Pima County
Development Services

ZONING ENFORCEMENT DIVISION
201 N. Stone Avenue, 1st Floor
Tucson, Arizona 85701-1207
(520) 740-6740

APPLICATION FOR ANIMAL RESCUE & SANCTUARY CONDITIONAL USE PERMIT

OWNER: _____ **PHONE:** _____

ADDRESS: _____ **CITY:** _____ **ZIP:** _____

APPLICANT (*if not owner*)_____ **PHONE:** _____

ADDRESS: _____ **CITY:** _____ **ZIP:** _____

PROPERTY ADDRESS: _____ **ZONE:** _____

TAX CODE(S): _____

LEGAL DESCRIPTION: _____

_____ **TOWNSHIP, RANGE SEC.:** _____

BASE MAP: _____ **LOT DIMENSIONS:** _____ **LOT AREA:** _____

TYPE OF USE PROPOSED FOR PROPERTY (BE SPECIFIC) :_____

_____

_____

_____

STATE THE REASONS WHY THE USE IS PROPOSED AND WHY YOU THINK IT WOULD BE COMPATIBLE WITH THE SURROUNDING AREA:

_____

_____

_____

_____

ESTIMATED STARTING DATE: _____ **ESTIMATED COMPLETION DATE:** _____

THE FOLLOWING DOCUMENTS ARE REQUIRED:

1. Ten copies of Site Plan (See Application Supplement "A" for specific requirements)
2. Zoning Fee of $188.00 *(*make check payable to Pima County Treasurer – includes a $2.00 records maintenance fee)*
3. Assessor's Map showing location and boundaries of the property.
4. Assessor's Property Information showing ownership of the property.
5. Letter of Authorization if applicant is not the owner
6. Additional submittal requirements. (See Application Supplement "B")

I, the undersigned, represent that all the facts in this application are true to the best of my knowledge.

_____ _____

Signature of Applicant Date

_____ _____

Print Name Applicant Phone Number

Applicant agrees to provide staff with written proof of notice to the United States Fish and Wildlife Service of this conditional use request at least 15 days prior to the date of the public hearing. Failure to do so may result in cancellation of the public hearing. In addition, the applicant or authorized representative must appear in person at the public hearing to present the request, otherwise the case may be dismissed.

Please initial here: _____

OFFICE USE ONLY

Case #: _____ Case Title: _____

Type: _____ Fee: _____ Receipt Number: _____ Hearing Date: _____

Notification Area: _____ Sections: _____

Zoning Approval: _____

Special Conditions: _____

_____

_____

_____

A request for continuance of an advertised application or a change in original request by applicant, must be accompanied by an additional fee.

ANIMAL RESCUE & SANCTUARY APPLICATION

SUPPLEMENT "A" (Site Plan Requirements)

A site plan of approximately 24" x 36" should be drawn at a standard engineering scale and show, at a minimum, the following information

a) All existing and proposed structures on the property.
b) All animal housing, exercise, training and containment areas.
c) Setback distances for existing and proposed structures in the front, side and rear yards.
d) Animal waste handling and storage areas.
e) Any screening or buffering from adjacent properties.

SUPPLEMENT "B" (Application Submittal Requirements)

1. Type and number of animals proposed.

2. Any known space requirements and care standards for the type of animal(s) to be cared for on the property.

3. Possession of, or plans to acquire, accreditation or certification.

4. Facility operating procedures, including hours and staffing.

5. A disposal plan for animal waste that describes how waste will be handled, stored, and disposed of for the maximum number of animals at the facility. The plan shall include (i) frequency of animal habitat cleaning; (ii) methods of waste containment; (iii) storage capacity; (iv) odor control; (v) vector control; (vi) drainage protection; (vii) disposal method; and (viii) disposal frequency.

6. Size of the property.

7. Existing land uses within the required hearing notification area.

8. Potential impacts to surrounding areas (e.g., noise and odor).

9. Procedures and measures that will be employed to mitigate potential impacts.

10. Information about other land uses on the property, including all animal-related uses.

11. Any other information that the Hearing Administrator determines necessary for evaluating the application in relation to Pima County Code requirements.

