



January 30, 2023

Omari and Kavita Bouknight
[REDACTED]
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RE: 144 Wood Road
Building Permit B22-0025
California Code of Regulations §1273 Exception Request Denial

Dear Mr. and Mrs. Bouknight,

The application for Architecture and Site Approval to construct a single-family residence at 144 Wood Road was approved by the Town of Los Gatos Planning Commission on August 25, 2021 with the final conditions of approval confirmed by the Town on September 13, 2021. As part of the review process, the application was reviewed and approved by Santa Clara County Fire Department (SCCFD) with conditions of approval on June 22, 2021. Subsequent to the planning approval, SCCFD has denied the building permit application because site access from the existing Wood Road doesn't meet the state's Fire Safe Regulations for access codified in the California Code of Regulations (CCR) §1273. The assertion of these regulations would in effect be an alteration of your final conditions of approval.

On January 18, 2023, Robert Campbell, Senior Fire Protection Engineer, with SCCFD denied the application for an exception request. Mr. Campbell notes that along certain segments, the slope of Wood Road exceeds the 16% maximum allowed vis-à-vis the regulations and a turnaround is required at 1,320 feet from the intersection of Wood Road and Santa Cruz Avenue.

Existing Conditions

The subject property is located on the north side of Wood Road, at the end of the public portion, which is maintained by the Town. A full survey of Wood Road was prepared by Calvada Surveying, Inc in August 2022. The survey shows that the proposed driveway for the new residence is approximately 1,633 feet from the intersection of Santa Cruz Avenue and Wood Road. The first 500 feet of Wood Road is below 16% and a 150 foot section starting around 1000 feet from the intersection is below 16%. The remaining 987 feet of Wood Road to the proposed driveway exceeds 16%, varying between 16.9% and 21.8%. The elevation difference of the noncompliant road is 216 feet. The average slope density is 18.75% and the average slope is 16.03%

There is an acceptable turnaround approximately 1925 feet from the intersection of Santa Cruz Avenue and Wood Road.

Conclusion

Altering your final conditions of approval with imposition of these slope and turnaround requirements would introduce physically impossible requirements. It is not physically possible to improve the existing Wood Road to meet the slope and turnaround requirements of CCR §1273. Slope is a simple function of the elevation difference divided by the length. The roughly 1,133 foot length of noncompliant road has an average slope of 18.8% so it is not possible to reduce the slope to 16% within the existing right of way. Wood Road would require an additional 198 feet to reduce the slope to 16%.

Therefore, in order to meet the requirements of CCR §1273, 1,150 feet of Wood Road would need to be completely reconfigured and reconstructed. Additional land would need to be acquired to provide the space needed for the turnaround and to provide space for the switchback horizontal curves that would be required to increase the length of the road to reduce the slope.

There are two existing driveways taking access from Wood Road in the area that would need to be reconstructed. If the road is lowered to reduce the slope, these driveways might not have a feasible point of connection to Wood Road.

It may be conceptually feasible that given enough money, Wood Road could be reconfigured and reconstructed to meet the access requirements of CCR §1273, however, given the constraints of the topography and existing development taking access from Wood Road, in reality it is physically infeasible to meet these requirements regardless of financial resources.

I cannot accurately or practically estimate how much it would cost to acquire the additional private lands to provide the space or to obtain the easements from the Town for the rights to reconfigure and reconstruct Wood Road given its public features, but I can estimate that the costs to reconfigure and reconstruct the road with the grading, creation of switchback horizontal curves and extension of an additional 198 feet would easily be in the millions of dollars. Cost of land acquisition and negotiation of easements would be in addition to that not to mention having to navigate the disruption to the existing driveways.

In short, compliance as requested is physically infeasible, riddled with regulatory hurdles and cost prohibitive for a private resident.

Regards,

Teresa Price, P.E.