

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
November 7, 2013**

**SUMMARY**

A request by the City of Columbia to amend Chapter 29 (Zoning), Section 29-2 (Definitions) of the City Code as it relates to the definition of "family." **(Case # 13-226)**

**DISCUSSION**

Presently the zoning ordinance defines "family" as follows:

Family:

- (1) *An individual or married couple and the children thereof and no more than two (2) other persons related directly to the individual or married couple by blood or marriage, occupying a single housekeeping unit on a nonprofit basis. A family may include not more than one additional person, not related to the family by blood or marriage; or*
- (2)
  - a. 1. *In zoning districts R-1 and PUD (when the PUD development density is five (5) or less dwelling units per acre), a group of not more than three (3) persons not related by blood or marriage, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis.*
  2. *The use of a dwelling unit by four (4) persons not related by blood or marriage, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis, prior to February 4, 1991, shall be allowed to continue in districts R-1 and R-1 PUD as a lawful nonconforming use.*

*b. In all other applicable zoning districts, a group of not more than four (4) persons not related by blood or marriage, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis.*

The attached text change is being presented for Commission and Council consideration. The proposed text change would add reference to the City of Columbia Domestic Partnership Registry to the definition of "family." In the zoning ordinance, the definition of family determines how many persons may occupy a single dwelling unit.

City Council members recently expressed concern that the present definition does not sufficiently accommodate unmarried adult couples living with dependent children. The City Code of Ordinances defines a "domestic partnership" as follows:

*"Domestic partners" means two adults who share the same principal residence, and are jointly responsible for the basic necessities of life. The individuals need not contribute equally to the cost of these necessities, as long as they agree that both are responsible for the cost. [Chapter 12 Human Relations, Article IV Domestic Partnership Registry, Section 12-71 Definitions]*

The Law Department has drafted the attached language to address the Council concerns.

**RECOMMENDATION**

Approve the proposed ordinance amendment.

Report prepared by Timothy Teddy

**Case #13-226**

**Definition of family – proposed ordinance exhibit**

Proposed deletions in ~~striketthrough~~

Proposed additions underscored

Family:

(1) An individual, ~~or~~ married couple, or registered domestic partnership and the children thereof and no more than two (2) other persons related directly to the individual, ~~or~~ married couple or registered domestic partnership by blood or marriage, occupying a single housekeeping unit on a nonprofit basis. A family may include not more than one additional person, not related to the family by blood or marriage; or

(2) a. 1. In zoning districts R-1 and PUD (when the PUD development density is five (5) or less dwelling units per acre), a group of not more than three (3) persons not related by blood, ~~or marriage~~ or registered domestic partnership, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis.

2. The use of a dwelling unit by four (4) persons not related by blood, ~~or marriage~~ or registered domestic partnership, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis, prior to February 4, 1991, shall be allowed to continue in districts R-1 and R-1 PUD as a lawful nonconforming use.

b. In all other applicable zoning districts, a group of not more than four (4) persons not related by blood, ~~or marriage~~ or registered domestic partnership, living together by joint agreement and occupying a single housekeeping unit on a nonprofit cost-sharing basis.