



**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**

Date: July 15, 2026

Staff: Michelle Drehobl

CONDITIONAL USE PERMIT

FILE NUMBER: CUP24-0009/El Dorado Ranch Trailhead

APPLICANT: American River Conservancy

PROPERTY OWNER: American River Conservancy

REQUEST: Conditional Use Permit (CUP) application to allow the construction and ongoing operation of a new trailhead and parking lot to access El Dorado Ranch Wildlife Area.

LOCATION: On the west side of State Highway 49, approximately 1.5 miles south of the intersection with Sand Ridge Road in the Nashville area (Exhibit A).

**SUPERVISOR
DISTRICT:**

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APN: 092-040-067 (Exhibit B)

ACREAGE: 30 acres

GENERAL PLAN: Natural Resource (NR) (Exhibit C)

ZONING: Rural Lands – 80 Acres (RL-80) (Exhibit D)

ENVIRONMENTAL DOCUMENT: This project has been found to be Categorically Exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures), of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Find Conditional Use Permit CUP24-0009 to be Categorically Exempt pursuant to Section 15303, New Construction or Conversion of Small Structures, of the CEQA Guidelines; and
2. Approve Conditional Use Permit CUP24-0009, based on the Findings and subject to the Conditions of Approval as presented.

REGULATORY AUTHORITY

Pursuant to Zoning Ordinance Section 130.21.020 (Agricultural, Rural, and Resource Zone Districts Use Matrix), trailhead parking is allowed as a conditional use under Recreation and Open Space in the Rural Lands (RL) zoning designation. Section 130.52.021 (Conditional Use Permits) states that either the Zoning Administrator, or the Commission shall have review authority for CUP applications, based on the nature and complexity of the project. Zoning Administrator review has been determined appropriate for the nature of this proposed project.

EXISTING CONDITIONS/SITE CHARACTERISTICS

The 30-acre subject parcel is located on the west side of State Highway 49, approximately 1.5 miles south of the intersection with Sand Ridge Road in the Nashville area. The subject parcel and the adjacent parcel to the southwest (Assessor's Parcel Number [APN]: 092-040-066) were acquired by American River Conservancy (ARC) to protect oak woodlands and provide access to El Dorado Ranch Wildlife Area. The proposed development site is an undeveloped portion of the southeast section of the subject parcel. The topography of the subject parcel ranges from 825 feet to 895 feet above sea level and the vegetation on the site is primarily grass, shrubs, and oak woodlands. The subject parcel borders similarly zoned parcels with rural and natural resource designations.

PROJECT DESCRIPTION

The proposed project is a request for a Conditional Use Permit (CUP) to allow the construction and ongoing operation of a new trailhead and parking lot to access El Dorado Ranch Wildlife Area. The proposed development includes two (2) phases. Phase one (1) consists of grading the path to the parking lot and the first thirteen (13) parking stalls. Phase two (2) consists of the remaining thirty-nine (39) parking stalls for a total of fifty-two (52) gravel parking stalls. Project activities include grading, filling, and creating an entry/exit to State Highway 49. No buildings, structures, or utility installation are involved with this project.

STAFF ANALYSIS

Environmental Review: Staff has reviewed the project and has determined CUP24-0009 is Categorically Exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures), of the CEQA Guidelines, without exception. Class 3 categorical exemptions consist of construction and location of limited numbers of new, small facilities or structures.

Filing of a Notice of Exemption is required in accordance with CEQA Guidelines Section 15062(d) to initiate a 35-day statute of limitations on legal challenges to the County's decision that the project is exempt from CEQA. The applicant may submit a \$50.00 recording fee to the Planning Division for the County Recorder to file the Notice of Exemption. If the fee is not received and the notice is not filed, an 180-day statute of limitations will apply.

General Plan Consistency: Staff has determined that the proposed project is consistent with the applicable policies and requirements in the El Dorado County General Plan, as discussed below in Section 2.0, General Plan Findings.

Zoning Ordinance Consistency: Staff has determined that the proposed project is consistent with the applicable regulations and requirements in Title 130 of the El Dorado County Code, as discussed below in Sections 3.0 and 4.0, Zoning, and Conditional Use Permit Findings.

Agency Comments: The project was distributed to all applicable agencies and departments for review and comment. Comments were received from California Department of Forestry and Fire Protection (Cal Fire), California Department of Transportation (Caltrans), El Dorado County Department of Transportation (DOT), and El Dorado County Environmental Management Department. Comments received have been reviewed and, if applicable, incorporated as Conditions of Approval for the project.

