

FINDINGS

Rezone Z16-0001/Tentative Parcel Map P16-0001/Hansen Planning Commission/May 11, 2017

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. Mitigation Measures have been incorporated affecting Biological Resources and Cultural Resources. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and is adequate for this proposal.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division, Community Development Agency, at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan Policy 2.2.1.2.

Policy 2.2.1.2 identifies Rural Residential (RR) as areas for residential and agricultural development. These lands will typically have limited infrastructure and public services and will remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as “choice” agricultural soils. The RR designation shall be used as a transition between the LDR and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single-family residences, agricultural support structures, and a full range of agricultural production uses, recreation, and mineral development activities.

Rationale: The project proposes to split a 45.69-acre lot into four lots. The land use designation is Rural Residential (RR). The site is in a rural region, and land use proposed for the site is residential. As shown of the site plan (Exhibit F), the proposed lots range in size from 10 to 13.5 acres. The proposed project is compatible with the land use designation.

2.2 The project is consistent with General Plan Policy 2.2.5.3.

Policy 2.2.5.3 requires that the County evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following nineteen criteria:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;

Rationale: There are existing private wells on Parcel 1 and Parcel 4. Parcel 2 and Parcel 3 would be served by new private water wells.

2. Availability and capacity of public treated water system;

Rationale: The project proposes to be served by existing and new private wells. There are no plans to connect to a public treated water system. No substantial increase in water supply use is expected.

3. Availability and capacity of public waste water treatment system;

Rationale: The project would be served by private septic systems and does not propose a connection to a public waste water system.

4. Distance to and capacity of the serving elementary and high school;

Rationale: The school nearest to the site is Latrobe Elementary School, which is located approximately 2 miles to the southwest. The project would not generate a significant amount of additional students or affect school capacity.

5. Response time from nearest fire station handling structure fires;

Rationale: The nearest fire station is located approximately 1.6 miles from the site. The project would result in the potential for additional residential units. The project would not affect standard response times.

6. Distance to nearest Community Region or Rural Center;

Rationale: The project is within a Rural Region. The nearest rural center is Latrobe, which is located 1.6 miles to the east of the site. The site is to remain in residential use.

7. Erosion hazard;

Rationale: The project site would remain residential and proposes no construction. However, if any allowed uses were proposed for the property that would require any permits, erosion would be controlled through adherence to County grading requirements.

8. Septic and leach field capability;

Rationale: The project proposes to be served through private septic systems. A private septic system currently exists on proposed Parcel 1. New private septic systems would need to be installed for Parcel 2, Parcel 3 and Parcel 4. A percolation test performed May 8, 2015 determined that all sites had adequate septic and leach field capability.

9. Groundwater capability to support wells;

Rationale: The project would be served through existing and new wells. A well production test and water quality analysis was conducted April 27, 2015 determining that the project contains adequate groundwater capacity to support existing and additional wells.

10. Critical flora and fauna habitat areas;

Rationale: As mitigated, the project would not adversely affect biological resources.

11. Important timber production areas;

Rationale: The project is not located in and would not adversely affect timber resource areas.

12. Important agricultural areas;

Rationale: The project would not adversely affect important agricultural areas, as it is not designated as or adjacent to Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Locally Important Farmland.

13. Important mineral resource areas;

Rationale: The project is not located near and would not adversely affect mineral resource areas.

14. Capacity of the transportation system serving the area;

Rationale: The project would be required to improve affected roadways and would not affect transportation system capacity. The project has the potential to

add up to three primary dwelling units and three secondary dwelling units. Traffic impacts are expected to be less than significant.

15. Existing land use pattern;

Rationale: The project would be consistent with the adjacent existing low-density housing to the north, east and west and the agricultural land use pattern to the south. The project has been designed to provide adequate setbacks, buffers and transitions to neighboring properties. The use of the property is to remain residential, as it is currently.

16. Proximity to perennial water course;

Rationale: No perennial water courses exist on the property.

17. Important historical/archeological sites;

Rationale: The Bryant Cemetery, which exists on the northern edge of the property, is the only known historic sites. The cemetery is to be offered and accepted by the county. The project is not expected to adversely affect any known historic/archeological sites.

18. Seismic hazards and presence of active faults; and

Rationale: There are no active faults or extraordinary seismic hazards in the vicinity of the project.

19. Consistency with existing Conditions, Covenants, and Restrictions.

Rationale: There are no CC&Rs currently at the site.

