



CITY OF
TALLAHASSEE

Missing Middle Housing Handbook

version 1.0

Growth Management Department, December 2024



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1 Introduction

MISSING MIDDLE HOUSING refers to the wide variety of housing types between a detached single-family home and a large apartment building or complex that were common throughout the United States prior to World War II.¹ Tallahassee has many examples of missing middle housing such as those shown in Figure 1. This “middle” type of housing includes duplexes, triplexes, quadraplexes, small apartments, and similar configurations. However, the rapid proliferation of an automobile-oriented transportation system and suburban-style development prompted a shift nationwide that largely reduced or eliminated the supply of these housing types. Today’s unmet demand for these housing options is what has prompted the title of “missing” middle.

While we’re focused on increasing housing opportunities in all its forms, missing middle housing offers the community unique opportunities to meet our housing needs. This report identifies the tools that the City uses to support missing middle housing.

It’s helpful to identify the role that missing middle can play in a well-rounded housing market. Missing middle housing creates housing choice for our neighbors at all stages of life, from young adults looking for their first home to senior citizens wanting to downsize. It also responds to the need for affordable and flexible housing options.

The U.S. is building more large apartments today than at any other time in the last 50 years. However, missing middle buildings that have two to nine residential units represented only 1% of new residential units constructed in 2022. In that same year, over 50% of the multi-family units built in this country were in structures with 50 or more units, and almost 88% were in buildings with 20 or more units.² The supply of new residential housing has not met the demand, with a shortfall of about 3.8 million units as of 2022. As the supply of housing declined, the cost continued to rise. In 2022, home prices climbed 8.6% in U.S. metropolitan areas, while rents grew by 15%.³ In an effort

to increase the supply of housing and contain the costs, state and local governments throughout the country have amended their zoning codes to support missing middle housing. The exact nature of that support is the key question.

Cities throughout the country are working to effectively address their housing needs. Some local governments focus on a single tool, like increasing density through upzoning. In contrast, Tallahassee has created a multi-faceted approach that offers a range of tools to encourage new housing development. The City’s toolbox of housing resources is discussed in this report. It provides the right housing tool based on a project’s needs.



Figure 1

Existing Missing Middle Homes in Tallahassee Neighborhoods



9.0 units / acre
740 E. Brevard St.
6 units
0.67 acres



11.4 units / acre
1407 Fairway Dr.
4 units
0.35 acres



14.3 units / acre
1551 Cristobal Dr.
4 units
0.28 acres



9.8 units / acre
402 Wilson Ave.
5 units
0.51 acres



11.8 units / acre
509 Williams St.
4 units
0.34 acres



15.4 units / acre
1231 N. Duval St.
4 units
0.26 acres



10.3 units / acre
701 Park Ave. E.
4 units
0.39 acres



12.2 units / acre
1316 S. Meridian St.
5 units
0.41 acres



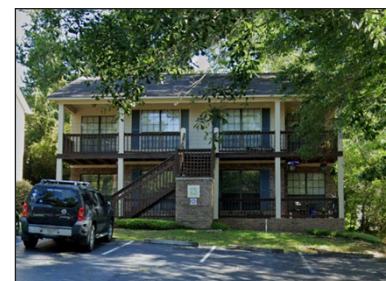
17.1 units / acre
224 West 5th Ave.
6 units
0.35 acres



10.5 units / acre
545 Oakland Ave.
4 units
0.38 acres



13.3 units / acre
1113 Washington Ct.
4 units
0.3 acres



21.1 units / acre
616 Wilson Ave.
4 units
0.19 acres

Source: City of Tallahassee GIS

Current Conditions **2** in Tallahassee

THE “MISSING” IN MISSING MIDDLE housing is due to zoning practices that allow either detached single-family residences or very large apartment projects, but not the wide variety of housing types in between those extremes. As shown by Table 1, a 2019 survey from the New York Times found that about 75% or more of the residentially zoned land in many U.S. cities allowed only detached single-family residences.⁴

Appendices B and C conclude that 70% of the residentially zoned land in Tallahassee allows only detached single-family residences (e.g., less than 9 units per acre). That places Tallahassee ahead of many other cities in our effort to support missing middle housing through our zoning code. Appendices B and C include text that provides a more detailed explanation of the calculations.

Tallahassee, FL	70%
Minneapolis, MN	70%
Los Angeles, CA	75%
Portland, OR	77%
Seattle, WA	81%
Charlotte, NC	84%
Sandy Springs, GA	85%
Arlington, TX	89%
San Jose, CA	94%



Tallahassee Missing Middle Tools



THE CITY HAS A SIGNIFICANT ROLE in creating the right conditions to support housing development. That includes initiatives like our efficient, supportive permitting system, our regulatory incentives, and our targeted financial support for key projects. The City of Tallahassee is directly involved in making all housing affordable, including missing middle. This section identifies the tools used by the City to support the development of missing middle housing.

1. Environmental management standards – There are several missing middle tools that relate to environmental standards, as discussed below.
 - a. Exemptions – Missing middle housing projects often occur on sites that are being redeveloped in urban areas already served by public infrastructure like central water and sewer. As a redevelopment project, the missing middle development is replacing a prior use that had already disturbed the project site. That's why [Sec. 5-111 to 5-116, TLDC](#) exempts many types of redevelopment sites from the environmental management standards. The impact already occurred when the prior use was developed.
 - b. Stormwater Infrastructure – For residential development, all projects greater than or equal to a quadruplex must provide onsite stormwater facilities or demonstrate that they have capacity in and provide conveyance to an off-site management facility. Missing middle housing is often sited on small to moderately sized infill parcels that don't always provide sufficient space for stormwater facilities. The City of Tallahassee proactively works to solve that challenge through a network of regional stormwater facilities. Those regional ponds have connection fees, and city staff verifies available capacity during the permit process. Capacity must be purchased for private development projects. Also, the proposed project must be within the drainage basin of the regional facility, and



the stormwater must be conveyed to that facility. The regional stormwater facilities can solve a critical problem for a missing middle housing project because it may not have sufficient space to otherwise provide onsite stormwater facilities.

