



House of Representatives

General Assembly

File No. 162

February Session, 2026

Substitute House Bill No. 5288

House of Representatives, March 25, 2026

The Committee on Planning and Development reported through REP. KAVROS DEGRAW of the 17th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING UTILITY CONNECTIONS FOR ACCESSORY DWELLING UNITS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivisions (1) and (2) of subsection (b) of section 8-1a of
2 the 2026 supplement to the general statutes are repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2026*):

4 (1) ["Accessory apartment"] "Accessory dwelling unit" means a
5 separate dwelling unit that (A) is located on the same lot as a principal
6 dwelling unit of greater square footage, (B) has cooking facilities, and
7 (C) complies with or is otherwise exempt from any applicable building
8 code, fire code and health and safety regulations;

9 (2) ["Affordable accessory apartment"] "Affordable accessory
10 dwelling unit" means an accessory [apartment] dwelling unit that is
11 subject to binding recorded deeds which contain covenants or
12 restrictions that require such accessory [apartment] dwelling unit be

13 sold or rented at, or below, prices that will preserve the unit as housing
14 for which, for a period of not less than ten years, persons and families
15 pay thirty per cent or less of income, where such income is less than or
16 equal to eighty per cent of the median income;

17 Sec. 2. Section 8-2o of the 2026 supplement to the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective October*
19 *1, 2026*):

20 (a) Any zoning regulations adopted pursuant to section 8-2 or any
21 special act shall:

22 (1) Designate locations or zoning districts within the municipality in
23 which accessory [apartments] dwelling units are allowed, provided at
24 least one accessory [apartment] dwelling unit shall be allowed as of
25 right on each lot that contains a single-family dwelling and no such
26 accessory [apartment] dwelling unit shall be required to be an
27 affordable accessory [apartment] dwelling unit;

28 (2) Allow accessory [apartments] dwelling units to be attached to or
29 located within the proposed or existing principal dwelling, or detached
30 from the proposed or existing principal dwelling and located on the
31 same lot as such dwelling;

32 (3) Set a maximum net floor area for an accessory [apartment]
33 dwelling unit of not less than thirty per cent of the net floor area of the
34 principal dwelling, or one thousand square feet, whichever is less,
35 except that such regulations may allow a larger net floor area for such
36 [apartments] accessory dwelling units;

37 (4) Require setbacks, lot size and building frontage less than or equal
38 to that which is required for the principal dwelling, and require lot
39 coverage greater than or equal to that which is required for the principal
40 dwelling;

41 (5) [Provide for] Not require height, landscaping [and] or
42 architectural design standards that [do not] exceed any such standards
43 [as they are applied] applicable to single-family dwellings in the

44 municipality;

45 (6) [Be prohibited from requiring] Not require (A) a passageway
46 between any such accessory [apartment] dwelling unit and any such
47 principal dwelling, (B) an exterior door for any such accessory
48 [apartment] dwelling unit, except as required by the applicable building
49 or fire code, (C) any more than one parking space for any such accessory
50 [apartment] dwelling unit, or fees in lieu of parking otherwise allowed
51 by section 8-2c, (D) a familial, marital or employment relationship
52 between occupants of the principal dwelling and the accessory
53 [apartment] dwelling unit, (E) a minimum age for occupants of the
54 accessory [apartment] dwelling unit, (F) separate billing of utilities
55 otherwise connected to, or used by, the principal dwelling unit, or (G)
56 periodic renewals for permits for such accessory [apartments] dwelling
57 units; and

58 (7) Be interpreted and enforced such that nothing in this section shall
59 be in derogation of (A) applicable building code requirements, (B) the
60 ability of a municipality to prohibit or limit the use of accessory
61 [apartments] dwelling units for short-term rentals or vacation stays, or
62 (C) other requirements where a well or private sewerage system is being
63 used, provided approval for any such accessory [apartment] dwelling
64 unit shall not be unreasonably withheld.

65 (b) The [as of right] as-of-right permit application and review process
66 for approval of an accessory [apartments] dwelling unit shall require
67 that a decision on any such application be rendered not later than sixty-
68 five days after receipt of such application by the applicable zoning
69 commission, except that an applicant may consent to one or more
70 extensions of not more than an additional sixty-five days or may
71 withdraw such application.

