



# **We Are Family- Or Are We?**

**Legal Challenges in Defining “Family”  
in Municipal Zoning Ordinances**

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## **♪♪ We Are Family ♪♪ -Sister Sledge**

**We are family  
I got all my sisters with me  
We are family  
Get up everybody and sing**

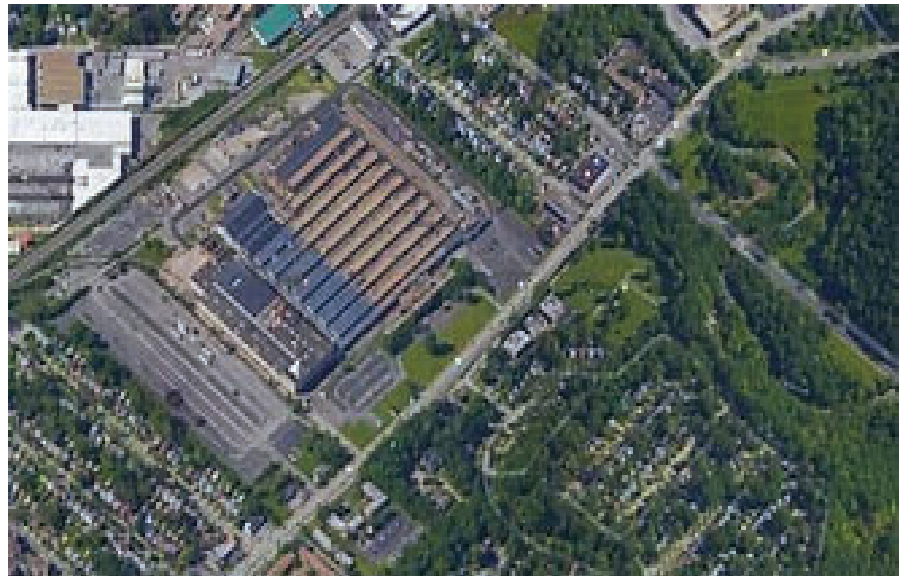
**Everyone can see we're together  
As we walk on by  
(And) and we fly just like birds of a feather  
I won't tell no lie  
(All) all of the people around us they say  
Can they be that close?  
Just let me state for the record  
We're giving love in a family dose....**



## A Few Statistics about U.S. Families

	1970	2012
<b>“Family” Households</b>	81%	66%
<b>Married Couple with Children</b>	40%	20%
<b>One-person Households</b>	17%	27%
<b>Average Number of Persons per Household</b>	3.1	2.6

# Let's Go Back to Euclid, Ohio in the 1920's



## *Village of Euclid v. Ambler Realty, 272 U.S. 365 (1926)*

<b>1</b>	<b>Supreme Court validated zoning on substantive due process grounds as valid exercise of the police power</b>	
<b>Very deferential to local governments</b>		<b>2</b>
<b>3</b>	<b>Allowed the exclusion of undesirable uses, <u>and protected residential nature of single-family neighborhoods</u></b>	
<b>“Euclidian” zoning born: concept of separating incompatible land uses</b>		<b>4</b>

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