- c. Stormwater exemption – As noted above, the stormwater infrastructure requirement applies to all residential development greater than or equal to a quadraplex. Therefore, duplex and triplex development is not required to provide onsite stormwater management facilities. This exemption is a significant incentive to encourage the development of duplexes and triplexes, which are a key type of missing middle development.
- 2. Inclusionary housing – Inclusionary housing programs require projects of a certain size to include a specified percentage of units at a reduced, affordable price. Inclusionary housing isn't necessarily missing middle housing, but frequently can be. In Tallahassee, projects with 50 or more dwelling units must provide a minimum of 10% of the units at prices no greater than the maximum purchase price established by code and with the average sale price of inclusionary units not greater than the average sales prices established by code. Tallahassee's incentives for inclusionary housing are at [Sec. 9-246, TLDC](#).
- 3. MMTD Incentives – The incentives at [Sec. 10-280.7, TLDC](#) are available to all types of development occurring in the City's Multi-Modal Transportation District (MMTD). The incentives allow additional density or intensity if one or more of 23 development enhancements are included in the project. Individually, each enhancement is worth a 5% increase in density or intensity. Collectively, the

enhancements are worth up to a 25% to 35% increase in density or intensity, depending on the project's location. The enhancements which earn greater densities or intensities include the following:

- a. Mixed uses
- b. Creative parking alternatives
- c. Public art
- d. Sidewalk coverings (awnings, etc.)
- e. Balconies
- f. Bay windows (2nd to 4th floors)
- g. Pedestrian amenities
- h. Semipublic outdoor space
- i. Atriums
- j. Streetscapes (trees, seating, etc.)
- k. Transit stops
- l. Energy efficiency (LEED, etc.)
- m. Bicycle parking
- n. Cyclist facilities (showers, lockers)
- o. Shared drives
- p. Front porches
- q. Recessed garages
- r. Alleys
- s. Walkability
- t. Recreation
- u. Community gardens
- v. School proximity
- w. Historic preservation

The MMTD incentives are particularly useful to missing middle housing because many of them are directly relevant to residential de-





velopment, such as alternative parking, balconies, bay windows, semipublic outdoor space, streetscapes, transit stops, bicycle parking, front porches, community gardens, and school proximity.

4. MMTD parking standards – The MMTD is the most urban portion of the City, with a more dense and diverse mix of uses. Parking requirements are therefore more flexible in this area. [Sec. 10-284.4 to 10-284.5, TLDC](#) responds to that need by providing more flexible MMTD parking standards. First, [Sec. 10-284.4, TLDC](#) allows for percentage reductions to the parking standards which vary based on the project's location in the MMTD. Second, [Sec. 10-284.5, TLDC](#) provides further parking flexibility in the MMTD by allowing the parking requirement to be satisfied if it is otherwise met through on-street parking within 1,000 feet of the project site. The MMTD's flexible approach to parking is critical for the development of missing middle housing for two reasons. First, infill sites in urban areas that are often ideal for missing middle housing may not have sufficient space for off-street parking spaces. Second, allowing on-street parking reduces the cost of development, thereby improving the financial feasibility of developing missing middle housing.

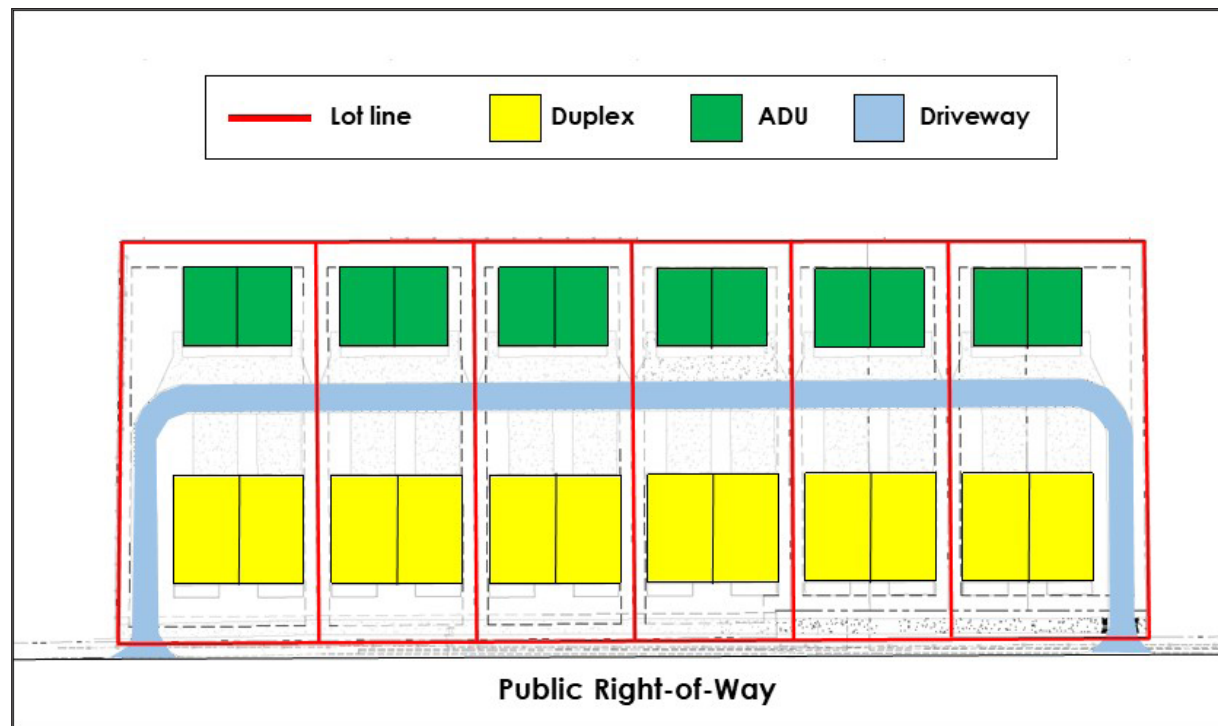
5. Accessory dwelling units – A popular form of missing middle housing is accessory dwelling units, or ADUs. Homeowners and business owners might need an additional living unit, perhaps to care for an aging family member or to rent for supplemental income. The City's Zoning Code refers to these additional living units as ADUs. Across the country, ADUs can go by many different names such as "carriage house", "mother-in-law suite", or "coach house", and are quite common throughout the U.S. The City's accessory dwelling unit standards are found at [Sec. 10-412\(1\), TLDC](#) and are summarized below. The City's goal is to make ADUs an affordable form of missing middle housing, while still preserving the character of the surrounding neighborhood. There are 5 key ADU provisions from the Zoning Code. First, outside the Multi-Modal Transportation District (MMTD), each single-family residence, duplex, or non-residential lot is allowed one ADU. Second, inside the MMTD, each single-family residence is allowed one ADU, each unit of a duplex is allowed one ADU, and each establishment on a non-residential lot is allowed one ADU. Third, citywide, ADUs can be 2 stories in height. Fourth, citywide, ADUs can be up to 1,200 sq. ft. in size. Fifth, citywide, ADUs must meet the setbacks and lot coverage standard of the principal use. Please see our [website for a report](#) that explores ADUs in more detail.

