

## ORDINANCE 5-C-23

*SYNOPSIS: This ordinance, if adopted, would amend Chapter 158, titled "Zoning Code" of the City of Huntington Code of Ordinances by making certain revisions to §158.080(A) - Livestock Operations to exempt certain domestic livestock which are authorized by Chapter 91, titled "Animal Control".*

### AN ORDINANCE AMENDING CHAPTER 158 OF THE CITY OF HUNTINGTON CODE OF ORDINANCES

WHEREAS, the General Assembly of the State of Indiana has granted the powers to local units of government to control land use within their jurisdictions; and

WHEREAS, the City of Huntington, Indiana ("City") has previously enacted a Zoning Ordinance under the authority of IC 36-7-4-600 Series; and

WHEREAS, from time to time it is prudent for the City to review and revise zoning standards in order to achieve the community vision established by the Comprehensive Plan; and

WHEREAS, the City of Huntington Plan Commission, on February 23, 2023, conducted a public hearing on this proposed amendment, Docket PC-23-001; and

WHEREAS, the City of Huntington Plan Commission, by a 4-1 vote, issued a Favorable recommendation on this proposed amendment, a copy of that favorable recommendation is attached hereto and incorporated herein by reference as "Exhibit A".

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Huntington, Indiana, that Section 158.080(A) of the City of Huntington Code of Ordinances is hereby revised to read as follows and that the following shall become effective immediately upon adoption:

“§158.080(A)

(A) Purpose, Intent and Exemptions

- (1) It is the purpose and intent of this Section to provide for livestock operations within the jurisdiction of the Huntington City Plan Commission. Two classes of livestock operations have been established based upon the intensity of use. Accordingly, minimum standards have been established for each class of livestock operation in order to assure the compatibility of livestock operations with other uses permitted in the applicable district. These minimum standards are intended to provide protection for existing residential, commercial, industrial, and public buildings from being encroached upon by new livestock operations, as well as protecting approved livestock operations from being encroached upon by new residential, commercial, industrial, and public buildings.
- (2) The provisions of this Section shall apply to the raising of livestock, including those authorized by meeting certain acreage requirements under §91; however it shall not apply to certain domestic animals having been issued a specific permit under §91.”

BE IT FINALLY ORDAINED THAT, This ordinance shall be effective immediately upon its adoption and all ordinances or parts of ordinance in conflict herewith are repealed.

A motion to consider for final adoption on the same day of introduction was [NOT OFFERED] or NOT SUSTAINED or SUSTAINED] by a vote of \_\_\_ in favor and \_\_\_ in opposition.

Duly adopted on first reading this 28 day of February, 2023 by a vote of 6 in favor and 1 in opposition. Nay - Funk

Duly adopted on final reading this 14 day of March, 2023, by a vote of 6 in favor and 0 in opposition.

**CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL**

Voting in Favor:

Joe Blomeke  
Charles Chapman  
PJ Felton  
Dave Funk  
Todd Johnson  
Absent  
Paul Pike

Joe Blomeke

Charles Chapman  
(President)

PJ Felton

Dave Funk

Todd Johnson

Seth Marshall

Paul Pike

Voting in Opposition:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attest:

Christi McElhaney  
Christi A. McElhaney  
City Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this 14 day of March, 2023.

Christi McElhaney  
Christi A. McElhaney  
City Clerk-Treasurer

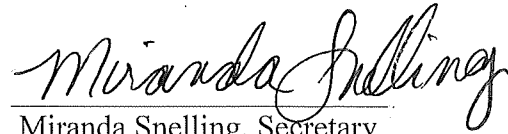
This ordinance having been adopted by the Common Council and presented to me is [APPROVED] or VETOED], this 14 day of March, 2023.

Richard Strick  
Richard Strick  
Mayor of the City of Huntington, Indiana

Exhibit "A"

Plan Commission Certification

On July 22, 2021, the Huntington City Plan Commission, by a 4 - 1 vote, certified a favorable recommendation on application PC-23-001.

A handwritten signature in cursive script that reads "Miranda Snelling". The signature is written in black ink and is positioned above a horizontal line.

Miranda Snelling, Secretary  
Huntington City Plan Commission