

**TRPA  
APC  
PACKETS**

**NOVEMBER  
1997**

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION  
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, November 12, 1997, at the Horizon Casino Resort, U.S. Highway 50, Stateline, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

November 3, 1997

By:   
Jerry Wells  
Deputy Director

This agenda has been posted at the TREA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

Horizon Casino Resort  
U.S. Highway 50, Stateline, Nevada

November 12, 1997  
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

PAGE NO.

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. DISPOSITION OF MINUTES
- V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD
  - A. Designation of Special Area #5 (National Avenue) of the Tahoe Vista Community Plan as a Preferred Industrial Area 1
  - B. Resolution Amending Goals and Policies Attachment D (TRPA-Approved Subdivisions in Conformance With Bailey Coefficients) and Attachment E (Planned Unit Development) 7
  - C. Douglas County, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-130-04 (Portion of Kahle Park Site) 11
  - D. Prim, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-120-08 (U.S. Highway 50 and Kingsbury Grade) 21
  - E. Amendment of Chapter 26 (Signs) to Incorporate Revisions to the Placer County Substitute Sign Standards 35
- VI. PLANNING MATTERS
  - A. Status Report on the Environmental Improvement Program 53

VII. REPORTS

- A. Executive Director
- B. Legal Counsel
- C. APC Members

VIII. ADJOURNMENT

# TAHOE REGIONAL PLANNING AGENCY

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## MEMORANDUM

November 4, 1997

To: Advisory Planning Commission

From: TRPA Staff

Subject: Delegation of Special Area #5 (National Avenue) of the  
Tahoe Vista Community Plan as a Preferred Industrial Area

Proposed Action: At the APC's request, staff proposes to amend the Tahoe Vista Community Plan Area to designate Special Area #5 as a Preferred Industrial Area.

Staff Recommendation: Staff recommends the Advisory Planning Commission recommend the Governing Board adopt the ordinance amending the Tahoe Vista Community Plan Area to designate Special Area #5 as a Preferred Industrial Area. Please see Attachment A for proposed language changes to the Tahoe Vista Community Plan document, and Attachment B for location of Special Area #5.

Discussion: On May 28, 1997, The Governing Board adopted Ordinance 97-9, amending subsection 33.3.B(5) of the Code of Ordinance. The amendment created an incentive for additional commercial square footage in areas designated as Preferred Industrial Areas. Projects within an area given the preferred industrial area designation can double their square footage which is allocated or transferred into their project area. In order for an area to qualify for the preferred designation, Subsection 33.3.B(5) requires TRPA to find that the area has implemented area-wide Best Management Practices (BMPs), or the local government of jurisdiction has committed to implement area-wide BMPs in its five-year CIP list submitted to TRPA.

Staff conducted a site review of the National Avenue Industrial area (Special Area #5). Currently, the area has some BMPs in place, but additional measures are needed to treat runoff from the area. After consulting with Placer County and a private property owner in the area, the decision was made by Placer County Department of Public Works to include a runoff treatment project in the Placer County CIP list submitted to TRPA. The project submitted in the list is the Upper National Avenue SEZ Restoration Project. The project is being financed privately and will have a treatment component for the runoff created in the industrial area.

001

Special Policy 1(e) of the Land Use Element of the Tahoe Vista Community Plan has demonstrated Special Area #5 as a public service/industrial area. Public service and industrial uses are encouraged by the Permissible Use list and industrial uses are encouraged to relocate in this area.

Current uses in Special Area #5 include wholesale/storage facilities, batch plant, and light industrial uses. Per the agreement with the Commercial Policy Committee, staff is notifying all property owners within Special Area #5 of the proposed amendment.

Transfers of commercial floor area out of a preferred industrial area will be reduced by 50 percent unless the floor area was acquired through a TRPA-approved transfer on a 1:1 ratio or through a community plan allocation system. Transfers within a preferred industrial area shall be at a 1:1 ratio.

Per subsection 33.3.B(5), the National Avenue Industrial area qualifies for the Preferred Industrial Designation.

Findings: Prior to amending the TRPA Code of Ordinances, TRPA must make the following findings.