As noted above in the discussion of environmental management standards, the stormwater infrastructure requirement applies to all residential development greater than or equal to a quadplex. Therefore, a duplex could be developed with one ADU per unit and also not be required to provide onsite stormwater facilities. Figure 2 illustrates a potential duplex development that includes one ADU per duplex unit. Note that the duplex units front on the public right-of-way and are highlighted yellow. The ADUs are highlighted green and are sited behind the primary duplex units.

6. Concurrency – The City's concurrency management program ensures that building permits for new development will not be issued unless traffic and stormwater facilities are available "concurrently", or at the same time, that the permit is issued. The concurrency review determines if there is adequate traffic and stormwater capacity to accommodate the impact of the new development

project at or above the adopted level of service. A concurrency review for traffic and stormwater occurs prior to the issuance of the first development order for a project. There are two key concurrency benefits available to missing middle housing. First, if an existing building is being redeveloped as a new use, the concurrency review for the new use receives a credit for the traffic and stormwater impacts associated with the prior use. For example, if an existing office building is redeveloped as a 10-unit apartment project, the concurrency review would be based on the impacts of the 10-unit apartment project, less the office building. Second, traffic concurrency reviews in the Multi-Modal Transportation District are based on meeting a level of service of E+50%. Keep in mind that level of service A is a clear, freely flowing road with no traffic, while level of service E is a congested road with substantial traffic. Since the Multi-Modal Transportation District is the City's downtown core, the intent is to focus on alternate means of transportation like tran-

