Gentle Density and Missing Middle Housing In New Jersey

A Guide for New Jersey Communities

July 2025

NJTRANSIT

NJ TRANSIT | TRANSIT FRIENDLY PLANNING
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1 Introduction

This guide aims to provide New Jersey municipalities with practical tools and insights for implementing gentle density and building missing middle housing as solutions to the state's housing crisis. The document is structured to first establish the need for diverse housing options through historical context and current trends, then to explore how gentle density has been implemented. A series of *Illustrative Examples of Missing Middle Housing (page 32)* helps reader understand what this type of housing could look like in their community.

This is followed by guidance on planning and zoning and a program for implementation. Each section builds upon the previous to create a comprehensive understanding of the gentle density approach.

This guide is a supplement to the **Transit Friendly Planning: A Guide for New Jersey Municipalities (2022)**. It expands on the discussion of missing middle housing (page 44 of the TFP guide) and the housing types presented on page 45. In addition to designated Transit Villages, this guide may be particularly helpful for communities that have the following place types, as defined in 16-27 of the guide: suburban, town center, and urban neighborhoods.

Missing Middle Housing (*noun*): Medium-density multi-family housing that is compatible in scale with single-family or transitional neighborhoods and frequently missing from those neighborhoods. Can be used to describe structures, or clusters of structures, with between two and twelve units.

Gentle Density (*noun*)**:** A policy of allowing missing middle housing development in single-family or transitional neighborhoods, typically requiring or encouraging context-sensitive design so new projects fit into existing built environments.

Figure 1. Missing Middle Housing
Source: Opticos

This report uses missing middle housing to refer to the type of housing, and gentle density to refer to the policy of allowing missing middle housing, as illustrated in Figure 2. This distinction and terminology are not universal, and readers may find the terms used interchangeably in other publications.

There is considerable variability in how missing middle is defined. Daniel Parolek, of Opticos Design, Inc., was a pioneer in identifying the need for missing middle housing. His seminal work[1] includes a Multiplex: Medium typology that can accommodate up to twelve units. The Regional Plan Association, on the other hand, defines missing middle narrowly: as only two to four-unit buildings.[2] Still others have used it to refer to higher-density single-family townhouses.[3] This report uses the definitions of the previous page, with the recognition that communities will need to examine their particular context to understand which housing types have been under-developed.

1 Daniel G. Parolek. *Missing Middle Housing: Thinking Big and Building Small to Respond to Today's Housing Crisis*. Island Press (July 14, 2020)

2 rpa.org/work/reports/how-six-cities-are-creating-missing-middle-housing

3 gsd.harvard.edu/2023/12/disguised-density-the-state-of-housing-design-2023/

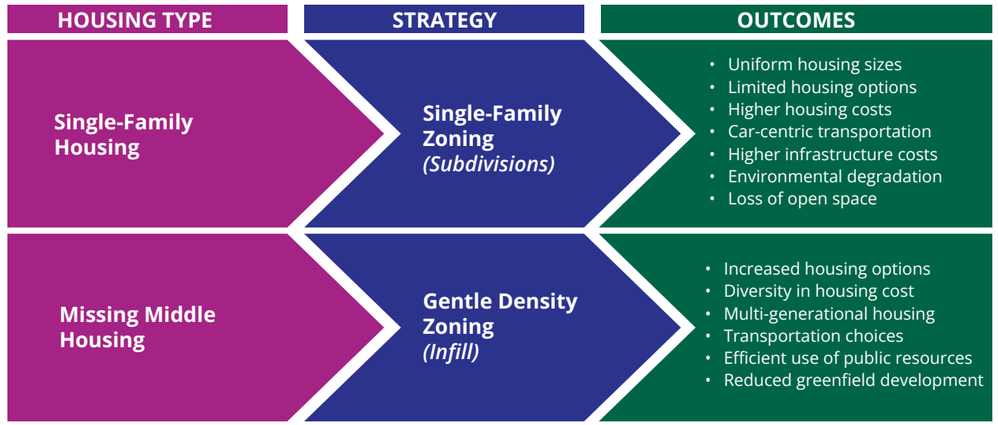


Figure 2. Missing Middle and Gentle Density as a Policy Solution

2 A Brief History of Residential Development in New Jersey

This section establishes a historical foundation that will help readers better understand why there have been calls for more missing middle housing.

Pre-War Development

In the late 19th and early 20th centuries, American cities, including those in New Jersey, developed a variety of housing types. This included a mix of duplexes, triplexes, townhouses, and small apartment buildings. These housing options catered to residents of varying income levels and family sizes, offering affordability and diversity.

This development pattern is evident in many of the state's urban areas, particularly in communities near New York City and municipalities along historic transit corridors, as shown in Figure 3.

Post-War Suburbanization

Housing development patterns shifted significantly after World War I and accelerated after World War II. The rise of the automobile and federal policies promoting homeownership led to the mass production of single-family homes in suburban areas. Zoning laws increasingly favored these detached homes, often excluding multi-family housing. Where multi-family housing was permitted, it was typically confined to urban areas or segregated from single-family neighborhoods in suburban communities, leading to the prevalence of "garden apartments" throughout New Jersey.

National and local policies promoting suburban single-family neighborhoods were both a result of and a contributor to racial and income discrimination.[4] The strict separation of single-family and multi-family housing largely persists today, reinforcing development patterns and social conditions established in the last century. Consequently, multiple generations of single-family neighborhoods exist, each reflecting the market and regulatory environment of its time.

Today, single-family detached housing comprises over 80% of the housing stock in one-third of New Jersey's municipalities (188 out of 565) and exceeds the national percentage in 64% of municipalities. There are only 124 municipalities where more than half of the housing stock consists of something other than single-family detached homes.[5]

Housing in the New Millennium and after the Great Recession

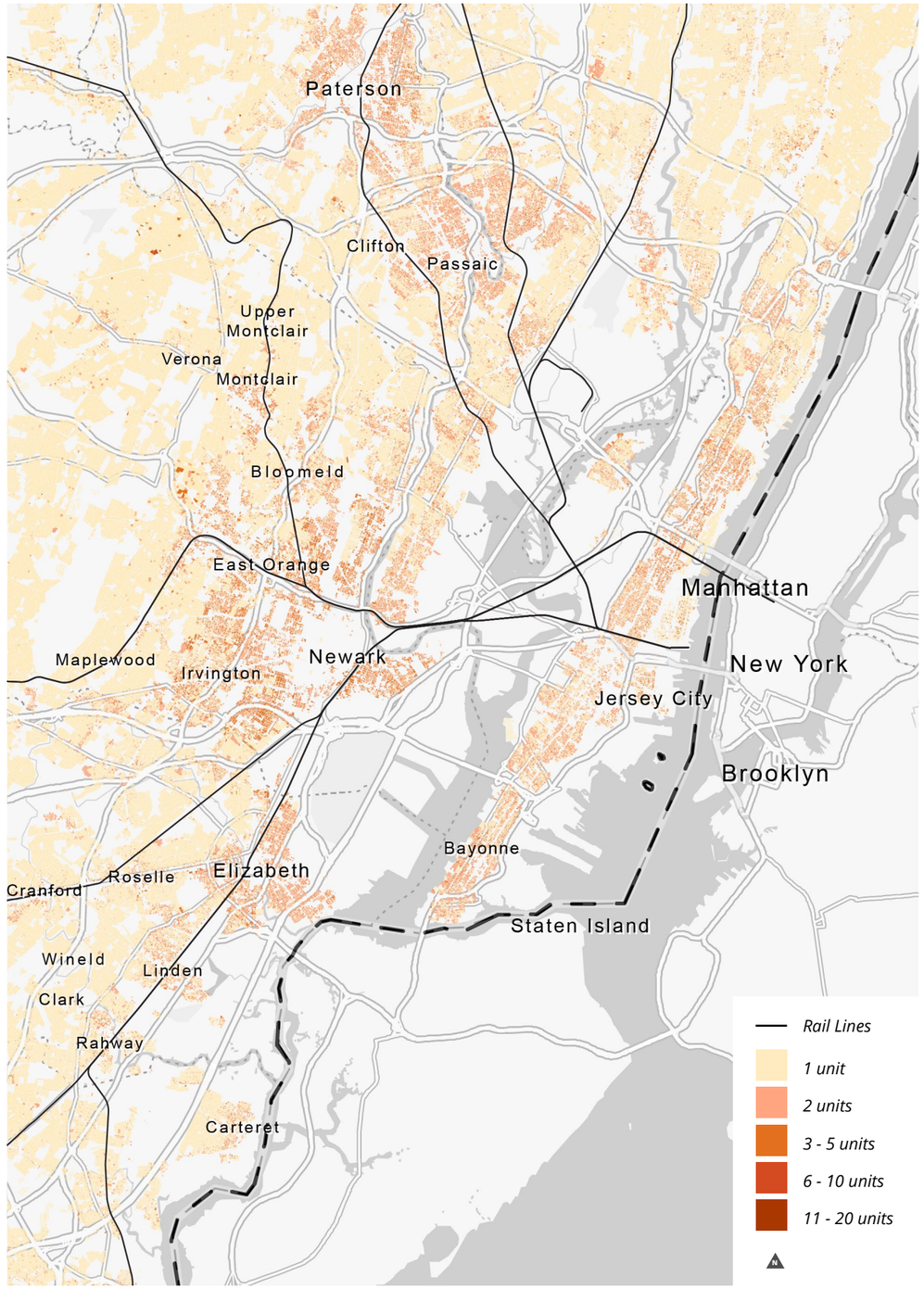
Since the post-war housing boom, there have been dramatic changes in New Jersey households, which mirror changes nationally. Households have become smaller, and non-family households have increased (see *Lack of Small Housing Options page 11*). The baby-boom generation is also well into its "empty nester" phase, driving demands for more housing that meets the needs of older adults. At the same time, the production of housing has been muted since the Great Recession.

4 Rothstein, Richard. *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation. 2018

Berg, Jackie and John Houseal. *Practice Gentle Density*. American Planning Association - Zoning Practice. February 2023. Vol 40. No2.

5 Evans, Tim. *Single-Family Zoning: An Idea Whose Time Has Passed?* New Jersey Future Blog. April 12th, 2021

Figure 3. Location of Missing Middle Housing (2022)



FHI Studio analysis of MOD-IV data published by the NJ Office of Information Technology, Office of GIS (NJOGIS)

Before 2008, homebuilders were starting about two million homes annually nationwide. That number plunged during the crisis and never fully rebounded. Builders have since started an average of about 1.1 million new homes a year, far below the 1.6 million needed to keep up with population growth. The nation's housing shortfall is now estimated to be between 1.5 million and 5.5 million units.[6]

Up for Growth, a research and advocacy organization estimated that New Jersey had a deficiency of almost 144,000 homes, equivalent to about 3.8% of the total housing stock in 2021.[7]

Other studies have also found a housing deficit in various regions of the state. For example, the U.S. Department of Housing and Urban Development (HUD) estimated that the Newark Metropolitan area[8] needed 17,350 units between 2021 to 2024, but only 9,300 were in construction - a shortfall of 8,050 units.[9] A study conducted by McKinsey & Company for the Regional Plan Association found that the tri-state region may face a housing gap of 920,000 units by 2035.[10] This lack of production has resulted in an affordability crisis, which will be detailed in the following section.

A review of building permits issued in New Jersey over the past 28 years highlights the difference between pre-and post-recession construction across the state. (Figure 4)

6 McCue, Daniel, Sophie Huang. Estimating the National Housing Shortfall. Joint Center for Hosing Studies of Harvard University. January 29, 2024

7 Kingsella, Mike; Anjali Kolachalam; and Leah MacArthur. *Housing Underproduction in the U.S. Up for Growth*. 2023

8 The Newark, NJ-PA metropolitan division, includes seven counties: Hunterdon, Somerset, Union, Essex, Morris, Sussex, and Pike)

9 U.S. Department of Housing and Urban Development. *Comprehensive Housing Market Analysis Newark, New Jersey-Pennsylvania*. March 1, 2021.

10 McKinsey & Company & Regional Plan Association. *Impact analysis of Housing on the Undersupply on the Tri-State Region.* May, 2024.

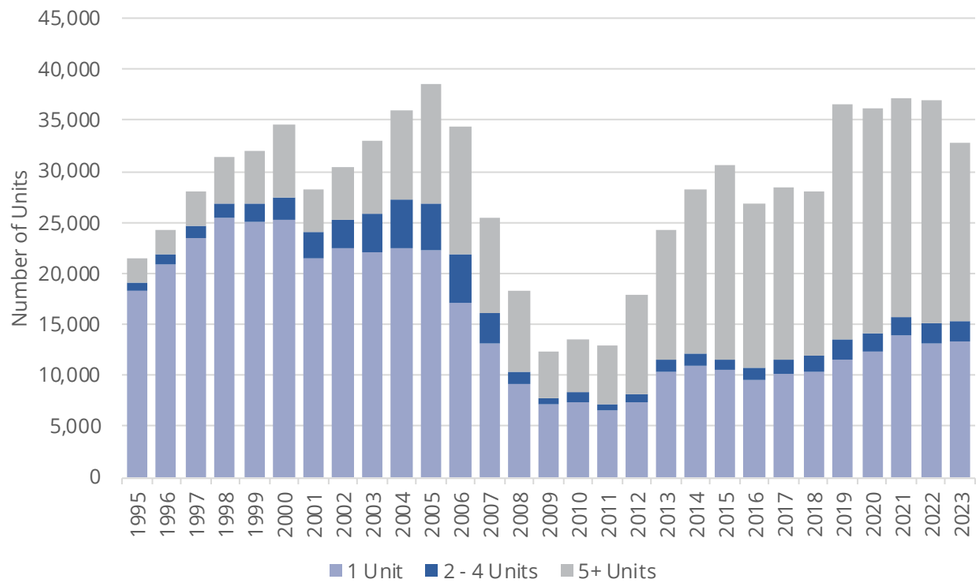


Figure 4. Building Permits in New Jersey (1995 to 2023)

Source: Building Permits Survey (BPS). New Privately Owned Housing Units Authorized. (2010 to 2023)

Leading into the recession, the majority of units were single-family, though the market was increasingly building smaller multi-family (2 - 4 units).[11] After the recession, larger multi-family units began to dominate, while the production of smaller multi-family and single-family housing has not recovered to pre-recession levels.

The shift in housing production is likely due to several factors. First, the market is likely responding to the need for more, smaller, rental units as household finances recovered from the recession. Many municipalities have also continued exclusionary zoning practices, limiting opportunities for missing middle housing production. As a result, new construction is concentrated in limited areas, where larger buildings are necessary to meet demand.

These trends coincide with growing awareness of the benefits of transit-oriented development and higher-density housing near commercial areas, leading communities to relax restrictions on multi-family housing in those areas.

Over the past 28 years, small multi-family structures (2-4 units) have consistently comprised less than 13% of the housing stock constructed, averaging just under 7% for the past three decades.

11 The BPS data only reports information on the following structure types: 1 unit, 2 units, 3 and 4 units, 5 units or more.

3 Why Missing Middle Housing and Gentle Density

A Housing Affordability Crisis

The call for more missing middle housing is fundamentally tied to a national affordable housing crisis, which itself is tied to a housing shortage. In June 2024, home prices in New Jersey rose 10.8 percent compared to the previous year, selling for a median price of $550,400.[12] Meanwhile, the average salary in the state only grew 4.3 percent.[13]

Figure 6 illustrates that this is a continuing trend from previous years, showing how much faster prices have increased than previous periods. As illustrated in Figure 5, many communities are experiencing even faster price increases.

Renters are also struggling, due to an extended period of increasing rents through the pandemic. Rents surged by up to 15% annually in early 2022. Although rent increases have slowed to less than 0.4% in 2023, the cumulative impact remains. As a result, in 2022, over half (51%) of New Jersey renters were cost-burdened, which means they spend more than 30% of their income on housing.[14]

12 Redfin. *New-Jersey Housing Market Overview*. redfin.com/state/New-Jersey/housing-market. Accessed August 19, 2024.

13 Bureau of Labor Statistics. Occupational Employment and Wage Statistics, 2022 and 2023.

14 Joint Center for Housing Studies of Harvard University. *America's Rental Housing - 2024*. 2004. President and Fellows of Harvard College.

Figure 5. NJ Metros with the Fastest Growing Sale Prices

Metro Area	2023 - 2024 Change
Edison	41%
North Wildwood	40%
Princeton, NJ	35%
Sayreville	35%
Atlantic City	34%
Warren	33%
Toms River	32%
Linden	28%

Redfin. New Jersey Housing Market. Redfin.com/state/New-Jersey/housing-market. Accessed 8/19/2024

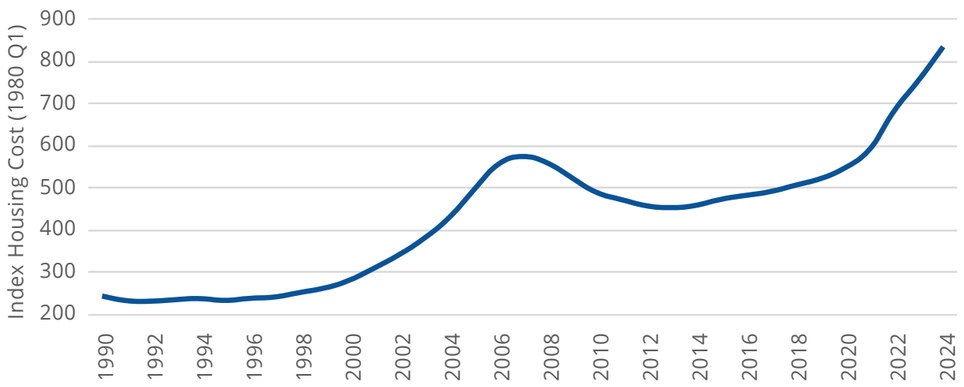


Figure 6. All-Transactions House Price Index for New Jersey (NJSTHPI)

Source: U.S. Federal Housing Finance Agency

Lack of Small Housing Options[15]

Beyond the housing shortage, there is a lack of housing that meets the needs of modern households.

Between 1940 and 1970, approximately 30% of Americans felt that the ideal family size included four children, and 25% preferred three children. However, by 1971, the ideal family size shifted to two children, with an average preference of 2.9 children.[16]

Nationally, one- and two-person households went from making up 41% of all households in 1960 to 64% in 2023.[17] As shown in Figure 7, this shift correlates with a rise in the number of unmarried households and married households without children.

15 The following analysis largely discussed national trends because of the availability of data at that scale. Further research is needed to refine this analysis for the state and different housing markets.

16 Gao, George. "Americans' Ideal Family Size Is Smaller than It Used to Be." Pew Research Center. May 08, 2015. Accessed November 01, 2018. pewresearch.org/fact-tank/2015/05/08/ideal-size-of-the-american-family/.

17 U.S. Census Bureau, Current Population Survey, March and Annual Social and Economic Supplements, 1960 to 2023.

Despite smaller household sizes, the size of homes has grown. The median square footage of a single-family home built in the 1960s or earlier was approximately 1,500 square feet. In contrast, the median square footage of single-family homes built between 2000 and 2009 was approximately 2,150 square feet.[18]

Increases in home size have been accompanied by larger lot sizes. The median lot size on which a single-family home was built, increased from 0.25 acres for homes built in the 1960s or earlier to 0.32 acres for homes built in the 1970s, 1980s, and 1990s. This trend has since reversed, returning to 0.25 acres for homes built between 2005 and 2009.[19]

Visualizing these changes is helpful. Figure 8 on page 12 shows two Levittown homes, one of the most iconic early post-war land developments. The figure shows them in comparison to 2,000 and 3,000-square-foot homes built more recently.

