

COOPERATIVE AGREEMENT
between
EL DORADO COUNTY
and
TAHOE REGIONAL PLANNING AGENCY

This **COOPERATIVE AGREEMENT** was entered into the 21st day of September, 2004, by and between the County of El Dorado (hereinafter referred to as the "County"), and the Tahoe Regional Planning Agency (hereinafter referred to as the "TRPA").

WHEREAS, this cooperative agreement between TRPA and the County, is intended to avoid adverse impacts generated by the use of residential properties as Vacation Rentals; and

WHEREAS, without this cooperative agreement between TRPA and the County, the use of residential properties as Vacation Rentals is considered not permissible under TRPA's Code of Ordinances; and

WHEREAS, this agreement shall clearly set forth the expectations of TRPA and the County as they relate to Vacation Rentals; and

WHEREAS, on March 24, 2004 the TRPA Governing Board adopted Ordinance 2004-06, amending the Code of Ordinances defining Vacation Rentals (a residential unit rented for periods less than 30 days); and

WHEREAS, the TRPA Code of Ordinances, via adoption of Ordinance 2004-06, established the elements that comprise Neighborhood Compatibility Requirements (certain standards of operation and function expected of residential units) for Vacation Rentals; and

WHEREAS, the County and TRPA agree that specific Neighborhood Compatibility Requirements must be enforced to ensure the peaceful enjoyment of property; and

WHEREAS, the County requires certain standards for residential occupancy and handling of refuse/garbage consistent with county ordinances and public health and safety concerns; and

WHEREAS, the County and TRPA agree the County will enforce the Neighborhood Compatibility Requirements as set forth in Ordinance Number 4653; Exhibit "A"; adding Chapter 5.56, entitled Vacation Home Rentals in the Lake Tahoe Basin; and,

WHEREAS, the County and TRPA share certain common objectives in maintaining the residential character of neighborhoods and cooperation will be mutually beneficial to the County and TRPA in achieving these common objectives;

NOW THEREFORE, in consideration of these premises, the parties hereto do agree with each other as follows:

I. THE COUNTY AGREES TO:

- A. Cooperate with individual property owners and property management firms for the purpose of facilitating the adherence to Neighborhood Compatibility Requirements as they relate to the use of residential structures by non-residents of the Basin (vacation rental), for all residential properties within their jurisdiction.
- B. Assume the lead role providing enforcement for the Neighborhood Compatibility Requirements, which TRPA maintains certain standards for pertaining to Noise, Lighting, Parking, and Signage. Such standards are referenced in the table below.

El Dorado County

Signs (in CP)	CP, Chapter 5; SG-El Dorado, App. B
Signs (outside CP)	Code sections: 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.9, 26.14
Noise (in CP)	Code section 23.3; CP, Chapter 2
Noise (outside CP)	PAS; Code section 23.3
Parking (in CP)	County Code
Parking (outside CP)	Section 4.20 (attached)
Lighting (in CP)	SG-El Dorado sec. B4
Lighting (outside CP)	Code section 30.1, 30.8; DRG section 7.

LEGEND

- (in CP) : Inside Community Plan Boundaries
- (outside CP) : Outside of Community Plan Boundaries
- SG-El Dorado: Meyers Community Plan Design Review Guidelines
- Code : TRPA Code of Ordinances
- CP : Community Plans
- DRG : Regional Plan for the Lake Tahoe Basin, Design Review Guidelines, Sept. 1989
- PAS : Plan Area Statements applicable to the jurisdiction of concern

- C. Assume the lead role providing enforcement for the Neighborhood Compatibility Requirements that the County maintains standards for the proper handling of refuse/garbage and the maximum occupancy for Vacation Rentals.
- D. Pursue compliance with and correct violations of the Neighborhood Compatibility Requirements.

II. TRPA AGREES TO:

- A. Cooperate with the County in developing plans to implement and enforce the Neighborhood Compatibility Requirements for residential neighborhoods as requested by the jurisdictions.
- B. Assist and cooperate with the County in education and information programs designed to make the public aware of the need for Neighborhood Compatibility Requirements.

III. IT IS MUTUALLY AGREED THAT:

- A. Neighborhood Compatibility Requirements are appropriate and necessary to maintain the peaceful character of residential neighborhoods.
- B. Without adherence to the Neighborhood Compatibility Requirements, significant incompatible land use issues may arise from Vacation Rentals.
- C. By signing this Cooperative Agreement, the participants assure that the program or activities provided for under this agreement will be conducted in compliance with all applicable regulations and policies.
- D. Any party may withdraw from this agreement by giving sixty (60) days written notice to the other stating the reasons for withdrawal.
- E. Withdrawal from this agreement by the County could render the use of Vacation Rentals (residential units rented for periods of less than 30 days) as an illegal activity in violation of the applicable TRPA Plan Area Statement and/or Community Plan.

IN WITNESS THEREOF, the parties hereto have executed this agreement on the day, month, and year first written above.

ATTEST: CINDY KECK, Clerk of the Board of Supervisors

Date: 9-21-04

El Dorado County
By [Signature]
Rusty Dupray, Chair, Board of Supervisors

By [Signature]
DEPUTY 9-21-04

Date: 9-29-04

TAHOE REGIONAL PLANNING AGENCY
By [Signature]
John Singlaub, Executive Director