



# ADU Ordinance update

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# Purpose

- Introduce and waive the first reading of an ordinance to repeal and replace Chapter 16.79 of the Menlo Park Municipal Code (Accessory Dwelling Units Ordinance)
  - ADU Ordinance update to comply with State law and establish local objective standards for applicable ADUs
  - Housing Element implementation
    - Program H2.D: ADU Amnesty Program
    - Program H3.I: Accessible ADUs
    - Program H4.F: Modify ADU Development Standards and Permit Process
    - Program H7.A: Create Objective Residential Design Standards



# State ADUs and Local ADUs Overview

## ■ State ADUs (GC §66323)

- Limited regulations
- Types of ADUs
  - Detached ADUs up to 800 sq. ft.
  - Conversion/internal ADUs
  - JADUs
- Single-family: Up to 3 units
- Multi-family:
  - Internal ADUs: at least 1 and up to 25% of on-site units
  - Detached ADUs
    - Existing bldg: Up to 8 units
    - New bldg: Up to 2 units

## ■ Local ADUs (GC §66314)

- Local objective standards
- Types of ADUs
  - Attached ADUs
  - Detached ADUs exceeding 800 sq. ft.
- Single-family: 1 unit max
- Multi-family: 1 unit max

## Planning Commission recommendation

- Recommended City Council adopt the ordinance with modifications, 4-2, with one commissioner absent (April 13)
  - Eliminate parking minimums for all ADUs
  - Allow ADU to exceed the total FAL/FAR by up to 800 sq. ft. for initial construction and subsequent modifications
- Planning Commission also recommended that the City Council direct staff to evaluate ADU subdivisions as a separate future effort

## State ADU regulations

- Maximum sq. ft.
  - New detached ADU: 800 sq. ft.
  - Conversion/internal ADU: > 50% of existing primary dwelling
    - Subject to maximum FAL/FAR
  - JADU: 500 sq. ft.
- Front setback: must allow for 800 sq. ft. ADU
- Side/rear setback: 4 ft.
- Height (Detached ADUs)
  - Single-family: 16 ft.
  - Single-family: 18 ft. if within ½ mile of major transit stop, and up to 20 ft. to match primary residence roof pitch
  - Multi-family: 18 ft.
- Parking: none

# Proposed Local ADU regulations

- Setbacks:
  - Front: must allow for 800 sq. ft. ADU
  - Side/rear setback: 4 ft.
- Height:
  - Detached: same as State ADUs
  - Attached: 25 ft. or zoning district height limit, whichever is lower
- Daylight plane and building profile, when applicable
- Interior access:
  - Two independent locking doors
  - California Building Standards Code
- Covered porch: 20% of livable space
- Exterior lighting: shielded and downlit
- Parking: none



## Proposed Local ADUs regulations (continued)

- Square footage:
  - Attached ADU: < 50% of existing primary dwelling
  - All Local ADUs: 850 sq. ft. for up to one bedroom and 1,000 sq. ft. for more than one bedroom,
    - Additional 100 sq. ft. if ADU is an accessible unit
    - May exceed the FAL or FAR by up to 800 sq. ft. (900 sq. ft. for accessible unit)
  - Guaranteed allowance:
    - One ADU may exceed the total FAL/FAR by up to 800 sq. ft. for initial construction and subsequent modifications



## Staff Recommendation

- Waive the first reading of an ordinance to repeal Chapter 16.79 of the Menlo Park Municipal Code (Accessory Dwelling Units Ordinance) and replace it with the new ADU Ordinance
- Authorize staff to complete non-substantive corrections prior to HCD submission

## Next steps

- City Council first reading tonight (May 19)
- HCD review
  - Staff to submit following introduction of ordinance
- June 9, 2026 City Council second reading (tentative)
- Ordinance effective 30 days from adoption
  - July 9, 2026





Thank you