



City of Ravenswood Zoning Code Diagnosis

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1. PURPOSE AND SCOPE

The City of Ravenswood undertook a comprehensive planning process in 2013 to establish a vision for the city and to organize goals and objectives for the next 10 years.

Ravenswood's Comprehensive Plan was adopted five years later, in 2018. Since then, BHE Renewables and Precision Castparts announced the construction of a modern titanium melt facility powered by a first-of-its-kind solar energy microgrid. Other large manufacturers will also be coming to the area. (Dunlap, 2023)

Recognizing that the City's current Zoning Ordinance may hinder efforts to capitalize on these new developments, the City engaged Downstream Strategies to perform a zoning ordinance assessment to prepare for growth and to:

- review the existing Zoning Ordinance and related planning documents,
- recommend best practices to align the Zoning Ordinance with City policies, and
- recommend best practices to modernizing the Zoning Ordinance with current building practices and trends.

This Zoning Ordinance assessment considers the Land Use Regulations (LUR) and the pertinent provisions of the Regulation of Land Division (RLD) in the Ravenswood Municipal Code.

2. EXISTING ORDINANCE

In 1954, Kaiser Aluminum selected a location just seven miles from Ravenswood for its new sheet and foil rolling mill and its 500 employees. A year later, Kaiser Aluminum announced the expansion of the facility with an additional

2,000 employees. Finally, another expansion meant that Kaiser Aluminum would employ a total of 4,000 people, doubling the population of Ravenswood almost overnight. In preparation for this rapid growth, the town residents voted to establish a Zoning Ordinance in 1956.

At the time, Ravenswood was largely undeveloped and considered a farm town. City planning consultants were brought to the area to help ensure orderly growth for the town. The General Plan submitted by "Wise and Associates, proposed the number and location of schools and shopping centers, recommended certain areas suitable for large-scale development of low-cost housing and provided for parks and recreation areas." (West Virginia Archives and History, 1958) In July 1957, the General Plan was adopted by the Town Council, followed by the approval of the zoning map in December.

Today, the Zoning Ordinance is over 60 years old, and the town of Ravenswood has largely been built out. Ravenswood now looks forward to more manufacturing growth in the area, but its focus is on orderly infill development that is compatible with the existing development and quality of life for Ravenswood residents and visitors.

The Zoning Ordinance is organized into two parts: LUR and the RLD. The LUR is based on land use districts with a list of standards for each district.

3. GENERAL CODE OVERVIEW

This general code overview provides a high-level summary of the LUR's organizational structure, language, terminology, graphic components, and standards. The overview is separated into three sections:

1. user friendly updates,

2. land use district and use updates, and
3. development standard updates.

Each section provides topics for improvement and offers a brief analysis of strategies.

3.1 User-friendly updates

The user-friendly updates provide recommendations to help readers navigate the LUR.

Organization

Most applicants and staff refer to the LUR for specific questions like: How close can I put my new storage shed to my property line? Currently, the LUR includes a list of regulations laid out by land use district.

The LUR should be organized in an intuitive way for readers to find answers to common questions. One example provided by the American Planning Association is:

- Part 1: General Provisions – describes legally important material.
- Part 2: Administration – describes the powers and duties of the Planning Commission and any other relevant decision-making bodies charged with zoning decisions. It also describes procedures for different application types and approvals.
- Part 3: Zoning Districts – describes the established zoning districts and their purposes.
- Part 4: Use Standards – specifies which uses are allowed in each district. It may also describe additional requirements for uses.
- Part 5: Dimensional Standards – specifies the allowable height, setback, yard, and other dimensional standards for each land use district. This is similar to Chart A of the LUR.

- Part 6: Development Standards – describes standards for development of items like signs, off-street parking, exterior lighting, and landscaping. (Morris, 2009)

Clear, plain language

The LUR has a wide audience, which includes applicants, business owners, City staff, developers, local officials, and residents with different levels of experience with zoning. It is critical to understand the information they are looking for so that the LURs can meet their needs.

This is achieved with simple and clear language that is easy to understand, including:

1. short sentences,
2. simple sentence structure, and
3. straightforward word choice.

