

144 Wood Road Site Development and Architectural Approval Timeline -- Subject Property APN 510-47-045

8/26/14	Certificate of compliance approved by the Town via Development Review Committee to legalize the subject property.
10/26/16	Lot line adjustment for the subject property recorded by the Town.
1/3/17	Santa Clara County Fire Department (SCCFD) fire truck turnaround recorded by the Town as part of easement #23549384.
May-20	Appellant engages local well-regarded architect who evaluates subject property and also engages the Town to confirm residential build viability.
Jun-20	Subject property (APN 510-47-045) is purchased by appellants with intent to obtain approval for and build single-family residence.
Jan-21	Appellants submit site development and architectural application (S-21-003).
3/3/21	Building and Engineering departments mark application as complete.
5/19/21	Technical project review meeting held with staff representatives of Town departments, including SCCFD. SCCFD representative provided final technical feedback on features required to receive approval, including contemplation of site access. Project plans were updated accordingly.
6/10/21	Planning department marks application as complete.
6/15/21	SCCFD requests to amend their previous comments to request more water tank capacity, an increase to 20,000 gallon capacity. Appellant agrees and project plans are updated accordingly.
6/22/21	Appellant receives approval for S-21-003 from SCCFD with final conditions of approval, encompassing its review, inclusive of site access.
6/23/21	Appellant is notified that the application S-21-003 was in line for Planning Commission review and public hearing with a tentative date of 7/28/2021.
7/8/21	Notification period of hearing begins.

7/28/21	Formal Planning Commission review and public hearing meeting is held. As part of the Planning staff report, staff recommends approval of the project. Project review is continued to a date certain of August 25, 2021.
8/25/21	Formal Planning Commission review and public hearing meeting is held. Planning Commission approves architectural and site development application S-21-003 and delivers final conditions of approval to obtain building permits for the project.
9/9/21	Appellant is notified by the Town that the appeal period has closed and no appeal was filed, confirming Planning Commission approval.
9/13/21	Appellant receives letter from the Town stating that the project had been approved by the Planning Commission and final conditions of approval had been rendered.
10/5/21	Appellant has documents for grading permit (GR21-354) issuance submitted to the Town.
10/15/21	Appellant's documents for building permit issuance for retaining walls supporting new driveway and pad for water tanks are received by the Town (B21-1015).
10/28/21	Town communicates to appellant that grading permit (GR21-354) review is nearly complete with need to only confirm owner, applicant and contractor information, address minor comments, and pay remainder of grading fees. No notations regarding site access are mentioned.
12/16/21	Appellant has construction documents for issuance of single-family home building permit (B22-0025) submitted to the Town.
1/10/22	Application B22-0025 is noted as complete and ready for review by Town departments.
2/3/22	Application B22-0025 is noted as denied by SCCFD.
2/8/22	Appellants deliver deed restrictions to Town per requests, unaware of denial at this point. Planning is also unaware at this point.

3/10/22	Appealants notified by architect of SCCFD issues noted in review of grading permit (GR21-354). At this point appelants had not directly heard about this issue from any other sources. Additional inquiry reveals that issues will also block building permit B22-0025. Additional inquiry also reveals that there is a proposed amendment to PRC 4290 implementation that would absolve existing roads. Inquiries reveal that most counties were waiting on proposed amendments and taking time for interpretation before proceeding with a forma of implementation.
5/17/22	Civil engineer informs appealants that the proposed amendments were being amended in a manner that makes implementation of PRC 4290 with respect to existing roads less clear.
5/18/22	Civil engineer informs appealants that her interpretation of the SCCFD disapproval letter from 2/3/2022 is that she believes that it (SCCFD) was requesting a full blown road study/design of Wood Road (public roadway).
5/19/22	Appellant raises concerns with civil engineer for feedback related to altering conditions of approval after final conditions of approval have been issued.
5/19/22	Appellant agrees with civil engineer to resubmit, due to lack of clarity from SCCFD.
5/19/22	Appellant notes to civil engineer and architect that an attempt to alter final conditions of approval after final conditions of approval have been issued is problematic for the Town.
5/26/22	Appellant meets with Planning at the Town's offices to understand what is known regarding the application of PRC 4290. Planning notes that there is lack of clarity regarding the application of PRC 4290 and makes the suggestion that Appellant reach out to SCCFD and offers to help with the process.
5/26/22	Planning provides contact information for SCCFD representative.
5/26/22	Appellant sends communication to SCCFD representative related to building permit application (B22-0025) noting that the new conditions introduced were not part of the final conditions of approval. Appellant requests a meeting to achieve clarity.