Public Notice: The project was duly noticed for a Zoning Administrator public hearing with a public notification range of 1,000 feet and a legal advertisement was published in applicable local newspapers. In addition, project notification was sent to the County's Zoning Administrator email subscription list and posted on the Planning Division's Zoning Administrator webpage. No physical sign posting is required for CUPs.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....Vicinity Map

Exhibit BAssessor's Parcel Map

Exhibit CGeneral Plan Land Use Designation Map

Exhibit D.....Zoning Designation Map

Exhibit EProject Site Map

Exhibit F.....Phase 1 Project Plans

Exhibit G.....Phase 2 Project Plans

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FINDINGS

Conditional Use Permit CUP24-0009/El Dorado Ranch Trailhead Zoning Administrator/July 15, 2026

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the Staff Report and evidence in the record, the following Findings can be made:

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- 1.1 Conditional Use Permit CUP24-0009 has been found Categorically Exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures), of the CEQA Guidelines. Class 3 categorical exemptions consist of construction and location of limited numbers of new, small facilities or structures. Biological, archaeological, and paleontological reports have all come back with results stating no impacts on any potential resources. As proposed, the project is consistent with this exemption classification under CEQA. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions to exemptions found in CEQA Guidelines Section 15300.2.

Exception (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The project location is not environmentally sensitive; therefore, this exception does not apply.

Exception (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The proposed project does not anticipate further development. Therefore, this exception does not apply.

Exception (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances at the location of this proposed project; therefore, this exception does not apply.

Exception (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The proposed project is not within an officially designated scenic highway corridor; therefore, this exception does not apply.

Exception (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The proposed project is not located on a hazardous waste site; therefore, this exception does not apply.

Exception (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The location of the proposed project on the subject site does not include historical resources. Therefore, this exception does not apply.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department - Planning Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The proposed use is consistent with General Plan Policy 2.2.1.2.

General Plan Policy 2.2.1.2 establishes an appropriate range of land use types and densities within the County. The Natural Resource (NR) land use designation establishes areas for conservation of natural resources in a rural setting and is only allowed in Rural Regions.

Rationale: The project proposes to allow the construction and operation of a new trailhead and parking lot. The land use designation of the subject parcel allows for the development of wildlife management, recreation, and associated structures, including those uses and structures allowed as a conditional use. The proposed trailhead and parking lot will not intensify uses on the parcel to a significant degree and will not result in negative impacts to the general health, safety, or welfare of nearby residents. This use is consistent with the intent of the NR land use designation and is

compatible with the existing landscape and surrounding uses. As proposed, and conditioned, this proposal is consistent with this policy.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

General Plan Policy 2.2.5.2 requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: The proposed Conditional Use Permit (CUP) is consistent with applicable General Plan policies as discussed in the Staff Report and Findings and is, therefore, consistent with this policy.

2.3 The project is consistent with General Plan Policy 2.2.5.11.

General Plan Policy 2.2.5.11 recognizes the need and importance of managing forest products and natural resources. The policy further recognizes that it is important to provide for an efficient and cost-effective means of harvesting and using forest lands. It is further recognized that the forested areas have a need for certain commercial support used which should be allowed in a manner which is consistent with the forest use and outdoor recreation areas.

Uses which are consistent here may include the processing of forest products and natural resources, overnight individual and group outdoor accommodations, outdoor recreation facilities, equestrian facilities, and interpretive centers. These special support uses shall only be allowed to be established with the approval of a conditional use permit.

Rationale: The proposed development will preserve the county's forests and natural resources and is being pursued through the conditional use permit application process to allow an outdoor recreation facility. As proposed, and as conditioned, this proposal is consistent with this policy.

2.4 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects 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 incompatibility or shall be located on a different site.

Rationale: The proposed project site is surrounded by Natural Resource (NR) land uses on adjacent parcels to the north, south and west with Tourist Recreational (TR) on the east. The proposed development will be located near the center southern portion of the subject parcel and is set back approximately 275 feet from the nearest lot line and State Highway 49. The nearest residentially developed parcel to the proposed project is approximately 0.25 miles away, northeast of the parcel. The proposed project has been designed and located in a manner that avoids incompatibility with adjoining land uses and is therefore consistent with this policy.

2.5 The project is consistent with General Plan Policy 2.6.1.3

General Plan Policy 2.6.1.3 requires that discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoint identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report (DEIR), shall be subject to design review, and policies 2.6.1.4, 2.6.1.5 and 2.6.1.6.

Rationale: The project is not viewable from any County scenic viewpoints identified along State Highway 49. Therefore, this project is consistent with this policy.

2.6 The project is consistent with General Plan Policy 5.1.2.2.

General Plan Policy 5.1.2.2 requires that new discretionary development shall not result in a reduction of service below minimum established to current users.

