OLR Bill Analysis
HB 6352

AN ACT CONCERNING THE ZONING OF COMMUNITY RESIDENCES AND CHILD-CARE RESIDENTIAL FACILITIES.

SUMMARY

This bill modifies how the distance between certain group homes is measured under a law that requires such homes to be separated by at least 1,000 feet, unless the local zoning authority waives the requirement.

Absent statutory guidance, courts generally use the straight line method of measuring distance (i.e., measuring along the shortest straight line connecting properties, regardless of intervening obstacles). The bill requires the distance between certain group homes to instead be measured using either the pedestrian or roadway method, whichever yields a shorter measurement.

EFFECTIVE DATE: October 1, 2019

COVERED GROUP HOMES

The 1,000-foot separation requirement applies to certain group homes for six individuals or fewer, excluding staff. Specifically:

1. Department of Children and Families-licensed group homes for children with mental or physical disabilities;

2. Department of Developmental Services-licensed group homes for adults with an intellectual disability;

3. Department of Public Health (DPH)-licensed group homes in which adults receive mental health or addiction services paid for or provided by the Department of Mental Health and Addiction Services; and

4. certain DPH-licensed inpatient hospice facilities that are, among
other requirements, managed by a tax-exempt nonprofit organization and located in a city with more than 100,000 residents within a zone allowing development on one or more acres.

MEASUREMENT METHOD

Current law does not specify how the 1,000-foot distance between group homes must be measured. The bill requires the distance to be measured from the point at which a group home’s driveway meets:

1. a road or highway, to the point where the proposed group home’s driveway meets a road or highway, using the shortest route available to vehicular traffic, or

2. a sidewalk, to the point where the proposed group home’s driveway meets the sidewalk, using the shortest route available to pedestrians.

Whichever method yields the shortest distance must be used to calculate whether the homes are within 1,000 feet of each other.

The bill specifies that sidewalks are walkways (1) laid out by a municipality, (2) reserved by custom for pedestrian use, or (3) specially prepared for pedestrian use.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable
Yea 21  Nay 1  (03/25/2019)