Chapter 6 Findings:

1. Findings: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code, and other TRPA plans and programs.

Rationale: The amendment to the Tahoe Vista Community Plan Special Area #5, to designate it as a Preferred Industrial Area is consistent with and will not adversely affect implementation of the Regional Plan Package. The Code of Ordinance provides for designation of a preferred industrial area provided the area implements area-wide BMPs or submit a CIP list to the TRPA that includes the a project that will treat runoff from the industrial area. Placer County in conjunction with a private property owner has submitted the CIP list to TRPA and the National Avenue SEZ Restoration/Treatment project is on the list. The project is slated for construction in the year 2001. Futhermore, Special Policy 1.e of the Tahoe Vista Community Plan encourages public services and industrial uses to be continued in this area and should be limited to the permissible uses.

2. Findings: The project will not cause the environmental thresholds to be exceeded.

Rationale: Based in the rationale listed in finding 1, the amendment will not cause environmental thresholds to be exceeded. In return for additional commercial floor area in an industrial area, the area will implement area-wide BMPs to treat runoff.

002

Furthermore, the BMP project submitted to TRPA in the CIP list includes SEZ restoration. The SEZ restoration project is listed on TRPA EIP list. Control stormwater discharge and restoration of SEZ within the Tahoe Basin are threshold requirements of the Regional Plan Package.

3. Findings: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: See findings 1 and 2 above. Although the amendment to the Regional Plan is not a project, it will result in the construction of a stormwater drainage treatment project.

4. Findings: The Regional Plan, as amended, achieves and maintains the threshold.

Rationale: See findings 1 and 2 above. The amendment to the Tahoe Vista Community Plan, to designate Special Area #5 as a Preferred Industrial Area, provides an opportunity for treating stormwater runoff and provides for SEZ restoration, a threshold goal.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed amendment. Staff proposed a Finding of No Significant Effect (FONSE) based on the Chapter 6 findings shown above and on the following:

1. From a regional; perspective, no additional land coverage or disturbance would be permitted by the amendment than is otherwise permissible under the Regional Plan; and
2. The amendment will create an incentive to treat runoff and restore SEZ in an area that currently needs additional BMPs and SEZ restoration.

Staff will begin this item with a brief presentation. Please contact John Hitchcock at (702) 588-4547, or via email: [trpa@sierra.net](mailto:trpa@sierra.net), if you have any comments regarding this item.

## CHAPTER II - LAND USE ELEMENT

### PLAN DESIGNATION:

<b>Land Use Classification</b>	TOURIST
<b>Management Strategy</b>	REDIRECTION
<b>Special Designation</b>	PRELIMINARY COMMUNITY PLAN AREA ELIGIBLE FOR REDEVELOPMENT PLANS TDR RECEIVING AREA FOR: 1. Existing Development 2. Multi-Residential Units SCENIC RESTORATION AREA PREFERRED AFFORDABLE HOUSING AREA MULTI-RESIDENTIAL INCENTIVE PROGRAM AREA <b><u>PREFERRED INDUSTRIAL AREA</u></b> <b>(Special Area #5 Only)</b>

### DESCRIPTION:

**Location:** This includes the commercial areas along Highway 28 and National Avenue in Tahoe Vista. This area is located on TRPA maps E-3 and E-4 and Placer County Zoning Map 34.

**Existing Use:** The majority of the commercial uses along Highway 28 are tourist oriented (i.e., motels, restaurants, and marinas). The commercial uses on National Avenue are more service-industrial. The shoreline uses are generally commercial and motel. This area is 75 percent built out.

**Existing Environment:** The area is classified as 80 percent low hazard, 10 percent moderate hazard, and 10 percent SEZ lands. The shoreline is a modified tolerance district 1 to the west and tolerance districts 7 and 6 to the east. The land coverage for the total area is 50 percent plus an additional 20 percent disturbed. The greater concentration of coverage is in the eastern portion.

**PLANNING STATEMENT:** Tahoe Vista should be redeveloped to continue to serve the commercial needs for the residents and tourists of the north shore.

