

Calaveras to vote on legalizing golf land

By The Record

March 11, 2011 12:00 AM

SAN ANDREAS - The Calaveras County Board of Supervisors is scheduled to vote on legalizing golf resort development on agricultural lands during a public hearing scheduled for 1:30 p.m. Tuesday.

If approved, it would allow the owners of more than 100,000 acres within the county to apply for conditional use permits if they want to build golf courses.

The change to the county's zoning code also would offer a way for the possible legalization of the Trinitas golf course, south of Wallace.

In particular, the zoning code change is part of negotiations to settle a lawsuit against the county filed in 2009 by Trinitas owners Mike and Michelle Nemees.

Trinitas was built in an agricultural preserve without permits.

The Nemees applied to have county officials legalize the course after the fact but were turned down twice in 2009 by the Board of Supervisors.

In the summer of 2009, Community Bank of San Joaquin foreclosed on the 280-acre Trinitas property and tried to sell it at auction. The Nemees filed for bankruptcy and also that year filed lawsuits against the county.

Now, both the bankruptcy case and a key lawsuit between the Nemees and the county are being heard in U.S. Bankruptcy Court in Modesto. Some of those proceedings have been delayed for months, because Judge Ronald Sargis has been waiting to see whether county officials will legalize golf courses on agricultural land.

If county officials don't offer a way to legalize Trinitas, then Sargis could rule soon on allowing Community Bank of San Joaquin to proceed with an auction.

The failure of this component of the settlement negotiations also might mean Sargis would move forward with a trial on the lawsuit in which the Nemees seek to have the county recognize golf as a form of agritourism legal under the county's existing codes.

The Board of Supervisors will meet in its chambers at 891 Mountain Ranch Road, San Andreas.