



DATE: July 1, 2021
INTERPRETATION NO.: CI2021-0014
TITLE: Size Limitations for Accessory Dwelling Units
RELATED DEPT. & DIVISION: Development Services Department
TOPIC: Accessory Dwelling Units
DECISION MAKER: Brent Lloyd, Development Officer

SUMMARY:

- (1) Calculating gross floor area (“GFA”) is necessary to determine whether a structure meets applicable limitations on floor-to-area ratio (“FAR”) under the Land Development Code (“LDC”). In determining compliance with the 0.15 FAR limit applicable to accessory dwelling units (“ADUs”) under LDC § 25-2-774 (*Two-Family Residential Use*), GFA is determined under the LDC’s general definition and is not subject to the exemptions applicable under LDC Chapter 25-2, Subchapter F (*Residential Design & Compatibility Standards*) § 3.3.
- (2) In capping the size of an ADU at “1,100 total square feet,” LDC § 25-2-774 does not use the term “gross floor area,” so all floor area associated with the ADU is counted towards the 1,100 square-foot limit whether it meets the definition of GFA or not.

CODE SECTIONS: Land Development Code – Title 25

- [§ 25-2-774](#) (*Two-Family Residential Use*)
- [Chapter 25-2, Subchapter F \(*Residential Design & Compatibility*\) § 3.3](#)

CODE INTERPRETATION:

LDC § 25-2-774 (*Two-Family Residential Use*) regulates two-family residential uses, which are commonly referred to as ADUs. Under LDC § 25-2-774(C)(5), an ADU:

- (5) *may not exceed:*
- (a) *1,100 total square feet or a floor-to-area ratio of 0.15, whichever is smaller;*
and
 - (b) *550 square feet on the second story, if any[.]*

This interpretation clarifies the FAR and square footage limits applicable under this provision.

Calculating GFA for ADUs

FAR regulations limit the mass of buildings relative to lot size. Determining a structure's FAR requires calculating its overall GFA. Under LDC § 25-1-21 (*Definitions*), FAR and GFA are defined as follows:

- (42) *FLOOR AREA RATIO means the ratio of gross floor area to gross site area.*
- (46) *GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas.*

In limiting ADUs to “a [FAR] of 0.15,” LDC § 25-2-774(C)(5) does not modify the general definition of GFA quoted above. This means that, in determining whether an ADU exceeds the 0.15 FAR limit, all floor area within an ADU counts towards GFA if it meets the general definition.

In contrast to LDC § 25-2-774(C)(5), LDC Chapter 25-2, Subchapter F (*Residential Design & Compatibility Standards*) § 3.3 includes several exemptions that reduce the amount of floor area that counts towards GFA for purpose of applying Subchapter F's requirements.¹ These exemptions do not apply in calculating GFA for purposes of LDC § 25-2-774(C)(5), which operates separately from Subchapter F and is the controlling provision for limiting the size of ADUs.

The Square Footage for ADUs

As quoted above, LDC § 25-2-774(C)(5) limits the size of ADUs to “1,100 total square feet,” which is a different term than GFA. Therefore, in applying this limitation, all floor area included in the ADU applies whether it meets the definition of GFA under LDC § 25-1-21 (*Definitions*) or not.



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¹ The Subchapter F exemptions, which specifically modify the general definition of GFA in LDC § 25-2-21 (*Definitions*), reduce the amount of floor area that counts towards GFA for porches, attics, carports, parking areas, and other specifically listed categories of residential floor space.