

- Policy 2.2.5.21 Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.
- Policy 8.1.3.5 On any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use (except for parcels assigned urban or other non-agricultural uses by the land use map for the 1996 General Plan) or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.
- Policy 8.1.4.1 The County Agricultural Commission shall review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use:
- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
 - B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
 - C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.
- Policy 8.4.2.1 The County Agricultural Commission shall evaluate all discretionary development applications involving identified timber production lands which are designated Natural Resource or lands zoned Timberland Production Zone (TPZ) or lands adjacent to the same and shall make recommendations to the approving authority. Prior to granting an approval, the approving authority shall make the following findings:
- A. The proposed use will not be detrimental to that parcel or to adjacent parcels for long-term forest resource production value or conflict with forest resource production in that general area;
 - B. The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities;

EXHIBIT A

- C. The proposed use will not create an island effect wherein timber production lands located between the project site and other non-timber production lands are negatively affected;
- D. The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting; and
- E. The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands.

OBJECTIVE 9.3.9: TOURIST LODGING

- Policy 9.3.9.1 The County will encourage the development of private lodging facilities by modifying the Zoning Ordinance sections dealing with tourist related facilities.

- Policy 10.1.6.1 The County shall encourage expansion of the types of local industries that promote tourism including but not limited to Christmas tree farms, wineries, outdoor sports facilities, Apple Hill and other agricultural-related activities, the County Fairground, bed and breakfast inns, and ranch marketing activities.

- Policy 10.1.7.4 Home occupations shall be encouraged and permitted to the extent that they are compatible with adjacent or surrounding properties.

EL DORADO COUNTY BED & BREAKFAST INNS

Interim Guidelines- Adopted by the Planning Commission on July 24, 1997

DEFINITION

STATE DEFINITION (SECTION 113870)

BED AND BREAKFAST INN: An establishment of 20 guestrooms or less, which provides overnight transient occupancy accommodations, which serves food only to its registered guests, which serves only a breakfast or similar early morning meal, and with respect to which the price of the food is included in the price of the overnight transient occupancy accommodation. The relationship between the occupants thereof and the owner of the establishment is that of innkeeper and guest.

GUIDELINES

Bed and Breakfast Inns shall be considered a home occupation in residential and agricultural districts, and shall only be authorized by Planning Commission approval of a special use permit based on the guidelines provided herein. Bed and Breakfast Inns within commercial zone districts are permitted by right.

1. The Bed & Breakfast Inn shall be the principal residence of the Bed and Breakfast property owner.
2. Meal Service shall be limited to overnight guests and shall consist of either a continental or full breakfast as a portion of the overall room rate for Bed and Breakfast Inns.
3. One sign shall be permitted based on the standards of the Zoning Ordinance, unless greater sign area is authorized by special use permit. The design of the sign shall be reviewed by the Planning Commission for architectural compatibility with the Bed and Breakfast Inn structure.
4. Bed & Breakfast Inns shall have direct access to a maintained road in conformance with Department of Transportation standards. The entrance, parking area and walkways must be well illuminated and free of obstructions or hazards of any type.
5. Bed & Breakfast Inn permits shall be reviewed by the Building Department, Environmental Health, and Department of Transportation for compliance with building, health and transportation requirements. Kitchens must be clean, well-maintained and comply with accepted standards of sanitation and hygiene and will require a valid El Dorado County Environmental Health Permit.