The following example from the LUR provides an exception to the front yard requirement, but it is very unclear.

In any R District, where the average depth of at least two (2) existing front yards on lots within one hundred (100) feet of the lot in question and within the same block front is less or greater than the least front yard depth prescribe elsewhere in this Ordinance, the required depth of the front yard on such lot shall be modified. In such case, this shall not be less than the average depth of said existing front yards, or the average depth of existing front yards on the two (2) lots immediately adjoining, or, in the case of a corner lot, the depth of the front yard on the lot immediately adjoining; provided, however, that the depth of a front yard on any lot shall be at least ten (10) feet and need not exceed fifty (50) feet” 16.12.150(D)(1).

As a result of long sentences and unclear standards, readers are less likely to comply with the intent of the standard, costing time on behalf of staff and applicants.

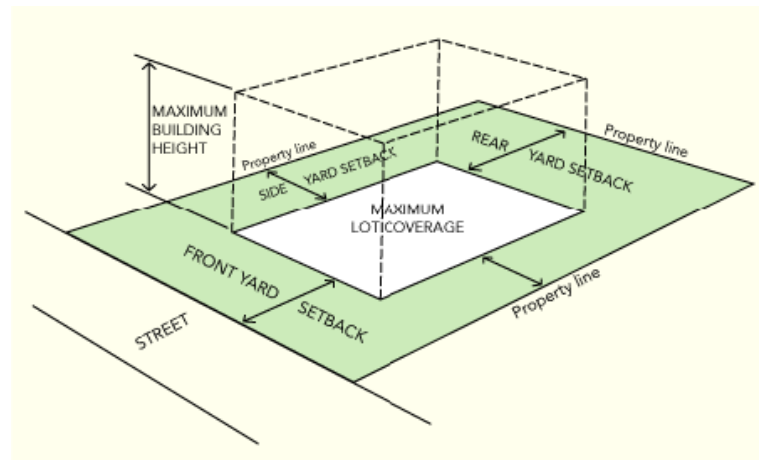
Definitions

Definitions are found in section 16.12.190, but additional definitions are dispersed within the text with no cross references. For example, the definition of “floor area” is not found in section 16.12.190. Rather, it is provided in the Exceptions and Changes section of the LUR. All defined terms should be provided in the Definitions section.

Tables and diagrams

Tables and diagrams can shorten lengthy descriptions and make relevant information stand out. Always provide land use regulations and dimensional standards in tables. Additionally, as illustrated in Figure 1, diagrams can illustrate design concepts, standards, and intent.

Figure 1: Example diagram illustrating setback standards



Source: City of Walnut Creek, California (2023).

Chart A of the LUR is an example of a helpful table. As an improvement, all permitted uses in the LUR should be consolidated into one table. Diagrams should be used to illustrate development standards for things like parking, the location of accessory buildings, and measuring a front setback on a corner lot.

Application procedures

Procedures for application approval should be clearly stated and easily accessible for applicants, developers, residents, and local officials. When regulations relate to a process, present the materials in the order the reader will follow them.

Application procedures are provided in section 16.12.160 of the LUR however, they should be concise and clear for each application type. A table or diagram should be used to inform the reader of the application process. Finally, the evaluation criteria for all approval types should be clearly stated.

Standard operating procedures

For City staff, create a set of standard operating procedures to assist in the administration of the LUR. This includes gathering application requirements, timelines, required information, and fees into one document for quick reference. Post the procedures online to inform residents and applicants of common procedures. In addition, application checklists are a great resource for first-time business owners seeking permits in Ravenswood.

Fee schedule

Currently, application fees are stated throughout the LUR and are not provided in one location. In addition, the fees have remained the same since the late 1950s.

The fees should be removed from the LUR and provided in a separate fee schedule for the City. The Planning Commission should consider updating the fees annually to reflect contemporary administrative costs.

3.2 Land use districts and uses updates

In addition to making the LURs more user-friendly, they should be modernized.

