



REGULAR MEETING MINUTES

Date: 7/1/2020

Time: 6:30 p.m.

Regular Meeting Location: Zoom.us/join – ID #997-7506-7654

A. Chair Merriman called the meeting to order at 6:32 p.m.

B. Roll Call

Present: Bigelow, Conroy, Grove, Horst, McPherson, Merriman, Pimentel

Absent:

Staff: Deputy Community Development Director Rhonda Coffman,
Management Analyst II Mike Noce, Associate Planner Ori Paz

C. Public Comment

None.

D. Regular Business

D1. Approve minutes for the Housing Commission meetings of March 4, 2020

ACTION: Motion and second (Grove/Horst) to approve the Housing Commission meeting minutes of March 4, 2020, passed (6-0-1, Pimentel abstains).

D2. Presentation on accessory dwelling units (ADUs)

Associate Planner Ori Paz introduced the item and made the presentation. (Attachment)

- Michael Doran spoke about ADU impact fees.

ACTION: By acclamation, the Housing Commission shared interest in providing feedback to future ADU regulation changes and receiving staff presentations.

D3. Recommend City Council endorse the Schools and Communities First ballot measure (Staff Report 20-004-HC)

Chair Merriman introduced the item and allowed for discussion amongst the commission.

- Jennifer Bestor spoke against the Housing Commission endorsing the legislation due to concerns that funding for school districts and cities will be disproportionate throughout California.

ACTION: Motion and second (Grove/Pimentel) to recommend City Council consider directing staff to research and analyze the Schools and Communities First ballot measure with a focus on impacts to housing development, the City's general fund and small businesses, passed 6-1 (Conroy dissents).

D4. Housing Commission Chair and Vice Chair selection

Management Analyst Mike Noce shared that the Housing Commission should seek nominations for the position of Chair and Vice Chair in two separate motions. Each position needs to receive a majority of votes of the quorum present and voting. The Chair and Vice Chair selected will expect to serve through April 2021.

ACTION: Motion and second (Merriman/McPherson) to nominate Karen Grove as the Housing Commission Chair, passed unanimously.

ACTION: Motion and second (Grove/Bigelow) to nominate Rachel Horst as the Housing Commission Vice Chair, passed 6-0-1 (Horst abstains).

E. **Reports and Announcements**

E1. Subcommittee reports (10 minutes):

Below Market Rate (BMR) Housing Guidelines Subcommittee (Bigelow/Grove)

None.

Housing Policy Subcommittee (Conroy/Grove/Horst)

Conroy requested policies such as item D3 of the agenda be taken to a subcommittee for consideration in the future. Chair Grove reported that the short term rental ordinance will move forward to City Council and staff will be updating the commission moving forward.

Marketing Subcommittee (Bigelow/Horst/McGraw-Scherer)

None.

Notice of Funding Availability (NOFA) Subcommittee (Grove/McGraw-Scherer)

None.

Accessory Dwelling Unit Subcommittee (McPherson/Merriman)

Shared appreciation for the staff presentation on ADUs.

E2. Commissioner reports

Merriman shared observations about a recent shift in public sentiment for more support of affordable housing.

Pimentel reported on best practices being taken to promote work from home policies to assist in traffic reduction.

E3. Recommended future agenda items.

Commissioner suggested future agenda items:

- BAE study presentation
- Ad hoc subcommittee appointments
- Strategies for assisting at risk populations as a result of the pandemic

E4. Staff updates and announcements

Deputy Community Development Director Rhonda Coffman provided updates on:

- City Council approved the fiscal year 2020-2021 budget on June 23, 2020. Leading up to the approved budget the City Council held several meetings to discuss the expected \$13 million deficit.
- City staff who are able to work remotely are expected to do so through December 2020. Numerous City services have transitioned to an online platform.
- Staff is developing tools with SB 2 grant funding for additional outreach and will return to the Housing Commission for recommendations.
- Staff submitted a LEAP grant application on July 1.
- The Regional Housing Needs Assessment (RHNA) for housing allocations in San Mateo County has doubled from previous cycle allocation and Menlo Park is expecting a large increase due to being identified as a jobs rich area. Specific figures for Menlo Park have not been released to date.
- Staff is coordinating a presentation by BAE for the August Housing Commission meeting.
- Samaritan House has administered \$50,000 in rental assistance to 31 households. Staff is expecting an increase as a result of the San Mateo County rental eviction moratorium schedule to end in July.
- The short term rentals ordinance is expected to return to the City Council in late July or August.

F. Adjournment

Chair Grove adjourned the meeting at 9:01 p.m.

