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Reason for change:

Our current definition for "Family" is wordy, confusing and open to interpretation.

After examining definitions from a list of 68 cities and towns, the most common practice is no definition at all. Those towns that do have a definition use a realtors definition with additional allowable persons added. (See Below)

Current wording:

2.12 – Family - One (1) or more individuals occupying a dwelling unit and living together as a single household unit with common access to, and common use of, all facilities comprising the dwelling unit, as distinguished from a boarding or rooming house, fraternity or sorority house, club, motel and other similar uses. In general, five (5) or more unrelated persons living in a single Dwelling do not constitute the functional equivalent of a traditional family. However, a group of five (5) or more unrelated individuals may request designation by the Planning commission as the functional equivalent of a family for the purposes of this zoning ordinance. The Planning Commission will hear the request and find that a group qualifies as a family if the group:

1. Lives and cooks together in a residence as a "single housekeeping unit"; and
2. shares expenses for food, rent, utilities or other household expenses; and
3. is to "all outward appearances, a relatively normal, stable, and permanent family unit;" and
4. is not a "temporary living arrangement as would be a group of college students sharing a house;" and
5. will inhabit a dwelling which does not provide "a framework for transients or transient living;" and
6. shares the entire house; and
7. includes one (1) or more adults domiciled in the residence (see 42 U.S.C. § 3602(k), and Keys Youth Services v. City of Olathe); any minor occupants are domiciled therein with: (i) a parent or another person who has or is in the process of securing legal custody of such individual or individuals; or (ii) the designee of such parent or other person having such custody, with the written permission of such parent or other person."

Proposed wording:

2.12 Family - An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.