TO: DSG Staff  
FROM: Richard Hart, Development Services Director  
DATE: September 28, 2006  
RE: Gross floor area exemptions, other than basements

The Code Official under Section 19.15.010(C)(5)(a) of the Mercer Island City Code (MICC) makes this administrative policy determination and interpretation of the MICC of Mercer Island.

The purpose of this administrative interpretation is to clarify exemptions from gross floor area calculations.

MICC 19.02.010.E.1 requires single family structures not exceed a gross floor area of 45% of the lot area. “Gross floor area” is defined in MICC 19.16 to be “The total square footage of floor area bounded by the exterior faces of the building.” Included in that section is an exemption for portions of basements below existing grade.

Past practice in DSG has been to interpret “…exterior faces of the building” to be the outermost exterior dimensions of a residence or building, relying heavily on the word “gross” in “gross floor area”. Webster defines “gross” to be “total, entire, with no deductions”. Therefore, in other words, “gross floor area” is the entire area of a building lying within the exterior perimeter of the exterior walls.

Past practice in DSG has been to deduct from “gross floor area” only the floor areas of basements which lie below existing grade per the literal application of the definition of “gross floor area” in MICC 19.16. Recently, DSG has administratively deducted, or exempted, living rooms, dining rooms, and kitchens with second floor clerestories which otherwise would be counted twice, once for each story. Not deducted, or exempted, have been clerestory entry foyers and stairwells because these areas feature vertical pedestrian movement to an above floor.

Past practice has also been to not include garages (at basement level) in basement floor area eligible for the basement area exclusion. Basements have been considered
separate and distinct from garages, supported by the wording of “gross floor area” which includes “all garages” (emphasis added) without distinction of at what ground level they are constructed.

In summary, it is concluded that:

1) “Gross floor area” is a deliberate term for building area lying within the “exterior faces”, or exterior perimeter, of the perimeter walls of the building.
2) Basement areas lying below existing grade are exempt from “gross floor area” calculations.
3) Clerestory living areas, except for entry foyers and stair wells, are also exempt from “gross floor area” calculations.
4) Garages are not part of basement exclusion areas.