Figure 2 - Duplex Project with ADUs

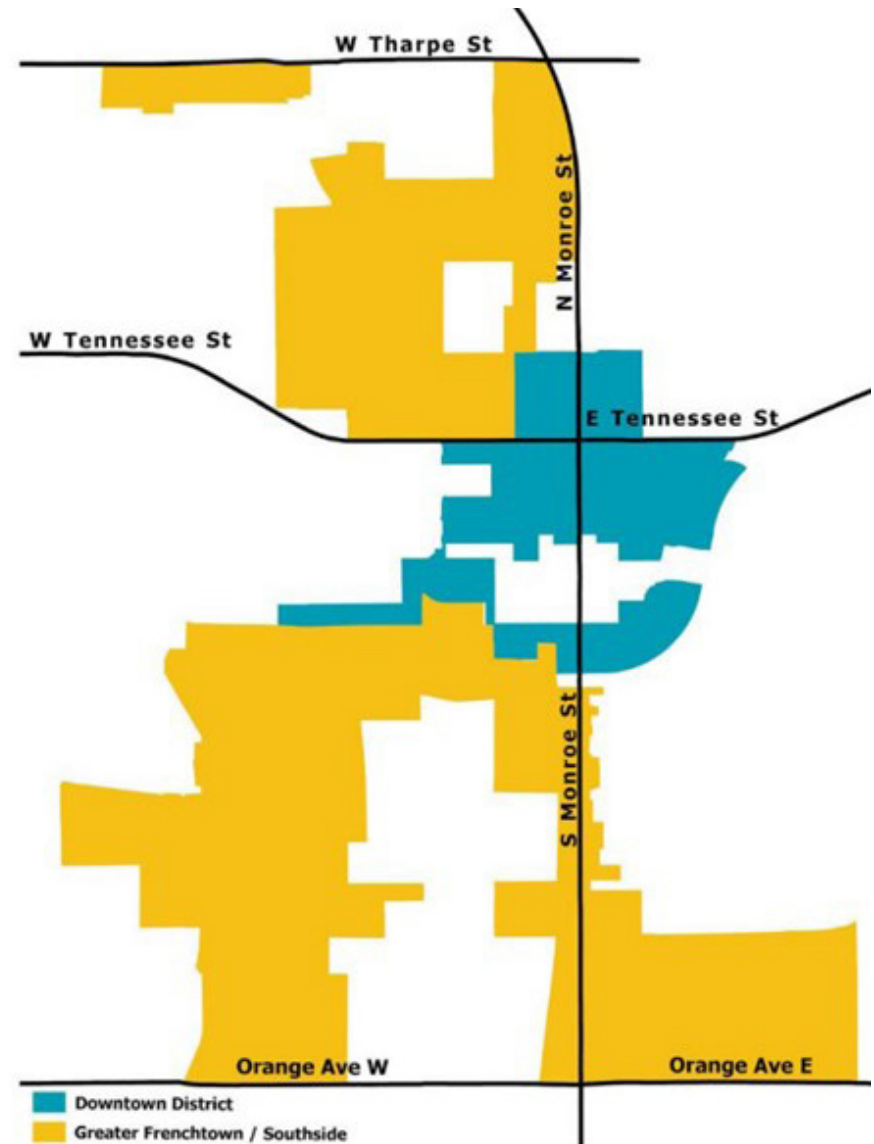


sit, cycling, and walking instead of continually widening roadways. The bottom line is that the E+50% level of service is a very flexible standard, and projects in the Multi-Modal Transportation District rarely have concurrency issues. That simplifies permitting and lowers the development cost of missing middle projects.

7. Community Redevelopment Agency (CRA) – The Tallahassee CRA was created in August 1998. It includes two community redevelopment areas. The first is the Downtown CRA, and the second is the Greater Frenchtown / Southside CRA. Figure 3 provides a map of each community redevelopment area. The primary function of the Tallahassee Community Redevelopment Agency is developing, supporting, and implementing the Redevelopment Plans for the two community redevelopment areas. Funding for the CRA is derived from a technique called tax increment financing (TIF). TIF identifies the tax revenues generated by the community redevelopment areas on the date of their creation. Over time, the tax base will increase due to new development. The difference between current year taxes less the base year taxes (known as the increment) is reinvested back into the community redevelopment area. The Community Redevelopment Agency uses this TIF funding for a variety of programs. For example, the New Construction Assistance Program may provide assistance for new construction projects within one of the community redevelopment areas. Projects may include multi-family housing, mixed use, or commercial uses. Projects will be evaluated on a case-by-case basis. Any project selected for funding must be consistent with the applicable CRA redevelopment plan and state law governing the CRA (Chapter 163, Part III, Florida Statutes). To receive funding, a project must demonstrate a significant contribution to CRA goals and objectives and a tangible benefit to the community. Additionally, applicants are expected to have a minimum of 75% investment in the overall project cost.

8. Building Code – The Building Code takes a tiered approach to several requirements that apply to residential development. That tiered approach benefits the development of some types of missing middle housing. A few examples are provided below.
 - a. For new construction only, 1 and 2 family dwellings (single family detached, single family attached-townhouses, and duplexes) are exempt from fire sprinklers and from the requirement to be designed by a licensed architect.

Figure 3 - CRA Map



- b. Any multi-family building with three dwelling units and more would require fire sprinklers and a design by a licensed architect.
 - c. Even though a duplex does not require fire sprinklers, it does require a 1-hour rated separation between the dwelling units, the same as a larger multi-family building.
9. Permitting – The City's approach to reviewing developments and issuing building permits supports missing middle housing in several ways, as discussed below.
- a. Site Plan Exemption – Duplexes and triplexes are a key form of missing middle housing, and they're both exempt from the requirement to obtain a site plan. Instead, applicants for new duplexes and triplexes begin with a building permit application. Similarly, the conversion of an existing building to a duplex or triplex is also exempt from the site plan requirement.
 - b. Expedited Permitting – The expedited plan review process includes tenant build-outs, alterations, and small to medium sized new single buildings. The process is limited to projects that are straightforward in nature and supported by completed plans, with all supporting documentation provided with the

submittal. The complete submittal requirements are found at the Growth Management Department's [website](#). From the perspective of missing middle housing, it's important to note that expedited permitting is available to new multifamily buildings with a limitation in height of 3 stories and 8 dwelling units in one building. Multiple building projects (which would typically not qualify as missing middle housing) are not eligible for the expedited process. The review timeline for expedited permitting is as follows: a.) Applications for expedited review must be filed by each Monday at 10:00 a.m.; b.) Staff's review must be completed by the following Friday at 10:00 a.m.; and c.) Comments are issued by 1:00 p.m. by that same Friday.

- c. Type A Site Plan Process – A site plan is required for any multi-family project bigger than a triplex and all non-residential development larger than 2,500 square feet. A Type A site plan applies to projects which are fully consistent with the Tallahassee Land Development Code and require no deviations. Site plan applications are accepted through an online application portal, and documents are submitted electronically. The Type A site plan process is one more tool used by the City to make it easier and more efficient to develop missing middle housing in Tallahassee.



4 Conclusion

THE CITY OF TALLAHASSEE is continuing to work on several fronts to make it easier and more affordable to develop missing middle housing. We are focused on creating new opportunities for a diversity of housing where it fits into our community. Tallahassee proactively supports missing middle housing through the assortment of tools discussed in this handbook. Missing middle housing is a complicated public policy issue. It plays an important role, but introducing missing middle housing into our community requires a careful, balanced approach. Some cities take a broad policy approach that focuses on increased density, but Tallahassee has implemented a multi-faceted, varied policy. It provides an array of housing tools which can be customized to a particular development.

We invite you to contact us if you still have questions concerning missing middle housing in Tallahassee. We're continually working to expand our tools that support missing middle housing. You can reach a member of the Growth Management Department's planning staff at (850) 891-7001, extension 4, or at zoning@talgov.com. Our [website](#) provides access to a variety of Growth Management services. If you would like to talk to a planner in person, our offices are on the third floor of the Renaissance Center at 435 North Macomb Street. We look forward to hearing from you!



