

**SANTA CRUZ COUNTY PLANNING DEPARTMENT  
POLICY/ORDINANCE INTERPRETATION**

**“WHAT COUNTS?” AS SQUARE FOOTAGE WHEN EVALUATING PROPOSED  
RESIDENTIAL IMPROVEMENTS AGAINST FLOOR AREA RATIO (FAR) AND OTHER  
STANDARDS THAT INVOLVE SQUARE FOOTAGE DETERMINATIONS?**

Interpretation No.: FAR-SQFT-DET-REV (FAR and Residential Square Footage Determinations)  
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**Questions:**

- I. *What square footage or floor areas are counted toward the “Gross Building Area” used in the Floor Area Ratio (FAR) calculation that determines maximum allowable square footage that can be developed on a parcel, for those residential zoning districts that contain a FAR development standard? The districts that contain a FAR standard include RB, R-1 single-family zones with less than a 16,000 sq. ft. minimum lot size standard, and R-M multi-family zones. Zoning districts that DO NOT contain a FAR standard include the RA, RR, A, AP and CA districts. Note that even if an actual lot in the districts that do not contain an FAR standard is less than 16,000 in size, it still is NOT subject to the FAR calculation.*
- II. *For those residential zoning districts that DO NOT contain a FAR development standard, which includes RR, RA and R-1 single family districts with a minimum lot size standard of 16,000 square feet or more, and the Agricultural zoning districts of A, AP and CA, what counts toward calculating the size of the residence? Are the various terms and definitions used for FAR purposes also used in determinations that involve the square footage of a residential dwelling unit?*
- III. *What square footage counts to determine the applicability of the “Large Dwelling Unit” provisions?*
- IV. *Is there a common standard for “what counts as square footage” for the purpose of calculating and/or determining applicability of other requirements for residential dwelling units, such as Chapter 16.10 geologic and flood ordinance requirements, certain building code provisions, calculation of the level of school fees, and providing information to the County Assessor, Fire Districts and other agencies?*

**Applicable Ordinance Sections**

13.10.323(C): Calculating Allowable Gross Building Area; 13.10.325 Large Dwelling Unit Regulations

13.10.700 Definitions of: Floor Area, Habitable Floor Area, Gross Building Area, Gross Floor Area, Floor Area Ratio, Story, Mezzanine, Attic, Basement, Underfloor, Projection Areas, Net Site Area

16.10.040 Definitions of Development/Development, Addition, and Habitable

County Code Chapters 12, 13 and 16 provisions pertaining to other factors that relate to building alterations and/or additions.

## INTERPRETATION:

- I. *What square footage or floor areas are counted toward the “Gross Building Area” used in the Floor Area Ratio (FAR) calculation that determines maximum allowable square footage that can be developed on a parcel, for those residential zoning districts that contain a FAR development standard? The districts that contain a FAR standard include RB, R-1 single-family zones with less than a 16,000 sq. ft. minimum lot size standard, and R-M multi-family zones. Zoning districts that DO NOT contain a FAR standard include the RA, RR, A, AP and CA districts. Note that even if an actual lot in the districts that do not contain an FAR standard is less than 16,000 in size, it still is NOT subject to the FAR calculation.*

The intent of adopting an FAR standard is to regulate the bulk and massing of a residential structure. The County Zoning Code includes an FAR standard for those zoning districts that have a minimum lot size standard of less than 16,000 square feet. Zoning districts with a minimum lot size of 16,000 square feet or greater are NOT subject to an FAR standard, and therefore the “FAR Calculation” does not apply. This reflects a policy basis of more closely regulating bulk and mass of homes in areas where residential lots and homes are located in closer proximity to each other. The residential zoning districts that contain an FAR development standard include RB, R-1 single-family districts with less than a 16,000 square foot minimum lot size standard, and the R-M multi-family districts.

Zoning districts that DO NOT contain a FAR standard include the RA, RR, A, AP and CA districts. Note that even if an actual lot located within a zoning district that does not contain an FAR standard is less than 16,000 square feet in size, it still is NOT subject to the FAR calculation, even if an applicant proposes to use the provision of the code that allows use of setbacks of an alternate zoning district.

In order to prevent use of inconsistent or erroneous methods of calculating FAR, the Planning Department has developed a “FAR Calculation Chart” that more clearly explains the intent and method of calculating FAR, for those projects that are subject to an FAR development standard. The chart addresses each element or type of square footage that may be associated with a single family residential building.

There are other “building square footage” calculations often made in the course of the permit process, and the FAR Calculation Chart is not intended for those purposes, although it may somewhat inform these other calculations. This document also addresses how square footage is calculated for “**Non-FAR**” purposes, such as for residential units in zoning districts that do not contain an FAR standard, for determining applicability of the “**Large Dwelling Unit**” regulations, and for determining applicability of other regulations involving square footage calculations.

The Appendix to this document contains the County Code definitions and certain additional information for each of the relevant terms that are discussed in the FAR Calculation Chart and this Administrative Policy/Ordinance Interpretation.

Note that the term “habitable floor area” and definition of what is counted toward habitable floor area does not enter into use in determinations of Gross Building Area and is not used in FAR compliance calculations. It is typically used in the Non-FAR zoning districts to convey the size of the residence.