6. Bed & Breakfast Inns shall provide off-street parking at a ratio of one space per each guest room, plus two spaces required for the principal dwelling. No guest parking shall be permitted within the required front yard setback. The parking provided for these bed and breakfast inns may be a gravel surface.
7. Bed & Breakfast Inns shall be considered as single-family residences or lodging houses for the purpose of building codes, unless additional standards are required by the Uniform Fire Code or the Uniform Building Code, as amended and adopted by El Dorado County.
8. A County business license shall be obtained prior to operation of the Bed and Breakfast Inn.
9. Bed & Breakfast Inns within agricultural districts must be reviewed by the Agricultural Commission prior to Planning Commission action.
10. To qualify as a historic Bed and Breakfast Inn, the inn's structure, outbuildings and/or surrounding property shall be determined to be of historic character and significance to the County. When applicable, the County Building Department shall review the proposed project based on the State Historic Building Code. Historic Breakfast Inns may have more than five bedrooms.
11. Special events, such as wedding receptions or social gatherings, may be allowed provided that a separate accessory building is available to serve as a commercial kitchen. Food preparation, except for breakfast, shall not be permitted to occur in the Bed and Breakfast Inn. Special events shall be permitted only if authorized by special use permit when conditions are provided, which limit the number of special events and people attending, and make a provision to offset other related impacts. A temporary use permit for these functions may be processed in these situations where they are not authorized by the Bed and Breakfast special use permit, and when conditions are attached to the permit, to restrict the number of people attending so the neighborhood is not negatively impacted and to offset other related impacts.
12. New construction proposed on the Bed and Breakfast Inn site, not necessarily on a historic site, (including buildings not necessarily proposed for Bed and Breakfast Inn use) or exterior remodeling of buildings to be used for Bed & Breakfast Inns, is subject to architectural review by the Planning Commission as part of the special use permit process. This determination will be based on compatibility with neighborhood building style, building materials and any historic style indigenous to the area. Newly constructed Bed and Breakfast Inns shall be limited to a maximum of five bedrooms.

State of California Business and Professions Code:

24045.11. The department may issue a special on-sale wine license to an establishment licensed to do business as a **bed and breakfast** inn.

"**Bed and breakfast** inn," as used in this section, means an establishment of 20 guestrooms or less, which provides overnight transient occupancy accommodations, which serves food only to its registered guests, which serves only a **breakfast** or similar early morning meal, and with respect to which the price of the food is included in the price of the overnight transient occupancy accommodation. For purposes of this section, "**bed and breakfast** inn" refers to an establishment as to which the predominant relationship between the occupants thereof and the owner or operator of the establishment is that of innkeeper and guest. For purposes of this section, the existence of some other legal relationships as between some occupants and the owner or operator is immaterial.

EXHIBIT C



Fred E Sanford/PV/EDC
11/26/2007 11:19 AM

To Lillian M MacLeod/PV/EDC@TCP
cc
bcc

Subject Admin Draft B&B Inn Ordinance

History:  This message has been replied to.

Hi!

I just got a chance to review the B&B proposal. In, C. Standards #5, instead of "conforming to the requirements of the applicable El Dorado County Environmental Health Department permit." I suggest "in compliance with Health and Safety code requirements".

Fred
FredSanford,REHS
SupervisingEnvironmentalHealthSpecialist
EnvironmentalManagement
(530) 621-7614



Bed & Breakfast Inns of El Dorado County

December 27, 2007

Lillian MacLeod
Senior Planner

Thank you for having the Bed & Breakfast Inns of El Dorado County review your proposed ordinance. Your November 26, 2007 letter stated you would like the B&Bs to provide comments, questions or concerns of the attached document (The revised B&B Ordinance dated 11/26/07).

The biggest concern has already elapsed and, as water over the dam, our association cannot stop it. That concern is the Planning Services personnel's insistent need to provide NEW ordinances when the Supervisors, Planning Commissioners, General Plan and public have not demanded such a need. The time already "invested" in this endeavor by planning staff is immense and without merit. The approved General Plan directs that ordinances need to be modified where ***needed*** and brought into compliance with the direction of the General Plan. The actions taken by staff so far are over reaching and counterproductive to the stated purpose for at least he B&B Ordinance. The changes do ***NOT*** promote economic growth or agri-tourism. It ***DOES*** the opposite.

The 1997 Adopted B&B Guidelines are 12 paragraphs, the June 6, 2006 proposed ordinance is 21 paragraphs and the November 26, 2007 ordinance is 25 paragraphs long. Notice a pattern of more verbiage in the ordinances after each working by the planning staff. That is the clear illustration of county over reaching.