Appendix A

Case Studies

CREATING NEIGHBORHOODS with a range of housing options isn't a new idea. It's common for pre-World War II neighborhoods to include a mix of single-family homes, duplexes, triplexes, and quadruplexes. Missing middle wasn't always missing. However, the United States spent much of the second half of the last century building either exclusively low-density neighborhoods or quite large apartment projects. The resurgence of thinking around missing middle housing originates with Daniel Parolek, an architect who created the term in 2010.⁵ Local governments generally didn't commonly address missing middle housing in their zoning codes until about the last decade. Therefore, it may be prudent to exercise caution before making broad conclusions concerning the success or failure of missing middle initiatives. There are several broad themes that can be drawn from the case studies that are summarized in this Appendix.

1. Contentious Process. The approval process is often contentious and is sometimes followed by citizen-initiated lawsuits.
2. Select Districts or Citywide. Some cities allowed missing middle housing in all zoning districts, while others targeted select districts.
3. Caps. Some cities placed caps on the maximum number of missing middle projects allowed per year.
4. Cost. A 0.25-acre lot zoned for two units is likely worth more than the same lot zoned for one unit. A developer would likely pay more for the 0.25-acre lot on which they could build two residential units. Therefore, missing middle zoning could have the effect of increasing the cost of land and housing, not lowering it.⁶ Also, a developer will logically pursue the more profitable form of development. Missing middle policies always focus on adding density, but they rarely mandate lower-cost styles of development. There is more profit in higher end, more expensive finishes and fixtures.⁷ Anecdotally, this is demonstrated in Raleigh's \$2 million townhouses⁸, or in Atlanta's \$3,450 per month apartments.⁹

As noted by David Schultz, the former director of planning in New York state, *"The elimination of single-family zoning is the most recent fashion statement, but I think (the policy) makes a lot of mistakes. Developers are going to produce the type of housing that gives them the greatest profit. So just because you remove regulations, it doesn't mean it's going to produce more affordable housing. What it's going to do is encourage developers to buy undervalued property that used to be single-family zoned and then flip it into high-end more expensive housing."*¹⁰ Finally, researchers from the Urban Institute examined upzonings from 1,136 cities between 2000 and 2019. They found that cities that increased density experienced a 0.8% increase in housing supply within 3 to 9 years of the code change. However, this increase was primarily for higher rent residential units. They found no evidence that lower cost housing was increased as a result of reforms.¹¹

5. Design Guidelines. Cities often required missing middle housing to meet design guidelines to ensure that it appropriately fits the neighborhood context.
6. One Tool of Many. Most cities note that missing middle housing isn't the complete solution to affordability but must be implemented in coordination with other tools.
7. Typical Forms of Missing Middle. For most of the case studies, missing middle means allowing duplexes, triplexes, or quadruplexes on land that was previously limited to single family development.

The case studies provided below include one county, eight cities, and six states.

1. Arlington County, Virginia – Arlington County revised its zoning code in support of missing middle housing in March 2023.¹² Based on a review of articles that chronicled the evolution of their missing

middle initiative, it is apparent that Arlington County experienced a challenging approval process. News reports often described the adoption process with terms like “specter”, “haunts”, “fractures”, “dividing”, “chaotic”, and “discordant”.^{13, 14} After adoption, participants spoke of the need for a “time to heal” and the need to “learn from this process, what went wrong”.¹⁵ Arlington County’s adoption of missing middle policies was followed by a citizen initiated lawsuit that asserts that the changes were procedurally flawed both in how they were studied and adopted.¹⁶ Arlington County refers to their missing middle option as “Expanded Housing Option” (EHO) development. It allows either a duplex, three townhouses, or small apartments with up to six units in five zoning districts that previously only allowed single-family residential homes. In all EHO projects, the maximum building height and footprint, and minimum setbacks must be the same as a single-family residence. The Arlington County EHO program also includes a variety of design standards, such as limiting garages to no more than 50% of the front building façade, requiring one entrance to face the street, limiting curb cut width to the same as a single-family residence, and prohibiting exterior stairs for second floor units on the front and side facades. If a proposal meets all the EHO standards, it is approved administratively by staff. For the EHO program’s first five years, a maximum of 58 permits may be issued per year, which

are distributed among the five allowable zoning districts.¹⁷ On September 27, 2024, a circuit court judge overturned the EHO zoning amendments.¹⁸

2. Asheville, North Carolina – In Asheville, about two-thirds of all neighborhoods are zoned for only single-family residences. That prompted the City to complete a detailed housing study in 2023, part of which focused on missing middle housing. One of Asheville’s next steps is to initiate code amendments concerning missing middle housing.¹⁹
3. Chapel Hill, North Carolina – Until recently, most land in Chapel Hill was zoned exclusively for single family residences.²⁰ However, on June 21, 2023, the Town Council amended their zoning code to allow duplexes on all residential lots, as well as triplexes and quadplexes in specific areas that are already approved for higher densities. One of the challenges to making such code changes in North Carolina is that state law prohibits local governments from contradicting neighborhood specific covenants that ban higher density residential development.²¹ Such neighborhoods are therefore excluded from the changed code. In the first three months of





the implementation of the updated code, Chapel Hill received no building permit applications under the new program.²²

