



ORDINANCE NO. 2013-01

AN ORDINANCE OF THE CITY OF TRINIDAD **AMENDING SUBSECTION D OF SECTION 17.72.100 AND DELETING SUBSECTIONS C AND D OF** **SECTION 17.72.120 OF THE TRINIDAD MUNICIPAL CODE (AMENDING SUBSECTION D OF SECTION** **7.14 AND DELETING SUBSECTIONS C AND D OF SECTION 7.16 OF THE COASTAL COMMISSION** **CERTIFIED ZONING ORDINANCE).**

The City Council of the City of Trinidad does hereby ordain as follows:

ORDINANCE 2013-01, SECTION 1:

Subsection 17.72.100.D of the Trinidad Municipal Code (subsection 7.14.D of the Coastal Commission certified Zoning Ordinance) is hereby amended as follows:

Chapter 17.72 Variances, Conditional Use Permits and Design Review

17.72.100 Appeals

D. Filing Requirements. Appeals to the planning commission, hearings officer or city council shall be addressed to the appellate body on a prescribed form and shall state the basis of the appeal. Appeals shall be filed in the office of the city clerk within the appeal period provided in Section 17.72.060 (7.11). ~~There shall be no fee for filing an appeal. Fees for appeals shall be set by resolution of the city council and may be modified from time to time by resolution of the city council. The city clerk shall determine from the records whether the appellant submitted comments on the issue being appealed to each previous appellate body. Only if such comments have been submitted shall an appeal be accepted, unless the appellant can demonstrate that there were valid reasons why he could not attend the hearings or submit written comments. As part of the filing of an appeal, the appellant shall submit documentation that they submitted comments, either in writing or verbally, to each previous decision-making body. If such comments were not submitted, the appellant shall demonstrate that there were valid reasons why he/she could not attend the hearings or submit written comments. Failure to do so will result in the appeal being rejected by the appellate body.~~

ORDINANCE 2013-01, SECTION 2:

Section 17.72.120 of the Trinidad Municipal Code (section 7.16 of the Coastal Commission certified Zoning Ordinance) is hereby amended as follows:

Chapter 17.72 Variances, Conditional Use Permits and Design Review

17.72.120 Application fees.

A. The city council shall by resolution establish a schedule of fees, charges and expenses for variances, conditional use permits, design review, coastal development permits and amendments to the zoning map and other matters pertaining to this title. The schedule of fees may be changed or modified only by resolution of the city council.

B. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application, or other matters for which a fee, charge or payment of expense is required by this title or the fee schedule resolution adopted pursuant thereto.

~~C. Any municipal, political or governmental corporation, district body, or agency is exempted from payment of any fee or charge in connection with an application for any variance, conditional use permit, design review, coastal development permit, appeal or zoning title amendment.~~

~~D. No fee, charge or expense shall be refundable except in any case where the planning commission or hearings officer determines and certifies any such fee or portion thereof has been received in error, in which case the amount received in error may be refunded. (Ord. 166 §7.16, 1979)~~

ORDINANCE 2012-02, SECTION 3:

This Ordinance shall take effect upon certification by the Coastal Commission.

PASSED AND ADOPTED by the Planning Commission of the City of Trinidad, State of California on Wednesday, December 19, 2012.

PASSED AND ADOPTED by the City Council of the City of Trinidad, State of California, on **Wednesday, February 12, 2013**, by the following vote:

AYES: Bauman, Miller, Fulkerson, Bhardwaj, Davies
NOES: None
ABSTAIN: None
ABSENT: None

First Reading: Wednesday, January 23, 2013

Second Reading: Wednesday, February 13, 2013

Attest:

Gabriel Adams
Trinidad City Clerk

Julie Fulkerson
Mayor