



GPA & Rezoning Request

Trees Resort at Darkhorse *Project Information*

Project Description

Existing Uses

The Trees Resort at Darkhorse project is located on the existing golf course parcels within the Darkhorse subdivision. The subject property is approximately 223 acres in size and is located on Darkhorse Drive (the closest cross street is Combie Road). The project is located within a portion of the existing Dark Horse Golf Club and residential community in southern Nevada County, east of Lake of the Pines. The property is partially developed with an 18-hole championship golf course, driving range, golf practice area, temporary modular-trailer clubhouse building, a temporary metal cart barn storage building, three comfort stations/restrooms, and golf maintenance building.

The buildings are all used as part of the golf course operations. Access to the property is provided by existing paved public roadways within the golf club subdivision that connect to Combie Road, a County maintained public road. The property is served by power provided by PG&E and communication provided by AT&T. Sewage disposal is provided by Nevada County Sanitation and is treated at the LOP Sewer Treatment Plant, water supply and fire flow protection is provided by Nevada Irrigation District via the two on-site water storage tanks, pump stations, underground pipe network, and fire hydrants.

Zoning Request and Site History

Asian Pacific Group, the owner of the Darkhorse golf course, is requesting a General Plan Amendment (GPA) and Rezone for a portion of the golf course property to establish a compatible resort type, stay-and-play land use to attract additional golfers beyond the existing current users which have not been sufficient to support the golf club economics. The application is requesting a GPA to change the designation from Recreation to

Residential R1 (Single family) for approximately 27 acres of their 223 acres. The current use of the property includes the Darkhorse Golf Club areas surrounding the championship golf course. Most of the 27 acres proposed for re-designation is currently vacant land adjacent the golf course fairways and driving range. Asian Pacific Group purchased the property in 2013 and has since operated the facility.

Darkhorse Golf Club

Asian Pacific Group owns and operates two golf courses (Darkhorse Golf Club in Nevada County and Sunridge Golf Club in Carson City, Nevada). Current operations at Darkhorse feature a scenic 18-hole professional golf course supported by a clubhouse (made of temporary modular trailers) with restaurant and bar (serving breakfast and lunch), pro shop, and golf maintenance facility, golf practice facilities (driving range, grass pitch areas, and putting greens). Golf tournaments are also held occasionally for up to 144 players. The Darkhorse Golf Club is very highly rated and in 2014 was rated as California's 4th best course by GolfAdvisor.com staff. What Darkhorse is most notably lacking is that it does not provide any on-site or nearby overnight accommodations. There is no ability to serve destination visitors interested in stay-and-play multiple day experience or for those who want group activities such as meetings, conferences, or weddings. The Trees Resort at Darkhorse project includes the following:

- Lodging: 26 duplex townhome buildings (52 units consisting of 3 to 4-bedroom units, approximately 2,000 SF each)
- Single Family: 8 single family homes scattered around the course
- Clubhouse: new clubhouse facility totaling approximately 8,590 SF indoors plus a 6,685 SF deck for indoor-outdoor use.

These improvements will enhance Darkhorse Golf Club's currently positive appeal by providing the features it is presently lacking to support stay-and-play, multiple day visitors and special events typical of a destination resort.

Economic Development

The proposed GPA and rezoning will establish a land use designation and associated zoning consistent with the long-standing need for a successful golf course operation, a permanent clubhouse facility, and accommodations for stay-and-play overnight guests and help assure the long term economic vitality that is currently missing. Establishing the appropriate County General Plan and Zoning designation that reflects the needed land uses of this property, reduces the risk of a well-established, employment generating, recreation enhancing, centerpiece of the existing residential subdivision, business from having to close and the golf course return to wildlands. If the Darkhorse Golf Club were to go out of business and close, it would have a devastating effect on the community and home values within and around the subdivision.

In order for Asian Pacific Group to maintain its business operations at Darkhorse in Nevada County, the appropriate land use designations are essential so that they can add the missing elements to their facilities to make it economically sustainable. Nevada County has a long history of unique businesses evolving to the point where modifications to general plan and zoning designations are needed. The opportunity to retain and enhance this existing business within the County is a long-standing economic development goal recognized in the Land Use and Economic Elements of Nevada County's General Plan.

Project Justification & General Plan Policy Analysis

Asian Pacific Group (APG) is requesting an amendment to the General Plan Land Use Designation from Recreation to Residential 1 (R-1 single family) for some of the area surrounding their existing golf course operations (approximately 27 acres). The remainder of the golf course property (approximately 223 acres) would remain as Recreation designation. This amendment to the General Plan, in addition to rezoning the approximately 27 acres to R-1 will allow APG to continue to operate and sustain its business in Nevada County.

Most of APG's employees reside locally and are trained on-site. Annual revenues help support other businesses throughout Nevada County and improves the jobs to housing ratio.