### PLANNING CONSIDERATIONS:

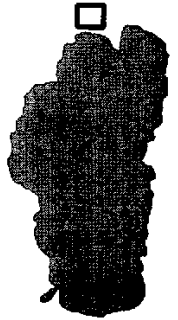
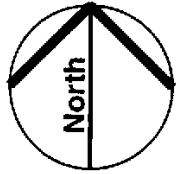
1. The upgrade and improvement of some motel facilities may help improve occupancy rates.



11/4/97

Attachment B

# Existing CP Boundary



Special Area #5  
Preferred Industrial Area

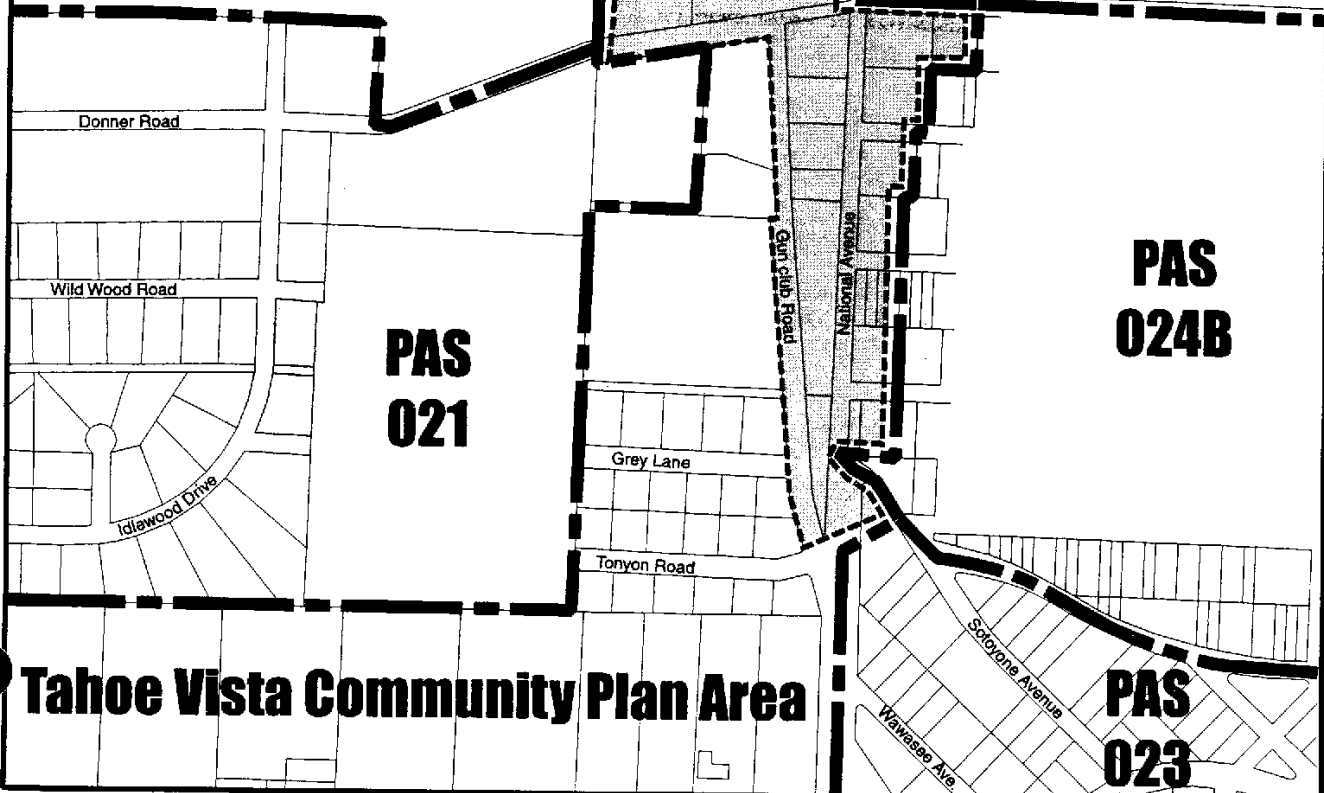
**PAS  
024A**

**PAS  
024B**

**PAS  
021**

**PAS  
023**

**Tahoe Vista Community Plan Area**



11/05/97

**2000 Construction Season****Nile Road Erosion Control Project**

Est. Construction Cost - \$253,000

No TRPA Project Number

**Beaver Street Erosion Control Project**

Est. Construction Cost - \$225,000

TRPA Project Number #0015 (Portion)

