



## Inter Office Memo

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DATE: October 6, 2016

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12600 - UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3533

APPLICANT: Temblor Petroleum Company

OWNER: David and Marilyn Britz

REQUEST: Amend Unclassified Conditional Use Permit (CUP) No. 3420 in order to allow an additional exploratory petroleum oil/gas well at an existing well pad authorized by Unclassified CUP No. 3420 on a 1.6-acre portion of a 315.15-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the north side of Mount Whitney Avenue, between the Butte Avenue alignment and the Lake Avenue alignment, approximately two miles west of the unincorporated community of Five Points (SUP. DIST. 1) (APN 050-080-11S).

### PLANNING COMMISSION ACTION:

At its hearing of October 6, 2016, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borba and seconded by Commissioner Lawson to accept the Mitigated Negative Declaration previously approved for Initial Study No. 6742, adopt the required Findings for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3533, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12600

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Borba, Lawson, Abrahamian, Chatha, Egan, Mendes, Pagel and Woolf
	No:	None
	Absent:	Commissioner Eubanks
	Abstain:	None

STEVEN E. WHITE, DIRECTOR  
Department of Public Works and Planning  
Secretary-Fresno County Planning Commission

By:   
\_\_\_\_\_  
William M. Kettler, Manager  
Development Services Division

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NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant a maximum of four one-year extensions. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Unclassified Conditional Use Permit Application No. 3533

Staff: The Fresno County Planning Commission considered the Staff Report dated October 6, 2016, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. She described the project and offered the following information:

- The property owner, David Britz, is not a member of Temblor Petroleum Company.
- The Applicant, Temblor Petroleum Company, is leasing the project site from David Britz.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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**Unclassified Conditional Use Permit Application No. 3533  
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	All Conditions of Unclassified Conditional Use Permit No. 3420 shall remain in full force and effect, except as modified with the approval of Unclassified Conditional Use Permit No. 3533.
2.	Prior to drilling operations, the Applicant shall notify the Federal Aviation Administration (FAA) regarding the project in accordance with Code of Federal Regulations Title 14 Part 77.9 "Safe, Efficient Use, and Preservation of the Navigable Airspace".

Conditions of Approval reference required Conditions for the project.

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# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

October 24, 2016

Temblor Petroleum Company LLC  
5201 California #340  
Bakersfield CA 93309

Dear Applicant:

Subject: Resolution No. 12600 – Unclassified Conditional Use Permit Application No. 3533

On October 6, 2016, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant a maximum of four one-year extensions. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at [dchambers@co.fresno.ca.us](mailto:dchambers@co.fresno.ca.us) or 559-600-4205.

Sincerely,

Derek Chambers, Planner  
Development Services Division

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Enclosure