72 (c) A municipality shall not (1) condition the approval of an accessory
73 [apartment] dwelling unit on the correction of a nonconforming use,
74 structure or lot, or (2) require the installation of fire sprinklers in an
75 accessory [apartment] dwelling unit if such sprinklers are not required
76 for the principal dwelling located on the same lot or otherwise required

77 by the fire code.

78 (d) [A] No municipality, special district, sewer or water authority or
79 water company, as defined in section 16-1, shall [not] (1) consider an
80 accessory [apartment] dwelling unit to be a new residential use for the
81 purposes of calculating connection fees or capacity charges for utilities,
82 including water and sewer service, unless such accessory [apartment]
83 dwelling unit was constructed with a new single-family dwelling on the
84 same lot, or (2) require the installation of a new or separate utility
85 connection directly to an accessory [apartment] dwelling unit or impose
86 a related connection fee or capacity charge.

87 (e) If a municipality fails to adopt new regulations or amend existing
88 regulations by January 1, 2023, for the purpose of complying with the
89 provisions of subsections (a) to (d), inclusive, of this section, and unless
90 such municipality opts out of the provisions of said subsections in
91 accordance with the provisions of subsection (f) of this section, any
92 noncompliant existing regulation shall become [null and] void and such
93 municipality shall approve or deny applications for accessory
94 [apartments] dwelling units in accordance with the requirements for
95 regulations set forth in the provisions of subsections (a) to (d), inclusive,
96 of this section until such municipality adopts or amends a regulation in
97 compliance with said subsections. A municipality may not use or
98 impose additional standards beyond those set forth in subsections (a) to
99 (d), inclusive, of this section.

100 (f) Notwithstanding the provisions of subsections (a) to (d), inclusive,
101 of this section, the zoning commission or combined planning and
102 zoning commission, as applicable, of a municipality, by a two-thirds
103 vote, may initiate the process by which such municipality opts out of
104 the provisions of said subsections regarding the allowance of accessory
105 [apartments] dwelling units, provided such commission: (1) First holds
106 a public hearing in accordance with the provisions of section 8-7d on
107 such proposed opt-out, (2) affirmatively decides to opt out of the
108 provisions of said subsections within the period of time permitted under
109 section 8-7d, (3) states in the records of such commission the reasons for

110 such decision, and (4) publishes notice of such decision in a newspaper
111 having a substantial circulation in the municipality not later than fifteen
112 days after such decision has been rendered. Thereafter, the
113 municipality's legislative body or, in a municipality where the
114 legislative body is a town meeting, such municipality's board of
115 selectmen, by a two-thirds vote, may complete the process by which
116 such municipality opts out of the provisions of subsections (a) to (d),
117 inclusive, of this section, except that, on and after January 1, 2023, no
118 municipality may opt out of the provisions of said subsections.

119 (g) Notwithstanding any prior action of the municipality to opt out
120 of the provisions of subsections (a) to (d), inclusive, of this section,
121 pursuant to subsection (f) of this section, any owner of real property
122 located within a transit-oriented district, as defined in section 8-13hh,
123 who has owned such real property located within a transit-oriented
124 district in the municipality for not fewer than three years, may construct
125 an accessory [apartment] dwelling unit on such real property as of right,
126 provided such accessory [apartment] dwelling unit complies with any
127 structural or architectural requirements imposed by any zoning
128 regulations adopted pursuant to section 8-2.

129 Sec. 3. Section 7-245 of the general statutes is repealed and the
130 following is substituted in lieu thereof (*Effective October 1, 2026*):

131 For the purposes of this chapter: (1) "Acquire a sewerage system"
132 means obtain title to all or any part of a sewerage system or any interest
133 therein by purchase, condemnation, grant, gift, lease, rental or
134 otherwise; (2) "alternative sewage treatment system" means a sewage
135 treatment system serving one or more buildings that utilizes a method
136 of treatment other than a subsurface sewage disposal system and that
137 involves a discharge to the groundwaters of the state; (3) "community
138 sewerage system" means any sewerage system serving two or more
139 residences in separate structures which is not connected to a municipal
140 sewerage system or which is connected to a municipal sewerage system
141 as a distinct and separately managed district or segment of such system,
142 but does not include any sewerage system serving only a principal

