



**Agenda**  
**Huntington Planning Commission**  
**Monday, December 1, 2025 – 5:30pm**

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1. Preliminaries

2. Call to Order

3. Roll Call

4. Approval of the October 6, 2025 Minutes

5. Unfinished Business

**PC 25-12**

*Issue:* A petition to make the following changes to the City of Huntington Zoning Ordinance:

1. Amend Article 1315 Definitions and Measurements to define additional terms related to Death Care Uses.
2. Amend Article 1320 Permitted Uses to amend Funeral Homes, Cemeteries, and Crematoriums.
3. Amend Article 1341 General Regulations to add Crematoriums to permitted accessory uses.
4. Amend Article 1341.29 to include regulations related to Death Care Uses.
5. Amend Article 1343 Parking requirements for Funeral Homes.

6. New Business

**PC 25-13**

*Issue:* An ordinance of Council amending, modifying and re-enacting article 1340 of the codified ordinances of the City of Huntington, as revised, to amend definitions, the permit process, and standards for Outdoor Dining Areas.

7. Good and Welfare

9. Adjournment

**Minutes  
Huntington Planning Commission  
October 6, 2025**

A meeting of the City of Huntington Planning Commission was held on October 6, 2025 at 5:30 p.m. in the City Council Chambers, 800 5<sup>th</sup> Avenue, Huntington, WV 25701.

Members Present: Holly Mount, Ford Rucker, Charles Shaw, Sharon Pell, Jean Simmons, Sarah Walling, Ursulette Ward, Matt White, and CW Dolin

Members Absent: None

Staff Present: Kenzie Roland, Planner I  
Stephanie Petruso, Senior Planner  
Ericka Hernandez, Assistant City Attorney

*Ms. Walling* motioned to approve the August 4, 2025 minutes. *Mr. Rucker* seconded the motion. All were in favor, Minutes were approved.

**Old Business**

**PC 25-07**

*Issue:* A petition to rezone from R-4 Two-family Residential to C-2 Highway Commercial the following parcels; 321 30th St & 2978 4th Ave, 2964-64 R 4th Ave, 2962 4th Ave, 2960 4th Ave, and 2958 4th Ave.

Marc Price, Pastor of Huntington First Church of the Nazarene, explained to the Commission that the new zoning designation would better align with the current uses of each of their parcels. He stated their involvement in the community is significant and they conducted their own outreach for the potential rezoning to ensure their community was aware of their intentions.

Ms. Roland read the staff report.

*Ms. Mount* asked for those in favor of the petition to speak.

Linda Blough, 2741 Collis Ave., expressed support for the rezoning as it would better align the church with its intended use.

Caleb Saxton, 2580 1<sup>st</sup> Ave., stated that he and his wife own and operate Stillwater Coffee Company and are active members of the church. Mr. Saxton expressed support for the rezoning to be able provide a space for the community.

*Ms. Mount* asked for those in opposition of the petition to speak. No one spoke.

*Ms. Mount* closed public comment and opened discussion for the Commission.

*Ms. Mount* stated it seemed like a boundary extension for C-2 zoning.

*Ms. Walling* motioned to send this to Council with a favorable recommendation that this rezoning change pass. *Mr. Rucker* seconded the motion. All were in favor, PC 25-07 was favorably recommended to Council.

## **New Business**

Ms. Hernandez asked for clarification of the petition number. Ms. Roland confirmed it was petition PC 25-09 next.

### **PC 25-09**

*Issue:* A petition to rezone from R-2 Single Family Residential to C-1 Neighborhood Commercial four parcels in the 1800 block of Jefferson Ave; 1801 Jefferson Ave, 1809 Jefferson Ave, 1813 Jefferson Ave, & 1821 Jefferson Ave.

Jason Bills, 1848 Madison Ave., stated that IBEW #317 is requesting to rezone to commercial to be able to build an outdoor training facility to be able to accommodate more students and grow their program.

Ms. Roland read the staff report.

*Ms. Mount* asked for those in favor of the petition to speak. No one spoke.

*Ms. Mount* asked for those in opposition of the petition to speak. No one spoke.

*Ms. Mount* closed public comment and opened discussion for the Commission.

*Ms. Mount* asked if the training facility would have to be approved by the Board of Zoning Appeals. Ms. Roland confirmed.

*Ms. Walling* motioned to send this to Council with a recommendation that it pass. *Mr. Dolin* seconded the motion. All were in favor, PC 25-09 was favorably recommended to Council.

### **PC 25-10**

*Issue:* Plan review for a proposed development of three parcels bound to the East by 24th St., to the West by the C&O Railway North-South Right-of-way, to the North by 3rd Ave., and to the South by 5th Ave. (Parcels 5-10-271, 5-20-43 and part of 5-10-13) and the Northeast parcel at the intersection of 24th St. and 5th Ave. (Parcel 5-20-45). The properties are zoned C-2 Highway Commercial District.

Joe Boyd, a representative of Kroger, stated they would like to build a 99,000 square foot grocery store and fuel center with an out parcel.

Ms. Petruso read the staff report.

*Ms. Mount* asked for those in favor of the petition to speak.

Cathy Burns, Executive Director of HMDA, spoke in favor of the proposed site plan. Ms. Burns explained that HMDA has been working diligently for the last seven years to be able to make use of the area for future development.

Toney Stroud, Marshall University's Vice President of Strategic Initiatives, explained they are very excited at the opportunity for development on this land and it would be a great asset for the community and City.

Linda Blough, 2741 Collis Ave., expressed support for the proposed development as it would be great asset and development to the Highlawn Community.

*Ms. Mount* asked for those in opposition of the petition to speak. No one spoke.

*Ms. Mount* closed public comment and opened discussion for the Commission.

*Mr. Shaw* motioned to approve the site plan. *Ms. Walling* seconded the motion. All were in favor, the site plan for PC 25-10 was approved.

### **PC 25-11**

*Issue:* An ordinance of Council setting the election district and zoning classification for territory at 200 Warehouse Road (The New Meadows School property) and portions of the public roads of Woodville Drive and Warehouse Road as election district 6 and zoning district R-1.

*Ms. Roland* read the staff report.

*Ms. Mount* asked for those in favor of the petition to speak. No one spoke.

*Ms. Mount* asked for those in opposition of the petition to speak. No one spoke.

*Mr. White* asked if the annexation included only the school or if residences would be added.

*Ms. Hernandez* stated it is only roads and school included, and the residences adjacent to the proposed annexation are not included.

*Ms. Mount* closed public comment and opened discussion for the Commission.

*Ms. Walling* motioned to send this to Council with a favorable recommendation. *Mr. Rucker* seconded the motion. All were in favor, PC 25-11 was favorably recommended to Council.

### **PC 25-12**

*Issue:* A petition to make the following changes to the City of Huntington Zoning Ordinance:

1. Amend Article 1315 Definitions and Measurements to define additional terms related to Death Care Uses.
2. Amend Article 1320 Permitted Uses to amend Funeral Homes, Cemeteries, and Crematoriums.
3. Amend Article 1341 General Regulations to add Crematoriums to permitted accessory uses.
4. Amend Article 1341.29 to include regulations related to Death Care Uses.
5. Amend Article 1343 Parking requirements for Funeral Homes.

*Ms. Roland* read the staff report.

*Ms. Mount* recognized staff for the amount of time and work went into research and meeting with interested parties.

*Ms. Mount* asked for those in favor to the petition to speak.

Patrick Reger, a representative of Reger Funeral Home, stated he was neither in favor nor in opposition of the proposed text amendment, but that he met with staff on September 18<sup>th</sup> and was awaiting revisions from staff. Mr. Reger asked if the petition could be tabled until the revisions were provided to the local funeral home directors.

*Ms. Walling* asked what the nature of the changes that were proposed. Mr. Reger stated that it was mostly language within the proposed text amendment and asks that the changes be updated and sent to them before it comes before the Commission again.

*Ms. Mount* asked for those in opposition of the petition to speak.

Tim Carpenter, a representative of Klingel-Carpenter Mortuary, stated that the proposed text amendment was not consistent with the state code, specifically on disposition. He stated that their suggestion during

the meeting was to work from the state code and with the State Board of Funeral Home Embalmers, Directors, and Examiners to ensure the code is written correctly. Mr. Carpenter stated that while a lot of work may have gone into this, staff did not work with the industry. He recommended the Commission to table the petition.

*Ms. Walling* motioned to table this until the November meeting.

Ms. Roland recommended tabling until December due to no petitions on the November docket.

Zane Parsley, Planning Director, stated that staff believes December would give them adequate time to review and communicate with the interested parties.

*Ms. Walling* amended her motion to table the petition until December. *Mr. Rucker* seconded the motion. All were in favor, PC 25-12 was tabled to the December meeting.

### **Rules of Procedure**

*Issue:* A proposal amending, modifying, and adopting the Planning Commission Rules and Procedures for the orderly disposition of business.

*Ms. Mount* explained the different proposed amendments for the resolution and stated the amendment that focuses on the speaking order is the most important to maintain orderly conduct.

Ms. Roland stated that the staff recommendation will need to be read before public comment closes to ensure the public has an opportunity to speak on it. Ms. Roland stated other changes include updated contact information, consistency of verbiage, and the addition of the membership section and roles of the Commission.

*Ms. Mount* asked for any comments or questions from other Commission members.

*Ms. Walling* asked if the materials received by members would contain the recommendation to be able to review beforehand. Ms. Roland confirmed.

*Ms. Walling* motioned to forward these rules to Council for adoption. *Mr. Rucker* seconded the motion. All were in favor, and the Rules of Procedure resolution was forwarded to Council with a favorable recommendation.

### **Good and Welfare**

*Ms. Mount* recognized the newest member of the Planning Commission, Matt White.

Meeting adjourned at 6:08 pm.

Date approved: \_\_\_\_\_

Chairperson: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Holly Mount, Chair Kenzie Roland, Planner I

**City of Huntington Planning Commission**

**December 1, 2025**

**Staff Report - **REVISED**:** A petition to amend Article 1315, 1320, 1341, and 1343 of the Zoning Ordinance.

**New matter underlined, old matter struck through.**

**PC 25-12**

*Issue:* A petition to make the following changes to the City of Huntington Zoning Ordinance:

1. Amend Article 1315 Definitions and Measurements to define additional terms related to Death Care Uses.
2. Amend Article 1320 Permitted Uses to amend Funeral Homes, Cemeteries, and Crematoriums.
3. Amend Article 1341 General Regulations to add Crematoriums to permitted accessory uses.
4. Amend Article 1341.29 to include regulations related to Death Care Uses.
5. Amend Article 1343 Parking requirements for Funeral Homes.

*Petitioner:* City of Huntington, 800 5<sup>th</sup> Avenue, Huntington, WV 25701

**Introduction**

This is a petition to update the City of Huntington's zoning ordinance to define terms related to death care, establish regulations specific to funeral homes, cemeteries, and crematoriums, and revise parking requirements for said establishments.

**Existing Code**

Under the existing code, the only term defined with established regulations is *Cemetery*, where they are conditionally permitted in R-1/R-2, R-4, R-5, C-2, and I-1, and permitted in I-2. There is no specific language for other death care and related uses, except for permitted districts and parking requirements for funeral homes and crematoriums. Staff worked with subject area experts to reform existing ~~requirements~~ regulations based on the current climate of the death acre industry.

**Proposed Code Changes**

**Amend Article 1315 – Definitions and Measurements**

Definitions for the following items amended in the code:

- *Cemetery*

Definitions for the following items added to the code:

- *Alkaline Hydrolysis Machine*
- *Cemetery, Natural or Conservation*
- *Columbarium*
- *Combined Sewer System (CSS)*

PC 25-12 Staff Report - **REVISED**

- *Crematorium, Accessory*
- *Crematorium, Industrial*
- *Crypt*
- *Funeral Home or Mortuary*
- *Graveyard*
- *Interment*
- *Mausoleum*
- *Memorial Garden Wall Niches*
- *Niche*
- *Retort*

## **Amend Article 1320 – Permitted Uses**

In the Permitted Uses Chart, the districts permitting *Funeral Homes* would be amended to permit and conditionally permit such establishments, allowing this use to be permitted conditionally (requires a public hearing of the Board of Zoning Appeals) in an R-5 Multi-family Residential District.

