

City of Scottsbluff, Nebraska

Monday, October 18, 2021

Regular Meeting

Item Resolut.4

Council to consider the second reading of the Ordinance amending Chapter 25, Article 2 of the Municipal code to revise the definition of Family in Section 40 for the purpose of zoning.

Staff Contact: Zachary Glaubius, Planning Administrator

Agenda Statement

Item No.

For Meeting of: October 4, 2021

AGENDA TITLE: Council to consider an Ordinance amending the Chapter 25 definition of Family for zoning.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Department of Development Services

PRESENTATION BY: Zachary Glaubius, MCRP

SUMMARY EXPLANATION: The existing definition of family under 25-2-40 is both outdated and excludes same-sex and single parent households as can be seen in the staff report to the Planning Commission. The new definition corrects this and is based on the definition used by several other Nebraska municipalities.

BOARD/COMMISSION RECOMMENDATION: On 9-13-2021, the City of Scottsbluff Planning Commission made a positive recommendation to the City Council to amend 25-2-40 regarding the definition of "family" to that as seen on the proposed ordinance.

STAFF RECOMMENDATION: Staff recommends the adoption of the amended 25-2-40.

EXHIBITS

Resolution ☐ Ordinance ☒ Contract ☐ Minutes ☒ Plan/Map ☐

Other (specify) Staff Report

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐
Please list names and addresses required for notification.

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev: 11/15/12 City Clerk

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING CHAPTER 25, ARTICLE 2, SECTION 40 OF THE SCOTTSBLUFF MUNICIPAL CODE REGARDING THE DEFINITION OF FAMILY, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Section 25-2-40 of the Scottsbluff Municipal Code is now revised and amended to read as follows:

“25-2-40. Family.

One or more persons living together and sharing common living, sleeping, cooking and eating facilities within an individual dwelling unit, no more than four (4) of whom may be unrelated. The following persons shall be considered related for the purposes of this definition:

- (a) Persons related by blood, marriage or adoption;
- (b) Persons residing with a family for the purpose of adoption;
- (c) Not more than eight persons residing in a foster house licensed and/or approved by the State of Nebraska; and
- (d) Person(s) living with a family at the direction of a court.”

Section 2. Prior Section 25-2-40 is now repealed.

Section 3. This Ordinance shall become effective upon its passage, approval as provided by law, and publication shall be in pamphlet form.

PASSED and APPROVED on _____, 2021.

Mayor

Attest:

City Clerk (Seal)

Approved as to Form:

City Attorney