18 Sarkar, Mousumi. *How American Homes Vary By the Year They Were Built*. Housing and Household Economic Statistics Working Paper No. 2011-18. U.S. Census Bureau. Washington, DC 20233. June 2011

19 Ibid.

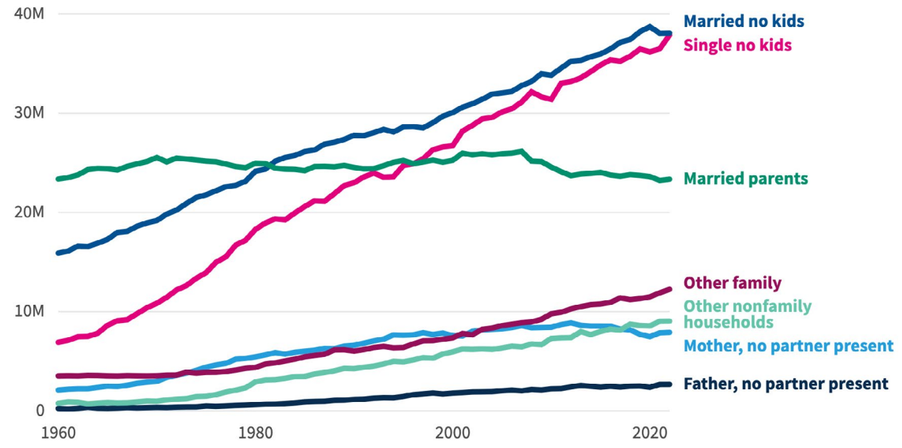


Figure 7. Change in Household Composition (1960 to 2020)

Source: USAFacts.org

1,000 - 1,300 square feet

2,000 - 2,200 square feet

3,000 - 3,200 square feet

Figure 8. Suburban Housing Size Comparison

Source: (top left) Business Insider. Vintage Photos of Levittown, America's First Suburb. (others) Bright MLS via Zillow

Levittown Housing in New York (top left) and Willingboro Township, New Jersey (top right), ranged around 1,000 - 1,300 square feet. These are set in comparison to contemporary suburban construction in Monroe Township (bottom left) and Long Branch (bottom right) which are approximately 2,200 square feet, which were built in the early 2000s. The larger 3,000+ square foot homes at the bottom can be found in Hillsborough Twp (left) and Millstone Township, NJ (right).

Additionally, Figure 9 from the Cherry Hill Master Plan contrasts household sizes with the number of bedrooms in homes. While not perfect, this analysis highlights the current gap between smaller households and larger homes.

This trend of smaller households and larger homes has exacerbated the affordability problem and limited access to homeownership. Alex Horowitz, the director of Pew Charitable Trust's Housing Policy Initiative, notes:

> *A lack of starter homes is really making it difficult for first-time homebuyers to crack the market. And that is because traditionally starter homes are small homes. That means a home on a small lot, maybe a townhouse. And we're seeing far fewer of those come onto the market. Many jurisdictions require large minimum lot sizes, and that means that land costs end up being a big part of the equation.*

In a state where detached single-family homes dominate in many municipalities, these trends have substantial implications.

Lack of Housing in the Right Locations

Restricted Access

Restrictive single-family zoning has limited access to large parts of the state to those who can afford larger homes and wish to live in them. As noted, single-family detached housing comprises over 80% of the housing stock in one-third of New Jersey's municipalities (188 out of 565) and exceeds the national percentage in 64% of municipalities.

The National Association of Realtor's Community and Transportation Preferences Survey has consistently found that, **nationally, one in five people living in a detached home would prefer to live in an attached home in a walkable community with a shorter commute**.

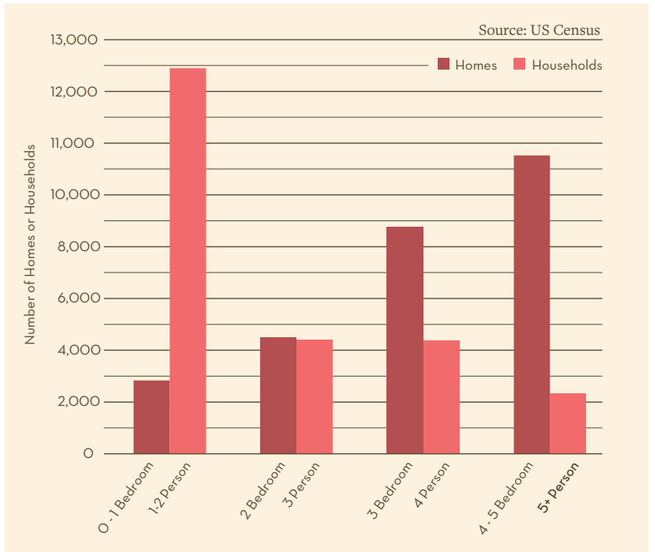


Figure 9. Comparison of Household Size and House Size (by Number of Bedrooms).

Source: Cherry Hill Master Plan, Cherry Hill, NJ. Chapter 2: . December 4, 2019

This Chart, from the Cherry Hill Master Plan, illustrates that the Township has substantially more 3- to 5-bedroom homes than it has households of similar size. Conversely, there are many more 1- and 2-person households than there are studio, one, or even two bedroom units. Though there is not a one-to-one relationship between household size and bedroom requirements, this level of analysis can help communities identify where there are housing differences.

This preference was consistent from 2017 through July 2020, even amid COVID restrictions.[20]

This misalignment between what people want and where they live may be driven by changing preferences among younger generations and retirees. A majority (56%) of those surveyed prefer homes with small yards and more walkability, with this preference highest among Gen Z and Silent/Greatest generations (Figure 10). Similarly, an Urban Land Institute survey found that 37% of Gen Y participants identified as "city people," equal to those identifying as "suburbanites" (36%).[21]

Among others who prefer denser housing types are:

- Renters (64%)
- Women 50+ (62%)
- Singles (61%)

20 National Association of Realtors. National Community and Transportation Preferences Survey. July/August 2020.

21 Lachman, M. Leanne and Deborah L. Brett. *Gen Y and Housing: What They Want and Where They Want It.* Urban Land Institute. 2015

Forced Out of Communities

Residents in communities lacking missing middle housing often struggle to find options when life circumstances change. Common examples include empty nesters who do not wish to downsize to a large apartment or condominium but also no longer need or want to maintain a large home. Younger couples looking to purchase their first home also struggle to find suitable housing.

However, smaller housing integrated into the community can benefit a wide variety of people, including:

- Families going through a separation, where parents want to stay in the same community but need smaller, more affordable housing.
- Individuals with disabilities seeking independent living options close to family support networks.
- Young singles moving out of their parent's home but wanting to remain in the community they grew up in.

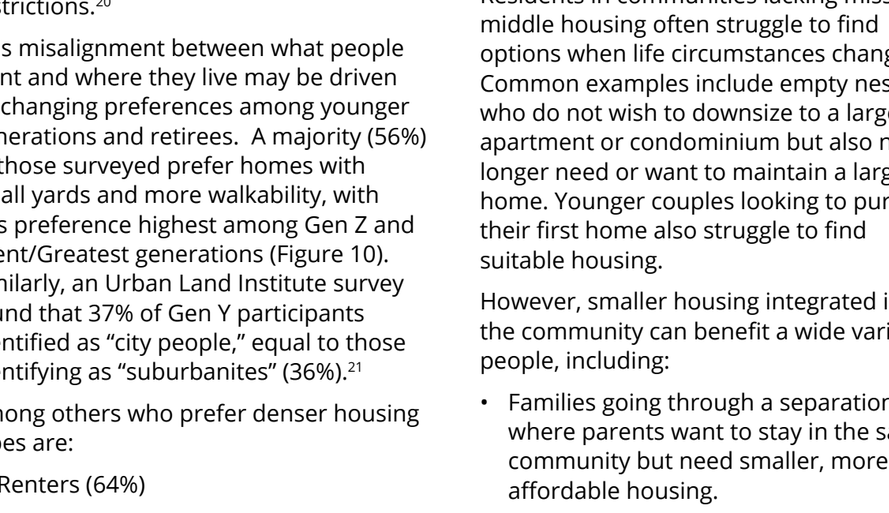


Figure 10. Community Preferences by Generation

Source: National Association of Realtor's Community and Transportation Preferences Survey. April, 2023

The cost of having to move is both financial and social. Often overlooked are the strong community investments people make over many years, such as friendships, participation in community organizations, and relationships with local businesses (especially doctors, dentists, and daycare providers). Moving to another community often means breaking and re-establishing these connections, placing a significant burden on households.

Lack of Options Near Transit

Transit-oriented development (TOD) has helped to expand access to transit across New Jersey and there is an opportunity for more growth.[22] However, efforts to encourage more TOD development has largely focused on larger scale redevelopment. There are several reasons for this.

22 Regional Plan Association. *Homes on Track: Building Thriving Communities Around Transit.* March, 2024

There have been building code changes that have made building wood frame buildings on top of concrete or steel podiums (Figure 11) one of the most preferred forms of denser residential development. The tax incentives available through Area in Need of Redevelopment designation encourage re-purposing of grayfield and brownfield sites. Larger buildings are also frequently cheaper to manage on a per-unit basis. Finally, the additional housing provided by larger buildings helps to jumpstart investments in other areas, such as retail, while increasing ridership.

Missing middle housing has largely been left out of the discussion of TOD. Thus, municipalities with established neighborhoods near transit may not see the opportunities that exist. This leaves residents stuck in the same situation near transit as elsewhere in the state: they are forced to choose between single-family housing and large multi-family housing, two choices that leave a gap.

Figure 11. Examples of Podium Construction

Source: Commonedge (top left); Bookings (top right); arcata1.com (bottom)

Loss of Neighborhood Character

In highly desirable communities, the affordability crisis has created a self-reinforcing cycle that erodes the traditional neighborhood character residents value. This typically occurs when housing prices escalate in neighborhoods with smaller homes on larger lots. As land values outpace home values, there is a strong incentive to demolish existing structures and build substantially larger homes in their place. This process, often called "McMansionization" or "Monsterization," can dramatically change the character of the neighborhoods, transforming them into high-end, large-home communities inaccessible to middle-income households.

Ironically, this transformation is often driven by zoning policies (large lot single-family zoning) originally intended to protect neighborhoods from change. Residents in these areas often feel trapped between two difficult choices:

- Reducing permitted building sizes protects neighborhood character and helps control prices but risks limiting potential sale prices, threatening many people's primary investment.
- Allowing "McMansionization" to continue risks neighborhood character and accessibility but protects the investment.

Gentle density offers a potential middle ground. By allowing more housing on the same lot, investments are protected while encouraging infill residential structures, thus preserving the neighborhood character and financial accessibility. To achieve this, residents must reconsider their perceptions of what "multi-family" housing represents. New zoning must also be carefully crafted to ensure that new housing fits within the neighborhood context.

4 Opportunities for Transit Village Communities

New Jersey's Transit Villages (Figure 12 on page 18) are ideal locations for missing middle housing and gentle density efforts. The proximity of transit infrastructure reduces the need for parking, which makes it easier to build cost-efficient, context-sensitive housing.

Encouraging more growth near transit would also build on recent momentum. According to a NJ Future study[23], transit-hosting municipalities grew twice as fast as the rest of the state between 2010 and 2020 (7.7% vs. 3.4%) and accounting for more than two-thirds (68%) of total statewide population growth during that time. Introducing transit-oriented missing middle housing options will create more housing diversity and expand access to transit to more residents.

To do this, the definition of what constitutes transit-oriented development will need to evolve to include smaller multi-family options. This, in turn, will expand the conversation about where transit-oriented development should occur beyond brownfield (contaminated) and grayfield (former commercial and industrial) sites to include infill in residential neighborhoods. This is no small matter: for commuter stations in New York and New Jersey, single-family houses cover more residential land than multi-family ones (89% compared to 11%), even when they amount to the same percentage of housing stock.[24]

23 Tim Evans. *Transit-Oriented Development Is Popular, but Won't Happen by Itself.* New Jersey Future Blog. March 15th, 2024

24 Regional Plan Association. *Homes on Track: Building Thriving Communities Around Transit.* March, 2024

Transit Villages may wish to consider gentle density efforts where:

- The increasing demand for walkable, transit-accessible housing has made them desirable place to live, which has increased housing costs.
- They contain pre-war neighborhoods which already have missing-middle housing examples.
- Community members or housing studies have identified a lack of housing options, especially smaller housing options for seniors, new families, and single person households.
- The municipality or community has identified a lack of housing that is accessible without the use of a car.
- There are concerns about greenfield (pristine/undeveloped land) development outside of transit villages that is degrading open spaces and sensitive environments.
- There are concerns about gentrification and/or where heavy investor activity has led to the demolition of smaller homes and the constructor of large single-family homes.
- There has been community opposition to larger multi-family development.

Transit Village municipalities can review the *Planning & Zoning Considerations (page 50)* to learn about the process of planning and zoning for missing middle housing. They can also customize the *Gentle Density Implementation Program (page 60)*, which serves as a top-level scope of work.

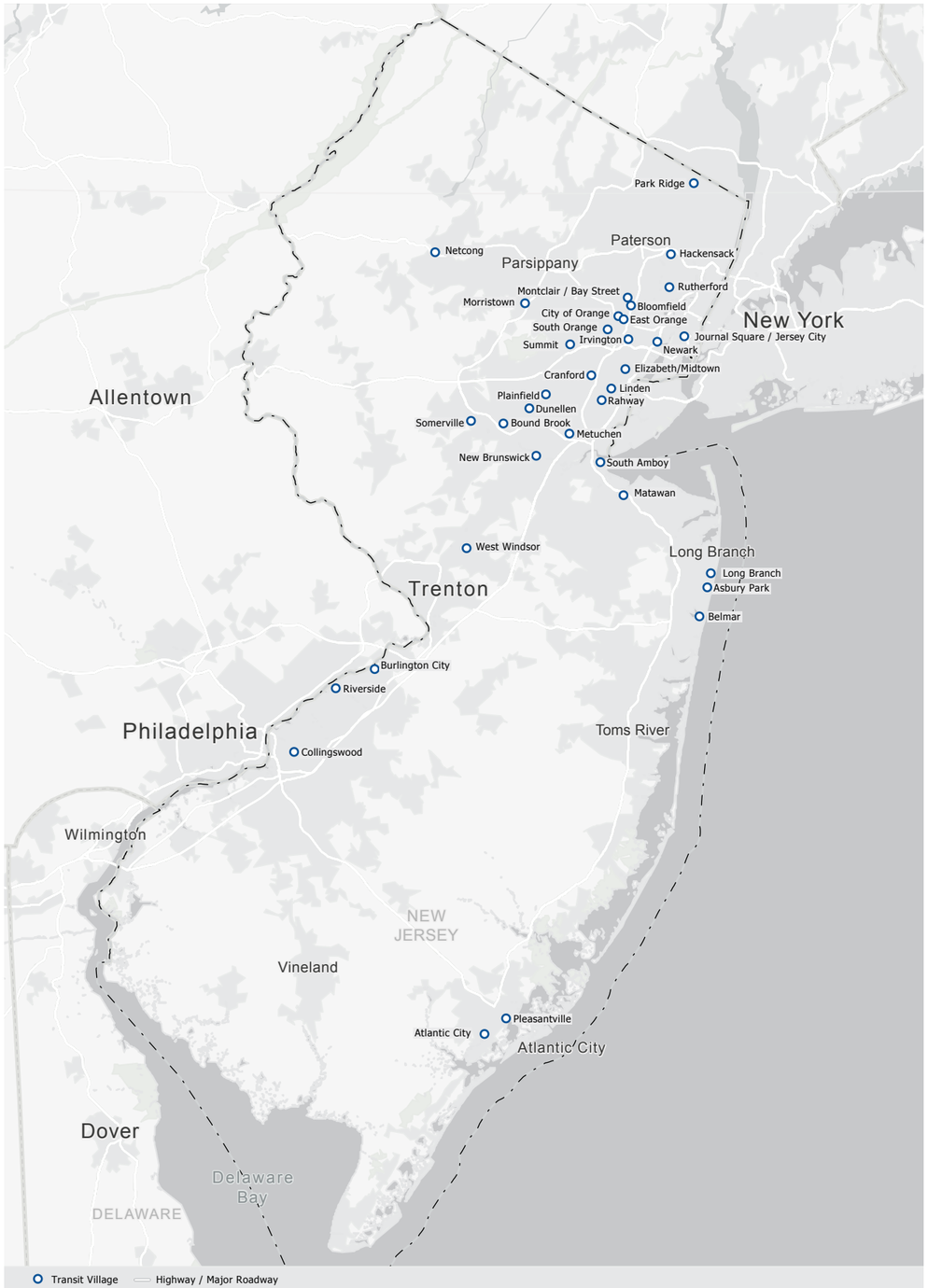


Figure 12. Transit Villages
Source: NJTRANSIT

5 Overview of Efforts to Implement Gentle Density

Efforts to implement gentle density have varied significantly across the nation. Figure 13 identifies several state and city actions that frequently involve limiting or eliminating single-family zoning.

State-Wide Efforts

Several states have either taken steps or are considering outlawing single-family-only zoning. A key aspect of these efforts is allowing the subdivision of larger lots into smaller ones. For example, California's SB 9, passed in 2021, effectively abolished single-family zoning statewide. The law permits lots as small as 1,200 square feet and prohibits municipalities from setting unit sizes below 800 square feet. Additionally, SB 9 sets a parking maximum, allowing municipalities to require no more than one off-street parking space per unit.

Should New Jersey look to implement state-wide efforts, it would almost certainly have to revise the Residential Site Improvement Standards (RSIS). These standards govern improvements made in connection with residential development, including streets and parking, water supply, sanitary sewers, and stormwater management.

It is also noteworthy that five Southern California cities have since sued the state. As of the date of the publication of this guide, the judge has ruled in favor of the plaintiffs, meaning SB 9 cannot be applied in those areas.

City-Wide Efforts

Several cities have abolished single-family zoning, as detailed in Figure 11. Many of these efforts have permitted up to four units in what have previously been single-family zones.

Minneapolis authorized three dwelling units on any conforming lot in the lowest-intensity residential district, effectively eliminating single-family-only zoning. They also amended their zoning ordinance to establish maximum lot size for single, two-, and three-family houses. For example, the maximum lot area is 9,000 for a single-, two-, or three-family dwelling located in the R1 District. This not only encourages smaller-lot missing-middle development but curtails large-lot construction, addressing the trend towards larger housing on larger lots.

This guide presents a wide variety of multi-family options and municipalities do not have to focus solely on multi-family housing to increase the supply of smaller units. Los Angeles, for instance, adopted its Small Lot Subdivision Ordinance in 2005 and amended it in 2016. The ordinance encourages infill housing by reducing setbacks and lot sizes, allowing more units—often detached townhouses—on lots zoned for multi-family or commercial use. This approach aligns with gentle density policies and aims to make housing more affordable, particularly for first-time homebuyers.

District-Focused Efforts

Gentle density efforts may also be focused on specific districts. For example, Transit Village communities may target efforts near station areas. Missing middle housing is very well suited for transition neighborhoods surrounding downtown areas and larger transit-oriented development hubs.

