



## California State Fire Marshal **CODE INTERPRETATION**

Date Issued	4/20/2021	Interpretation	21-002
Topic	Definition of Floor Space as it relates to an Accessory Dwelling Unit		
Code Section(s)	2016 CRC R313.2		
Requested by	Lewis Broschard Contra Costa County Fire Protection District		
Date Received	10/29/20		

**Question:** What is the definition of floor area for an ADU?

**Response:** The Government Code 65852.2 contains the law for Accessory Dwelling Units (ADU). SB 1030 (Effective September 25, 2020) modified the statute and now uses the terms “total floor area” and “living area” in the description of an ADU. The definition “Living Space” most meets the intent of an accessory dwelling unit in Government Code 65852.2.

### **California Residential Code, Definitions**

**LIVING SPACE.** Space within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes.

**Question:** Are the following examples considered the floor area when calculating the floor area for an accessory dwelling unit (ADU)?

1. A 900-sq. ft. unit (within exterior walls) with a 600-sq. ft. wrap around porch, all under one roof.

Does the porch area count? **NO**

2. A 2-story unit building a 1,100-sq. ft. garage on the first floor and a 1,100-sq. ft. dwelling unit on the second floor.

Does the garage area count? **NO**

3. An 1,100-sq. ft. dwelling unit built on stilts over 1,100 sq. ft. of vehicle parking,

Does the vehicle parking area count? **NO**