

Stephanie Rojas

From: Katie Pettit <kmp@chattenbrownlawgroup.com>
Sent: Wednesday, March 11, 2026 11:55 AM
To: Esther Sanchez; Eric Joyce; Rick Robinson; Jimmy Figueroa; Peter Weiss
Cc: City Clerk; Daniel Kim
Subject: Comments on Agenda Item #22 (File Number 26-1268)

EXTERNAL MESSAGE: Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

Dear Mayor Sanchez and Honorable Councilmembers:

I request that City Council consider the below revisions to its ADU code. A 2nd story "ADU" (to be used as an entertainment room, not housing) is going in next door, looking down into our home and backyard on 1044 S Ditmar Street. I have attached photos of just the garage, which does not even have the ADU on top yet.

Our good friend down the road from us had a 2 story ADU go up in her neighbor's backyard on Nevada St that now looks directly into her bedroom. I have attached a photo of her situation below. I know other Oceanside residents who now feel uncomfortable in their homes because two-story ADUs were constructed to look into their windows, backyards, etc. There can be a balance between a pathway for affordable ADU housing, without taking away people's comfort in their homes.

These revisions would not change our situation, but hopefully, they will help others. Therefore, we ask that you consider the following revisions:

- Limit detached ADUs to 18 feet within 1/2 miles of transit, and 16 feet outside of 1/2 miles of transit, as allowed by State law.
- Remove from Section 3006 (ADU ordinance) the following language: "Roof top decks shall be permitted in accordance with Article 30, Section 3018."
 - Our neighbors told us they previously received approval for 3 stories. Section 3018, "Exceptions to Height Limits," states: "The following structures may be allowed to exceed applicable base zoning district limits by no more than **ten feet**" and lists stairway enclosures and rooftop decks.
 - 30 ft+ ADU rooftop decks do not further affordable housing. Rather, this would seem to produce expensive, not affordable, ADUs. The City should analyze affordability levels for one-story versus two story ADUs--I imagine that the affordable ADUs are the one story ADUs, not two story ADUs with rooftop decks (see below).
 - Also, 10 feet past code for a rooftop deck for primary units is also excessive Something to consider.
- Explore options to require applicants to attest they intend to use the ADU for housing as part of the application form, even if City cannot monitor/enforce. Non-residential structures (like entertainment rooms) are limited to 12 feet and under under code. This could potentially prevent some gaming of the system.

- Explore options to limit windows/balconies looking down into homes if second story ADUs are not removed from code allowances. The structure that will go in above us has windows looking down onto both us and the neighbor on the other side.

Thank you for your consideration.

Sincerely,
Katie & Dan
Ditmar Steet:





Nevada Street:



Kathryn Pettit

Associate



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 (619) 393-1440

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From: Katie Pettit <kmp@chattenbrownlawgroup.com>
Sent: Wednesday, March 11, 2026 12:02 PM
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Dear Mayor and Councilmembers,

As I was drafting and revising my comments, I forgot to remove the stricken language below. This sentence was initially at the beginning of my email, and is in reference to my request that Council consider removing the rooftop deck allowances from the ADU ordinance. Apologies for any confusion.

"The City should analyze affordability levels for one-story versus two story ADUs--I imagine that the affordable ADUs are the one story ADUs, not two story ADUs with rooftop decks (~~see below~~)."

Sincerely,
Katie

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