Figure 13. Select State and City Actions to Encourage Gentle Density through the Elimination of Single Family Zoning

Location	Action
Statewide	
California	Eliminated single-family-only zoning in cities and urbanized unincorporated areas by authorizing property owners to build two dwelling units on any single-family-zoned lot and to subdivide any single-family-zoned lot large enough to split into two lots of at least 1,200 square feet (Senate Bill 9, 2021)
Maine	Eliminated single-family-only zoning by authorizing between two and four dwelling units on any lot in a zoning district that permits housing, depending on whether the lot is located in a designated growth area or has an existing dwelling unit (LD 2003, 2022)
Oregon	Eliminated single-family-only zoning for many cities by requiring all cities with populations of at least 1,000 people in the metropolitan statistical areas and all other cities with populations of at least 10,000 to permit at least two units on each lot in areas zoned for residential use (HB 2001, 2019)
City-wide	
Charlotte, NC	Rezoned all previously single-family-only districts as Neighborhood 1 Zoning Districts, which permit duplexes and triplexes in addition to single-family homes (Unified Development Ordinance, 2022)
Gainesville, FL	Rezoned all previously single-family-only districts as Neighborhood Residential districts, which permit up to four dwelling units per lot (Ordinance No. 211358, 2022)
Minneapolis, MN	Eliminated single-family-only zoning by authorizing up to three dwelling units on any lot in the lowest-intensity residential district (Section 456.30 and Table 546-1)
Walla Walla, WA	Rezoned all previously single-family-only zones as Neighborhood Residential zones, which permit duplexes, triplexes, fourplexes, and cottage homes in addition to single-family homes (Ordinance 2018-53, 2018)

Source: "Zoning Practice: Practice Gentle Density." American Planning Association, February 2023. Available at: https://www.planning.org/publications/document/9263625/

In 2024, the Borough of Raritan sought assistance from the New Jersey Transportation Planning Authority (NJTPA) through the Emerging Centers program to help create a Sustainable Economic Development Plan.[25] The goal was to maintain and expand existing employment and economic activity in the Downtown.

The resulting plan[26] identified changes to zoning in its adjacent residential neighborhood. The vision plan notes,

> *The Borough will continue to attract a diverse group of residents to its neighborhoods, from recent immigrants to millennials, families, and empty nesters. The Borough's ability to do so will be grounded in efforts to maintain and cultivate a variety of housing options including single-family homes, accessory dwelling units, small two-to-four-family homes, and mid-scale multi-family development.*

The plan also included a Redevelopment Plan that modified land development regulations to permit those building types.

Efforts to Leverage Context Sensitive Design

The Importance of Context-Sensitive Design

Many municipalities that have implemented gentle density recognize that property owners often worry about the impact of multi-family housing on their single-family communities. These concerns may stem from misconceptions about renters or the potential effects on local finances, schools, traffic, and social services. In the worst cases, they are rooted in racist and classist stereotypes about those who live in multifamily housing.

25 The author of this report was also the lead consultant selected to support Raritan Borough.

26 Available at njtpa.org/Raritan.aspx

However, it is crucial to also acknowledge that housing is a primary investment and source of retirement savings for many people. This creates a strong incentive for homeowners to resist changes that might threaten their investments.

Their fears are commonly expressed as concerns about missing middle housing being "out of character" with existing neighborhoods. Encouraging or requiring context-sensitive design can help alleviate these fears and overcome political obstacles to advancing gentle density. It also promotes housing that is better integrated into its surroundings.

Municipalities should, however, be careful not to mislead residents or lose sight of their housing goals. Policymakers must avoid imposing such high regulatory burdens, in the name of context sensitive design, that it significantly limits production. They should also help residents understand and weigh the trade-offs of regulatory updates. Focusing on the tangible harms of single-family zoning and working with residents to develop balanced solutions creates the best conditions for effective policy advancement.

Context Studies

Several notable efforts have been made to study existing conditions and develop context-sensitive solutions, which can be templates for communities interested in undertaking this work. Many of these efforts have inspired the typologies presented in the *Illustrative Examples of Missing Middle Housing (page 32).* One of the most consistent efforts to support missing middle infill housing has been in Portland, Oregon and those interested in consistent long-term efforts to develop regulatory changes are encouraged to review their work,[27] especially their Infill Design Toolkit: Medium-Density Residential Development.[28]

27 portland.gov/bps/planning/rip/about-project

28 portland.gov/sites/default/files/2020-01/toolkit1208-optimized_bkmrks.pdf

Several other communities have developed high-quality guides, pre-approved types, or studies:

- South Bend's Neighborhood Infill Pre-Approved Housing Types
- Vermont Homes for All Toolkit
- Montgomery County Planning Department's Missing Middle Housing Study.
- Small Housing BC's Sample Home Designs

Form-Based and Hybrid Form-Based Solutions

Communities looking to require context-sensitive design have frequently turned to form-based, hybrid form-based, and design standards to regulate development. Below is a brief overview of form-based zoning compared to conventional zoning (also known as euclidean zoning).

In 2014, the Town of Morristown Planning Board adopted a new comprehensive Master Plan: Morristown Moving Forward, a Mobility and Community Form Plan. The Plan aimed to balance the location, intensity, scale of development, and future land use patterns with the Town's transportation capacity and infrastructure.

That plan led to a complete overhaul of the Land Development Ordinance in 2018, which incorporated "form-based" mechanisms. The 2022 Master Plan Reexamination explained that,

> *To promote new development that reinforced the unique character of Morristown's diverse neighborhoods… [the new zoning code] addressed, for the first time in Morristown, the nuances of building scale and character, improvements to the pedestrian experience, and integration with the existing neighborhood fabric.*

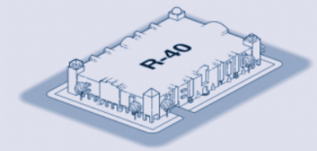
Other communities that have experimented with form-based, and hybrid form-based, zoning include Mount Holly, Woodbury, and Town of Newtown.

Form Based Zoning: A Brief Overview

Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types.

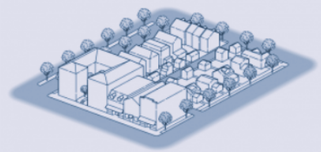
Conventional Zoning

Density use, FAR (floor area ratio), setbacks, parking requirements, maximum building heights specified



Design Guidelines

Conventional zoning requirements, plus frequency of openings and surface articulation specified



Form-Based Zoning

Street and building types (or mix of types), build-to lines, number of floors, and percentage of built site frontage specified.

Source: formbasedcodes.org/definition/

Efforts to Study Financial Feasibility and Impacts on Affordability

A common question arises regarding whether the production of missing middle housing is financially feasible and whether it will result in more affordable housing options.

Financial Feasibility

In a 2019 publication, Brookings presented a hypothetical pro forma that illustrates that under the same development constraints (acquisition, financing, developer fees, construction interest, and returns) that a six-unit condominium could reduce home prices by approximately 40% compared to townhome construction, while only increasing development costs by 15% (Figure 14).[29] This scenario would benefit both developers and buyers.

However, the cost of land acquisition, borrowing, materials, labor, and permitting can fluctuate over time and across geographies. Therefore, engaging with the development community to assess local feasibility is crucial.

29 Baca, Alex Patrick McAnaney, and Jenny Schuetz. "*Gentle" Density Can Save Our Neighborhoods.* Brookings. December 4, 2019

	One-family detached	Townhomes	Condo bldg
Acquisition	$1,000,000	$1,000,000	$1,000,000
Construction costs			
Demolition:		$100,000	$100,000
Hard cost total		$1,140,000	$1,476,000
Construction costs ($/sq ft)		$190	$205
Sq ft of new structure		6,000	7,200
Soft Cost total		$124,000	$157,600
Soft costs (% of demo + hard costs)		10%	10%
Financing Costs		$62,000	$78,800
Finance costs (% of demo + hard costs)		5%	5%
Developer Fee:		$181,950	$210,930
Developer fee (% of total project cost)		7.5%	7.5%
Total development costs		**$2,607,950**	**$3,023,330**
Construction Interest:		$172,125	$199,540
Loan-to-cost		60%	60%
Interest rate (annual)		5.50%	5.50%
Project time (yrs)		2	2
Equity Return:		$219,068	$253,960
Equity contribution (% of total dev costs)		40%	40%
Equity IRR		10%	10%
Total cost/resale price:	**1,000,000**	**$2,999,143**	**$3,476,830**
Resale price per unit:	**1,000,000**	**$999,714**	**$579,472**

Figure 14. Development Cost and Sale Price

Source: Baca, Alex Patrick McAnaney, and Jenny Schuetz. "*Gentle" Density Can Save Our Neighborhoods.* Brookings. December 4, 2019

Even if a project "pencils out" (is financially viable), it may still not get built because of obstacles like public opposition, better opportunity elsewhere, and regulatory restrictions. Communities that have successfully encouraged missing middle housing have often collaborated with developers and builders to reduce barriers wherever feasible. One effective approach has been the establishment of pre-approved building plans, which can expedite the approval process when applicants adhere to them. The Vermont Agency of Commerce and Community Development created a guide, with accompanying sample pro formas, to support small developers interested in building 1 - 4 unit homes.[30]

It is also critical to acknowledge that housing prices are often set as high as the market will bear. Therefore, even if a house can be sold for less, it doesn't guarantee that it will be. In areas with severe housing shortages, public-private partnerships, and inclusionary zoning may be necessary tools to ensure affordability.

In New Jersey, municipalities may need to consider the use of the Local Redevelopment and Housing Law to provide the necessary incentives to encourage the development of affordable missing middle housing. Though less common, designating Areas in Need of Rehabilitation may be more appropriate than designating them in Need of Redevelopment. Rehabilitation designation still gives municipalities the ability to create special plans for the area and more limited 5-year tax abatements, which may be more appropriate for smaller scale infill development.

The City of Raleigh Community and Small Business Development Division of the Housing & Neighborhoods Department issued a $2 million affordable housing bond and encouraged applicants to develop missing-middle housing types such as duplexes and accessory dwelling units.

30 Homes for All: A 'Design & Do' Toolkit for Small-scale Home Builders, Investors & Community Leaders. Vermont Agency of Commerce and Community Development.

Area in Need of Rehabilitation Designation

Designation as an Area in Need of Rehabilitation is a legal term and does not mean that all properties are blighted or in need of significant repair. The Area in Need of Rehabilitation designation is inexpensive and relatively easy process and is substantially less onerous than designating an Area in Need of Redevelopment.

The municipality may adopt a rehabilitation ordinance without a special hearing to property owners impacted, although they may do so if desired. Many municipalities, including Highland Park, have chosen to designate their entire boroughs in need of rehabilitation to support town-wide improvements.

Area in Need of Rehabilitation designation allows a municipality to undertake a program of repair and improvement to structures, including providing five year property tax exemptions and abatements to support redevelopment and rehabilitation of properties. Rehabilitation does not give a municipality the power to acquire property through eminent domain or to provide long-term tax abatements of up to 30 years. These powers are reserved for redevelopment only.

Finally, residents should keep in mind that affordability may not mean getting the same product (large single-family home) for a lower price. To address the housing crisis, people may have to accept that lower total purchase prices can still be more expensive on a per square foot basis.

More Affordable Housing

Restrictive zoning policies are known to make housing more expensive, especially when an area has rapid job growth, an influx of new residents, or a surge in households.[31] However, many still debate whether allowing more market-rate housing, especially more dense housing, improves affordability.

In 2023, Pew Charitable Trust released their examination[32] of Minneapolis, MI, New Rochelle, NY, Portland, OR, and Tysons, VA. These jurisdictions had relaxed zoning to permit more housing to be produced.

From 2017 to 2021, there was a total household growth between 7% and 22% in the four municipalities. While the United States overall saw 31% increase in rents, these communities saw between a 1% and 7% increase. As the authors note, "The evidence indicates that more flexible zoning helped these places add new housing faster than new households formed or moved in to fill the homes. And that helped slow rent growth."

31 Glaeser, Edward and Joseph Gyourko. *The Economic Implications of Housing Supply.* Journal of Economic Perspectives. vol. 32, no. 1, Winter 2018 (pp. 3–30)

32 Horowitz, Alex and Ryan Canavan. *More Flexible Zoning Helps Contain Rising Rents*. Pew Charitable Trust. April 17, 2023

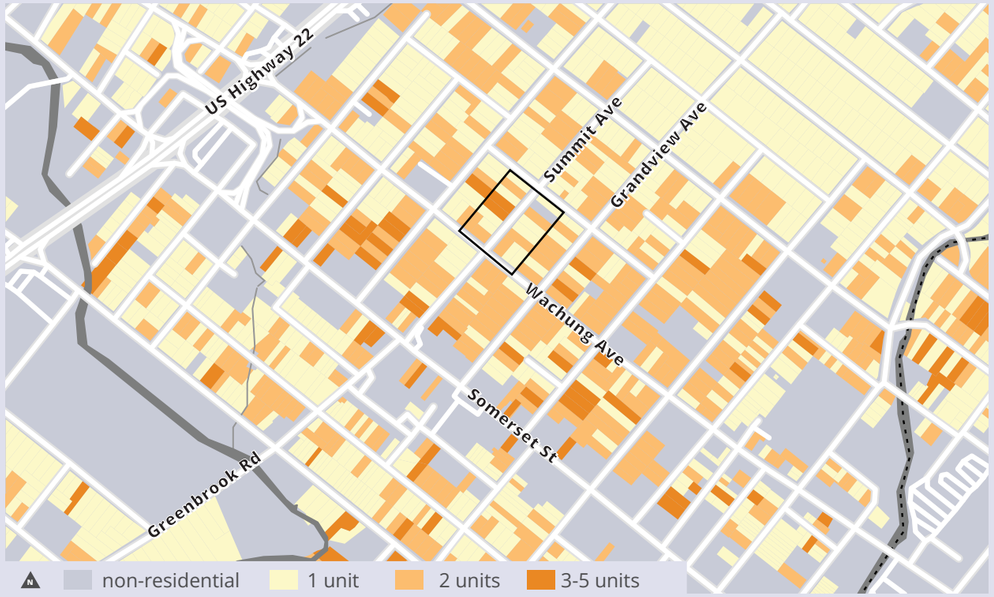
Case Studies: Reviving a Tradition

As municipalities consider allowing missing middle housing, it is helpful to remember that small multi-family housing integrated into single-family neighborhoods has a long tradition in the state. This report includes brief illustrative case studies of three New Jersey neighborhoods:

- Plainfield
- Montclair
- Ocean Grove

These areas feature a mix of building types with consistent design elements that create a unified neighborhood identity. It can be helpful to visit these communities, study them, and learn how they have evolved over time to meet the changing needs of their residents.

Case Study: Plainfield

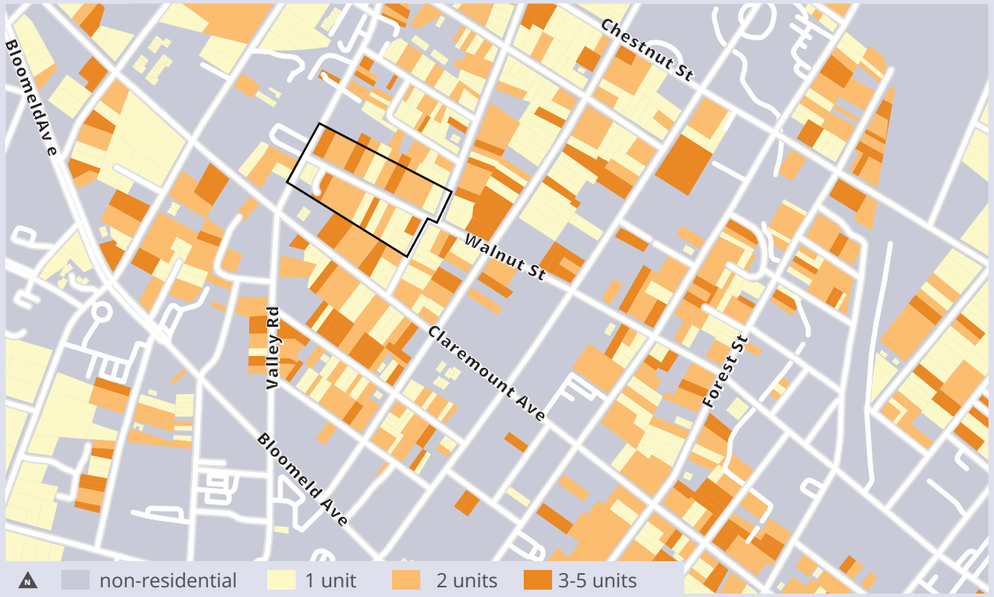


Summit Ave between Watchung Ave and Verdon St

Single unit (right); two, four units (left)

Single unit (left); two unit (right)

Case Study: Montclair

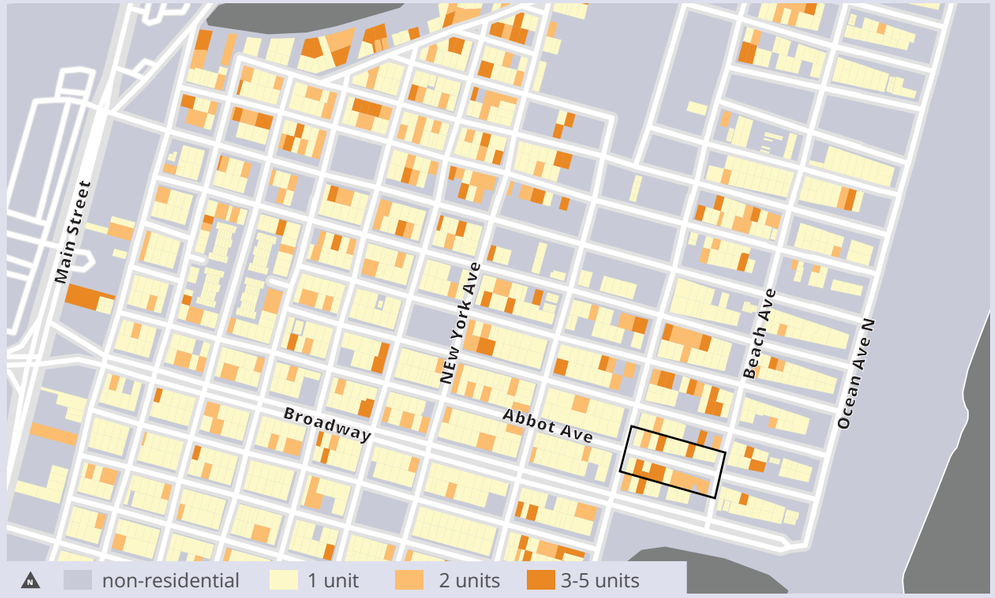


Walnut Street between Vincent Pl and Valley Rd

Four unit (left); two single unit (right)

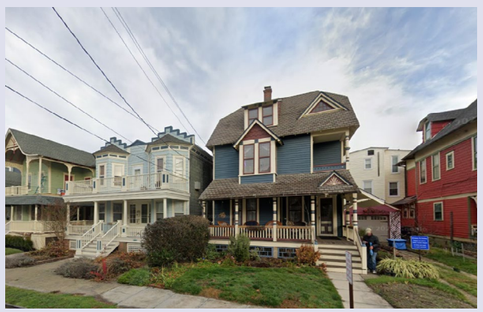
Single unit (left); two unit (right)

Case Study: Ocean Grove



Abbot Street between Central And Beach Ave

Single unit (left); Four unit (right)



Twin (left); Single unit (right)

ADUs: A Special Case

One of the most popular ways municipalities have diversified housing is by allowing accessory dwelling units (ADUs). The following section provides a more detailed discussion for municipalities interested in ADUs as a potential housing solution. A *Model Accessory Dwelling Unit Ordinance (page 59)* is provided, which municipalities can adopt and modify as necessary.

ADUs in New Jersey

In New Jersey, several municipalities have adopted ordinances to allow ADUs. They include Maplewood, Princeton, Bradley Beach, and East Orange. In 2022, the Regional Plan Association published a review of ordinances in those communities.[33] (Figure 15) An important finding from that review was that the ordinance requirements varied widely. In many ways, the variety of approaches to regulating ADUs reflects their unique condition as accessory structures that serve primary use. These issues are further discussed in *Special Considerations for ADUs (page 58)*.