APG's Darkhorse Golf Club is a very specialized business within Nevada County and needs support from the community and Nevada County in order to be nimble enough to change with the market conditions so that they can succeed, and in turn the community thrives with them. Their business climate requires a different approach than was anticipated when the course was first built fifteen years ago in 2002. It would be extremely detrimental to the surrounding community if Darkhorse were to continue on its current trajectory with the likely ending of having to close the course permanently. Amending the land use to allow APG to supplement their operations with a new approach to the local golf marketplace helps to support employment, improve the jobs to housing balance, and enhance and protect property values of the Darkhorse community and Nevada County in the long term.

Nevada County requires an analysis of the applicable General Plan Policies pertinent to a specific General Plan Amendment. The Policies related to this proposed GP amendment are summarized below in *italics*:

□ **Policy 1.4 - Land Use Element (Summarized)**

The General Plan is intended to provide for the development of Nevada County as a balanced community with adequate amounts of land designated in each land use category to achieve a balance among housing, employment, retail and commercial services, recreation, and public facilities.

The General Plan Land Use Map designations provides a balance between housing and employment based upon criteria of a jobs/housing ratio of 1.2:1 or more for the County as a whole. To achieve this jobs/housing balance, and to provide for an appropriate amount of land for commercial and related uses to serve the County's population, the amount of nonresidential land provided in the land use designations on the General Plan land use maps is based upon the following criteria for the County as a whole:

- a. Local Commercial (Neighborhood Rural) - 2 acres per 1000 population*
- b. Combined Community and Service Commercial - 5 acres per 1000 population*
- c. Highway Commercial - No specific criteria*
- d. Office and Professional - 1 acre per 1000 population*
- e. Combined Business Park and Industrial - 15 acres per 1000 population. The above ratios should be considered minimums and may be increased depending upon the specific designation, land use, and location.*

The General Plan Land Use Map designations also promote a balanced future growth in population and employment in relation to infrastructure and environmental capabilities and constraints through balanced consideration of the following:

- a. location within a defined Community Region, Rural Place, Village Center, or Rural Center;*
- b. need for availability and future availability of public water and sewer systems;*
- c. topography (erosion hazard)*
- d. soil capabilities;*
- e. important flora and fauna habitat areas;*
- f. commercial timberland;*
- g. important agricultural areas;*
- h. important mineralized areas;*
- i. future capacity of the transportation system;*
- j. existing land use pattern;*

- k. watersheds and stream corridors;*
- l. important historical; archaeological sites;*
- m. known historical faults; and*
- n. need for new roads and circulation patterns that promote safety and reduce vehicular concentration at existing intersections.*

Response

The goal of Policy 1.4 is to ensure a balanced growth of population vs. employment to promote a healthy jobs/housing ratio within the County. Nevada County strives for a ratio of 1.2 jobs per dwelling unit. Jobs-housing balance is a key factor in reducing traveling distances. Areas with a jobs-housing balance ratio of less than 1.0 has more workers available than jobs, suggesting an outflow of workers which increases commute distances, travel time, and potentially congestion and pollution. According to an Economic Analysis prepared by Hansford Economic Consulting (HEC), the jobs to housing units ratio falls short of Nevada County's long-term goal of 1.2 and has worsened since 2000. Currently, the jobs-housing ratio is 0.54 for the entire county.

APG currently employs people which is a positive influence on the jobs/housing ratio. An amendment to the GP Land Use Designation will allow Darkhorse Golf Club to continue operating and growing as needed. The loss of Darkhorse Golf Club would worsen the jobs to housing ratio and negatively impact the local economy and also Nevada County's economy.

Darkhorse Golf Club has been in operation for 15 years. The Trees Resort at Darkhorse facilities are limited to areas around the perimeter of the golf course. There are minimal impacts to sensitive environmental resources such as topography, agriculture, watersheds, biological, or archaeological sites and all impacts will be fully mitigated.

□ *Policy 1.36 - Land Use Element (Summarized)*

The County recognizes that amending the Plan through individual General Plan amendments for specific site changes may not be compatible with a comprehensive and internally consistent plan. Where General Plan amendments are considered on an individual basis, the following shall apply:

The proposed amendment must be found to be:

- a. In the public interest; and*
- b. Consistent with the General Plan's central themes, goals, objectives, and policies.*

Response

The Trees Resort at Darkhorse is located around the existing Darkhorse Golf Club and will function to enhance and support the existing golf course operation. It is in the public interest that Darkhorse Golf Club remain a successful and vibrant recreational resource in the community. To lose Darkhorse Golf Club would have a significant negative affect on the community and property values. An Economic Analysis was prepared by Chuck Nozicka Consulting and concluded that the market demand for the Trees Resort at Darkhorse project is positive and that a loss of Darkhorse Golf Club and APG as an employer would increase the unemployment rate and would have a profound negative effect over the long-term. Amending the General Plan to allow APG to update its business to current market trends has a direct public interest of maintaining jobs, improving the jobs/housing balance over the long term, and continued earnings/spending of APG and its employees within Nevada County. If APG is forced to close its golf course operations for financial reasons, the loss of jobs and income would not be in the public interest. Additionally, if the golf course were to close it would likely return back to an unmaintained, unirrigated wildland that would have a direct negative impact on the public interest and would no longer be a recreation resource as was envisioned by the General Plan and Zoning Ordinance.