2.3 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.

Rationale: The project site is surrounded by rural residential development and agricultural uses. The new parcels would be similar in size to the surrounding parcels, and the proposed residential use would be compatible with the existing development in the vicinity. Access to the site would be from South Shingle Road. The use is consistent and compatible with the development pattern in the immediate surroundings.

2.4 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: Each lot is would be served by an individual well and septic system. Condition of Approval 27 requires that water supply be determined prior to recording the final map. The wildfire safe plan requires a water tank to be installed at each residence to supply residential, fire sprinkler and firefighting water. The tank size is to be determined by the square footage of the residence. With the creation of four parcels, a second dwelling unit could be constructed on each lot, for a total of eight possible households. If a second dwelling unit were constructed, the project would be required to provide a safe and reliable water source at the time of building permit application.

2.5 The project is consistent with General Plan Policy 5.7.2.1.

General Plan Policy 5.7.2.1, Fire Protection in Rural Regions, requires the applicant to demonstrate that sufficient emergency water supply, storage, and conveyance facilities for fire protection, together with adequate access are available, or are provided for, concurrent with development.

Rationale: The El Dorado Hills Fire Department (EDHFD) would provide fire protection service to the project site and ensure that water supplied to the parcels is adequate to meet emergency fire needs. The EDHFD reviewed and conditioned the project to develop, implement, and maintain a Wildland Fire Safe Plan that is approved by the Fire Department as complying with the State Fire Safe Regulations prior to recording the parcel map. The Fire Safe Plan shall address fire fuel hazard reduction, water tanks at each residence to supply residential, fire sprinkler and firefighting water, standpipes to act as fire hydrants, residential sprinkler systems, and specific building materials. With the incorporation of these requirements, the project is in compliance with these General Plan policies related to fire protection.

2.6 The project is consistent with General Plan Policy 6.2.2.2.

Policy 6.2.2.2, Wildland Fire Hazards, requires that the County preclude development in high and very high wildland fire hazard areas unless such development can be adequately protected from wildland fire hazards, as demonstrated in a Fire Safe Plan and approved by the local Fire Protection District and/or CALFIRE.

Rationale: The property is located in a High Fire Hazard Zone. The El Dorado Hills Fire Department (EDHFD) reviewed the application and included conditions of approval regarding road design and maintenance. These include facilities for engine access and turn-around facilities, a new fire hydrant to serve the new parcels, and review of plans at the time of building permit. These improvements would adequately protect the proposed parcels from wildland fire hazards. Implementation of a Wildland Fire Safe Plan is required as a condition of approval to reduce

the potential for project construction resulting in fire that could spread to the adjacent wildland and effect existing residences.

2.7 The project is consistent with General Plan Policy 6.2.3.2.

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: Both El Dorado County Fire Protection District and CALFIRE reviewed the application materials and would not require additional site access or improvement to the existing roads. The Transportation Division reviewed the application and determined that encroachment permits accessing South Shingle Road would be required. No improvements to South Shingle Road or other public or private roads are needed. The project must prepare and adhere to the approved Wildland Fire Safe Plan for emergency vehicle access including roadway widths and turning radii, fire flow and sprinkler requirements, and vehicle ingress/egress. Compliance with these requirements will assure adequate emergency access and evacuation routes. The project is in compliance with this policy.

2.8 The project is consistent with General Plan Policy 7.3.2.1.

Policy 7.3.3.1 requires that projects that would result in the discharge of material to or that may affect the function and value of river, stream, lake, pond, or wetland features, include a delineation of all such features. For wetlands, the delineation shall be conducted using the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual

Rationale: A wetland delineation (Site Consulting, Inc.) was prepared for the project under a Preliminary Jurisdictional Determination in April of 2016 in accordance with U.S. Army Corps of Engineers' Wetland Delineation Manual. One intermittent creek and two ephemeral drainage swales were found on the project site. The total potentially jurisdictional area within the project study area is 4,113 square feet or 0.0944 acres. No development is proposed for these areas, and no discharge or fill is proposed to be directed to these waters. Access driveways would not cross any streams or wetlands, and the sites proposed for residential structures avoid these sensitive areas. The project would not result in discharge of material to or affects to the function and value of river, stream, lake, pond, or wetland features.