In 2024, Governor Murphy proposed a $10 million program to spur market-rate and affordable ADU construction by giving up to $1 million to at least 10 towns, which would then pass out up to $100,000 in forgivable capital loans to homeowners looking to build new structures or rehabilitate their homes to create more deed-restricted housing.[34] As of the date of this publication, there is also an effort in the Legislature to pass a bill that would require towns to pass ordinances allowing ADUs, using one of two model ordinances or getting their own approved by the Department of Community Affairs.

Barriers to ADUs

There are two major barriers to constructing more ADUs. The first is regulatory. The second is financial. Many communities that have overcome the first and adopted ADU ordinances have found that the cost of renovation and construction requires a large investment. New ADUs can range from $100,000 to $400,000 depending on the square footage, location, and size.[35] This frequently makes investing in an ADU outside the reach of many homeowners and reduces their effectiveness at addressing affordable housing. Additionally, ADUs can increase property values, potentially leading to higher taxes.

ADUs and NJ Affordable Housing Requirements

According to NJAC 5:93 (Substantive Rules of The New Jersey Council on Affordable Housing For The Period Beginning June 6, 1994), up to 10 accessory apartments may be used to address a municipal housing obligation. A municipality using an accessory apartment program shall:

- Demonstrate that the housing stock lends itself to accessory apartments. The Council will favor a large (measured in square feet), older housing stock;
- Provide at least $10,000 per unit to subsidize the creation of the accessory apartment;
- Demonstrate that rents of accessory apartments will average 57.5 percent of median income, including utilities. The rent shall be based on the number of bedrooms in accordance with N.J.A.C. 5:93-7.4;
- Demonstrate that accessory apartments will be affirmatively marketed, in accordance with N.J.A.C. 5:93-11; and
- Designate an agency to administer the program.

33 Aging in Place with ADUs in New Jersey. Zoe Baldwin, Christina Kata. RPA. Dec 14, 2022. rpa.org/latest/lab/aging-in-place-in-new-jersey-with-adus

34 Balcerzak, Ashley. *There's a push in NJ to build affordable housing in backyards. Here's what towns are doing.* NorthJersey.com. April 25, 2024.

35 *Calculating The Costs of Building an ADU.* buildinganadu.com/cost-of-building-an-adu

Figure 15. Comparing ADU Ordinances Across Municipalities in NJ from RPA's, "Aging in Place with ADUs in New Jersey"

Requirement	Maplewood	Princeton	Bradley Beach	East Orange
Eligible lot	Primary must be single-family home; R-1-4, R-1-5, R-1-7 or R-2-4 Zones	Zones R-A through R-H	Primary must be single-family home; accessory must be on the second floor of a two-car garage; may not be on a corner lot	R-1 District; permitted as conditional use, subject to approval by the Planning Board and variance
Occupancy	Must be owner-occupied; no more than three occupants and two bedrooms	No more than three habitable rooms, or four if the unit is deed-restricted affordable	No more than one bedroom	None
Parking	None	No additional off-street parking required for two room ADUs. One additional off-street parking space shall be required for ADUs that contain three habitable rooms	Two off-street parking spaces in addition to those required for the single-family dwelling	One additional off-street space, plus another 0.5 parking spaces per additional bedroom; can apply for variance
Restrictions	If attached, must be same color/ materials as primary; "preserve the physical housing stock and the architectural and landscaping character of residential neighborhoods."	Three rooms unless COAH, then it's four; if attached, must be same color/materials	Not permitted on corner lots	Permitted as conditional use, subject to approval by the Planning Board; shall harmonize with the character of the neighborhood in which it is proposed
Dimensional Controls	No more than 40% of the living area of a principal dwelling unit and no more than 800 sq ft, whichever is greater; no less than 300 sq ft	No more than 800 sq ft or 25% percent of the total floor area of the principal dwelling unit, whichever is greater	Maximum apartment floor area: 600 sq ft including staircase	Less than 25% of the principal building not including the cellar
Accessibility & Affordability Incentives	If handicap accessible, allowed 5% increase of the maximum floor area	If handicap accessible, allowed 5% increase of the maximum floor area; if COAH, 5% increase in square footage and allowed more than three rooms, unless COAH then four room allowance	None	None
Entrances	There shall be no external entrance that faces a street and that is separate from any other external entrance to any building on the same lot facing the same street.	There shall be no external entrance that faces a street and that is separate from any other external entrance to any building on the same lot facing the same street.	None	None

Baldwin, Zoe & Christina Kata. *Aging in Place with ADUs in New Jersey*. **Regional Plan Association.** rpa.org/news/lab/aging-in-place-in-new-jersey-with-adus

Though these regulations allow municipalities to leverage ADUs to fulfill some of their affordable housing obligations, the cost of construction is likely to be cost-prohibitive for new construction in many places. Instead, municipalities interested in unlocking the potential for ADUs to meet statutory requirements should investigate whether conversion of existing structures may offer a more financially feasible pathway.

6 Illustrative Examples of Missing Middle Housing

The following illustrates multi-family housing that is compatible in scale with single-family or transitional neighborhoods:

- Accessory Dwelling Unit*
- Townhouse*
- Stacked Duplex*
- Twin (Side-by-Side Duplex)*
- Triplex*
- Cottage Court / Quadplex
- Courtyard / Garden Apartment
- Fourplex
- Multiplex (Small)
- Multiplex (Medium)
- Multiplex (Large)
- Small Apartment / Condo

** multiple configurations shown*

The configuration of smaller missing middle types can have a substantive impact on minimum lot requirements and, as a result, density. The guide includes example configurations for select types to illustrate this impact.

These typologies are the result of desktop research of communities across the state where missing middle housing has been constructed, including those presented in *Case Studies: Reviving a Tradition (page 25).*

This report is also built off the work of Opticos and their missing middle housing types[36] as well as the sources identified in *Context Studies page 21*, especially Portland's Infill Guide.

Typologies are drawn to show the minimum lot requirements to accommodate key site elements. Where alleyways are present, rear loading may substantially reduce lot requirements.

As discussed in *Planning & Zoning Considerations (page 50)*, municipalities should study existing conditions and create standards that reflect the development history of their neighborhoods and communities.

The exact number of units that could be accommodated within a type is, logically, related to the size of the unit. Likewise, the size of the unit is dependent on the size of the building and the number of units.

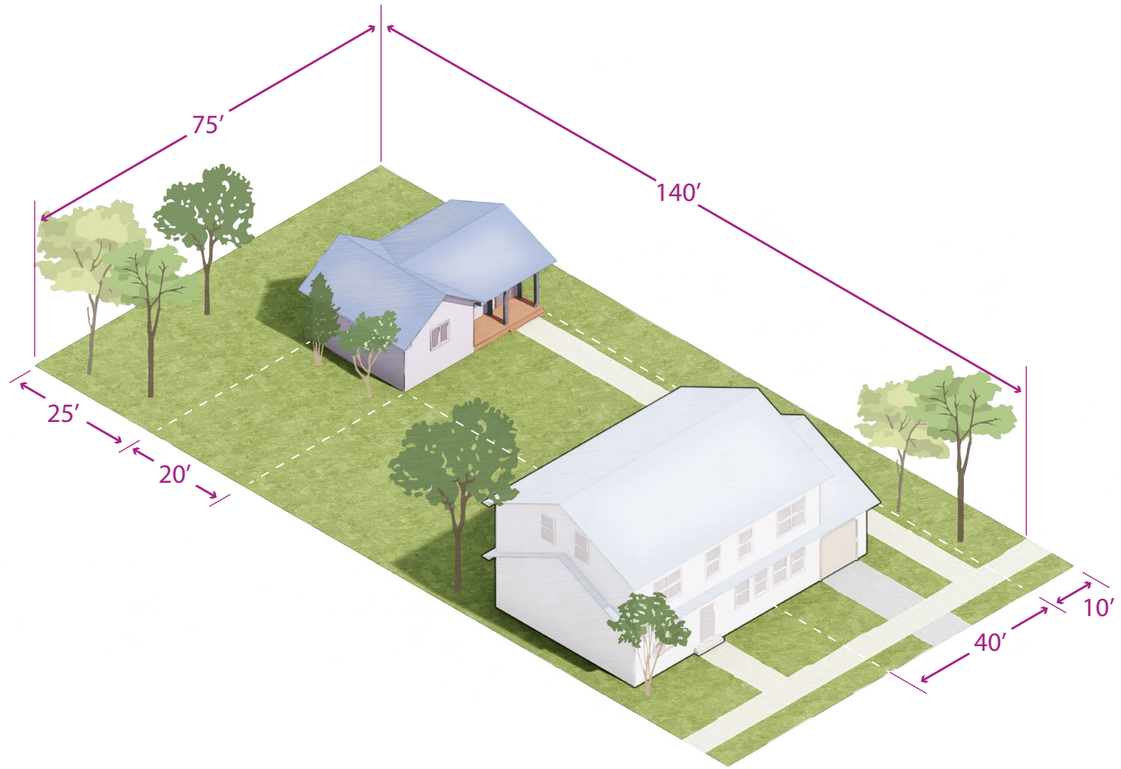
All the typologies are drawn at two stories with sloped roofs (approximately 28 feet). They have been drawn on small lots with small setbacks to illustrate what compact development could look like. These lot standards may not be appropriate in all communities.

This guide identifies the number of on-street parking spaces that could be accommodated directly in-front of the building. This guide assumes that each car occupies between 18 and 20 feet and the parking is not striped.

36 missingmiddlehousing.com/types

Accessory Dwelling Unit (ADU)

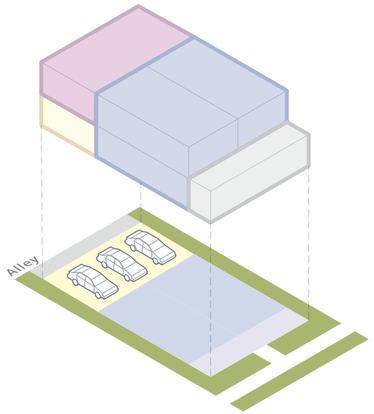
A small secondary residential living unit on the same lot as a principal building. The ADU provides complete independent living facilities for one or more persons and has its own entrance. An ADU can be detached (shown here), integrated above a garage, or integrated into the principal building.



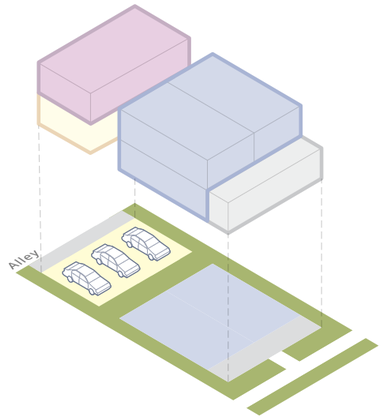
Building	
Width	40 feet
Depth	20 feet
Units	1
Average Unit Size	800 sq.ft.
Off-Street Parking	0
On-Street Parking	2

Lot	
Width	140 feet
Depth	75 feet
Area	10,500 sq.ft.
	0.24 acres
Gross Density	4 du/acre
Lot Coverage	800 sq. ft. (9%)

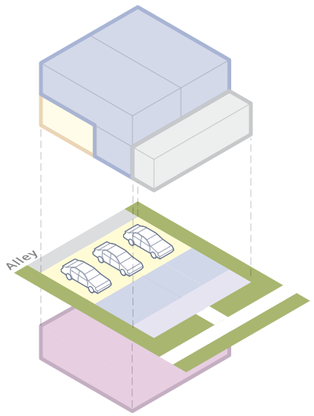
ADU | Alternate Configurations



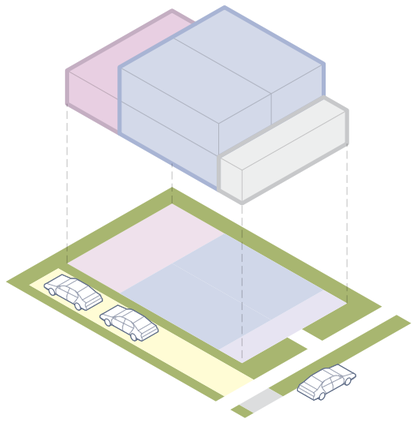
ADU Over Attached Garage	
Width x Depth	45 feet x 75 feet
Area	3,375 sq.ft.
Gross Density	25 du/acre
Lot Coverage	2,415 sq.ft. (72%)



ADU Over Detached Garage	
Width x Depth	45 feet x 85 feet
Area	3,825 sq.ft.
Gross Density	23 du/acre
Lot Coverage	2,405 sq.ft. (63%)



ADU Integrated into Building (Basement)	
Width x Depth	45 feet x 75 feet
Area	2,475 sq.ft.
Gross Density	35 du/acre
Lot Coverage	1,720 sq.ft. (69%)

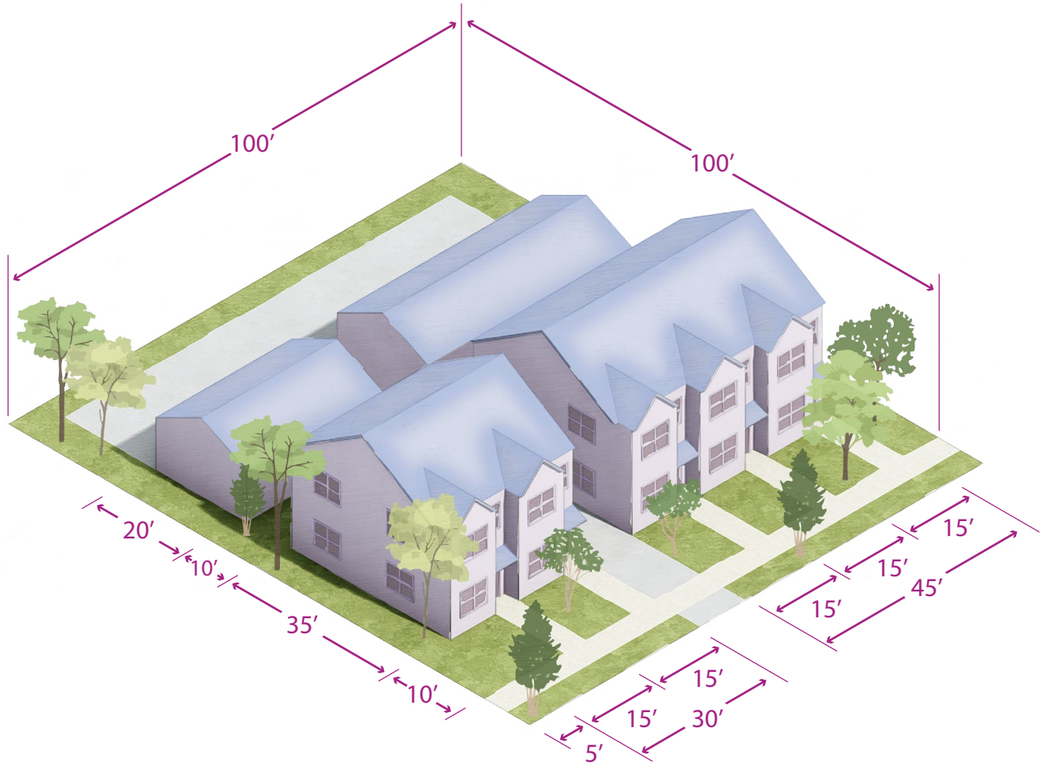


Attached ADU (Side Yard & Street Parking)	
Width x Depth	55 feet x 75 feet
Area	4,125 sq.ft.
Gross Density	21 du/acre
Lot Coverage	2,865 sq.ft. (70%)

Principal Unit *Accessory Unit* *Parking* *Porch*

Townhome

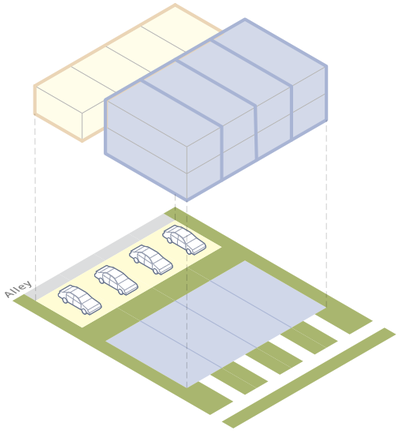
An attached structure that consists of a row of dwelling units placed side-by-side. Shown here, a single driveway provides rear access to the garages. Garages are in the rear yard to support high-quality front yards and allow living spaces to face the street. Breaking the row with the driveway helps maintain a rhythm consistent with detached single-family housing.

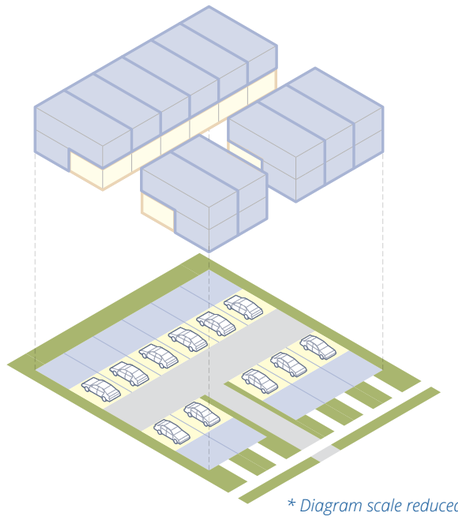


Building	
Width	15 feet
Depth	35 feet
Units	5
Average Unit Size	1,000 sq.ft.
Off-Street Parking	2
On-Street Parking	2

Lot	
Width	100 feet
Depth	100 feet
Area	10,000 sq.ft.
	0.23 acres
Gross Density	22 du/acre
Lot Coverage	7,000 sq.ft. (67%)

Townhome | Alternate Configurations

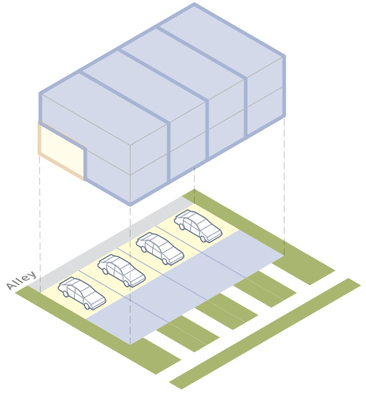


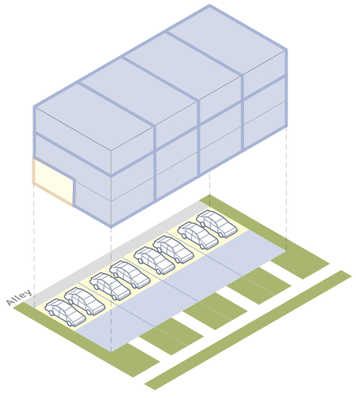


** Diagram scale reduced*

Alley Parking (Garage)	
Width x Depth	70 feet x 85 feet
Area	5,950 sq.ft.
Gross Density	29 du/acre
Lot Coverage	3,900 sq.ft. (65%)

Double Row (Tuck-Under Parking)	
Width x Depth	100 feet x 115 feet
Area	11,500 sq.ft.
Gross Density	42 du/acre
Lot Coverage	8,900 sq.ft. (77%)





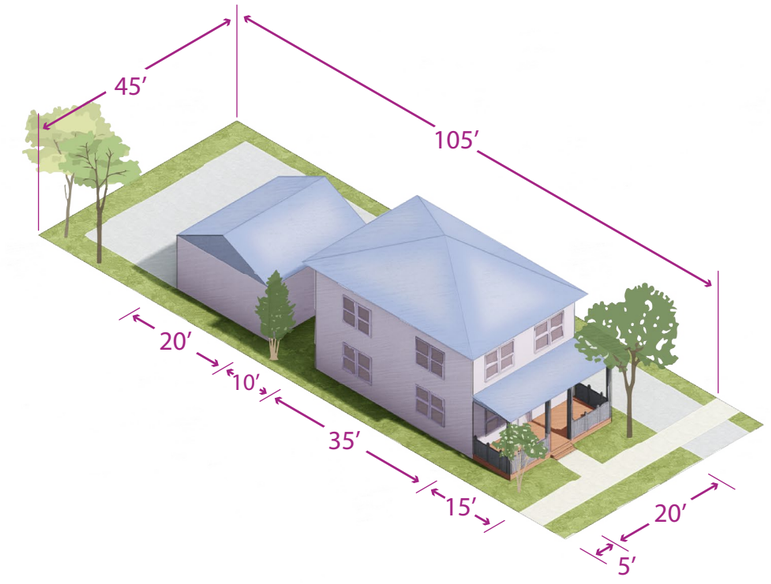
Alley Parking (Tuck-Under Parking)	
Width x Depth	70 feet x 55 feet
Area	3,850 sq.ft.
Gross Density	45 du/acre
Lot Coverage	2,700 sq.ft. (70%)

Stacked Townhomes (Tuck-Under Parking)	
Width x Depth	90 feet x 55 feet
Area	4,950 sq.ft.
Gross Density	70 du/acre
Lot Coverage	3,500 sq.ft. (71%)

Principal Unit *Parking* *Porch*

Stacked Duplex

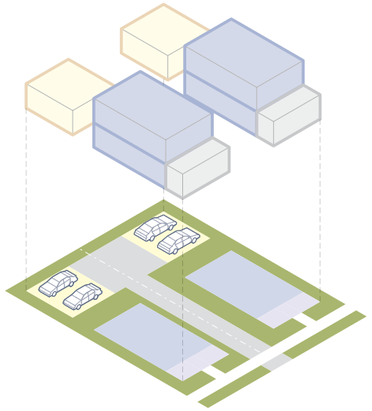
A detached structure with two dwelling units arranged one above the other, each with an entry from the street. The stacked configuration allows for the type to fit on narrow lots. Rear-yard parking supports high-quality front yards and living spaces that front the street.



