

Definition of Family

**Stakeholders Group
Meeting**

January 23, 2006

AGENDA

- Recap Ground Rules and Process
- Family Defined in other Zoning Ordinances
- Legal Precedents on Family Definition
- Group Discussion
- Break
- Staff Presentations on Occupancy
- Next Steps

Definition of Family

- **Other Jurisdictions**

- Ø **Limit number of unrelated (4)**

- Ø **Blood or marriage relations to the third degree**

U.S. Bureau of the Census

- **Average family declined from**
1970 - 3.58
1990 - 3.17
- **A far larger proportion of our households are single person or single parent household**

Rethinking zoning to accommodate the elderly in single family housing
Patricia Baron Pollak

Legal Corner

- **Court Cases**
 - Ø **City of Charlotte**

- **Legal Opinion**



Supreme Court - City of Edmonds vs. Oxford House

The court decisions suggest zoning restrictions legal if the answer is **yes** to all three questions :

1. Is the restriction intended to achieve a legitimate government purpose?
2. Does it actually achieve that purpose?
3. And is it the least drastic way to do so?

Group Discussion

Is the Issue....

“The Definition of Family?”

or

Is the Issue

.....“Occupancy”?



OCCUPANCY

- Different Agencies

Ø **Fire Code**

Ø **Building Code**

Ø **Minimum Housing Code**

Fire Code

- **BART MASSEY**

Ø **Code Section**

Ø **Enforcement**

Building Code

- **TIM TAYLOR**

Ø **Code Section**

Ø **Enforcement**

Minimum Housing Code

- **SCOTT EDWARDS**

Ø **Code Section**

Ø **Enforcement**

Min. Occupancy Bases on SF

# of Occup.	1	2	3	4	5	6
SF req.	150	250	350	450	500	550

1. At least one room was 150 SF
2. The kitchen/dining room combination is at least 100 SF
3. The first bedroom is at least 100 SF
4. The second bedroom is at least 70 SF
5. Each room has at least 70 SF of habitable space

NEXT STEP