It is ***NOT*** necessary to have a new B&B Ordinance; currently B&Bs are governed with the Home Occupation Ordinance. There is a logical position that could be reached. It is

B&B Ordinance
BBlofEDC
Page 2

Planning Services should present to the County the adoption of the Guidelines adopted July 24, 1997 as the B&B Ordinance. The Guidelines seem to have worked for the two B&Bs approved since their adoption. The current SUP application for a B&B has followed the guidelines with some confusion by Planning staff because of staff's work on the proposed ordinance. As is in most cases, Planning staff wants to have the SUP applicant follow both the Guidelines and the proposed ordinance. That's wrong. So the adoption of the Guidelines as the ordinance would rectify that situation.

We will not address individual words, sentences and/or paragraphs proposed by the County Planning Services personnel. There is no need on our part to do so. We are adamantly opposed to any ordinance, other than adopting the 1997 Guidelines. The Bed & Breakfast Inn of El Dorado County will not take part in the County over reaching by addressing specifics. We do point out the fact that County Planning personnel has wasted a lot of valuable time on proposed ordinances to govern about 13 businesses. It is likely County staff should have more important work to do than to seek out ordinances they can rewrite. Even Mr. Knight of the PC seems to agree with that..

Sincerely

Daryl Sullivan
Treasurer
Bed & Breakfast Inns of El Dorado
Chair, Ordinance Committee

December 27, 2007

Lillian MacLeod
Senior Planner
El Dorado County

RE: Comment on Bed and Breakfast Ordinance

Dear Ms. MacLeod:

Thank you for sending me the latest draft of the ordinance on Bed and Breakfast Inns. As we have discussed, my wife and I are developing a Bed and Breakfast and have applied for a Special Use Permit (#07-0027). As a result we are dealing concurrently with many of the issues in the permitting process. Therefore, we may be able to offer some unique insight.

While we are not experienced Inn Keepers, as part of our business research we have talked with many B&B owners around the state. Our questions to these owners have been oriented toward the tasks and business of Inn Keeping. From these interviews we have gained perspective and insight. Therefore, having laid out the background, I'd like to provide some comment on the B&B draft ordinance dated 09/21/2007.

The B&B Ordinance General:

We support Agri-Tourism in El Dorado County which includes encouraging Bed and Breakfast Inns. Moreover, we find that the intent and general content of the proposed B&B ordinance is on the right track. Our comments therefore pertain to some specific details.

A. Purpose. We strongly support the county's plan for developing Agri-Tourism and a recreational economy.

As an aside, we took an Agri-Tourismo style vacation in Tuscany, Italy in 2002. We loved being immersed in, and staying in, an agricultural setting that included accommodating tourists. We toured daily to historical sites, while also enjoying local farm products including the local excellent yet relatively inexpensive wine. We returned to El Dorado County noting the similarities and exclaiming to ourselves: we live in Tuscany! By the way this observed alignment pre-dated by years any notion by us that we'd enter the Bed and Breakfast business.

B. Definition. We don't see why you would prohibit renting a room with an adjoining kitchen. B&B's often have unattached cottages that can include a kitchen. In our particular case we have a legally permitted second residence that includes a kitchen. We have proposed that this second residence be part of the B&B; no one has objected to this in my numerous conversations with Planning and Environmental Health.

We'd be satisfied with a slight change in wording: if the word "typically" was placed in front of "without individual kitchens" that would give Planning and the Planning Commission some flexibility.

- C. 1. "The bed and breakfast inn shall be the principal residence of the property owner." First and foremost, the wording should allow for the possibility that the owner lives in some other legal structure on the property such as a second residence.

In addition, we think the County should consider allowing a manager or an owner to occupy the property as a Primary Residence as they do in Napa City (see Learning from Napa, Attached Ordinance 17.76). Napa determined that what is important is that "someone" is on-site, but not necessarily the owner.

We have lived here at this property 22 years and have no plans to move. Yet, let me point out a fact of the business that we may face someday. People who own B&B's often burn-out after about five years unless they are allowed to live in a residence off-site. The reason is obvious upon a little reflection. Inn Keeper/Owners tire of having guests in their home all of the time. After a while they seek more privacy.

When Inn-Keeper-Owners burn out, under an ordinance like the one proposed in El Dorado County, they either close down the business or sell to a new owner. These are certainly viable options. However, the question should arise as to whether or not designed in turn-over is good government policy or even necessary?