*Cemetery, Natural and Conservation*, would be added to the Permitted Uses chart and mimic the permitted and conditionally permitted districts of a *Cemetery*. In addition, funeral home, cemetery (natural or conservation), and crematorium (industrial) would need to reference the General Regulations requirements as well.

The chart below shows the amendments to **Section 1320.04 Permitted Uses Chart**.

Legend	
Permitted Use	●
Conditionally Permitted Use	○
Prohibited Use	

[illegible]

Use Type	R-1 & R-2	R-4	R-5	C-1	C-2	C-3	I-1	I-2	(Reserved)	Use-Specific Standards
<del>Crematoriums</del> Crematorium, Industrial							10	10		1341.29

### **Amend Article 1341.06 Permitted Accessory uses to Business and Institutional Uses**

A crematorium as an accessory use must be added to be permitted by-right or permitted with conditional use approval as an accessory use to lawful principal businesses or institutional uses to create uniformity within the Ordinance.

### **Amend Article 1341.29 Death Care Uses**

Under the existing code, a cemetery ~~was~~ is required to have a minimum lot size of 20 acres. Due to the size of parcels within City limits, the amendment reduces the minimum size to 5 acres, in addition to reducing the front, side, and rear yard setback to 25 feet. A natural or conservation cemetery is recommended to have 10-acre minimum requirement with a setback requirement of 50 feet.

Graveyards ~~shall~~ are proposed to be permitted by right as an accessory use for religious uses. They will not be permitted as standalone principal uses and will require a 3-acre minimum parcel. The setbacks will be set at 25 feet for the side and rear yard, and must follow the front yard setback according to the development regulations of the zone it is located in.

Funeral Homes or Mortuaries shall require a screened loading and unloading area in the side or rear of the building with the exception of funeral services and religious services.

Crematoriums, as an accessory use to a Funeral Home or Mortuary, shall be permitted by-right in C-1, C-2, I-1, and I-2 districts. The structure containing the crematorium equipment may or may not be attached to the principal structure and may occupy an accessory structure on the same parcel and shall be located ~~on~~ in the side or rear yard. The flue, chimney, and/or exhaust stack of a crematorium's emission control system shall not be located closer than 25 feet from a any property line. Animal hospitals/clinics are allowed to have crematoriums for animals in I-1 and I-2 districts, and with conditional approval in C-1 and C-2 districts. The crematorium must be inside or attached to the main hospital building, not in a separate structure. It must be located at the side or rear of the building, and at least 25 feet from all property lines.

Mausoleums are only allowed as accessory structures within cemeteries where such uses are permitted. They must be built with durable, fireproof materials, and any freestanding outdoor mausoleum cannot exceed four units or fifteen feet in height, whichever is greater.



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Columbaria, which hold cremated remains, are allowed in cemeteries and in religious sites by right. They must also be durable and fireproof, with freestanding outdoor columbaria limited to six units or eight feet in height, whichever is greater.

Memorial garden wall niches, which are specifically for urns, are allowed in cemeteries by right and in religious sites with conditional approval. These structures must be durable, fireproof, and no more than six feet tall.

Burials and places of interment must be set back at least fifty feet from roads and property lines, and one hundred feet from houses, wells, streams, wetlands, and floodplains (or two hundred feet for natural burials). Graves are not permitted in front yards except within cemeteries. Cemetery operators must maintain accurate burial records and record a perpetual covenant to ensure long-term care and maintenance of the site.

### **Amend Article 1343.03 Schedule of Off street Parking and Loading Requirements**

Under existing code, Funeral Homes are required to have 1 space per 100 square feet of gross floor area and spaces dedicated to their service vehicles. However, based on further review and research, Funeral Homes must provide parking based on their size and staff, with one parking space required per 100 square feet of public space, plus additional spaces for employees and service vehicles like hearses and limousines to better suit the needs of each funeral home.

### **Staff Comments**

Including death care regulations in the City's zoning ordinance ensures that these sensitive and technically complex land uses are properly sited, defined, regulated, and understood, which protects public health, supports responsible development, respects community values, and ensures legal clarity. It should be noted that all federal and state licensure, business regulations, and environmental regulations supersede local municipal code and should be reviewed and followed by the funeral, mortuary, and crematory operators.

### **Article 1315 – Definitions and Measurements**

The addition of definitions related to death care will ensure that staff and residents of the City have the same understanding of terms. By having definitions to refer to, it can avoid confusion, prevent disputes, ensure consistency, and support enforcement. This allows staff to enforce and interpret the definitions in a consistent manner. Although state code defines *Funeral Home* and *Mortuary* differently, cities like Charleston and Morgantown only have *Funeral Home* defined but include *Mortuary* when referring the structure and business.

### **Article 1320 – Permitted Uses**

In the Permitted Uses Chart, *Funeral Homes* would be amended to be permitted conditionally in an R-5 Multi-family Residential District. Staff believes this opens up opportunity for larger lots and structures to be converted into funeral homes upon approval from the Board of Zoning Appeals if it meets the conditions set forth by the Board.

*Cemetery, Natural and Conservation*, would be added to the Permitted Uses chart similar to a standard *Cemetery*. Staff believes this addition would be promote inclusivity within the respective industry. The National Funeral Directors Association reported that approximately 68% of those surveyed would interested in exploring “green” funeral options due to the environmental impact, which is up from 56% in 2021.<sup>1</sup> Currently, there are zero certified hybrid, conservation, or natural cemeteries in West Virginia.<sup>2</sup>

### **Article 1341.29 Death Care Uses**

The City currently has five cemeteries, Spring Hill Cemetery, Woodmere Memorial Park, Forest Lawn Memorial Park, Guyandotte Cemetery, Harveytown Cemetery, Bethel Memorial Park, and Highland Cemetery, some of which are active. The largest cemeteries are Spring Hill Cemetery and Woodmere Memorial Park at approximately 75 acres, with Highland Cemetery next at about 13 acres. Larger suitable parcels based on the existing code nearly prohibit other cemeteries to form, therefore the reduction in lot size would be more inclusive. The other cemeteries within the City are under 20 acres in size, but are more than 5 acres, therefore, the amendment would bring the existing cemeteries into compliance. Concerns about the size reduction were brought to the attention of Staff, however, cemeteries are regulated to ensure proper governance and perpetual care, in addition to undergoing review within the Planning Department.<sup>3,4</sup> In a study, one acre of land can hold approximately 1,000 gravesites, therefore a minimum size of 5 acres could hold approximately 5,000 gravesites, assuming the entirety of the parcel can be utilized.<sup>5</sup> Staff does not foresee a lack of space in cemeteries in the near future that would be affected by the amendment.

Graveyards shall be permitted by right as an accessory use for religious uses and will require a 3-acre minimum parcel. This recommended standard comes from pre-existing religious uses that have a graveyard on their premises.

In order to support businesses in Huntington, Staff has spoken with local Funeral Directors and crematorium/retort manufacturers to aid in research and understanding the local, state, and national climate of the industry. See attached Staff Memorandum attached hereto and made part hereof for additional information and clarification concerning Staff consultation with local death care industry providers in the development of the proposed zoning text amendments.

Currently, there are six Funeral Homes and Mortuaries within the City. Two Funeral Homes are zoned C-1, three are zoned C-2, and one is zoned R-4. One of the Funeral Homes and Mortuaries

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<sup>1</sup> National Funeral Directors Association. (2024). <https://nfda.org/news/statistics>

<sup>2</sup> *GBC-Certified Cemeteries in the United States, Canada and Central America*. Green Burial Council. <https://www.greenburialcouncil.org/cemeteries.html>

<sup>3</sup> W. Va. Code § 35-5.

<sup>4</sup> W. Va. Code § 35-5A.

<sup>5</sup> Capels & Senville. (2006). *Planning for Cemeteries*. Planning Commissioners Journal. Pp. 1.

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in a C-2 currently operates a crematorium as an accessory use. Cremation services are becoming more popular due to various factors, such as financial, flexibility, and ease. The Cremation Association of North America (CANA) states the national average of cremations in the United States is 61.8%, where West Virginia falls in around 50-60% in 2024.<sup>6</sup> Permitting crematoriums as an accessory use allows the businesses in Huntington to stay competitive within the region, while offering local residents multiple options when considering death care. Previously, Crematoriums were conditionally permitted C-2 and I-1 districts.

Staff recommends clarifying between Crematoriums as an accessory use and Crematoriums as a principal use. The structure containing the crematorium equipment may or may not be attached to the principal structure and may occupy an accessory structure on the same premise and shall be located in the side or rear yard. Staff has concluded that by allowing an attached or detached structure to contain the crematory equipment gives the businesses flexibility due to the parcel layouts of existing funeral homes and mortuaries. Upon measuring using GIS web maps and physical measuring on site, Staff has concluded that the 25-foot distance from the flue, chimney, and/or exhaust stack of cremation equipment from all property lines is sufficient, while allowing existing funeral homes and mortuaries to have crematory equipment and keeping the current crematorium in compliance. Matthews Environmental Solutions' PowerPak I crematory contains technology such as "Smoke Buster System" that has advanced airflow for complete combustion of smoke and odor, if any.<sup>7</sup> In addition to the crematory equipment installer, a study from 2020, states that crematory equipment with two chambers allows for high-temperature treatment of gases and particulates, which reduces emissions.<sup>8</sup> If an alkaline hydrolysis machine is installed, will not be permitted to connect to a Combined Sewer System (CSS) to prevent a potential public nuisance.

Mausoleums, Columbaria, and Memorial garden wall niches are recommended to be included to ensure consistency amongst different methods of entombment, which is distinct from internment.

### **Article 1343.03 Schedule of Off street Parking and Loading Requirements**

When establishing a parking requirement for Funeral Homes, it can be difficult to quantify an exact number of spaces needed for their services. Funeral services can vary where one service may receive double or triple the attendance of the preceding service. In an effort to avoid large parking lots with minimal use for extended periods of time, the amendment to calculate parking based on floor space devoted to services is better suited.

### **Comprehensive Plan**

Suggested land uses for Parks/Open Space are parks, athletic fields, cemeteries, and natural area buffers. Currently cemeteries are located within residential areas, but are marked as Open Space on the Plan2035 Future Land Use Map. To be consistent with the Comprehensive Plan, cemeteries

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<sup>6</sup> Cremation Association of North America. (2025). <https://www.cremationassociation.org/industrystatistics.html>

<sup>7</sup> The PowerPak I Cremation System. (2025). Matthews Environmental Solutions.

<sup>8</sup> O'Keeffe. (2020). Crematoria emissions and air quality impacts. National Collaborating Centre for Environmental Health. <https://ncceh.ca/resources/evidence-reviews/crematoria-emissions-and-air-quality-impacts#h2-5>

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will remain conditionally permitted in residential areas to preserve the neighborhoods and surrounding development.

Funeral Homes or Mortuaries and Crematoriums are considered commercial uses, therefore, they will be permitted in commercial and industrial zones, as permitted in the Zoning Ordinance. The Comprehensive Plan, Plan2035, focuses on the area characteristics of transition commercial, neighborhood center, and convenience commercial, to ensure each area follows an aesthetic that flows. All but one funeral home falls within these categories. The goal of the proposed amendment is to regulate these types of uses to better align with the Comprehensive Plan and aesthetics of the City and its surrounding areas.

**Attachments**

- Proposed Amendments : Additions are underlined and withdrawn are stricken through
- Matthews Environmental Solutions Crematory Equipment Brochure

## **Section 1315.02     Meaning of Words**

Unless otherwise stated, the following words shall, for the purpose of this Ordinance have the following meanings:

### **(A)**

ALKALINE HYDROLYSIS MACHINE – Also known as a water cremation chamber or aquamation unit, is a device or system used for the final disposition of human or animal remains through a chemical process known as alkaline hydrolysis (also called aquamation, flameless cremation, or resomation). This process uses a solution of water and alkaline chemicals, heat, and sometimes pressure, to accelerate natural decomposition, reducing remains to bone ash and sterile liquid. See Section 1341.29 for general use regulations.

