

**ORDINANCE NO. 1458**

**AN ORDINANCE OF RUSTON, WASHINGTON, RELATING TO CHAPTER 25.06 OF THE RUSTON MUNICIPAL CODE REGARDING THE APPLICABLE DESIGN STANDARDS CONTAINED IN THE CITY'S ZONING CODE, RENAMING THE CHAPTER "ARCHITECTURAL STANDARDS", AMENDING SECTION 25.06.010 TO INCORPORATE THE NAME CHANGE, AMENDING SECTION 25.06.040 TO CREATE A NEW ZONING OVERLAY DESIGNATION OF "PROMINENT PLACES" WHICH CONTAINS ADDITIONAL ARCHITECTURAL STANDARDS, CREATING A NEW SECTION 25.06.045 OF THE RUSTON MUNICIPAL CODE TO ADOPT A PROMINENT PLACES MAP AND TO ESTABLISH ARCHITECTURAL STANDARDS FOR PROMINENT PLACES AND LANDMARK BUILDINGS, INCLUDING PERMITTING ADDITIONAL DESIGN FLEXIBILITY, BULK AND HEIGHT AND CREATING ADDITIONAL REQUIREMENTS FOR UTILIZING THE ADDITIONAL HEIGHT, BULK AND FLEXIBILITY, AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City of Ruston has been engaged for the past two years in a major Comprehensive Plan Update; and

WHEREAS, as part of this Update Process, the Planning Staff and Planning Commission have created a vision for how the City should look; and

WHEREAS, this City Vision includes making the Residential areas of Ruston be of higher quality of design and architectural standards, including having a prominent places provision in the Zoning Code; and

WHEREAS, there are several re-developments or new homes which are in the planning process some of which are located in prominent places and could be built under the updated standards if these standards are put into place promptly; and

WHEREAS, these standards have arisen out of the Comprehensive Plan Update Process which is not yet complete, however, these standards are consistent with both the current and the proposed updated Comprehensive Plan; and

WHEREAS, the Planning Commission was eager to move forward with these standards now, including inserting illustrations into the Code so that people using the Code will have a greater level of clarity for how the Code works; and

WHEREAS, the City's SEPA Responsible Official has performed SEPA and issued the SEPA Determination of Non-significance on June 3, 2015 and the comment period expired on June 17, 2015; and

WHEREAS, the SEPA Appeal period has passed with no appeals filed; and

WHEREAS, the City sent a copy of this Ordinance to the Washington State Department of Commerce on June 1, 2015 with a request for expedited review as per WAC 365-195-620(1) and RCW 36.70A.106 and such review was granted on June 22, 2015 and the required time has passed and this Ordinance is ready for passage on or before the date set for Second Reading by the Council; and

WHEREAS, on June 17, 2015 a public hearing was held by the Planning Commission on this Ordinance to elicit community input; and

WHEREAS, the Planning Commission held an additional work study session on this Ordinance on July 15, 2015 and, after significant discussion found that this Ordinance is consistent with the goals and policies of the City's Comprehensive Plan; and

WHEREAS, the Planning Commission on July 15, 2015 voted unanimously to recommend Council approval of this Ordinance; and

WHEREAS, on August 18, 2015, the City Council held the first reading of this Ordinance;  
and

WHEREAS, after first reading, the Council remanded this Ordinance to the Planning Commission for further work, with particular emphasis on considering reducing the number of places designated “prominent places”; and

WHEREAS, on September 23, 2015, the Planning Commission considered this Ordinance and recommended revisions as directed by Council; and

WHEREAS, the Council adopted this ordinance on December 1, 2015 during its Regular Meeting; **NOW, THEREFORE,**

**THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Chapter 25.06 “Design Standards” of the Ruston Municipal Code is hereby renamed “Architectural Standards.”

**Section 2.** Section 25.06.010 of the Ruston Municipal Code is hereby amended to read as follows:

**25.06.010 - Intent.**

This chapter is intended to implement the goals and policies established in the City's Comprehensive Plan by providing design standards for the review of projects described herein.

The ~~design review~~ architectural standards contained herein are intended to protect the general health, safety and welfare of the citizens by protecting property values; protecting the natural environment; promoting pedestrian activities; promoting community pride; protecting historical resources; preserving the aesthetic qualities which contribute to the city's small town characteristics which have attracted residents, businesses and customers; and promoting the economic viability of the community by preserving and creating well-designed commercial districts which attract customers and businesses.

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

**25.06.040 - Building Design Architectural 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. The building design standards apply to all new development in the City 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.
  - (6) All lots designated as "Prominent Places", regardless of their underlying zoning designation or use, are subject to the development standards contained in RMC 25.06.045, Prominent Places and Landmark Buildings.
- (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.

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.
Mass Reduction Choices	a. Upper story. Building with a maximum footprint of 7,000 square feet gross 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 artwork 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.