I am not familiar with the legal arguments that residential B&B's are home businesses and therefore permitted on that basis. Yet, Napa City has found a way to allow "manager occupied" B&B's in residential areas. If they found a way to do it our County Counsel should be able to find a way to do it if it's the will of the Planning Commission.

Providing the option for either an "owner or manager" to occupy the property as a primary residence supports the General Plan. More B&B's will stay in business for longer periods of time. Longevity in business will contribute to the Agri-Tourism economy and build the up the County's Transient Occupancy Tax base.

A concern may be raised about absentee and far away landlords. While this is a worry, in practice I suspect this is a small concern. In my interviews with B&B owners I have not encountered a single example of ownership by someone remote to the B&B. On the contrary, B&B's by the nature demand intensive involvement from both the owners and

managers if there are any. It's a mom and pop business in every case I have encountered.

- C.7. This clause is subject to much interpretation; depending on who you talk to when, you often get very different answers. For example, what the Uniform Fire Code requires is subject to the interpretation of each fire district. When it comes to building code they get out Title 24 and make a case by case determination. In my experience the words "shall be treated as a single-family residence" have no meaning in practice.

addressed in working draft revision

Perhaps the County prefers to leave this intentionally ambiguous to allow for interpretation on what can be complex issues. On the other hand, perhaps parts of this, such as requiring sprinkler systems or not, upgrades to R-1 building codes or not, nuances based on whether a building is historic existing or new, could be codified in an ordinance.

- C.10 This clause deserves some careful re-examination because it has many implications and can be interpreted differently.

- 1. The "approving authority" currently recognized by Planning, albeit not codified, are limited to the State and National Historical authorities. Yet, El Dorado County has a Historical Museum. In my opinion that county level authority should be able to declare local buildings and sites as having historical significance. The State requirements are very stringent and El Dorado County may have good reason to apply their own standard in some cases.

emailed to Hwy Coy.

Learning from Napa:

After speaking with you earlier in the month, I decided to research what Napa City has done in the way of ordinances. Napa City has perhaps the most thriving B&B industry in California and the Nation. As part of our research we stayed in three different Inns there earlier in the month and went on their annual inn tour. We also talked with many Inn Keeper/Owners during the visit.

While El Dorado County probably does not want to emulate Napa, we can nevertheless take some valuable lessons from their experience. The Napa City Bed and Breakfast business has of course been pulled along by the major development of the wine industry there. Yet, if the Napa City Counsel and Planning Commission had not acted time and again in favor of developing and supporting B&B's, the industry would be a shadow of its current self.

What Napa City has done in the way of B&B Ordinances can be viewed on-line.

Zoning: http://74.205.120.199/index.php?option=com_content&task=view&id=419&Itemid=533

Pick: SIRE Public Documents Search

Pick: Ordinances

Search: Find Ordinances by Keyword. Enter: Bed and Breakfast. Click on Search and 33 Folders come up.

I have reviewed each of the Ordinances in the 33 Napa folders described in the search above. Many are specific to individual B&B's who were commonly permitted to do reasonable things beyond the ordained guideline. This is most obvious in the number of rooms, ordained at eight but commonly permitted all the way up to 25. Moreover, they do not require the Owner to occupy the B&B, rather by design it's an "owner or manager" (Chapter 17.76 of Ordinance O1999 34).

In addition, the City repeatedly finds ways to encourage economic development. What follows is one example of an oft repeated justification in the Napa ordinances when considering a project: economic profit by a B&B's allows for "increased income for the maintenance of the historic building thereby helping meet the goals of the General Plan." El Dorado County does not and will not have as many "historic" B&B's as Napa but, the concept of allowing the development of income to support the structure and other expenses certainly applies whether it's a new building or old, a new business or old. Moreover, by approving projects the County improves its Transient Occupancy Tax base.


Closing Remarks:

Developing Agri-Tourism in El Dorado County is a truly great opportunity that expands upon an existing intertwining of an agrarian economy and modern life. We as a County can inspire and be leaders. Or, we can also stop the process.

