

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

Interpretation No.: BASEMENT-01 (Basement – habitable or non-habitable?)

Effective Date: October 14, 2008

Revised: none

Questions

- 1) *What are the criteria for determining whether a basement is habitable or non-habitable?*
- 2) *What features are allowed or prohibited in non-habitable basements?*
- 3) *What features are required in habitable basements?*

Applicable Ordinance Sections

13.10.700 –B

13.10.611(c) (2)

INTERPRETATION:

Basements less than 70 sq ft in size or with non-compliant headroom* are always non-habitable and must comply with the standards for non-habitable basements, and may never be used as habitable space. *(Compliant headroom: For most habitable rooms, the California Building Code requires headroom of at least 7'6" for 50% or more of the portion of floor area with headroom of 5' or higher. The headroom is measured from the floor below to the floor framing or ceiling above. False or dropped ceilings do not change the measurable headroom.)

Basements with at least 70 sq ft, and compliant headroom, may be either habitable or non-habitable, depending on the features present (see attached flowchart).

Non-habitable basements may have direct access to the rest of the structure, insulation, sheetrock, windows, light fixtures and outlets, and certain appliances including water heaters, washers and dryers, and furnaces.

Area heating and bathrooms are not allowed in non-habitable basements.

Basements with at least 70 sq ft of floorspace and compliant headroom, and with heat or with a bathroom (toilet, shower, or bathtub), are defined as habitable. If a bathroom is present, or if any portion of the basement is heated, then the entire basement area is considered habitable. Habitable basements must meet all the criteria required for habitable space in the Building Code, including heat, compliant headroom, at least 70 sq feet of floorspace, and emergency egress as required. Criteria for determining when basements are habitable would apply to dwellings, accessory structures and second units.

Reason:

The California Building Code establishes minimum requirements for habitable rooms, to protect health and safety. Additionally, the Santa Cruz County Code applies additional requirements to habitable structures or rooms, such as parking requirements and capital improvement fees. The purpose of this interpretation is to ensure that basements that could be used as habitable space comply with the minimum health and safety requirements in the building code, and to provide a

means to clearly and consistently distinguish between habitable and non-habitable basements for planning and zoning purposes.

Consequently, basements intended to be used for habitable space must first meet the minimum criteria in the Building Code for habitable rooms, including at least 70 sq ft of area and compliant headroom. If the basement meets these initial Building Code requirements for habitable rooms, then the basement may be constructed either as habitable or non-habitable. If the owner chooses to add a bathroom and/or heat, then the basement will be defined as habitable. Habitable basements must meet all requirements in the building code for habitable rooms, as well as all planning and zoning fees and requirements. The features allowed or required in habitable and non-habitable basements are consistent with the features allowed or required for habitable and non-habitable accessory structures listed in Table One of subsection 13.10.611(c)(2), except that sheetrock and insulation are not required for habitable basements because they are not required in the California Building Code.

Tom Burns, Planning Director

Date

IS BASEMENT HABITABLE OR NON-HABITABLE?