Eliminate legally risky and inactive land use districts

In 1957, the LUR and General Plan contemplated future land uses that were new to Ravenswood for land that was completely undeveloped. Land use districts were created to manage and guide growth in a predictable pattern. Today, some of these land use districts never made it onto the zoning map. Other districts outgrew their rural preservation intent and character. The Planning Commission should consider eliminating these land use districts.

Currently, the LUR includes 15 land use districts, but only seven are active. In addition, two districts, the Reserve Commercial District and Community Reserve District, were created with the intent to reserve property for future development that could run afoul of the Takings Clause of the Fifth Amendment to the U.S. Constitution. The Planning Commission should consider eliminating these two land use districts.

Allow for a mix of uses

Mixed-use development provides two or more uses, like residential and commercial, within the same building or property. This development type is pivotal to neighborhood and main street vibrancy and encourages increased activity.

Figure 2: Example of mixed-use development



Source: Kronberg Urbanists Architects (2023).

Only one land use district, Restricted Residential-Commercial, allows both commercial and residential uses within the same district. But it does not allow mixed-use development because only one use is allowed on the same lot. This prevents more interesting and livelier developments with public gathering spaces with a variety of shops, restaurants, and entertainment that are common along main streets and downtowns (See Figure 2).

At a minimum, the LUR should allow residential uses in upper floors of buildings in Old Town as a permitted use.

Land use table

Tables present complex information in basic terms. Key information for each land use for every land use district can

be presented on one table. Currently, each permitted land use is enumerated under each land use district, resulting in repetitive pages. This makes searching for use information tedious.

As a solution, all the land uses should be consolidated into one land use table. For example, in 2005, the City of Frederick, Maryland consolidated all the land uses for the city’s 20 zoning districts with additional permitting standards in one table, as shown in Figure 3.

Figure 3: Example land use table

FREDERICK, MARYLAND, USE MATRIX

Use	RC	RO	R4	R5	R2z	R2s	R2o	FB	NC	CC	MO	M1	M2	DB	DR	DRD	MU	MXE	IST	PRK	LURCS Function	LURCS Structure	NAMES	
Residential Uses																								
Accessory Apartments			C	C	C	C	C	P	C	C					P	C	C	P	F	C				
Accessory Detached Dwelling Unit		F	F	F	F	F									F	F	F	F				1010	1202	-
Duplex			F	F	F	F									F	F	F	F				1010	1201	-
Multi-Family			F	F	F	F									F	F	F	F				1010	1201	-
Multi-Family with Accessory Retail						C	C								F	C	C	F				-	-	-
Single-family	F	F	F	F	F	F	F	A							F	F	F	F				1010	1120	-
Townhouse			F	F	F	F									F	F	F	F				1010	1140	-
Two-family			F	F	F	F									F	F	F	F				1010	-	-
Accommodations and Group Living																								
Bed and breakfast inn		C	C	C	C	C	C	C							C	C	C	M				1310	-	72191
Group Home		F	F	F	F	F									F	F	F	F	F			61201 6611	-	61222 6123 999
Hotel, Motel, and tourist court								P		F	F	F			P	F	F	F	F			1330	1330	-
Senior Living & Retirement Facilities			C	C	C	C									C	C	M	F				12010-1210	-	602 332
Nursing Home/Domiciliary Care/Adult Living Facility		C	C	C	C	C	C								C	C	M	C	P			12010 12010	-	61210 61211 61231 2 61231 1
Rooming House			C	C	C	C									P	C	F	F	C			1340	-	72130
General Sales or Service																								
Accessory Drive Through Facilities							A	A	A	A	A	A	A	A	C	C	A	A	C					
Animal Care Services (including grooming & boarding)									P		F	F						F						
Animal Grooming (Excluding Boarding)								S	F						F		F	F				2720	-	54104 0
Antiques									P	F					P	F	F	F				2145	-	-
Apparel									S	F					P	F	F	F				2133	-	-
Arts, crafts, or hobby supplies										P	F				P	F	F	F				2134	-	45110, 45113
Art Gallery, including framing									F	F	F				F	F	F	F				-	4410	45199
Automobile Filling Station/Service Station									P	F	C	F	F				F	F				2110	2270	4471

Source: White (2005).