Mike Noce, Management Analyst II, Community Development

Approved by the Housing Commission on August 5, 2020




2020 ADU REGULATIONS
July 1, 2020





AGENDA

- Summary of New State Laws
- Adopted Urgency Ordinance
- Differences between Old and New Menlo Park Regulations – Example Detached ADUs
- Reference Materials
- Next Steps
- Questions





DEFINITIONS




- Accessory Dwelling Unit (ADU)
 - Formerly called Secondary Dwelling Unit, sometimes called granny unit or in-law unit
 - Can be detached, attached to main house or “interior” to main house
- Junior Accessory Dwelling Unit (JADU)
 - New category of ADU
 - Must be located within the main house
 - Must have independent kitchen, but can have shared bathroom
- Lot with “existing single-family dwelling”
 - Property developed with a SFR, SFR and ADUs, or up to two detached SFRs
- Lot with “existing multi-family building(s)”
 - Property developed with apartments, townhomes with shared walls, or more than two SFRs

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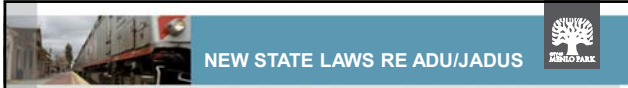
NEW STATE LAWS RE ADU/JADUS



- On January 1, 2020 six bills went into effect:
 - AB 68, AB 881, SB 13, AB 670, AB 671 and AB 587.
- Major changes promoting production include:

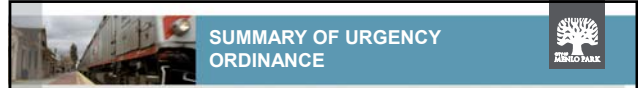
<ul style="list-style-type: none"> – Cities cannot enforce minimum lot size – New category of JADU created – Single-family zones: One detached ADU plus one attached or JADU permitted by right in all single family residential zones (3 units total) – Multi-family: Two detached ADUs and conversion of any uninhabited space for internal ADU’s (maximum 25% of units can convert) 	<ul style="list-style-type: none"> – Relaxed setback requirements (detached ADUs up to 800 sf) – Lot coverage, floor area limits or open space requirements must allow at least an 800 sf ADU – Defined parking requirements & “transit” clarifications – No impact fees (ADUs <750 sf) – 60 day “shot clock”
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NEW STATE LAWS RE ADU/JADUS

- Other State law changes
 - Cities cannot enforce owner-occupancy requirements on new ADUs (this sunsets on January 1, 2025)
 - Cities can still enforce owner-occupancy for pre-2020 ADU's
 - JADUs must have owner-occupant
 - No short term rentals of ADUs for newly created units (this sunsets on January 1, 2025)
 - Goal = promote affordable long term rental opportunities
 - Amnesty program: Five year stay of building code violations on unpermitted ADUs provided they meet health and safety standards
 - ADU's count towards Regional Housing Need Allocation (RHNA) (following existing guidance on how to calculate affordability)



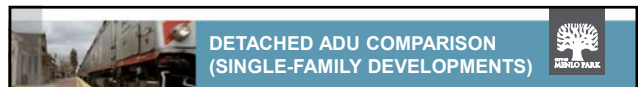
SUMMARY OF URGENCY ORDINANCE

- Number of ADUs
 - Authorizes up to two ADU's on all single family lots
 - Two detached and permitted conversions (up to 25% of units) in multi-family and mixed use zones allowing residential
- Floor Area Limit (FAL) & lot coverage
 - Allows 800 sf ADU to exceed FAL; ADUs over 800 sf count towards FAL and lot coverage
- Other changes to development standards
 - Eliminates minimum lot size
 - Eliminates subjective design requirements
 - Modifies standards for ADUs up to 800 sf, but must comply with standards if over 800 sf
- Discretionary process
 - Removes all discretionary requirements for ADU's; maintains use permit option for modification of all development standards except number of bedrooms and subdivision



SUMMARY OF URGENCY ORDINANCE (CONT.)

- JADUs
 - Creates a new category of ADU's called JADU
 - Permitted in all single family zones
- Short term rentals
 - Prohibited for all new ADUs' allowed for current ADUs
- Owner occupancy
 - Eliminates owner occupancy requirement for new ADU's; current ADUs must have owner occupancy
- Increases number of bedrooms and size
 - 2 bedroom maximum
 - Up to 1,000 sf
- No impact fees for ADUs <750sf



DETACHED ADU COMPARISON (SINGLE-FAMILY DEVELOPMENTS)

	Adopted Urgency Ordinance	Prior Regulations	Notes
Minimum Lot Size	None	6,000 sf	
Number of Units	2 ADUs (1 must be an interior ADU or a JADU, 2 nd detached)	1	A total of 3 including the primary dwelling
Maximum Unit Size	1,000 sf	640 sf	Max size is 1,000 sf More than 1,000 sf would require use permit
Subdivision	Allowed in limited cases	Not permitted unless each lot meets minimum lot requirements	Must be nonprofit
Setbacks	Front - same as primary dwelling Side and Rear - 4 ft	Same as primary dwelling, except 10 ft for the rear (or 5 ft side and rear if neighbor approval)	Increased setbacks for units greater than 800 sf

DETACHED ADU COMPARISON (SINGLE-FAMILY DEV.) – CONT.