### **(C)**

CEMETERY – Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery. A parcel of land that is used or intended to be used for the interment, entombment, or inurnment of human and/or animal remains. A cemetery may include accessory uses and structures such as mausolea, columbaria, memorial garden wall niches, chapels, administrative offices, maintenance facilities, crematoriums (where permitted), and related structures necessary for its operation, subject to the requirements of this Ordinance and all applicable federal, state, and local regulations. See Section 1341.29 for general use regulations.

CEMETERY, NATURAL OR CONSERVATION – A cemetery, or portion thereof, dedicated to the interment of human and/or remains in a manner that allows for natural decomposition, without the use of embalming chemicals, non-biodegradable caskets, concrete vaults, or other burial containers, and which is maintained in a natural, woodland, or meadow condition for the purpose of environmental preservation and perpetual care. See Section 1341.29 for general use regulations.

COLUMBARIUM – A durable and fireproof building or portion thereof, either above or below ground, lined with vaults, niches, or recesses for the entombment of cinerary urns. See Section 1341.29 for general use regulations.

COMBINED SEWER SYSTEM (CSS) – A wastewater infrastructure system that conveys both sanitary sewage (from residential, commercial, and industrial sources) and stormwater runoff (from streets, rooftops, and other surfaces) through a single pipe network to a wastewater treatment facility. In periods of heavy rainfall or snowmelt, the system may exceed its capacity, causing Combined Sewer Overflows (CSOs), which is the discharge of untreated or partially treated wastewater directly into nearby water bodies.

CREMATORIUM, ACCESSORY – A building or portion thereof containing properly installed, certified, and approved retort or other apparatus used or intended to be used for the reduction of human and/or animal remains to ashes by fire or thermal processing, through alkaline hydrolysis (also known as water cremation, aquamation, or flameless cremation), or by other methods permitted in the State of West Virginia. A crematorium may be established as an accessory use where permitted by and subject to the requirements of this Ordinance and all applicable federal, state, and local health, safety, and environmental regulations. See Section 1341.29 for general use regulations.

CREMATORIUM, INDUSTRIAL – A building or portion thereof containing properly installed, certified, and approved retort or other apparatus used or intended to be used for the reduction of human and/or animal remains to ashes by fire or thermal processing, through alkaline hydrolysis (also known as water cremation, aquamation, or flameless cremation), or by other methods permitted in the State of West Virginia. An industrial crematorium may be established as a principal use where permitted by and subject to the requirements of this Ordinance and all applicable federal, state, and local health, safety, and environmental regulations. See Section 1341.29 for general use regulations.

CRYPT – A chamber designed for the entombment of a casketed body usually above ground or partially underground often located in a mausoleum, which can be single or multitiered with each chamber holding one casket. See Section 1341.29 for general use regulations.

**(F)**

FUNERAL HOME or MORTUARY – A facility used for the temporary storing and preparation of deceased human bodies for burial or cremation and for the conducting of funeral services, memorial services, or similar observances. Such facilities, subject to the requirements of this Ordinance, may include chapels for services, viewing rooms, embalming and preparation areas, display of funeral equipment, administrative offices, and accessory crematorium facilities (where permitted). See Section 1341.29 for general use regulations.

**(G)**

GRAVEYARD – A portion of the lot or premises of a principal religious use associated with that religious use, that is used or intended to be used for the interment of human and/or animal remains in the ground. A Graveyard is distinct from a Cemetery in that it is typically smaller in size, historically related to the religious use, and not operated as a standalone principal burial facility. See Section 1341.29 for general use regulations.

**(I)**

INTERMENT – The placement of human and/or animal remains, whether a casketed body or cremated remains in an urn, into the earth in a cemetery, graveyard, or burial plot. Distinct from entombment, which is above-ground placement in a mausoleum, columbarium, crypt, memorial garden wall niche, etc. See Section 1341.29 for general use regulations.

**(M)**

MAUSOLEUM – A durable and fireproof building or portion thereof used for the entombment of casketed human and/or animal remains. The range of mausolea include, but are not limited to individual tombs, individual family structures, and larger buildings with several vaults or niches for interring casketed remains. See Section 1341.29 for general use regulations.

MEMORIAL GARDEN WALL NICHES – A durable and fireproof columbarium structure, constructed as a freestanding wall or series of walls, containing above-ground vaults or niches arranged in rows only for the entombment of cinerary urns. Memorial Garden Wall Niches are used or intended to be used as a permanent entombment structure, distinguished from in-ground burials and traditional columbarium buildings. See Section 1341.29 for general use regulations.

**(N)**

NICHE – For the purpose of the entombment of human and/or animal remains, a niche is a small compartment designed for urns containing cremated remains often located in a columbarium or memorial garden wall niche, that is much smaller than a crypt and cannot hold a casketed body. See Section 1341.29 for general use regulations.

**(R)**

RETORT – A combustion chamber or enclosed furnace specifically designed and used for the cremation or thermal processing of human or animal remains, typically fueled by natural gas, propane, or electricity. See Section 1341.29 for general use regulations.

**Section 1320.04 Permitted Uses**

The chart in this section lists all permitted uses, conditional uses, and use-specific standards.

Legend	
Permitted Use	●
Conditionally Permitted Use	○
Prohibited Use	

Table 1320.A: Permitted Uses	Districts									
Use Type	R-1 & R-2	R-4	R-5	C-1	C-2	C-3	I-1	I-2	(Reserved)	Use-Specific Standards
Commercial										
Funeral Home			○	●	●	●	●	●		<u>1341.29</u>
Civic / Community										
Cemetery	○	○	○		○		○	●		<u>1341.29</u>
<u>Cemetery, Natural or Conservation</u>	○	○	○		○		○	●		<u>1341.29</u>
Industrial										
<u>Crematoriums-Crematorium, Industrial</u>							○	○		<u>1341.29</u>

## ARTICLE 1341 GENERAL REGULATIONS

### Section 1341.06 Permitted Accessory uses to Business and Institutional Uses

The following are permitted by-right or permitted with conditional use approval accessory uses only to a lawful principal business or institutional use, provided that all requirements of this Ordinance are met.

- A. Amusement machines, coin or token operated as accessory uses.
- B. Food, beverage and toy machines, coin operated.
- C. Newspaper sales machines, coin operated.
- D. The following accessory uses, provided that the use is clearly limited to employees, patients, residents, and families of employees of the use and their occasional invited guests:
  - 1. Standard or fast-food restaurant without drive-thru service.
  - 2. Day care center.
  - 3. Non-commercial recreation facilities.
  - 4. Meeting facilities.
- E. Crematorium. (See Section 1341.29)

### Section 1341.29 ~~Cemetery~~ Death Care Uses

- ~~A. Minimum lot area – 20 acres~~
- ~~B. Minimum Yards –~~
  - ~~1. Front – the requirements of the district shall apply~~
  - ~~2. Side – 50 feet each~~
  - ~~3. Rear – 50 feet~~
- ~~C. Buffering requirements of Section 1347.05 shall apply~~
- ~~D. Covenant by owners to perpetuate maintenance and approve future improvements~~
- A. Cemetery.
  - 1. Minimum lot area – 5 acres.
  - 2. Minimum Yards –
    - a. Front – the requirements of the district shall apply.
    - b. Side – 25 feet each.
    - c. Rear – 25 feet.



- d. See Section 1341.29(K) for places of interment and the more restrictive setback standard shall apply.

- 3. Buffering requirements of 1347.05 shall apply.

B. Natural or Conservation Cemetery.

- 1. Minimum lot area – 10 acres.

- 2. Minimum Yards –

- a. Front – the requirements of the district shall apply.

- b. Side – 50 feet each.

- c. Rear – 50 feet.

- d. See Section 1341.29(K) for places of interment and the more restrictive setback standard shall apply.

- 3. Buffering requirements of 1347.05 shall apply.

- 4. Grave Standards. Unless superseded by State regulations, the following standards shall apply for places of interment of human and animal remains (i.e., graves) that allow for natural decomposition:

- a. All graves shall provide a minimum of three and one-half (3.5) feet of soil cover above the remains.

- b. Only biodegradable burial containers or shrouds shall be permitted.

- c. Concrete vaults, metal caskets, or embalming chemicals shall be prohibited.

- 5. Environmental Stewardship. That portion of a cemetery where interment of human and animal remains (i.e., graves) by natural decomposition shall be maintained in a natural condition, with vegetation managed to promote ecological health and conservation. Disturbance of existing woodland, meadow, or wetland areas shall be minimized.

C. Graveyard.

- 1. A graveyard shall be permitted with conditional use approval as an accessory use on the same lot or premises of the religious use to which it is associated and accessory.

- 2. A graveyard shall not be permitted as a standalone principal use.

- 3. Minimum lot area – 3 acres, including the principal religious use to which it is associated and accessory.

- 4. Minimum Yards –

- a. Front – the requirements of the district shall apply.
  - b. Side – 25 feet each.
  - c. Rear – 25 feet.
  - d. See Section 1341.29(K) for places of interment and the more restrictive setback standard shall apply.
5. Buffering requirements of 1347.05 shall apply.

D. Funeral Home or Mortuary.

1. Except for casketed remains and ceremonial practices, loading and unloading facilities shall be located to the rear or side of the building.
2. Screening for loading and unloading facilities, when not screened by an intervening building, shall be provided and accomplished by a combination of opaque materials including as solid fence, wall, or evergreen plants no less than six (6) feet in height.

E. Crematorium, Accessory.

1. A crematorium shall be permitted by-right as an accessory use within a principal Funeral Home or Mortuary use as such is permitted in the C-1, C-2, I-1, and I-2 Districts, provided:
  - a. That the area containing crematorium equipment and used for the cremation of human and/or animal remains shall be physically located within, or attached to and enclosed within, the principal Funeral Home or Mortuary building and may not occupy a detached accessory structure.
  - b. That the area containing crematorium equipment and used for the cremation of human and/or animal remains at the side or rear of the principal Funeral Home or Mortuary building and shall not be located closer to the front property line than the front façade of said principal building.
  - c. The flue, chimney, and/or exhaust stack of a crematorium's emission control system shall not be located closer than 25 feet from a property line.
2. A crematorium shall be permitted by-right as an accessory use within a principal Animal Hospital/Clinic use in the I-1 and I-2 Districts and shall be permitted, with conditional use approval, as an accessory use within a principal Animal Hospital/Clinic in the C-1, and C-2 Districts, provided:
  - a. The cremation of human remains shall be prohibited.
  - b. That the area containing crematorium equipment and used for the cremation of animal remains shall be physically located within, or attached to and enclosed within, the principal Animal Hospital/Clinic building and may not occupy a detached accessory structure.

- c. That the area containing crematorium equipment and used for the cremation of human and/or animal remains at the side or rear of the principal Animal Hospital/Clinic building and shall not be located closer to the front property line than the front façade of said principal building.
    - d. That the area containing crematorium equipment and used for the cremation of animal remains shall not be located closer than 25 feet from the property line.
  - 3. An Accessory Crematorium shall have no more than two (2):
    - a. Retorts, crematory ovens, or high-temperature furnaces used for the reduction of remains to ashes by fire or thermal processing; and,
    - b. Alkaline Hydrolysis Machines used in the alkaline hydrolysis, water cremation, aquamation, flameless cremation, or similar process for the reduction of remains.
  - 4. Emissions and Odors.
    - a. Emission control equipment shall meet or exceed best available control technology (BACT) and the emission standards provided in the rules and regulations of the West Virginia Division of Environmental Protection.
    - b. The operation shall not emit visible smoke or generate odors that are detectable by a reasonable person of ordinary sensitivity beyond the property line.
- F. Crematorium, Industrial.
- 1. Except as restricted by State regulation, there shall not be a maximum number of retorts, crematory ovens, or high-temperature furnaces used for the reduction of human and/or animal remains to ashes by fire or thermal processing.
  - 2. Except as restricted by State regulation, there shall not be a maximum number of chambers used in the alkaline hydrolysis, water cremation, aquamation, flameless cremation, or similar process for the reduction of human and/or animal remains.
  - 3. Emissions and Odors.
    - a. Emission control equipment shall meet or exceed best available control technology (BACT) and the emission standards provided in the rules and regulations of the West Virginia Division of Environmental Protection.
    - b. The operation shall not emit visible smoke or generate odors that are detectable by a reasonable person of ordinary sensitivity beyond the property line.
- G. Alkaline Hydrolysis Machines shall not be permitted to connect to a Combined Sewer System (CSS).