**Lake Tahoe Park Erosion Control Project**

Est. Construction Cost - \$950,000

TRPA Project Number #0220 / TRPA Est. Cost \$5,983,000

**2001 Construction Season****National Ave / SR 28 Intersection Signal**

Est. Construction Cost - \$200,000

TRPA Project Number # 0396 / TRPA Estimate \$500,000

**Kings Beach Urban Improvement Project**

Est. Construction Cost - \$2,500,000

TRPA Project Number #0015 (Portion)

**2002 Construction Season****Upper National Avenue SEZ Restoration (Pvt Developer Funded)**

Est. Construction Cost - \$50,000

TRPA Project Number # 0391 / TRPA Est. Cost \$50,000

**Lake Forest Erosion Control Project**

Est. Construction Cost - \$800,000

TRPA Project Number #0090 (Portion) / TRPA Est. Cost \$500,000

# TAHOE REGIONAL PLANNING AGENCY

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September 29, 1997

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of the Goals and Policies Attachment D (TRPA-Approved Subdivisions in Conformance With Bailey Coefficients ) and Attachment E (Planned Unit Development) of the Goals and Policies

Proposed Action: Staff proposes to amend Attachment D of the TRPA Goals and Policies to update the list of TRPA-approved subdivisions in conformance with Bailey Coefficients and planned unit development that do not conform to the Bailey coefficients (Please refer to Exhibit A to see amendments to Attachment D). At this time, there are no changes proposed to Attachment E.

Staff Recommendation: Staff recommends the Advisory Planning Commission recommend to the Governing Board to adopt the resolution amending Attachment D of the TRPA Goals and Policies.

Discussion: Since the adoption of the Regional Plan Package, Attachment D and E has not been updated. The list is a list of approved TRPA subdivisions in which the Bailey coefficients were used to determine the base land coverage permitted on a lot. Since the adoption of the Goals and Policies, TRPA has approved new subdivisions, discovered typographical errors, and discovered subdivisions that do not exist anymore. The amendment will clean up the list and make it consistent with Goal #3, Policy 1.A of the Land Use Subelement which states:

**IN THE CASE OF SUBDIVISION APPROVED BY TRPA IN CONFORMANCE WITH THE COEFFICIENTS, COVERAGES ASSIGNED TO INDIVIDUAL LOTS SHALL BE THE ALLOWED BASE COVERAGE FOR THOSE LOTS. A LIST OF SUCH TRPA-APPROVED SUBDIVISIONS APPEARS IN ATTACHMENT D.**

The proposed changes to Attachment D are shown in Exhibit A. Currently there are no changes to Attachment E, Planned Unit Development.

Findings: Prior to amending the TRPA Goals and Policies, TRPA must make the following findings.

## Chapter 6 Findings

1. Findings: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code, and other TRPA plans and programs.

Rationale: The amendment to Attachment D, TRPA-Approved Subdivisions in Conformance with Bailey Coefficients, is typographical in nature. The amendment will delete subdivisions that do not exist and add subdivisions that were left out by mistake. The amendment will make the list consistent with Goal #3, Policy 1.A. of the Land Use Subelement, that requires TRPA to keep a list of approved subdivisions that conform with Bailey coefficients. The Goals and Policies allow the listed to be updated as needed by resolution to make it consistent.

2. Findings: The project will not cause the environmental thresholds to be exceeded.

Rationale: Based on the rationale listed in finding 1, the amendment will not cause the environmental threshold to be exceeded. Per Goal #3, Policy 1.A. of the Land Use Subelement, a list of TRPA approved subdivision that conform with the Bailey coefficients is to be kept and updated as necessarily to to be consistent with the provisions of Policy 1.A.

3. Findings: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: See findings 1 and 2 above.

4. Findings: The Regional Plan, as amended, achieves and maintains the Threshold.

Rationale: See findings 1 and 2 above, furthermore, the amendment to Attachment D of the Goals and Policies will make it consistent with Goal #3, Policy 1.A.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed amendment. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 findings shown above and on the following:

1. From a Regional perspective, no additional development would be permitted by the amendment than is otherwise permissible under the Regional Plan; and
2. The amendment will update the list, correcting typographical errors, deleting nonexistent subdivisions and adding ones that have been left out and making the list consistent with Goal #3, Policy 1.A of the Land Use Subelement.