	<p>c. Corniced roof. A cornice of two parts with the top projecting at least six 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.</p>
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(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	<p>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.</p>
	<p>b. Required view. Required windows or openings must provide either views into building work areas, sales areas, lobbies, merchandise displays, or artworks.</p>
	<p>c. Limited alternatives. Alternatives of decorative grilles, artwork, 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.</p>
2. Upper Levels	<p>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 a combination of transparent windows or openings and architectural relief that</p>

	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 elevation 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, streetlights, 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.

	<p>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.</p>
	<p>d. Chain link fencing, with or without slats, is prohibited for required screening.</p>
2. Fencing Type	<p>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.</p>
	<p>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.</p>
	<p>c. Electrified. The use of electrified fencing is prohibited.</p>
	<p>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.</p>

- (h) Residential Compatibility Standards. The following items apply when any nonresidential zone or use is located adjacent to residential zones. The standards are required to help ensure compatibility between nonresidential 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	<p>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.</p>
	<p>a. Vehicle parking, and building loading or service areas shall be screened from any residentially zoned property.</p>

2. Storage Parking and/or Service	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.

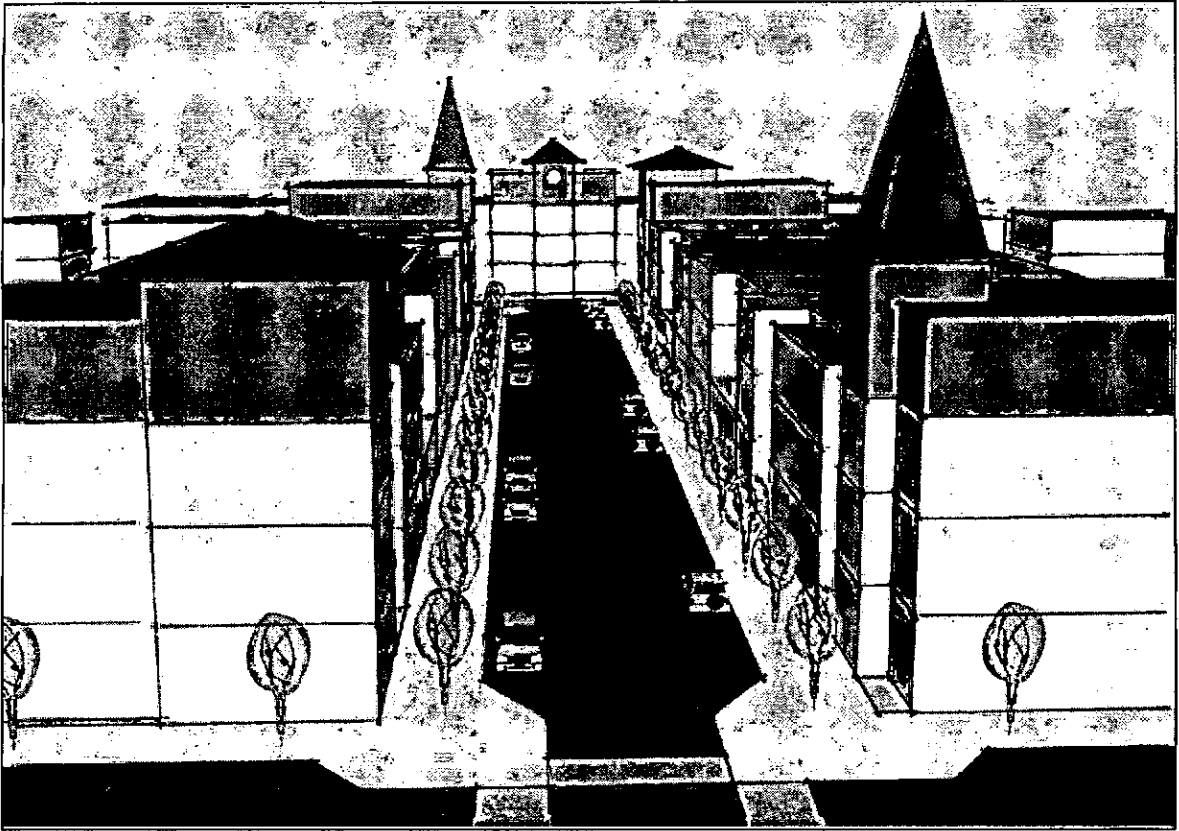
Sound barriers (solid wall higher than the noise generating source) must be provided for parking lots with more than three cars per 25 feet of frontage; garbage and loading areas.

(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 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 25.06.045 is hereby added to the Ruston Municipal to read as follows:

## 25.06.045 – Prominent Places and Landmark Buildings



*Figure 1. This demonstrates the typical application of the prominent places standards.*

“Prominent Places” are locations within Ruston that are prominently visible due to their location and/or topography. Prominent locations typically include street corners, street ends that serve as a visual terminus, and atop bluffs visible from Commencement Bay and beyond. In these locations it is important to provide opportunities for architectural creativity and significance by encouraging the construction of Landmark Buildings that include quality building materials, prominent architecture, exceptional building design and allowing increased building height to make these buildings draw the eye and stand out. Examples of prominent architecture include spires, steeples, turrets, clock towers, bell towers, and penthouses with terraced patios or roof-top gardens.

