TO:  DSG Staff  
FROM:  Scott Greenberg, AICP  
        Development Services Director  
DATE:  November 25, 2013  
RE:  Gross floor area exemptions, other than basements  

This interpretation is a revision of Interpretation #06-06, which is hereby repealed.

MICC SECTION(S) INTERPRETED  
MICC 19.16.010  

AUTHORITY  
This administrative interpretation is issued under the authority of Section 19.15.010(C)(5)(a) of the Mercer Island City Code (MICC).

ISSUE(S)  
The purpose of this administrative interpretation is to clarify the definition of gross floor area in MICC 19.16.010.

FINDINGS  

1. MICC 19.02.010(E)(1) requires single family structures to not exceed a gross floor area of 45% of the lot area.

2. MICC 19.16.010 defines “gross floor area” as:  
   “The total square footage of floor area bounded by the exterior faces of the building.

   1. The gross floor area of a single-family dwelling shall include:

      a. The main building, including but not limited to attached accessory buildings.
b. All garages and covered parking areas, and detached accessory buildings with a gross floor area over 120 square feet.

c. That portion of a basement which projects above existing grade as defined and calculated in Appendix B of this development code.

2. In the Town Center, gross floor area is the area included within the surrounding exterior finish wall surface of a building, excluding courtyards and parking surfaces.”

3. The MICC does not define the term “floor area.” Webster’s defines “floor” as “the level base of a room” and “the part of a room on which you stand” and “the surface of a structure on which one travels.”

4. Administrative Interpretation #06-06 concluded that clerestory space above areas such as kitchens, dining rooms and living rooms should not be included in the calculation of gross floor area “which otherwise would be counted twice, once for each story.” The interpretation went on to conclude that entry foyers and stairwells should be included in the calculation of gross floor area because “these areas feature vertical pedestrian movement to an above floor.”

5. Air space above an interior space (like a clerestory) is not “the level base of a room” nor is it “part of a room on which you stand” nor is it “the surface of a structure on which one travels.” Therefore, air space above an interior space cannot be considered “floor area.”

6. A stairwell or stairs create a “surface of a structure on which one travels” and should be considered a floor for gross floor area purposes. In cases where there is floor area under the stairs, it is appropriate to count the area under the stairs as gross floor area if it is “the level base of a room” or “the part of a room on which you stand” or “the surface of a structure on which one travels.” For example, stairwells or stairs have space underneath, typically floor, closets, storage or other space that should be counted as gross floor area in addition to the stairs or stairwells.

7. Administrative Interpretation #06-06 also concluded that garages are not part of basement exclusion areas, and should be included in the calculation of gross floor area. This conclusion was already overturned by Administrative Interpretation #07-01, but Administrative Interpretation #06-06 was never revised or repealed, at least in part to address Administrative Interpretation #07-01.

CONCLUSIONS AND INTERPRETATION

Based on the information above, the Code Official has determined the following:

1. “Floor” is defined as “the level base of a room” or “the part of a room on which you stand” or “the surface of a structure on which one travels.”
2. Air space above an interior space is not considered “gross floor area.”
3. Stairs and stairwells shall be included in the calculation of “gross floor area.”
4. Space under stairs and stairwells shall be included in the calculation of “gross floor area” if that space meets the definition of “floor” in number 1 above.