Rationale: The project has been reviewed by California Department of Forestry and Fire Protection (Cal Fire), California Department of Transportation (Caltrans), El Dorado County Department of Transportation (DOT), El Dorado County Environmental Management Department, El Dorado County Sheriff's Office, and California Highway Patrol. All services have been found to be available and adequate for the proposed development.

2.7 The project is consistent with General Plan Policy 6.2.3.2.

General Plan Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The proposed project was reviewed by Cal Fire, Caltrans, and DOT for adequate site access. The project will obtain an encroachment permit from Caltrans to construct a driveway with adequate site access in the event of emergency access and/or evacuation. Therefore, this project is consistent with this policy.

2.8 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak woodlands and/or individual native oak trees must adhere to the standards of the Oak Resources Management Plan (ORMP).

Rationale: An Oak Resources Technical Report was completed on February 19, 2026, by EN2 Water & Energy Consulting Services and non-exempt oak mitigation fees have been conditioned. Therefore, the project is consistent with this policy.

2.9 The project is consistent with General Plan Policy 9.1.1.1.

General Plan Policy 9.1.1.1 directs that the County shall assist in the development of regional, community, and neighborhood parks, and ensure a diverse range of recreational opportunities at a regional, community, and neighborhood level.

Rationale: This project will increase the number of recreational opportunities available at regional and community levels. As proposed, and as conditioned, this proposal is consistent with this policy.

2.10 The project is consistent with General Plan Policy 9.1.1.4.

General Plan Policy 9.1.1.4 states that regional parks and recreational facilities shall incorporate natural resources and serve a region involving more than one community. Facilities may include trails and natural or historic points of interest.

Rationale: This project would serve the region as an outdoors recreational site, incorporating natural resources, natural points of interest, and a trail. As proposed, and as conditioned, this proposal is consistent with this policy.

2.11 The project is consistent with General Plan Policy 9.1.2.3.

General Plan Policy 9.1.2.3 requires the County to assume the responsibility, where possible, of acquiring and developing regional trails outside the boundaries of the cities, Community Service Districts, and park and recreation districts.

Rationale: This project is not being acquired by the County itself but is being managed in coordination with the American River Conservancy (ARC) and other applicable agencies. It is also a regional trail outside the boundaries of cities. As proposed, and as conditioned, this proposal is consistent with this policy.

2.12 The project is consistent with General Plan Policy 9.1.3.1.

General Plan Policy 9.1.3.1 suggests that linear parks and trails may be incorporated along rivers, creeks, and streams wherever possible.

Rationale: This project is not directly along the Cosumnes River but is directly adjacent to the parcel to the west of it and is within the watershed of the Cosumnes River. Additionally, the trail is on elevated topography sloping down towards the river. As proposed, and as conditioned, this proposal is consistent with this policy.

2.13 The project is consistent with General Plan Policy 9.1.3.3.

General Plan Policy 9.1.3.3 requires the County to coordinate with Federal, State, other agencies, and private landholders to provide public access to recreational resources, including rivers, lakes, and public lands.

Rationale: This project is proposed by ARC and has been distributed to all applicable federal, state, and county agencies. As proposed, and as conditioned, this proposal is consistent with this policy.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The Rural Lands (RL) zone is intended to identify those lands that are suitable for limited residential development based on topography, access, groundwater or septic capability, and other infrastructural requirements.

Rationale: The subject parcel is zoned RL-80 (Exhibit D). The Agricultural, Rural, and Resource Zone Districts Matrix of allowed uses (Table 130.21.020) establishes those uses that are permitted and those that require approval by a CUP in the RL zoning designation. The matrix includes trailheads as a use that is allowed by the issuance of an approved CUP.

The project has been analyzed in accordance with Zoning Ordinance Section 130.21.030 (Agricultural, Rural, and Resource Zone Development Standards) for minimum lot size, dimensions, height, and building setbacks. The project, as proposed and conditioned, is consistent with the Zoning Ordinance and complies with all applicable development standards. Therefore, the project is consistent with this policy.

3.2 **The project is consistent with Chapter 130.33: Landscaping Standards.**

Landscaping standards are provided in Chapter 130.33 and in the Community Design Standards - Landscaping and Irrigation Manual. Discretionary development for industrial, research and development, commercial, multi-unit residential, civic or utility uses shall provide landscaping for all areas of a lot that do not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

Rationale: The proposed project consists of access and parking for passive recreational use on a parcel with non-irrigated areas comprised of existing native vegetation. The road frontage has existing native oak trees which will create a buffer between the road and the gravel parking lot for the trailhead, approximately 275 feet in distance and approximately 40 feet in height from the road entrance. "Trailhead parking" is a conditional use listed under the category *Recreation and Open Space* for the RL zoning designation. Landscaping requirements are not applicable for this conditional use on land zoned RL.