Limit discretionary approval and use-specific standards

In zoning, discretionary approval refers to permitting approvals that require reviews and decisions by boards or commissions. Generally, discretionary approval is time-

consuming and costly. They usually require a public hearing, and decisions are often uncertain and inconsistent.

In the LUR, the primary discretionary approval is the conditional use permit (see §16.12.160(B) of LUR). Conditional uses are land uses that are generally compatible with the other uses permitted in a land use district but require review by the Planning Commission to ensure the appropriateness of the use at a particular location.

Interestingly, the only two land use districts that allow commercial uses—Restricted Residential-Commercial and Commercial—permit uses only by conditional use. Consequently, all new businesses along Washington Street and in Old Town must wait for the Planning Commission to meet to receive a permit. This causes an unnecessary bureaucratic hurdle for both the Commission and applicants.

The City should consider making common land uses like retail establishments a permitted use in commercial districts. If the City is concerned about permitting uses outright, it should consider use-specific standards to address any design, location, spacing, intensity, or other concerns. Use-specific standards are currently provided in section 16.12.140 of the LUR. To minimize discretionary approval, the City should authorize land use approval by staff if the applicant meets the use-specific standards.

3.3 Development standard updates

The LUR should also include development standard updates that provide recommendations to allow for a variety of housing types while maximizing the use of land within city limits.

Efficient use of land resources

As Ravenswood continues to build out, undeveloped land is becoming scarce within the corporate limits. To help support the preservation of open space and natural resources and efficiently use the available undeveloped land, Ravenswood will need to focus on compact building, infill development,¹ and sensible off-street parking standards.

Ravenswood can accommodate compact building and infill development by revising and right-sizing lot requirements like minimum lot area, minimum lot width, maximum lot coverage, and setbacks in Chart A of the LUR.

Additionally, off-street parking requirements may be reduced for certain commercial uses. Many parking spaces are unused for substantial times of the day. Regulations should allow shared parking by land uses that need parking at different times.

Figure 4: Example of street amenities that can be provided with 10-foot roadway widths



¹ According to Planetizen’s Planopedia, “Infill development refers to the construction of buildings or other facilities on previously unused or underutilized land located within an existing urban–or otherwise developed–area.”

Finally, roadway widths may be reduced for residential development and in any walkable districts. Reducing roadway widths can reduce the need for more land for infrastructure and slow down vehicles. Currently, the RLD requires a pavement width of 28 feet total, or 14 feet for each lane. Vehicular travel lanes should be permitted at 10 feet generally. (Henderson and Lambert, 2020)

Full use of urban services

Full use of urban services means taking advantage of existing services like water lines, sewers, roads, and schools. (American Planning Association, 1997) This is accomplished through infill development and allowing a mixture of housing types that can fit in with existing development. Single-family attached housing units like townhouses take advantage of urban services by accommodating more units in less space and can remain compatible with existing neighborhoods.

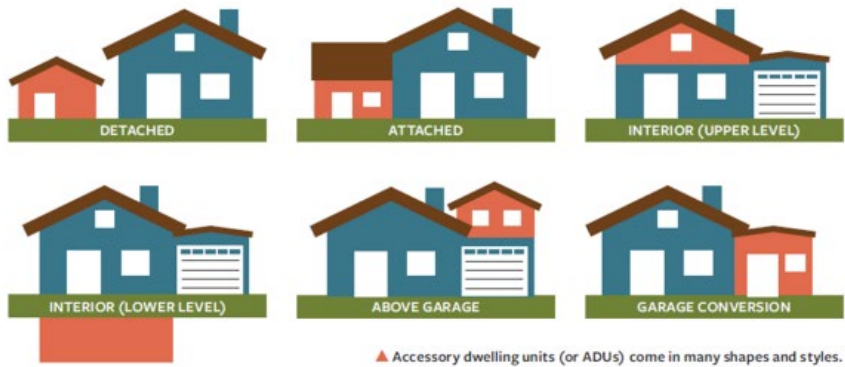
Currently, the LUR allows duplexes and multiple dwellings² but do not allow single-family attached homes. Minimum lot sizes and side yard setback requirements should be reduced to allow for attached building types. Specifically, a use-specific standard should be developed for single-family attached developments.