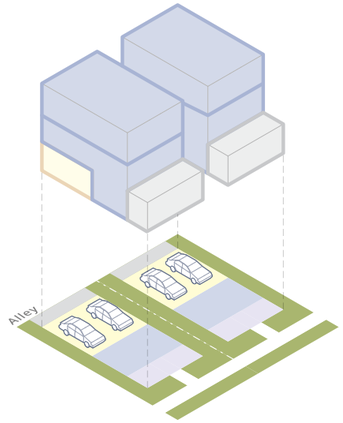
Building	
Width	20 feet
Depth	35 feet
Units	2
Average Unit Size	700 sq.ft.
Off-Street Parking	2
On-Street Parking	1

Lot	
Width	45 feet
Depth	105 feet
Area	4,725 sq.ft.
	0.11 acres
Gross Density	18 du/acre
Lot Coverage	2,750 sq.ft. (61%)

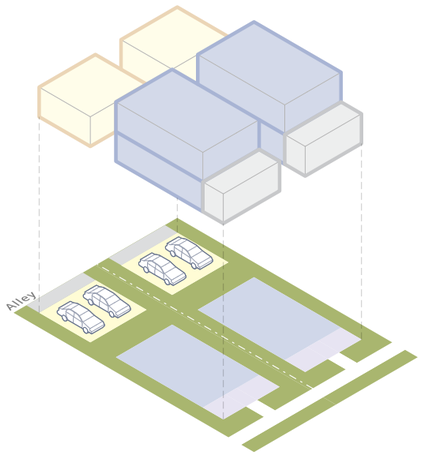
Stacked Duplex | Alternate Configurations



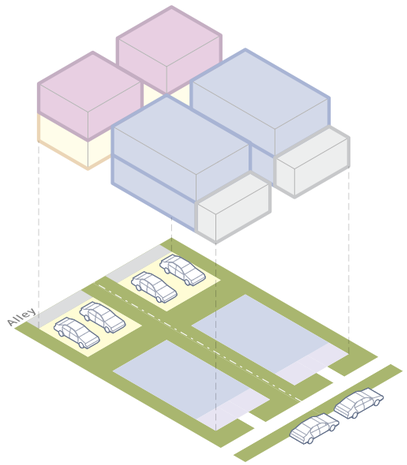
Shared Driveway (Garage)	
Width x Depth	40 feet x 85 feet
Area	3,400 sq.ft.
Gross Density	26 du/acre
Lot Coverage	1,930 sq.ft. (57%)



Alley Parking (Tuck-Under Parking)	
Width x Depth	35 feet x 55 feet
Area	1,925 sq.ft.
Gross Density	46 du/acre
Lot Coverage	1,150 sq.ft. (60%)



Alley Parking (Garage)	
Width x Depth	35 feet x 85 feet
Area	2,975 sq.ft.
Gross Density	30 du/acre
Lot Coverage	1,470 sq.ft. (50%)

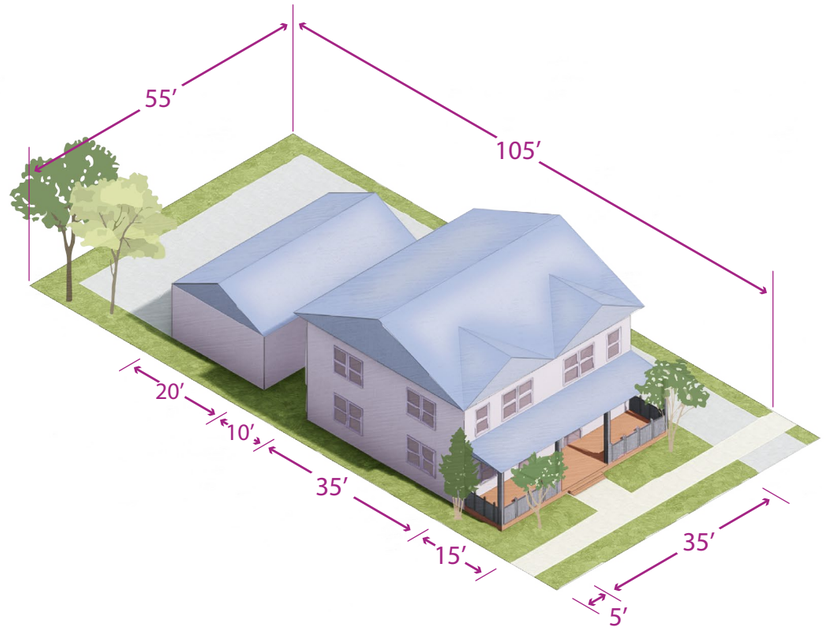


Alley Parking (ADU Over Garage)	
Width x Depth	35 feet x 85 feet
Area	2,975 sq.ft.
Gross Density	44 du/acre
Lot Coverage	1,470 sq.ft. (50%)

Principal Unit *Accessory Unit* *Parking* *Porch* *Lot Line*

Twin (Side-by-Side Duplex)

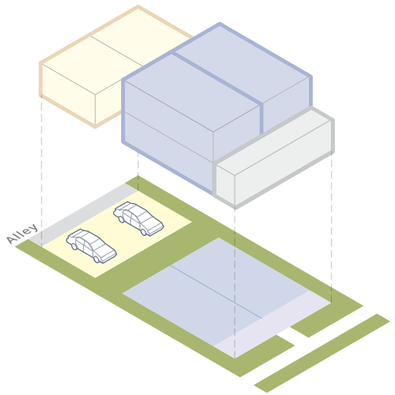
A detached structure with two dwelling units arranged side-by-side, each with an entry from the street. The side-by-side configuration allows for the creation of individual lots, with a shared access easement for the driveway. Rear-yard parking supports high-quality front yards and living spaces that front the street. Avoiding two driveways creates a safer pedestrian environment and allows for the building to sit on narrower lots.



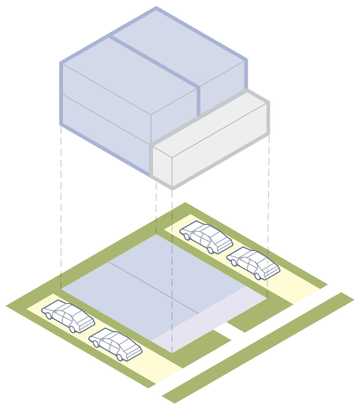
Building	
Width	35 feet
Depth	35 feet
Units	2
Average Unit Size	1,200 sq.ft.
Off-Street Parking	2
On-Street Parking	2

Lot	
Width	55 feet
Depth	105 feet
Area	5,775 sq.ft.
	0.13 acres
Gross Density	15 du/acre
Lot Coverage	3,750 sq.ft. (63%)

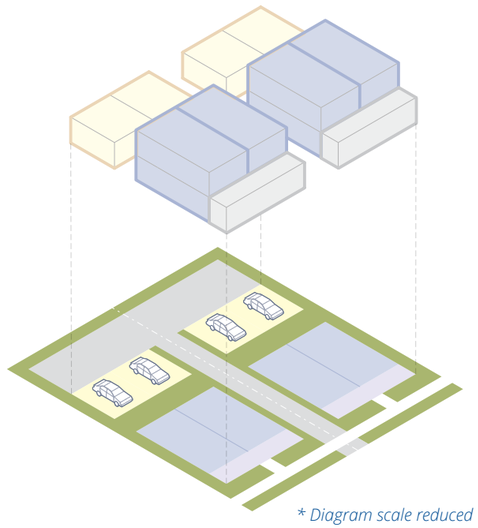
Side-by-Side Duplex | Alternate Configurations



Alley Parking (Garage)	
Width x Depth	45 feet x 85 feet
Area	3,825 sq.ft.
Gross Density	23 du/acre
Lot Coverage	2,405 sq.ft. (63%)



Driveway (Side-Yard Parking)	
Width x Depth	70 feet x 55 feet
Area	3,850 sq.ft.
Gross Density	23 du/acre
Lot Coverage	2,705 sq.ft. (70%)



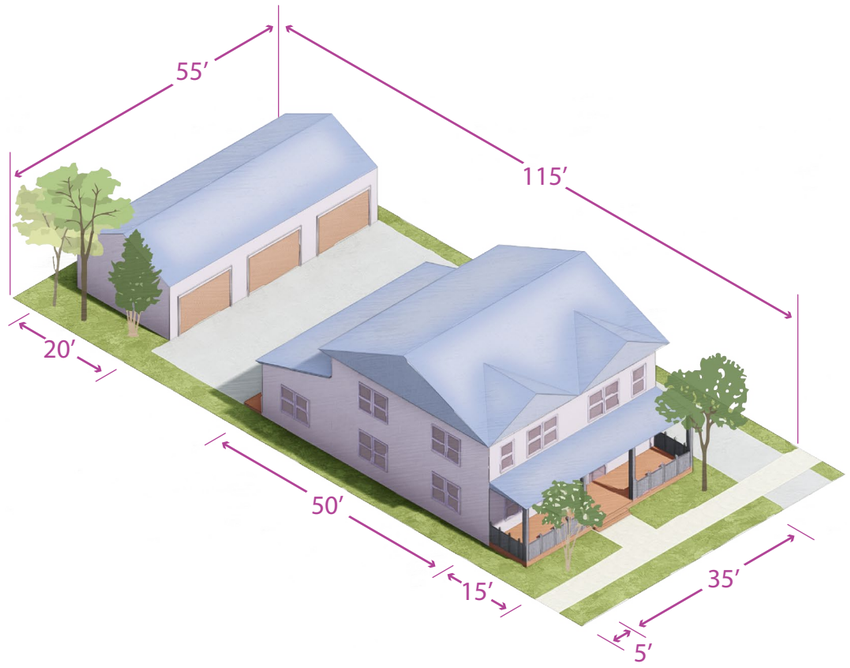
** Diagram scale reduced*

Shared Driveway (Garage)	
Width x Depth	50 feet x 105 feet
Area	5,250 sq.ft.
Gross Density	16 du/acre
Lot Coverage	3,700 sq.ft. (70%)

Principal Unit *Parking* *Porch* *Lot Line*

Triplex

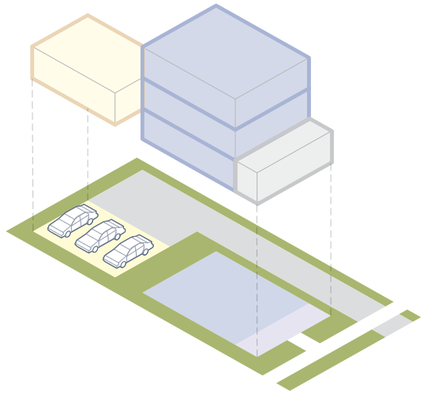
A detached structure with two dwelling units arranged side-by-side with a third (typically smaller) unit located in the rear. Each unit has its own entrance. Rear-yard parking supports high-quality front yards and living spaces that front the street.



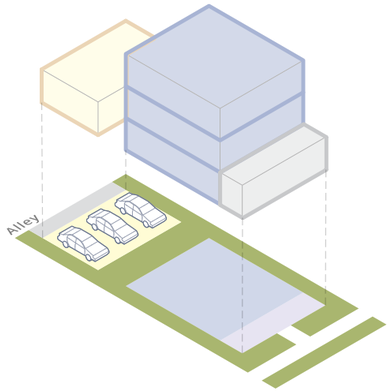
Building	
Width	35 feet
Depth	50 feet
Units	3
Average Unit Size	1,100 sq.ft.
Off-Street Parking	3
On-Street Parking	2

Lot	
Width	55 feet
Depth	115 feet
Area	6,325 sq.ft.
	0.15 acres
Gross Density	20 du/acre
Lot Coverage	4,500 sq.ft. (71%)

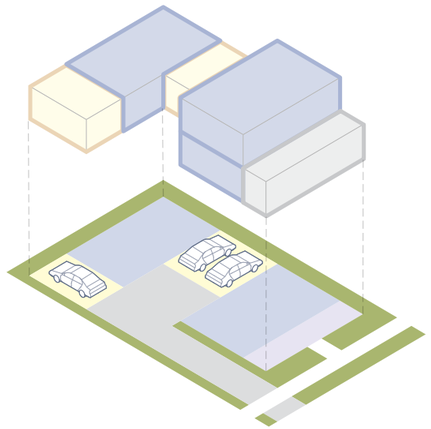
Triplex | Alternate Configurations



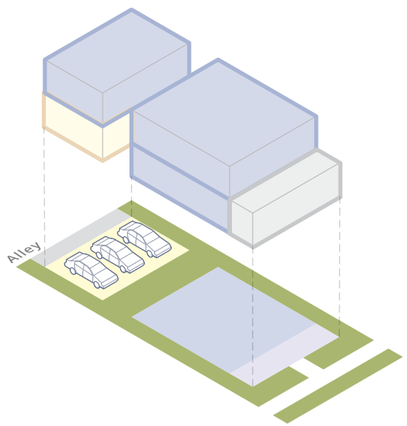
Stacked (Shared Driveway)	
Width x Depth	50 feet x 95 feet
Area	4,750 sq.ft.
Gross Density	28 du/acre
Lot Coverage	3,195 sq.ft. (67%)



Stacked (Alley Parking)	
Width x Depth	40 feet x 85 feet
Area	3,400 sq.ft.
Gross Density	38 du/acre
Lot Coverage	2,085 sq.ft. (61%)



Detached Unit (Shared Driveway)	
Width x Depth	55 feet x 85 feet
Area	4,675 sq.ft.
Gross Density	28 du/acre
Lot Coverage	3,470 sq.ft. (74%)

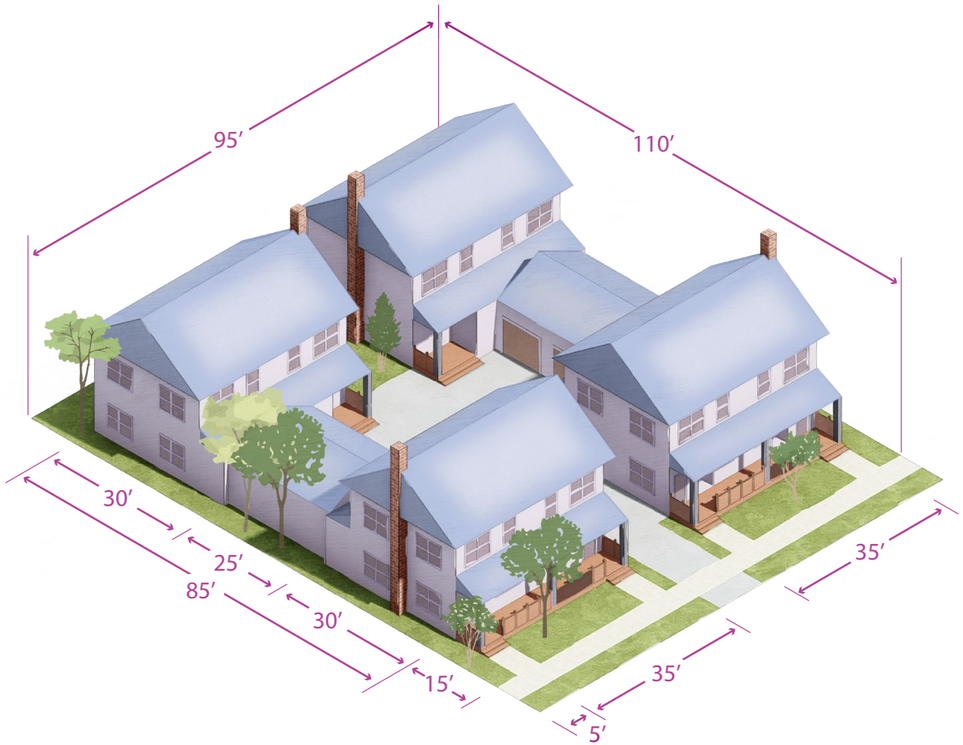


Detached Unit (Over Garage)	
Width x Depth	40 feet x 85 feet
Area	3,400 sq.ft.
Gross Density	38 du/acre
Lot Coverage	2,085 sq.ft. (61%)

Principal Unit *Parking* *Porch*

Cottage Court / Quadplex

A cluster of single-unit buildings clustered around a common courtyard gives the appearance of single-family detached housing from the street. A common driveway and courtyard provide parking access and a shared outdoor space. Several modifications of this type are possible, including requiring the rear units to be smaller than the front units. An alternative configuration of this type has two driveways an no center court.