H. Mausoleum.

1. Mausolea shall only be permitted by-right as an accessory use within a principal cemetery use where such principal uses are permitted by this Ordinance.
2. Building Standards.
  - a. Mausolea, whether freestanding or within or an integral portion of a principal building, shall be durable and fireproof.
  - b. The maximum height of an outdoor freestanding mausoleum for interring casketed remains shall be four (4) niches/units high or fifteen (15) feet, whichever is greater.

I. Columbarium.

1. Columbaria shall be permitted by-right as an accessory use within principal cemetery uses and principal religious uses where such principal uses are permitted by this Ordinance.
2. Building Standards.
  - a. Columbaria, whether freestanding or within or an integral portion of a principal building, shall be durable and fireproof.
  - b. The maximum height of an outdoor freestanding columbarium shall be six (6) niches or units high or eight (8) feet, whichever is greater.

J. Memorial Garden Wall Niches.

1. Memorial Garden Wall Niches shall be restricted to the entombment of funerary urns.
2. Memorial Garden Wall Niches shall be permitted by-right as an accessory use within a principal cemetery use where such principal uses are permitted by this Ordinance.
3. Memorial Garden Wall Niches shall be permitted, with conditional use approval, as an accessory use within a principal religious use where such principal uses are permitted by this Ordinance.
4. Building Standards.
  - a. Memorial Garden Wall Niche structures shall be durable and fireproof.
  - b. The maximum height – six (6) feet.

K. General regulations for places of interment of human and/or animal remains in a cemetery, natural or conservation cemetery, graveyard, burial plot, etc.

1. Minimum setbacks for places of interment:
  - a. Public Rights-of-Way – no closer than fifty (50) feet.

- b. Property Lines – no closer than fifty (50) feet.
  - c. Residential Structures – no closer than one hundred (100) feet of any existing dwelling unit situated on an adjacent parcel.
  - d. Water Resources – no closer than one hundred (100) feet of a private well, potable water source, stream, wetland, or floodplain, except for Natural or Conservation Cemetery graves which shall be no closer than two hundred (200) feet.
2. Except for cemeteries, places of interment shall not be permitted in a front yard.
  3. Management Records. The owner or operator shall maintain accurate records of all interments, including grave/plot locations.
  4. A perpetual covenant shall be recorded in the county recorder's office running with the land that provides for the obligation and responsibility of perpetual care ensuring long-term maintenance of the site.

### Section 1343.03      Schedule of Off-street Parking and Loading Requirements

Any structure or building hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used, shall be provided with not less than the minimum spaces, as set forth below. Said spaces shall be readily accessible to the uses served thereby. When the application of a unit of measurement results in a fractional space, a space shall be required for each such fraction.

**Table 1343.A – Parking Requirements**

Use Type	Vehicle Parking Spaces (required)	Bike Parking Spaces (required)
Commercial		
Funeral Home	<del>1 per each 100 sqft of GFA for public use in addition to a service area for vehicles such as hearses and ambulances</del> <u>1 per 100 sqft of floor area devoted to assembly purposes, plus 1 for every 2 employees (at max shift, typical), plus 1 for each funeral home service vehicle (i.e., hearses, limousines, sedans, etc.).</u>	None

# PowerPak I

## The Basic Essential

- Smoke-Buster™ 138 Emission Control
- Ideal for New or Low-Volume Crematories
- Designed for 4 cremations per day
- Automatic operation, most fuel-efficient in its class



\*\*Shown above with optional  
M-pyre® control panel

The Future Of Cremation

**M** Matthews®  
ENVIRONMENTAL SOLUTIONS

# Just Right for Your Business

The PowerPak I Cremation System is designed to meet the needs of low-volume cremation businesses that perform four or less cremations each day. Whether you're just starting out, or you're adding cremation as a new service for the families you serve, you want reliable equipment from a manufacturer you can trust. That's why we've taken our decades of field-proven innovation and experience and engineered them into every detail of the PowerPak I.

The PowerPak I is just right for your business. It's fully automated, and can be modified to work with our advanced M-pyre 2.0 remote operating and monitoring system. And because it's the fastest and most fuel-efficient cremator in its class, you'll save time and money that you can use to build your business for the future.

## Ready To Go

The PowerPak I arrives at your doorstep ready to go. It comes pre-wired, pre-piped, and pre-tested. All you have to do is off-load your cremator, provide one connection for gas and one for electricity, and be prepared to accommodate the exhaust stack. That's it: as simple as one, two, three.

## Automatic Operation

The self-monitoring control system simplifies the cremation process and allows your cremator to shut itself off upon completion of the cycle.

## Operator Safety

We're serious about safety. That's why our cremators are tested and listed by Underwriter's Laboratories (UL).



## The Future Of Cremation: Matthews Gives You More

Matthews is redefining the future of cremation. We offer a powerful partnership that gives you access to our global resources and combines all of our engineering talents. With more than 100 years of experience and 4,500 installations in over 50 countries, we are the most trusted brand in cremation technology and service. Count on Matthews to help build your business for both today's challenges and tomorrow's opportunities.

Visit us at [MatthewsCremation.com](http://MatthewsCremation.com).



### ■ Quiet Operation

Exclusive *Whisper Shield* allows operation without disturbing other services.

### ■ Angled Burners

Innovative burner design improves productivity and saves fuel.

### ■ Cremation Chamber Floor

Unique *Hot Hearth* design eliminates fluid runoff and minimizes fuel consumption.

### ■ Automatic Loading Door

Heavy-duty door opens and closes at the touch of a button.

### ■ Smoke Buster™ System

Advanced chamber airflow for complete combustion of smoke and odor.

### ■ Added Insulation

A full 12" of multi-component material to increase operator safety and reduce heat loss & maintenance costs.



\*\*Configuration above shown with basic control panel. Upgraded control panels are available.

## The Power of Partnership

- Financial ROI Analysis
- Zoning and Permitting Support
- Operator Training and Certification
- 24/7 Customer Service and Support
- Custom Engineering and Design
- Facility Layout and Design
- Crematory Accessories and Supplies
- Leasing and Financing Options
- Turn-Key Installation

## PowerPak I Specifications

Overall Height: 8' 4" (2.54 m)

Overall Width: 6' 5" (1.98 m)

Overall Length: 14' 8" (4.47 m)

Weight: 23,400 lb. (10,614.1 kg)

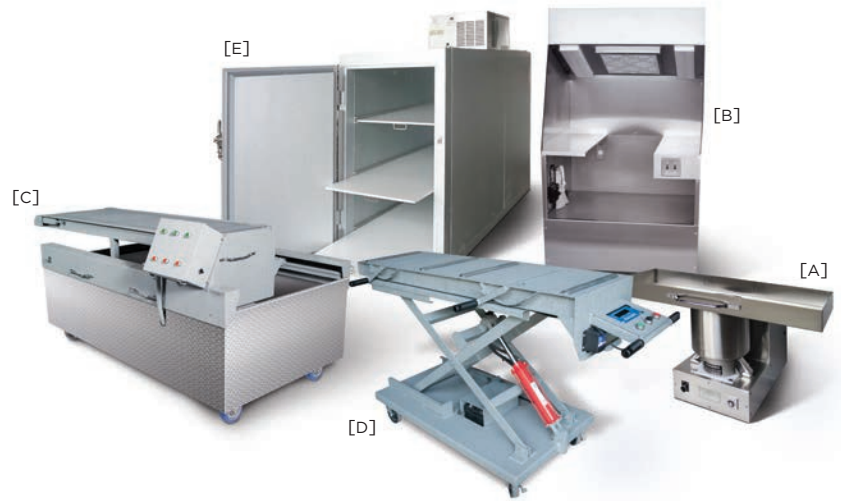
Fuel: Natural or L.P. Gas (Oil available)

Electrical: 230 volts, 1-phase/3-phase

Control panel can be located right, left or remote



# Get the Most from Your Matthews Cremator



## System Accessories

### [A] ECP-200 Electric Cremated Remains Processor

- Reduces cremated remains to fit standard-sized urns
- Average processing time  $\leq 30$  seconds
- Quiet and dust-proof

### [B] VPS-1 Processing Station

- Recovers dust when transferring cremated remains for operator safety
- Ventless design eliminates wall or ceiling openings
- Built-in overhead lighting adds convenience and safety
- Steel frame construction, finished with heavy-gauge stainless steel

### [C] Auto-Loader

- Increases production and enhances operator safety
- Extends the cremation chamber floor life
- Offers a professional presentation during family viewing

### [D] Hydraulic Lift Table - LT1BS

- Includes battery and scale

### [E] Three-Body Cooler

- Safe storage until final disposition
- Thermostatically controlled system maintains constant temperature
- Removable shelves accommodate a mortuary cart or caskets

### [M] M-pyre® 2.0

- Most advanced cremation technology through our M-pyre®2.0 system with intuitive logic control (ILC).
- Allows internet connection to enjoy the ability to remote preheat, monitor the cremator activity, view performance reports, track maintenance and communicate directly to your Matthews team.

**City of Huntington Planning Commission**

**December 1, 2025**

**Staff Memorandum:** A petition to amend Article 1315, 1320, 1341, and 1343 of the Zoning Ordinance.

As requested by the Planning Commission at its October 6, 2025 hearing, during which the subject zoning text amendment petition was tabled, the Planning Department respectfully submits this memorandum to address certain matters raised during the hearing. This memorandum is intended to be included in the Planning Commission's record.

Also attached is a Revised Staff Report that includes minor corrections, clarification, and/or new information. The Revised Staff Report presents new matter as underlined and old matter as struck through. Documents listed as attached to the original Staff Report are also included.

**Consultation with local Death Care Industry Providers**

- On September 18, 2025, the Planning Department met with five local and licensed funeral home directors to discuss gaps within the current zoning ordinance and challenges staff faces related to guiding death care industry uses within the City of Huntington.
- Objectives of this meeting were to gain a better understanding of challenges industry providers may face with current zoning regulations and obtain technical guidance in preparing zoning text revisions intended to advance the City's efficient and effective support of industry land uses and development.
- Staff shared contemplated zoning text revisions (see attached) and explored areas that should be improved along with matters not initially included.
- In consultation with subject matter experts, staff incorporated several revisions to address such matters as the distinction between alkaline hydrolysis and cremation by retort; loading and unloading of remains; preferred distances between crematory equipment and adjoining properties; the appropriate number crematory equipment that should be permitted; religious service exceptions, etc.
- Following the Planning Commission's October 6, 2025 tabling action, Staff emailed local death care industry providers requesting continued consultation. The last email invitation provided a deadline of November 7, 2025 to schedule a meeting and/or respond with comments, feedback, areas of concern, proposed changes, etc.
- Staff received one response via email and confirmed for the Funeral Home Director that all existing death care industry related structures and operations would be grandfathered under the existing Article 1355 Nonconforming Use protections and that the subject zoning ordinance amendments would not be retroactively enforced.

## PC 25-12 Staff Memorandum

- In addition to consulting with local death care industry providers, staff contacted a retort manufacturer – Matthews Environmental Solutions – to ensure proposed zoning text amendments would be consistent with related equipment operation, output, emissions, etc. A letter dated October 27, 2025 from Jeffrey Barron, WV Sales Representative, Matthews Environmental Solutions is attached for reference, in addition to the current brochure the company provides to prospective clients relative to its PowerPak I Cremation System.

