

## Recent Changes to Off-Street Parking Minimums

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### Issue

What changes were recently made to the law on municipal off-street minimum parking requirements for new developments?

### Summary

The legislature enacted new laws during the November 2025 Special Session (NSS) and regular 2026 session that significantly changed the off-street parking requirements municipalities may set for new residential developments. These changes generally prohibit municipalities from conditioning approval of a smaller residential development (of 16 or fewer units) on a schedule of off-street parking requirements unless certain findings are made. For larger developments (of 17 or more units) and developments within certain locally defined protected areas, municipalities may impose certain formulaic parking requirements, but developers may submit a parking needs assessment to rebut the minimum parking requirement. These limitations apply to all municipalities, whether they exercise zoning powers under the general statutes or a special act ([PA 25-1, NSS](#), §§ 19 & 20, as amended by [PA 26-129](#), § 3 (codified at CGS §§ 8-3n & -3o)).

The 2025 and 2026 changes do not impact municipal authority to set off-street parking minimums for nonresidential developments, such as restaurants and retail and office developments.

Relatedly, the 2025 act also narrowed municipal authority to adopt regulations on paying fees instead of providing required off-street parking ([CGS § 8-2c](#), as amended by [PA 25-1, NSS](#), § 21). It did so by allowing fees in lieu of parking only for (1) commercial developments and (2) residential or

mixed-use developments with 16 or more dwelling units. As under prior law, the planning or zoning body must determine, before accepting a fee, that the number of required parking spaces (1) cannot be physically located on the parcel or (2) would result in an excess number of parking spaces for the use or area.

## **Developments With 16 or Fewer Dwelling Units**

As of July 1, 2026, the law prohibits the local zoning enforcement officer (ZEO) or planning, zoning, or combined planning and zoning commission from rejecting a proposed residential development with 16 or fewer dwelling units solely due to its failure to conform to off-street parking minimums unless the lack of parking will have a specific adverse impact on public health and safety that cannot be mitigated through approval conditions that have no substantial adverse impact on the project's viability.

But the above restriction does not apply to smaller projects in areas locally designated as conservation and traffic mitigation districts (see below).

## **Developments With More Than 16 Dwelling Units**

As of July 1, 2026, the law specifically allows municipalities to adopt minimum parking requirements for residential developments with more than 16 dwelling units. However, these requirements are rebuttable by the proposed developer. Specifically, municipalities must allow developers to submit a parking needs assessment to the ZEO or commission with oversight. They must then condition the project's approval on the construction of the lesser of:

1. one space per studio or one-bedroom dwelling unit and two spaces per dwelling unit with at least two bedrooms or
2. the number of spaces recommended by the parking needs assessment.

The parking needs assessment must analyze (1) available existing public and private parking that may be used by the proposed development's residents; (2) public transportation options that the proposed development's residents may use that mitigate the need for off-street parking; (3) projected future needs for off-street parking for the proposed development; and (4) any relevant local traffic, parking, or safety study. The developer must pay for the assessment.

## **Limitations in Conservation and Traffic Mitigation Districts**

The law allows municipalities to adopt up to two conservation and traffic mitigation districts. In these districts, municipalities can impose minimum parking requirements on smaller residential

developments (those with 16 or fewer units), subject to the same requirements on parking needs assessments that apply to larger developments. In other words, in these districts, a proposed developer may submit a needs assessment to rebut minimum parking requirements. If submitted, the project's approval must be conditioned on the lesser of (1) one or two spaces per unit, the latter applying when there are at least two bedrooms, or (2) the number of spaces recommended by the parking needs assessment.

These locally designated districts each cannot account for more than 4% of municipality's land area but may be contiguous (CGS § 8-3n, as amended by [PA 26-129](#), § 3).

## **Allowable Limitations Prior to July 1, 2026**

Under past practice, many municipalities adopted zoning regulations with a schedule of off-street parking requirements that varied based on a proposed project's use (such as retail or housing) and size (such as square footage or number of bedrooms).

Prior law specified that for residential developments in municipalities that exercise zoning authority under the statutes, zoning regulations could not require more than one or two parking spaces per dwelling unit, depending on the number of bedrooms (previously codified in [CGS § 8-2](#)). But prior law also permitted a municipal opt-out of this limitation on parking space requirements (previously codified in [CGS § 8-2p](#)). Both of these provisions were repealed by [PA 25-1, NSS](#), §§ 18 & 53.

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