

BILL EMLÉN
Director
TERRY SCHMIDTBAUER
Assistant Director
MIKE YANKOVICH
Planning Services Manager

DEPARTMENT OF RESOURCE MANAGEMENT



675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal

Application:	U-82-42/MD-82-12-EX7	Meeting of:	April 19, 2018
Applicant:	Tonnesen Pet Burial	Agenda Item No.	1
Project Planner:	Travis Kroger		
Location:	3700 Scally Road	General Plan:	Agriculture
Assessor Parcel Number:	0046-120-410	Zoning:	ASM-160

Proposal

The applicant has requested compliance review No. 7 for Land Use permit U-82-42 and MD-82-12 pursuant to condition of approval No. 5. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in compliance with the conditions of the use permit

Background

On September 16th, 1982 the Solano County Zoning Administrator granted Land Use permit U-82-42 and MD-82-17 to establish a cemetery for burial of small pets for a 5 year term with provision for extension if requested by the applicant. Extension No. 4 was approved by the Solano County Zoning Administrator on October 3, 2002. Extension No. 5 was approved by the Solano County Planning Commission on September 19th, 2013, and this decision was upheld on appeal to the Solano County Board of Supervisors on November 6th, 2013.

Review and Recommendation

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the existing corporation yard is being operated in compliance with Use Permit: U-82-42 and Marsh Development Permit MD-82-12.

Permit Term

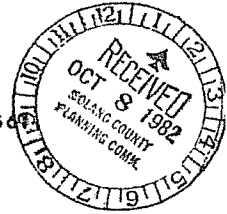
Per condition 5 of : U-82-42 and MD-82-12, staff recommends that both permits be found to be in compliance with the conditions of approval, and the next compliance review due by September 16th, 2023.

Attachment: Solano County Land Use Permit No. U-82-42 and Marsh Development Permit No. U-82-17 and conditions of approval.



Solano County Planning Department

COURTHOUSE · FAIRFIELD, CALIFORNIA · 94533 · (707) 429-6560



LAND USE PERMIT NO. U-82-42

GARY TONNESEN

(permittee)

TO ESTABLISH AND OPERATE A CEMETERY FOR BURIAL OF SMALL PETS IN
COMMON GRAVES in an "A-L-160" Limited Agricultural District located
in the Secondary Management Area of the Suisun Marsh, located on the
east side of Scalley Road approximtely 3,300 feet south of Highway 12.
(Land use, location and zone district)

In addition to the zoning regulations, the conditions of granting this permit, if any, are as follows:

(SEE ATTACHED SHEET)

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof.

I agree to conform fully to this Use Permit and all of the foregoing conditions.

Gary T. Tonnese 3700 Scalley Rd, Suisun 9-27-82
Permittee's Signature Address Date

Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Use Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Use Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Appeals from action to grant this permit may be filed by any person within ten days of the date granted. Any such appeal shall stay all proceedings until determination of the appeal.

SOLANO COUNTY PLANNING COMMISSION

By: _____
Planning Director/Secretary

Date Granted September 16, 1982

SOLANO COUNTY ZONING ADMINISTRATOR

By: Elaine E. Munk

CONDITIONS OF APPROVAL RE USE PERMIT APPLICATION NO. U-82-42 of

GARY TONNESEN

1. The use shall be established in accord with the plans submitted with Use Permit Application No. U-82-42 and approved by the Zoning Administrator except as may be changed by the Health Department pursuant to Condition No. 4.
2. The visual and physical disturbance shall be minimized by the following measures:
 - a. The area disturbed by burial disposal at any time shall be limited to six pits.
 - b. Each area disturbed by burial disposal shall be recovered, recontoured and revegetated prior to disturbance of any new burial area on the site.
 - c. Each burial disposal area shall be screened to eliminate dust and visual impacts during burial operation until compliance with Condition No. 2b occurs.
3. All requirements of the County Director of Public Works, State Regional Water Quality Control Board, and County Animal Control Officer shall be met.
4. All requirements of the County Health Department shall be met including but not limited to the following conditions:
 - a. There shall be 12 inches of soil placed on the remains at the time of disposal. There shall be 24 inches of final cover placed over the animals' remains and the remains shall not be placed higher than 2 feet below the ground surface.
 - b. The excavation shall be no deeper than 10 feet and not below the level of groundwater. The presence of groundwater shall preclude any burial disposal.
 - c. An uphill drainage diversion ditch shall be constructed prior to any excavations.
 - d. All excavations shall be kept covered by materials which would prevent persons from accidentally falling in.
 - e. A supply of slaked lime shall be available at the site at all times.
 - f. Measures shall be taken to prevent vermin and odor problems.
 - g. The number of animals buried each month shall be recorded monthly and written report of same submitted to the Health Department on a quarterly basis. Inspections by the Health Department shall be conducted semi-annually.
5. The permit shall be valid for a period of five years. Prior to the expiration of the permit, the permittee may apply for an extension of said permit. Any extension must be applied for in writing at least 60 days prior to the expiration date of September 16, 1987.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof.

I agree to conform fully to this permit and all of the foregoing conditions.