2.9 The project is consistent with General Plan Policy 7.3.3.4.

General Plan Policy 7.3.3.4 required that the zoning ordinance be amended to provide buffers and setbacks for the protection of riparian areas and wetlands. Until the setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of

100 feet for all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands would be used. The recent Zoning Ordinance Update, adopted on December 15, 2015, identifies ministerial development setbacks of 25 feet from intermittent stream, wetland, or sensitive riparian habitat, or a distance of 50 feet from any perennial lake, river, or stream. Discretionary development that has the potential to impact wetlands or sensitive riparian habitat shall require a biological resource evaluation to establish the area of avoidance and any buffers or setbacks required to reduce the impacts to a less than significant level.

Rationale: One intermittent creek and two ephemeral drainage swales were found on the project site. The total potentially jurisdictional area within the project study area is 4,113 square feet or 0.0944 acres. Wetland features, stream corridors, and riparian areas have been avoided in the project design, and the project is conditioned to obtain all necessary permits and approvals from regulatory agencies prior to any work that could affect these features and to implement best management practices during construction to protect these features. Access driveways would not cross any streams or wetlands, and the sites proposed for residential structures avoid these sensitive areas. The project proposes minimum setbacks from wetlands and ephemeral, intermittent, and perennial waters. For wetlands, ephemeral waters, and intermittent waters, no development shall occur within 55 feet of these features.

2.10 The project is consistent with General Plan Policy 7.4.1.5.

Policy 7.4.1.5 requires that species, habitat, and natural community preservation/conservation strategies be prepared to protect special status plant and animal species and natural communities and habitats when discretionary development is proposed on lands with such resources, unless it is determined that those resources exist, and either are or can be protected, on public lands or private Natural Resource lands.

Rationale: The project site was evaluated for the presence of listed animal and plant species (Site Consulting, Inc., 2015). As mitigated and conditioned, the project will be required to protect potential habitat for Oak titmouse (*Baeolophus inornatus*), as well as other species of concern. The project proposes minimum setbacks of 55 feet from the edge of existing wetlands and streams. Pre-construction surveys for nesting birds and raptors, conducted no more than 30 days prior to construction activities, will be conducted if construction is scheduled during the normal nesting season (March 1 - August 31).

2.11 The project is consistent with General Plan Policy 7.4.1.6.

Policy 7.4.1.6 requires that all development projects involving discretionary review shall be designed to avoid disturbance or fragmentation of important habitats to the extent reasonably feasible. Where avoidance is not possible, the development shall be required

to fully mitigate the effects of important habitat loss and fragmentation. Mitigation shall be defined in the Integrated Natural Resources Management Plan (INRMP) (see Policy 7.4.2.8 and Implementation Measure CO-M).

Rationale: The project site was evaluated for the presence of listed animal and plant species (Site Consulting, Inc., 2016). As mitigated and conditioned, the project will be required to protect potential habitat for Oak titmouse (*Baeolophus inornatus*), as well as other species of concern. The project proposes minimum setbacks of 50 feet from the edge of existing wetlands and streams. In addition, Mitigation Measures BIO-1 would provide protections to specific species of concern, through pre-construction surveys and actions to protect any found species.

2.12 This project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires the applicant to demonstrate that adequate development area exists on each of the proposed parcels where a single family dwelling and related improvements could be built without the removal of oak trees or without project mitigation.

Rationale: Oak woodland canopy currently covers approximately 8.1 acres, or 17.8 percent of the project site. The most common oak species is blue oak (*Q douglasii*), comprising of 78.8 percent of the oak canopy. Valley oak (*Q. Lobata*) comprise 18.8 percent of the oak canopy. Interior live oak (*Q. wislizeni*), comprises 2.4 percent of the oak canopy. Under General Plan Policy 7.4.4.4, Option A, 70 percent of the existing canopy must be retained. As proposed, the project would retain 100 percent of the oak tree canopy at the site because the proposed area for development does not contain oak trees. The proposed new homes would be reviewed at the time of building permit for compliance. An additional secondary dwelling unit could also be constructed on each of the four lots. Future residential development on either proposed parcel would be required to mitigate the loss of oak canopy in conformance with General Plan Policy 7.4.4.4 and the El Dorado County Oak Woodland Management Plan.

2.13 The project is consistent with General Plan Policy 8.1.3.1.

According to Policy 8.1.3.1, agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands. Those parcels used to buffer agriculturally zoned lands shall have the same width to length ratio of other parcels.