City and County governments have the power to either foster or squelch the development of B&B's and related industries: you the county administration can't create the next Intel but, you in county government will be decisive as to the future of Agri-Tourism in El Dorado County. We encourage you to stand by the course set out in the General Plan, to endeavor to remove as many regulatory impediments as possible, and to foster an approval process friendly and flexible toward business development.

Thank you for the opportunity to provide input on this matter. Please keep me in the loop as I'm interested in being involved in this process on an on-going basis.

Sincerely,



Mark Hamlin
Prospective B&B Owner

ORDINANCE O1999 34

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA,
STATE OF CALIFORNIA, AMENDING CHAPTER 17.76 OF THE NAPA
MUNICIPAL CODE RELATING TO BED AND BREAKFAST INNS**

Be it ordained by the City Council of the City of Napa as follows:

Section 1. Chapter 17.76 of the Napa Municipal Code is hereby amended to read as follows:

Chapter 17.76

BED AND BREAKFAST INNS

Sections:

- 17.76.010 Bed and breakfast inns.**
- 17.76.020 Bed and breakfast inn standards.**
- 17.76.030 Findings required.**

Section 17.76.010 Bed and breakfast inns.

Bed and breakfast inns serving tourists and visitors may be established with a use permit in buildings or structures which are designated as buildings and structures of historic, architectural and engineering significance. The following provisions shall apply to the establishment of bed and breakfast inns:

- A. The building or structure must be the primary residence of the owner or manager of the bed and breakfast use; and
- B. Accessory buildings and structures may also be used for bed and breakfast guest rooms; and
- C. No meals shall be served to persons other than to guests and residents of the bed and breakfast inn. (Prior code § 30-440)

Section 17.76.020 Bed and breakfast inn standards.

The following standards shall apply to the establishment of bed and breakfast inns:

- A. On-site parking for the underlying residential use shall be provided in accord with the provisions of Chapter 17.72. In addition one on-site parking space shall be provided for each guestroom over two. On-site parking shall not be designed and located so as to detract from the residential character of the buildings and structures of the bed and breakfast inn;
- B. Signs for bed and breakfast inns shall be limited to two square feet attached directly to the residential building or structure;
- C. The actual number of guest rooms permitted in any location will be determined by the planning commission based on the relationship of the site to parking, access, character, size and scale of surrounding uses. In general, the number of guestrooms should not exceed eight;
- D. In those cases where the existing building or structure is developed with or used for residential apartments, the vacancy rate, as established annually by the planning commission pursuant to Chapter 17.98 for the total housing stock within the RUL line, shall be at least three percent before such a building may be converted to a bed and breakfast inn. (Prior code § 30-441)

Section 17.76.030 Findings required.

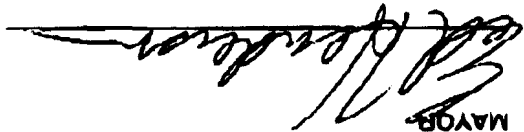
In approving a use permit for a bed and breakfast inn, the planning commission must make the following findings:

- A. The establishment of a bed and breakfast inn is consistent with the purpose of the :HP overlay district and the general plan, including policies regarding the displacement of rental units in the housing stock; and
- B. The establishment of a bed and breakfast inn will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of an historical nature; and

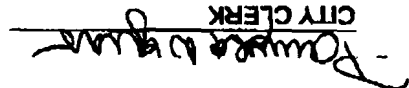
C. The establishment of a bed and breakfast inn is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.
These findings shall be in addition to those required for the approval of conditional use permits contained in Chapter 17.88. (Prior code § 30-442)

Section 2. **Severability.** If any section, sub-section, subdivision, paragraph, clause or phrase in this ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 3. **Effective Date and Operational Dates.** This ordinance shall become effective thirty (30) days following adoption.


