

DIRECTOR'S INTERPRETATION: HABITABLE LIVING SPACE

REQUEST SUMMARY

What constitutes “habitable living space” within the meaning of “total floor area” as defined in [SMC 21.10.025](#)? Is the term “habitable living space” equivalent to “habitable space” as defined in [SMC 21.04.040.B](#)? Additionally, how is “habitable living space” applied in calculating total floor area for purposes of the Inclusionary Affordable Housing Program?

INTERPRETATION

The term “habitable living space,” as used in the definition of “total floor area” in [SMC 21.10.025](#), is not equivalent to “habitable space” defined in [SMC 21.04.040.B](#). [SMC 21.10.025](#) defines “total floor area” as “all habitable living space, measured from exterior walls,” and establishes definitions that apply specifically to [Chapter 21.10](#). Because [Chapter 21.10](#) uses the distinct term “habitable living space” within its own definitional framework, it should not be interpreted as adopting the separate definition of “habitable space” in [SMC 21.04.040.B](#), which excludes certain interior areas such as closets, halls, storage areas, utility spaces, and similar spaces.

For purposes of administering [Chapter 21.10](#), “habitable living space” refers to the interior floor area of a dwelling unit that is designed and intended for residential living, measured from the exterior walls. This includes rooms and areas used for living, sleeping, eating, cooking, and bathroom facilities, as well as interior spaces integral to and serving the dwelling unit, such as closets, halls, storage areas, utility areas, and similar spaces. Areas not considered part of the dwelling unit’s habitable living space, including garages, unfinished attics, unfinished basements, upper floor vaulted areas, are excluded.

Accordingly, the City will calculate the total floor area based on the finished residential floor area of the dwelling unit, measured from the exterior walls, and will include interior spaces that are integral to the dwelling unit, such as closets, halls, storage areas, utility rooms, and similar spaces.

David Pyle

David Pyle, Director of Community Development

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Related Code References

[SMC 21.10.025](#)

Resources

[Sammamish Property Tool](#)
[King County iMap](#)

Questions?

[Submit Project Guidance](#)
[Visit the Permit Center](#)

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CONTEXT, FACTS, AND FINDINGS

The [City's Inclusionary Affordable Housing Program](#), codified in [SMC 21.10](#) and adopted through Ordinance [O2024-578](#), is one of the City's strategies for addressing the statewide housing crisis. Under this program, a minimum of ten percent of all newly constructed housing units within the City must be affordable to households earning 80 percent of the Area Median Income (AMI). The program provides multiple compliance pathways, including the option to pay a fee-in-lieu of constructing affordable units.

The in-lieu fee was established using a model developed by [A Regional Coalition for Housing \(ARCH\)](#). This model incorporates local construction and market data, along with regional affordability metrics, to determine a per-square-foot fee. The fee calculation is based on the cost of constructing one square foot of a new housing unit in Sammamish and includes all interior, finished, and conditioned spaces such as closets, hallways, storage rooms, utility areas, and similar components. In other words, the fee is derived from the total floor area of a new dwelling unit, and the City Council expressly adopted this methodology in Ordinance [O2024-578](#).

[SMC 21.10.025](#) provides definitions specific to the administration of [Chapter 21.10](#) and defines "total floor area" as *"all habitable living space, measured from exterior walls."* The City Council intentionally used terminology in [SMC 21.10.025](#) that differs from the definition of "habitable space" found in [SMC 21.04.040.B](#). Applying the narrower definition of "habitable space" to the term "habitable living space" would exclude significant portions of a dwelling unit, including closets, hallways, storage areas, and utility spaces, even though these areas are integral to the dwelling unit and contribute to its overall floor area. Such an interpretation would be inconsistent with the Council's adopted policies and with the ARCH methodology used to calculate the in-lieu fee.

Given this policy context, the term "habitable living space" in [Chapter 21.10](#) should be understood as the entire residential interior floor area of the dwelling unit, measured from the exterior walls, rather than the more limited technical definition of "habitable space" in [SMC 21.04.040.B](#). This interpretation aligns with both the Council's intent and the fee-calculation model on which the program is based.