Rationale: The parcel to the south is an agriculture-zoned parcel (Exhibit D). A 200-foot buffer and 10-acre minimum parcel size would be required for parcels located to the south of the site. The required buffers and minimum lot sizes for

agricultural compatibility have been provided, as shown on the Tentative Parcel Map. In compliance with the Right-to-Farm Ordinance (130.40.290), a written disclosure statement advising the buyer of the property of agricultural setback requirements and a statement that intensive agricultural activities may be conducted on neighboring properties is required.

2.14 The project is consistent with General Plan Policy 8.1.3.2.

Policy 8.1.3.2 requires that agriculturally-incompatible uses adjacent to agricultural zoned lands shall provide a minimum setback of 200 feet from the boundary of the agriculturally zoned lands. Agriculturally incompatible uses adjacent to agriculturally zoned land outside of designated Agricultural Districts shall provide a minimum setback of 200 feet on parcels 10 acres or larger. The implementing ordinance shall contain provisions for Administrative relief to these setbacks, where appropriate, and may impose larger setbacks where needed to protect agricultural resources.

Rationale: The project would create a residential project consistent with the surrounding residential land uses. The parcel to the south is agriculture-zoned (Exhibit D). A 200-foot buffer and 10-acre minimum parcel size would be required for parcels located to the south of the site. The required buffers and minimum lot sizes for agricultural compatibility have been provided, as shown on the Tentative Parcel Map.

2.15 This project is inconsistent with General Plan Policy 8.1.4.1.

Policy 8.1.4.1 requires that the County Agricultural Commission 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

Rationale: The project application was reviewed by the El Dorado County Agricultural Commission on February 8, 2017 for compliance with the General Plan. Although the project would include the addition of a new housing unit adjacent an area designated for agriculture, the housing units are proposed to be located outside of the 200-foot agricultural setback from the Agricultural District boundary and the Agricultural Lands (AL) land use designation as delineated in General Plan policy 8.1.3.2. The Agricultural Commission (Exhibit H) found that the addition of 3 housing structures on approximately 45.69 acres would intensify the conflicts between residential and agricultural uses and would be incompatible with agricultural activities both on and off the

site. The El Dorado County General Plan is a comprehensive document in which no single component can stand alone in the review and evaluation of a development project. While, the Agricultural Commission recommended denial of the project due to potential conflicts with adjacent agricultural lands (Policy 8.1.4.1), staff concludes that there was no substantial evidence of a conflict and that the General Plan allows a 10 acre parcel size because the land is designated Rural Residential (10 acre minimum), is surrounded on three sides by non-agricultural lands, complies with other General Plan Policies designed to protect agricultural land, including Policy 8.1.3.1 requiring a 10 acre minimum size adjacent to agriculturally zoned lands and Policy 8.1.3.2 requiring a 200 foot setback for agriculturally incompatible uses adjacent to agriculturally zoned lands.

- 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

Rationale: The project is located on a site that is zoned for residential development. No change in land use is proposed. The proposed project creates 4 lots on approximately 45.69 acres, and is surrounded by existing large-lot residential development. The Agricultural Commission found that the parcel map would not create an island effect.

- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

Rationale: No change in land use is proposed, and the project does not include any changes to the size or configuration of the property. There is adequate space to accommodate the 200-foot setback between proposed parcel 4 and the parcel to the south, which is designated by the General Plan as Agricultural Lands (AL) and is currently under contract as an Agricultural Preserve. The Agricultural Commission found that 200 foot buffering effect currently provided by the site would be significantly reduced by the addition of a new dwelling unit.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The parcel is zoned Rural Lands Twenty-Acre (RL-20) and proposes to rezone to Rural Lands Ten-Acres (RL-10). The project has been analyzed in accordance with Zoning Ordinance Section 130.28.210 (Development Standards) for minimum lot size, widths and building setbacks.

Rationale: The project, as proposed and conditioned, is consistent with the Zoning Ordinance because the parcels have been designed to comply with the Rural Lands Ten-Acres (RL-10) development standards as provided within Section 130.28.210 of the County Code. With the proposed design waiver the proposed lots meet the minimum lot size and width standards.

4.0 PARCEL MAP FINDINGS

4.1 The proposed tentative map, including design and improvements, is consistent with the General Plan.

Rationale: The proposed Parcel Map is consistent with the General Plan as set forth in Findings 2.1 through 2.15.

4.2 The proposed Parcel Map conforms to the applicable standards and requirements of the County zoning regulations and Minor Land Division Ordinance.