### (a) Prominent Places Map.

The “Prominent Places Map” is adopted as part of the Ruston Zoning Code and those parcels so designated on the map are subject to the requirements of this section. The locations shown on the Prominent Places Map are designated as “Prominent Places” in the Ruston Zoning Code and those parcels shall be allowed to exceed underlying zoning district standards as described in subsection (b) below.



(b) Lots designated as “Prominent Places” shall be allowed to incorporate an additional story of up to 2,000 sq/ft in area or fifty percent (50%) of the building footprint at the first story level (whichever is greater), provided that the overall height of all stories combined does not exceed the maximum height of the underlying zoning district by more than 12 feet, unless specifically provided below.

1. Sloped roof forms with a minimum roof pitch of at least 4-foot rise/12-foot run, (including habitable attic space), shall not be included within the maximum height calculation.
2. Parapet walls, mechanical equipment, elevator shafts and stairways shall not be included within the maximum height calculation.
3. Spires, Steeples, Clock Towers, Bell Towers and Turrets incorporated within the bonus story space provided in subsection (b) above which are between 250sq/ft and 650 sq/ft in area may project an additional five (5) feet above the maximum height level.

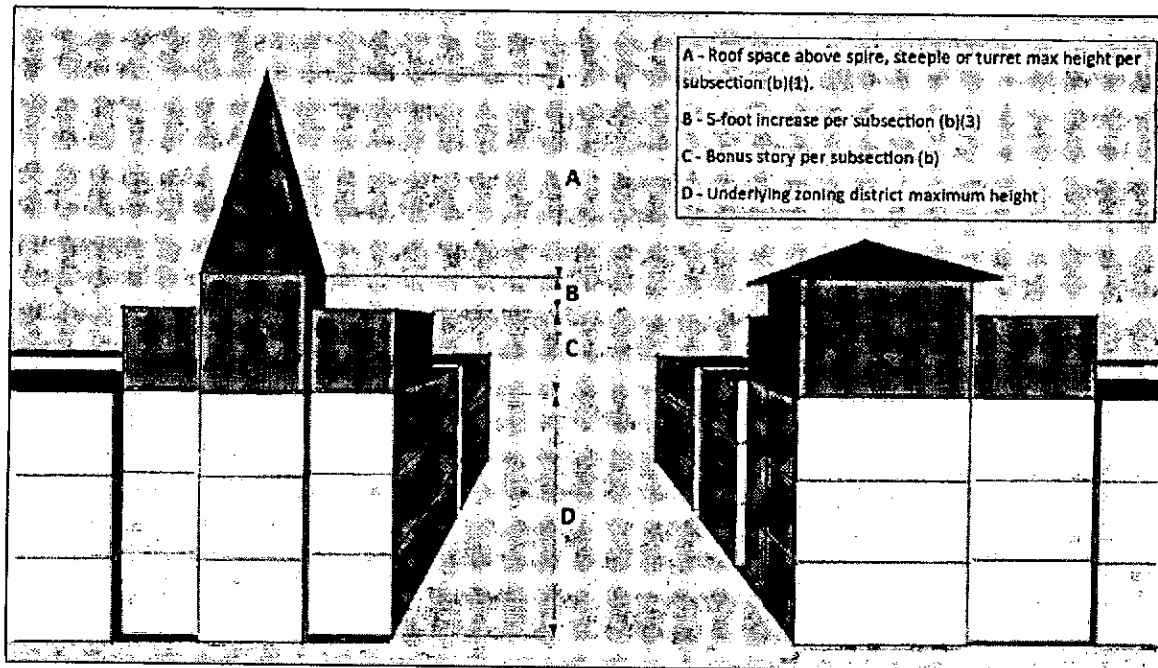


Figure 2. Prominent Places height measurement illustration.

(c) None of the provisions of this section shall allow additional height beyond the maximum height established under an approved master development plan.

**Section 4. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful 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 5. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**Section 6. Effective Date.** This Ordinance shall take effect and be in full force and effect 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 1<sup>st</sup> day of December, 2015.

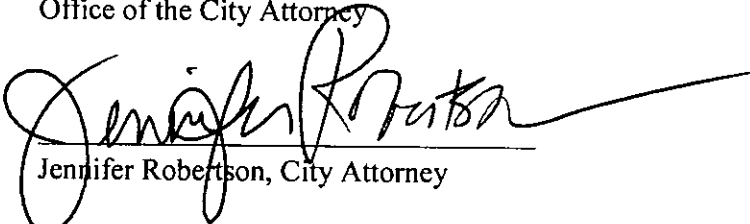
APPROVED by the Mayor this 1<sup>st</sup> day of December, 2015.

  
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

  
Judy Grams, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

  
Jennifer Robertson, City Attorney

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

PASSE BY THE CITY COUNCIL: 12/1/2015

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

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

ORDINANCE NO: 1458