### **Attachments**

- Revised Staff Report and those documents attached to the original Staff Report presented at the Planning Commission's October 6, 2025 hearing.
- September 18, 2025 Meeting Agenda with local Death Care Industry providers and the contemplated text amendments.
- Email Communication with local Death Care Industry providers
- Matthews Environmental Solutions Zoning Letter
- Matthews Environmental Solutions Crematory Equipment Brochure from Sales Representative



**Agenda**  
**Planning & Zoning Department**  
**Thursday, September 18, 2025 – 9:00am**

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1. Welcome

2. Overview of Meeting

3. Overview of Text Amendment

**PC 25-12**

*Issue:* A petition to make the following changes to the City of Huntington Zoning Ordinance:

1. Amend Article 1315 Definitions and Measurements to define additional terms related to Death Care Uses.
2. Amend Article 1320 Permitted Uses to amend Funeral Homes, Cemeteries, and Crematoriums.
3. Amend Article 1341 General Regulations to add Crematoriums to permitted accessory uses.
4. Amend Article 1341.29 to include regulations related to Death Care Uses.
5. Amend Article 1343 Parking requirements for Funeral Homes.

4. Open Discussion

- a. Suggestions
- b. Feedback

5. End – Public Hearing Information and Contact Information

## **Section 1315.02     Meaning of Words**

Unless otherwise stated, the following words shall, for the purpose of this Ordinance have the following meanings:

### **(C)**

CEMETERY –A parcel of land that is used or intended to be used for the interment, entombment, or inurnment of human and/or animal remains. A cemetery may include accessory uses and structures such as mausolea, columbaria, memorial garden wall niches, chapels, administrative offices, maintenance facilities, crematoriums (where permitted), and related structures necessary for its operation, subject to the requirements of this Ordinance and all applicable federal, state, and local regulations. See Section 1341.29 for general use regulations.

CEMETERY, NATURAL OR CONSERVATION – A cemetery, or portion thereof, dedicated to the interment of human and/or remains in a manner that allows for natural decomposition, without the use of embalming chemicals, non-biodegradable caskets, concrete vaults, or other burial containers, and which is maintained in a natural, woodland, or meadow condition for the purpose of environmental preservation and perpetual care. See Section 1341.29 for general use regulations.

COLUMBARIUM – A durable and fireproof building or portion thereof, either above or below ground, lined with vaults, niches, or recesses for the entombment of cinerary urns. See Section 1341.29 for general use regulations.

CREMATORIUM, ACCESSORY – A building or portion thereof containing properly installed, certified, and approved retort or other apparatus used or intended to be used for the reduction of human and/or animal remains to ashes by fire, through alkaline hydrolysis (also known as water cremation, aquamation, or flameless cremation), or by other methods permitted in the State of West Virginia. A crematorium may be established as an accessory use where permitted by and subject to the requirements of this Ordinance and all applicable federal, state, and local health, safety, and environmental regulations. See Section 1341.29 for general use regulations.

CREMATORIUM, INDUSTRIAL – A building or portion thereof containing properly installed, certified, and approved retort or other apparatus used or intended to be used for the reduction of human and/or animal remains to ashes by fire, through alkaline hydrolysis (also known as water cremation, aquamation, or flameless cremation), or by other methods permitted in the State of West Virginia. An industrial crematorium may be established as a principal use where permitted by and subject to the requirements of this Ordinance and all applicable federal, state, and local health, safety, and environmental regulations. See Section 1341.29 for general use regulations.

CRYPT – A chamber designed for the entombment of a casketed body usually above ground or partially underground often located in a mausoleum, which can be single or multitiered with each chamber holding one casket.

### **(F)**

FUNERAL HOME or MORTUARY – A facility used for the temporary storing and preparation of deceased human bodies for burial or cremation and for the conducting of funeral services, memorial services, or similar observances. Such facilities, subject to the requirements of this Ordinance, may include chapels

for services, viewing rooms, embalming and preparation areas, display of funeral equipment, administrative offices, and accessory crematorium facilities (where permitted). See Section 1341.29 for general use regulations.

**(G)**

GRAVEYARD – A portion of the lot or premises of a principal religious use associated with that religious use, that is used or intended to be used for the interment of human and/or animal remains in the ground. A Graveyard is distinct from a Cemetery in that it is typically smaller in size, historically related to the religious use, and not operated as a standalone principal burial facility. See Section 1342.29 for general use regulations.

**(I)**

INTERMENT – The placement of human and/or animal remains, whether a casketed body or cremated remains in an urn, into the earth in a cemetery, graveyard, or burial plot. Distinct from entombment, which is above-ground placement in a mausoleum, columbarium, crypt, memorial garden wall niche, etc.

**(M)**

MAUSOLEUM – A durable and fireproof building or portion thereof used for the entombment of casketed human and/or animal remains. The range of mausolea include, but are not limited to individual tombs, individual family structures, and larger buildings with several vaults or niches for interring casketed remains. See Section 1341.29 for general use regulations.

MEMORIAL GARDEN WALL NICHES – A durable and fireproof columbarium structure, constructed as a freestanding wall or series of walls, containing above-ground vaults or niches arranged in rows only for the entombment of cinerary urns. Memorial Garden Wall Niches are used or intended to be used as a permanent entombment structure, distinguished from in-ground burials and traditional columbarium buildings. See Section 1341.29 for general use regulations.

**(N)**

NICHE – For the purpose of the entombment of human and/or animal remains, a niche is a small compartment designed for urns containing cremated remains often located in a columbarium or memorial garden wall niche, that is much smaller than a crypt and cannot hold a casketed body.

## Section 1320.04 Permitted Uses

The chart in this section lists all permitted uses, conditional uses, and use-specific standards.

Legend	
Permitted Use	●
Conditionally Permitted Use	○
Prohibited Use	

Table 1320.A: Permitted Uses	Districts									
Use Type	R-1 & R-2	R-4	R-5	C-1	C-2	C-3	I-1	I-2	(Reserved)	Use-Specific Standards
Commercial										
Funeral Home			○	●	●	●	●	●		<u>1341.29</u>
Civic / Community										
Cemetery	○	○	○		○		○	●		1341.29
<u>Cemetery, Natural or Conservation</u>	○	○	○		○		○	●		<u>1341.29</u>
Industrial										
<u>Crematorium, Industrial</u>							○	○		<u>1341.29</u>

## ARTICLE 1341 GENERAL REGULATIONS

### Section 1341.06 Permitted Accessory uses to Business and Institutional Uses

The following are permitted by-right or permitted with conditional use approval accessory uses only to a lawful principal business or institutional use, provided that all requirements of this Ordinance are met.

- A. Amusement machines, coin or token operated as accessory uses.
- B. Food, beverage and toy machines, coin operated.
- C. Newspaper sales machines, coin operated.
- D. The following accessory uses, provided that the use is clearly limited to employees, patients, residents, and families of employees of the use and their occasional invited guests:
  1. Standard or fast-food restaurant without drive-thru service.
  2. Day care center.
  3. Non-commercial recreation facilities.
  4. Meeting facilities.
- E. Crematorium. (See Section 1341.29)

## **Section 1341.29 Death Care Uses**

### **A. Cemetery.**

1. Minimum lot area – 5 acres.<sup>[KK1]</sup>
2. Minimum Yards –
  - a. Front – the requirements of the district shall apply.
  - b. Side – 25 feet each.
  - c. Rear – 25 feet.
  - d. See Section 1341.29(J) for places of interment and the more restrictive setback standard shall apply.
3. Buffering requirements of 1347.05 shall apply.

### **B. Natural or Conservation Cemetery.**

1. Minimum lot area – 10 acres.<sup>[KK2]</sup>
2. Minimum Yards –
  - a. Front – the requirements of the district shall apply.
  - b. Side – 50 feet each.
  - c. Rear – 50 feet.
  - d. See Section 1341.29(J) for places of interment and the more restrictive setback standard shall apply.
3. Buffering requirements of 1347.05 shall apply.
4. Grave Standards. Unless superseded by State regulations, the following standards shall apply for places of interment of human and animal remains (i.e., graves) that allow for natural decomposition:
  - a. All graves shall provide a minimum of three and one-half (3.5) feet of soil cover above the remains.
  - b. Only biodegradable burial containers or shrouds shall be permitted.
  - c. Concrete vaults, metal caskets, or embalming chemicals shall be prohibited.
5. Environmental Stewardship. That portion of a cemetery where interment of human and animal remains (i.e., graves) by natural decomposition shall be maintained in a natural



condition, with vegetation managed to promote ecological health and conservation. Disturbance of existing woodland, meadow, or wetland areas shall be minimized.

C. Graveyard.

1. A graveyard shall be permitted by-right as an accessory use on the same lot or premises of the religious use to which it is associated and accessory.
2. A graveyard shall not be permitted as a standalone principal use.
3. Minimum lot area – 3 acres, including the principal religious use to which it is associated and accessory.
4. Minimum Yards –
  - a. Front – the requirements of the district shall apply.
  - b. Side – 25 feet each.
  - c. Rear – 25 feet.
  - d. See Section 1341.29(J) for places of interment and the more restrictive setback standard shall apply.
5. Buffering requirements of 1347.05 shall apply.

D. Funeral Home or Mortuary.

1. Loading and unloading facilities shall be located to the rear or side of the building.
2. Screening for loading and unloading facilities, when not screened by an intervening building, shall be provided and accomplished by a combination of opaque materials including as solid fence, wall, or evergreen plants no less than six (6) feet in height.

E. Crematorium, Accessory.

1. A crematorium shall be permitted by-right as an accessory use within a principal Funeral Home or Mortuary use as such is permitted in the C-1, C-2, I-1, and I-2 Districts, provided:
  - a. That the area containing crematorium equipment and used for the cremation of human and/or animal remains shall be physically located within, or attached to and enclosed within, the principal Funeral Home or Mortuary building and may not occupy a detached accessory structure.
  - b. That the area containing crematorium equipment and used for the cremation of human and/or animal remains at the side or rear of the principal Funeral Home or Mortuary building and shall not be located closer to the front property line than the front façade of said principal building.

- c. That the structure containing crematorium equipment and used for the cremation of human and/or animal remains shall not be located closer than 50 feet from existing structures on adjacent properties measured as the horizontal distance between the closest points of the building exteriors.
  - 2. A crematorium shall be permitted by-right as an accessory use within a principal Animal Hospital/Clinic use in the I-1 and I-2 Districts and shall be permitted, with conditional use approval, as an accessory use within a principal Animal Hospital/Clinic in the C-1, C-2, and C-3 Districts, provided:
    - a. The cremation of human remains shall be prohibited.
    - b. That the area containing crematorium equipment and used for the cremation of animal remains shall be physically located within, or attached to and enclosed within, the principal Animal Hospital/Clinic building and may not occupy a detached accessory structure.
    - c. That the area containing crematorium equipment and used for the cremation of human and/or animal remains at the side or rear of the principal Animal Hospital/Clinic building and shall not be located closer to the front property line than the front façade of said principal building.
    - d. That the area containing crematorium equipment and used for the cremation of animal remains shall not be located closer than 25 feet from the property boundary.
  - 3. An Accessory Crematorium shall have no more than one (1):
    - a. Retort, crematory oven, or high-temperature furnace used for the reduction of remains to ashes by fire; and,
    - b. Chamber used in the alkaline hydrolysis, water cremation, aquamation, flameless cremation, or similar process for the reduction of remains.
  - 4. Emissions and Odors.
    - a. Emission control equipment shall meet or exceed best available control technology (BACT) and the emission standards provided in the rules and regulations of the West Virginia Division of Environmental Protection.
    - b. The operation shall not emit visible smoke or generate odors that are detectable by a reasonable person of ordinary sensitivity beyond the property boundary.
- F. Crematorium, Industrial.<sup>[KK3]</sup>
- 1. Except as restricted by State regulation, there shall not be a maximum number of retorts, crematory ovens, or high-temperature furnaces used for the reduction of human and/or animal remains to ashes by fire.

2. Except as restricted by State regulation, there shall not be a maximum number of chambers used in the alkaline hydrolysis, water cremation, aquamation, flameless cremation, or similar process for the reduction of human and/or animal remains.
3. Emissions and Odors.
  - a. Emission control equipment shall meet or exceed best available control technology (BACT) and the emission standards provided in the rules and regulations of the West Virginia Division of Environmental Protection.
  - b. The operation shall not emit visible smoke or generate odors that are detectable by a reasonable person of ordinary sensitivity beyond the property boundary.

