

# LAUDERDALE•BY•THE•SEA

## BUILDING OR RENOVATING A RESTAURANT

Congratulations on your business venture! Building or renovating a restaurant is a complex undertaking that can be daunting at times. Below is a summary of the most common issues encountered by restaurant owners that can prove to be problematic if not understood and addressed in the design phase of construction or renovation. Please remember that a building permit is required for changes made to the interior or exterior of existing or newly established restaurants. We look forward to working with you and are available to provide assistance as needed.

### In General

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

Occupant capacity in a food service establishment is determined by the customer service area including outdoor seating. Interior restaurants are limited to one person for every 15 square feet of customer service area. The Town Code limits Outdoor dining and sidewalk cafes to one person for each 10 square feet of customer service area.

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.

The Florida Building Code has 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 200 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.

### Grease Traps

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 must have water and the drain connected to a grease trap.

## Dumpsters

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 must have water and the drain connected to a grease trap. Please contact the Town's Recycling Coordinator Vicki Eckels by phone at **954-328-6347** or via email at [vicki@greensceneconsulting.com](mailto:vicki@greensceneconsulting.com) to determine the required dumpster or cart size for your restaurant.

## Parking

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 building permit plans.

When submitting plans for a building permit, the plans should include the parking areas with the parking spaces, their dimensions, along with drainage and landscaping. In addition, a parking table which show the existing parking and any reduced parking and parking spaces provided as part of [Sec. 30-318](#). The applicant should also review [Section 30-137 \(c\) \(3\)](#) of the Town's Code of Ordinances which includes standards for existing non-conforming parking areas.

[Section 30-321](#) of the Town Code provides a process for a property owner to apply to reduce the number of parking spaces that are required by Town Code by up to 100% by making a payment in lieu of providing required parking spaces (PILOP). The PILOP program is used for the construction and improvement of public parking. Please contact the Development Services Department by sending an email to [zoning@lbts-fl.gov](mailto:zoning@lbts-fl.gov) should you wish to proceed with PILOP as an option.

## Outdoor Seating

8. Sidewalk Cafes and Outdoor Dining. Outdoor seating for restaurants is addressed in Chapter 17 and Chapter 30 of the Town's code. [Article VI of Chapter 17](#) Town Code of Ordinances regulates outdoor seating that is located located on Town property. However, outdoor dining (outdoor seating on private property) is addressed in [Section 30-271](#). If you are interested in providing outdoor seating to your patrons, email the Development Services Department at [zoning@lbts-fl.gov](mailto:zoning@lbts-fl.gov) so that we can schedule a meeting to talk to you about your plans. We will be happy to review the requirements with you and ensure you receive the necessary applications required to proceed. The application must be filed with the following information:

- The proposed location of the outdoor seating area
- Information about the location of the seating area
  - The first 1,000 sq. feet of **outdoor dining** that is not located under a structural roof is exempt from parking requirements.
- Brochures or pictures of the selected outdoor furniture
- A trash management plan

- A written consent from the building owner

A square footage fee is charged for the use of the sidewalk areas that are located on Town property. The Eastern Commercial Plazas are charged a fee of \$18 per square foot per year. The Commercial Plazas are charged \$10 per square foot per year. This fee is waived for the first 12 months.

If you have questions, please contact us!

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M-F 8:30-4:30 PM

