



SANTA CLARA COUNTY FIRE DEPARTMENT

14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

November 21, 2022

Joel Paulson, Town of Los Gatos Community Development Director
110 E. Main Street
Los Gatos, CA 95030

Re: Appeal to Exception Denial for State Minimum Fire Safe Regulation for Property
Located at 17121 Crescent Drive, APN 532-21-007

Dear Mr. Paulson,

This letter offers comments on the above-referenced appeal of the Santa Clara County Fire Department's (SCCFD) denial of an exception to the State Minimum Fire Safe Regulations. SCCFD's position on this project is summarized in its AMMR comments and has not changed.

SCCFD staff have worked closely with the applicant over several months and regret that the project has not met the minimum standards for approval. The single outstanding deficiency is the length of the dead-end road, which does not satisfy the required Minimum Fire Safe Regulations. The location of the project on Crescent Drive is over twice the allowable distance for the property increasing the risk of entrapment of civilian and first responders during evacuation using approved emergency vehicle access roads.

The materials submitted in support of this appeal and the corresponding Staff Report raise several other issues. First, the applicant has not explained the methodology used to develop the \$4.5 million estimate for improvements to the bridal path. The Staff Report relies heavily on the \$4.5 million estimate, but the applicant has not offered any materials from a qualified engineer or equivalent professional to support it.

Second, the applicant incorrectly states that SCCFD is the only fire safety department in California interpreting and applying the Fire Safe standards to include existing roads. The Santa Clara Unit of CALFire also applies the Fire Safe Regulation to include existing roads.

Next, the analysis in the Staff Report does not properly consider the current value of the subject property, which includes the value of the existing home. SCCFD and the Town have also approved the construction of an ADU on the property, and the applicant can move forward with the ADU with the existing structure in place.



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Finally, the proposed resolution of this appeal lacks clarity about the next steps for this project. If the appeal is granted, the Town should provide clear direction for any subsequent review by SCCFD and should reference appropriate state or local fire safety standards consistent with California law. SCCFD staff will be present at the Planning Commission's special meeting and will be prepared to respond to questions.

Respectfully,

Hector Estrada
Deputy Chief