



County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070
Planning (831) 454-2580 Public Works (831) 454-2160

March 6, 2025

Matson Britton Architects
Attn Cove Britton
728 N Branciforte
Santa Cruz, CA 95062

Subject: **Final Determination Regarding Appeal**
Application #: **241450**; Assessor's Parcel #: **028-242-25**
Owner: **Alex MacDonell**

Dear Cove Britton:

This letter shall serve as the final written determination regarding the appeal of Planning staff's December 27, 2024 completeness determination.

On February 12, 2025, the Planning Commission, after a duly noticed public hearing, took action to deny the appeal filed on January 9, 2025 by John Flynn of Nossaman LLP challenging the Planning staff's determination that Application #: 241450 is incomplete. In denying the appeal, the Planning Commission determined that the County timely reviewed the Application, and that the project was not deemed complete pursuant to Government Code Section 65943(a).

Furthermore, this letter memorializing the Planning Commission's action to deny the appeal meets the requirement to provide a final written determination by the agency on the appeal within 60 days of receipt of the written appeal. (Gov. Code § 65943(c).) Under Government Code Section 65943, the County shall provide that the right of appeal is to the governing body or, at their option, the Planning Commission, or both. Pursuant to SCCC 18.10.320(A)(1), the County provides the right of appeal of a staff determination of application completeness to the Planning Commission.

In accordance with Santa Cruz County Code section 18.10.340, any action or determination by the Planning Commission may be appealed to the Board of Supervisors. However, the appeal may only be heard if the Board determines by a motion of at least three votes that it has found adequate grounds to take jurisdiction. County Code section 18.10.340(C) states:

The Board of Supervisors will not take jurisdiction of an appeal and grant further review of a matter unless the Board finds that there is a prima facie showing on the basis of available evidence that there was an error or abuse of discretion on the part of the Commission. . . ; or that there was a lack of a fair and impartial hearing; or that the decision appealed from is not supported by the facts presented and considered at the time the decision appealed from was made; or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision appealed from

was made; or that there is either error, abuse of discretion, or some other factor which renders the act done or determination made unjustified or inappropriate to the extent that a further hearing before the Board is necessary.

We have received your February 26, 2025 appeal to the Board of Supervisors of the Planning Commission's final determination. A consideration of whether the Board should take jurisdiction will be scheduled on the next available agenda of the Board of Supervisors for which agenda submittal deadlines can be met. You will receive notice of the hearing at least 10 calendar days prior to the date set for the hearing.

As specified in the letter dated December 27, 2024, additional information continues to be necessary in order for your application to be deemed complete. If you have misplaced your copy of the letter that was mailed to you describing the required materials, please contact your project planner for an additional copy.

Please submit the requested information and/or materials by 5:00 p.m., **June 4, 2025**. All requested materials must be submitted digitally through the ePlan portal by the above listed deadline.

Pursuant to County Code section 18.10.430, the application will be considered abandoned and a partial refund may be issued per the fee schedule (or a refund/billing of the final At Cost account balance will be generated) if the requested information/materials are not submitted within a specified time period as determined by the type of application.

Alternatively, you may withdraw the application and any unused fees will be refunded to you. If you decide to withdraw the application, please send me a letter confirming this.

Should you have further questions concerning this application, please contact me at:
(831) 454-3118 or e-mail: nathan.macbeth@santacruzcountyca.gov

Sincerely,

Nathan MacBeth

Nathan MacBeth
Project Planner
Development Review

Cc: Alex MacDonell
John Flynn, Nossaman LLP