There are varying opinions on whether “floor area” or “habitable floor area” should be used for determining applicability of the Large Dwelling Unit regulation; calculations will be made under each definition and if the home is 5,000 sf or greater under either calculation the regulations will apply.

## FAR CALCULATION CHART

The following chart contains information about which types of square footage associated with what type of buildings on a site is included as square footage in the Gross Building Area calculation used to determine consistency with an applicable FAR development standard.

| <b>Building Component</b>  | <b>FAR Calculation Notes for RB and RM zoning districts, and for those R-1 districts with &lt;16,000 sf minimum lot size development standard</b>  |
|--|--|
| Buildings included in calculation:<br>Primary Dwelling(s)<br>Second Dwelling Unit<br>Habitable Buildings<br>Accessory Structures – Attached<br>Accessory Structures – Detached | The Gross Floor Area definition states that all “buildings” are included. In administering the intent of the Code to regulate the bulk and mass of residential development on the site, this is interpreted to include the primary dwelling unit(s), including any attached or detached garage (minus the 225 square foot credit), any second dwelling unit, and any other habitable or non-habitable structures on the site, whether attached or detached.<br><br>HOWEVER, accessory structures that are not subject to a building permit requirement, consisting of non-habitable detached structures of 120 square feet or less, 10 feet or less in height, do not count.   |
| Garages and Carports   | Attached and detached garages count, however up to 225 square feet of one garage is a “credit” and is not included. The credit allowed may not exceed the actual size of garage, and the credit extends to garages in basement area. In that carports are unenclosed, non-habitable accessory structures that do not add to the bulk and mass of a building, they do not count toward Gross Building Area, but do count as Lot Coverage. Carports may have 2 “sidewalls”, but if a third wall is included, then it will be treated as a garage.  |
| Basement   | The basement definition states that if “any part” of a basement is 7 feet 6 inches or higher, then all areas greater than 5 feet 0 inches in height shall count as area for FAR calculations; and that a basement is not considered as a story. The Building Code changed in 2010 to allow habitable areas to have minimum ceiling heights of 7’0”, and the intent of the Zoning Code is to mirror the Building Code, therefore <u>any</u> habitable portion (heated, has egress etc.) of a basement will count even if floor to ceiling height is only 7’0”. Non-habitable basement space will count only when a certain level of “usable space” in a basement is 7’6” or greater in height. Generally, “usable space” will be considered to consist of at least 70 square feet of area, using the Building/Housing Code standard for minimum habitable room size.  |
| Attic  | The attic definition states that if “any part” of an attic is 7 feet 6 inches or higher, then all areas greater than 5 feet 0 inches in height shall count as area for FAR calculations; and that an attic is not considered as a story. In administering the intent of the Code, <u>any</u> habitable portion (heated, has egress etc.) of an attic will count toward Gross Building Area even if ceiling height is only 7’0”. However, non-habitable portions of an attic will not count unless the configuration of the roof design and attic space is such that a sufficient amount of it is 7’6” or greater in height and thus the attic area is adding to the perceived bulk and mass of the building. Generally, this will be considered to consist of about 70 square feet of area. Once an attic area “counts”, then all area greater than 5’ in height counts in the calculation. See Attic Policy/Ordinance Interpretation ATTIC-01 for what level of improvement is allowed for a space to be considered a non-habitable attic (no heat, no access or egress etc.) rather than a habitable area. |

| <b>Building Component</b>  | <b>FAR Calculation Notes for RB and RM zoning districts, and for those R-1 districts with &lt;16,000 sf minimum lot size development standard</b>  |
|--|--|
| Under Floor  | The under floor definition states that if “any part” of an under floor is 7 feet 6 inches or higher, than all areas greater than 5 feet 0 inches shall count as area for FAR calculations; that under floor areas have no stairway connection to the dwelling; and that an under floor is not a story. Under Floor square footage will count toward Gross Building Area when the configuration of the under floor is such that a sufficient amount of it is 7'6" or greater in height, and thus it is adding to the perceived bulk and mass of the building. Generally, this will be considered to consist of about 70 square feet of area. It is not relevant whether the area includes flooring material such as concrete. For the FAR calculation, underfloor areas are not considered “accessory structures”.  |
| “Volume Ceilings”,<br>i.e. rooms with high ceilings                                  | The section 13.10.323(C) provisions and diagram regarding calculation of Gross Building Area provide that areas with ceiling heights of 16 feet or less are “counted once” under the FAR determination; areas of a room with ceiling heights greater than 16 feet up to 24 feet count twice; areas of room heights greater than 24 feet count three times. In rooms containing lofts or mezzanines, these elements are not to be considered as presenting a new ceiling or a new floor that would affect the calculation. In zoning districts not subject to an FAR requirement, this standard does not apply and ceiling heights do not relate to determinations about floor area.  |
| Mezzanine;<br>Mezzanine Floor;<br>Loft;<br>Storage Areas that are<br>“Open to Below” | A mezzanine is an intermediate level, or levels between the floor and ceiling of any story, in a manner that does not result in “one habitable room placed over another habitable room”. A mezzanine is configured in such a way that it itself is not a room. In the FAR context, an example is an intermediate floor or loft area within a room with a “volume” or high ceiling, that is not itself a room, and which opens into another room in a manner that does not exceed one-third of the room area onto which it opens. If the total of mezzanine area that relates to a room is more than 1/3 of the room area that it opens onto then it is a story, and then the portion greater than 1/3 is counted as floor area in the FAR calculation. If the mezzanine area opens onto a room area by 1/3 or less of that room’s area then it is not a story and it is not counted as floor area toward the FAR calculation. A typical mezzanine in a single family home would be a loft or storage area that is not a room and is substantially “open to below”, or a hallway or “bridge” that is “open to below”. It is possible that more than one mezzanine may exist in a room or a building; however the total of the mezzanine space that would be “not counted” may not exceed more than 1/3 of the area of the room(s) the mezzanine(s) open onto. |
| Stairs and Landings  | The typical staircase providing access from one floor to another “Counts Once”, in that the area of the stairs and under those stairs counts once, even if a closet or open area is tucked under the “upper” stairs. In the event of multiple staircases, each staircase is “counted once”. Exterior stairs and landings do not count, unless the element is covered, and then any width exceeding a standard 4-foot stairway width is counted.  |
| Elevator Shafts,<br>Uncovered Atriums,<br>Uncovered Inner<br>Courtyards              | Not counted.   |