Allowing accessory dwelling units,³ small secondary units traditionally associated with single-family homes, can gently increase housing density and affordability and allow older residents to age in place (AARP, 2023).

² The LUR defines multiple dwellings as “A building or portion thereof designed for or used by two or more families or housekeeping units” (§16.12.190 of LUR). This differs from single-family attached units, which share a wall but are constructed on their own lot for only one family.

³ Also referred to as granny flats, mother-in-law suites, or carriage houses.

Figure 5: Examples of accessory dwelling units



Source: AARP (2023).

Currently, the LUR permits accessory dwelling units or accessory buildings. But the standards are not entirely clear

and require a substantial amount of property to construct (see §16.12.140(B)(4) of LUR). Consider new standards for accessory dwelling units to increase their viability.

4. CODE ANALYSIS BY TOPIC

This section critically analyzes the LUR’s zoning districts, land uses, development standards, and procedures and provides recommendations and comments about how to improve each part. This feedback is based on best management practices. In addition, the anticipated number of resources and staff time for each topic is graded as small, medium, and large. Small capacity means that addressing the topic will require minimal staff time and should take less than six months to complete. Medium capacity topics should take three to nine months to complete, and large capacity topics could take up to a year to complete. The results are presented in Table 1.

Table 1: Code analysis by topic

Topic	Code section	Capacity	Comments and recommendations
Organization	Entire LUR	Small	The LUR should be organized in an intuitive way for readers to find answers to common questions, as discussed in Section 3.1. Special attention should be given to cross references when consolidating the LUR into broader articles.
Clear language	§16.12.010, Adoption of and Authority for Regulating the Use of Land	Small	This section should be updated to reflect the current land uses that have been in effect since 1957. Specifically, statements in §16.12.010(C)(2) regarding “vacant and unsubdivided or occupied primarily by agricultural land uses” should be updated to reflect current land uses and the vision, goals, and objectives from the 2018 Comprehensive Plan and the Comprehensive Plan Amendment.
Clear language	§16.12.140(I), Miscellaneous Provisions	Medium	Review provisions to ensure the use of plain and clear language that is easy to understand. Consider providing diagrams and tables where applicable.

Topic	Code section	Capacity	Comments and recommendations
Application procedures	§16.12.160, Procedures and Required Permits	Medium	This section should consolidate and reconcile all the development-related review and approval procedures. It should describe the powers and duties of each decision-making body involved in the review and the approval process.
Land use districts update	§16.12.100, Reserve Commercial (RC) & §16.12.130, Community Reserve District (CR)	Small	Reserve districts are unnecessary for future development. Additionally, limiting the use of private property in this manner may raise legal issues with the Takings Clause. Consider eliminating these two districts.
Land use districts update	§16.12.030, Agricultural District & §16.12.040, Residential Agriculture	Medium	The Agricultural District and the Residential Agriculture District are not active on the zoning map. Additionally, according to the Tax Assessor's Office, there are no agricultural properties within city limits. With limited property available for development, these districts may no longer be appropriate for Ravenswood.
Land use districts update	§16.12.050, Single-Family Residence Districts (R-20 & R-10)	Medium	These two districts are not active on the zoning map. With minimum lot sizes of 20,000 and 10,000 square feet, these districts may not produce the housing densities necessary to address the housing needs in the area. Consider eliminating these two districts.
Land use update	§16.12.050(C), Definitions	Small	Regulating the specific number of cats and dogs on residential property is difficult. Consider eliminating this provision. If large numbers of cats and dogs on residential property are a concern, address this concern within the "Kennel" definition.
Land use update	§16.12.150(C), Area Requirements	Small	Reference state law for requirements pertaining to property without water and sewer.
Land use update	All land use districts	Medium	All land uses should be consolidated into one table for quick reference.
Land use update	§16.12.060, Multiple-Family Residential Districts	Medium	Allow single-family attached dwellings as permitted uses in Multiple-Family Residential Districts. This building type is not defined in the LUR; new standards and a definition are required.
Land use update	§16.12.200, Special Permit Uses	Medium	The Special Permit Uses should be updated and located in the consolidated use table. Additionally, uses should be reviewed to determine if they should continue as Special Permit Uses or if they should be permitted uses if use-specific standards are met. Finally, the decision-making body should be reviewed to determine whether the Planning Commission or City Council is more appropriate to hear the application.