12. A notarized affidavit certifying that the applicant has no misdemeanor or felony convictions for animal abuse, cruelty, neglect or abandonment

AFFIDAVIT IN SUPPORT OF
ANIMAL RESCUE OR SANCTUARY FACILITY

1. I make this Affidavit in support of an application for a conditional use permit or development plan approval for an Animal Rescue or Sanctuary Facility pursuant to Pima County Code § 18.09.020(N)(2).

2. I am the (owner / operator) of an Animal Rescue and Sanctuary Facility, as defined by Pima County Code § 18.03.020(A)(17).

3. I have never been convicted of, and I am not currently charged with, any crime involving animal abuse, cruelty, neglect, or abandonment, whether as a misdemeanor or felony. This includes, but is not limited to, dog fighting and all actions prohibited by A.R.S. § 13-2910.

I understand the foregoing, and by signing this affidavit, I declare under the penalty of perjury that the above information is truthful and correct. I understand that making a false statement is punishable by law including, but not limited to, fine and imprisonment.[1]
Executed this ___ day of _____, 200_, by:

Signature _____

Printed name _____
Affiant

Name of Facility _____

[1] Any person who attempts to deceive a government agency by submitting documents to the agency or by making statements to a representative of the agency which they know to be false, is subject to prosecution for tampering with a public record, or fraudulent schemes and practices. Tampering with a public record is a Class 6 Felony (A.R.S. § 13-2407), and carries a maximum penalty of 2 years imprisonment and / or a $150,000.00 fine. Fraudulent schemes and practices is a Class 6 Felony (A.R.S. § 13-2311), and carries a maximum penalty of 2.5 years imprisonment and / or a $150,000.00 fine.

Public Guidance

Pima County Department of Environmental Quality
Enforcement Program

DATE: October 24, 2007

TO: Animal Property Owners in Pima County

FROM: P. Scott Porter, Enforcement Manager

SUBJECT: Manure Management Plan (MMP) Information

Purpose:

The Pima County Department of Environmental Quality (PDEQ), Enforcement Program is generating this document to assist animal property owners in Pima County who are obtaining a Animal Rescue and Sanctuary Facilities and Wildlife Rehabilitation Facility permit or have received a Notice of Violation (NOV) for the improper storage and/or disposal of solid waste (i.e. manure). This document will assist owners of property zoned for animal use in Pima County with the development and implementation of a Manure Management Plan (MMP) that will document the actions to be taken by the property/facility to comply with the regulations and to prevent the recurrence of the violation.

Introduction:

The subject of designing and implementing a MMP is very broad. The purpose of this guidance is to give the animal property owner a general conceptual understanding of the subject. Careful manure management will help to avoid creating environmental problems and will ease public concern about the effects that neighboring animal properties will have on the quality of the local environment. Therefore, state and local environmental regulatory agencies are requiring animal property owners to design and implement a MMP for their specific operation, as a means of ensuring that harmful impacts on the environment do not occur.

A MMP describes how the manure generated by animals will be managed by a specific property or facility. Each MMP will be exclusive to the operation for which it is proposed. A MMP involves setting up an effective system to handle, store, utilize and/or dispose of the manure produced by the maximum number of animals allowed on the premises or as claimed by the owner/operator in order to address the environmental health and nuisance issues related to manure. The MMP must meet all applicable regulations in Pima County to protect the waters of the state and comply with all solid waste rules related to storage and disposal. It is required by a permit and may be required for compliance with a NOV that an animal property owner complete a MMP and submit the plan to PDEQ as part of their written response documentation.

- **Developing Manure Management Plans**

  MMPs require gathering various pieces of information. The level of detail needed in the design of a plan is dependent on the size and scope of your property/facility. The following are some of the components an animal property owner must consider including in a MMP.

- **Implementing Manure Management Plans**

  Implementing a MMP is quite straightforward. It requires analysis, record keeping, and interpretation of the data. Generally, separate records are required for each component of the operation. If the MMP is properly implemented, the program can be evaluated and improved and environmental impacts can be anticipated and assessed.

COMPONENTS OF A COMPLETE MMP

TYPE OF OPERATION AND ANIMAL INVENTORY

The type of operation affects most manure management practices. The maximum number of animals and corresponding total live weight expected at the property/facility on any given day is necessary for manure management calculations. Taking in more animals than can reasonably be cared for endangers the welfare of the animals, their caretakers, and the environment.