| <b>Building Component</b>   | <b>FAR Calculation Notes for RB and RM zoning districts, and for those R-1 districts with &lt;16,000 sf minimum lot size development standard</b>   |
|---|---|
| Covered Porches (unenclosed),<br>Covered Balconies,<br>Covered Decks<br>Covered Patios<br><i>(Also see “Area Under Building Projections”)</i> | <p>For the purpose of calculating Gross Building Area for the FAR determination, for each covered porch, balcony, deck or patio that is part of the residential structure, the first 140 square feet along each side of building does not count; but then one-half of the remainder of the square footage of those elements on that side of the building does count.</p> <p>In order not to “double count” areas that involve “stacked” components, any “stacked” covered porches, patios, balconies or decks count only once. E.g. a covered second floor element which overlies (and creates the covering for) a patio, porch or carport, only counts once. Covered areas within first 3 ft. from exterior wall do not count (see below eave discussion).</p> |
| Bay Windows<br>Eaves<br>Chimneys  | <p>Area contained within a bay window projection, areas under eaves three feet from exterior walls, and area of chimneys, which project beyond the exterior walls of a building, do not count unless they project more than three feet, in which case only the area greater than three feet counts toward the FAR calculation.</p>  |
| Area Under Building Projections<br><i>(Also see Covered Porches, Balconies, Decks and Patios)</i>   | <p>First determine whether the area can be characterized as any of the above or below, such as “underfloor” or “covered patio/porch/deck” so that the proper guidance is applied. Infrequently, areas may not fit into other categories, and so for those areas if the area has an appreciable portion adding to the “bulk and mass” of the building that has a height of 7’6” or greater, then any area more than 3 feet from the exterior wall <u>and</u> cumulatively more than 1/3 the length of that side of the building counts. All areas 3 feet from exterior walls are akin to eaves and NOT counted.</p>  |
| Uncovered Decks,<br>Uncovered Balconies,<br>Areas under Trellis and Arbor Structures  | <p>The area of uncovered decks and balconies does not count. For the area under uncovered decks and balconies, refer to the “area under building projections” provisions above.</p> <p>Area under Trellis and Arbor Structures and the like does not count; it is not the intent of the FAR development standard to regulate such as floor area.</p>  |

**II. For those residential zoning districts that DO NOT contain a FAR development standard, which includes RR, RA and R-1 single family districts with a minimum lot size standard of 16,000 square feet or more, and the Agricultural zoning districts of A, AP and CA, what counts toward calculating the size of the residence? Are the various terms and definitions used for FAR purposes also used in determinations that involve the square footage of a residential dwelling unit?**

The County Code specifies an FAR development standard only for certain zoning districts, with the intent of regulating the bulk and mass of residential development on a site, particularly in areas where structures are closer together. An FAR standard was not included for districts where the minimum lot size is 16,000 square feet or more. Zoning districts that DO NOT involve a FAR standard include the RA, RR, A, AP and CA districts. Note that even if an actual lot located in the districts that do not contain an FAR standard is less than 16,000 in size, that lot still is NOT subject to the FAR calculation.

The sizes of homes on larger lots of 16,000 or more square feet are governed by the maximum lot coverage standard; applicable front, side, and rear setbacks; height restrictions; parking requirements; limits on the number of “stories” within the Urban Services Area; site constraints; and so forth. For these reasons, the terms “Gross Building Area”, “Gross Area” and “Gross Floor Area” are NOT used in calculating square footage of a residential dwelling unit when an FAR standard does not apply. Likewise, it is not necessary to calculate or include any of the following types of areas as square footage: Covered Porches (unenclosed), Covered Balconies, Covered Decks, Covered Patios, Areas Under Building Projections, or Under Floors. Also, the Section 13.10.323(C) provisions and diagram that ceiling heights over 16 feet to 24 feet “count twice” and areas with heights greater than 24 feet “count three times” are NOT applicable in zoning districts without an FAR requirement.