Staff will begin this item with a brief presentation. Please contact John Hitchcock at (702) 588-4547 or by email: [trpa@sierra.net](mailto:trpa@sierra.net) if you have any comments regarding this item.

ATTACHMENT D

TRPA-APPROVED SUBDIVISIONS  
IN CONFORMANCE WITH BAILEY COEFFICIENTS

The following is a list of TRPA-approved subdivision (including planned unit development) in which the Bailey coefficients were used to determine the base land coverage permitted on a lot. The approved coverages for each lot shall be the base coverage for that lot. Parcel maps of four or less units are not listed, but, may be included if it is found that they conform to the Bailey coefficients. This list may be updated by resolution of the Governing Board to be consistent with the provisions of Goal #3, Policy 1.A of the Land Use Subelement.

Washoe County

1. Brookstone Condominium
2. Club Tahoe
3. Crystal Bay Palisades
4. Incline Crest
5. Forest Pines
6. Miners Ridge
7. Sea Cap Villas
8. Tahoe Palisades
9. Tyrolian Village #8

**10. Lake Country Estates**

**11. Country Club Villas**

**12. Skiway Villas**

**13. Lodgepole Villas**

Douglas County

1. Chalet Village
2. Chimney Rock Estates
3. Edgewood Creek Estates
4. Glenbrook Units 1, 2, and 3
5. Granite Springs
6. Hansens Hilltop Estates
7. Kingsbury Glen
8. Kingsbury Heights #3
9. Lake Village Professional Building
10. Marla Bay (Pinewild)
11. Uppaway (portion in Land Capability District 4)

Placer County

1. Agate Bay Pines
2. Cedar Point
3. Highlands #4
4. Mein Trust Subdivision
5. Northshore Unit 2
6. Rocky Ridge ~~Units 4 and 5~~
7. **Tall Trees Tract**

El Dorado County/South Lake Tahoe

1. Christmas Valley Acres

2. Cove South Townhouses
3. Highland Woods
4. Pine Hill
5. Sugar Pine Townhouses
6. Tahoe Tyrol
7. Tahoe Valley Apartments
8. **Lighthouse Shores**

# TAHOE REGIONAL PLANNING AGENCY

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## MEMORANDUM

October 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Douglas County, Amendment of Regional Plan Overlay  
Maps for Man-Modified Determination, Douglas County  
APN 07-130-04 (Portion of Kahle Park Site)

Proposed Action: The applicant, Douglas County, requests the Advisory Planning Commission review the proposed man-modified determination and, if appropriate, recommend approval by the TRPA Governing Board.

Staff Recommendation: Staff recommends the Advisory Planning Commission review the proposed Man-Modified Determination and recommend approval of the proposed Regional Plan amendment which changes the land capability of a 6,000 square foot portion of the parcel (Exhibit 1) from land capability class 3 to land capability class 7, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1998. Implementation of BMPs relating to, but not limited to, ripping of compacted areas, revegetation, and stabilization of fill sideslopes, shall be required as part of onsite mitigation. The owner shall post a security equal to \$8,300 or 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.
2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall retire 1,500 square feet of land coverage in the same hydrologically related area as the parcel in accordance with Subsection 20.3.C (2) or pay a mitigation fee of \$7,500 to the TRPA excess coverage mitigation fund. The fee is based on a per square foot value of land coverage at \$5.00 per square foot. Either option would result in retirement of potential or existing coverage and shall be required as offsite mitigation.

011

Background: The portion of the property being considered for a man-modified determination is a 6,000 square foot portion of the parcel located along Kingsbury Grade near Stateline, Nevada. The area being evaluated is undeveloped, flat and sparsely vegetated.

Soil mapping completed in 1991 for the Nevada Stateline Community Plan, placed this portion of the APN 07-130-04 in land capability class 3 associated with the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) map unit. The slope gradients on this portion of the parcel range from 1 to 3 percent. The site has been extensively filled and graded. Based on evidence of grading, the land capability of the disturbed areas could not be verified without a detailed soils investigation.