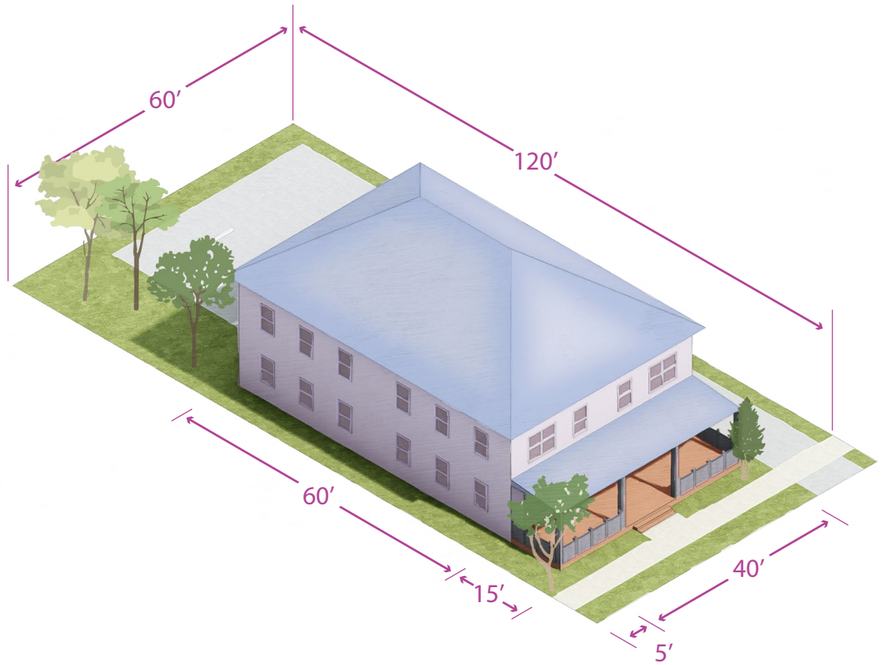


Building	
Width	35 feet
Depth	30 feet
Units	4
Average Unit Size	2,100 sq.ft.
Off-Street Parking	4
On-Street Parking	4

Lot	
Width	95 feet
Depth	110 feet
Area	10,450 sq.ft.
	0.24 acres
Gross Density	17 du/acre
Lot Coverage	7,300 sqft (70%)

Fourplex

A structure that consists of 4 dwelling units arranged along a central corridor, typically with a shared entry from the street. This type has the appearance of a medium-to-large single-unit house. Where appropriate, utilizing facade articulations and building elements (such as the porch depicted here) can help blend structure with the surrounding context. This type can be configured in many ways, depending on the depth and width of the lot.

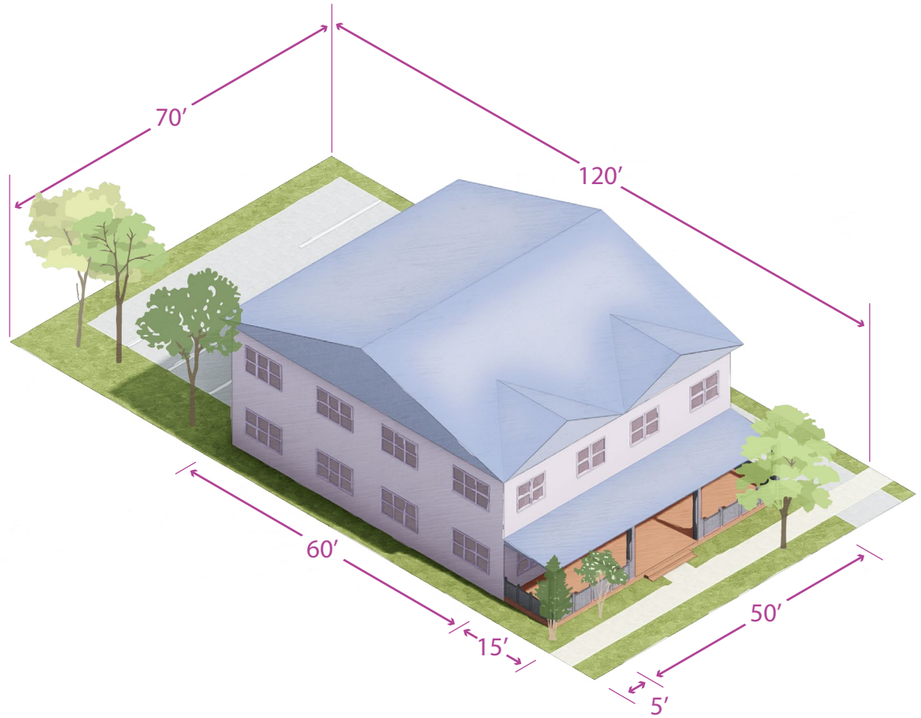


Building	
Width	40 feet
Depth	60 feet
Units	4
Average Unit Size	1,100 sq.ft.
Off-Street Parking	4
On-Street Parking	2

Lot	
Width	60 feet
Depth	120 feet
Area	7,200 sq.ft.
	0.17 acres
Gross Density	24 du/acre
Lot Coverage	5,200 sq.ft. (70%)

Multiplex (Small)

Dwelling with three units accessed from the street and two to three units accessed from the rear yard. This type has the appearance of a medium-to-large, detached house. Regulating facade articulation and building elements (such as the porch depicted here). Modifications in rooflines can help create variation and help match the rhythm of buildings on a street. This type can be configured in many ways, depending on the depth and width of the lot.

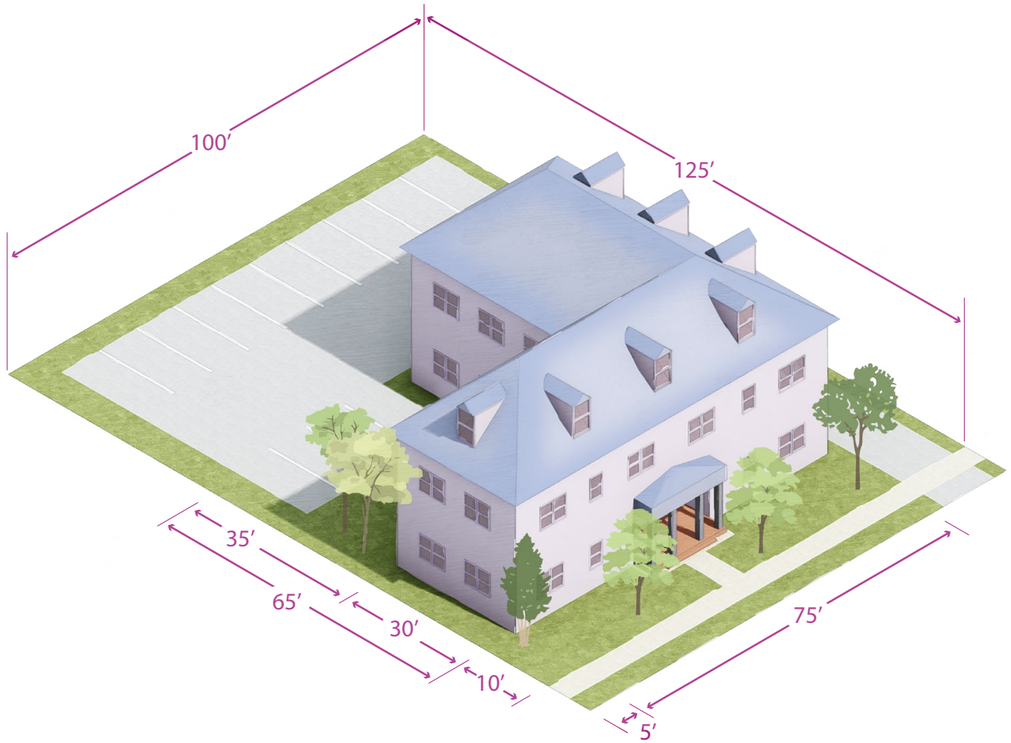


Building	
Width	50 feet
Depth	60 feet
Units	5 - 6
Average Unit Size	900 - 1,100 sq.ft.
Off-Street Parking	6
On-Street Parking	3

Lot	
Width	70 feet
Depth	120 feet
Area	8,400 sq.ft.
	0.19 acres
Gross Density	26 - 32 du/acre
Lot Coverage	6,300 sq.ft. (75%)

Multiplex (Medium)

Six to eight dwelling units are accessed from a central corridor and shared entryway. This type has the appearance of a large, detached house. Regulating facade articulation, front yard conditions, and roof elements can help blend structure with the surrounding context. This type can be configured in many ways, depending on the depth and width of the lot.

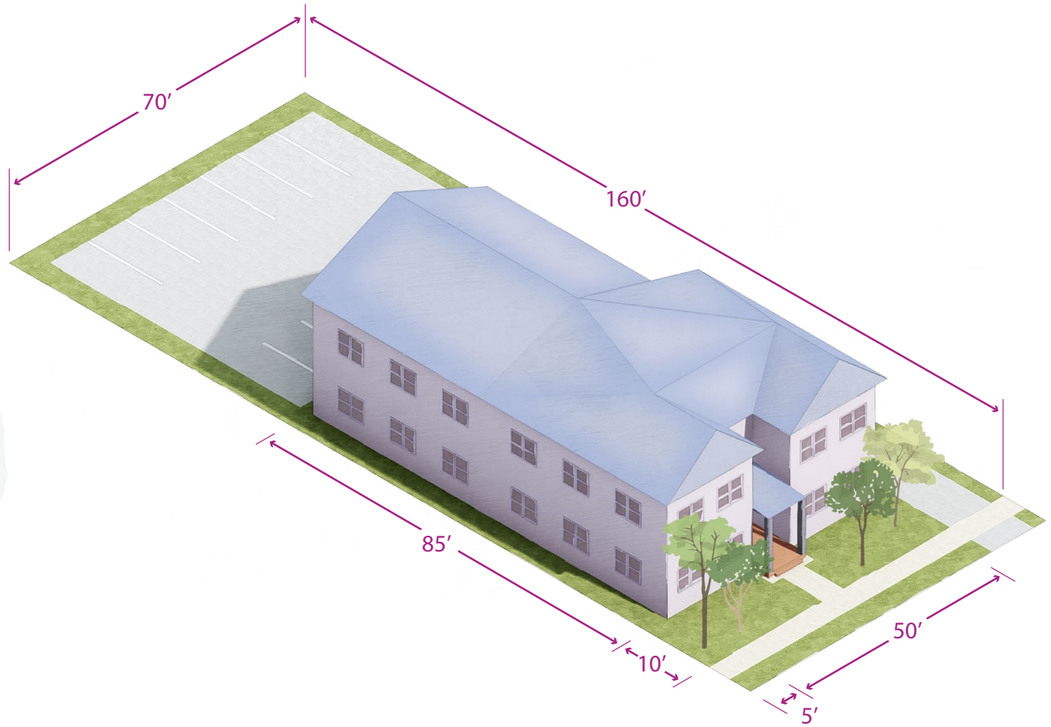


Building	
Width	75 feet
Depth	65 feet
Units	6 - 8
Average Unit Size	800 - 1,00 sq.ft.
Off-Street Parking	14
On-Street Parking	4

Lot	
Width	100 feet
Depth	125 feet
Area	12,500 sq.ft.
	0.29 acres
Gross Density	21 - 28 du/acre
Lot Coverage	8,900 sq.ft. (68%)

Multiplex (Large)

Eight to ten dwelling units are accessed from a central corridor and shared entryway. A deeper building and front facade articulation help maintain consistency with detached housing forms. Regulating facade articulation, front yard conditions, and roof elements can help blend structure with the surrounding context. This type can be configured in many ways, depending on the depth and width of the lot.

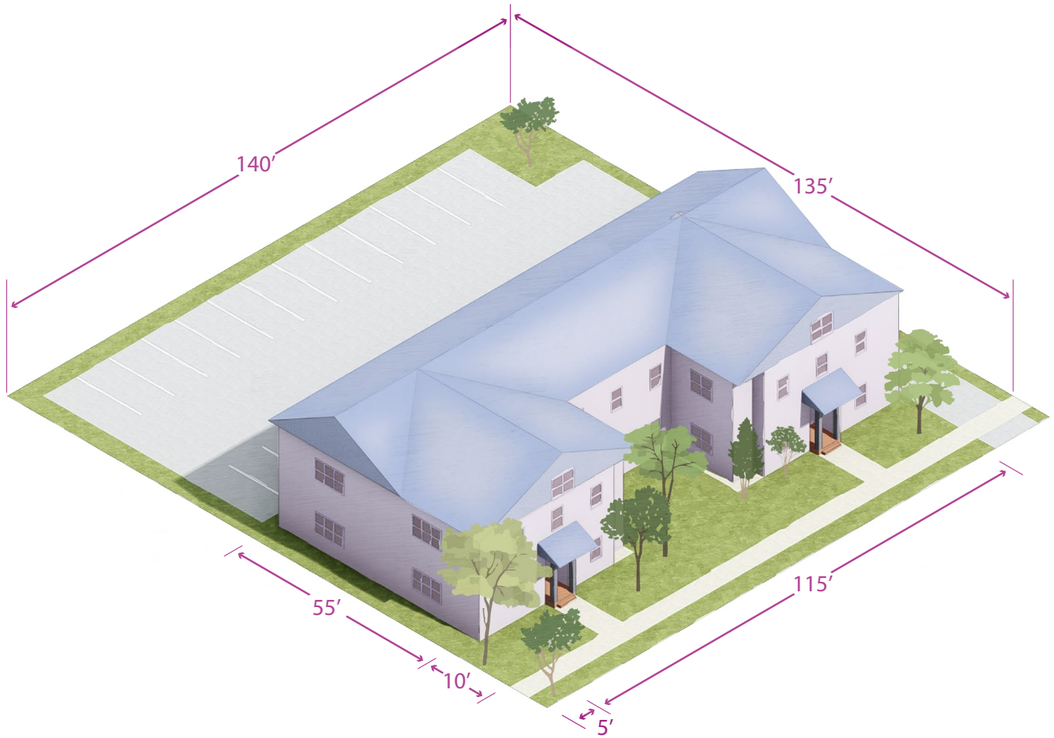


Building	
Width	50 feet
Depth	85 feet
Units	8 - 10
Average Unit Size	800 - 1,000 sq.ft.
Off-Street Parking	12
On-Street Parking	3

Lot	
Width	70 feet
Depth	160 feet
Area	11,200 sq.ft.
	0.26 acres
Gross Density	31 - 38 du/acre
Lot Coverage	9,300 sq.ft (66%)

Small Apartment / Condo

Ten to twelve dwelling units are accessed from a central corridor and shared entryway. Substantive facade articulation and two entrances help maintain consistency with detached housing forms. Regulating the rhythm of facade articulation, front yard conditions, and roof elements can help blend structure with the surrounding context. This type can be configured in many ways, depending on the depth and width of the lot.

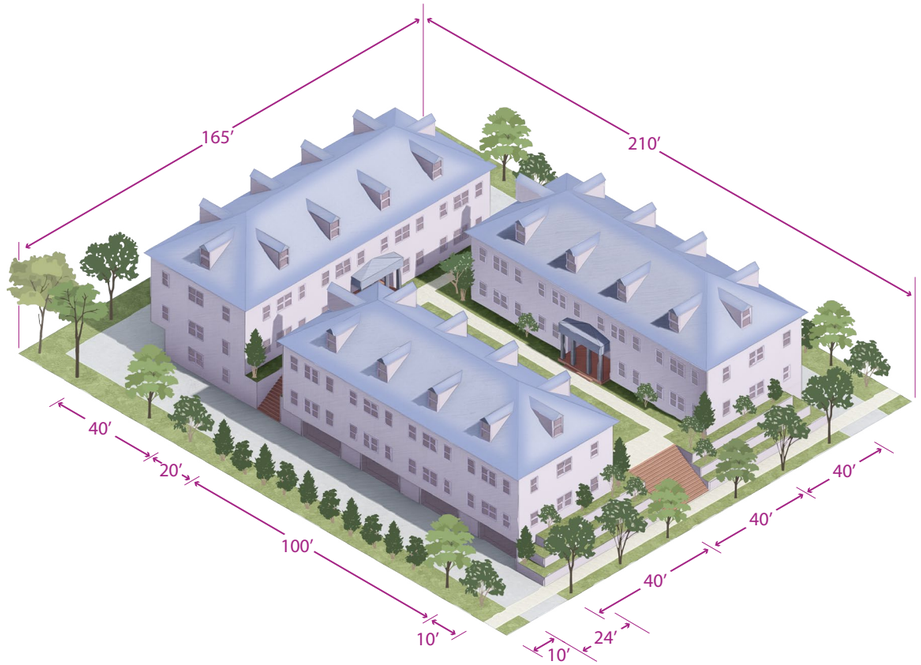


Building	
Width	55 feet
Depth	115 feet
Units	10 - 12
Average Unit Size	900 - 1,000 sq.ft.
Off-Street Parking	24
On-Street Parking	6

Lot	
Width	140 feet
Depth	135 feet
Area	18,900 sq.ft.
	0.43 acres
Gross Density	23 - 28 du/acre
Lot Coverage	14,300 sq.ft. (75%)

Courtyard / Garden Apartments

Two or more multifamily buildings, each containing three or more separate dwelling units that sit on one lot. Each building opens onto a central courtyard. The courtyard provides a break between facades facing the street, which replicates the rhythm of single-family housing. This type can be configured in many ways, depending on the depth and width of the lot, the number of units in each building, and whether parking is integrated into the building. Street-facing facades and front yards should be designed to avoid long-blank walls.



Building	
Width	100 feet
Depth	40 feet
Units	18 - 24
Average Unit Size	900 - 1,250 sq.ft.
Off-Street Parking	8
On-Street Parking	3

Lot	
Width	200 feet
Depth	175 feet
Area	34,650 sq.ft.
	0.80 acres
Gross Density	23 - 30 du/acre
Lot Coverage	24,400 sq.ft. (70%)

7 Planning & Zoning Considerations

Planning

Planning for gentle density requires the same careful consideration and meaningful community involvement as any other zoning change. Starting the conversation by introducing the concept of gentle density may illicit strong pushback.

Instead, public officials should begin by exploring the broader housing needs of the community to identify important trends. This may be part of a master plan, housing study, or similar effort. They can use *Why Missing Middle Housing and Gentle Density (page 10)* to help them understand what issues might be relevant to their community, based on national and state trends. Among other topics, they should explore if they are having issues with:

- Housing affordability.
- Aging residents having issues accessing housing.
- Erosion of the stock of "starter homes."
- Lack of housing for non-family households.
- McMansionization.
- Loss of open space or environmental degradation because of housing development.
- Lack of access to housing that is accessible without the use of a car.

Long-range and strategic planning can build a framework for housing policy change and regulatory updates. Vermont Housing Finance Agency's Housing Needs Assessment Guide provides an excellent framework, though its data sources are not all relevant to New Jersey.[37]

37 housingdata.org/download/assessment_guide.pdf

Engagement

Early public engagement may help quickly identify housing issues in your community. This information is frequently hard to capture through demographic analysis. For example, the experience that seniors may be having finding a home that fits their needs. Communities should take several engagement approaches to produce the most holistic picture of housing conditions in the community. This may include a mixture of surveys, focus group interviews, and workshops.

Stakeholder interviews are also important. Local realtors and brokers are frequently excellent sources because it is their job to match client needs with housing options. Developers, affordable housing groups, and social service providers can all offer important insights.

Early and frequent engagement can also help overcome resistance to implementation. Municipalities should consider holding workshops, stakeholder meetings, conducting surveys, and doing focus groups. Municipalities should also prepare to counter common misconceptions by providing data on the benefits of gentle density, such as improved affordability and sustainable growth. They should consider creating visual simulations and have data ready to address concerns about property values and neighborhood character.

Demographic and Housing Analysis

The demographic and housing analysis that is typical of a Master Plan usually uncovers important housing trends that could lead to conversations about gentle density. Important demographic indicators to examine include:

- Changes in household composition, including changes to household size. It can be particularly helpful to look at changes in specific household size groups (e.g., one-person, two-person, etc.) rather than only looking at average household size.
- Changes in the number of family and non-family households.
- Changes in different age cohorts, including the share of older and younger adults.

In addition to demographic data, the U.S. Census provides information on housing structure, the number of rooms, and the number of bedrooms in homes. Comparing this data with family size can help communities assess whether the current housing supply meets residents' needs.

Spatial and Statistical Analysis

The New Jersey Geographic Information Network (NJGIN) Open Data Portal publishes MOD-IV data, which provides uniform property tax information linked to parcel data. This data includes land use information and the number of units in buildings, which can be used to better understand neighborhood and district compositions.