4. Gainesville, Florida – On October 17, 2022²³, Gainesville became the first city in Florida to amend its zoning code to allow missing middle housing. Gainesville replaced its current single-family zoning districts with a Neighborhood Residential category that allows up to four dwelling units with a height of two stories.²⁴ The city's former zoning code designated about 63% of all residential land as exclusively single-family residential. The public hearing lasted almost seven hours, with 90 citizens speaking against the proposal and 13 in support of it.²⁵ On January 4, 2023, a newly sworn in City Commission repealed the proposal.²⁶
5. Knoxville, Tennessee – Knoxville, TN adopted its missing middle zoning code revisions on February 6, 2024.²⁷ The new code provisions went into effect on February 22, 2024.²⁸ One of Knoxville's underlying goals was to encourage missing middle housing in areas where it had the greatest opportunity for success. That meant that they focused on those neighborhoods that are already supported by infrastructure like walking paths, bike lanes, transit, and neighbor-

hood businesses.²⁹ Missing middle projects in Knoxville are intended to look like large houses that blend into the surrounding neighborhood. Front facades must include a stoop or porch, as well as at least three of the following features: a.) Dormer; b.) Decorative cornice; c.) Bay window; d.) Brick masonry; or e.) Decorative window and door trim. Knoxville determined that the portion of the city zoned Traditional Neighborhood Residential (TNR) best fulfilled its goal to apply missing middle to neighborhoods that are already supported by the key infrastructure noted above. The TNR zoning district accounts for about one quarter of the city's residential lots. TNR districts include RN-1, RN-2, RN-3, and RN-4. Different types of missing middle are allowed in each district. For example, duplexes are allowed in all four of the TNR districts. Triplexes, fourplexes, and small townhomes are allowed in all TNR districts except RN-1. Finally, large townhomes and small multiplexes are only allowed in RN-3 and RN-4.³⁰

6. Minneapolis, Minnesota – In December 2018, Minneapolis became the first state in the nation to eliminate its single-family zoning districts and allow duplexes and triplexes in all neighborhoods. Prior to this change, more than half of Minneapolis was zoned exclusively for single-family residences.³¹ The construction of duplexes and triplexes has increased since 2018, but not significantly. For example, from 2017 to 2022, almost 21,000 new housing units were permitted, but only about 1% were in buildings with two to four units, while 87% were in buildings with 20 or more units.³² As explained by a planning professor at the University of Minnesota, that isn't surprising, because "Fully built-up neighborhoods that are generally stable – economically, socially, socioeconomically – don't change that quickly."³³ A Minnesota judge struck down the city's missing middle provisions in September 2023. The judge ruled that Minneapolis' implementation of its 2040 Comprehensive Plan (which was the basis for the repeal of single-family zoning) violated the Minnesota Environmental Rights Act. The ruling requires Minneapolis to prepare an environmental impact statement concerning the additional homes that would be built under the missing middle plan. The lawsuit was filed by Smart Growth Minneapolis and Minnesota Citizens for the Protection of Migratory Birds. They argued that the missing middle provisions would result in up to 150,000 new housing units which would increase lake and stream pollution and overtax the stormwater system.³⁴ Missing middle is only part of a multi-faceted package of zoning reforms in Minneapolis designed to encourage additional housing. Since 2009, the city has

eliminated minimum parking requirements for new development, increased multi-family density on commercial corridors, created building height minimums in high-density zoning districts, and allowed duplexes and triplexes in all residential zoning districts.³⁵ According to the Minneapolis planning director, “The elimination of parking requirements has been the most effective regulatory reform we have made.”

7. Raleigh, North Carolina - Raleigh adopted a series of missing middle text changes³⁶ in 2021 and 2022 which did the following: a.) Replaced units per acre standards in most zoning districts with form-based zoning that focuses instead on lot size, yards, and height; b.) Allowed two-family homes in most zoning districts under the same standards as single-family homes; c.) Allowed townhouses in three additional zoning districts if significant open space is included; d.) Allowed triplexes on smaller lots; e.) Reduced lot size standard and increase allowable building size for tiny houses; f.) Permitted tiny houses as either single-family or duplexes; g.) Allowed flag lots for tiny houses; h.) Permitted two-unit townhouses in one zoning district; i.) Allowed more dense residential near high-frequency transit; j.) Allowed accessory dwelling units on townhouse lots; and k.) Allowed two accessory dwelling units on a lot if near high frequency transit. These changes were the subject of a lawsuit from early 2023 to late 2024. The lawsuit was filed by neighbors who contended that the City improperly approved the amendments as text changes rather than zoning map amendments.³⁷ The City had approved the demolition of a historic home on approximately 2.5 acres, to be replaced by 17 townhomes with substantial open space. Each townhome was expected to sell for about \$2 million.³⁸ The lawsuit was settled in the favor of the City.³⁹
8. Spokane, Washington – Spokane amended their zoning code in August 2022 to allow up to quadrplexes on residentially zoned land throughout the City.⁴⁰
9. St. Paul, Minnesota – St. Paul approved missing middle amendments to its zoning code on October 18, 2023.⁴¹ Prior to these changes, 72% of St. Paul's residentially zoned land only permitted detached single-family residences.⁴² St. Paul's approach eliminates seven zoning districts that exclusively allow only single-family residences. They are replaced with two new districts that allow duplexes, triplexes, fourplexes, and townhomes. The accompanying



development standards were also revised to tailor them to better support multiple unit residential development.⁴³

10. California – Prompted by an acute statewide housing affordability crisis, the State legislature adopted SB 9 and SB 10. First, SB 9 streamlines the process to subdivide an existing lot and allows up to 4 units on lots that are zoned for single-family residential.⁴⁴ Second, SB 10 allows local governments to authorize up to 10 residential units per parcel, provided the parcel is served by transit or is an urban infill site. SB 10 also significantly streamlines the approval of the higher density up to 10 residential units per parcel by exempting it from review under the California Environmental Quality Act.⁴⁵
11. Minnesota – The Minnesota State Legislature is considering a bill concerning missing middle housing. It includes a variety of features, including the following: a.) Preempts local standards concerning large minimum lot sizes; b.) Prohibits requiring costly building materials (e.g. stone) for aesthetic reasons; c.) Requires cities to allow six types of missing middle housing from a list that includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhomes, courtyard apartments, and small cottage homes; d.) Requires potential of six to ten units per lot, depending on location;

e.) Limits minimum lot size to no more than 2,500 square feet in a large city or 4,000 square feet in a small or medium city; f.) Limits residential parking to no spaces near commercial or public transit or one space in other areas; and g.) Allows a public hearing only if required by state or federal law, if the site is historic, or if the developer requests a variance.^{46, 47}