143 dwelling unit and an accessory [apartment] dwelling unit, as defined in
144 section 8-1a, as amended by this act, located on the same lot; (4)
145 "construct a sewerage system" means to acquire land, easements, rights-
146 of-way or any other real or personal property or any interest therein,
147 plan, construct, reconstruct, equip, extend and enlarge all or any part of
148 a sewerage system; (5) "decentralized system" means managed
149 subsurface sewage disposal systems, managed alternative sewage
150 treatment systems or community sewerage systems that discharge
151 sewage flows of less than five thousand gallons per day, are used to
152 collect and treat domestic sewage, and involve a discharge to the
153 groundwaters of the state from areas of a municipality; (6)
154 "decentralized wastewater management district" means areas of a
155 municipality designated by the municipality through a municipal
156 ordinance when an engineering report has determined that the existing
157 subsurface sewage disposal systems may be detrimental to public health
158 or the environment and that decentralized systems are required and
159 such report is approved by the Commissioner of Energy and
160 Environmental Protection with concurring approval by the
161 Commissioner of Public Health, after consultation with the local
162 director of health; (7) "electronic equipment" means any technology that
163 facilitates real-time communication between two or more individuals,
164 including, but not limited to, telephonic, video and other conferencing
165 platforms; (8) "municipality" means any metropolitan district, town,
166 consolidated town and city, consolidated town and borough, city,
167 borough, village, fire and sewer district, sewer district and each
168 municipal organization having authority to levy and collect taxes; (9)
169 "operate a sewerage system" means own, use, equip, reequip, repair,
170 maintain, supervise, manage, operate and perform any act pertinent to
171 the collection, transportation and disposal of sewage; (10) "person"
172 means any person, partnership, corporation, limited liability company,
173 association or public agency; (11) "remediation standards" means
174 pollutant limits, performance requirements, design parameters or
175 technical standards for application to existing sewage discharges in a
176 decentralized wastewater management district for the improvement of
177 wastewater treatment to protect public health and the environment; (12)

178 "sewage" means any substance, liquid or solid, which may contaminate
179 or pollute or affect the cleanliness or purity of any water; and (13)
180 "sewerage system" means any device, equipment, appurtenance, facility
181 and method for collecting, transporting, receiving, treating, disposing of
182 or discharging sewage, including, but not limited to, decentralized
183 systems within a decentralized wastewater management district when
184 such district is established by municipal ordinance pursuant to section
185 7-247.

186 Sec. 4. Subdivisions (1) and (2) of subsection (e) of section 8-23 of the
187 2026 supplement to the general statutes are repealed and the following
188 is substituted in lieu thereof (*Effective October 1, 2026*):

189 (e) (1) Any such plan of conservation and development adopted prior
190 to October 1, 2027, shall (A) be a statement of policies, goals and
191 standards for the physical and economic development of the
192 municipality, (B) provide for a system of principal thoroughfares,
193 parkways, bridges, streets, sidewalks, multipurpose trails and other
194 public ways as appropriate, (C) be designed to promote, with the
195 greatest efficiency and economy, the coordinated development of the
196 municipality and the general welfare and prosperity of its people and
197 identify areas where it is feasible and prudent (i) to have compact,
198 transit accessible, pedestrian-oriented mixed use development patterns
199 and land reuse, and (ii) to promote such development patterns and land
200 reuse, (D) recommend the most desirable use of land within the
201 municipality for residential, recreational, commercial, industrial,
202 conservation, agricultural and other purposes and include a map
203 showing such proposed land uses, (E) recommend the most desirable
204 density of population in the several parts of the municipality, (F) note
205 any inconsistencies with the following growth management principles:
206 (i) Redevelopment and revitalization of commercial centers and areas of
207 mixed land uses with existing or planned physical infrastructure; (ii)
208 expansion of housing opportunities and design choices to accommodate
209 a variety of household types and needs; (iii) concentration of
210 development around transportation nodes and along major
211 transportation corridors to support the viability of transportation

