

Minimum Number of Accessible Parking Spaces in Condominium and Apartment Parking Lots

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Issue

Does state or local law require condominium or apartment complex parking lots to contain a minimum number of parking spaces reserved for individuals with disabilities (i.e., “accessible parking”)?

The Office of Legislative Research is not authorized to provide legal opinions and this report should not be considered one.

Summary

Several state and local laws govern accessible parking in Connecticut, with no single set of rules applicable to all condominiums or apartments. This is because (1) whether a law applies to a given property depends on how, when, and where it is constructed and (2) condominium and apartment complex designs vary considerably.

Generally, the current version of the State Building Code requires that at least 2% of the parking spaces in a condominium or apartment complex parking lot be accessible parking spaces. However, if 2% is less than one space, the Code requires one accessible parking space to be provided. These apply if the property has a building that contains:

1. four or more dwelling units;
2. four or more attached single-story, single-family townhouses; or
3. 10 or more attached multi-story, single-family townhouses.

The current State Building Code does not appear to require condominiums or apartment complexes containing other types of buildings (e.g., detached single-family houses or duplexes) to provide accessible parking spaces but, depending on the location or size of a property's parking area, municipal zoning or other state law may impose additional requirements.

Ultimately, the best way to determine what specific requirements apply to a particular property, such as the appropriate version of the State Building Code, may be to contact the local building inspector or official responsible for administering or enforcing the building or zoning laws. This person may also be able to answer whether a property has the requisite number of accessible parking spaces.

Applicable Law

State Building Code

The [State Building Code](#) generally regulates the design, construction, use, and alteration of buildings in Connecticut ([CGS § 29-252](#)). This Code is the building code for all state agencies and all municipalities ([CGS §§ 29-252a](#) and [-253](#)). The modern version of the Code was introduced in 1971 and it has been amended or superseded many times since then (see the State Building Inspector's [historical table](#)). The current 2022 version of the Code generally adopts several model codes, including the 2021 International Building Code, with amendments. New construction must follow the requirements in effect when applying for a building permit and generally must follow those requirements for the life of that construction (i.e., the current Code applies to applications that were submitted on or after October 1, 2022). In other words, older constructions generally do not have to follow all of the rules in the current 2022 version of the Code (see, e.g., [Code § 102.6 \(as amended\)](#)).

State statutes concerning the Code and the Code itself contain several accessibility requirements that apply to most multi-family buildings (e.g., [CGS § 29-269\(a\)](#) and [Code Chapter 11](#)). Currently, the Code generally requires particular buildings to include certain types of accessible units (i.e., "Type B" units), and further requires these buildings to provide accessible parking equal to at least (1) 2% of their total parking spaces or (2) one accessible parking space if 2% is less than one space. These requirements generally apply to buildings in condominiums and apartment complexes that contain (1) four or more dwelling units; (2) four or more attached single-story, single-family townhouses; or (3) 10 or more attached multi-story, single-family townhouses ([Code §§ 310.4 \(as amended\), 1108.6.3, 1106.3 \(as amended\), R320.2 \(as amended\), R320.3 \(as amended\), and R320.6 \(as amended\)](#)).

The Code's accessibility requirements, however, are subject to other provisions that exempt certain buildings or allow for variation. For example, they do not apply to detached single-family houses or duplexes ([CGS § 29-274\(a\)](#) and [Code § 101.2 \(as amended\)](#)). Additionally, the State Building Inspector may approve variations and exemptions from any of the Code's accessibility requirements ([CGS § 29-269\(b\)](#) and [Code § 104.10.2 \(as amended\)](#)).

Municipal Requirements

Condominium and apartment complex parking may also be subject to local accessibility requirements imposed by municipalities. Specifically, municipalities are granted zoning authority through state statute ([CGS § 8-2](#)) or special act, which allows them to regulate, among other things, private parking areas (see, e.g., [Fairfield Zoning Regulations § 28.0](#) and [Waterbury Zoning Regulations § 9.03](#)).

Additional Statutory Requirements

If a condominium or apartment complex parking lot contains over 200 parking spaces and neither the State Building Code nor a municipal ordinance, such as zoning regulations, impose stricter requirements, a state statute requires the lot to contain a certain number of accessible parking spaces according to formulas set out in a schedule ([CGS § 14-253a\(g\)](#)).

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