Rationale: The parcels have been analyzed in accordance with Section 130.28.210 (Development Standards) of the Zoning Ordinance and with adoption of the design waiver the project will comply with the required minimum lot area and minimum lot width requirements. As proposed and conditioned, the Parcel Map conforms to the Minor Land Division Ordinance.

4.3 The site is physically suitable for the proposed type and density of development.

Rationale: The proposed development meets the density requirements of the Low Density Residential (LDR) land use designation and conforms to the minimum parcel size and with the adoption of the rezone request will adhere to the development standards of the Rural Lands Ten-Acre (RL-10) zone districts.

4.4 The proposed subdivision is not likely to cause substantial environmental damage.

Rationale: The project impacts have been analyzed in the Initial Study, which resulted in a Mitigated Negative Declaration. The project would not cause substantial environmental damage.

5.0 DESIGN WAIVER APPROVAL FINDINGS

5.1 Design Waiver Request to deviate from the standard 3:1 lot depth to width ratio.

5.1.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.*

The subject site is unique in that the subject parcel is relatively long and narrow, as well as there being an existing residence and driveway on the western end of the property. The

project proposes to improve the driveway into a private road. Parcels 1 & 2 occur at the terminus of a road resulting in a narrow frontage and a deeper length from front to back (Exhibit G). The proposed design waiver allows the creation of two additional parcels consistent with the minimum lot size requirements and development standards of the proposed RL-10 zoning and consistent with the RR General Plan designation.

- 5.1.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardships resulting from denial of the division of the subject parcel creating two additional parcels consistent with the minimum lot size requirements and development standards of the proposed RL-10 zoning designation and consistent with the RR General Plan designation.

- 5.1.3 *The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*

The lot width to depth ratio Design Waiver will not result in future development that will pose a hazard to the health, safety and welfare of the public.

- 5.1.4 *This waiver(s) would not have the effect of nullifying the objectives of Subpart II of Title 120 of the County Code or any other ordinance applicable to the division.*

The requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Subpart II of Title 120 of County Code (Minor Land Divisions) or any of the other applicable ordinances discussed within the staff report. The greater than 3:1 lot depth to width ratio will create parcels that will be consistent with the development standards of the proposed RL-10 zone district and other applicable requirements of the County Zoning Ordinance.

- 5.2 **Design Waiver request to allow tangent lengths between reversing curves of 200' or greater in radius to no less than 40 feet.**

- 5.2.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.*

The project area is rural in nature and the proposed private road would serve four parcels. Furthermore, El Dorado Design and Improvement Standards Manual Section 3.B.6 states "a tangent at least one hundred (100) feet long shall be introduced between reversed curves. The County Engineer may approve of a tangent shorter than 1,200 feet on local roads provided the adjacent curves have a minimum radius of 200 feet or an acceptable alternate approved by the County Engineer." The County Engineer takes no exception to the design waiver. Reduced Road Tangent Lengths will allow the roadway design to

better conform to the existing topography and natural features on the site, reduce land disturbance, tree removals and wetland impacts.

- 5.2.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.*

Strict application of County design and improvement requirements could result in increased land disturbance, tree removal and wetland impacts.

- 5.2.3 *The adjustment or waiver(s) would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.*

The proposed roadway will serve four homes, which are expected to generate approximately 40 vehicle trips per day. Adjacent properties will not receive access from the proposed roadway. Changes in alignment angle for roadway curves are small. The Waiver would not be injurious to adjacent properties, or detrimental to health, safety, convenience or welfare of the public.

- 5.2.4 *This waiver(s) would not have the effect of nullifying the objectives of Subpart II of Title 120 of the County Code or any other ordinance applicable to the division.*

The requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Subpart II of Title 120 of County Code (Minor Land Divisions) or any of the other applicable ordinances discussed within the staff report.

6.0 PLANNING AND ZONING LAWS FINDINGS

6.1 Restrictions on Acquisition and Disposal of Real Property.

Public Resources Code Section 65402 establishes restrictions upon the County for the acquisition and disposal of real property. As part of the project, Bryant Cemetery, a public county maintained cemetery, would be conveyed to and accepted by the county. Bryant Cemetery has a general plan designation of Rural Residential (RR) and a proposed zoning designation of Rural Lands 10-Acres (RL-10). Cemeteries within the RL-10 zoning designation require the approval of a conditional use permit. Bryant Cemetery was established in 1848 and predates El Dorado County's zoning ordinance and general plan. The cemetery would be a legal non-conforming use, consistent with all applicable General Plan policies.