Geographic Information Systems (GIS) analysis of parcel data may also help municipalities understand the distribution of lot sizes and lot widths. These are important factors to consider in rezoning because they impact property owners' ability to subdivide. This data may also help municipalities identify where there are existing missing middle homes, the concentration of garages and carriage houses, deeper rear lots, and ample street parking. It can also help the community better understand the makeup of the lots in their community. These tools can also help municipalities better understand how existing zoning relates to existing land use.

GIS analysis, along with site visits and aerial imagery analysis, can also be used to identify neighborhoods capable of absorbing greater densities without overburdening existing infrastructure.

Equity

Throughout the process of planning and rezoning, planners should pay close attention to the impact of policy changes on historically disadvantaged communities. There is a long history of housing policy that has frequently asked low-income, minority, and non-native communities to bear the brunt of policy changes. Communities with high renter populations may be particularly susceptible to policy changes that could make investment in their communities more attractive, which may increase the risk of displacement.

Historic and Neighborhood Preservation

As gentle density strategies are explored, communities may find that some areas where missing middle housing might be appropriate are also historic districts (or eligible districts). They may also have residents raise concerns about the impact of changes on the visual character of their neighborhoods. It is important to remember that gentle density strategies, like any land use policy, can include requirements for context-sensitive design.

Form-Based Codes (FBCs) are a type of zoning that focuses on the physical form of buildings and their relationship to public spaces, rather than just their use. This approach ensures that new developments fit well within the existing neighborhood context and may be particularly useful in historic districts and areas where neighborhood preservation is important.

Zoning Analysis

The American Planning Association published a Zoning Practice report[38] in February of 2023 on practicing gentle density. This report builds off APA's report and provides additional information for consideration.

Zoning Code Analysis

When exploring options for permitting gentle density, communities should examine their existing zoning ordinances. It is common for residents and even elected officials to assume that current zoning reflects what is already built, but this is not always the case. Zoning ordinances often require conditions that differ significantly from the predominant land use in an area. A useful approach might involve examining a typical lot in a neighborhood and illustrating what could be built under maximum bulk and coverage requirements.

Municipalities can do statistical analysis and chart parcel data and compare it to existing requirements. Figure 16 shows how a municipality's minimum lot sizes and minimum lot widths were substantially larger than most lots they were intended to regulate.

Municipalities may also wish to conduct a GIS analysis of lots that compares the existing minimum lot area and width requirements with existing development. This may help to identify neighborhoods where existing development is denser than what is permitted and can help identify locations where subdivision may lead to infill development.

Lot Analysis

GIS can also be used to establish new lot standards. Morristown utilized GIS to map existing lot widths and lot sizes. This helped them understand both what were the most common lot sizes but also how much variation there was within each zone. They also mapped C-variances (bulk variances) and non-conforming lots. (Figure 17 on the following page). This helped them make informed decisions about how to regulate lots, including highlighting lots that could potentially be subdivided, a key consideration for future regulatory changes. It also led to the development of variable lot widths (see *Variable Lot Standards page 54*).

38 "Zoning Practice: Practice Gentle Density." American Planning Association, February 2023. Available at: planning.org/publications/document/9263625/

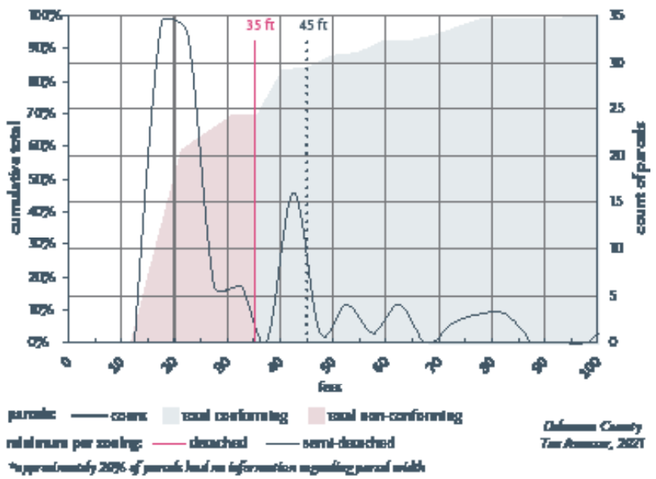
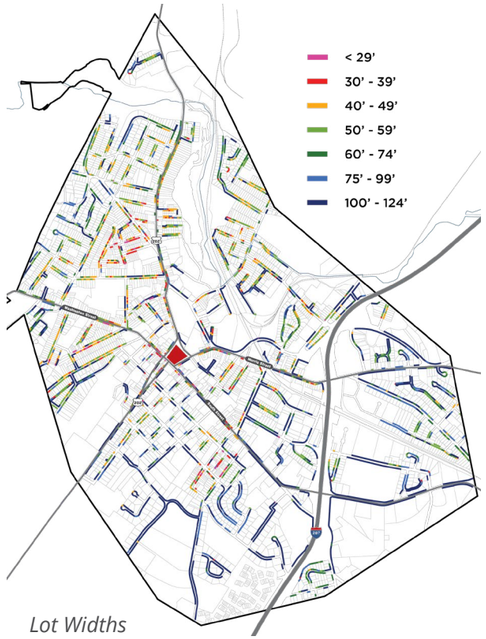
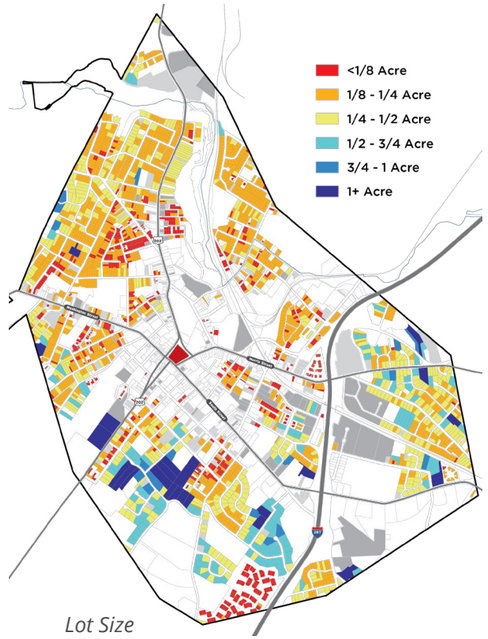


Figure 16. Distribution of Lot Widths and Lot Sizes

As part of a rezoning effort in Media Borough, PA, the Borough compared its zoning requirements to the physical conditions. This analysis made it clear that their zoning requirements were requiring larger lots and homes than currently existed in the community. Since many members of the community wanted new development to reflect existing housing stock, these charts help justify reducing minimum lot widths and sizes.

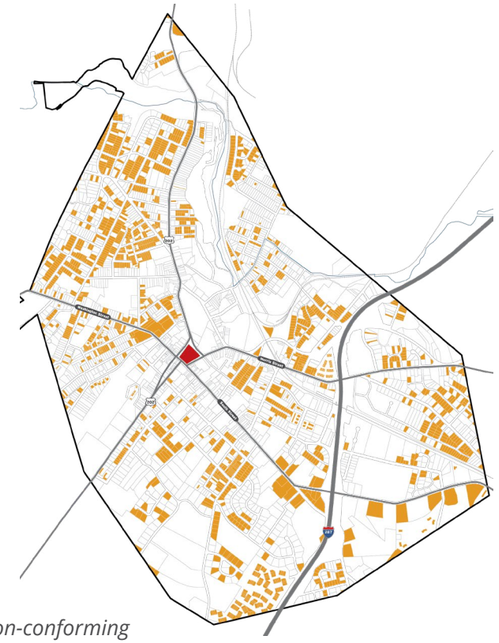


Lot Widths



Lot Size

C Variances



Non-conforming

Figure 17. GIS Analysis Conducted for Morristown Land Development Ordinance

Two images show an analysis of lot widths (top left) and lot size (top right) in Morristown's residential areas. These were used to help establish minimum and maximum standards. Analysis of C variances (lower left) and lots which did not conform to minimum lot standards (lower right) helped illustrate the importance of updating the zoning code and focus attention on where improvements were needed.

Place Character Analysis

Requiring context-sensitive design requires a careful evaluation of the key elements that help create a sense of place and that can be regulated through zoning. Typically, these include:

- Rhythm of solids to voids
- Front yard conditions, including depth and materials.
- Location of parking
- Fenestration (the arrangement of windows and doors on the elevations of a building)
- Roof types
- Building components

Several of these are discussed in more detail in *Architectural Elements Impacting Place Character (page 55)*.

Visual preference surveys, walking tours, and design charrettes are useful to help identify the key architectural and site elements that work together to define the character of the community. Grounding the conversation in a discussion of the elements that have social, environmental and economic impacts can help prevent such exercises becoming solely aesthetic preferences.

Establishing Zoning Standards

Bulk and Dimensional Standards

Since missing middle housing often involves infill development on existing lots, municipalities should pay close attention to how they set minimum and maximum lot area, widths, setbacks, and height and coverage restrictions when allowing missing middle housing. Height requirements that match existing conditions can help to ease anxieties but may also restrict the number of units that will be built.

Municipalities should avoid setting minimum lot areas on a per-dwelling basis, as this can unnecessarily restrict where missing middle housing can be built in existing neighborhoods.

Variable Lot Standards

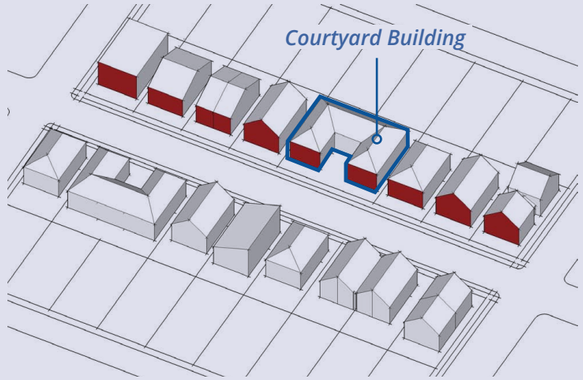
A key trend in zoning has been the use of variable setback standards. In Morristown, NJ the side yard and coverage ratio requirements change based on the width of the parcel (Figure 18).[39] This only applies to existing lots, with the minimum lot size for subdivisions controlled elsewhere.

39 § 30-205.6 Lot Standards – Morristown Land Development Ordinance

Building Placement		Narrow	Small	Medium	Large	Wide	XXL	Estate
a.	Setbacks							
(1)	Build-to-line	Prevailing setback +/- 25%						
(2)	Side yard (one) (minimum) (feet)	2	3	5	5	5	20	10
(3)	Side yard (both) (minimum) (feet)	10	13	18	18	18	45	20
(4)	Rear yard (minimum) (feet)	20	20	20	20	20	20	30
b.	Coverage							
(1)	Building coverage (maximum)	35%	30%	25%	20%	20%	20%	20%[1]
(2)	Improved coverage (maximum)	45%	40%	35%	30%	30%	30%	30%

Figure 18. Dynamic Residential Lot Standards in Morristown, NJ
Source: § 30-205.6 Lot Standards – Morristown Land Development Ordinance

Architectural Elements Impacting Place Character

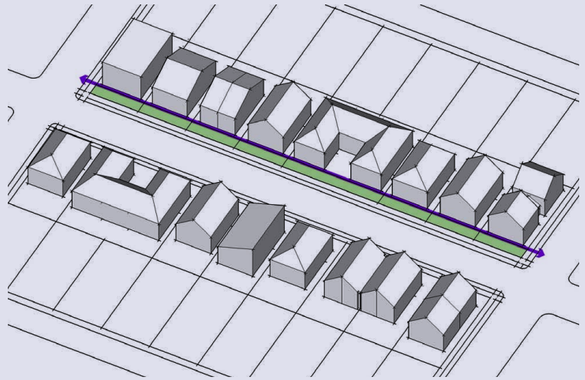


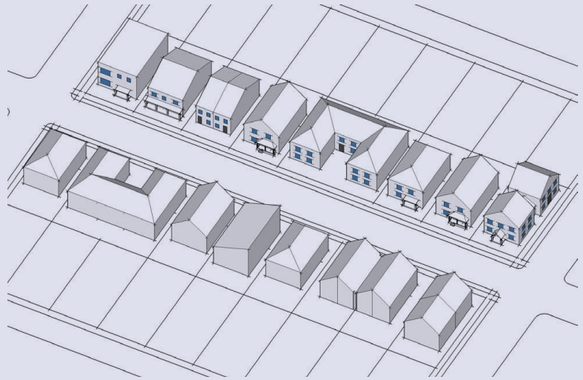
Rhythm of Solids and Voids

Many streets have a consistent rhythm of alternating solids (building facades) and voids (side yards). This rhythm is impacted by the lot width, the building widths, and the side yard setback. Long stretches of solids (facades) can feel incongruent in a neighborhood with frequent breaks. Larger buildings that are broken up, as the courtyard building is in this drawing, can contribute to that identity without having to be the same size as other buildings on the street.

Front Yards

Many streets have a consistent front yard depth (building setback). Municipalities have increasingly started to use build-to-lines, which required a certain percentage of the facade to be setback a specified distances. This helps ensure consistency. It may also help to study the condition of the front yard: are there garages that face the street or curb cuts that break up front lawns? Where these elements are absent, introducing them can create stark contrast between new and old.





Fenestration, roofs, and building elements

The frequency and location of windows and doors can impact the look and feel of a building and how they function. Introducing new rooflines to established neighborhoods can frequently cause new construction to stick out. Major building elements - such as porches, bay windows, and stoops - impact the look of a building but can be important places for socialization that bring residents together.

Illustrations source: Infill Design Toolkit: Medium-Density Residential Development

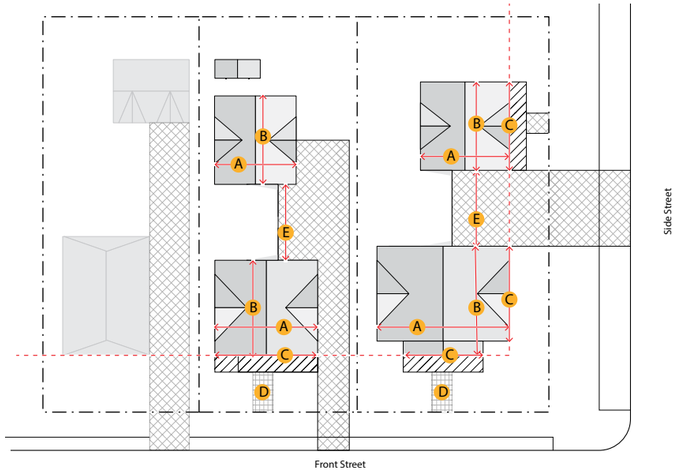
Some municipalities have set the required front-yard setback as the average of the setbacks along the same side of the street and on the same block.

Variable lot standards can be an effective technique for reducing the number of non-conforming structures and lots. Combined with building types, they can be an effective strategy for advancing context-sensitive infill missing-middle housing.

Building Types

Establishing different bulk and dimensional requirements for various building types is common practice. For example, many communities have different standards for multi-family and single-family buildings within the same district. Traditionally, however, these standards have treated all multi-family development uniformly, regardless of whether it is a 3-unit, 30-unit, or 300-unit building. This one-size-fits-all approach often leads to unpredictable results.

Form-based zoning allow municipalities to develop more detailed definitions of different building types, with specific regulations for each. This may include graphic representations of how buildings should be situated on lots and minimum and maximum building size requirements, such as those depicted in Figure 19. This approach is particularly effective for missing-middle housing, as it allows communities to clearly visualize potential future developments. However, it may also require adapting administrative procedures, which can incur short-term costs.



		Min	Max
General Building Standards			
A	Building Width*	--	40’
B	Building Depth*	--	50’
C	Build-to-Line-Occupancy (C / A)		See Note**
D	Main Entrance		See Note**
E	Building Separation	24’	--

*Applicable to the courtyard building only. See Section 30-3.1 to Section 30-3.3 for such standard of the primary building.

**Applicable to the primary building only, unless on a corner lot, where such standard for the courtyard building is based on the category of Building Type of the primary building per Section 30-3.1-3 (Detached, Estate or Semi-Attached).

Morristown defines Courtyard buildings as, “Two separate structures occupying the same lot, with one structure located at the front (primary building) of the lot and the other at the rear of the lot (courtyard building). The primary building may house one or two families and must be in an Attached, Estate or Detached building type per Section 30-3.1-3, while the rear courtyard building is to be smaller and contain only one family.”

Figure 19. Example Building Regulations from Morristown Land Development Ordinance

Source: Section 30-3.B.4.c in 2024 Land Development Ordinance

Establishing Use Standards

Updating use standards is often a critical step in advancing gentle density solutions. During this process, it is common for communities to modernize the language, replacing “family” with “unit.” This language more accurately reflects the diverse household composition of the state and nation.

Municipalities should also explore the rules and regulations regarding the conversion of single-unit homes to two-unit homes. Converting homes, especially older homes and historic properties, can help to extend the economic life of existing structures, beneficial in both maintaining neighborhood character and minimizing environmental impacts related to development.

Transition Standards

Establishing standards for an adequate transition between lower-density and higher-density housing is often an important planning consideration when contemplating how to accommodate diverse housing within communities and neighborhoods. The APA Zoning Practice report provides an excellent example of four techniques used in the Morrisville, NC Land Development Ordinance (Figure 20) that can be used for infill missing-middle housing development in traditionally single-unit neighborhoods.

1. Building height and mass “steps down” along shared property line
2. Larger side yard setbacks provide increased separation from existing home
3. Variations in side building wall and roof form break down visual mass of larger structure
4. Utilizing dormers and sloping roofs to accommodate upper stories

Figure 20. Example Standards for Regulating Transitions

Source: Morrisville NC Land Development Ordinance Section 5.9.7. Single-Family Attached, Detached and Duplex Design Guidelines

Design Standards and Guidelines

Design standards can help to provide certainty as to the appearance and function of new and infill development for both current residents and developers. Generally, it is advisable to focus on establishing objective standards that can be clearly measured. This may include the amount of transparency (window), roof slopes, and building configuration.

Design guidelines also play a crucial role in establishing a community's vision. These regulations include more subjective criteria, such as requiring architectural features that align with existing neighborhood character. Design guidelines are most effective when they include clear illustrations and photographs showing examples of what is permitted and prohibited. They are also most effective when they result from a careful study of existing conditions to document the "features of the existing neighborhood character" that new development should reflect.

Special Considerations for ADUs

In addition to the zoning considerations identified above, ADUs typically raise additional questions that should be considered as they develop their ordinances. Those interested in exploring these issues in more depth may find AARP's ABCs of ADUs[40] and corresponding model ordinance[41] of interest.

Rentals

The legacy of ADUs being referred to as "mother-in-law suites" has had a lasting impact on how people envision their use. Specifically, many people imagine them to primarily serve as housing for people related to those who live in the principal structure. In a sense, this is consistent with the notion of them as accessories to the principal structure on site.

While restricting ADUs from being used as rentals to unrelated individuals may help some households, it can substantially limit their effectiveness at meeting larger housing goals.

Owner Occupancy

One of the most frequent questions raised during the process of considering ADUs is whether the principal property must be owner-occupied. AARP identified several ways in which such rules discourage ADUs:

> *Requirements that the owner live on the same property (whether in the primary dwellings or the ADU) are pervasive. Owner occupancy covenants or conditions give pause to homeowners or institutions financing home purchases because of the limits they place on successive owners who will not be able to rent out or lease their main house, which might be necessary as a result of a divorce, job transfer, or death. They can also make financial institutions reluctant to provide financing for the construction of the ADU. Finally, because a covenant or condition serves as a restriction on a mortgage lender's security interest in the property, the mortgage lender can withhold consent to any requirement that takes the form of a covenant, which means the local government would be required to deny the application to build an ADU.*

Owner occupancy requirements are frequently based on the assumption that owner-occupiers are more likely to maintain the unit. They can also stem from fears about investment properties and opportunistic landlords. In general, an understanding that ADUs, because of the constraints mentioned earlier, are not likely to become a predominant or iniquitous housing type in many communities should help communities understand that the need to place such requirements on ADUs is frequently excessive and unnecessary.

