

**ORDINANCE NO. 1428**

**AN ORDINANCE OF THE CITY OF RUSTON, RELATING TO THE CITY'S DESIGN STANDARDS CONTAINED IN CHAPTER 25.06 OF THE RUSTON MUNICIPAL CODE, AMENDING SECTIONS 25.06.020, 25.06.030, 25.06.040 AND CREATING A NEW SECTION 25.06.050 ESTABLISHING DESIGN STANDARDS FOR PARKING FACILITIES, EXPANDING THE APPLICABILITY OF THE DESIGN STANDARDS CITY-WIDE WITH THE EXCEPTION OF SINGLE FAMILY DEVELOPMENTS, MAKING HOUSEKEEPING AMENDMENTS, AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, this City of Ruston adopted a Design Standards codified in RMC Chapter 25.06; and

WHEREAS, in order to ensure that any new development in the City is done in a way that is consistent with the City's standards, is consistent with the City's comprehensive plan and provides a public benefit, ensuring that the Design Standards apply to most development in the City is important; and

WHEREAS, the procedure for review of compliance with the City's Design Standards is most appropriately reviewed under the City's Site Plan Approval process and the chapter should be updated to clarify the review mechanism; and

WHEREAS, the Design Standards as written are not specifically applicable to parking facilities and should be; and

WHEREAS, the provisions regulating development of parking facilities are being removed from Chapter 25.01 RMC and will updated and placed into the City's Design Standards in Chapter 25.06 RMC; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) on November 22, 2013; and

WHEREAS, in accordance with RCW 36.70A.106, this amending ordinance has been sent to the State Department of Community, Trade and Economic Development with a request for expedited review on November 22, 2013; and

WHEREAS, the request for expedited review was granted on November 26, 2013, and the required time has passed to allow adoption by the City Council on the date of adoption; and

WHEREAS, on December 11, 2013, the Ruston Planning Commission held a public hearing on these revisions to the City's design guidelines; and

WHEREAS, following the public hearing the Planning Commission deliberated on the revisions; and

WHEREAS, the Planning Commission recommends the revisions to the City design guidelines as contained in Ordinance No. 1428; and

WHEREAS, after a full deliberation and consideration, the Planning Commission voted unanimously (3-0) to recommend that the City Council adopt this Ordinance; and

WHEREAS, on December 17, 2013, the City Council held first reading of this Ordinance; and

WHEREAS, on December 23, 2014, the City Council adopted this Ordinance at second reading during its special meeting; **NOW, THEREFORE**

**THE CITY COUNCIL OF THE CITY OF RUSTON DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Section 25.06.020 of the Ruston Municipal Code is hereby amended to read as follows:

**25.06.020 Applicability.**

The requirements of this chapter apply to all proposals to subdivide land under the provisions of RMC Title 29 and to all proposals to build, locate, construct, remodel, alter or modify any facade on any structure or building or other visible element of the facade of the structure or building or site, including, but not limited to: landscaping, parking lot layout, signs, outdoor furniture in public or commercial locations, outdoor lighting fixtures, fences, walls and roofing materials. Any development subject to this chapter shall be reviewed for compliance and processed under the Site Plan Approval process as described in RMC 25.01.140.

**Section 2.** Section 25.06.030 of the Ruston Municipal Code is hereby amended to read as follows:

**25.06.030 Building Design—~~Commercial Zones~~ Pedestrian Oriented Frontages.**

Except for single family residences or accessory buildings to single family residences, when any building is located on a pedestrian oriented frontage, as listed in RMC 25.06.050(a), all visible building facades upon buildings located within a commercial zone which are closer than 20 feet to the front property line must meet the following requirements:

- (a) Facades over 25 feet wide must provide a five foot ~~yard~~ setback for 50% of the total facade length. The five foot wide area must include street furniture available to the public such as benches and trash receptacles
- (b) At least 60% of the first floor facade must be glass.
- (c) The remaining percentage of the first floor facade material must be brick, copper, or natural stone.
- (d) Awnings must be provided for over 50% of the depth and length of sidewalk area but no greater than seven feet in depth or closer than 4 feet to the curb.
- (e) Buildings over one story must provide retail or commercial space for the entire first floor open to the public on the ground floor fronting Pearl Street or 51st Street.
- (f) Lights must be provided capable of lighting the sidewalk in front of the property. Building wall mounted lights must provide soft "pedestrian friendly" character and environment illumination.