3.3 **The project is consistent with Section 130.40.210.**

Section 130.40.210 specifies that commercial or public outdoor recreational facilities allowed by right shall be subject to the building permit process, while those subject to Administrative or CUP approval shall be reviewed for impacts to the surrounding area.

Rationale: The project will result in the construction and operation of a parking lot and trailhead. The project is set back approximately 275 feet from the property line, across the highway from the only surrounding residential use zoned Tourist Recreational (TR) to the east, and the project is located up a hill, partially obstructing it from view. Therefore, as proposed, the project is consistent with Section 130.40.210.

4.0 CONDITIONAL USE PERMIT FINDINGS

4.1 The issuance of the permit is consistent with the General Plan.

Rationale: The proposed use is consistent with all applicable policies and requirements of the General Plan as discussed above in Section 2.0 in the General Plan Findings section of the Staff Report.

4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the surrounding neighborhood.

Rationale: The use will not conflict with the adjacent uses as it is surrounded on three (3) sides by RL zoned properties that are undeveloped on the north, south and west, with TR on the east. The proposed development, a passive recreational use, will be located near the center southern portion of the subject parcel and is set back approximately 275 feet from the nearest lot line and State Highway 49. The nearest residentially developed parcel to the proposed project is approximately 0.30 miles away, west of the parcel. As conditioned, the project is not anticipated to result in significant environmental impacts or impacts to neighboring parcels. The proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report.

4.3 The proposed use is specifically permitted by Conditional Use Permit.

Rationale: The subject parcel is zoned RL-80. The Agricultural, Rural, and Resource Zone Districts Matrix of allowed uses (Table 130.21.020) establishes those uses that are permitted and those that require approval by a CUP in the RL zoning designation. The matrix includes trailhead parking as a use that is allowed by the issuance of an approved CUP. This application meets the requirement of the applicable provisions above for a CUP.

CONDITIONS OF APPROVAL

Conditional Use Permit CUP24-0009/El Dorado Ranch Trailhead Zoning Administrator/July 15, 2026

Planning Division

1. The Conditional Use Permit (CUP) is based upon and limited to compliance with the project description, the following hearing exhibits, and Conditions of Approval set forth below:

Exhibit EProject Site Map
Exhibit F.....Phase 1 Project Plans
Exhibit G.....Phase 2 Project Plans

Approval of the CUP allows the construction and ongoing operation of a new trailhead and parking lot to access El Dorado Ranch Wildlife Area. The proposed development includes two (2) phases. Phase one (1) consists of grading the path to the parking lot and the first thirteen (13) parking stalls. Phase two (2) consists of the remaining thirty-nine (39) parking stalls for a total of fifty-two (52) gravel parking stalls.

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description and the hearing exhibits above and Conditions of Approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and Conditions of Approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

2. **Permit Expiration:** In compliance with County Code Section 130.54.060 (Time Limits, Extensions, and Permit Expiration), implementation of the project must occur within 24 months of approval of this Conditional Use Permit, or the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with the Conditions of Approval.

3. **Compliance Responsibility:** The operator (lessee) and property owner (lessor) are responsible for complying with all Conditions of Approval contained in this CUP. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the owner and the operator.
4. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Department processing fees for the CUP and building permit prior to issuance of a building permit.
5. **Legal Indemnity/Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and landowner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a CUP.

6. **Archeological Resources:** In the event of the discovery of human remains, all work shall cease, and the County coroner shall be immediately notified pursuant to subdivision(c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two (2) working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24-hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48-hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific

removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h) of the Public Resources Code. Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

California Department of Transportation (Caltrans)

7. **Encroachment Permits:** Any project along or within the State's Right-of-Way (ROW) requires an encroachment permit issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to: California Department of Transportation, District 3, Office of Permits in 703 B Street Marysville, CA 95901. Required studies must be completed by a qualified professional and approved before a permit can be processed. A pre-application meeting is required.

California Department of Forestry & Fire Protection (Cal Fire)

8. **Emergency Access & Egress:** Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency.
9. **Roadway Surface:** Roadways shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.
10. **Disposal of Flammable Vegetation & Fuels:** Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.
11. **Open Spaces & Parks:** Where a Greenbelt, Greenway, open space, park, landscaped or natural area, or portions thereof, is intended to serve as a Fuel Break, the space or relevant portion thereof shall conform with the requirements in § 1276.03.