G. Mausoleum.

1. Mausolea shall only be permitted by-right as an accessory use within a principal cemetery use where such principal uses are permitted by this Ordinance.
2. Building Standards.
  - a. Mausolea, whether freestanding or within or an integral portion of a principal building, shall be durable and fireproof.
  - b. The maximum height of an outdoor freestanding mausoleum for interring casketed remains shall be four (4) niches/units high or fifteen (15) feet, whichever is greater.

H. Columbarium.

1. Columbaria shall be permitted by-right as an accessory use within a principal cemetery use where such principal uses are permitted by this Ordinance.
2. Columbaria shall be permitted, with conditional use approval, as an accessory use within a principal religious use where such principal uses are permitted by this Ordinance.
3. Building Standards.
  - a. Columbaria, whether freestanding or within or an integral portion of a principal building, shall be durable and fireproof.
  - b. The maximum height of an outdoor freestanding columbarium shall be six (6) niches or units high or eight (8) feet, whichever is greater.

I. Memorial Garden Wall Niches.

1. Memorial Garden Wall Niches shall be restricted to the entombment of cinerary urns.
2. Memorial Garden Wall Niches shall be permitted by-right as an accessory use within a principal cemetery use where such principal uses are permitted by this Ordinance.

3. Memorial Garden Wall Niches shall be permitted, with conditional use approval, as an accessory use within a principal religious use where such principal uses are permitted by this Ordinance.
  4. Building Standards.
    - a. Memorial Garden Wall Niche structures shall be durable and fireproof.
    - b. The maximum height – six (6) feet.
- J. General regulations for places of interment of human and/or animal remains in a cemetery, graveyard, burial plot, etc.
1. Minimum setbacks for places of interment:
    - a. Public Rights-of-Way – no closer than fifty (50) feet.
    - b. Property Lines – no closer than fifty (50) feet.
    - c. Residential Structures – no closer than one hundred (100) feet of any existing dwelling unit situated on an adjacent parcel.
    - d. Water Resources – no closer than one hundred (100) feet of a private well, potable water source, stream, wetland, or floodplain, except for Natural or Conservation Cemetery graves which shall be no closer than two hundred (200) feet.
  2. Except for cemeteries, places of interment shall not be permitted in a front yard.
  3. Management Records. The owner or operator shall maintain accurate records of all interments, including grave/plot locations.
  4. A perpetual covenant shall be recorded in the county recorder's office running with the land that provides for the obligation and responsibility of perpetual care ensuring long-term maintenance of the site.

### Section 1343.03                      Schedule of Off-street Parking and Loading Requirements

Any structure or building hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used, shall be provided with not less than the minimum spaces, as set forth below. Said spaces shall be readily accessible to the uses served thereby. When the application of a unit of measurement results in a fractional space, a space shall be required for each such fraction.

**Table 1343.A – Parking Requirements**

Use Type	Vehicle Parking Spaces (required)	Bike Parking Spaces (required)
Commercial		
Funeral Home	<del>1 per each 100 sqft of GFA for public use in addition to a service area for vehicles such as hearses and ambulances</del> <u>1 per 100 sqft of floor area devoted to assembly purposes, plus 1 for every 2 employees (at max shift, typical), plus 1 for each funeral home service vehicle (i.e., hearses, limousines, sedans, etc.).</u>	None

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**Re: Breakfast with Funeral Home Directors - City of Huntington**

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**From** Kenzie Roland <RolandK@Huntingtonwv.gov>

**Date** Tue 10/7/2025 3:58 PM

**Cc** Zane Parsley <ParsleyZ@Huntingtonwv.gov>

**Bcc** tylerjamesmatney@gmail.com <tylerjamesmatney@gmail.com>; regerfh2@comcast.net <regerfh2@comcast.net>; chapmansmortuary@wvdsi.net <chapmansmortuary@wvdsi.net>; tim@klingelcarpenter.com <tim@klingelcarpenter.com>; alatham@beardmortuary.com <alatham@beardmortuary.com>; jayahm@yahoo.com <jayahm@yahoo.com>

Goof afternoon,

On Monday, October 6th, the Planning Commission decided to table the death care text amendment until December 1st, 2025. This does affect the future meetings for Committee and City Council review; therefore, I will send the future when they are determined.

Have a good evening,

Kenzie Roland  
City of Huntington  
T: 304.696.5540 x2095

---

**From:** Kenzie Roland <RolandK@Huntingtonwv.gov>

**Sent:** Thursday, September 18, 2025 4:20 PM

**Cc:** Zane Parsley <ParsleyZ@Huntingtonwv.gov>

**Subject:** Re: Breakfast with Funeral Home Directors - City of Huntington

Good afternoon,

Thank you all for attending the breakfast this morning, as it was very helpful and insightful. As discussed here is the information for the public hearings regarding the text amendment. As stated in the meeting, this is **TENTATIVE** and may change regarding decisions made during each step.

Planning Commission Public Meeting - **PUBLIC COMMENT OPEN**

Monday October 6, 2025 at 5:30 PM in Council Chambers at City Hall (800 5<sup>th</sup> Ave)

Planning Committee Meeting (Council) - **PUBLIC COMMENT CLOSED**

Monday October 14, 2025 in Council Chambers at City Hall (800 5<sup>th</sup> Ave) - will be shown on the City Facebook Page

City Council Meeting - 1<sup>st</sup> Reading - **PUBLIC COMMENT CLOSED**

Monday October 27, 2025 at 7:30 PM in Council Chambers at City Hall (800 5<sup>th</sup> Ave) - will be shown on the City Facebook Page

City Council Meeting - 2<sup>nd</sup> Reading - **PUBLIC COMMENT OPEN**

Monday November 10, 2025 at 7:30 PM in Council Chambers at City Hall (800 5<sup>th</sup> Ave) - will be shown on the City Facebook Page

As mentioned, I will try my best to update you as these meetings and decisions occur so you can attend when public comment is open. If you have any questions, comments, or concerns, please do not hesitate to reach out!

Have a great rest of the week and weekend,

Kenzie Roland  
City of Huntington  
T: 304.696.5540 x2095

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**From:** Kenzie Roland <RolandK@Huntingtonwv.gov>  
**Sent:** Friday, September 12, 2025 4:33 PM  
**Cc:** Zane Parsley <ParsleyZ@Huntingtonwv.gov>  
**Subject:** Breakfast with Funeral Home Directors - City of Huntington

Good afternoon,

Thank you all for taking my call today. As discussed here is the information for the breakfast next week.

Date Sept. 18th, 2025  
Time: 9am to 10:30am

Where: City Hall - Mayor's Conference Room (800 5<sup>th</sup> Ave)  
Myself or the security guards will be there to assist you in finding the room.

We look forward to an open discussion on how the zoning ordinance can better fit the needs of your industry. If anything should change, I will notify you as soon as I can.

Have a great weekend,

**Kenzie Roland**  
Planner I  
Department of Planning & Development  
City of Huntington  
800 Fifth Avenue, Room 100C  
P.O. Box 1659  
Huntington, WV 25701  
T: 304.696.5540 x2095  
Email: [rolandk@huntingtonwv.gov](mailto:rolandk@huntingtonwv.gov)

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**Re: Death Care Text Amendment**


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**From** Kenzie Roland <RolandK@Huntingtonwv.gov>

**Date** Mon 11/3/2025 3:40 PM

**To** Tim <tim@klingelcarpenter.com>; tylerjamesmatney@gmail.com <tylerjamesmatney@gmail.com>; regerfh2@comcast.net <regerfh2@comcast.net>; chapmansmortuary@wvdsi.net <chapmansmortuary@wvdsi.net>; alatham@beardmortuary.com <alatham@beardmortuary.com>; jayahm@yahoo.com <jayahm@yahoo.com>

**Cc** Zane Parsley <ParsleyZ@Huntingtonwv.gov>

 1 attachment (37 KB)

Huntington - Death Care Uses - Text Amendment - FINAL CLEAN.docx;

All,

This is a final reminder that our office will take suggestions and comments on the attached text amendment until Friday November 7 at 4PM.

If you have any questions, please do not hesitate to contact me using my information below.

The death care text amendment will be reheard on December 1<sup>st</sup> at 5:30 PM in Council Chambers. I recommend attending if you can.

Have a great week,

Kenzie Roland  
City of Huntington  
T: 304.696.5540 x2095

---

**From:** Kenzie Roland <RolandK@Huntingtonwv.gov>

**Sent:** Tuesday, October 28, 2025 11:53 AM

**To:** Tim <tim@klingelcarpenter.com>; tylerjamesmatney@gmail.com <tylerjamesmatney@gmail.com>; regerfh2@comcast.net <regerfh2@comcast.net>; chapmansmortuary@wvdsi.net <chapmansmortuary@wvdsi.net>; alatham@beardmortuary.com <alatham@beardmortuary.com>; jayahm@yahoo.com <jayahm@yahoo.com>

**Cc:** Zane Parsley <ParsleyZ@Huntingtonwv.gov>

**Subject:** Re: Death Care Text Amendment

See attached.

Kenzie Roland  
City of Huntington  
T: 304.696.5540 x2095

---

**From:** Tim <tim@klingelcarpenter.com>

**Sent:** Tuesday, October 28, 2025 11:52 AM

**To:** Kenzie Roland <RolandK@Huntingtonwv.gov>; tylerjamesmatney@gmail.com <tylerjamesmatney@gmail.com>; regerfh2@comcast.net <regerfh2@comcast.net>; chapmansmortuary@wvdsi.net <chapmansmortuary@wvdsi.net>; alatham@beardmortuary.com <alatham@beardmortuary.com>; jayahm@yahoo.com <jayahm@yahoo.com>



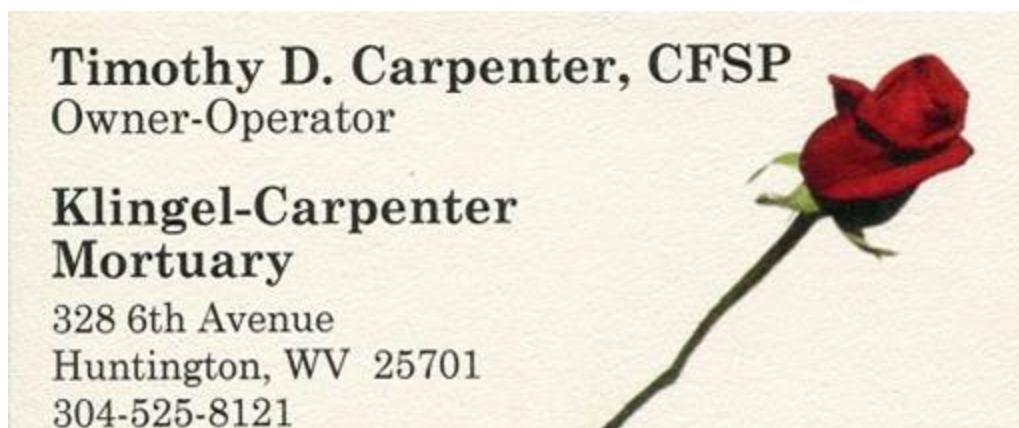
Cc: Zane Parsley <ParsleyZ@Huntingtonwv.gov>

Subject: RE: Death Care Text Amendment

**\*\*EXTERNAL SENDER\*\* This email is not from an official City of Huntington email account. Please take caution when opening links or attachments from this email. Please forward this to [spam@huntingtonwv.gov](mailto:spam@huntingtonwv.gov) if you believe this email is suspicious.**

Could you please send me the death care text amendment.

Tim



---

**From:** Kenzie Roland <RolandK@Huntingtonwv.gov>

**Sent:** Monday, October 27, 2025 11:00 AM

**To:** tylerjamesmatney@gmail.com; regerfh2@comcast.net; chapmansmortuary@wvdsi.net; Tim <tim@klingelcarpenter.com>; alatham@beardmortuary.com; jayahm@yahoo.com

**Cc:** Zane Parsley <ParsleyZ@Huntingtonwv.gov>

**Subject:** Re: Death Care Text Amendment

Good morning,

I am reaching out again to see if you have reviewed the text amendment and can send any potential items or areas that need to be reviewed.