5/27/22	Appellant inquires of Planning to review information related to subdivision application M-14-003, which was approved by the DRC on August 26, 2014. Planning agrees to meet at noon PT on June 23, 2022 to review information.
6/7/22	Appellant sends follow up communication to SCCFD representative requesting a meeting.
6/16/22	SCCFD, Planning and appellants have a meeting to discuss notations on building permit application (B22-0025). SCCFD representatives note that they are not yet completely clear on how the requirements apply to the project and how appellants might be able to address compliance with the new proposed conditions of approval. SCCFD representative suggests that appellants look at whether their zoning HR-5 might allow for them to meet the dead-end length requirement. SCCFD suggests openness to considering the segment of Wood Road from intersection of South Santa Cruz Ave and Wood Road up to subject property driveway. SCCFD representative suggests that appellants conduct a road survey to see if we comply and notes that SCCFD can help by providing data that they've received on other projects.
6/16/22	Appellants resubmit building permit request (B22-0025) for review doing the best they can to address questions from SCCFD.
6/17/22	Town contacts appellant noting that building permit B21-1015 for retaining walls for driveway and water tanks pad (B21-1015) has been approved and noted as: "ready to issue". Appellant notes that the expiration on the B21-1015 application is 12/13/2022 if it is not issued. Appellant notes concern with having the B21-1015 permit issued, because the time window to permit vesting would begin and there is no clarity on addressing SCCFD issues.
6/20/22	Appellant sends a communication to SCCFD representatives informing them of SCCFD's approval on June 22, 2021 of appellant's site development and architectural plans inclusive of site access, which align with appellant's final conditions of approval. Appellant raises concerns that final conditions of approval should not be altered.

6/22/22	SCCFD representative responds to communication from 6/20/2022 referring to 4290's application applying for building permits, but does not consider that in Los Gatos the application for approval of a site and architectural design is part of the building permit process and intimately linked.
6/27/22	Appellant receives notification of SCCFD rejection of resubmittal of building permit request (B22-0025) submitted 6/16/2022.
6/28/22	A second SCCFD representative responds to communication from 6/20/2022 with a similar response as other SCCFD representative, but also not considering that the application for approval of a site development and architectural plan is part of the building permit process and intimately linked.
6/28/22	<p>Appellant sends the following response to SCCFD representatives: "Thank you both for the replies. We really appreciate it, particularly as you are both very busy professionals. Further, I understand that these items are not for you to interpret, but rather to enforce. I will note that it's both inconsistent and spurious to have a rigorous site architectural planning and approval process with conditions of approval in hand, submit in a timely fashion building permits that meet those requirements and then subsequently face arbitrary application of regulation to a public road. As you can imagine, we've incurred substantial costs from the time of our approval to the submission of the building permits, which is dismaying. Forgive my candor...</p> <p>We are in the process of retaining (at our cost) a third party civil engineer to survey the public road leading to our parcel. I believe you were going to see if you provide some direction as to what could be suitable for the evaluation of the road. If you have anything that could be helpful, we would appreciate it. We look forward to re-connecting after the survey work has been completed.</p> <p>Thanks again for the help!"</p>

July - August 2022	Appellant takes significant steps to have full road survey completed at personal cost.
7/22/22	Appellant sends communication to SCCFD representatives updating them that the road survey is nearly complete and appellant would like to review it with them for feedback.
8/4/22	Appellant sends a follow up communication to SCCFD representatives requesting a meeting to discuss the road survey.
8/4/22	Appellant sends a communication to Planning asserting that introducing new conditions of approval represents an attempt to alter final conditions of approval and appellant would like this addressed.
Early August 2022	Planning reaches appellant via phone. Notes that Planning is starting to become aware of the impact PRC 4290 is having on applicants and notes that Planning is looking into it.
8/18/22	Appellant sends topographical road survey to civil engineer for consideration -- she responds: "the road up to our driveway is more or less compliant".
8/19/22	Responding to communications from 7/22/22 and 8/4/22, representative from SCCFD responds to set a follow up meeting.
8/22/22	Appellant sends topographical road survey to SCCFD and Planning for discussion at future meeting.
8/22/22	Appellant sends topographical road survey to architect.
8/30/22	Appellant sends follow up communication to SCCFD representatives requesting a meeting to discuss topographical road survey.
8/30/22	Appellant shares draft letter to Town sharing concerns regarding entire situation with architect.