An agent for the owner filed a land capability challenge on April 17, 1997. A TRPA team of experts conducted the field investigation in August 1997. The soils investigation was conducted by Joseph Pepi, Certified Professional Soil Scientist. A soils report was prepared and concluded the soils were modified by grading to the extent the land capability of the parcel had been significantly altered from its natural state.

Chapter 20, Subsection 20.2.F of the TRPA Code of Ordinances, sets forth the policy for processing man-modified determinations. A man-modified determination is appropriate when land has been altered such that it no longer exhibits the characteristics of the original mapped land capability.

Report: The following analyses are provided to complete the man-modified report:

- (a) **Geomorphic Characteristics** - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area as geomorphic unit E-2 (Outwash, till and lake deposits) and is classified as low hazard lands. The soils identified on the parcel (see item c) are consistent with the mapped geomorphic hazard rating.
- (b) **Surface and Subsurface Hydrology** - The parcel has no surface water drainages and there is no evidence of near surface groundwater.
- (c) **Physical/Chemical Soil Characteristics** - The parcel is mapped as JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) on TRPA Land Capability Map H-16.

The soils report prepared by Joseph Pepi, TRPA Soil Scientist, is attached. This report found this portion of parcel 07-130-04 to have been modified by grading. The graded area now has soils which are deep loamy coarse sands intermixed with construction debris. These soils are not similar to any of the named soils recognized in the Natural Resource Conservation Service (NRCS) Tahoe Basin Soil Survey (Rodgers, 1974).

- (d) **Erosion Hazard** - The altered soils have been graded, are deep and would have a low runoff potential. Because of the coarse texture of the surface soils, they have a slight relative erosion hazard.



- (e) **Vegetation** - The vegetative cover of the undeveloped portion of the parcel consists of Jeffrey pine, rabbitbrush, bitterbrush, whitethorn and manzanita. The vegetation on the disturbed areas is sparse, since much of it was destroyed as a result of the grading. Natural revegetation of the this disturbed area has been slow; this may be due to the soil conditions.
- (f) **Land Capability District** - The graded areas are best classified as land capability class 7. There is approximately 6,000 square feet of area on the parcel identified as class 7 and allowed 30 percent land coverage.

The proposed man-modified determination does not grant a permit for any new construction. This determination solely applies to the classification of the parcel under the Bailey Land Capability Classification System, from which the amount of allowable coverage is determined.

Required Findings:

The following is a list of required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, TRPA staff has briefly summarized the evidence on which the required finding may be made.

Chapter 6 Findings

1. **Findings:** The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements, the Code and other TRPA Plans and programs.

**Rationale:** The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Map H-16 is consistent with the procedures set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code or other TRPA plans and programs are anticipated.

2. **Findings:** The project will not cause the environmental threshold carrying capacities to be exceeded.

**Rationale:** The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities.

All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at the Governing Board hearing and on file at TRPA.

3. Findings: Wherever Federal, State or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained, pursuant to Article V (d) of the TRPA Compact, the project meets or exceeds such standards.

Rationale: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at TRPA.

4. Findings: The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.F. Findings

Finding (a): The land was modified prior to February 10, 1972.

The construction debris was placed on the property in the late 1960's and there is evidence that the property was graded prior to the 1972 cutoff date.

Finding (b): Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area.

Development of the graded area will not increase runoff or erosion provided all new development is completed with properly conceived and designed BMPs which are properly maintained. Revegetation of the graded areas not utilized for development would enhance nutrient uptake and minimize surface erosion potential. There is no evidence of near surface groundwater and further development would not interfere with groundwater.

Finding (c): The land no longer exhibits the characteristics of land bearing the same original land capability classification.

The original land capability of the parcel was mapped class 3. The graded area now has a slope gradient of 1 to 3 percent which is flatter than the natural slope gradients of the surrounding lands. Due to the change in slope, the graded area now exhibits the characteristics of a land capability class 7.

Finding (d): Restoration of the land in question is infeasible because of factors such as the cost thereof, a more positive cost-benefit ratio would be achieved by offsite restoration, onsite restoration would cause environmental