LABOR AVAILABILITY / ACCESSIBILITY

The availability of labor and the ability to use that labor in the most efficient manner for manure management and animal chores should be considered. Alternative scenarios must be included in the MMP for times when the regular labor is not available to conduct the tasks associated with the MMP

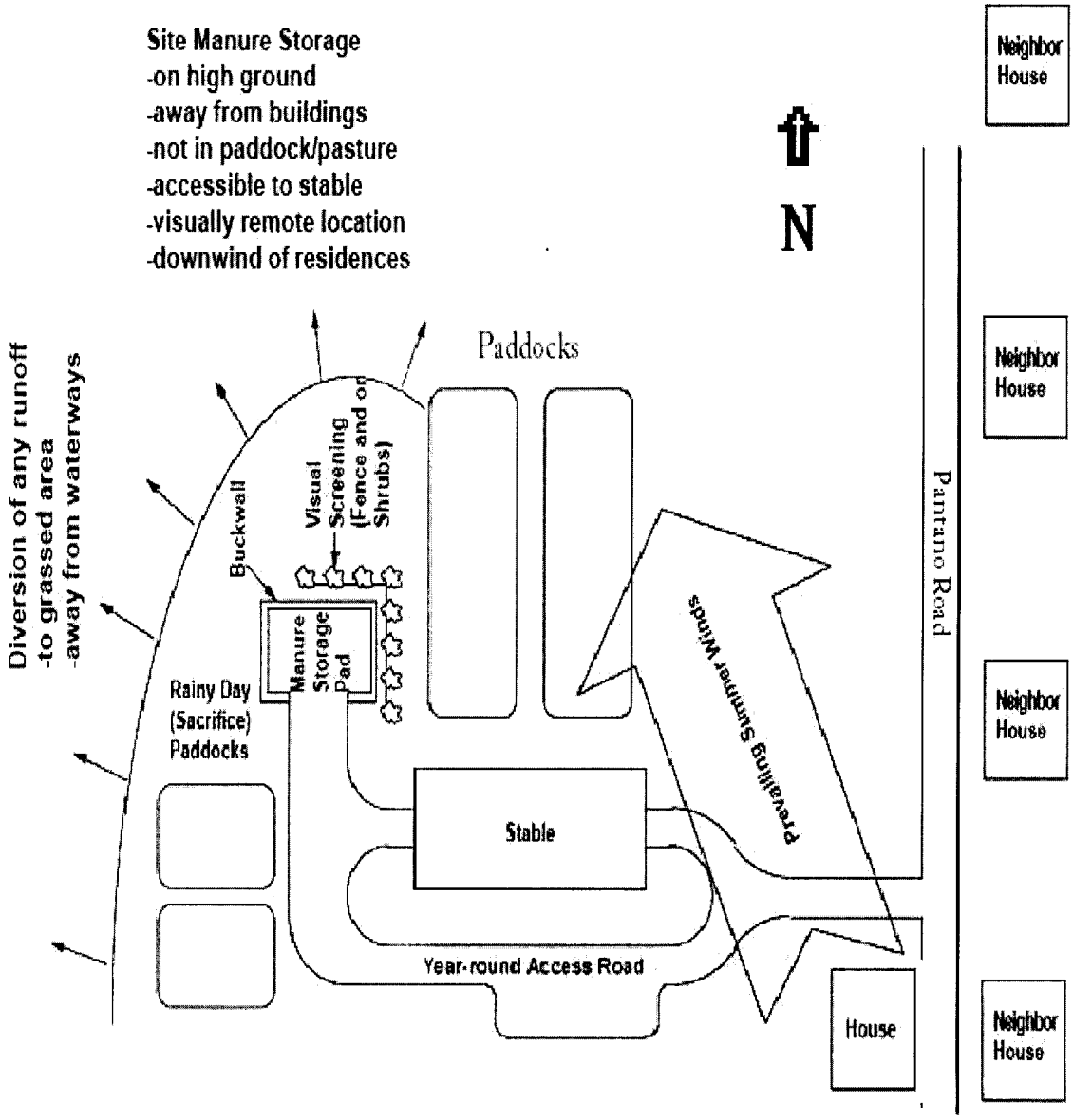
SITE SELECTION & FACILITY PLAN

For new animal property owners or those anticipating significant expansion, site selection is probably the most important single consideration associated with the entire operation. Adjacent land use should remove from consideration those sites near residential developments, commercial enterprises, recreational areas, or other prime areas for non-agricultural uses. Wind direction probability diagrams will help to locate facilities downwind of prevailing winds. The strategic planting of hedge rows or tree barriers at property boundaries serves to shield the production and manure management facilities from direct sight and to reduce wind speed across the facilities allowing any emitted gases more opportunity to rise vertically and dissipate into the atmosphere. A site may seem ideal with respect to transportation, feed supply, accessibility or land ownership, but may be inappropriate because of existing or proposed development.