12. Nebraska – Nebraska took a different approach to missing middle housing. Legislative Bill 866 was adopted in 2020. First, it requires all cities to adopt an affordable housing action plan that identifies specific goals, plans, and incentives for affordable housing. Second, if any city fails to adopt the action plan by the specified deadline, then that city is required to allow duplexes, triplexes, quadraplexes, cottage cluster, and townhouses in all zoning districts that allow single-family residences.⁴⁸

13. Oregon – Oregon adopted House Bill 2001 in 2019. It created two requirements. First, cities with less than 25,000 persons must allow duplexes on lots zoned for single-family residential by June 30, 2021. Second, cities with more than 25,000 residents must allow duplexes, triplexes, quadraplexes, cottage clusters, and townhouses on lots zoned for single-family residential by June 30, 2022. Detached single-family residences are still allowed. The new law simply allows the higher density forms of residential as an option.⁴⁹

14. Vermont – In June 2023, Vermont adopted its HOME Act, which allows duplexes in any zoning district that otherwise allows sin-

gle-family residences, which permits quadraplexes in any area served by sewer and water, and which reduces the residential parking requirement to one space per dwelling unit.⁵⁰

15. Washington – HB 1110 was signed by Governor Inslee on May 8, 2023.⁵¹ The statewide standards vary by city size. For example, tier one cities with at least 75,000 persons must allow a minimum of 4 dwelling units per lot, up to a maximum of 6 dwelling units if the site is near a transit stop or has affordable units.⁵² HB 1110 directs the Washington Department of Commerce to create a model code to provide for the implementation of the law. In the event a city fails to amend their zoning code by the law's prescribed schedule, the model code would apply.⁵³ Spokane was among the first Washington cities to implement the more stringent statewide law, and it uncovered an unintended consequence which is in the process of being resolved. Namely, the state law provides for the potential for a six-plex. The dilemma is that properties zoned for five or more residential dwellings are classified as commercial based on their highest and best use. Regardless of the actual number of units being built, that means that the appraisal cannot be done by a residential appraiser but instead requires the more in-depth training of a general appraiser. The highest and best use would allow up to six units. Moreover, prospective buyers can't utilize federal loan programs. As noted by one observer, "Commercial property can't be financed with a residential mortgage. Federal Housing Administration, Veterans Administration and the secondary mortgage market all limit residential financing to four units or less."⁵⁴



Appendix B

Missing Middle Housing & Tallahassee Zoning Code

APPENDIX B IDENTIFIES the densities, and therefore the zoning districts, that support missing middle housing. The following comments apply to the table on the next page.

- Column 1 lists 10 lots sizes, ranging from 0.1 acres to 1.0 acres.
- Column 2 calculates the buildable footprint, which assumes that 1 acre yields a 10,000 square foot developable footprint after meeting development standards.
- Column 3 identifies the maximum number of residential units that can be built on the buildable footprint from column 2. It assumes each unit totals 1,500 square feet with a 2-story building.
- Columns 4 through 16 provide the maximum potential units per acre that can be built based on the zoning density. For each column, it equals the density provided in the header times the acres from column 1. If the maximum potential units from columns 4 through 16 are within 1 unit of the achievable number of units from column 3, then those cells are highlighted yellow. The highlighted cells indicate that zoning districts with a density of between 9 and 16 units per acre result in a number of achievable units that could be considered missing middle housing.

Zoning Districts that Support Missing Middle Housing

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Max Potential Units Per Acre Based on Zoning Density ³															
	Acres	Buildable Footprint (sq. ft.) ¹	Max Units Based on 1,500 Sq. Ft. per Unit ²	4	5	6	7	8	9	10	11	12	13	14	15	16
1	0.1	1,000	1	0	1	1	1	1	1	1	1	1	1	1	2	2
2	0.2	2,000	2	1	1	1	1	2	2	2	2	2	3	3	3	3
3	0.3	3,000	4	1	2	2	2	2	3	3	3	4	4	4	5	5
4	0.4	4,000	5	2	2	2	3	3	4	4	4	5	5	6	6	6
5	0.5	5,000	6	2	3	3	4	4	5	5	6	6	7	7	8	8
6	0.6	6,000	8	2	3	4	4	5	5	6	7	7	8	8	9	10
7	0.7	7,000	9	3	4	4	5	6	6	7	8	8	9	10	11	11
8	0.8	8,000	10	3	4	5	6	6	7	8	9	10	10	11	12	13
9	0.9	9,000	12	4	5	5	6	7	8	9	10	11	12	13	14	14
10	1.0	10,000	13	4	5	6	7	8	9	10	11	12	13	14	15	16

Notes:

¹ Assumes 1 acre yields a 10,000 sq. ft. developable footprint, after meeting development standards.

² Assumes each unit totals 1,500 sq. ft. with a 2-story building. Fractional units are rounded down to whole units.

³ Equals density times acres. Yellow indicates that calculated density is within 1 unit of density based on unit size at blue highlight.

Appendix C

Percent of Land Committed to Single Family Residential

APPENDIX C ASSIGNS all the City's zoning districts into one of the following five categories:

- Districts allowing < 9 units per acre (e.g., low density single family);
- Districts allowing 9 to 16 units per acre (e.g., missing middle);
- Districts allowing > 16 units per acre (e.g., high density multi-family);
- Districts allowing only non-residential uses; and
- Districts not included in the assessment.

The key to Appendix C is at rows 66 through 71 at page 22.