□ *Policy 2.5 - Economic Development Element*

In the General Plan Land Use Maps, provide a balance between land designated for commercial, business and industrial use, and land designated for residential development to provide for County-wide jobs to housing ratio at build-out of 1.2 jobs per dwelling unit. In addition, the General Plan is intended to provide appropriate land use designations for balanced resource management and production, including agriculture, timber production, and mining, through designation of rural and forest land use areas as well as mineral resource zones. The County shall monitor the balance of land uses through its annual review of the implementation of the General Plan, and shall consider the effect on such balance in review of all General Plan amendments.

Response

The proposed amendment to the GP land use designation will help retain an employer in Nevada County which provides jobs and significantly contributes toward a healthier jobs/housing ratio. APG's golf course operations occur within the center portion of the Recreation designated area and the remaining perimeter portion is currently not actively used for recreation. This unused perimeter area provides an opportunity to balance the existing recreation uses with the needed stay-and-play accommodations. This provides an economic solution within the golf course without disrupting the balance of resources throughout the Darkhorse Open Space designated areas. The loss of Darkhorse Golf

Course would be contrary to the General Plan goals & policies related to improving the job-housing balance and economic development (retention).

□ **Policy 2.6 - Economic Development Element**

The County shall require an economic analysis as an integral part of all General Plan amendments, addressing the impact on the County Economic Policy and its supporting policies and programs. The analysis shall particularly address impact on the short-term and long-term jobs/housing balance including the land use designations of the General Plan intended to achieve a jobs/housing balance.

Response

In accordance with Policy 2.6, an Economic Analysis was prepared by Chuck Nozicka Consulting and is included as part of the Trees Resort at Darkhorse application. The analysis concluded that the market demand for the Trees Resort at Darkhorse project is positive and that a loss of Darkhorse Golf Club and APG as an employer would increase the unemployment rate and would have a profound negative effect on Nevada County over the long-term.

□ **Policy 3.3 - Public Facilities and Services Element**

The land use pattern reflected in the Nevada County General Plan Land Use Map is correlated with the future provision of public facilities to adequately serve said land uses based upon the service criteria and levels of service identified in Policy 3.1 and Policy 3.10. All General Plan amendments shall be required to show that the public facilities and services necessary to serve the proposed development are also correlated with the future provision of facilities and services according to the same criteria.

Response

There are already adequate facilities, services, and infrastructure necessary to serve The Trees Resort at Darkhorse, as it is surrounded with public water, sewer, access, and dry utilities.

□ **Policy 3.14 - Public Facilities and Services Element**

In order to ensure that capacity of public facilities is coordinated with the timing of development the County shall require for any development requiring a discretionary permit, and for any General Plan amendment, a determination of the adequacy of public facilities, or an impact fee program, to serve the proposed development.

The adequacy of public facilities shall be determined upon the available capacity in existing facilities, plus the net additional capacity to support new development

resulting from construction of the improvements in the Five-Year CIP of the County and other affected local agencies, the County 5-Year Road Improvement Program, and the State Transportation Improvement Program.

Additional capacity provided by such improvements to resolve existing deficiencies shall not be counted in the basis for determining capacity available to serve new development. Where adequate public facilities are planned, but not yet available to serve a proposed development, the County may require that mitigating measures be undertaken by the proponent of the development. Such measures shall not be in lieu of development impact fees; such measures may include, but are not limited to, alteration in the timing or phasing of the proposed development, construction of temporary improvements, or construction of off-site improvements necessary to serve that development.

Response

As discussed above, there are already adequate public facilities to support the Trees Resort at Darkhorse and the continued operations of Darkhorse Golf Club.

□ **4.4 - Circulation Element - Policy RD**

Minimize the need to commute by:

- a. Providing for an adequate amount of residential, commercial, and industrial designations in proper balance, as shown on the General Plan Land Use Maps; and*
- b. Encouraging Economic Development and Public Facility policies that support local employment opportunities.*

Response

By providing the currently missing stay-and-play accommodations, travel times and distances traveled by vehicles are reduced considerably. Golf visitors will be able to enjoy multiple day stays onsite at the Trees Resort at Darkhorse without having to drive to distant locations (Auburn or Grass Valley) for accommodations. An amendment to the General Plan land use designation would allow APG to continue to compete in the golf marketplace and grow its business, directly resulting in present and future local employment opportunities and tax dollars staying in Nevada County.

□ **Noise Element - Policy 9.7**

Strongly discourage those General Plan amendments and zone changes that would likely create land use conflicts relative to noise.

Response

Trees Resort at Darkhorse accommodations are residential in nature which minimizes noise impacts to surrounding areas and are typical for a golf course community. The areas proposed for amendment are currently adjacent to the golf course facilities as are many of the existing homes within Darkhorse. For these reasons, an amendment to the General Plan land use designation would not create land use conflicts related to noise.