**Section 3.** Section 25.06.040 of the Ruston Municipal Code is hereby amended to read as follows:

**25.06.040 Building Design Standards.**

- (a) General Applicability. The design standards of this section are required to implement the goals of the City of Ruston for all development in the City Pearl Street Commercial District (COM-P) and the Commercial District (COM). The building design standards apply to all new development in the City COM-P and COM districts, except as follows:
- (1) Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.
  - (2) Temporary. Temporary structures are exempt from the design standards of this section. Temporary structures require review under the building code. Temporary structures, regardless of International Building Code (IBC) classification shall be required to comply with the standards of this chapter if they occupy a site for more than 180 calendar days.
  - (3) Remodel. Interior remodel projects valued below 60 percent of the building value, as determined by the Building Code, are exempt from the design standards of this section.
  - (4) Existing Single Family Residential. Existing single family structures not proposing to increase gross floor area are exempt from the design standards of this section.
  - (5) Single family residences and accessory buildings to single family residences are not subject to these design standards.
- (b) Mass Reduction. The design choices of this item are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing physical breaks in the building volume that reduce large, flat, geometrical planes on any given building elevation.

1. Mass Reduction Requirements	a. Buildings under 7,000 square feet; gross floor area are not required to provide mass reduction.
	b. Buildings from 7,000 square feet; gross floor area to 30,000 square feet gross floor area shall provide at least one mass reduction feature from the mass reduction choices listed in the next section.
	c. Buildings over 30,000 square feet; gross floor area shall provide at least two mass reduction features from the choices listed in the mass reduction choices listed in the next section.
2. Mass	a. Upper story. Buildings with a maximum footprint of 7,000 square feet gross

Reduction Choices	floor area, that do not exceed 14,000 square feet gross floor area, may count use of a second story as a mass reduction feature.
	b. Upper story setback. An eight-foot minimum setback for stories above the second story for elevations facing the street or parking lots over 20 stalls. This requirement applies to a maximum of two elevations.
	c. Wall modulation. Maximum 100 feet of wall without modulation, then a minimum two feet deep and 15 feet wide offset of the wall and foundation line on each elevation facing the street, parking lots over 20 stalls, or residential uses.
	d. Public plaza. A public plaza of at least 800 square feet of gross floor area or five percent of gross floor area, whichever is greater shall be required. The plaza shall be located within 50 feet of and visible to the primary public entrance; and contain a minimum of a bench or other seating, tree, planter, bike rack, or art work for each 200 square feet of gross floor area. Plaza contents may count toward other requirements when meeting the required criteria. Walkways do not count as plazas. Plazas shall not be used for storage. Required parking stalls may be omitted to the minimum necessary if needed to provide the plaza.

- (c) Rooflines. These requirements are intended to ensure that roofline is addressed as an integral part of building design to avoid flat, unadorned rooflines that can result in an industrial appearing, monotonous skyline. Roofline features are also intended to further reduce apparent building volume and further enhance features associated with residential and human scale development.

1. Roofline Choices (All buildings shall use one or more of the roofline options)	a. Sloped roof. Use of a roof form with a pitch no flatter than 5/12. Rounded, gambrel, and/or mansard forms may be averaged.
	b. Modulated roof. Use of features such as a terracing parapet, multiple peaks, jogged ridge lines, dormers, etc., with a maximum of 100 feet uninterrupted roofline between roof modulation elements. Modulation elements shall equal a minimum of at least 15 percent of the roofline on each elevation. The maximum shall be 50 feet of uninterrupted roofline along the eave between roof modulation elements. Roof forms with a pitch flatter than 5/12 are permitted with this option; provided, the appropriate modulation is incorporated. Parapet walls shall be designed in such a way as to prevent the back side of the parapet wall from being

visible from outside the building footprint.

c. Corniced roof. A cornice of two parts with the top projecting at least 6 inches from the face of the building and at least two inches further from the face of the building than the bottom part of the cornice. The height of the cornice shall be at least 12 inches high for buildings ten feet or less in height; 18 inches for buildings greater than ten feet and less than 30 feet in height; and 24 inches for buildings 30 feet and greater in height. Cornices shall not project over property lines, except where permitted on property lines abutting public right-of-way.

(d) Windows and Openings. These requirements are intended to increase public visibility for public safety, to provide visual interest to pedestrians that helps encourage pedestrian mobility, and to provide architectural detailing and variety to building elevations on each story.

