



Re-Legalizing Middle Housing:

AARP North Dakota – Middle Housing Forum



FOURPLEX



SIDE-BY-SIDE DUPLEX



STACKED DUPLEX



COTTAGE



TOWNHOUSE



STACKED TRIPLEX

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Overview

- What is Middle Housing?

 - Why Legalize Middle Housing?

 - Why Isn't Middle Housing More Widespread?

 - Why Consider Allowing Middle Housing?

 - Examples of Local Legislative Efforts
- The Model State Act
 - Guiding Principles
 - Definitions
 - Requirements
 - State Responsibilities
 - Implementation

Part I. Rationale



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What is Middle Housing?

A GROUP OF DIFFERENT HOUSING TYPES THAT

1. Have multiple units
2. Are more similar in scale to single-detached homes than to apartment buildings



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Why Legalize Middle Housing?

- Compared to single-detached homes...
 - Less costly
 - More energy efficient
 - Requires less land per household than single-detached homes

 - Provides a **greater range** of housing options in existing neighborhoods

 - Allows for **lower-cost homeownership** opportunities
- Helps meet the **housing needs** of growing communities

 - **Integrates well** with single-detached homes

Why Consider Allowing Middle Housing?

Statewide
or Local
action can:

- **Expand middle housing opportunities** across a wide range of communities

- **Shift the focus** of state and local conversations from *whether* to allow middle housing to *how* to allow it

- **Build and strengthen coalitions** advocating for a greater range of housing options for their constituents

Part II.
**Examples of
Local
Legislative
Efforts**



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Local Legislative Efforts

> Portland, Oregon

> Kirkland, Washington

> St. Petersburg, Florida

> Tulsa, Oklahoma

> Minneapolis, Minnesota

Success can build on the groundwork of past efforts.

- Many local/states presented ADU bills before their middle housing bill

- Coalitions of advocates helped support legislation

- Strong public discourse can overcome negative perceptions

**One-size-fits-all
requirements
may not work in
rural areas.**



Areas with septic systems and wells
may not be able to add middle
housing – a mandatory approach may
not work

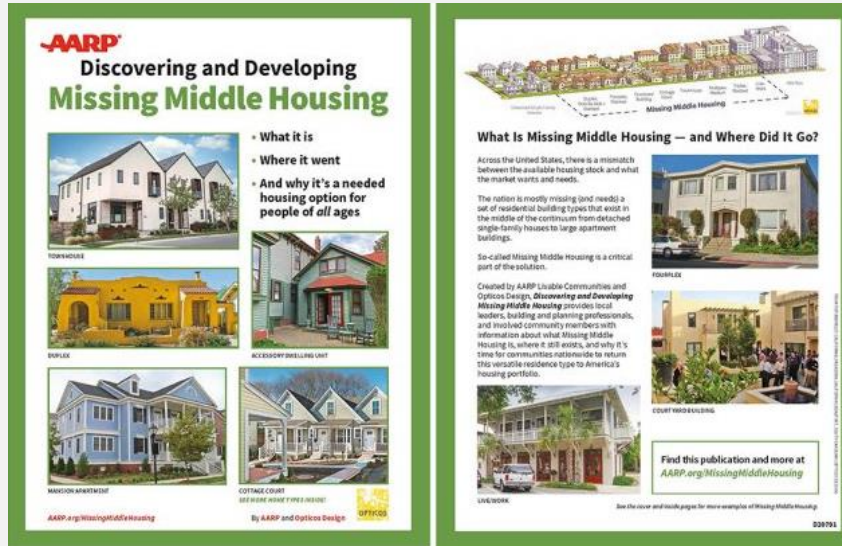
Legislation must be tailored to the local context.

- Avoid using legislation from other states without understanding the context
-
- Model Act intended as a starting point to adjust based on each state's needs

Education can combat a fear of change.

- Use AARP materials to help build familiarity with middle housing

AARP's report *Discovering and Developing Missing Middle Housing* can help provide material for outreach to residents.



Part III.
**The Model
Act**



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How Did We Design the Model Act?

PROVIDE A RANGE OF OPTIONS:



Prescriptive,
emphasizing consistency



Targeted to specific
areas



Flexible, allowing more
local influence

What's in the Model Act?