Soil properties and limitations should be investigated. Soil types with limited permeability which will rapidly seal are desirable for the location of a manure

containment structure. Pollution control and manure management structures should be located as remotely as possible from areas of high environmental sensitivity such as washes, streams, or natural wetlands. Elevating the manure management structure several feet above ground, routes surface drainage away from the containment structure. Structures should be built on high ground and as far away from any existing drinking water well as possible to prevent contamination of the well. Every effort must be made to retain storm water runoff on the animal property and prevent discharge to waterways.

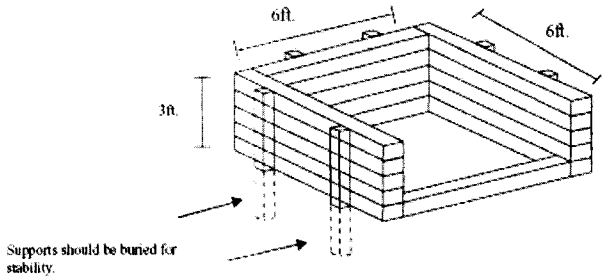
Below is an example of a horse property/facility plan showing manure management considerations for minimizing nuisances. A simple plan like this must be included in your MMP.



MANURE STORAGE

The type of storage receptacle is determined by the method of disposition of the manure. Animal property owners must decide whether their objective is to landfill, compost or spread the manure for soil amendment purposes. If conservation is desired, then soil incorporation equipment (e.g. tractor, loader, plows) will be needed. Manure spreaders may be used to move the manure to large acreages for spreading. When properly planned and managed, manure storage facilities can reduce overall odor levels at a property/facility, significantly reduce the fly population, and prevent impact on neighboring properties, surface water, and groundwater supplies.

General design for a large animal manure storage structure. (size varies with # of animals)



The size of the manure containment structure must be predetermined by the property/facility owner to assure that it is of adequate size to contain all of the waste produced between disposal intervals. Other factors to be considered are the available space for the structure on your property, proximity to the property line (at least 50 ft. setback – P.C. Zoning Code) and the number of head of animal contributing to the daily generation of waste.

Roll-off dumpsters, trash and recycling dumpsters, open trailers and other types of containers are acceptable as storage receptacles provided the container is watertight and has a close fitting cover. Open containers without permanent lids should be covered with a tarp that completely covers the container and is secured on all four corners.

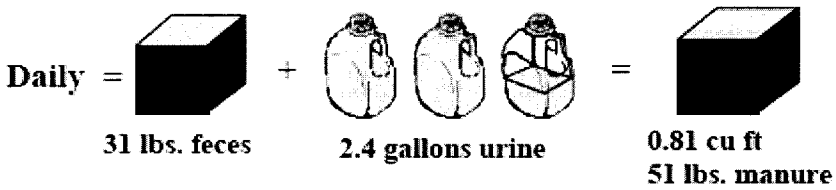
MANURE COMPOSTING

Animal property owners may see benefits to the reduction in volume of manure by composting. While there are many attractive, potential benefits to composting, animal property owners should thoroughly research the process before undertaking the endeavor. "Active" composting requires turning or aerating the pile to introduce air and decrease the time that it takes for the waste to decompose and become compost. Health concerns relating to compost are dependent both on the individual and on the material being composted. Dog and cat and other animal manures may contain harmful pathogens and composting of these materials should be avoided.