1. Street Level	a. Front, side, or corner side exterior walls facing streets or that contain customer entrances and face customer parking lots of 20 stalls or greater shall have transparent window or openings for at least 60 percent of the area of the ground level wall area, which is defined as the area between two feet and eight feet above the sidewalk on a minimum of two such building elevations. The window and opening requirements shall be reduced to 40 percent of the ground level wall area for building elevations that are impacted by steep grades, as outlined below in the steep grade exemption section. The requirement shall be further reduced to 20 percent of the ground level wall area in instances where the application of this standard is not possible due to steep grades and the correlating location of the floor plates of the building. Rough openings are used to calculate this requirement.
	b. Required view. Required windows or openings must provide either views into building work areas, sales areas, lobbies, merchandise displays, or artworks.
	c. Limited alternatives. Alternatives of decorative grilles, art work, or similar features can be substituted for those portions of uses where the provision of natural light can be demonstrated to nullify the intended use (examples include movie theater viewing areas and light sensitive laboratories) and for parking structures, provided an equivalent wall area is covered.
2. Upper	a. Front, side, or corner side exterior walls facing streets or walls that contain customer entrances and face customer parking lots of 20 stalls or greater shall use

Levels	a combination of transparent windows or openings and architectural relief that provide visual demarcation of each floor on a minimum of two such building elevations.
	b. Upper level windows shall be a different type than the ground level windows on the same elevation.
	c. For purposes of this requirement, a window type is either a grouping of windows, or a window size, or a window shape.
3. Exemptions	a. Steep grades. The window and opening requirement shall not apply to that portion of a facade where the grade level of the sidewalk of the abutting street is four feet or more above or below the adjacent floor level of the building.
	b. Residential privacy. On sides where COM or COM-P district boundaries adjoin residential district boundaries, structures within the COM or COM-P district that are set back at least seven feet from the property line and screened by landscaping to a minimum height of six feet are exempt from the window and opening requirements on the effected side.

(e) Facade Surface. These requirements are intended to help reduce the apparent mass of structures and achieve a more human scale environment by providing visual breaks at more frequent intervals to the building volume that reduce large, flat, geometrical planes on any given building elevation, especially at the first story. The choices are also intended to encourage variety in the selection of facade materials and/or treatment and to encourage more active consideration of the surrounding setting.

1. Blank Wall Limitation	a. Unscreened, flat, blank walls on the first story more than 25 feet in width are prohibited facing a public street and/or highway right-of-way, residential zone, or customer parking lot. These walls shall use modulation, windows, openings, landscaping, or architectural relief such as visibly different textured material to achieve the required visual break. The visual break shall be at least one foot in width. Items provided for other requirements may satisfy this requirement as appropriate. Stored or displayed merchandise, pipes, conduit, utility boxes, air vents, and/or similar equipment do not count toward this requirement.
	b. COM and COM-P district facades. Pedestrian access to uses above or below street level shall not exceed a maximum of 25 percent of the width of the

	structure's front facade.
2. Facade Variety	a. Buildings under 2,000 square feet gross floor area are exempt from the variety requirement.
	b. Buildings from 2,000 square feet gross floor area to 30,000 square feet gross floor area shall use at least two different materials, textures, or patterns on each building elevation.
	c. Buildings over 30,000 square feet gross floor area shall use at least three different materials, textures, or patterns on each building elevation.
	d. For purposes of this requirement, each material, texture, or pattern must cover a minimum of ten percent of each building elevation. Glass does not count toward this requirement. Different texture or pattern shall be visibly different from adjacent public right-of-way or parking area.
3. Building Face Orientation	a. The building elevation(s) facing street or highway public rights-of-way shall be a front, side, or corner side and shall not contain elements commonly associated with a rear elevation appearance, such as loading docks, utility meters, and/or dumpsters.
	b. This requirement applies to a maximum of two building elevations on any given building.

- (f) Pedestrians. These requirements are intended to enhance pedestrian mobility and safety in commercial areas by providing increased circulation, decreasing walking distances required to enter large developments, and providing walkways partially shielded from rain and/or snow.

