

Proposed Draft Text Amendments Re: Temporary Health Care Structures
Proposed Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.
Public Hearing to be held on: June 21, 2018 at 7:45 p.m.

Proposal: Add in a definition for THCS, for both sets of Regulations. The definition below is what the C.G.S. uses.

Zoning Regulations, Article II – Definitions

Temporary health care structure: a transportable residential structure that provides an environment in which a caregiver may provide care for a mentally or physically impaired person, and that is primarily assembled at a location other than the site of installation, has one occupant who is the mentally or physically impaired person, is not larger than five hundred gross square feet, is not placed on or attached to a permanent foundation, and complies with the applicable provisions of the State Building Code, Fire Safety Code, and Public Health Code, all the above as defined by CGS 8-2.

Subdivision Regulations, Chapter II – Definitions

Temporary health care structure: a transportable residential structure that provides an environment in which a caregiver may provide care for a mentally or physically impaired person, and that is primarily assembled at a location other than the site of installation, has one occupant who is the mentally or physically impaired person, is not larger than five hundred gross square feet, is not placed on or attached to a permanent foundation, and complies with the applicable provisions of the State Building Code, Fire Safety Code, and Public Health Code, all the above as defined by CGS 8-2.

Additional proposed text amendments to the Zoning Regulations:

Proposal: List THCS as a permitted use.

Zoning Regulations, Article III, Section B, Subsection 2. Community District

L. A Temporary Health Care Structure as an accessory use.

Zoning Regulations, Article III, Section F, Subsection 2. Lake District

L. A Temporary Health Care Structure as an accessory use.

Proposal: Add standards for THCS.

Zoning Regulations, Article IV, Section B, Subsection 2a

- i. No more than one single family dwelling or one single family dwelling with an accessory apartment as provided below shall be allowed on each lot.

Proposed Draft Text Amendments Re: Temporary Health Care Structures
Proposed Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.
Public Hearing to be held on: June 21, 2018 at 7:45 p.m.

- ii. **A Temporary Health Care Structure (THCS) shall be allowed as an accessory use, provided that it is owned by a caregiver or mentally or physically impaired person used as his or her residence provided all setback requirements, coverage limits, and maximum floor area ratio limitations are met - see specific standards for THCS.**

*** Note: existing items ii-vi would be renumbered, but not changed in wording. ***

Zoning Regulations, Article IV, Section C, Subsection 3a.

- i. No more than one single family dwelling or one single family dwelling with an accessory apartment as provided below shall be allowed on each lot. One accessory apartment shall be permitted per single family dwelling provided the apartment does not exceed seven hundred fifty square feet (750 SF) in size and the lot meets all requirements of these Regulations.
- ii. **A Temporary Health Care Structure (THCS) shall be allowed as an accessory use, provided that it is owned by a caregiver or mentally or physically impaired person used as his or her residence provided all setback requirements, coverage limits, and maximum floor area ratio limitations are met - see specific standards for THCS.**

*** Note: existing items b and c would be renumbered to iii and iv, but not changed in wording.**

Proposal: Require a zoning permit for a THCS.

Zoning Regulations, Article V, Section A, Subsection 1, Subsubsection c

- ii. **Accessory structures, including but not limited to temporary health care structures.**
- xii. **Temporary Health Care Structures**

Proposal: Create a new section about THCS.

Zoning Regulations, Article VI

K. Temporary Health Care Structure

No building, structure or premises shall be used for a temporary health care structure until a Zoning Permit has been granted in accordance with the provisions of this section.

1. General Provisions

- a. **Only one (1) structure shall be permitted on a lot zoned for single-family use.**

Proposed Draft Text Amendments Re: Temporary Health Care Structures
Proposed Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.

Public Hearing to be held on: June 21, 2018 at 7:45 p.m.

- b. Occupancy of a structure shall be limited to one (1) mentally or physically impaired person, as defined by C.G.S. 8-2.**
- c. The property on which the structure will be located shall be owned either by the mentally or impaired person or by a caregiver.**
- d. A caregiver is a relative, legal guardian, or health care agent who is responsible for the unpaid care of a mentally or impaired person, as defined by C.G.S. 8-2, and who will live on the property.**
- e. Structures shall be limited to a maximum of five hundred (500) square feet.**
- f. Structures shall not be placed on or attached to a permanent foundation.**
- g. Signs promoting the existence of the structure shall not be allowed.**
- h. The caregiver shall make provisions to allow inspections of the property by the Zoning Enforcement Officer or designee during reasonable hours upon prior notice.**
- i. Unless renewed in accordance with the Zoning Regulations, an initial or subsequent Zoning Permit shall expire one (1) year from the issuance of the initial or renewed Zoning Permit.**

2. Initial Application.

- a. An initial application for Zoning Permit shall be submitted on a form prescribed by the ZEO. The following shall be required to accompany the application:**
 - i. The name and contact information of the mentally or physically impaired proposed occupant, the name and contact information of the proposed caregiver, and the relationship of the caregiver to the mentally or physically impaired proposed occupant;**
 - ii. Address of the property;**
 - iii. A written statement by a Connecticut-licensed physician confirming that the occupant is mentally or physically impaired, as per the requirements of C.G.S. 8-2;**
 - iv. A map or plan that shows the dimensions and boundaries of the lot, any existing structures on the lot, and the proposed location of the temporary health care structure;**
 - v. Documentation that the structure will be primarily assembled at a location other than the proposed site of installation;**
 - vi. Documentation that the structure is accessible to emergency vehicles and connected to adequate water, septic system or sewer, and electric utilities, serving the primary residence;**

Proposed Draft Text Amendments Re: Temporary Health Care Structures
Proposed Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.

Public Hearing to be held on: June 21, 2018 at 7:45 p.m.

- vii. Payment of any required filing fee(s);**
- viii. Any other information or documentation as may be required by the Zoning Enforcement Officer in order to make a decision upon the application.**
- b. No Zoning Permit shall be issued pursuant to this section until the Zoning Enforcement Officer has found that the following criteria are met with regard to the proposed structure:**
 - i. It is in compliance with the Zoning Regulations; and**
 - ii. The applicant has notified by certified or registered mail each abutting property owner.**

3. Renewal Application.

- a. An application for Zoning Permit renewal shall be submitted on a form prescribed by the ZEO. All of the provisions and requirements for an initial Zoning Permit shall apply to a Renewal Zoning Permit.**

4. A Zoning Permit shall be issued by the Zoning Enforcement Officer within fifteen (15) business days after receipt of a complete application.

5. Removal or Revocation

- a. A Temporary Health Care Structure shall be removed from the property within one hundred twenty (120) days from the date on which a mentally or impaired person last occupied it or no longer qualified as a mentally or impaired person.**
- b. A bond of no more than fifty thousand dollars (\$50,000) may be required to be posted by the applicant to ensure compliance with removal of a Temporary Health Care Structure.**
- c. A Zoning Permit may be revoked by the Zoning Enforcement Officer, designee, or Commission due to failure of the applicant to comply with any provisions of the Regulations.**