

CITY OF FOUNTAIN VALLEY SMALL FORMAT RESTAURANT PERMIT

Business Name: _____

Address: _____

Business Phone #: _____

Applicant Name: _____

Applicant Phone #: _____

Applicant Email: _____



PLANNING DEPARTMENT USE ONLY

Application Received _____

Permit Number _____

Date _____

Inspection Final Approval _____

Inspection Final Date _____

SMALL FORMAT RESTAURANT PERMIT

(Ref: FVMC 21.10.060)

- This permit is only valid for business listed above.
- This permit shall only be valid for the period of the business license.
- This permit may be renewed annually upon renewal of a business license.
- This permit may be transferred upon closure or change of ownership upon issuance of a new small format restaurant permit in conjunction with issuance of a business license.
- This permit shall not be valid until issuance of business license and an on-site inspection by city staff.
- To schedule an inspection with the planning department to verify compliance with conditions below please call (714) 593-4425.

SMALL FORMAT RESTAURANT PERMIT REQUIREMENTS

- Completed Application
- Description Letter
- Site Plan
- Floor Plan

The Department Conditions below shall take affect from the opening of the small format restaurant and shall remain applicable for the duration of the permit. For any clarification on the department conditions, please contact a planner with the Community Development Department at 714-593-4427 or at Planning.Building@fountainvalley.gov

Planning Department Conditions:

1. Public operating hours shall be limited to 5:00 a.m. to 12:00 a.m.
2. Hours of delivery shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. Monday through Saturday, and no time on Sunday or legal holiday.
3. The number of persons in the restaurant and/or outdoor dining area shall not exceed the maximum occupancy load as determined by the Building Department. If required by the Building and Fire Department, signs indicating the occupant load shall be posted in a conspicuous place near the main entrance and must be posted prior to final inspection and prior to issuance of a certificate of occupancy for the restaurant.
4. Signs for the business shall comply with the sign regulations of the Fountain Valley Sign Code and applicable Shopping Center Sign Program.
5. The windows of the business shall be free of any obstruction, tinting, or painting, except for window signage as permitted by the Fountain Valley Sign Code.
6. There shall be no trash dumping from the facility between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week. The applicant shall work with the property owner to have signage installed near the trash dumpster prohibiting trash dumping during the hours of 10:00 p.m. – 7:00 a.m. compliant with FVMC 6.28.050. If not already provided by the property owner, signage shall be installed prior to issuance of a certificate of occupancy for the restaurant.
7. To prevent scavenging, illegal dumping, and to contribute to the general cleanliness of the shopping center, the business shall provide a refuse containment area with a screened and securable gate if not already provided by the property owner. Also, if not already provided by the property owner, exterior signage shall be provided outside of the trash enclosure prohibiting the scavenging of any material from the trash dumpster. Any refuse containment area and signage shall be included in the applicant's plan check submittal to the Building Department and shall be installed prior to issuance of certificate of occupancy for the restaurant.
8. To maintain the cleanliness of the shopping center, the restaurant owner shall be responsible for maintaining the area adjacent to their premises over which they have control free of litter.
9. The restaurant owner shall be responsible for maintaining the premises free of graffiti.
10. The rear and/or side access door(s) (other than the main entrance) must remain closed 24 hours a day and shall only be used in cases of emergencies and deliveries.
11. The restaurant owner shall comply with Labor Code Section 6404.5 prohibiting smoking in restaurants and public places, such as eating establishments and shall install "No Smoking" signage per the provisions of this statute.
12. The establishment will not provide any video or arcade games.

Building Department Conditions:

13. Install, maintain and provide for all California Disabled Access compliance per the California Building Code and the Division of State Architect. No encroachment into the disabled path of travel is allowed under any condition with the exception of emergency vehicles and personnel.
14. Projects must comply with the California Code of Regulations, Title 24; Fountain Valley Ordinances, and California law in effect at the time of plan submittal.
15. Existing buildings which cannot meet current standards for disabled access, may be required to consult a Disabled Access Consultant to verify unreasonable hardship status or to provide alternative means of compliance.
16. As deemed necessary by the Building Official, a grease interceptor shall be installed and sized per Section 1014 of the California Plumbing Code as adopted by the City of Fountain Valley in conformance with Chapter 14.38 of the Fountain Valley Municipal Code.
17. Grease interceptors are to be maintained in proper working order. Interceptors are to be inspected and accumulated fats, oils, and grease removed every three months at minimum. High use and/or production of fats, oils, or grease may mandate more frequent treatment. Records must be generated and remain onsite for all maintenance procedures for a minimum of three years. Records shall be made available upon request to Orange County Environmental Health Care Agency representatives and City Officials. Operation and maintenance shall comply with Fountain Valley Municipal Code Chapters 14.36, Sewers; and Chapter 14.40, Stormwater Regulations.

Police Department Conditions:

18. There shall be no live entertainment within the facility.
19. Install security cameras around the premises and maintain them in working order. These cameras should include, but are not limited to, visual coverage of the areas available to the public on the inside of the restaurant, as well as the parking area adjacent to the restaurant. These cameras will have high resolution and low-light capability; video from all cameras will be recorded and made available to the Police Department upon request.
20. The restaurant owner acknowledges that Education Code Section 48200 et. seq. provides that persons between the ages of 6 and 18 are subject to compulsory education and are required to be in school unless exempted. Permittee agrees not to allow the business to become a "hang out" for truants and agrees not to allow youths to congregate or otherwise loiter in or around the business. Permittee shall take reasonable steps to control the conduct of others on this property so that it does not become a nuisance or otherwise disturb the peace and quiet of the neighborhood or peace, health and safety of the community.
21. An alarm system shall be installed and be of a type that sounds a signal when it is activated.