212 options and land reuse; (iv) conservation and restoration of the natural
213 environment, cultural and historical resources and existing farmlands;
214 (v) protection of environmental assets critical to public health and
215 safety; and (vi) integration of planning across all levels of government
216 to address issues on a local, regional and state-wide basis, (G) make
217 provision for the development of housing opportunities, including
218 opportunities for multifamily dwellings, consistent with soil types,
219 terrain and infrastructure capacity, for all residents of the municipality
220 and the planning region in which the municipality is located, as
221 designated by the Secretary of the Office of Policy and Management
222 under section 16a-4a, (H) promote housing choice and economic
223 diversity in housing, including housing for both low and moderate
224 income households, and encourage the development of housing which
225 will meet the housing needs identified in the state's consolidated plan
226 for housing and community development prepared pursuant to section
227 8-37t and in the housing component and the other components of the
228 state plan of conservation and development prepared pursuant to
229 chapter 297, and (I) consider allowing older adults and persons with a
230 disability the ability to live in their homes and communities whenever
231 possible. Such plan may: (i) Permit home sharing in single-family zones
232 between up to four adult persons of any age with a disability or who are
233 sixty years of age or older, whether or not related, who receive
234 supportive services in the home; (ii) allow accessory [apartments]
235 dwelling units for persons with a disability or persons sixty years of age
236 or older, or their caregivers, in all residential zones, subject to municipal
237 zoning regulations concerning design and long-term use of the principal
238 property after it is no longer in use by such persons; and (iii) expand the
239 definition of "family" in single-family zones to allow for accessory
240 [apartments] dwelling units for persons sixty years of age or older,
241 persons with a disability or their caregivers. In preparing such plan the
242 commission shall consider focusing development and revitalization in
243 areas with existing or planned physical infrastructure.

244 (2) Any such plan of conservation and development adopted on or
245 after October 1, 2027, shall (A) be a statement of policies, goals and
246 standards for the physical and economic development of the

247 municipality; (B) provide for a system of principal thoroughfares,
248 parkways, bridges, streets, sidewalks, multipurpose trails and other
249 public ways as appropriate; (C) be designed to promote, with the
250 greatest efficiency and economy, the coordinated development of the
251 municipality and the general welfare and prosperity of its people and
252 identify areas where it is feasible and prudent (i) to have compact,
253 transit-accessible, pedestrian-oriented mixed use development patterns
254 and land reuse, and (ii) to promote such development patterns and land
255 reuse; (D) (i) include a climate change vulnerability assessment, based
256 on information from considerations described in subsection (d) of this
257 section, which shall consist of an assessment of existing and anticipated
258 threats to and vulnerabilities of the municipality that are associated with
259 natural disasters, hazards and climate change, including, but not limited
260 to, increased temperatures, drought, flooding, wildfire, storm damage
261 and sea level rise, saltwater intrusion and the impacts such disasters and
262 hazards may have on individuals, communities, institutions,
263 businesses, economic development, public infrastructure and facilities,
264 public health, safety and welfare, (ii) identify goals, policies and
265 techniques to avoid or reduce such threats, vulnerabilities and impacts,
266 and (iii) include a statement describing any consistencies and
267 inconsistencies identified between such assessment and any existing or
268 proposed municipal natural hazard mitigation plan, floodplain
269 management plan, comprehensive emergency operations plan,
270 emergency response plan, post-disaster recovery plan, long-range
271 transportation plan or capital improvement plan in the municipality,
272 and identify and recommend, where necessary, the integration of data
273 from such assessment into any such plans and any actions necessary to
274 achieve consistency and coordination between such assessment and any
275 such plans; (E) recommend the most desirable use of land within the
276 municipality for residential, recreational, commercial, industrial,
277 conservation, agricultural and other purposes and include a map
278 showing such proposed land uses which considers the threats,
279 vulnerabilities and impacts identified in the climate change
280 vulnerability assessment conducted pursuant to subparagraph (D)(i) of
281 this subdivision; (F) recommend the most desirable density of