The definition of “**Habitable Floor Area**” is most-often used for those residential zoning districts not subject to an FAR standard. The definition of “**Floor Area**” also is relevant at times, which will be explained after the following discussion of Habitable Floor Area.

“Habitable Floor Area: The square footage of floor area of all *stories* [emphasis added] of a dwelling excluding garage, carport, and accessory structures.”

*[Habitable floor areas must have compliant floor to ceiling room heights as defined by the Building Code – which was reduced to a minimum of 7 feet by adoption of the 2010 California Building Code.]*

Whether the square footage of attics, basements and mezzanines is included will depend on the configuration. The second sentence of the “story” definition (“*An attic, basement, mezzanine, or under floor does not count as a story*”) reflects an intention that a “story” is generally a usable, habitable floor area in a residential building with room ceiling heights that meet building code. The definition of “story” also makes it clear that when a zoning district has a limitation on the number of stories that are allowed, that limitation does not include any attic or basement (or both) that may occur, such that a “two-story” home is not interpreted as a three- or four-story home just because it may contain habitable rooms within a basement and/or attic.

Therefore, while attics and basements are not defined as “stories” for the purpose of meeting any applicable “story/height” zoning development standard, it is self-evident that habitable square footage within attics and basements should be counted as habitable floor area when making that calculation. Floor area of habitable second dwelling units and habitable accessory structures are also counted as habitable floor area. In that non-habitable attics, basements, garages, carports, accessory structures and mezzanines that meet County Code definitions are not “stories” and/or are not habitable rooms, they are not counted as habitable floor area, but may at times count toward “floor area”.

**III. What square footage counts to determine the applicability of the “Large Dwelling Unit” provisions?**

Section 13.11.040 of the County Code pertains to “Projects requiring design review”. Section 13.11.040(C) triggers the large dwelling unit permit requirement: “New single family residences or remodels of 5,000 square feet or larger as regulated by 13.10.325.”

Regulations regarding **Large Dwelling Permit Requirements and Design Guidelines** are contained in Section 13.10.325 of the County Code. Note that only the provisions of 13.10.325 apply as the large dwelling unit design guidelines and findings for approval, and NOT Section 13.11 findings, and NOT the design standards and guidelines that are set forth in Sections 13.11.070 through 13.11.076, unless otherwise triggered due to requirements of other applicable regulations, such as permit requirements due to a coastal special community plan, a project involving residential development of three or more units, or land division.

13.10.325(A) provides that “No residential structure shall be constructed which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, *[Emphases added]* unless a Level V approval is obtained pursuant to the provisions of this Section”.

The applicable section of the code requires that applications subject to the requirement shall be approved only if one or more of the following findings can be made:

- (i) The proposed structure is compatible with its surroundings given the neighborhood, locational or environmental context and its design is consistent with the Large Dwelling Design Guidelines in subsection (d) below; or
- (ii) The proposed structure, due to site conditions, or mitigation measures approved as part of the application, will be adequately screened from public view and will not adversely impact public viewsheds, neighboring property privacy or solar access, and its design is consistent with the Large Dwelling Design Criteria set forth in subsection (d) below. (For structures within the Coastal Zone requiring a coastal permit approval, additional findings shall be made pursuant to Section 13.10.110).

The intent of the Large Dwelling Unit regulations was to make large homes subject to a discretionary permit requirement and the Large Dwelling Design Guidelines, and to be able to apply conditions and/or mitigation measures necessary to preserve the neighborhood character in which the proposed structure(s) will be located, to preserve neighboring property privacy or solar access, and/or to screen the structure(s) from the road. Conditions or measures may include, but are not limited to: house and accessory structure re-siting, additional landscape screening and house redesign, including possible reduction in floor area.

Section 13.10.325(D) Large Dwelling Design Guidelines state that large dwellings and their related accessory structures should be designed so that:

1. Changes in the natural topography of the building site are minimized.
2. Grading cuts and fills are minimized, and when allowed, are balanced.
3. Housing design and accessory structure horizontal elements follow hillside contours, where applicable.
4. Colors and material are used to reduce the appearance of building bulk. Use of earthtone colors is encouraged.
5. Building height appearance is minimized by varying the height of roof elements and setting back higher portions of the structure from prominent viewpoints.

6. Ridgeline silhouettes remain unbroken by building elements. Building envelopes should be allocated to the lower portions of hillside lots, where feasible.
7. The structure(s) is compatible in terms of proportion, size, mass and height with homes within the surrounding neighborhood.
8. Architectural features break up massing. This can be accomplished by varying roof lines, puncturing large wall expanses with bay windows or recessing wall planes, or using a combination of vertical and horizontal architectural elements.
9. Landscaping helps blend the structure(s) with the natural environmental setting of the site. This can be done by preserving existing vegetation as much as possible, siting the structure(s) to take advantage of existing trees and land forms, and by planting fast-growing, native landscaping to screen elements visible from viewpoints located off the parcel on which the structure is located.
10. The view to adjacent properties is controlled. This can be done by minimizing second-story windows facing close neighboring properties, orienting upper floor balconies and decks toward large yard areas, locating the structure on the site as far as property lines as possible, and using landscaping to enhance privacy.
11. The location of the structure(s) on the site minimizes view blockage within public viewsheds.