MAYOR

ATTEST:


CITY CLERK

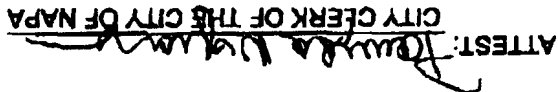
STATE OF CALIFORNIA)
COUNTY OF NAPA)
CITY OF NAPA)
) SS:

I, Pamela Nighizzo, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading on October 19, 1999, and had its second reading on November 2, 1999, and was passed by the following vote:

AYES: Sencu, Tachel, Busembark and Henderson

NOES: Martin

ABSENT: None

ATTEST: 
CITY CLERK OF THE CITY OF NAPA



mestranch@aol.com
12/20/2007 12:01 PM

To: lmacleod@co.el-dorado.ca.us
cc
bcc
Subject: Fwd: B&B Draft Ordinance, OR07-0005

Hi Lillian,

I am forwarding this along as I had your email address wrong the first time and got an undeliverable message.

-Robin

-----Original Message-----

From: mestranch@aol.com
To: lmacleod@co.eldorado.ca.us
Cc: mcm1955@cwo.com
Sent: Thu, 20 Dec 2007 11:36 am
Subject: B&B Draft Ordinance, OR07-0005

Hello Lillian!

I think you've done a good job preparing the working draft ordinance and so wanted to send you a note to let you know that. We could only think of one addition under the "Historic structure" definition. Given that the State Historic Building Code definition of a "qualified historic building" to be any building or group of buildings...which is listed by any level of government as having historic importance, we would offer for your consideration the following statement to add under this heading:

5. or it shall be the applicant's responsibility to show proof of historical significance to the planning commission.

Best regards,

Robin Miller
Innkeeper/Owner
Fleming Jones Homestead B&B
3170 Newtown Road
Placerville, CA 95667
530-344-0943

www.robinsnestranch.com

Voted "Guest Favorite B&B" 2007; "Best Kept Secret", 2006; "Best Customer Service", 2005; and "Best for Stargazing", 2004 by Arrington's Inngoers

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Robin

-----Original Message-----

From: Lillian M MacLeod <lmacleod@co.el-dorado.ca.us>

To: mnestranch@aol.com

Sent: Thu, 20 Dec 2007 12:54 pm

Subject: Re: Fwd: B&B Draft Ordinance, OR07-0005

Dear Robin:

Thanks so much for your consideration and reply. We have added an "historic structure" definition in the proposed glossary that is consistent with that of the state's in requiring national, state or local registry listing or eligibility in a program approved by the Secretary of the Interior for designation. Historic listing shouldn't be so critical if we get approval for the proposed 20 room maximum. It will still matter for building code purposes, however.

I hope things are going well at the inn and that you have a Merry Christmas and a very Happy New Year!

Lillian MacLeod, Senior Planner
El Dorado County Development Services Dept.
Planning Services
2850 Fairlane Court
Placerville, CA 95667

(530) 621-5355

e-mail: lmacleod@co.el-dorado.ca.us

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mestranh@aol.com
12/20/2007 03:07 PM

To: Imacleod@co.el-dorado.ca.us
cc
bcc
Subject: Re: B&B Draft Ordinance, OR07-0005

Hello Lillian!

Ah, I well remember how it can be to get something approved in my former Corporate days. If getting the approval for a 20 room inn is of concern, you might want this industry recognized reference definition:

Bed and Breakfast or B&B: Once a single family dwelling, this owner-occupied establishment with four or five guest rooms is both home and lodging.

Country Inn: This type of inn is a business offering overnight lodging and meals, where the owner is actively involved in daily operations, often living on-site. These establishments are, in fact, bed and breakfast inns with from six to thirty rooms that serve at least one additional meal in addition to breakfast and operate as restaurants as well as lodging.

(well - the restaurant part is not consistent with our county's requirement for serving breakfast only, but it fits the concept at the Lotus Inn)

Bed and Breakfast Hotel: a thirty plus room historic hotel offering breakfast. Only the historic structure, and perhaps some decorating components and the included breakfast, provide the B&B feel.

- pages 3 to 5, "So you want to be an innkeeper", the definitive guide to operating a successful Bed & Breakfast or Country Inn by Mary Davies, Pat Hardy, Jo Ann Bell and Susan Brown

NOTE: Pat Hardy and Jo Ann Bell founded the Professional Association of Innkeepers International (PAII.ORG) which when we became innkeepers was still a California based organization. It has since moved back east, but PAII is still THE recognized authority. The California Association of Bed & Breakfast Innkeepers (CABBI.COM), who has had a close association with PAII, also has consistent definitions. For more information there, you can contact Kathy Moler directly at 916-554-2675. CABBI is also now part of the California Hotel & Lodging Association who have a heavy lobbying presence in Sacramento.