282 population in the several parts of the municipality; (G) note any
283 inconsistencies with the following growth management principles: (i)
284 Redevelopment and revitalization of commercial centers and areas of
285 mixed land uses with existing or planned physical infrastructure; (ii)
286 expansion of housing opportunities and design choices to accommodate
287 a variety of household types and needs; (iii) concentration of
288 development around transportation nodes and along major
289 transportation corridors to support the viability of transportation
290 options and land reuse and reduction of vehicle mileage; (iv)
291 conservation and restoration of the natural environment, cultural and
292 historical resources and existing farmlands; (v) protection of
293 environmental assets critical to public health and safety; and (vi)
294 integration of planning across all levels of government to address issues
295 on a local, regional and state-wide basis; (H) make provision for the
296 development of housing opportunities, including opportunities for
297 multifamily dwellings, consistent with soil types, terrain and
298 infrastructure capacity, for all residents of the municipality and the
299 planning region in which the municipality is located, as designated by
300 the Secretary of the Office of Policy and Management pursuant to
301 section 16a-4a; (I) promote housing choice and economic diversity in
302 housing, including housing for both low and moderate income
303 households, and encourage the development of housing which will
304 meet the housing needs identified in the state's consolidated plan for
305 housing and community development prepared pursuant to section 8-
306 37t and in the housing component and the other components of the state
307 plan of conservation and development prepared pursuant to chapter
308 297; (J) consider allowing older adults and persons with disabilities the
309 ability to live in their homes and communities whenever possible; (K)
310 identify infrastructure, including, but not limited to, facilities, public
311 utilities and roadways, that is critical for evacuation purposes and
312 sustaining quality of life during a natural disaster, and that shall be
313 maintained at all times in an operational state; (L) identify strategies and
314 design standards that may be implemented to avoid or reduce risks
315 associated with natural disasters, hazards and climate change; and (M)
316 include geospatial data utilized in preparing such plan or that is

317 necessary to convey information in such plan. Any such plan may: (i)
318 Permit home sharing in single-family zones between up to four adult
319 persons of any age with a disability or who are sixty years of age or
320 older, whether or not related, who receive supportive services in the
321 home; (ii) allow accessory [apartments] dwelling units for persons with
322 a disability or persons sixty years of age or older, or their caregivers, in
323 all residential zones, subject to municipal zoning regulations concerning
324 design and long-term use of the principal property after it is no longer
325 in use by such persons; (iii) expand the definition of "family" in single-
326 family zones to allow for accessory [apartments] dwelling units for
327 persons sixty years of age or older, persons with a disability or their
328 caregivers; and (iv) identify one or more areas that are vulnerable to the
329 impacts of climate change for the purpose of prioritizing funding for
330 infrastructure needs and resiliency planning. In preparing such plan the
331 commission shall consider focusing development and revitalization in
332 areas with existing or planned physical infrastructure. The commission
333 or any special committee may utilize information and data from any
334 natural hazard mitigation plan, floodplain management plan,
335 comprehensive emergency operations plan, emergency response plan,
336 post-disaster recovery plan, long-range transportation plan, climate
337 vulnerability assessment or resilience plan in the preparation of such
338 plan of conservation and development, including a document
339 coordinated by the applicable regional council of governments,
340 provided such information and data shall not be incorporated by
341 reference, but summarized and applied in such plan to the specific
342 policies, goals and standards of the subject municipality.

343 Sec. 5. Subsection (k) of section 8-30g of the 2026 supplement to the
344 general statutes is repealed and the following is substituted in lieu
345 thereof (*Effective October 1, 2026*):

346 (k) The affordable housing appeals procedure established under this
347 section shall not be available if the real property which is the subject of
348 the application is located in a municipality in which at least ten per cent
349 of all dwelling units in the municipality are (1) assisted housing, (2)
350 currently financed by Connecticut Housing Finance Authority

