

TOPIC	Best Fit for CT	LCO Working Draft # 231	Line Numbers	Precedent States	Other options	Consensus from Other States	MN	NC	TN	VA
Permitted in	single-family zone as allowed accessory use	accessory use in any single-family zone	27-30					1-family zone as accessory use		1-family zone as accessory use
Maximum Size (sf)		500 sq ft	22-23			300-500 sf	300	300	500	300
Maximum Height		n/a					?	?	?	?
Universal design/Accessibility features	required	n/a		MN			required		yes	
Lot limits	setbacks and FAR	must comply with setback and floor area ratio requirements	31-32	all		Local Zoning	setbacks and FAR	setbacks and FAR	setbacks and FAR	setbacks and FAR
Additional site criteria	-only one allowed per parcel -septic services and emergency vehicles must be able to access dwelling	only one allowed per parcel; emergency vehicles must be able to access structure	50; 53-54	MN			-only one allowed per parcel -septic services and emergency vehicles must be able to access dwelling	-only one allowed per parcel	-only one allowed per parcel -requires healthcare environment with additional levels of technology in-unit	-only one allowed per parcel
Restriction on foundations	no permanent foundation	no permanent foundation	23-24			no permanent foundations allowed	no permanent foundation			
Building structure requirements	per applicable building code	must comply with building code, fire safety code, and public health code	24-26	MN		Local/State Building Code	R-15, backflow preventor, water, electricity, etc. Depending on type, call fall under RV, pre-fab, or modular requirements			
Local Approval Process	As-of-right (local administrative). 15 day decision. No public hearing. Notice required to abutters.	As-of-right; 15 day decision; no public hearing required; must notify abutters when applying	33-48				Notice required to all abutters. 15-30 day decision requirement. No public hearing.			
Permit Amount	\$100/\$50 annual renewal	\$100 initially, \$50 for renewal (maximums)	35-37				\$100/\$50 renewal	\$100/\$50 renewal	\$100	\$100
Qualifying Conditions	-Written certification by health care provider of assistance needed with two or more daily activities	Doctor must certify primary impaired person needs help with 2 or more daily living activities; spouse must need help with at least 1	6-12; 20-22	MN		Two of list of five	-Written certification by health care provider of assistance needed with two or more daily activities & Proof care arrangement	-Written certification by health care provider of assistance needed with two or more daily activities	-Written certification by health care provider of assistance needed with two or more daily activities -must require extended care	Written certification by health care provider of assistance needed with two or more daily activities
Qualifying Caregiver	relative/legal guardian/unpaid caregiver	relative, legal guardian, or health care agent (terms not defined)	3-5	MN/TN			relative/legal guardian/health care agent	relative	relative or unpaid caregiver	relative or legal guardian
Ownership/Occupancy of Primary Residence	Owner and/or occupied by impaired person, relative, health care agent, or legal guardian	must be on same lot as unpaid caregiver or impaired individual's primary residence	29-30					Relative AND primary health care provider, OR qualifying occupant's legal guardian	Relative caregiver or unpaid non-relative caregiver	Relative caregiver, including adoption or legally appointed guardian
Residence of Unit	For use by an impaired person	residence where caregiver can provide care	13-15							
Max. Occupancy of Unit	1	an individual or a married couple	17-21				1	1	1	1 or married couple
Periodic Renewal Requirements	Annual renewal	Annual renewal	36-37				Annual renewal w/ \$50 fee. City may inspect periodically to determine compliance.	City may require annual evidence of compliance, subject to inspections	City may require annual evidence of compliance, subject to inspections	City may require annual evidence of compliance, subject to inspections
Time Limit	Must be removed within 120 days of end of need. No set maximum.	must be removed within 120 days after impaired person (a) stops residing in structure or (b) is no longer impaired	64-69	Longer timeframe than allowed in in NC, TN, VA			Structure allowed for only one year	Must be removed within 60 days of end of need.	Must be removed within 30 days of end of need. \$50 daily fine allowed after 30 days.	Must be removed within 60 days of end of need.
Enforcement Action	Local zoning process?	town may inspect structure for compliance; may revoke permit for noncompliance	60-63; 70-72				Agent may revoke permit, must be removed within 60 days	may revoke permit & seek injunctive relief	may revoke permit & seek injunctive relief	may revoke permit & seek injunctive relief or other judicial action
Tax Treatment		n/a					-not in statute -probably personal property	-personal	-not in statute -probably real	-not in statute -probably real, like mobile homes (but what if leased?)
Opt-Out	Probably - next step legislation	no opt out	186-190	MN		Mixed		No- qualifying structures must be permitted	(Yes) Authorizes zoning to consider permitting qualifying structures	No- qualifying structures must be permitted
Health Dept/ Septic/Sewer	per state health code	may be required to connect to water, sewer, and electric utilities	51-52				Yes app. requires executed contract for septic sewer management or other proof of adequate septic sewer management			

Application signators	Impaired person, caregiver, owner of property	n/a					caregiver, owner/resident of primary property (not impaired person)			
Age restriction	none	none	implied by 6-12				none			
Other requirements of application		town may require written evidence of compliance with law	58-60				general site map Name of impaired person and name of primary care giver Proof of care from a provider network, including respite care, primary care, or remote monitoring Signed by caregiver and property owner and primary resident of property (if different than owner)			
Defining characteristics		no advertising allowed	55-57				MN only allows the structure to be in place 1 year		TN envisions a much more sophisticated unit than others and requires impaired person to need a more intense level of care	