Fire Department Conditions:

22. Group B and/or A2 occupancies shall comply with 2022 California Fire Code (CFC), 2022 California Building Code (CBC), and current Fountain Valley Municipal Code (FVMC).
23. Automatic Fire Sprinkler Systems. An automatic fire sprinkler system shall be provided in accordance with the 2022 California Building Code and for "A" occupancies of occupant loads over 99 or 3,500 square feet or larger.
24. Premise Identification. Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. CFC 505.1

25. Portable Fire Extinguishers. Provide one 2A10BC State Fire Marshal tagged fire extinguisher for every 3000 square feet of floor area. Travel distance not to exceed 75 feet. CFC 906.3
26. Knox Box. Where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. CFC 506.1
27. Commercial Cooking Systems. All existing dry chemical and wet chemical extinguishing systems shall comply with UL 300. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system that is listed and labeled for its intended use. CFC 904.11
28. Combustible Materials. All drapes, hangings, curtains, drops and all other decorative material, including Christmas trees that would tend to increase the fire and panic hazard. These materials may also include natural and artificial decorative vegetation. These materials shall be made from a nonflammable material, or shall be treated and maintained in a flame-retardant condition by means of a flame-retardant solution or process approved by the State Fire Marshal. The State Fire Marshal seal shall be attached to these items or a certificate of flame retardancy shall be provided to the Fire Department. CCR Title 19, Division 1, Section 3.08
29. CO2 storage. If more than 100 lbs. of CO2 storage is used, the following requirements apply.
 - a. Provide a monitoring system for CO2 storage.
 - b. See CFC Section 5307, California Health and Safety Code 6.95 and NFPA 55.
 - c. Submit plans to FVFD and FVBD.
 - d. An annual fire permit will be required.
 - e. Electronic filing with the state website "CERS" is mandatory.
 - f. An assembly permit will be issued after final inspection and every year thereafter.
30. Permits. Secure a permit to operate a Public Assembly from the Fire Department. CFC 105
31. Exits or exit access doorways. Where two exits or exit access doorways are required from any portion of the exit access, the exit doors or exit access doorways shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measuring a straight line between exit doors or exit access doorways. CFC [B] 1015.2.1
32. Panic and fire exit hardware. Doors serving rooms or spaces with an occupant load of 50 or more in a Group A occupancy, shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware listed in accordance with UL 305. CFC [B] 1008.1.10

Public Works Department Conditions:

33. Install a reduced pressure principle device on the domestic water supply line to the buildings as required by the City Engineer.
34. Install approved backflow devices for irrigation systems as required by the City Engineer.
35. Pay a Traffic Impact Fee in the amount of \$59 per net increase in vehicle trips ends generated by subject development as determined by City Engineer. The developer may, at its cost, contract the services of a Registered Traffic Engineer to prepare a trip generation analysis study for purposes of identifying the net increase in vehicle trip ends. The results of such study shall be subject to the approval of the City Engineer. No reduction for linked trips is allowed.

BY SIGNING BELOW, THE APPLICANT ACKNOWLEDGES THEY HAVE READ ALL OF THE CONDITIONS LISTED ABOVE, AGREE TO ABIDE BY THE CONDITIONS LISTED ABOVE, AND ACCEPTS THIS PERMIT SUBJECT TO THOSE CONDITIONS AND WITH THE FULL AWARENESS OF THE PROVISIONS OF CHAPTER 21.10.030, 21.90.020, AND 21.10.060 OF THE FOUNTAIN VALLEY MUNICIPAL CODE.

BY SIGNING BELOW, THE APPLICANT ACKNOWLEDGES ACCEPTANCE OF THE BENEFITS OF THIS PERMIT AND AGREES TO WAIVE ANY RIGHT TO LATER CHALLENGE ANY CONDITION(S) IMPOSED AS UNFAIR, UNNECESSARY, OR UNREASONABLE.

Date

Applicant Sign/Print

Date

Property Owner Sign/Print

By checking this box, I certify that I am not applying for an alcohol license through the City or with Alcoholic Beverage Control with my Small Format Restaurant Permit.

SMALL FORMAT RESTAURANT PERMIT
WITH BEER/WINE SALES

If applying for an On-premises Beer and Wine License, the following conditions apply in addition to the conditions above for a Small Format Restaurant:

On-premises Beer & Wine Sales Conditions

36. The Applicant shall post a prominent, permanent sign or signs stating, "No person under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages." These signs shall be included in the applicant's plan check submittal to the Building Department and shall be installed prior to issuance of a certificate of occupancy.
37. The applicant shall ensure all pertinent employees have obtained Licensee Education on Alcohol and Drugs (LEAD) Certificates and copies of such certificates shall be kept on-site and made available for inspection by a public official upon request.
38. Food shall be required to be served at all hours that the establishment is open for business.
39. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period.
40. The sale of alcoholic beverages may not be advertised by signs directed toward persons outside of the building.
41. The operator will ensure that there will be no drinking and/or loitering in the parking lot or within 100 feet of the establishment.
42. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
43. All requirements of a Type 41 ABC License and the City shall be observed at all times and such requirements shall be a condition of approval. The surrender, lapse, termination, suspension, or payment of a fine in lieu of suspension/termination, of the Alcoholic Beverage License issued for the site by the ABC shall be grounds for revocation of the CUP.

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