Topic	Code section	Capacity	Comments and recommendations
Land use update	All land use districts	Large	Review all conditional uses. Limiting discretionary review by the Planning Commission will make it easier for staff to approve permits that do not need additional scrutiny.
Development standard update	§16.12.210, Chart A, Maximum Height Stories Feet	Small	This standard is confusing. If providing height limitations in both feet and stories, consider adding the language: “whichever is greater.”
Development standard update	§16.12.140(C), Parking and Loading Areas	Medium	Provide a diagram for the design of off-street parking and loading area requirements.
Development standard update	§16.12.140(C)(1)(d), Number of Parking Spaces Required	Medium	Regulating the number of off-street parking spaces by units other than floor area or square footage is cumbersome. For example, regulating parking spaces for a doctor’s office by the number of doctors is difficult to manage. If minimum off-street parking requirements are desired, area of the use should be used.
Development standard update	§16.12.140(C), Definitions	Medium	For more developed areas like Old Town, consider adopting a shared parking standard to reduce the amount of land required for parking.
Development standard update	§16.12.140(C)(1)(e)(1), Screening and Landscaping	Medium	Consider more flexible screening standards near Residential Districts that can accommodate the desired intent without sacrificing creativity.
Development standard update	§16.12.210, Chart A, Minimum Lot Width	Medium	Reducing minimum lot widths may increase density. Consider reducing minimum lot widths for residential districts to 40 feet.
Development standard update	§16.12.210, Chart A, Minimum Lot Depth	Medium	Requiring minimum lot depths could prevent infill development on irregular shaped lots. Consider eliminating minimum lot depths.
Development standard update	§16.12.210, Chart A, Minimum Area per Dwelling Unit	Medium	Density for residential districts is already regulated by minimum lot area and maximum coverage. Consider eliminating minimum area per dwelling unit requirements to accommodate efficient land use.
Development standard update	§16.12.210, Chart A, Maximum Coverage	Medium	Today’s average home is larger than the average home in 1950. Consider increasing the maximum coverage to 40 percent for residential districts. Concerns about neighborhood character and large houses can be addressed with setback and height requirements.
Development standard update	§16.12.210, Chart A, Yards	Medium	Requirements for yards are confusing and unclear. Consider adopting side setbacks as required by the building code, which are five feet for most residential uses.
Development standard update	§16.12.210, Chart A, Height	Medium	The height requirement in the Commercial District limits buildings to two stories. Buildings in Old Town are three stories. Consider allowing additional height to new buildings in Old Town or providing a separate district for Old Town.

Topic	Code section	Capacity	Comments and recommendations
Development standard update	§16.12.140(B)(4), Rear Dwellings	Large	Consider reducing off-street parking requirements, minimum lot area, and height restrictions to allow more rear dwellings.
Development standard update	§16.12.140, General Provisions	Large	Create standards for the design of single-family attached dwelling units.
Development standard update	§16.12.140(F), Signs and Advertising Structures	Large	Review sign requirements for compliance with the First Amendment and relevant case law.

5. CONCLUSION AND NEXT STEPS

The City of Ravenswood has ample opportunity for revitalization, and it recognizes that it is essential to implement reasonable, modern zoning regulations to cultivate economic development and quality of life. While the work to amend the 2018 Comprehensive Plan is nearing completion, revising and overhauling the City’s LUR will be critical to realize the vision and goals for the community’s growth. As a next step, the Planning Commission should consult the code analysis above to update the LUR and should ensure that all updates are compliant with the requirements of the West Virginia Code, Chapter 8A.

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