Going back to historic structure, I assume that you added that definition to further flesh out item #C.8, right? Otherwise, I didn't see any other reference to it in the standards text. If you need any help, just let me know and I'd be happy to! Things are going well here at the Inn and I am so glad the rain has let up. We got 4.5" out of that storm. Merry Christmas to you too and Happy New Year!

Best regards,



Mary E Cory/PV/EDC
01/16/2008 10:12 AM

To Lillian M MacLeod/PV/EDC@TCP
cc Jordan L Postlewait/PV/EDC@TCP
bcc
Subject Re: Historic Structures

Lillian - I have talked with some other local historians in the community about this, and based upon my experiences here with the El Dorado County Historical Museum and as a former member of the Historic Resources Preservation Commission, I have concerns about #4.

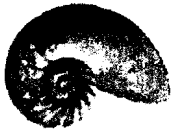
One of the charges that the Historic Resources Preservation Commission had was to establish El Dorado County as a Local Certified County through the state office of historic preservation. We were working on the application when the Commission started to run into problems. Another charge was to establish Historic Districts throughout the county, and set up and approve a method for listing historic properties. Since none of that was done, and the Historic Resources Preservation Commission was dissolved, there currently is no approved program as identified in #4.

The General Plan calls for the formation of the Historical Resources Preservation Commission, but to the best of my knowledge, that has not been done yet. In the interim, I have been reviewing demolition permits of properties over 50 years old, and I have been asked to comment on three properties as "historically significant" so that the State Historic Building Code could be applied for. However, I do not have any authority in my job as Museum Administrator, so have been only making recommendations to Planning Services.

I believe that in order to comply with the Zoning Ordinance, #4 would have to be reworded or changed to apply to the current situation in the county.

Mary Cory
El Dorado County Historical Museum

Lillian M MacLeod/PV/EDC



Lillian M MacLeod/PV/EDC
01/07/2008 01:50 PM

To Mary E Cory/PV/EDC@TCP
cc
Subject Historic Structures

Dear Mary:

We are updating the Zoning Ordinance and are proposing the following definition consistent with the State template for the Flood Damage Prevention Ordinance. To be consistent, we would include it in the updated glossary to be applied when applicable, such as for a B&B inn:

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined

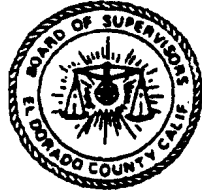
by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

I would appreciate your feedback and any comments or concerns you might have. Thank you.

Lillian MacLeod, Senior Planner
El Dorado County Development Services Dept.
Planning Services
2850 Fairlane Court
Placerville, CA 95667

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e-mail: lmacleod@co.el-dorado.ca.us



RESOLUTION NO. 44-2008

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, the County of El Dorado adopted a General Plan in 2004; and

WHEREAS, many Policies, programs, and implementation measures are implemented through the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance has not been comprehensively updated for over 30 years, yet has been amended an average of twice a year, resulting in a Zoning Ordinance that is a patchwork of provisions and dated regulations; and

WHEREAS, many State and federal regulations that affect the Zoning Ordinance are not accurately reflected in the Ordinance; and

WHEREAS, according to Section 17.10.010 and Board Policy J-3, the Zoning Ordinance amendment must be initiated by Board of Supervisors Resolution;

NOW, THEREFORE, BE IT RESOLVED that the County of El Dorado Board of Supervisors hereby authorizes the Development Services Department to proceed with the preparation of the update of the Zoning Ordinance

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 12th day of February, 2008, by the following vote of said Board:

Ayes: Briggs, Baumann, Dupray, Sweeney, Santiago

Attest:

Cindy Keck
Clerk of the Board of Supervisors

By: Marcie MacFarland
Deputy Clerk

Noes: None
Absent: None

Rusty Dupray
Chairman Board of Supervisors
Rusty Dupray

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____

EXHIBIT E