Thank you,

Kenzie Roland

City of Huntington

T: 304.696.5540 x2095

---

**From:** Kenzie Roland <[RolandK@Huntingtonwv.gov](mailto:RolandK@Huntingtonwv.gov)>

**Sent:** Tuesday, October 14, 2025 10:30 AM

**To:** [tylerjamesmatney@gmail.com](mailto:tylerjamesmatney@gmail.com) <[tylerjamesmatney@gmail.com](mailto:tylerjamesmatney@gmail.com)>; [regerfh2@comcast.net](mailto:regerfh2@comcast.net) <[regerfh2@comcast.net](mailto:regerfh2@comcast.net)>; [chapmansmortuary@wvdsi.net](mailto:chapmansmortuary@wvdsi.net) <[chapmansmortuary@wvdsi.net](mailto:chapmansmortuary@wvdsi.net)>; [tim@klingelcarpenter.com](mailto:tim@klingelcarpenter.com) <[tim@klingelcarpenter.com](mailto:tim@klingelcarpenter.com)>; [alatham@beardmortuary.com](mailto:alatham@beardmortuary.com) <[alatham@beardmortuary.com](mailto:alatham@beardmortuary.com)>; [jayahm@yahoo.com](mailto:jayahm@yahoo.com) <[jayahm@yahoo.com](mailto:jayahm@yahoo.com)>

**Cc:** Zane Parsley <[ParsleyZ@Huntingtonwv.gov](mailto:ParsleyZ@Huntingtonwv.gov)>

**Subject:** Death Care Text Amendment

Good morning,

On Monday, October 6th, the Planning Commission decided to table the death care text amendment until December 1st, 2025. This does affect the future meetings for Committee and City Council review; therefore, I will send the future when they are determined.

In order to take your comments and suggestions into consideration, I have attached the text amendment that was presented to the Planning Commission on 10/6/25. Please specify the areas you recommend us looking at and we will do our best to review those suggestions and ensure they align with the zoning ordinance for the City.

If you have any questions, comments, or concerns, please do not hesitate to contact me using my information below.

Have a great day,

**Kenzie Roland**

Planner I

Department of Planning & Development

City of Huntington

800 Fifth Avenue, Room 100C

P.O. Box 1659

Huntington, WV 25701

T: 304.696.5540 x2095

Email: [rolandk@huntingtonwv.gov](mailto:rolandk@huntingtonwv.gov)

---

**Re: Death care text**

---

**From** Kenzie Roland <RolandK@Huntingtonwv.gov>  
**Date** Fri 11/7/2025 4:04 PM  
**To** Andrew Reger <areger@regerfuneralhome.com>

Mr. Reger,

Per our phone conversation, Reger Funeral Home would be grandfathered in relation to the proposed text concern you have. As far a piece of code that you could reference, we do not necessarily have anything that references this, but our code is not retroactive.

I hope this email will suffice.

Have a great weekend,

Kenzie Roland  
City of Huntington  
T: 304.696.5540 x2095

---

**From:** Andrew Reger <areger@regerfuneralhome.com>  
**Sent:** Thursday, November 6, 2025 10:16 AM  
**To:** Kenzie Roland <RolandK@Huntingtonwv.gov>  
**Subject:** Death care text

**\*\*EXTERNAL SENDER\*\*** This email is not from an official City of Huntington email account. Please take caution when opening links or attachments from this email. Please forward this to spam@huntingtonwv.gov if you believe this email is suspicious.

Hello Kenzie,

My name is Andrew Reger. I was present at the October meeting for the proposal on the changes in death care. I am the corporate secretary at Reger Funeral Home. I also sit on the board of directors as the current secretary/treasurer for the WV Funeral Directors and Crematory Operators Association.

I have read over the changes made to the death care proposal for the city of Huntington. I do still have one major issue with the proposal. I do not see a grandfather clause or some statute to allow us to continue our process for loading and unloading of remains. I am referring to section 1341.29 part D: funeral home or mortuary. Patrick Reger and I both have an issue with this as our current procedure while it is in our carport and mostly blocked is not blocked completely as seems to be the requirement of the proposed changes. I would like to see a grandfather clause added to the text to not require any such structure be required to be erected unless the establishment enters

into major refurbishments or something along those lines. As it is now the city proposal is asking us to make a large capital investment to change our facilities at a time when materials for construction are expensive as well as funeral service profitability being down. Please let me know if this is possible or even something the city would consider.

Otherwise I can say I am glad to see many of the changes made to the original proposal.

I hope we can get this one major hindrance for me to a point where I as a business owner have no issues with the text and will gladly help you get the proposal approved.

Kind Regards,  
Andrew Reger

October 27, 2025

Kenzie Roland  
City of Huntington, W.VA.

Dear Kenzie,

As a follow-up to our telephone conversation, this letter will review some facts regarding the common placement of cremation equipment within a funeral related facility.

Matthews Cremation Division has been designing, manufacturing and installing combustion systems for a broad range of industries for over 70 years. We are recognized as the leader in cremation equipment, with over 5,000 installations throughout the United States and 50 countries. Our designs have been granted U.S. patents, and have been adopted as industry standards for quality and performance. In addition, we are the largest service and repair organization, servicing all brands of cremation equipment.

Our company has been involved with the various fields of combustion for many years, and directly related to the cremation industry for over 55 years. We are a member in good standing with the Cremation Association of North America, and became its first supplier member more than 40 years ago.

As the largest manufacturer of cremation equipment, our company annually markets over 70% of our production to the funeral industry. Most funeral establishments are located in residential communities and/or light commercial areas, since they are there to serve the local population. The cremation equipment is installed within the funeral home and is generally considered by most zoning regulations to be an extension of existing business and/or services, an accessory if you will.

The equipment operates without smoke or odor, and each and every installation must be permitted by the environmental authorities for the city, state or province in which it is installed. The equipment we manufacture is Underwriters Laboratories (UL) listed, confirming maximum safety of both equipment and personnel.

In addition, in Canada our equipment is built to the standards of the Canadian Gas Association (CGA), and is inspected and approved by them for safety of both the electrical and gas control systems.

Each model manufactured by our company is tested by an independent testing laboratory against standards set forth by the federal government. Our equipment's emission levels are substantially lower than the allowable standards to ensure environmental quality. Residents of the area will not be aware the equipment is operating.

All machinery that performs combustion, whether automobiles or furnaces of any type (fireplaces or crematories), gives off byproducts referred to as *particulate matter*. Because of our equipment's high

Kenzie Roland  
City of Huntington  
Page 2

quality standards, these byproducts are not visible, nor is there an odor of the material being combusted. Presently there are approximately 35 of our cremators operating within the State of West Virginia. Each has been approved for installation by West Virginia's Department of Environmental Protection, Division of Air Quality

The equipment operates automatically and has built-in pollution detection equipment that constantly supervises the operation, safeguarding against pollution and environmental impact. Cycle time is approximately two hours. When this cycle time is multiplied by the annual frequency of use, the actual hours of operation become insignificant.

The present rate of cremation in this country is approximately 63.4% and 54.7% in West Virginia. It is of vital importance that these services be locally available to residents of the community, to help minimize cost to them and fulfilling their demands.

I appreciate your interest and concern regarding the basic information surrounding the installation of cremation equipment. Please feel free to distribute this letter of information to any individuals and/or group that might have interest.

Should you or others require additional information or have questions about anything in this letter, please call me on my cell phone 407-725-8953.

Yours very truly,

Jeffrey Barron  
Senior Sales Representative

# POWERPAK I

## HUMAN CREMATION SYSTEM



\*Shown above with optional  
MPYRE® 3 control panel

### KEY FEATURES

Superior Emission Control

Ideal for New or Low-Volume Crematories

Designed for up to 4 Cremations Per Day

Automatic Operation, Most Fuel-Efficient in its Class

The Future Of Cremation

**M** Matthews®  
ENVIRONMENTAL SOLUTIONS



# JUST RIGHT FOR YOUR BUSINESS

The PowerPak I Cremation System is designed to meet the needs of low-volume cremation businesses that perform four or less cremations each day. Whether you're just starting out, or you're adding cremation as a new service for the families you serve, you want reliable equipment from a manufacturer you can trust. That's why we've taken our decades of field-proven innovation and experience and engineered them into every detail of the PowerPak I.

The PowerPak I is just right for your business. It's fully automated, and can be modified to work with our advanced MPYRE 3® remote operating and monitoring system. And because it's the fastest and most fuel-efficient cremator in its class, you'll save time and money that you can use to build your business for the future.

## POWERPAK I SPECIFICATIONS

Overall Height:	8' 4" (2.54 m)
Overall Width:	6' 5" (1.98 m) with side-mounted control panel 5' 3" (1.60 m) with remote-mounted control panel
Overall Length:	14' 9" (4.50 m)
Weight:	23,400 lb. (10,614.1 kg)
Fuel:	Natural or L.P. Gas (Oil available)
Electrical:	230 volts, 1-phase/3-phase
Control panel can be located right, left or remote	



### READY TO GO

The PowerPak I arrives at your doorstep ready to go. It comes pre-wired, pre-piped, and pre-tested. All you have to do is off-load your cremator, provide one connection for gas and one for electricity, and be prepared to accommodate the exhaust stack. That's it: as simple as one, two, three.



### FUEL EFFICIENCY

The PowerPak I utilizes advanced combustion technology, making it the cleanest-burning cremator available on the market.



### OPERATOR SAFETY

We're serious about safety. That's why our cremators are tested and listed by Underwriter's Laboratories (UL).

### QUIET OPERATION

Exclusive *Whisper Shield* allows operation without disturbing other services.

### ANGLED BURNERS

Innovative burner design improves productivity and saves fuel.

### CREMATION CHAMBER FLOOR

Unique *Hot Hearth* design eliminates fluid runoff and minimizes fuel consumption.

### AUTOMATIC LOADING DOOR

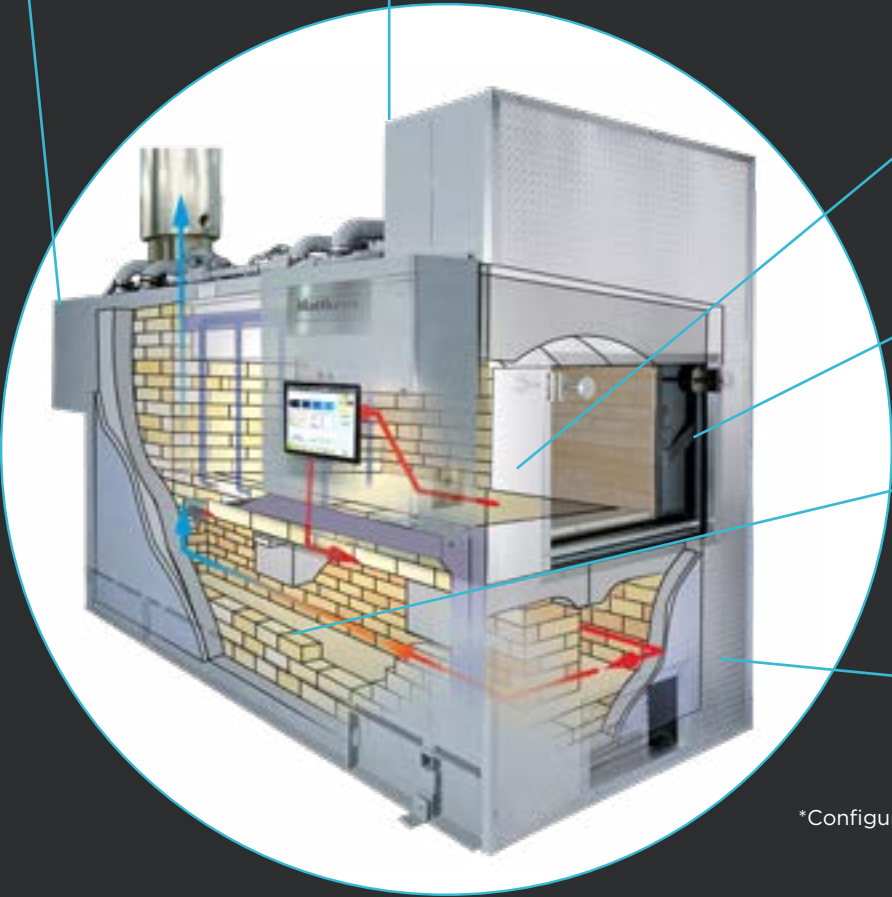
Heavy-duty door opens and closes at the touch of a button.

