

**ORDINANCE NO. 1426**

**AN ORDINANCE OF THE CITY OF RUSTON, AMENDING  
SECTION 25.07.010 OF THE RUSTON MUNICIPAL CODE  
RELATING TO THE CITY'S LAND USE MATRIX,  
CLARIFYING THAT USES NOT SPECIFICALLY  
ALLOWED ARE PROHIBITED, AND ESTABLISHING AN  
EFFECTIVE DATE.**

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WHEREAS, the City Council adopted Chapter 25.07 of the Ruston Municipal Code ("RMC") to create a chapter for the "Land Use Matrix;" and

WHEREAS, Chapter 25.07 RMC contains the City's Land Use Matrix and interpretation rules; and

WHEREAS, the interpretation rules in RMC 25.07.010 assist the reader in how the Matrix should be used and interpreted; and

WHEREAS, the Land Use Matrix in RMC 25.07.020 provides a listing of all of the allowed and conditional uses allowed in the City of Ruston; and

WHEREAS, neither Chapter 25.07 RMC nor any other section in the Ruston Zoning Code (Title 25 RMC) explicitly states that uses that are not allowed should be considered prohibited; and

WHEREAS, to ensure that the goals and purposes of the City's Zoning Code are not undermined by inadvertently allowing a use that is not listed or included in the Code, RMC 25.07.010 should be amended to include this general prohibition language; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) on October 17, 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 October 17, 2013; and

WHEREAS, the request for expedited review was granted and the required time has passed; and

WHEREAS, on October 30, 2013, the Ruston Planning Commission held a public hearing on this proposed amendment in which no public testimony was offered; and

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

WHEREAS, the Planning Commission unanimously recommends the amendment to RMC 25.07.010 as contained in Ordinance No. 1426; and

WHEREAS, after a full deliberation and consideration, the Planning Commission recommends that the City Council adopt this Ordinance; and

WHEREAS, on November 5, 2013 the City Council held first reading of this Ordinance; and

WHEREAS, on November 19, 2013, the City Council adopted this Ordinance at second reading during its regular meeting; **NOW, THEREFORE**

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

**Section 1.** Section 25.07.010 of the Ruston Municipal Code is hereby amended to read as follows:

**25.07.010 Interpretation of land use matrix.**

(a) The land use matrix in this chapter identifies uses permitted in each individual zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of this matrix.

(b) If a dash appears in the box at the intersection of the column and the row, the use is not permitted in that district.

(c) If the letter "P" appears in the box at the intersection of the column and the row, the use is permitted in that district.

(d) If the letter "C" appears in the box at the intersection of the column and the row, the use is conditionally permitted subject to the conditional use permit review procedures and criteria specified in RMC 25.01.110

(e) If a footnote appears in the box at the intersection of the column and the row, the use may be permitted subject to the appropriate review process indicated above and the specific conditions indicated by the corresponding footnote.

(f) All applicable requirements shall govern a use whether or not they are cross-referenced in the matrix. To determine whether a particular use is allowed in a particular zoning district and location, all relevant regulations must also be consulted in addition to this matrix.

(g) Any use that is not specifically permitted or conditionally permitted under the Ruston Municipal Code shall be prohibited.

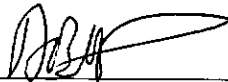
**Section 2. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 3. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**Section 4. Effective Date.** This Ordinance shall be effective five days after publication as provided by law.

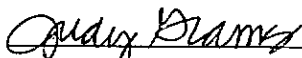
ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 19th day of November, 2013.

APPROVED by the Mayor this 19th day of November, 2013.



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: \_\_\_\_\_

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