1. Customer Entrances	a. Additional entrances. An additional direct customer entrance(s) shall be provided to the same building elevation which contains the primary customer entrance so that customer entrances are no further than 250 feet apart when such elevations face the public street or customer parking lot. If a corner entrance is used, this requirement applies to only one elevation.
	b. Non-residential or mixed-use buildings shall provide at least one direct customer entrance, which may be a corner entrance, within 20 feet, facing, and



	visible to the designated street. For such buildings over 30,000 square feet of gross floor area, the maximum distance is increased to 60 feet.
2. Street Level Weather Protection	a. Weather protection shall be provided to cover a minimum of 50 percent of the length of hard surfaced, public or private walkways and/or plazas along facades containing customer and/or public building entries or facing public street frontage.
	b. Weather protection may be composed of awnings, canopies, overhangs, or similar architectural features. It is required to cover only hard surfaced areas intended for pedestrian use and not areas such as landscaping.
	c. Weather protection must cover at least 50 percent of the width of the public or private sidewalk and/or walkway, but may be indented as necessary to accommodate street trees, street lights, bay windows, or similar building accessories to not less than three feet in width.
	d. Irrespective of above requirements, the weather protection shall not extend closer than four feet to the curb.

(g) Screening and Mechanical Equipment. These requirements are intended to minimize visibility of utilities, mechanical equipment, and service areas to mitigate visual impact on residential privacy, public views, and general community aesthetics.

1. Mechanical Equipment Screening	a. Rooftop. All rooftop mechanical for new construction shall be screened with an architectural element such as a high parapet, a stepped or sloped roof form, or an equivalent architectural feature, which is at least as high as the equipment being screened. Fencing is not acceptable. The intent of the screening is to make the rooftop equipment minimally visible from public rights-of-way within 125 feet of the building, provided said rights-of-way are below the roof level of the building. In those instances where the rights-of-way within 125 feet of the building are above the roof level of the building, the mechanical equipment should be the same color as the roof to make the equipment less visible. The function of the HVAC equipment may not be compromised by the screening requirement. Building height requirements include utility screening.
	b. All ground level mechanical or utility equipment, loading areas, and dumpsters shall be screened from adjacent public street right-of-way, including

	highways, or residential uses. Items that exceed four feet in height must use fencing, structure, or other form of screening, beyond landscaping.
	c. Small ground level items that do not exceed four feet above ground level may be screened with landscaped screening. All landscape screening should provide 50 percent screening at the time of planting and 100 percent screening within three years of planting.
	d. Chain link fencing, with or without slats, is prohibited for required screening.
2. Fencing Type limitation	a. Barbed or razor wire. The use of barbed or razor wire is limited to those areas not visible to either a public street or to an adjacent residential use.
	b. Chain link. Chain link or similar wire fencing is prohibited between the front of a building and a public street, except for wetland preservation and recreation uses. Chain link fencing, when allowed, shall be black or brown color coated only.
	c. Electrified. The use of electrified fencing is prohibited.
	d. Fencing between the front of the building line and sidewalk may not be higher than 36 inches and shall have ornamental design and be made of material such as wrought iron or metal chain with bollards or glass and frame.

(h) Residential Compatibility Standards. The following items apply when any non-residential zone or use is located ~~the COM or COM P zones are~~ adjacent to Residential zones. The standards are required to help ensure compatibility between non-residential development and adjacent residential districts, in terms of building bulk and scale, location of activity areas for privacy and noise reduction, provision of green space, and visual separation:

1. Upper Story Setback	a. Structures with frontage along Pearl Street and N. 51st Street shall not intercept a 25° daylight plane inclined into the residential district measured at a height of 25 feet above existing grade from the rear building line setback of the commercial lot.
2. Storage Parking and/or Service	a. Vehicle parking, and building loading or service areas shall be screened from any residentially-zoned property.

Openings	b. Sound barriers (solid wall higher than the noise generating source) must be provided for parking lots with more than three cars per 25 feet of frontage along Pearl Street and N. 51st Street.
	c. Sound barriers (solid wall higher than the noise generating source) must be provided for all garbage and loading areas
3. Lighting	a. As required by RMC 25.01.103

- (i) Off Street Parking Requirements. Three on-site parking spaces are required for every 25 feet of arterial frontage. The minimum dimensions for the first three on-site spaces is eight feet by 19 feet. Additional parking shall comply with RMC 25.01.090, except that one business and three units of housing may be developed without providing additional on site parking between N. 50th and N. 52nd Streets. One business and two units of housing may be developed without providing additional parking on site south of 50th Street and north of N. 52nd Street.