DEFINITIONS

REQUIREMENTS
FOR LOCAL
GOVERNMENTS

STATE
RESPONSIBILITIES

IMPLEMENTATION

The Model Act

DEFINITIONS

**REQUIREMENTS
FOR LOCAL
GOVERNMENTS**

**STATE
RESPONSIBILITIES**

IMPLEMENTATION

How to Define Middle Housing?

FORM-BASED

- > "Townhouses, courtyard housing, or stacked flat plexes"

- > Less focused on unit count and density

UNIT COUNT

- > "2-6 units on a single lot or parcel"

- > Largely ignores form

- > Flexibility with attached or detached units

SCALE

- > "House-scaled buildings with multiple units"

- > Units can be on separate or common lots

- > Flexibility with attached or detached units

COMMON TERMS

- > "Duplexes, triplexes, fourplexes, etc."

- > Combines unit count and form

- > May be overly restrictive

Where do Requirements Apply?

JURISDICTIONS WITH:

- > Land use authority
- > Public water and sewer
- > Located within defined urban area or Population above certain threshold

AREAS WITH:

- > Low-density residential zoning
- > Exclude infrastructure- and environmentally-constrained areas

The Model Act

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Guiding Principles: Where does Middle Housing Belong?

- Should be **broadly applied**, and specify exceptions

- Should be **equitably distributed**

- Should prioritize **high-opportunity, high-amenity** areas

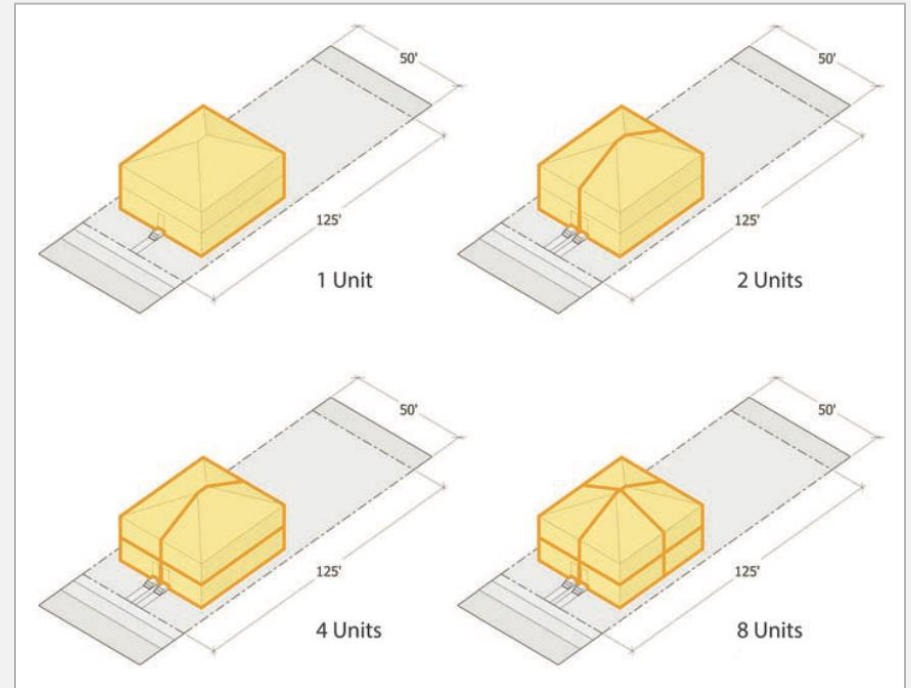
Guiding Principles: What Regulations Support Middle Housing?

- Allow efficient development

- Maintain house scale

- Offer **incentives** for affordable and accessible middle housing

- Use a **straightforward and non-discretionary** approval process



Source: Opticos Design (2), *Discovering and Developing Missing Middle Housing*

Guiding Principles: When Should Local Flexibility Be Considered?

- In **disadvantaged areas** where gentrification and displacement may be a concern

- When jurisdictions are **taking other substantive actions** to support housing availability, affordability, stability, and equity

- In areas with significant **infrastructure deficiencies**, provided there are realistic plans to address the deficiencies

The Model Act

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Pair Mandates with Support to Meet New Requirements.

STATES SHOULD DO MORE THAN PASS A REQUIREMENT

- > Fund technical assistance

- > Produce a model local ordinance

- > Address barriers in the state building code

The Model Act

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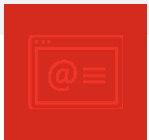
What is the Timeline for Compliance? What are the Consequences of Noncompliance?

- Recommends a timeline

- Suggests consequences of failure to comply



Thank you! Question?



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