Passive or "static" composting does not involve turning or aerating of the material. However, it must be kept equally as moist as the active method. Common complaint concerns associated with static composting are increased fly breeding and odors. PDEQ requires the compost pile to be completely covered with a tarp to contain odors and destroy fly larvae. The tarp speeds the composting process by increasing the heat generated in the pile and the excessive heat destroys the fly larvae. The tarp also prevents the pile from becoming too wet during times of rainfall and prevents the dried surface manure (particulate matter) from blowing

FREQUENCY OF FACILITY CLEANING

Animal enclosure cleaning frequency depends on the size of the stalls or pens. Other factors include the type of animals being maintained and amount of feed that is consumed on a daily basis. Below is a guide for the daily manure and waste production from a typical 1,000 pound horse. PDEQ recommends daily cleaning of animal enclosures with a minimum of twice a week for larger enclosures. The use of alternative nuisance controls (e.g. fly traps, fly spray systems, and feed-through supplements) may be negotiated with PDEQ that will allow for a less frequent cleaning schedule.



FREQUENCY OF WASTE DISPOSAL

The disposal frequency rate at which the manure stored in a manure containment structure or receptacle depends entirely on the capacity of the container. Animal property owners must be cognizant of the amount of waste contained in the receptacle and not allow the waste to become exposed to the air by over-filling or lack of adequate coverage of the waste. At the time the containment structure or receptacle becomes full, arrangements must be made for the removal and proper disposal of the waste.

SOIL AMENDMENT PROCESS

PDEQ encourages the use of some types of livestock manure as a dust control measure in arenas and pens and also allows for the spreading and immediate incorporation of these manures into the soil with some type of plow or tilling implement. The use of a drag to break up and spread the manure does not comply with this requirement. This process is only feasible for facilities that have a large amount of property and large pens and arenas.

Dust control measures such as pre-soaking the area to be disturbed prior to tilling is also required to prevent excessive dust from being generated and crossing adjacent property boundaries. Manure, whether being used as a dust palliative or a fertilizer, must never be used in amounts so great that there is more manure than soil in the area of application.

NUISANCE ABATMENT STRATEGIES

House flies and stable flies are common pests around barns, stables, corrals and animal pens. Control of these pests is essential for your animal's physical and mental health. House flies are potential carriers of human and animal pathogens. Be a good neighbor and take steps to control the fly and mosquito pests around your animal property/facility.

A successful fly control program must rely on timely elimination of breeding sites and moisture control. Insecticides can help to provide some temporary reduction of house fly and stable fly populations but cannot be the sole control measure of effective fly management.

Elimination of breeding sites is the key to a successful fly control program. Barns, corrals and animal enclosures should be cleaned as often as possible and a minimum of once a week to break the fly life cycle in Pima County. Removed manure and other fly breeding materials should be spread thinly over an appropriate area and worked into the soil the same day where this practice is appropriate. Stored manure must be covered with a close fitting tarp at all times except when adding or removing waste.

Maintain coverage and good drainage to eliminate wet manure, spilled feed, and hay or straw. Check for and correct wet areas around animal waterers. Dry composted manure and accumulated organic matter are not good fly breeding sites.

Mechanical Controls

- Fans that direct a downward and outward air flow will keep flies from entering barns.
- Fly traps and sticky paper will capture flies. They may be most useful as a means of documenting fly numbers over time. A significant increase in catch from one week to the next can be a warning to check on sanitation and to increase fly control measures.
- Several commercial firms offer a fly parasite (predator) release program that can be used to supplement fly control.

Insecticides as Supplements to Fly Control

Insecticides are used to kill adult flies after a problem has developed. While they can help to reduce fly numbers, they do not address their source – moist breeding materials. There are many alternatives for fly control but they should be viewed as a temporary solution until the root cause of the problem can be corrected. Large numbers of flies mean lots of breeding sites and a situation that cannot be corrected by insecticides alone.

Residual insecticides are applied to walls, ceilings, and rafters of barns and sheds where flies rest. General observations of accumulations of fly specks (waste drops) will help to identify these spots. Be sure to protect water and feed when making applications. In order to minimize control failures due to insecticide resistance, do not apply the same insecticide or insecticide within the same chemical class repeatedly throughout an entire season.

Space sprays, fogs, and mists can provide a quick knockdown of flies, especially in enclosed areas. Systems vary from foggers to timed release aerosols. Usually, these are pyrethrins with very short residues so treatments have to be repeated.

Fly baits can be placed in bait stations. They are most effective when there are few competing food sources in an area. Baits attract and kill house flies but are not effective against blood-feeding stable flies. Animals must not have access to these materials.

Larvicides are insecticides that can be applied to breeding sites where large numbers of maggots are present and the area cannot be cleaned in a timely manner.