- Row 66 – “Grand Total Acres” is the sum of rows 16, 38, 48, 58, and 64;
- Row 67 – “Acres Allowing Residential” is the sum of rows 16, 38, and 48;
- Row 69 – “SFR as a % of Acres Allowing Residential” equals row 16 divided by row 67;
- Row 70 – “Missing Middle as a % of Acres Allowing Residential” equals row 38 divided by row 67; and
- Row 71 – “MFR as a % of Acres Allowing Residential” equals row 48 divided by row 67.

There are two points to keep in mind concerning this appendix, as follows:

- The allowable density by zoning district doesn't neatly follow the low density, missing middle, and high-density categories used for the analysis in Appendix C. For example, Central Urban-45 allows up to 45 units per acre but is more typically developed closer to a missing middle pattern. CU-45 was therefore assigned to the 9 to 16 unit per acre category. Conversely, the Central Core district has no minimum density and could (in theory) therefore be used for missing middle. However, its maximum density is 150 units per acre. It is more likely that land in the Central Core district would take advantage of those higher densities. The Central Core zoning district was therefore assigned to the greater than 16 units per acre category.
- This analysis doesn't address the 13,013 acres in Developments of Regional Impact, Planned Developments, and Planned Unit Developments. The land use plan is individually designed for each project. Many projects in these categories include residential development, but it is not included in this assessment.

Calculation of Percent of Land Allowed for Missing Middle in Tallahassee

1	2	3	4	5	
Code	Title	Acres	Minimum Density (units/acre)	Maximum Density (units/acre)	
1	Districts Allowing < 9 units/acre				
2	LP	Lake Protection	2,696	---	0.5
3	MH	Manufactured Home Park	177	---	8
4	NBO	Neighborhood Boundary Office	2	---	8
5	OR-1	Office Residential	233	---	8
6	R	Rural	4,821	---	0.1
7	R-1	Single Family Detached Residential	962	---	3.63
8	R-2	Single Family Detached Residential	162	---	4.84
9	R-3	Single Family Detached, Attached Two-Family Residential	2,307	4	8
10	R-5	Manufactured Home and Single Family Detached	396	---	8
11	RA	Residential Acre	8	---	1
12	RP-1	Residential Preservation - 1	12,510	---	3.6
13	RP-2	Residential Preservation - 2	3,842	---	6
14	RP-MH	Residential Preservation Mobile Home Single Family	119	---	6
15	UF	Urban Fringe (clustered)	15	---	1
16		Subtotal =	<u>28,250</u>		
17					

1	2	3	4	5	
Code	Title	Acres	Minimum Density (units/acre)	Maximum Density (units/acre)	
18	Districts Allowing 9 to 16 units/acre (e.g., missing middle)				
19	ASN-A	All Saints Neighborhood-A	9	8	50
20	C-1	Neighborhood Commercial	65	8	16
21	C-2	General Commercial	416	8	16
22	CM	Medical Arts Commercial	401	8	20
23	CP	Commercial Parkway	1,918	6	16
24	CU-12	Central Urban District	20	4	12
25	CU-18	Central Urban District	272	4	18
26	CU-26	Central Urban District	249	4	26
27	CU-45	Central Urban District	932	4	45
28	IC	Interchange Commercial	157	6	16
29	MCN	Mahan Corridor Node	7	6	12
30	MR	Medium Density Residential District	48	6	16
31	MR-1	Medium Density Residential	2,609	8	20
32	NB-1	Neighborhood Boundary 1	28	---	18
33	OR-2	Office Residential	547	8	16
34	OR-3	Office Residential District	881	8	20
35	R-4	Single, Two-Family & Multi Family Residential	292	4	10
36	UP-1	Urban Pedestrian District	101	6	16
37	UP-2	Urban Pedestrian District	38	6	16
38		Subtotal =	<u>8,990</u>		

	1	2	3	4	5
	Code	Title	Acres	Minimum Density (units/acre)	Maximum Density (units/acre)
39					
40	Districts Allowing > 16 units/acre				
41	AC	High Intensity Urban Activity Center	1,044	16	45
42	ASN-B	All Saints Neighborhood-B	7	16	50
43	ASN-C	All Saints Neighborhood-C	7	16	75
44	ASN-D	All Saints Neighborhood-D	11	16	100
45	CC	Central Core District	406	---	150
46	UT	University Transition District	1,725	---	50
47	UV	University Urban Village District	77	16	100
48		Subtotal =	<u>3,277</u>		
49					
50	Districts Allowing Only Non-Residential				
51	GO-1	Government Operational-1	246	---	---
52	GO-2	Government Operational-2	2,556	---	---
53	I	Industrial Zoning	173	---	---
54	M-1	Light Industrial	2,123	---	---
55	OS	Open Space	5,519	---	---
56	SCD	Special Character District	71	---	---
57	U-PUD	Urban Planned Unit Development	19	---	---
58		Subtotal =	<u>10,707</u>		

Code	Title	Acres	Minimum Density (units/acre)	Maximum Density (units/acre)
59				
60	Districts Not Included in This Assessment ¹			
61	DRI	Development of Regional Impact	74	---
62	PD	Planned Development	2,807	---
63	PUD	Planned Unit Development	10,132	---
64		Subtotal =	13,013	
65				
66		Grand Total Acres =	64,237	
67		Acres Allowing Residential =	40,517	
68				
69		SFR as a % of Acres Allowing Residential =	70%	
70		Missing Middle as a % of Acres Allowing Residential =	22%	
71		MFR as a % of Acres Allowing Residential =	8%	
72				
73	Notes:			
74	¹ This analysis does not include residential uses at DRIs and PUDs. Those districts were excluded given that the densities at DRIs and PUDs can vary widely based on individual land use plans.			

Appendix D

Footnotes

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