

City of Scottsbluff, Nebraska

Monday, September 13, 2021

Regular Meeting

Item New Bus2

Zoning Text Amendment

i. Chapter 25 Article 2

1. 25-2-40 "Family"

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: September 2, 2021 For Hearing of: September 13, 2021



I. GENERAL INFORMATION

- A. Staff met with legal about updating 25-2-40 regarding the definition of “family.” Several issues were discussed including the definition being outdated and simplifying the definition for both staff and the public.

II. CURRENT DEFINITION

A. Family

1. A group of natural persons consisting of a man, his wife, any children born to either him or his wife, legally adopted by either him or his wife, or placed with either him or his wife as foster children, or any combination of these persons.
2. A group of natural persons as defined in (1) plus not more than six (6) other persons, at least three (3) of which must be related to some one of the persons described in (1) by blood, marriage, or legal adoption, or
3. A group of not more than three (3) natural persons living together who are not related. (Ord. 3639, 2000; Ord. 1487, 2016; Ord. 4208, 2017)

III. NEW DEFINITION

A. Family

1. One or more persons living together and sharing common living, sleeping, cooking and eating facilities within an individual housing unit, no more than four of whom may be unrelated. The following persons shall be considered related for the purpose of this definition:
 - i. Persons related by blood, marriage, or adoption;
 - ii. Persons residing with a family for the purpose of adoption;
 - iii. Not more than eight persons residing in a foster house licensed and/or approved by the state of Nebraska;
 - iv. Person(s) living with a family at the direction of a court

IV. STAFF COMMENTS

- A. The current definition is outdated and excludes same-sex marriages and single parent families. Staff reviewed family definitions from other Nebraska cities. The proposed definition is a common definition shared by the City of Omaha, City of Norfolk, and City of Kearney.
- B. The proposed definition has been reviewed and found sufficient by the City’s legal counsel.

V. STAFF RECOMMENDATION

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve the proposed ordinance text amendment changes to Chapter 25 Article 2, changing the definition.