

GPA/ZONE CHANGE APPLICATION R1 **FILING INSTRUCTIONS & CHECKLIST**

This form must be filed with your application. Please check off (✓) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

1. The signed and completed Application form, including a letter of authorization from the property owner(s) if forms are signed by a Representative (attached).

Submitted with the Application Packet for a Use Permit.

2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors. The department for which the fee is required must approve any deviation from the adopted fee schedule.

Filing fees paid on November 20th, 2019 at the time of application submission.

3. The signed and completed Agreement to Pay Form (attached).

Submitted with Mining Use Permit Application Packet.

4. Two copies of the property Grant Deed, verifying ownership and the legal description of each affected parcel.

Submitted with Mining Use Permit Application Packet.

5. The completed Project Information Questionnaire form (attached).

Submitted with Application Packet for a Use Permit.

6. A written statement indicating the circumstances justifying a Rezoning or General Plan Amendment, including any changes in circumstances that justify a reclassification. Address all General Plan policies that support your proposal, explaining how the application is consistent with relevant policies.

Written statement attached (see page 3).

7. General Plan Amendments must include an economic analysis pursuant to Policy 2.6 of the General Plan. The analysis shall address the impact of the proposed amendment on the County Economic Policy and its supporting policies and programs, particularly the impact on the short and long-term jobs/housing balance, and the land use designations of the General Plan.

No General Plan Amendment is being requested.

8. If this site is developed, provide a site plan, drawn to scale, showing all improvements.

Submitted with Mining Use Permit Application Packet (Site Plan Drawings: Figures A101, A201, A202, A1, B101, B102, B103, B1, B104, B2, C101, C102, C1, and C2).

9. 15 copies of a Zoning and/or General Plan Amendment exhibit, drawn to a recognized engineers or architects scale, no larger than 11" x 17", reflecting both existing and proposed zoning and General Plan designations (sample attached). If the exhibit is larger than 8 ½" x 11", provide one 8 ½" x 11" reduction of each exhibit.

See two (2) figures attached to Zone Change Application.

10. Photos of the site and a site plan reduction indicating where photos were taken.

Submitted with the Application Packet for a Use Permit. See *Appendix A: Site Photo Location Key & Site Photos* of the Project Information Questionnaire.

11. If your property is located within the Sphere of Influence of the City of Grass Valley, the City of Nevada City or the Town of Truckee, submit a letter from that jurisdiction indicating that they are not interested in pursuing annexation of your property.

12. The completed Hazardous Materials/Waste Statement form, attached.

Submitted with Mining Use Permit Application Packet.

This checklist is applicable to General Plan Amendments and Zone Change applications only. If your application includes another project, including a development plan or tentative map, please be sure to obtain the checklist for each type of project proposed. It is not necessary to duplicate forms or required attachments for projects that are filed concurrently on one application. To avoid delays in application submittal to avoid delays in application submittal please call the Planning Department if you are unsure of any application requirement.

ITEM 6. A written statement indicating the circumstances justifying a Rezoning or General Plan Amendment, including any changes in circumstances that justify a reclassification. Address all General Plan policies that support your proposal, explaining how the application is consistent with relevant policies:

As detailed in *Idaho-Maryland Mine Project Description* (Benchmark, November 2019), Section 5.4, “General Plan Land Use Designations and Zoning Classifications,” all parcels on the project site are designated Industrial in the *Nevada County General Plan* (the “General Plan”). The County Zoning Code designates the Centennial Industrial Site as Light Industrial (M1) and the Brunswick Industrial Site as Light Industrial (M1) with Site Performance Combining District (SP). Section L-II 3.22 (D)(2)(a) of the County Zoning Ordinance states that mineral exploration is allowed in the M1 district. However, Section L-II 3.22 (D)(3) of the County Zoning Ordinance states that surface mining (e.g., surface work incident to an underground mine, such as processing, stockpiling of mined materials, waste disposal, and the reclamation thereof) is allowed in the M1 district where the property is zoned ME; therefore, the site is proposed to be rezoned Light Industrial (M1) with Mineral Extraction Combining District (M1-ME).

As provided in the Mineral Management Element of the General Plan, “Surface mining is conditionally permitted in compatible designations that are zoned within the ‘ME’ Mineral Extraction Combining District. Such areas are those known to contain potentially significant mineral resources and lie in compatible areas for surface mining. Areas not currently zoned ‘ME’ and that lie in a compatible designation may be rezoned if a significant resource can be shown to be present.” The regulations state that this district shall be used only on those lands that are within any of the compatible General Plan designations and that are not in a residential zone. The current site is for industrial uses and is not within a residential zone.

In establishing the ME District, one or more of the following standards must be met:

1. Said lands have been designated as Mineral Resource Zone-2 (MRZ-2) based on State of California Classification Reports.
2. It has been clearly demonstrated that significant mineral deposits are likely present on said lands based on data similar in nature to the State Classification Reports.

The site is designated by the State of California as Mineral Resource Zone ~~1-2b for hydrothermal deposits~~ (area where ~~available geologic information indicates there is little likelihood for the presence of~~ significant ~~inferred~~ mineral resources ~~are present~~). Historic gold mining of the project site and recent drilling clearly demonstrates that significant mineral deposits are present on the project site.

The Brunswick Industrial Site is a unique property due to its location above an identified gold resource and the existing infrastructure (i.e., Brunswick shaft) providing access to this resource. The property’s size, location, and access to local roadways provides the ancillary characteristics necessary to support a project of this magnitude and importance. No other properties in the area with similar zoning provide all these characteristics.

The project would be consistent with the relevant General Plan policies. Namely, the following goals and policies related to mineral resources encourage the protection of valuable mineral resources for extraction:

Goal 17.1: Recognize and protect valuable mineral resources for current and future generations in a manner that does not create land use conflicts.

Policy RD-4.3.4: Protect valuable mineral deposits from intrusion by incompatible land uses that will impede or preclude mineral extraction or processing. Promote the proper management of all mineral resource activities in the County and minimize the impact of extraction and processing on neighboring activities and the environment in general.

Policy 17.6: Encourage extraction of mineral resources in compatible areas prior to intensified urbanization or conversion to other incompatible land use development.

Policy RD-4.3.4: Encourage the mining of previously mined land, if such land still contains economically mineable minerals, so the land can be reclaimed for alternative uses.

A detailed analysis of the project's consistency with all General Plan and zoning regulations will be included in the *Idaho-Maryland Mine Land Use Technical Study* that is being prepared by Benchmark Resources and will be evaluated by Nevada County as part of their environmental review process. The technical report will be completed in December 2019.