



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1814

Introduced 1/28/2025, by Rep. Robert "Bob" Rita

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-31 new

Amends the Zoning Division of the Illinois Municipal Code. Provides that, for all new development after January 1, 2026, each city with a population of 25,000 or more shall allow the development of all middle housing types on lots or parcels with a total area greater than 5,000 square feet and that are zoned for any type of residential use. Provides that each city with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Provides that municipalities may regulate siting and design of middle housing provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Provides that municipalities may regulate middle housing to comply with protective measures adopted under statewide land use planning goals. Limits home rule powers.

LRB104 09139 RTM 19195 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Missing Middle Housing Act.

6 Section 5. The Illinois Municipal Code is amended by  
7 adding Section 11-13-31 as follows:

8 (65 ILCS 5/11-13-31 new)

9 Sec. 11-13-31. Middle housing development.

10 (a) As used in this Section:

11 "Cottage clusters" means groupings of no fewer than 4  
12 detached housing units per acre with a footprint of no less  
13 than 900 and no more than 1500 square feet each and that  
14 include a common courtyard.

15 "Middle housing" means:

16 (1) duplexes;

17 (2) triplexes;

18 (3) quadplexes;

19 (4) cottage clusters; and

20 (5) townhouses.

21 "New development" means the creation of any new parcel or  
22 lot, whether as a result of subdivision or otherwise, or the

1 new construction of any type of dwelling unit on a preexisting  
2 parcel or lot.

3 "Townhouse" means a dwelling unit constructed in a row of  
4 2 or more attached units, where each dwelling unit is located  
5 on an individual lot or parcel and shares at least one common  
6 wall with an adjacent unit.

7 (b) Except as provided in subsection (d) of this Section,  
8 for all new development after January 1, 2026, each city with a  
9 population of 25,000 or more shall allow the development of  
10 all middle housing types on lots or parcels with a total area  
11 greater than 5,000 square feet and that are zoned for any type  
12 of residential use.

13 (c) Except as provided in subsection (d) of this Section,  
14 each city with a population of more than 10,000 and less than  
15 25,000 shall allow the development of a duplex on each lot or  
16 parcel zoned for residential use that allows for the  
17 development of detached single-family dwellings. Nothing in  
18 this subsection prohibits a municipality from allowing middle  
19 housing types in addition to duplexes.

20 (d) This Section does not apply to:

21 (1) cities with a population of 10,000 or less; and

22 (2) unincorporated lands adjacent to or adjoining  
23 incorporated city boundaries.

24 (e) Municipalities may regulate siting and design of  
25 middle housing required to be permitted under this Section,  
26 provided that the regulations do not, individually or

1 cumulatively, discourage the development of all middle housing  
2 types permitted in the area through unreasonable costs or  
3 delay. Municipalities may regulate middle housing to comply  
4 with protective measures adopted under statewide land use  
5 planning goals.

6 (f) This Section does not prohibit municipalities from  
7 permitting:

8 (1) single-family dwellings in areas zoned to disallow  
9 for single-family dwellings; or

10 (2) middle housing in areas not required under this  
11 Section.

12 (g) A home rule unit may not regulate housing developments  
13 in a manner inconsistent with this Section. This Section is a  
14 limitation under subsection (i) of Section 6 of Article VII of  
15 the Illinois Constitution on the concurrent exercise by home  
16 rule units of powers and functions exercised by the State.