351 mortgages, (3) subject to binding recorded deeds containing covenants
 352 or restrictions which require that such dwelling units be sold or rented
 353 at, or below, prices which will preserve the units as housing for which
 354 persons and families pay thirty per cent or less of income, where such
 355 income is less than or equal to eighty per cent of the median income, (4)
 356 mobile manufactured homes located in mobile manufactured home
 357 parks or legally approved accessory [apartments] dwelling units, which
 358 homes or [apartments] units are subject to binding recorded deeds
 359 containing covenants or restrictions which require that such dwelling
 360 units be sold or rented at, or below, prices which will preserve the units
 361 as housing for which, for a period of not less than ten years, persons and
 362 families pay thirty per cent or less of income, where such income is less
 363 than or equal to eighty per cent of the median income, or (5) mobile
 364 manufactured homes located in resident-owned mobile manufactured
 365 home parks. For the purposes of calculating the total number of
 366 dwelling units in a municipality, accessory [apartments] dwelling units
 367 built or permitted after January 1, 2022, but that are not described in
 368 subdivision (4) of this subsection, shall not be counted toward such total
 369 number. The municipalities meeting the criteria set forth in this
 370 subsection shall be listed in the report submitted under section 8-37qqq.
 371 As used in this subsection, ["accessory apartment"] "accessory dwelling
 372 unit" has the same meaning as provided in section 8-1a, as amended by
 373 this act, and "resident-owned mobile manufactured home park" means
 374 a mobile manufactured home park consisting of mobile manufactured
 375 homes located on land that is deed restricted, and, at the time of issuance
 376 of a loan for the purchase of such land, such loan required seventy-five
 377 per cent of the units to be leased to persons with incomes equal to or less
 378 than eighty per cent of the median income, and either (A) forty per cent
 379 of said seventy-five per cent to be leased to persons with incomes equal
 380 to or less than sixty per cent of the median income, or (B) twenty per
 381 cent of said seventy-five per cent to be leased to persons with incomes
 382 equal to or less than fifty per cent of the median income.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2026</i>	8-1a(b)(1) and (2)
Sec. 2	<i>October 1, 2026</i>	8-2o
Sec. 3	<i>October 1, 2026</i>	7-245
Sec. 4	<i>October 1, 2026</i>	8-23(e)(1) and (2)
Sec. 5	<i>October 1, 2026</i>	8-30g(k)

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 27 \$	FY 28 \$
Municipal Water Companies; Various Municipalities	Potential Revenue Loss	See Below	See Below

Explanation

The bill extends provisions on zoning regulations' treatment of as-of-right accessory dwelling units (ADUs) to municipalities that exercise zoning authority under a special act.¹ This may result in a revenue loss associated with fewer connection fees to various municipalities and municipal water companies beginning in FY 27 as these ADUs cannot be treated as new residential use when calculating connections fees or capacity charges.

The bill makes other changes to zoning laws that do not result in a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of connection fees.

¹ Currently these provisions only apply to municipalities that exercise zoning authority under the statues (CGS 8-2).

OLR Bill Analysis**sHB 5288*****AN ACT CONCERNING UTILITY CONNECTIONS FOR ACCESSORY DWELLING UNITS.*****SUMMARY**

In addition to replacing references to “accessory apartment” with “accessory dwelling unit” (ADU) throughout the statutes, this bill makes two changes to the law on “as-of-right” ADUs (see BACKGROUND).

First, the bill extends provisions on zoning regulations’ treatment of as-of-right ADUs to municipalities that exercise zoning authority under a special act. Currently, these requirements apply only to municipalities that exercise zoning authority under the statutes (CGS § 8-2). As is generally the case for municipalities exercising authority under the statutes, under the bill, any local regulations adopted under a special act that do not comply with the law on as-of-right ADUs are void.

Second, 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.

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 codes and

health and safety regulations. 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.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026

BACKGROUND

As-of-Right ADU Law (CGS § 8-2o)

By law, municipalities generally must allow one ADU as-of-right on each lot that contains a single-family dwelling. (Municipalities were previously able to opt out of this requirement, but the deadline for doing so was January 1, 2023.) By law, among other things, zoning regulations on these as-of-right ADUs:

1. must allow attached and detached ADUs;
2. cannot set a maximum net floor area for ADUs that is smaller than the lesser of (a) 30% of the principal dwelling’s net floor area or (b) 1,000 square feet;
3. cannot require a familial, marital, or employment relationship between the principal dwelling unit’s occupants and the ADU’s occupants; and
4. may prohibit or limit the use of ADUs for short-term rentals or vacation stays.

(Temporary healthcare structures are regulated under a different law (see CGS § 8-1bb).)

Related Bills

sHB 5365, favorably reported by the Housing Committee, establishes additional categories of housing unit equivalent points for ADUs for

purposes of § 8-30g moratoria.

sHB 5507, favorably reported by the Planning and Development Committee, makes the same changes as this bill, as well as other changes related to ADUs, such as applying the law on as-of-right ADUs to all municipalities, even if they opted out of its application previously.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/06/2026)