



**PA 26-7—sHB 5288**

*Planning and Development Committee*

**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 act makes two changes to the law on “as-of-right” ADUs (see BACKGROUND).

First, the act extends provisions on zoning regulations’ treatment of as-of-right ADUs to municipalities that exercise zoning authority under a special act. Previously, these requirements applied 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 act, any local regulations adopted under a special act that do not comply with the law on as-of-right ADUs are void.

Second, the act extends existing 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 act, the same prohibitions apply to investor-owned water companies.

Unchanged by the act, 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 act 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;

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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.