Gary T. Tonnese 3702 S.W. 14 Rd. Seaside 9-27-82
Permittee's Signature Address Date

 Solano County Planning Department
COURTHOUSE · FAIRFIELD, CALIFORNIA · 94533 · (707) 429-6561

MARSH DEVELOPMENT PERMIT NO. MD-82-12

GARY TONNESEN
(Permittee)

To ESTABLISH AND OPERATE A CEMETERY FOR BURIAL OF SMALL PETS IN COMMON GRAVES in an A-L-160 Limited Agricultural District located in the Second Management Area of the Suisun Marsh, located on the east side of Scalley Road approximately 3,300 feet south of Highway 12.
(Land use, location and zone district)

In addition to the zoning regulations and provisions of the Suisun Marsh Preservation Act of 1977, the conditions of granting this permit if any, are as follows:

Findings and conditions of approval are identified on Exhibit "A" attached and made a part of this permit which is issued wholly or partly as a permit required by the Suisun Marsh Protection Act of 1977.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting thereof.

I agree to conform fully to this Marsh Development Permit and all of the foregoing conditions.

Gary T. Tonnese 3700 Scalley Rd. Suisun 1-6-82
Permittee's Signature Address Date

Granting or conditional granting of this permit does not release the permittee from complying with all other County, State or Federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Marsh Development Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Marsh Development Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Appeals from action to grant this permit may be filed with the County by any person within ten (10) days of the date granted by the County. An appeal may be filed with the San Francisco Bay Conservation and Development Commission (BCDC) by any aggrieved person within twenty (20) working days after notification of the permit's issuance has been received by BCDC. Any valid appeal shall stay all proceedings until determination of the appeal.

SOLANO COUNTY PLANNING COMMISSION

By: _____
Planning Director/Secretary

Date Granted January 6, 1983

SOLANO COUNTY ZONING ADMINISTRATOR

By: Clayton E. Meek

EXHIBIT "A"

CONDITIONS OF APPROVAL RE USE PERMIT APPLICATION NO. MD-82-12 of
GARY TONNESEN

STATEMENT OF FINDINGS

1. A Negative Declaration has been prepared pursuant to CEQA.
2. The proposal is in conformity with the Suisun Marsh Local Protection Program as part of the Solano County General Plan because of the following policy which reads as follows:

"The proliferation of sites for the disposal of special wastes could have significant adverse impacts upon preservation of marsh upland areas. The animal burial ground on Scalley Road under County Use Permit should be allowed to operate as conditioned. The creation of additional disposal sites of a special nature shall be prohibited."

3. The use is consistent with Solano County Zoning Regulations pursuant to Section 28-25.5(c) which reads as follows:

"Marsh Development Permits may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this Chapter. The lawful use of land under County permit, issued prior to the certification of the Suisun Marsh Local Protection Program, shall be eligible for a Marsh Development Permit provided said use does not have an adverse impact upon the Suisun Marsh. Granting of a Marsh Development Permit does not exempt the applicant from complying with requirements of building codes adopted pursuant to Chapter 6, other provisions of this Code, or other ordinances."

4. The project will have no adverse impacts on the Suisun Marsh.

CONDITIONS OF APPROVAL

1. The use shall be established in accord with the plans submitted with Marsh Development Permit Application No. MD-82-12 and approved by the Zoning Administrator except as may be changed by the Health Department pursuant to Condition No. 4.
2. The visual and physical disturbance shall be minimized by the following measures:
 - a. The area disturbed by burial disposal at any time shall be limited to six pits.
 - b. Each area disturbed by burial disposal shall be recovered, recontoured and revegetated prior to disturbance of any new burial area on the site.
 - c. Each burial disposal area shall be screened to eliminate dust and visual impacts during burial operation until compliance with Condition No. 2b occurs.
3. All requirements of the County Director of Public Works, State Regional Water Quality Control Board, and County Animal Control Officer shall be met.

EXHIBIT "A"

GARY TONNESEN MD-82-12

-
4. All requirements of the County Health Department shall be met including but not limited to the following conditions:
- a. There shall be 12 inches of soil placed on the remains at the time of disposal. There shall be 24 inches of final cover placed over the animals' remains and the remains shall not be placed higher than 2 feet below the ground surface.
 - b. The excavation shall be no deeper than 10 feet and not below the level of groundwater. The presence of groundwater shall preclude any burial disposal.
 - c. An uphill drainage diversion ditch shall be constructed prior to any excavations.
 - d. All excavations shall be kept covered by materials which would prevent persons from accidentally falling in.
 - e. A supply of slaked lime shall be available at the site at all times.
 - f. Measures shall be taken to prevent vermin and odor problems.
 - g. The number of animals buried each month shall be recorded monthly and written report of same submitted to the Health Department on a quarterly basis. Inspections by the Health Department shall be conducted semi-annually.
5. The permit shall be valid for a period commensurate with Use Permit U-82-42. Prior to the expiration of the permit, the permittee may apply for an extension of said permit. Any extension must be applied for in writing at least 60 days prior to the expiration date of September 16, 1987.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof.

I agree to conform fully to this permit and all of the foregoing conditions.

Gary T. Tonnese 3700 Scribble Rd Suisun 1-6-82
Permittee's Signature Address Date