As can be seen by reviewing the above criteria, the key focus of the regulation is to review how the home is designed and sited, from the vantage point of views to the property and proposed structure from roads and neighboring properties.

For the above reason, along with the fact that Section 13.10.325(A) speaks to floor area of the residential structure exclusive of accessory structures (and garages are sometimes considered non-habitable accessory structures), one could conclude that the intent of the Large Dwelling Permit Requirements and Design Guidelines is to regulate those habitable portions of a home that are visible to the public. Under this view, using “Habitable Floor Area” to determine the size of the home would be appropriate, as it would exclude garages, and would exclude non-habitable basement and attic areas:

“Habitable Floor Area: The square footage of floor area of all *stories* [emphasis added] of a dwelling excluding garage, carport, and accessory structures.”

However, the code also contains a definition of simply “floor area”, and the term “floor area” appears in the large dwelling unit regulations without the “habitable” qualifier. Therefore, an alternate interpretation of the regulation would be to conclude that the code definition of “floor area” is the appropriate standard for calculation square footage:

“Floor Area”: “Floor area is that area within the surrounding exterior walls of a building, including the wall thickness and is the total of each story, mezzanine, and basement. Uncovered courtyards, or atriums which are open to the sky above do not count as floor area.”

There are facets of each of the above approaches that do not appear in strict conformance with the intent of the Large Dwelling regulations. Under the “habitable floor area” approach, one could argue that all attic and basement area should not count, even habitable portions of such, because such building components are, by the definitions in the Code, “not stories”. Excluding habitable square footage, however, seems to be at odds with the definition of habitable square footage.

Under the “Floor Area” approach, space mezzanines and basements ARE counted due to the explicit inclusion, but space in attics would be excluded (because by definition an attic is not a story and attics are not explicitly included), even if habitable and adding to the bulk and mass of development. The

“Floor Area” approach includes space such as below-grade, non-habitable basement areas that are not visible portions of the structure and are not contributing to the “mass and bulk” of a residence. In contrast, the “Habitable Floor Area” approach would exclude this non-habitable type of basement. In interpreting and applying the intent of the code under this approach, the County would determine that under the habitable square footage approach, all habitable square footage counts. Therefore, in contrast to the simple “floor area” approach, the “habitable floor area” approach would include habitable attic spaces and other habitable areas and/or structures. Such habitable areas would typically be visible to neighbors and the public, and/or would tend to add to the intensity of use of the dwelling.

***BOTH APPROACHES USED IN MAKING LARGE DWELLING UNIT DETERMINATION:***

Because the intent of the code is unclear as to whether “Habitable Floor Area” or simply “Floor Area” is to be calculated, both approaches will be used, and if a dwelling is calculated to be 5,000 square feet or more under either approach, the large dwelling permit requirement and design guidelines will apply.

Under **METHOD #1 – “HABITABLE FLOOR AREA”**, the following guidance will be used.

Using “Habitable Floor Area” will include only habitable portions of the dwelling. If the site contains more than one dwelling or habitable detached structure, the calculation is done for each dwelling, and is not a cumulative total of square footage. In order for a space to be considered habitable, it must meet applicable building code requirements, which may include but not be limited to requirements for conditioned (heated) space, ceiling height, room size, access (such as compliant stairs to attic or basement) and egress (such as provision of a window or door in a basement that in a manner that provides an exit to the outside of the building).

While attics and basements are not defined as “stories”, it is self-evident that habitable square footage within attics and basements should be counted as habitable floor area. Non-habitable portions are not counted. Even though the Code does not consider a basement or attic a “story”, this would be considered to be for the purpose of determining compliance with zoning height and story limits rather than for the large dwelling unit square footage determination. Therefore, any habitable floor areas in basements and attics will count. Non-habitable portions of attic and basement areas, garages, carports, detached structures, and any significant attached non-habitable areas will not count.

| <u>Building Component</u>   | <u>Sq. Ft. Included in “HABITABLE FLOOR AREA” Calculation?</u>   |
|---|--|
| Basements   | No if non-habitable; any habitable basement square footage is counted  |
| Garages/Carports  | No - Not habitable and therefore not counted   |
| Second Dwelling Units   | Yes, if attached. No if a separate detached structure  |
| Accessory Structures  | No if detached; No if non-habitable. Yes if both attached and habitable.   |
| Mezzanines  | No - If meet mezzanine definition, then not a story and not counted  |
| Staircase   | Count a staircase only once toward floor area  |
| “Volume Ceilings”   | Count only actual floor area - Ceiling Height is not a factor  |
| Under Floor   | No - If underfloor area not a story and not habitable, not counted   |
| Attic   | No if non-habitable; any habitable attic square footage is counted   |
| Eaves, Chimneys, Area under Building Projections, Covered or Uncovered Porches, Balconies, Decks, Bay Windows | Not counted. These are non-habitable elements, and/or elements that protrude beyond exterior walls, so area does not count |

Under **METHOD #2 – “FLOOR AREA”**, the following guidance will be used.

