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## **OLR Bill Analysis**

### **sSB 151**

#### ***AN ACT PROHIBITING CERTAIN LAND USE AND ZONING LIMITATIONS ON HOUSING.***

#### **SUMMARY**

The bill amends the law most municipalities exercise zoning authority under (CGS § 8-2) to prohibit zoning regulations from imposing certain restrictions on townhouses, single-family lots, and single-family homes. Generally, the bill's limitations make it easier to (1) develop single-family homes and townhouses on smaller lots and (2) more densely develop lots. For example, under the bill, municipalities may not adopt regulations that prohibit townhouses on single-family lots, ban smaller homes, or set minimum lot sizes over 5,000 square feet. The bill's limitations do not apply:

1. to certain parcels, including those with conservation easements or listed on the State Register of Historic Places (see below), or
2. if they conflict with applicable building codes, fire codes, or public health and safety regulations needed to address immediate threats to public safety.

Under existing zoning law and the bill, a "townhouse" is a residential building constructed in a grouping of three or more attached units, each of which shares at least one common wall with an adjacent unit and has exterior walls on at least two sides (CGS § 8-1a).

EFFECTIVE DATE: October 1, 2026

#### **LIMITS ON LOCAL ZONING REGULATIONS**

The bill generally prohibits regulations from imposing certain restrictions on townhouses or single-family homes or lots.

Under the bill, zoning regulations cannot set the following limitations

for single-family homes or townhouses:

1. minimum lot sizes over 5,000 square feet (around 1/9 acre) if the homes will be located in an area that is served, or will be served, by public water and sewer systems (the bill does not specify a standard for determining whether this requirement is satisfied);
2. minimum square footage (home size) or exterior dimension requirements (like height limits); or
3. lot coverage maximums for the homes and accessory structures like sheds (but accessory dwelling units built as-of-right under CGS § 8-2o are regulated under that law).

Additionally, for single-family homes, regulations cannot set:

1. required design, architectural, or aesthetic elements or
2. minimum building setbacks larger than five feet for side setbacks and 10 feet for front and rear setbacks (for homes and accessory structures).

And as mentioned above, under the bill, zoning regulations cannot prohibit townhouses on lots in a single-family zone.

### ***Subdivision of Parcel Into Up to Three Lots***

While the bill does not amend the law on subdivision regulations, it specifies that zoning regulations cannot “prevent” the subdivision of a lot with a residential structure on it into up to three smaller lots. But this prohibition does not apply (1) unless the subdivided lots “conform to local law” and (2) if the lot was subdivided within the past three years. By law, unchanged by the bill, subdivision of a lot into three or more lots generally must be done in conformity with subdivision regulations, which are adopted under powers granted to planning commissions (CGS § 8-18 & 8-25).

### **EXCLUDED PARCELS AND EXCEPTIONS**

The bill’s limits do not apply to local regulation of parcels:

1. listed, or in a district listed, on the national or state registers of historic places on July 1, 2026;
2. protected from development by the state's Farmland Preservation Program; or
3. subject to a conservation or preservation restriction, such as an easement.

## **BACKGROUND**

### ***Related Bills***

sHB 5395', favorably reported by the Planning and Development Committee, generally requires all municipal zoning regulations to treat modular and prefabricated homes like traditionally built homes ("stick-built homes").

sHB 5502, favorably reported by the Planning and Development Committee, extends the law on approving certain middle housing and mixed-use developments under a summary review process to proposed developments on (1) lots that were previously zoned for residential use and (2) certain lots zoned for industrial use.

sHB 5507, favorably reported by the Planning and Development Committee, extends the as-of-right accessory dwelling unit law to cover all municipalities, even if they previously opted out.

## **COMMITTEE ACTION**

Housing Committee

Joint Favorable

Yea 12    Nay 7    (03/10/2026)