9/1/22	Appelants meet with SCCFD representatives and Planning regarding topographical road survey results. SCCFD representatives note that the .dwg file cannot be read by them, but seem pleased with the .ppt file that includes raw data. SCCFD representatives encourage appelants to resubmit request for building permit B22-0025 with survey information and notes if not approved than appelants should follow up with an AMMR (exception) request. SCCFD representative follows up immediately after meeting with a link to the AMMR application for exception request.
9/1/22	Appellant communicates with Planning requesting clarification for SCCFD that subject property has a zoning designation of HR-5, which has implications related PRC 4290 road length compliance. Planning responds noting that a conversation with a SCCFD representative occurred that day and the zoning designation had been clarified.
9/7/22	Appelants communicate with architecture team regarding resubmittal of building permit request B22-0025, pulling together a comprehensive package with the topographical road survey and supporting documentation.
9/8/22	Appellant has building permit request B22-0025 resubmitted with plans for review with full analysis of Wood Road (public roadway) based on 9/1/2022 discussion with SCCFD.
9/8/22	Appellant sends communication to SCCFD representatives noting that they have resubmitted their building permit B22-025 request based on their input with full analysis regarding Wood Road, the underlying bases of the resubmittal was discussed with them on 9/1/2022.
9/8/22	SCCFD representative replies to appellant communication from 9/8/22 that he has more "follow up research" that he needs to conduct.
9/8/22	Appellant sends communication to architect to update him on status commentating that appellant is not sure what the follow-up research consists of.
9/20/22	Appellant follows up with SCCFD representative regarding follow up research to clarify whether it has been completed.

9/23/22	SCCFD representative responds to communication from 9/20/22 noting that SCCFD was trying to interpret a component of the PRC 4290 regulations that deal with zoning and roadway length and that they "still have some hurdles to navigate for your project". SCCFD representative notes that SCCFD will follow up with appellant.
9/26/22	Appellant responds to SCCFD representative communication from 9/23/22 noting that appellant is unclear on "how such clear language regarding zoning, which has been confirmed by the Town can be overlooked".
10/6/22	Appellant sends follow up inquiry to SCCFD representatives. Appellant notes that all Town disciplines have approved building permit B22-025 after comparing the submission against the final conditions of approval and notes that appellant is looking forward to SCCFD's response.
10/6/22	SCCFD responds to appellant noting that SCCFD will make a site visit on that day to be able to develop a complete picture of the project.
10/18/22	Appellant sends follow up communication to SCCFD representatives inquiring on feedback coming out of site visit and direction on next steps.
10/19/22	SCCFD representative responds to appellant that he is coordinating a call with Cal Fire to interpret a component of the PRC 4290 regulations that deal with zoning and roadway length.
10/19/22	Appellant sends communication to SCCFD representatives noting appellant's own research based on a detailed, public review that Napa County planning hosted to discuss how it was intending to interpret and eventually implement PRC 4290. Appellant notes that Napa County planning will interpret this component of PRC 4290 as relating to parcel zoning in terms of dictating dead-end road length. SCCFD representative requests Napa planning information for follow up. Appellant provides Napa County planning contact information and provides additional background regarding the manner in which the PRC 4290 regulations are being interpreted and implemented, which is significantly different than Santa Clara County.