Using the “Floor Area” will includes habitable and non-habitable areas, including attached garages and basements, but will exclude any habitable (and non-habitable) attic areas, and will exclude detached structures and detached accessory structures that are not part of the dwelling structure itself. The “floor area” approach does not distinguish between habitable and non-habitable portions of a building, in that basements (which are traditionally non-habitable) are included. The area within the exterior walls of a building is counted. The square footage of each story, mezzanine and basement will be counted, whether habitable or non-habitable. However, attics will NOT be counted, whether habitable or non-habitable, because the definition of Floor Area specifically excludes attics since they are not stories, and are not specifically included.

Attached garages are considered a significant part of a residential structure within the exterior walls, and therefore are included in the calculation. Carports do not count, although if the carport has three sides or walls then the carport will be treated as a garage. Other minor attached projections from the exterior walls of a building, such as chimneys, bay windows, minor storage areas and such would not be counted because they are minor projections from the exterior walls of the building. However, if an attached “projection” is of a significant size that reads as more than a relatively minor component of the building, such as a garage structure that is semi-attached, a large attached storage room, then that square footage will count. Structures or portions of a dwelling that are connected through a breezeway are considered attached, and therefore do count as part of the dwelling that is the subject of the calculation.

Fully detached and separate accessory structures are NOT counted whether habitable or non-habitable, such as a detached accessory dwelling unit or a detached garage, because only the structure at issue undergoes the determination regarding size/square footage.

| <u>Building Component</u>   | <u>Sq. Ft. Included in “FLOOR AREA” Calculation?</u>  |
|---|---|
| Basements   | Yes   |
| Garages   | Yes, if included within exterior walls of building; No if separate building   |
| Carports  | Yes, 3 walls and attached to building; No if 2 walls or separate building   |
| Second Dwelling Units   | Yes, if included within exterior walls of building; No if separate building   |
| Accessory Structures  | No if separate detached building or minor projection from exterior walls of building; Yes if larger attached structure            |
| Mezzanines  | Yes   |
| Staircase   | Count a staircase only once toward floor area   |
| “Volume Ceilings”   | Count only actual floor area - Ceiling Height is not a factor   |
| Under Floor   | No - If underfloor area is not a story and not habitable, not counted   |
| Attic   | No  |
| Eaves, Chimneys, Area under Building Projections, Covered or Uncovered Porches, Balconies, Decks, Bay Windows | Not counted. These are non-habitable elements, uncovered, or elements that protrude beyond exterior walls, so area does not count |

**IV. *Is there a common standard for “what counts as square footage” for the purpose of calculating and/or determining applicability of other requirements for residential dwelling units, such as Chapter 16.10 geologic and flood ordinance requirements, certain building code provisions, calculation of the level of school fees, and providing information to the County Assessor, Fire Districts and other agencies?***

Other codes and agencies are involved in making other determinations, and these codes and agencies will establish their own rules for “What Counts” in those other contexts, as reviewed below.

There are certain additional provisions of the County Code that the Planning Department considers when determining the applicability of **Geologic Hazard, Floodplain and Coastal Bluff/Beaches Regulations**, which are different from the FAR and other floor area definitions of other code sections:

Geologic, Floodplain & Coastal Bluff/Beaches: 16.10.040(19): Development/Development Activities  
Geologic, Floodplain & Coastal Bluff/Beaches: 16.10.040(63): Structure  
Geologic, Floodplain & Coastal Bluff/Beaches: 16.10.040(3): Addition  
Geologic, Floodplain & Coastal Bluff/Beaches: 16.10.040(18): Cumulative Improvement  
Geologic, Floodplain & Coastal Bluff/Beaches: 16.10.040(35): Habitable  
Geologic, Floodplain & Coastal Bluff/Beaches: 16.10.040(65): Substantial Improvement  
16.10.070(H)4 Standards for Alteration of Damaged Structures located on Coastal Bluffs and Beaches

For **Building Permit** purposes, the Building Division will charge building permit fees based on the type of area or improvement that is the subject of the building permit application, therefore a variety of square footage calculations may be necessary, usually including habitable square footage of the dwelling, non-habitable square footage such as garage, and square footage of accessory structures.

The **County Assessor’s Office** will also be interested in both the amount of habitable square footage and non-habitable square footage of building area. Areas of covered decks, patios, or other similar types of improvement are also evaluated, and the assessor’s office has the responsibility for assigning different valuations for different types of square footage or area in the process of determining the assessed value for the purpose of property taxes.

**School Fee** calculation methodology is directed by ordinances adopted by the districts, but generally it is based on Habitable Floor Area.

**Fire Districts and Other Regulatory Agencies** administer their codes based upon their own codes, practices and interpretations. The agencies who administer such codes and regulations must be consulted or will make the determination regarding what square footage “counts”. Oftentimes, these agencies will elect to use the County Planning Department’s calculation of square footage in accordance with the calculations made under the zoning code, but this is not necessarily the case.

**Reason for Interpretation:**

In order to prevent use of inconsistent or erroneous methods of calculating **Floor Area Ratio (FAR)** for those structures that are subject to the FAR development standard, the FAR Calculation Chart is used, which addresses each element or type of square footage that may be associated with a residential building. This Administrative Policy/Ordinance Interpretation document also addresses how square footage is calculated for “**Non-FAR**” purposes, such as for residential development located in zoning districts with minimum lot size standards of 16,000 square feet or greater (e.g. RA, RR), and for the “**Large Dwelling Unit**” determination.