	Adopted Urgency Ordinance	Prior Regulations	Notes
Max Number of Bedrooms/Baths	2/ho limit	1/1	More than 2 allowed with use permit
Floor Area Limit Exceedance	ADUs up to 800sf	Not allowed	ADU sf counts towards total floor area if ADU is greater than 800 sf
Lot Coverage Max Exceedance	ADUs up to 800sf	Not allowed	ADU counts towards total floor area if ADU is greater than 800 sf
Daylight Plane	None for ADUs up to 800sf	Yes	Existing DLP for ADUs greater than 800 sf
Parking	1 space; parking exceptions allowed	1 space; parking exceptions allowed	

DETACHED ADU COMPARISON (SINGLE-FAMILY DEV.) – CONT.

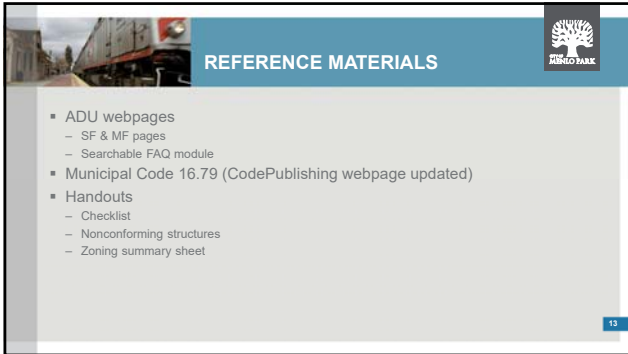
	Adopted Urgency Ordinance	Prior Regulations	Notes
Aesthetic similarity to primary dwelling required	No	Yes	
Owner Occupancy Requirement	No, for units issued a building permit after January 1, 2020	Yes	Continue non-tenancy registration process for existing ADUs and JADUs
Short Term Rental	Minimum 30-day lease required, for units issued a building permit after January 1, 2020	No restrictions	
Conversion of accessory buildings	Yes	Yes	
Amnesty	Yes, for five years	No	

WHAT ARE JUNIOR ADUS?

	Attached ADU	Interior ADU	JADU
Maximum Size	Greater of 800 sf or 50% existing home	Greater of 800 sf or 50% existing home	500 sf
Kitchen	Required	Required	Required, but small size permitted
Bathroom	Required	Required	Shared permitted
Separate entrance	Required	Required	Required
Parking	1 space generally	None required	None required
Owner occupancy	Not for new ADUs	Not for new ADUs	Required
Review process	60 days	60 days	60 days

ADUS - MULTI-FAMILY/MIXED-USE DISTRICTS

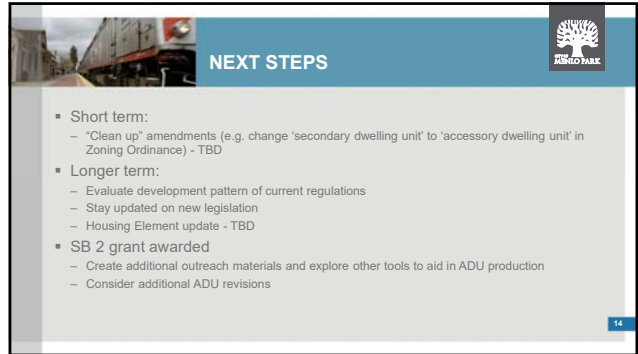
	Proposed Urgency Ordinance	Notes
Number of Units	Attached: Up to 25% of the existing units; min 1 Detached: 2	Attached units are allowed in addition to detached units
Maximum Size	1,000 sf (detached)	Up to 800 sf does not need to comply with maximum FAR for the site
Setbacks	Side and rear – 4 ft, detached units only	
Height	16 ft, detached units only	
Parking	1 space per detached ADU, none for interior	
Owner occupancy	Not required	
Short term rental	Not allowed	



REFERENCE MATERIALS

- ADU webpages
 - SF & MF pages
 - Searchable FAQ module
- Municipal Code 16.79 (CodePublishing webpage updated)
- Handouts
 - Checklist
 - Nonconforming structures
 - Zoning summary sheet

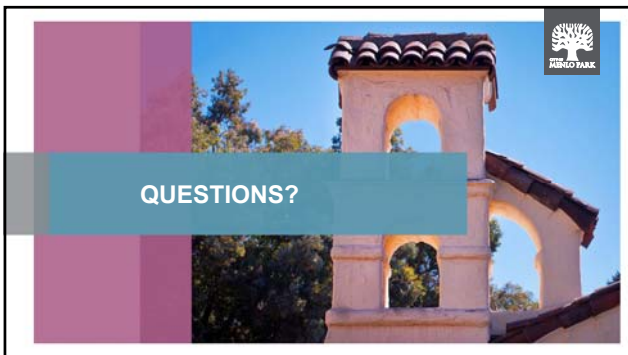
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NEXT STEPS

- Short term:
 - “Clean up” amendments (e.g. change ‘secondary dwelling unit’ to ‘accessory dwelling unit’ in Zoning Ordinance) - TBD
- Longer term:
 - Evaluate development pattern of current regulations
 - Stay updated on new legislation
 - Housing Element update - TBD
- SB 2 grant awarded
 - Create additional outreach materials and explore other tools to aid in ADU production
 - Consider additional ADU revisions

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QUESTIONS?