### SMOKE BUSTER™ SYSTEM

Advanced secondary chamber airflow for complete combustion of smoke and odor.

### ADDED INSULATION

A full 12" of multi-component material to increase operator safety and reduce heat loss & maintenance costs.



\*Configuration shown with the MPYRE control panel.

## MPYRE® 3 ADVANCED CREMATION CONTROL SYSTEM

### Simple Up Front — because it's powerful behind the scenes

The simple, cremation-tracker home screen tells operators everything they need to know, while MPYRE's advanced environmental logic handles the rest. The result is more productivity with less training.

It lets operators focus on what really counts — getting cremations done. While MPYRE automatically delivers faster, safer, greener results for your business.

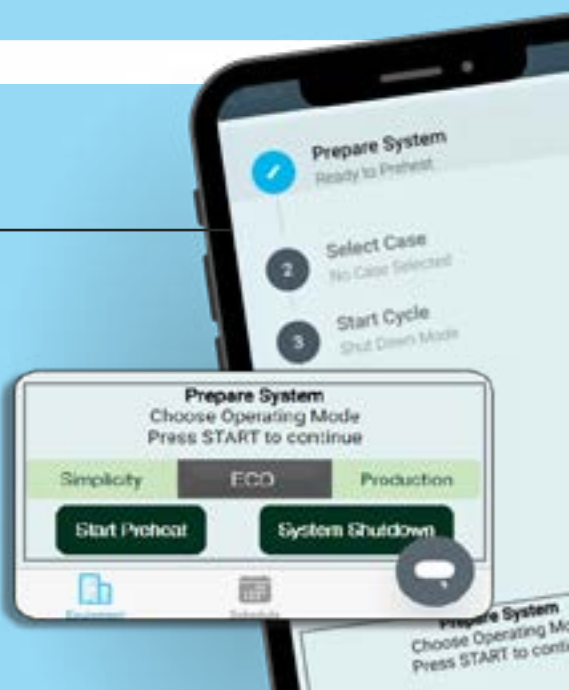
### Choose Your Operating Mode: Different Priorities for Different Days

MPYRE® 3 is smart enough to work the way that you do, with three operating modes, tailored to what you need:

**ECO MODE-** keeps fuel usage and greenhouse gas emissions as low as possible, but still gives you great productivity

**PRODUCTION MODE-** when you need maximum speed and throughput, this lets you run faster and get more work done in less time

**SIMPLICITY MODE** - a perfect solution for slow days or special situations – you can load the body into a cool machine and start the process from there. The system automatically preheats, starts the cremation and cools down. It's a safer option for witness cremations and large bodies, as well.





# GET THE MOST FROM YOUR MATTHEWS CREMATOR

## SYSTEM ACCESSORIES



### ECP-200 Electric Cremated Remains Processor

- Reduces cremated remains to fit standard-sized urns
- Average processing time  $\leq 30$  seconds



### BB-3 Processor

- Separates fine metals from the cremations, to maximize your recycling results.
- Dust removal system protects operator health with either external exhaust or ventless upgrade with high-efficiency filter system



### Flex 180 Autoloader

- Loading table rotates a full 180 degrees to increase flexibility and reduce space requirements
- Fully integrated controls let operators and families operate the cremator and autoloader from a single, safe vantage point



### VersaLift 2

- Lifts up to 84" high, with a capacity of up to 1000 lbs.
- Ergonomically designed to enhance your efficiency, ease-of-use and operator safety



## THE POWER OF PARTNERSHIP

- Financial ROI Analysis
- Zoning and Permitting Support
- Operator Training and Certification
- 24/7 Customer Service and Support
- Custom Engineering and Design
- Facility Layout and Design
- Crematory Accessories and Supplies
- Leasing and Financing Options
- Turn-Key Installation

## MATTHEWS GIVES YOU MORE

Matthews is redefining the future of cremation. We offer a powerful partnership that gives you access to our global resources and combines all of our engineering talents. With more than 75 years of experience and 5,000 installations in over 50 countries, we are the most trusted brand in cremation technology and service. Count on Matthews to help build your business for both today's challenges and tomorrow's opportunities.



Scan here to view our complete  
line of crematory accessories.

+1 407.886.5533 | [MatthewsEnvironmental.com](https://MatthewsEnvironmental.com)

**City of Huntington Planning Commission**

**December 1, 2025**

**Staff Report:** An ordinance of Council amending, modifying and re-enacting article 1340 of the codified ordinances of the City of Huntington, as revised, to amend definitions, the permit process, and standards for Outdoor Dining Areas.

**PC 25-13**

*Issue:* An ordinance of Council amending, modifying and re-enacting article 1340 of the codified ordinances of the City of Huntington, as revised, to amend definitions, the permit process, and standards for Outdoor Dining Areas.

*Petitioner:* City of Huntington, 800 5<sup>th</sup> Avenue, Huntington, WV 25701

**Introduction**

This is a petition to update the City of Huntington's Zoning Ordinance to amend definitions, the permit process, and standards for Outdoor Dining Areas.

**Existing Code**

Under the existing code, outdoor dining areas are defined using three different definitions of *Small partitioned area*, *Large partitioned area*, and *Non-partitioned area*, where the difference includes being fenced and linear footage along storefront. Each type of outdoor dining area has a different annual administrative and renewal fee. The code also requires certain hours of operation of the outdoor dining areas, limiting it to only when the kitchen of the establishment is open and food is being served. Overall, the current code is complex and is specifically geared towards to restaurants and restaurants serving alcohol.

**Proposed Code Changes**

**Amend Section 1340.04 Definitions**

- Amend "Operator"
- Add "Partitioned area"
- Remove "Small partitioned area"
- Remove "Large partitioned area"

**Amend Section 1340.05 Permit Process**

In Section 1340.05, the proposed amendment would transition from an initial and annual renewal fee of the differing outdoor dining areas to a one-time fee upon initial application for all permitted outdoor dining areas.

**Amend Section 1340.06 Standards for Outdoor Dining Areas**

In Section 1340.06, the proposed amendment would remove operating within certain hours and only require them to follow serving regulations laid out by the WVABCA regarding permitted days and times of service, if serving alcohol.

## PC 25-13 Staff Report

### **Staff Comments**

Article 1340 Outdoor Dining was enacted in 2018 and has acted a good baseline. However, enforcement has been difficult due to complex regulations under the existing code. The proposed amendments would simplify the definitions to easily determine how to proceed, relieve a financial burden on expanding their business into the public right-of-way, and remove and amend language to be more inclusive of bars and other food industry establishments.

The amendment, addition, and removal of the definitions proposed will open up the types of businesses when referring to their operators and only have a clear difference between “partitioned” and “non-partitioned” areas. The differing fees for different size of outdoor dining areas was difficult to manage as well as enforce. The simplification of a one-time fee upon application promotes ease when obtaining the permit and promotes a business-friendly partnership.

The proposed amendment would alleviate the operator of the outdoor dining area from operating within certain hours and only require them to follow serving regulations laid out by the WVABCA. It will also open the door to small-scale businesses, such as pastry shops, coffee shops, or the like, who may operate differently from a full-scale kitchen restaurant.

### **Comprehensive Plan**

Currently the Zoning Ordinance for Outdoor Dining Areas focuses on restaurants and restaurants serving alcohol. However, it does not essentially target bars or smaller-scale food businesses. The Comprehensive Plan, Plan 2035 does mention the need to create a diverse retail and business environment. Therefore, the proposed amendment would allow current and new businesses to easily obtain a permit with the City by simplifying the fee and process, while promoting achievable growth and a more enjoyable experience.

### **Attachments**

- Proposed Amendments : Additions are underlined and withdrawn text are stricken through

**AN ORDINANCE OF COUNCIL AMENDING, MODIFYING AND RE-ENACTING  
ARTICLE 1340 OF THE CODIFIED ORDINANCES OF THE CITY OF HUNTINGTON,  
AS REVISED, TO AMEND DEFINITIONS, THE PERMIT PROCESS, AND  
STANDARDS FOR OUTDOOR DINING AREAS.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HUNTINGTON,  
CABELL AND WAYNE COUNTIES, WEST VIRGINIA,** that Article 1340 of the Codified  
Ordinances of the City of Huntington, as revised, is hereby **AMENDED, MODIFIED AND RE-  
ENACTED** to read as follows:

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ARTICLE 1340  
OUTDOOR DINING AND OUTDOOR SERVICE OF ALCOHOL

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1340.04 DEFINITIONS.

- (a) "Operator" shall mean a person, organization, proprietorship, corporation or other similar entity lawfully operating a business located in a district zoned for commercial use that possesses a valid ~~State of West Virginia food vendor's~~ county health department permit and serves ~~at a minimum both lunch and dinner~~food and/or drink for on-premise consumption, and has been issued an outdoor dining area permit by the city's ~~planning department~~.
- (b) "Outdoor dining area" shall mean a confined area of the public sidewalk designated by a site plan approved by the city through its planning department and located in a commercial district, as shown on the City of Huntington's Official Zoning Map, where, if abutting a street, the street abutting the sidewalk is posted at a speed limit of 25 mph or less, and which area is adjacent to operator's building/permanent structure, where patrons may sit at tables while consuming food and beverages, which may include alcoholic beverages contingent on proper licensure by the WVABCA.
- (c) "~~Small p~~Partitioned area" shall mean an outdoor dining area that is fenced or otherwise enclosed ~~and occupies 30 or less of linear feet~~ along the adjacent storefront.
- (d) "~~Large partitioned area~~" shall mean ~~an outdoor dining area that is fenced or otherwise enclosed and occupies greater than 30 feet of linear feet along the adjacent storefront.~~
- (e) ——"Non-partitioned area" shall mean an outdoor dining area that is not fenced or otherwise enclosed.

1340.05 PERMIT PROCESS.

\* \* \*

- (c) The outdoor dining area permit term shall be for one fiscal year, renewed July 1, unless revoked prior to expiration, and may be renewed on an annual basis. An ~~annual~~ administrative fee of \$100 ~~for a non-partitioned outdoor dining area, a \$250 administrative fee~~ shall be assessed for

a small partitioned outdoor dining area or a \$500 administrative fee for a large petitioned area, shall be assessed upon initial application renewal of an existing outdoor dining area permit.

\* \* \*

1340.06 STANDARDS FOR OUTDOOR DINING AREAS.

(a) The outdoor dining area shall be located adjacent to the property of an existing and lawful establishment of a permitted operator and shall be under the responsible direction and control of that operator.

(b) ~~The outdoor dining area may be open to patrons between the hours of 7:00 a.m. and 11:00 p.m. daily, but said outdoor dining area may only be open while the kitchen associated with such establishment is open and operating such that it is capable of serving food to patrons.~~ In the event a permitted operator intends to serve any beverage regulated by the WVABCA in an outdoor dining area, all code provisions and regulations of the WVABCA regarding permitted days and hours of service shall be followed. If a bar is proposing to allow for outdoor drinking, ~~and do not meet the dining requirements listed above~~ they may petition to go before the board of zoning appeals to allow for an expansion to their existing special permit/conditional use permit if all other site and location requirements can be met.

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**BE IT FURTHER ORDAINED** that all other articles, sections and subsections of the Codified Ordinances of the City of Huntington, as revised, shall remain in full force and effect until further Ordinance of this Council.

**BE IT FURTHER ORDAINED** that the amendments to Article 1340 shall become effective upon its adoption by Council and approval by the Mayor.

SPONSORED BY \_\_\_\_\_

APPROVED AS TO FORM BY \_\_\_\_\_

FIRST READING \_\_\_\_\_

\_\_\_\_\_

SECOND READING \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE \_\_\_\_\_

2025-O-\_\_\_\_

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BARBARA MILLER, CITY CLERK

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PATRICK J. FARRELL, MAYOR

\_\_\_\_\_  
APPROVE

DATE \_\_\_\_\_

\_\_\_\_\_  
VETO