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Kathy Molloy Previsich, Planning Director

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Date

## APPENDIX 1: APPLICABILITY OF CODE DEFINITIONS

### **DEFINITIONS AND GUIDELINES USED IN CALCULATING FLOOR AREA RATIO (FAR)**

For calculating the maximum square footage allowed under an applicable Floor Area Ratio (FAR) zoning standard, the Net Site Area of the subject site and the Gross Building Area of development on the site is used in the calculation:

“Gross Building Area” defines the maximum square footage, which is defined and calculated as follows: “Net Site Area x Floor Area Ratio (F.A.R.) = Total Allowable Gross Building Area for All Buildings on Site”.

*[For example, a Floor Area Ratio (FAR) of 0.5, for a site that contains a net site area of 5,000 square feet, would allow for a maximum of 2,500 gross square feet of building(s). An FAR of .5, when expressed as a percentage, would be 50% of the lot size]*

“Net Site Area” (Site Area, Net):

- a. Outside the Urban Services Line, the total site area less all public or private rights-of way designated for vehicle access.
- b. Inside the Urban Services Line, for all coastal bluff-top parcels, the total site area less:
  - i. All public or private rights-of-way designated for vehicle access; and
  - ii. Coastal bluff, beaches, and all land seaward of the mean high tide line of Monterey Bay
- c. Inside the Urban Services Line, for all parcels located at the toe of a bluff or on the beachfront, the total site area less
  - i. All public or private rights-of-way designated for vehicle access; and
  - ii. All land seaward of the mean high tide line of Monterey Bay

“Floor Area Ratio” (FAR) is “The Gross Area divided by the net site area”.

“Gross Area” [Gross Floor Area], is “The total horizontal area in square feet on each floor of a structure, but not including the area of inner courts, or shaft enclosures.”

*The terms “inner courts” and “shaft enclosures” shall be considered to mean ancillary covered areas such as elevator shafts, uncovered atriums, and uncovered courtyards adjacent to the home even if such courtyard is surrounded by the structure.*

Section 13.10.323(C) contains information about calculating “Gross Building Area”, which refers to “Floor Area” for some building components. The “FAR Calculation Chart” is used to determine whether and how much square footage associated with various components of a building is counted toward the “floor area”/Gross Building Area maximum for the subject lot. “Each floor” is generally space on areas that count as “stories”, although the FAR regulations qualify that, and so the FAR Calculation Chart is used to ensure consistency with the intent of the FAR regulations.

In that the intent of adopting an FAR standard is to regulate the bulk and massing of a residential structure, ceiling or vertical heights of spaces are relevant to determinations of what “counts” toward maximum square footage when the FAR development standard applies to a property. Guidance regarding heights that make an area “count” is provided within the County Code for “basements, attics and under floor area”, which provide that areas count if vertical heights are 7’6” or higher.

However, in that the 2010 California Building Code lowered the minimum ceiling height for a habitable residential area to 7'0", and the intent of the Zoning Code was to mirror the Building Code, the County will consider areas of 7'0" or higher as potentially counting toward the FAR calculation. Any habitable areas of an attic or basement will be included; even if the ceiling height is only 7 feet. Non-habitable areas of attics and basements are not included unless appreciable parts of such have ceiling heights of 7'6" or more. Refer to FAR Calculation Chart.

While Section 13.10.323(C) of the Code does not specifically depict a "mezzanine" or "loft", or specifically address the ceiling heights provided for such that would require "counting" toward Gross Building Area, it is reasonable to conclude that the same ceiling or vertical height provisions for basements, attics and underfloor area would also apply to mezzanines, lofts and the like. By definition in the code, an area that meets the county's definition of "mezzanine" is not a "story", and therefore a mezzanine or loft that meets the code definition is not counted. However, if a mezzanine or loft type of area does NOT meet the county's definition, then all or a portion of the area may count. There is no definition of loft in the County Code, but it is reasonable to use provisions governing mezzanines interchangeably with loft areas.

Definitions from the County Code for the underlined terms above are provided below. The FAR Calculation Chart further explains how these definitions are used for various purposes as the County administers the code.

"Attic: For planning and zoning purposes, an attic is the space between the underside of the roof framing (rafters or beams that directly support the roof sheathing) and the upperside of the ceiling framing [or the vertical height within the space]. Attics are not considered a story. If any part of an attic is 7 feet 6 inches or higher, then all areas greater than 5 feet 0 inches in height shall count as area for FAR calculations."

*[Note that the FAR Calculation Chart addresses what "any part" means, which is NOT any single square foot. Attics may be habitable or non-habitable, depending on configuration. In that the 2010 California Building Code lowered the minimum ceiling height for a habitable area to 7'0", and the intent of the Zoning Code was to mirror the Building Code, the County will consider areas of 7'0" or greater as potentially counting toward the FAR calculation. Any habitable areas of an attic will be included; even if the ceiling height is only 7 feet. Non-habitable areas of attics are not included unless appreciable parts of such have ceiling heights of 7'6" or more. ]*

"Basement: For planning and zoning purposes, a basement is the space below the bottom of the floor framing (joists or girders that directly support the floor sheathing) and the basement floor. To qualify as a basement more than 50% of the basement exterior perimeter wall area must be below grade and no more than 20% of the perimeter exterior wall may exceed 5 feet 6 inches above the exterior grade; If any part of a basement is 7 feet 6 inches or higher, then all areas greater than 5 feet 0 inches in height shall count as area for FAR calculations; Basements are not considered as a story."