Feed through insecticides are administered at specific levels in animal feed and pass out in the feces making the manure toxic to developing maggots. Each animal must get the correct amount every day. While they can reduce fly production from manure, they do not address problems with wet spilled feed and straw.

ANIMAL MORTALITY MANAGEMENT

Dead animals are required to be properly disposed of within 24 hours. Mortality management options consist of below ground disposal or delivery of the carcass to the local rendering plant. Below ground burial is acceptable provided the carcass is not buried in a wash or near a well. Assure that the remains are buried deep enough to prevent wild animals from digging them up and exposing the carcass to the ambient air. Dead animals are also accepted at the Pima County Tangerine Landfill. Remains must be delivered before 2:00 p.m. and deposited in the approved disposal area.

MONITORING and RECORDKEEPING

Monitoring and reporting is an integral part of the MMP. A monitoring program will provide a check on how well the plan is working plus indicate any possible environmental problems that could occur over time. A monitoring program includes completing records to document the efforts of the property owner to comply with the agreed upon MMP and enable the regulatory agency to review these efforts without the need for multiple inspections. Records are important to both the animal property owner and the regulatory agency to ensure that the MMP is adhered to and provides adequate protection under the plan.

Remember: If you are not spreading or composting your manure, you must have waste hauler invoices, landfill receipts or some type of documentation from the disposal site to demonstrate legal disposition of the waste.

PUBLIC RELATIONS

Planned manure management at an animal property/facility presents an environmentally friendly and positive human health image. When the public sees an animal operation, they see much more than animals, buildings, and grounds. They see an attitude - an attitude of pride in the property/facility or an attitude of indifference. They see an environmental protector or an environmental polluter.

After weighing the important points of a MMP, an animal property owner must decide which processes to implement. Then, they must commit to providing the attention and management necessary to make the MMP function properly. No MMP will take care of itself. The appearance of buildings and grounds on animal facilities generates images of good stewardship - to employees, to neighbors, to regulators, and to the general public.

Conclusion:

A well designed MMP will help animal property owners optimize the use of manure as a fertilizer or dust control measure while helping maintain good environmental practices on the land. It also assures proper management and disposal of the waste through planning and operational practices. It can be used to demonstrate to the public and to regulators that good land stewardship is being practiced. It allows animal property owners to anticipate possible environmental impacts before these problems become serious. A good MMP is a vital part of any animal property/facility operation and helps to build a responsible and sustainable relationship with neighbors, surrounding communities, and environmental regulatory agencies.

Attachments:

1. Sample MMP
2. Blank MMP

Manure Management Plan

Pima County Department of Environmental Quality
Enforcement Program

Sample

Date: October 24, 2007

Property/Facility Name: Singing Valley Equine Boarding Facility

Property/Facility Address: 3030 N. Pantano Road, Tucson, AZ 85750

Property/Facility Owner: William W. Porter

Phone Number: 520-296-5299

Mailing Address: Same

Property/Facility Manager: P. Scott Porter

Phone Number: 520-886-5674

Property Zoning Designation: GR-1, Rural Residential

Property Size in Acres: 5 Acres

Number of Head Allowed by Zoning Code: 21 – 22 Head

Person Writing Plan: Penelope H. Porter (Wife – Co-Owner)

I. TYPE OF OPERATION AND ANIMAL INVENTORY

- We are operating a public boarding facility and maintain 3 head of our own horses on the premises.
- We are currently boarding 15 head of horses on our property
- The facility accommodates up to 20 head and we expect to maintain between 15 – 20 head of horses year round.

II. LABOR AVAILABILITY / ACCESSIBILITY

- ❖ William Porter and I are retired and maintain the facility year round and assure that there is always someone available to take care of the chores and watch the animals if we are not able to be there.

- ❖ We employ two high-school students year round to help with cleaning the stalls and pens, feeding of the animals.

- ❖ The boarding contract states that the boarders shall always help with maintaining the facility and agree to assist with the chores in our absence.

III. SITE SELECTION & FACILITY PLAN

- ❖ Our facility is located on the east side of Tucson northeast of the intersection of Sabino Canyon Road and Cloud Road. The property/facility southern boundary line borders the Pantano Wash.

