select One Trade: Building Electrical Plumbing Mechanical Other _____

Application Number: _____ Application Date: _____

1	Job Address: _____	Unit: _____	City: _____
	Tax Folio No.: _____	Flood Zn: _____	BFE: _____
	Building Use: _____	Construction Type: _____	Job Value: _____
	Present Use: _____	Proposed Used: _____	Occupancy Group: _____
	Description of Work:		
	<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Repair <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Revision <input type="checkbox"/> Other: _____		
	Legal Description: _____ <input type="checkbox"/> Attachment		

2	Property Owner: _____	Phone: _____	Email: _____
	Owner's Address: _____	City: _____	State: _____ Zip: _____

3	Contracting Co.: _____	Phone: _____	Email: _____
	Company Address: _____	City: _____	State: _____ Zip: _____
	Qualifier's Name: _____	Owner-Builder: <input type="checkbox"/>	License Number: _____

4	Architect/Engineer's Name: _____	Phone: _____	Email: _____
	Architect/Engineer's Address: _____	City: _____	State: _____ Zip: _____
	Bonding Company: _____		
	Bonding Company Address: _____	City: _____	State: _____ Zip: _____
	Fee Simple Titleholder's name (if other than owner): _____		
	Fee Simple Titleholder's Address (If other than owner): _____	City: _____	State: _____ Zip: _____
	Mortgage Lender's Name: _____		
	Mortgage Lender's Address: _____	City: _____	State: _____ Zip: _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

X _____
Signature of Property Owner or Agent

X _____
Signature of Qualifier

STATE OF _____
COUNTY OF _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____
(Type / Print Property Owner or Agent Name)

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____
(Type / Print Qualifier's Name)

NOTARY'S SIGNATURE as to Owner or Agent's Signature
Notary Name _____
(Print, Type or Stamp Notary's Name)

NOTARY'S SIGNATURE as to Qualifier's Signature
Notary Name _____
(Print, Type or Stamp Notary's Name)

Personally Known _____ or Produced Identification _____
Type of Identification Produced _____

Personally Known _____ or Produced Identification _____
Type of Identification Produced _____

APPROVED BY: _____ Permit Officer Issue Date: _____ Code in Effect: _____

A jurisdiction may use a supplemental page requesting additional information and citing other conditions, please inquire.
Note: If any development work as described in FS 380.04 Sec. 2 a-g is to be performed, a development permit must be obtained prior to the issuance of a building permit.