Short-term rentals

When considering ADUs, communities often question their use as short-term rentals. It is generally recommended that communities establish a broader short-term rental policy and include ADUs within that framework. When this is not possible, many communities choose to prohibit short-term rentals in ADUs.

Subdivision/ownership

The addition of a second unit on site, especially in a stand-alone structure, can raise questions about whether those units could be subdivided onto their own lot. Generally, this should be prohibited as it would eliminate the "accessory" relationship to a principal structure.

Parking

There is no one-size-fits-all approach to regulating parking for ADUs and the right solution is dependent on the specific conditions in the local community. An in-person assessment, along with stakeholder or public engagement, can reveal whether there is sufficient on- or off-street parking to allow ADUs without providing additional parking. During these assessments, communities should take into consideration the realities of financing and building ADUs (See Barriers in the Overview of Missing Middle Housing and Gentle Density section of this Report). In short, it is unlikely that many neighborhoods will see a wave of ADU construction at a speed that prevents them from adjusting if parking becomes a major issue.

Non-residential uses

Communities should review their home-based business regulations, or similar ordinances, to ensure that the language clearly spells out what is permitted in residential zones. They may wish to place specific restrictions on whether those businesses can be conducted in an accessory use. Moreover, they may also need to consider whether those activities can be conducted in a stand-alone structure.

40 AARP. (2021) The ABCs Of ADUS: A Guide to Accessory Dwelling Units and How They Expand Housing Options for People of All Ages. AARP Online. AARP.org/ADU

41 AARP. (2021) Accessory Dwelling Units Model State Act and Local Ordinance. AARP Government Affairs. AARP.org/ADU

8 Gentle Density Implementation Program

The following provides a framework that municipalities considering permitting gentle density can use to structure their planning and regulatory efforts. Where feasible, efforts to consider gentle density should be incorporated into long-term housing planning efforts and/or as part of the Master Plan process.

Task 1: Baseline Assessment

Task 1.A: Plan Review

As an initial step, review all plans and ordinances related to housing in the community. This may include previous master plans, zoning and subdivision ordinances, redevelopment plans, and neighborhood/district plans, as well as County, Metropolitan Planning Organization (MPO)[42], and State plans.

Task 1.B: Data Collection

Identify and collect all published GIS data and other digital data, including census data. Where possible, collect data related to housing (such as data published by Zillow, Redfin, National Association of Realtors, etc.)

Task 1.C: Demographic Analysis

Using a combination of Census and American Community Survey (ACS) data, identify relevant trends that may result in changes in housing and land use. A review of population forecasts is typically valuable. Conversations with local stakeholders, including brokers and realtors, can help to identify where population and demographic changes have occurred.

Task 1.D: Land Use and Parcel Analysis

Utilizing GIS data, analyze parcel data to better understand how land is utilized and how parcels are configured. The *Zoning Analysis (page 52)* discussion of this guide may be used as a framework. Consider evaluating the following:

- The size of parcels within different residential zones (including area, width, and depth). A distribution analysis (histograms) can help identify groups or typologies of parcels.
- Mapping the location of different land uses by the number of units in the building, which may be available in the MOD-IV data.
- Identify parcels where there is a low ratio of improvement to land value (based on MOD-IV data). This can indicate areas that are susceptible to redevelopment.

Task 1.E: Zoning Analysis

An important step in rewriting a zoning code is understanding what the code currently permits. It may be helpful to create tables that clearly articulate the bulk standards in different residential zones. It may also be helpful to develop visual build-out diagrams to show how zoning is related to existing land use. Mapping the following should also be considered:

- Non-conforming lots
- Parcels susceptible to subdivisions

42 The three MPOs in New Jersey are the North Jersey Transportation Planning Authority (NJTPA), the Delaware Valley Regional Planning Commission (DVRPC), and the South Jersey Transportation Planning Organization (SJTPO)

Task 2: Community and Stakeholder Engagement

The right approach to community engagement is particular to each community. It is generally recommended to engage both the public as well as key stakeholders. Communities may use the following guidelines as a framework for developing their process:

- **Start by listening:** While planners or elected officials may have a good idea of what is needed to support housing in their communities, it is important to start by listening to the concerns of residents. Instead of initiating the conversation with an explanation of ADUs and missing middle housing, start by trying to understand what issues people are having. This can be assessed through a combination of surveys, in-person interviews, virtual calls, workshops, and public meetings.
- **Make engagement convenient by going to where people are:** You are likely to get substantially less engagement if you ask people to come to you. It is strongly recommended that outreach strategies involve going to events, meetings, and the places where people congregate to speak with them. When asking for input via survey, the US Postal Service offers Every Door Direct Mailers (EDDM), which can be an effective tool to reach a large audience who may not be connected to the municipality through email or social media.
- **Seeing is understanding:** Most people need to visualize a new idea before they understand it. That is especially true with zoning changes. It is also worthwhile noting that much of the resistance to gentle density can come from concerns about the visual impact of changes on the community. Thus, providing information about the visual impact of changes can be invaluable.

It is recommended that municipalities undertake two phases of engagement. The first phase should focus on learning and understanding the community's concerns. This may also include presenting the findings from Task 1 (Baseline Assessment). However, municipalities should be careful not to overwhelm participants with information and remain focused on learning. The product of the first phase may be a series of plan goals or objectives that reflect that input.

The second phase can focus on presenting the findings from Task 1 in more detail and community collaboration to develop appropriate solutions, which may include gentle density solutions.

Task 3: Plan Development and Ordinance Writing

Task 3.A: Plan Amendments

Where this process is not connected to a long-term community planning effort, it is recommended that municipalities develop amendments or supplements to their Master Plans. This need not be a major re-write or re-examination. Instead, adopting the amendment can memorialize the findings from the previous tasks and establish a clear legal foundation for subsequent zoning changes.

Task 3.B: Zoning Revisions

Communities looking to amend their zoning ordinances should review the *Zoning Analysis* section of the *Planning & Zoning Considerations* section of this Report. Revisions should pay close attention to the definitions section of their ordinances and include a review of all performance standards or supplemental regulations to ensure no language may cause confusion or conflicts. Wherever possible, it is strongly recommended that zoning that allows ADUs or missing middle housing should include illustrations and diagrams to support predictable and consistent implementation of the ordinance.

Task 4: Progress Tracking and Ongoing Support

Task 4.A: Progress Tracking

Yearly, review local building permit data and/or development applications to identify the number of missing middle homes that have been approved and built. It may be helpful to track the number of units, their size, and the number of bedrooms in each unit.

As part of regular master planning, review data published by the US Census Bureau to identify long-term impacts of zoning changes and adjust standards accordingly.

Task 4.B: Develop Incentives, if Necessary

If the municipality finds that the construction of missing middle housing is sluggish, consider developing incentives or making investments to support construction. This can include tax incentives provided through Area in Need of Rehabilitation or Redevelopment designation, where so designated. It may also include additional density bonuses, height increases, relief from parking requirements, and expedited permitting review. Public realm and/or mobility investments that make building housing near transit more attractive should also be considered. Refer to the Transit Friendly Planning: A Guide for New Jersey Communities for more details, especially the Funding Sources section (page 170).

9 Conclusion

The implementation of gentle density in New Jersey offers a unique opportunity to address the growing housing crisis while maintaining the character of existing neighborhoods. By allowing a more diverse range of housing options, municipalities can support multi-generational families, provide affordable housing, and enhance community vibrancy without relying only on large-scale developments.

Gentle density also aligns well with the Transit Village initiative led by NJ Department of Transportation (NJDOT) and NJ TRANSIT. It supports sustainable growth strategies by promoting infill development, reducing reliance on cars, and maximizing the use of existing infrastructure.

As municipalities consider these strategies, it is critical to engage local communities through transparent and inclusive processes. Public input and education are essential in overcoming misconceptions about the impact of gentle density and fostering buy-in from residents. Through careful planning, zoning reforms, and thoughtful design considerations, municipalities can create more livable, affordable, and diverse communities that accommodate changing housing needs while preserving the distinctive qualities of New Jersey's neighborhoods.

Appendix: Model Accessory Dwelling Unit Ordinance

The following ordinance is designed to facilitate the adoption of ADUs in New Jersey Communities. Throughout the ordinance, additional information is identified by the use of *purple italicized* text, which should be removed before adoption. Text in [red] is placeholder information and must be amended before being adopted.

ADUs are only one type of missing middle housing. Municipalities interested in amending their ordinances to permit other missing middle types can review the *Planning & Zoning Considerations (page 50)* and customize the *Gentle Density Implementation Program (page 60)*.

Figure 21. Accessory dwelling unit located above a garage in Princeton, NJ

This Princeton ADU is roughly 1,000 square feet. Photo from njmonthly.com by Todd Mason/ Halkin Mason Photography.

Article XX. Accessory Dwelling Units

X.1. PURPOSE AND INTENT

Municipalities are encouraged to update this language to reflect the specific conditions and reasons why they have adopted the accessory dwelling unit ordinance.

A. The purpose of this ordinance is to allow for the construction of accessory dwelling units in residential zones on lots that are within walking distance of transit facilities.

B. These standards help allow for more diverse housing options that support, and are supported by, transit. Increased access to transit for some members of the community has the benefits of reducing traffic volumes, greenhouse gas emissions, and land consumption.

C. These standards allow for accessory dwelling units that will assist older homeowners in maintaining their independence; provide space for multi-generational housing; increase the supply of a more affordable type of housing not requiring government subsidies; and help older homeowners, single parents, young home buyers, and renters seeking a wider range of homes.

X.2. DEFINITIONS

ACCESSORY DWELLING UNIT (ADU) - A secondary residential living unit on the same tax lot as a lawful/permitted principal building containing no more than one unit. The ADU provides complete independent living facilities for one or more persons and has its own entrance. An ADU provides complete Housekeeping Facilities for one or more persons that are not shared with any other use. ADUs can be classified as follows and as illustrated below:

Attached: An ADU that shares one or more exterior walls with the principal structure.

Detached: An ADU that shares no exterior walls with the principal structure and resides in a stand-alone building, typically one that is purpose-built for habitation.

Conversion: An ADU that is the result of the adaptive reuse of a previously existing structure, such as a garage. This may shall not include an ADU that is the result of an expansion of a previously existing structure by more than ten percent (10%).

Integrated: An accessory that is totally within the principal structure except for elements needed to provide a separate entrance.

HOUSEKEEPING FACILITIES - Facilities that are customarily associated with a housing unit, including but not limited to, bathrooms, kitchens, and bedrooms.

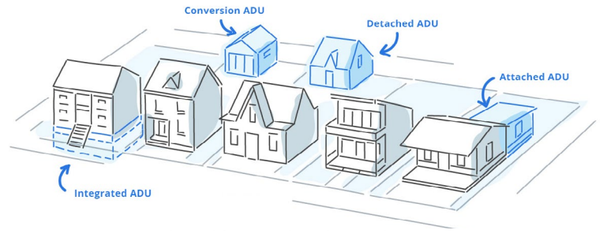


Image adapted from Backyard-Bungalows.net

X.3. AUTHORIZATION OF ADUS

A. Accessory dwelling units are allowed in all residential zones.

B. Any accessory dwelling unit in existence as of [date of adoption of the ordinance] may continue to be used, and any such accessory dwelling unit may be altered or reconstructed, provided that the alteration or reconstruction does not create any new or additional non-conformities.

X.4. STANDARDS

A. Applicability

1. The standards in § X.4 shall apply to all ADUs except in the following instance:
    a. When an attached or integrated ADU is proposed and application of the Lot (§ X.4.B), Building and Height (§ X.4.C), Building and Impervious Coverage (§ X.4.D), and/or Setback (§ X.4.E) requirements in this ordinance would be more restrictive than would be required if the applicant were proposing an addition to the house. In such instances, the zoning officer may apply the applicable district standards.

B. Lot Standards

1. An Accessory Dwelling Unit is permitted on:
    a. Any lot that meets the minimum lot size required for a single-unit dwelling in its respective zone.
    b. Any undersized lot in existence as of [date of the adoption of the ordinance] provided the lot, before the addition of an ADU, meets all impervious coverage requirements.
2. Integrated ADUs may be built on any undersized lot in existence as of [date of the adoption of the ordinance].

C. Building Height

1. Attached and Integrated ADUs
    a. ADUs shall conform to the same height and bulk requirements as the principal structure and shall be treated as any other addition to a principal structure.
2. Detached and Conversion ADUs
    a. Where the primary residence has a height of 18 feet or less, the ADU shall not exceed the height of the primary residence.
    b. Where the primary residence exceeds 18 feet, ADUs may not exceed 25 feet or 85% of the height of the principal residence, whichever is less.

D. Maximum Gross Floor Area

1. An ADU shall have a maximum gross floor area equal to 30% of the gross floor area of the principal structure or 800 square feet, whichever is greater. Such calculations shall exclude portions of the structure that are dedicated to other accessory uses to the principal structure, such as the area dedicated to parking in a Detached ADU that is located above a garage.

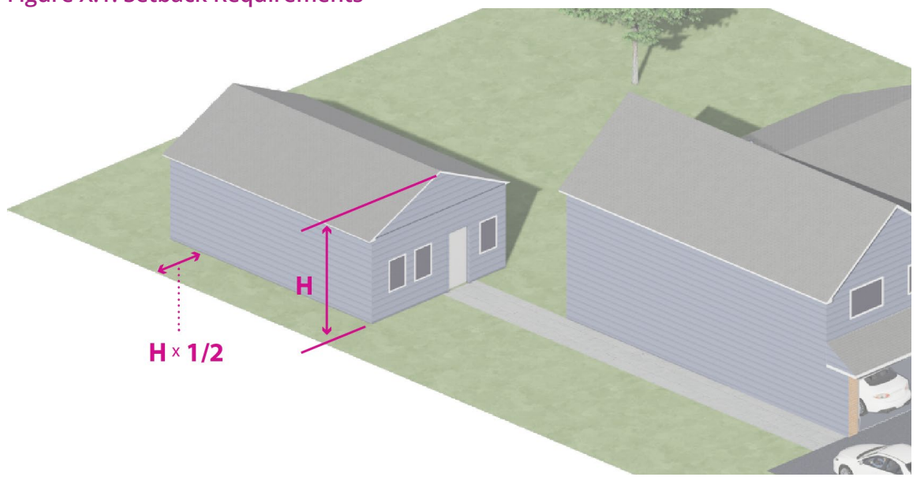
E. Accessory Uses to an ADU

1. Any accessory structure intended to support an ADU, such as a dedicated parking garage for the ADU or storage shed for the use of the tenant of the ADU, shall be treated as an accessory to the principal use and be subject to all accessory requirements for the principal use.

F. Setbacks

1. Where an ADU involves expansion of an existing structure or a new structure, all new structural components of the ADU shall be setback at least one-half the height of the ADU from all side and rear lot lines abutting a residential property and at least 4 feet from all other side and rear lot lines, as illustrated Figure X.1. Setback Requirements.
2. ADUs shall be considered conforming with respect to setbacks where:
    a. The ADU involves the conversion of an existing structure with no changes to the dimensions of the structure; OR
    b. A new structure is constructed in the same location as a previous structure with the same dimensions as the previous structure.

Figure X.1. Setback Requirements



G. Building and Impervious Coverage

Municipalities may need to adjust these standards based on how they regulate building and impervious coverage. Additional coverages are permitted in recognition that many zoning standards were not developed with ADUs in mind and thus may have lower coverage ratios. Communities are encouraged to review the specific conditions in their neighborhoods to assess the need to permit additional coverage.

1. Attached or detached ADUs must comply with all building and impervious coverage standards in the zoning district, except that an additional 10% coverage is permitted.
2. Conversion and Integrated ADUs are permitted regardless of whether the existing improvements conform to building and lot coverage requirements so long as the ADU, and improvements associated with it, do not increase the amount of coverage by more than 5%.

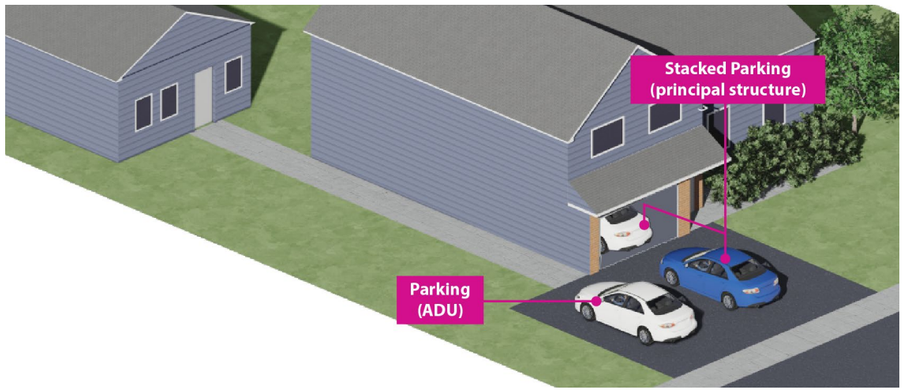
H. Entrances

1. ADUs shall have an entrance that is separate from the principal dwelling's main entrance.
2. ADUs shall have direct access to a public right of way via an unobstructed walkway at least 4 feet in width.
3. ADUs shall not be designed in a manner that would require the occupant to go through the living area of another unit.

I. Parking

1. One parking space is required for an Accessory Dwelling Unit unless the applicant can demonstrate either of the following conditions are met:
   a. One car beyond the required number of parking spaces for the principal residential use can be accommodated by existing facilities. This may include having a parking space located behind another on a driveway or in a garage, as illustrated in Figure X.2. Permitted Parking Configuration.
   b. There is sufficient on-street parking within five hundred (500) feet of the property.

Figure X.2. Permitted Parking Configuration



J. Design Standards

1. ADUs shall conform to all design standards required of principal residential buildings in the underlying zone unless the zoning officer determines that the application of such standards is inconsistent with the purpose and the intent of the design regulations.
2. An accessory dwelling unit that is attached to the principal single-family dwelling shall be designed to be architecturally consistent with the principal single-family dwelling. This may include matching exterior materials, colors, roof type, window pattern, and similar architectural elements.
3. Access stairs and landings, decks, and porches associated with the ADU shall face toward the interior the lot upon which it is situated and shall not be oriented towards the nearest side and rear yards.
4. Balconies and other upper-story outdoor living spaces are not permitted on ADUs. Such prohibitions shall not apply to Integrated ADUs and pre-existing balconies or upper-story outdoor living spaces.
5. An additional curb cut on a street may not be constructed to service the ADU when one already exists. An additional curb cut may be constructed on an alley or on a side yard of a corner lot.

X.5. APPLICATION PROCEDURES

Municipalities should align the application procedure for ADUs with their development regulations. The following provides a framework to guide communities.

A. Before the issuance of a building permit and/or zoning permit for an ADU, the applicant must submit a survey, plot plan, and architectural plans that depict in detail the size, location, and appearance of the proposed ADU building, along with utility connections and parking space allocation.

B. For the issuance of a zoning compliance certificate for the continuation of the use of an existing ADU, the zoning officer shall have the discretion to waive the submission of the supporting documents of a survey, plot plan, and architectural plans where the applicant can demonstrate that no changes have occurred since the initial submission of the original documents.