
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)