*[Note that the FAR Calculation Chart addresses what "any part" means, which is NOT any single square foot. Basements may be habitable or non-habitable, depending on configuration. In that the 2010 California Building Code lowered the minimum ceiling height for a habitable area to 7'0", and the intent of the Zoning Code was to mirror the Building Code, the County will consider areas of 7'0" or greater as potentially counting toward the FAR calculation. Any habitable areas of a basement will be included; even if the ceiling height is only 7 feet. Non-habitable areas of a basement are not included unless appreciable parts of such have ceiling heights of 7'6" or more. ]*

“Mezzanine or Mezzanine Floor: “For planning and zoning purposes, a mezzanine is an intermediate floor between stories that opens into another room so that the floor area of the mezzanine does not exceed 1/3 of the room area onto which it opens. (Adjacent rooms or areas which are more than 50% open to a mezzanine are considered part of that *[adjacent]* space). If the mezzanine is more than 1/3 of the room area that it opens onto then it is a story. Stairways and intermediate landings are counted under the “Floor Area” category and are not counted as part of the mezzanine area. Mezzanines are not counted as a story.”

*[A “loft” will be treated as a mezzanine. The phrase “between stories” is not well stated; the intent is better expressed by the Building Code definition: “A mezzanine is an intermediate level or levels between the floor and the ceiling of any story”, which for Zoning Code purposes means that the mezzanine is designed in a manner that does not result in “one habitable room placed over another habitable room”, and which is configured in such a way that it itself is not a room, and which meets the other tests included within the above zoning code definition of a mezzanine. Refer to FAR Calculation Chart]*

“Projection Areas: Area below a projecting floor, covered deck or other projecting portion of a building, where the height below the projection is 7 feet 6 inches or more. Projection areas below projections which extend more than 3 feet 0 inches from the face of the exterior wall or which with other projections on that side of the building exceed 1/3 of the building length on that side are counted at a 1:1 ratio in their entirety for Gross Area calculations. Areas below projections that extend less than 3 feet 0 inches in depth or with other projections on that side of the building which do not exceed 1/3 of the length of that side of the building are not counted towards Gross Area calculations.”

*[Note that the FAR Calculation Chart addresses what projection areas count in the FAR calculation, which is NOT any single square foot, and is used only for areas that don’t qualify as some other type of area as identified in the FAR Calculation Chart].*

“Story: For planning and zoning purposes, that portion of a building included between the upper surface of any floor and the lower surface of the floor or ceiling above. An attic, basement, mezzanine, or under floor does not count as a story.” *[A “loft” will be treated as a mezzanine]*

“Under Floor: For planning and zoning purposes, under floor is the space between the underside of the floor framing (joists or girders that directly support the floor sheathing) and the grade below. To qualify as under floor there must be no stairway access. If any point of the under floor is 7 feet 6 inches or more in height, then all the area in the under floor that is 5 feet 0 inches or more in height shall count as area for the Floor Area calculations. Under floors are not considered as a story.”

*[Note that the FAR Calculation Chart addresses what “any part” means, which is NOT any single square foot.]*

**DEFINITION USED IN CALCULATION OF SQUARE FOOTAGE IN ZONING DISTRICTS NOT SUBJECT TO (FAR) DEVELOPMENT STANDARD**

“Habitable Floor Area” is used for those residential zoning districts not subject to an FAR standard:

“Habitable Floor Area” The square footage of floor area of all *stories* [emphasis added] of a dwelling excluding garage, carport, and accessory structures.”

*[Habitable floor areas must have compliant room heights as defined by the Building Code – which was reduced to a minimum of 7 feet by adoption of the 2010 California Building Code. Therefore, even though attics and basements are not considered stories for the purpose of applying any “story/height” zoning development standard, habitable square footage within attics and basements will be included in calculations of habitable floor area.]*

**DEFINITIONS USED IN CALCULATING APPLICABILITY OF “LARGE DWELLING UNIT” REQUIREMENT FOR DESIGN REVIEW**

Section 13.10.325(A) of the Code provides that:

“No residential structure shall be constructed which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures [*Emphases added*] associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of this Section”.

***Two Calculations Used in Making Determination:*** Because there are two reasonable interpretations of the intent of the code, leading to a lack of clarity as to whether “Habitable Floor Area” or simply “Floor Area” is to be calculated, both methods will be used, and if a dwelling is calculated to be 5,000 square feet or more under either approach, the Large Dwelling permit requirement and design guidelines will apply.

“Floor Area”: “Floor area is that area within the surrounding exterior walls of a building, including the wall thickness and is the total of each story, mezzanine, and basement. Uncovered courtyards, or atriums which are open to the sky above do not count as floor area.”

“Habitable Floor Area”: “The square footage of floor area of all *stories* [emphasis added] of a dwelling excluding garage, carport, and accessory structures.”

Refer to the guidance provided in the Administrative Policy/Ordinance Interpretation for details on how to make the calculations under each of the above approaches.