- ❖ The western and northern property lines are bordered by Pima County land that is designated as a bird sanctuary and is covered with large mesquite trees and overgrowth.

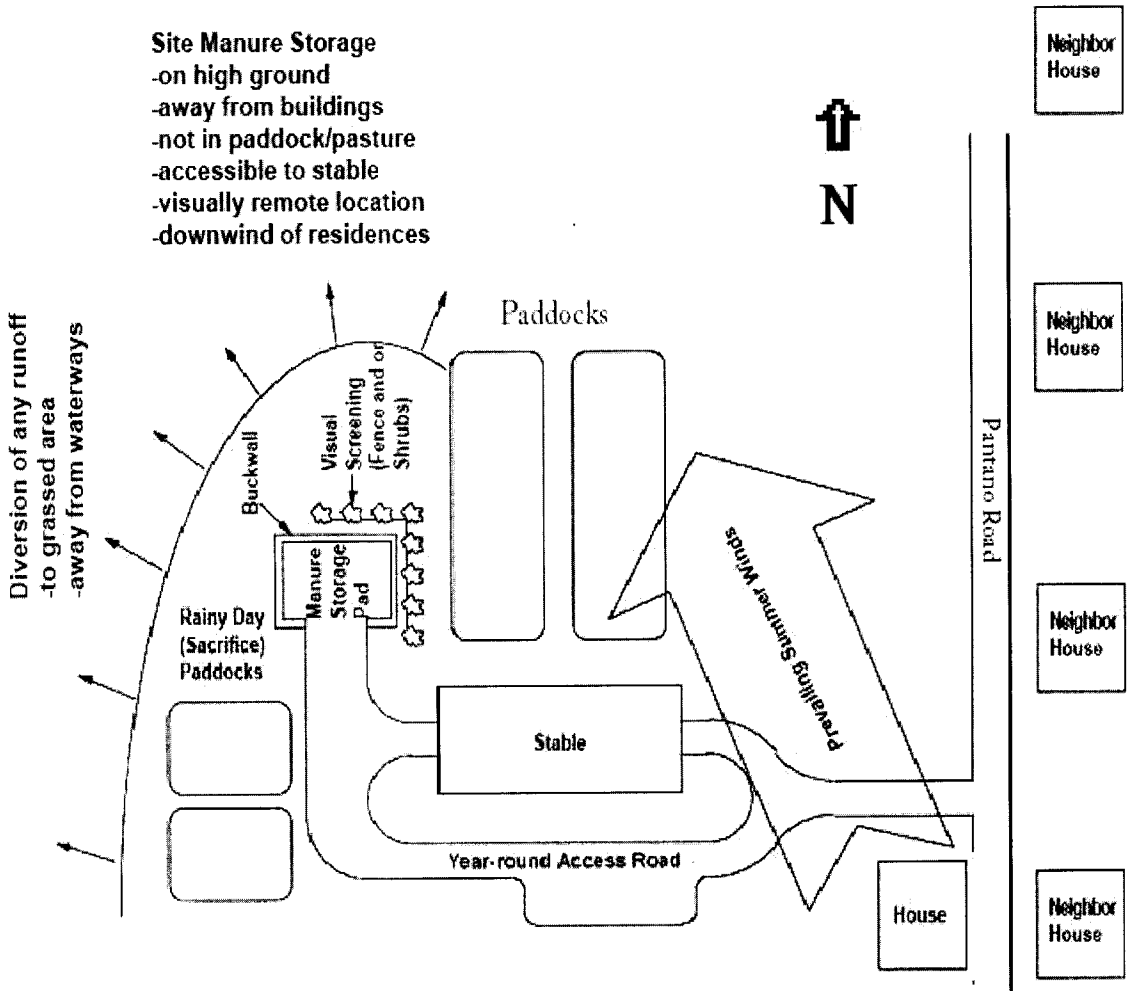
- ❖ Our eastern property line is bordered by Pantano Road and has a large residential development adjacent to the facility. Horse facility is located over 200 feet from this property line.

- ❖ Prevailing winds are predominantly in a north – northwesterly direction away from the residential area.

- ❖ Property was intentionally sloped with a northwesterly slope and berms were built around the paddocks to prevent stormwater discharge to the adjacent residential property and the Pantano wash. This was approved by the Pima County Regional Flood Control District during the construction phase of the facility.

