



Senate

General Assembly

File No. 171

February Session, 2026

Substitute Senate Bill No. 151

Senate, March 25, 2026

The Committee on Housing reported through SEN. MARX of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

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

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

1 Section 1. Subsection (d) of section 8-2 of the 2026 supplement to the
2 general statutes, as amended by section 18 of public act 25-1 of the
3 November special session, is repealed and the following is substituted
4 in lieu thereof (*Effective October 1, 2026*):

5 (d) Zoning regulations adopted pursuant to subsection (a) of this
6 section shall not:

7 (1) (A) Prohibit the operation in a residential zone of any family child
8 care home or group child care home located in a residence, or (B) require
9 any special zoning permit or special zoning exception for such
10 operation;

11 (2) (A) Prohibit the use of receptacles for the storage of items
12 designated for recycling in accordance with section 22a-241b or require
13 that such receptacles comply with provisions for bulk or lot area, or
14 similar provisions, except provisions for side yards, rear yards and front
15 yards; or (B) unreasonably restrict access to or the size of such

16 receptacles for businesses, given the nature of the business and the
17 volume of items designated for recycling in accordance with section 22a-
18 241b, that such business produces in its normal course of business,
19 provided nothing in this section shall be construed to prohibit such
20 regulations from requiring the screening or buffering of such receptacles
21 for aesthetic reasons;

22 (3) Impose conditions and requirements on manufactured homes,
23 including mobile manufactured homes built in accordance with federal
24 manufactured home construction and safety standards or on lots
25 containing such manufactured homes, including mobile manufactured
26 home parks, if those conditions and requirements are substantially
27 different from conditions and requirements imposed on (A) single-
28 family dwellings; (B) lots containing single-family dwellings; or (C)
29 multifamily dwellings, lots containing multifamily dwellings, cluster
30 developments or planned unit developments;

31 (4) (A) Prohibit the continuance of any nonconforming use, building
32 or structure existing at the time of the adoption of such regulations; (B)
33 require a special permit or special exception for any such continuance;
34 (C) provide for the termination of any nonconforming use solely as a
35 result of nonuse for a specified period of time without regard to the
36 intent of the property owner to maintain that use; or (D) terminate or
37 deem abandoned a nonconforming use, building or structure unless the
38 property owner of such use, building or structure voluntarily
39 discontinues such use, building or structure and such discontinuance is
40 accompanied by an intent to not reestablish such use, building or
41 structure. The demolition or deconstruction of a nonconforming use,
42 building or structure shall not by itself be evidence of such property
43 owner's intent to not reestablish such use, building or structure;

44 (5) Prohibit the installation, in accordance with the provisions of
45 section 8-1bb, of temporary health care structures for use by mentally or
46 physically impaired persons if such structures comply with the
47 provisions of said section, unless the municipality opts out in
48 accordance with the provisions of subsection (j) of said section;

49 (6) Prohibit the operation in a residential zone of any cottage food
50 operation, as defined in section 21a-62b;

51 (7) Establish for any dwelling unit a minimum floor area that is
52 greater than the minimum floor area set forth in the applicable building,
53 housing or other code;

54 (8) Place a fixed numerical or percentage cap on the number of
55 dwelling units that constitute multifamily housing over four units,
56 middle housing or mixed-use development that may be permitted in the
57 municipality;

58 (9) Require a minimum number of off-street motor vehicle parking
59 spaces for any residential development except as provided in section 8-
60 3n; [or]

61 (10) Be applied to deny any land use application, including for any
62 site plan approval, special permit, special exception or other zoning
63 approval, on the basis of (A) a district's character, unless such character
64 is expressly articulated in such regulations by clear and explicit physical
65 standards for site work and structures, or (B) the immutable
66 characteristics, source of income or income level of any applicant or end
67 user, other than age or disability whenever age-restricted or disability-
68 restricted housing may be permitted; or

69 (11) (A) Establish (i) a minimum lot size of greater than five thousand
70 square feet for lots on which a single-family dwelling or townhouse may
71 be located in areas connected or planned to be connected to public water
72 and sewer systems; (ii) minimum square footage or exterior dimension
73 requirements for a single-family dwelling or townhouse; (iii) lot
74 coverage maximums for a single-family dwelling and any accessory
75 structures or a townhouse and any accessory structures, except as
76 provided in subdivision (4) of subsection (a) of section 8-2o; (iv)
77 minimum building setbacks for a single-family dwelling and accessory
78 structures of greater than: (I) Ten feet for front and rear setbacks, and
79 (II) five feet for side setbacks; and (v) design, architectural or aesthetic
80 elements for a single-family dwelling;

81 (B) Prohibit the placement of townhouses in a single-family
82 residential zoning district; or

83 (C) Prevent the owner of an improved lot in an area zoned for single-
84 family residential use from subdividing the lot into three or fewer
85 smaller lots that conform to local law, provided the improved lot was
86 not created by subdivision within the preceding three years. As used in
87 this subparagraph, "improved lot" means a parcel on which a residential
88 structure is located.

89 The provisions of this subdivision do not apply to: (i) Any property or
90 district that was listed on the National Register of Historic Places, 16a
91 USC 470, as amended from time to time, or the state register of historic
92 places, as defined in section 10-410, on or before July 1, 2026; (ii)
93 agricultural land for which the development rights have been acquired
94 by the state pursuant to section 22-26cc; (iii) land subject to a
95 conservation restriction or preservation restriction, as such terms are
96 defined in section 47-42a; and (iv) any situation in which the provisions
97 of this subdivision conflict with applicable building codes, fire codes or
98 public health and safety regulations that are necessary to address
99 immediate threats to public safety.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	8-2(d)

Statement of Legislative Commissioners:
In Subdiv. (11)(A), "subdivision (4) of section 8-2o" was changed to "subdivision (4) of subsection (a) of section 8-2o" for accuracy and references to "single-family home" were changed to "single-family dwelling" for consistency and in the last paragraph, "such terms are" was added for clarity.

HSG *Joint Favorable Subst. -LCO*

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: See below

Explanation

The bill prohibits municipalities that exercise zoning authority under the statutes from imposing restrictions on certain types of homes and lots. This may result in a grand list increase or decrease beginning in FY 28 that is dependent on how these buildings would have otherwise been valued.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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)