10/21/22	SCCFD representative sends a communication to appellants noting that SCCFD will support the "zoned for language" that SCCFD representative first highlighted for the appellants during their 6/16/2022 meeting. SCCFD representative mentions "other concerns around slope and turnaround".
10/21/22	Appellant responds to the communication that the comment regarding the turnaround is "a little surprising" and appellant requests clarification.
10/24/22	Appellants meet with SCCFD representatives to discuss building permit package B22-025 and what is included. Meeting participants discuss the road survey analysis first sent on 8/22/22 and other aspects of the project. Appellants leave the meeting believing that they have addressed the practical issues related to PRC 4290 first raised in February 2022.
10/26/22	SCCFD representative communicates with appellants and Planning, suggesting that SCCFD still has issues with road grades and turnarounds and that appellants should address those issues via an exception (AMMR) request. This is surprising to appellants as it sounded as though they might be able to address these issues from a practical standpoint with the submission made on 9/8/2022. SCCFD representative further notes that he will have a fire apparatus sent to the site for a test drive and that he will follow up after he meets with the engine company on site .
10/27/22	Appellant sends documentation from lot line adjustment and covenant of easement (#23549384) recorded in January of 2017, which documents a SCCFD fire truck turnaround at the terminus of Wood Road. SCCFD representative seems pleased with this information and how it could support our application.
10/27/22	Appellant has seven-page letter sent to the Town voicing concerns related to the response to their building permit request (B22-0025).
10/31/22	Appellant sends communication to SCCFD representatives requesting whether a date for the fire apparatus test drive can be provided.

11/3/22	SCCFD representatives send appellants and Planning a communication indicating that they believe the building permit request (B22-0025) is on a path to resolution. The note also confirms that SCCFD representatives have coordinated a site visit with the engine company for 11/4/22.
11/3/22	Appellant responds to SCCFD representative with support and offers to help with facilitation.
11/4/22	SCCFD conducts fire apparatus drive through. Appellant attends to observe. Neighbors also observe. Drive through is conducted without issue. Appellant speaks with fire fighters conducting the drive through and they note that navigating the road is not an issue. The fire apparatus makes a successful turnaround in the the SCCFD turnaround from easement #23549384, recorded on January 3, 2017.
11/7/22	Appellant sends a communication to SCCFD representative noting that the fire apparatus trip was successful and inquiring on next steps.
11/15/22	Appellant sends a follow up communication to SCCFD representatives.
11/16/22	SCCFD informs appellant that an exception (AMMR) request is required.
11/16/22	Appellant begins working on exception (AMMR) request with architect team and civil engineer based on feedback from SCCFD representative.
11/30/22	On behalf of appellant, architect submits draft exception (AMMR) request for preliminary review and receives guidance on draft from SCCFD representative with an inquiry regarding a full road profile to help visualize the slopes along the entire road. At this point, it is not clear to appellant what intervals of slope to provide or that the road survey with raw data first provided on 8/22/22 is insufficient.
12/2/22	Appellant inquires of civil engineer regarding submission of an extension request for building permit B21-1015 due to pending expiration on 12/13/2022. Appellant remains hesitant to have the permit issued, because the time window to permit vesting would begin and there remains no clarity on addressing SCCFD issues.

12/5/22	Appellant sends updated electronic exception request with three-page letter, providing substantial information on Wood Road (public roadway) along with the full topographic road survey with raw data, discussion of the SCCFD fire truck turnaround (easement #23549384), noting addition of a fire truck turnout at the subject property driveway entrance as well as other substantial elements introduced in the site development and architectural plans to improve fire safety on the vacant subject parcel.
12/9/22	SCCFD representative requests that appellant send the updated exception request for formal review.
12/12/22	Signed physical documents (exception request) are provided to SCCFD.
12/16/22	Appellant follows up on status and SCCFD representative states that he doesn't see the exception request in the system and mentions there are fees owed for the exception request review. SCCFD representative notes that he will review the application with his supervisor. Appellant confirms that the documents were provided on 12/12/2022. SCCFD representative confirms receipt of the documents.
12/16/22	Appellant submits and pays fees associated with an extension request for building permit B21-1015, due to unresolved SSCFD issues. Aa 180-day extension from the date of expiration is provided.
1/3/23	Appellant sends a communication to Planning noting that appellants have not received resolution to our building permit submission and that his final conditions of approval confirmed on September 13, 2021 are being altered significantly and that he has not received a response to concerns sent in letter form on 10/27/2022.
1/18/23	SCCFD sends a communication addressed to architect, appellant and Planning noting that the exception request has been denied citing road grade and turnarounds.

1/19/23	Meeting occurs with Planning. Planning suggests that the path forward for appellants is to appeal denial of exception request from SCCFD to planning commision. Appellants suggest that alteration of final conditions of approval after Planning Commission approval is a violation of permit streamlining and a violation of Town guidelines. Appellants agree to pursue a parallel track, preparing an appeal to the denial of the exception request while asking the Town to evaluate concerns raised.
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