- ❖ Below is a map of the facility showing the location of the items discussed in this MMP.

Sample



IV. MANURE STORAGE

- Manure storage structure is located 50 feet from the northwest corner of the property adjacent to the Pima County property. It measures 10 by 25 feet and has 6 foot concrete block walls on three sides. The structure can contain up to 1,500 cubic feet of manure prior to disposal. Shrubs were planted to provide visual screening and to divert the wind over the receptacle.

- A concrete pad was poured for the bottom of the manure storage structure and the manure is kept completely covered by a tarp that is secured on all four corners at all times except when adding and removing waste.

- See map provided above for location of manure containment structure (storage pad).

V. FREQUENCY OF FACILITY CLEANING

- We employ two high-school students year round to help with cleaning the stalls and pens, feeding of the animals. They clean the stall daily and the pens and paddocks twice a week.

- Boarders and my husband and I routinely clean the facility and assist when the hired help is unable to work.

VI. FREQUENCY OF WASTE DISPOSAL

- At a maximum capacity of 22 horses generating 17.82 cubic feet of manure daily, our facility has the potential to fill the manure storage structure in 84 days. Trips to the landfill to dispose of the waste are scheduled for two month intervals to assure that the structure is never filled beyond capacity.

VII. SOIL AMENDMENT PROCESS UTILIZATION

- The arena and the large paddocks are cultivated with a tractor on a regular basis to maintain a uniform footing for the horses. Water is used prior to working the soil in these areas and manure is spread thinly over the area and worked into the soil to improve its composition, help control dust and improve the footing for the animals.

VIII. NUISANCE ABATMENT STRATEGIES

- Stables are equipped with full-time fly control systems utilizing an environmentally safe insecticide that kills the flies and does not harm the horses.

- Strategically placed fly traps are hung in the four corners of the facility to attract and kill flies.

- All horses on the facility are fed a feed-through fly supplement to address the fly larvae in the manure and minimize the fly population.

IX. ANIMAL MORTALITY MANAGEMENT

- All animal carcasses will be disposed of within 24 hours of death.

- Carcasses will be transported to the Tangerine Landfill by owners.

X. RECORDKEEPING

- A checklist is provided for staff and boarders and is located by the stall cleaning equipment in the horse barn. The checklist is filled out following each cleaning of the facility. Dates and names are required information on the checklist.
- Hauling and Landfill receipts are maintained to demonstrate adherence to the 2 month disposal interval.
- Invoices are maintained for the purchase of insecticide for the animals and the fly bait for the traps.
- A contractor is used to maintain the fly system in the horse barn and visits once a month to fill the insecticide reservoir and check the spray system.
- Fly traps are monitored and changed out whenever they become half full. A checklist is provided to staff and is used to record the frequency of the need to dump the traps and re-bait them.

Sample

Signature of Plan Writer	Date Submitted
Signature of Property/Facility Owner	Date Submitted
Signature of PDEQ Representative	Date Approved

Manure Management Plan

Pima County Department of Environmental Quality
Enforcement Program

Date:

Property/Facility Name:

Property/Facility Address:

Property/Facility Owner:

Phone Number:

Mailing Address:

Property/Facility Manager:

Phone Number:

Property Zoning Designation:

Property Size in Acres:

Number of Head Allowed by Zoning Code:

Person Writing Plan:

I. TYPE OF OPERATION AND ANIMAL INVENTORY

- ❖
- ❖

II. LABOR AVAILABILITY / ACCESSIBILITY

- ❖
- ❖

III. SITE SELECTION & FACILITY PLAN

- ❖
- ❖

IV. MANURE STORAGE

- ❖
- ❖

V. MANURE COMPOSTING

- ❖
- ❖

VI. FREQUENCY OF FACILITY CLEANING

- ❖
- ❖

VII. FREQUENCY OF WASTE DISPOSAL

- ❖
- ❖

VIII. SOIL AMENDMENT PROCESS

- ❖
- ❖

IX. NUISANCE ABATMENT STRATEGIES

- ❖
- ❖

X. ANIMAL MORTALITY MANAGEMENT

- ❖
- ❖

XI. MONITORING and RECORDKEEPING

- ❖
- ❖

Signature of Plan Writer	Date Submitted
Signature of Property/Facility Owner	Date Submitted
Signature of PDEQ Representative	Date Approved