Parking must comply with RMC 25.01.090 for development over the levels listed in the previous paragraph; except that, multiple unit residential units may provide one parking space per unit.

Commercial space existing at the time of this code amendment may be remodeled for any commercial use without providing additional parking. Building enlargements will require additional parking at rates set forth in this section. Parking must be located in the rear yard if alley access is available. If additional on site parking is required, it may not be located within 20 feet of the front lot line and must be screened from view.

Sound barriers (solid wall higher than the noise generating source) must be provided for parking lots with more than three cars per 25 feet of frontage; garbage and loading areas.

- (j) Fences. See RMC 25.01.101 for further regulations related to rockery/retaining wall height and height of fences on rockeries; and RMC 25.06.030(g), herein, regulating fencing for screening of utilities.
- (1) Fences less than less than 20 feet from front property line: 36 inches maximum height. Fences must be made of material such as wrought iron or metal chain with bollards or glass and frame. Chain link fencing is prohibited in any yard abutting Pearl Street or N. 51st Street.
  - (2) Fences in required side yard: 72 inches maximum height, 36 inches maximum height within 20 feet of the front property line.
  - (3) Fences in required rear yard: 72 inches maximum height.
  - (4) Chain link fencing, when permitted, must be black or brown color coated.

**Section 4.** A new section 25.06.050 is hereby added to the Ruston Municipal Code to read as follows:

**25.06.050 Parking design standards.**

(a) Pedestrian oriented frontages. The following streets are designated pedestrian oriented streets:

- 1) Pearl Street
- 2) 51<sup>st</sup> Street
- 3) Main Street
- 4) Central Avenue
- 5) Grand Avenue

Whenever a parking structure is to be located on a lot that touches one or more of these streets, additional design standards will apply in accordance with this section.

(b) For parking structures located on one of the streets listed in subsection (a) above, wrapping of structure with usable commercial or residential building space meeting the standards set forth in RMC 25.06.030 is required.

(c) Parking structures located on one of the streets listed in subsection (a) above shall not have vehicle access from the pedestrian-oriented street but such access shall be from a street which is not so designated with access from alleys as the preferred vehicle entrance orientation. If vehicle access from a street other than those listed in subsection (a) is not feasible, then any such entrance shall comply with the following:

- 1) Driveways shall be limited in width to the minimum necessary to provide safe vehicle access while minimizing impacts to pedestrian-oriented facades. One-way entrances are preferred over two-way access and exiting from a garage onto any of the streets listed in subsection (a) above is prohibited unless no other feasible alternative is available. Two-way access and/or parking structure exits are allowed when the entrance is incorporated into a signalized or otherwise controlled street intersection. The determination under this subsection shall be consistent with the City's Public Works Standards in Chapter 12.09 RMC and all other applicable city codes.
- 2) Parking structure entrances shall be flanked on either side with building facades which are situated such that continuous urban streetscape character is not significantly diminished by vehicle-oriented uses. Landscaping may also be required to soften the visual impact of the entrance.

(d) Parking structures; building design. This subsection is applicable to all parking structures developed in the City regardless of location. These standards are supplemental to any other standards contained in this chapter.

1) The purpose of this subsection is to reduce the visual impact of structured parking which may be located all or partially above grade.

2) The exterior design of any parking structure located all or partially above grade shall comply with the following standards:

(A) The street-facing façades of parking levels within a building shall be treated in such a way as to seem more like a typical floor, rather than open slabs with visible cars and ceiling lights. This may be accomplished by two or more of the following treatments:

(i) Square openings, rather than horizontal.

(ii) Planting designed to grow on the façade.

(iii) Louvers.

(iv) Expanded metal panels.

(v) Decorative metal grills.

(vi) Spandrel (opaque) glass.

(vii) Wrapping the parking structure with usable building space (i.e. commercial or residential space).

(B) Free-standing parking structures shall incorporate the above features on portions of the façade above the ground level.


**Section 5. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 6. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

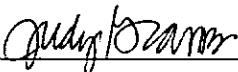
**Section 7. Effective Date.** This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 23rd day of December 23, 2013.

APPROVED by the Mayor this 23rd day of December 23, 2013.

  
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Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Judy Grams, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Office of the City Attorney

FILED WITH THE CITY CLERK: \_\_\_\_\_

PASSED BY THE CITY COUNCIL: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NO: 1428