
OLR Bill Analysis

sHB 5507

AN ACT PROMOTING THE DEVELOPMENT OF ACCESSORY DWELLING UNITS.

SUMMARY

In addition to replacing references to “accessory apartment” with “accessory dwelling unit” (ADU) throughout the statutes, this bill makes several other changes to the law on “as-of-right” ADUs, including applying the law to every municipality, even if they previously opted out or exercise zoning powers under a special act. In general, the bill’s other changes to the ADU law limit how municipalities can restrict their use.

The bill also requires the Department of Housing (DOH) commissioner, within available appropriations, to create a program to promote building pre-approved ADU designs or plans.

By law, unchanged by the bill, an ADU is a separate dwelling with cooking facilities that is located on the same lot as a larger, principal dwelling and complies with any applicable building and fire code and health and safety regulations. (Temporary healthcare structures are regulated under a different law (see CGS § 8-1bb).)

By law, an “as-of-right” dwelling may be approved by reviewing compliance with zoning regulations, without requiring (1) a public hearing; (2) a variance, special permit, or special exception; or (3) other discretionary zoning action, other than a determination that a site plan conforms with applicable zoning regulations.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026

ELIMINATION OF OPT-OUT AND APPLICABILITY TO SPECIAL ACT ZONING REGULATIONS

Currently, municipalities generally must allow one ADU as-of-right on each lot that has a single-family dwelling unless their zoning commission opted out of this requirement before January 1, 2023. However, beginning October 1, 2026, the bill extends the as-of-right ADU law to cover all municipalities, even if they previously opted out.

The bill also specifically extends the law on as-of-right ADUs to municipalities that exercise zoning authority under a special act. Currently, it only applies to municipalities that exercise zoning authority under the statutes (CGS § 8-2).

In either case, the bill requires municipalities to review ADU permit applications based on the statutory requirements until their regulations are appropriately amended or adopted. A municipality may not use or impose additional standards beyond those in state law. The bill makes noncompliant regulations void.

LIMITS ON MUNICIPAL ADU REGULATIONS

Currently, municipalities generally must allow one ADU as-of-right on each lot that contains a single-family dwelling. By law, among other things, zoning regulations on these as-of-right ADUs:

1. must allow attached and detached ADUs,
2. cannot require a familial, marital, or employment relationship between the principal dwelling unit's occupants and the ADU's occupants;
3. cannot require ADUs to be preserved for lower-income families using a deed restriction; and
4. may prohibit or limit the use of ADUs for short-term rentals or vacation stays.

The bill makes clarifying changes and additionally prohibits regulations from:

1. banning longer-term ADU rentals,
2. requiring the principal dwelling or ADU's owner to be an owner-occupant, or
3. requiring ADUs to be deed-restricted in any way.

Restrictions on Setting Maximum ADU Size

The bill requires regulations to allow ADUs with a floor area of at least 400 square feet, regardless of the principal dwelling's size. It also makes minor changes to how the maximum ADU size is set, if regulations set a limit.

Currently, regulations cannot set a maximum net floor area for ADUs that is smaller than the lesser of (1) 30% of the principal dwelling's net floor area or (2) 1,000 square feet.

Under the bill, regulations can set a maximum floor area as small as the lesser of (1) 33% of the principal dwelling's square footage (but at least 400 square feet) or (2) 1,000 square feet.

UTILITY PROVIDERS' TREATMENT OF ADU CONNECTIONS

The bill extends the law on utility providers' treatment of ADU utility connections (such as water and sewer connections) to cover investor-owned water companies.

Under existing law, municipalities, special districts, and sewer and water authorities cannot (1) consider an ADU to be a new residential use when calculating connection fees or capacity charges for utilities unless the ADU was built with a new single-family dwelling on the same lot or (2) require the installation of a new or separate utility connection directly to an ADU or impose a related connection fee or capacity charge. Under the bill, the same prohibitions apply to investor-owned water companies.

DOH PRE-APPROVED ADU INCENTIVE PROGRAM

The bill requires the DOH commissioner, within available appropriations, to create a program to promote building pre-approved

ADU designs or plans. Specifically, the commissioner must adopt a least one pre-approved ADU design, model, or set of construction specifications that promotes efficient, safe, and cost-effectively sited ADUs. She may consult with interested parties, such as municipalities and housing organizations, and must consider:

1. the state building code and applicable health and safety standards;
2. accessibility for people with disabilities, energy efficiency, and durability; and
3. adaptability to lots that vary in size and configuration.

DOH's program must offer incentives, such as:

1. grants or forgivable loans to property owners for building or placing pre-approved ADUs;
2. technical assistance on pre-approved ADUs, including for design selection, permitting, and construction; and
3. financial assistance for municipalities that adopt policies that facilitate placing pre-approved ADUs.

BACKGROUND

Related Bills

sHB 5288, favorably reported by the Planning and Development Committee, makes the same changes as this bill related to terminology, applying the ADU law to municipalities zoning under a special act, and utility providers' treatment of ADUs.

sHB 5365, favorably reported by the Housing Committee, establishes additional categories of housing unit equivalent points for ADUs for purposes of § 8-30g moratoria.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 12 Nay 9 (03/13/2026)