



# Resource Management Agency

## COUNTY OF TULARE AGENDA ITEM

### BOARD OF SUPERVISORS

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District One

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District Three

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**AGENDA DATE:** June 29, 2021

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	Yes
Published Notice Required	Yes
Advertised Published Notice	Yes
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7000

**SUBJECT:** Certify and Adopt Environmental Impact Report for the Three Rivers Hampton Inn and Suites Proposed Project

**REQUEST(S):**

That the Board of Supervisors:

1. Hold a Public Hearing at 9:30 a.m. or shortly thereafter; and
2. Certify the Environmental Impact Report, Findings of Fact, and Mitigation Monitoring and Reporting Program as the correct level of environmental review for the Three Rivers Hampton Inn and Suites Proposed Project, located at 40758 Sierra Drive in Three Rivers; and
3. Adopt the Environmental Impact Report, Findings of Fact, and Mitigation Monitoring, and Reporting Program prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15164(b), for the Three Rivers Hampton Inn and Suites Proposed Project; and
4. Approve the attached Resolution to certify and adopt the Environmental Impact Report, Findings of Fact, and Mitigation Monitoring, and Reporting Program prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15164(b), for the Three Rivers Hampton Inn and Suites Proposed Project; and
5. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice of Determination with the County Clerk.

**SUMMARY:**

This Environmental Impact Report (EIR) is for the Proposed Three Rivers Hampton Inn and Suites (Project) at 40758 Sierra Drive, immediately south of the existing Comfort Inn & Suites, located along the eastern side of State Route 198 (SR 198) in Three Rivers.

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The applicants are Joel Hiser, Management Consultant, 11050 Northgate Drive, Suite 440, San Rafael, CA 94903, and Ineffable Hospitality, Inc. (agent) and Sukhjinder and Kulvinder Sangera, (landowner), 6473 E. Hatch Rd., Hughson, CA 95326.

The environmental review is for the ministerial permitting, including building permits by Tulare County and other State Agencies (e.g., San Joaquin Valley Unified Air Pollution Control District (Air District) and Regional Water Quality Control Board permits). The Tulare County proposed building permits are for the Project's development of a 3-story hotel on the approximately 2.80-acre site. The proposed Project will have one access/egress point from State Route 198 via a 30-foot access easement. The hotel will consist of 105 guest rooms and associated site improvements including: managers office, meeting room, in-house food preparation and breakfast area, and other typical hotel facilities (such as in-house and guest laundry, fitness center, various storage closets, etc.) an outdoor swimming pool and cabana building, a septic tank with filter and dripline system, a new domestic well, and on-site storm drainage. The proposed Project includes 108 standard parking stalls and six (6) handicap accessible stalls. Utilities include a septic tank with filter and dripline system and new domestic well. Storm drainage will be retained on-site.

The entire EIR is available at: <https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>.

This hotel, and the land the hotel will be located, is the only use and property proposed for this project. (See EIR Project Description). No other uses besides the hotel are being proposed at this time. The site is designated and rightfully located within the Three River's Urban Development Boundaries, as a Community Commercial land use within the Three Rivers Community Plan. This land use allows the full range of commercial services, including hotels. The existing zoning is C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone), which allows mixed commercial uses, such as hotels. The Project's 270-foot setback from SR 198 is following the Scenic Corridor Combining Zone setbacks of 100 feet. There are no additional "Specific Plan" requirements under the Community Plan. Therefore, the project does not require any additional entitlements. Hence, the project is considered "by right" under the Three Rivers Community Plan, the County Zoning Code, and under CEQA Section 15268 (does not require environmental review of ministerial project).

Nonetheless, the Developer and the County undertook the extraordinary effort of preparing a full EIR. The EIR analyzed issues determined to be potentially significant by the Environmental Division's Initial Study. Pursuant to CEQA Guidelines Section 15082, the Notice of Preparation (NOP) for the proposed Project was circulated for review and comment on November 2, 2020, for a 30-day comment period ending December 2, 2020. A Scoping Meeting was duly noticed and held on November 5, 2020, during the NOP comment period, at Tulare County Resource Management Agency (RMA) Main Conference Room at 5961 South Mooney Boulevard, Visalia, CA. The meeting was also available via "zoom" to solicit input on the scope of the EIR. No comments were received during this meeting. RMA received 11 comments through the NOP process.

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The EIR (State of California Clearinghouse # 2020110016) has been prepared by Tulare County in accordance with CEQA Guidelines Sections 15120 through 15131, and Section 15161, to i) evaluate the environmental consequences of the Project, ii) to discuss alternatives to the proposed Project, and iii) to propose mitigation measures that will offset, minimize, or avoid identified significant environmental impacts (see attached Mitigation Monitoring, and Reporting Program (MMRP)).

Mitigation Measures include some standard project requirements such as adherence to San Joaquin Valley Air Pollution Control District Rules, preconstruction biological and cultural/paleontological surveys, and alternative energy greenhouse gas emission reduction measures found in Title 24 and the CALGreen Code. Under Public Resource Code Section 15087, there are no public hearing requirements under CEQA.

The Project's benefits are:

- (1) Facilitation of the high demand for 105 overnight accommodations, as indicated by the high demand for short term rentals in the Three Rivers area.
- (2) The creation of 12 new, full time employees.
- (3) Expanded customer base for local restaurants and merchants.
- (4) Increased revenue from property, sales, and transient occupancy taxes.
- (5) Reduced Air Quality / Greenhouse emissions, vehicle miles traveled, and energy usage, via the reduction of additional Sequoia National Park trips from Visalia or further destinations.
- (6) Compliance with and implementation of the 2012 General Plan and 2018 Three Rivers Community Plan's Land use and the Zoning Code, with no further entitlements are required for this one project.
- (7) The Community Plan did suggest a Specific Plan for this area. However, it is not a requirement, and due to lack of development interest, staff found a specific plan to be infeasible at the time of the 2018 Community Plan. Given the interest of only one developer does not change staff's position that a Specific Plan continues to be infeasible. Moreover, the County cannot hold up a project or burden one developer with master design guidelines or planning for an existing developed area in the center of the Three Rivers Community. This is especially true where there has not been any strong interest in upgrading nearby properties, or support for comprehensive design standards by the surrounding property and business owners.
- (8) Proposal of advancement in septic and drainage design technology.
- (9) Setback 270 feet from SR 198 with proposed access along an existing access point to be rebuilt and designed to Tulare County Private Vehicle Access design standards.
- (10) Compliance under Zoning Code Section 14.4, Scenic Corridors. Therein, the Project is not subject to further site plan review. It complies with the minimum 100-foot front setback from SR 198. The side yards have travel lanes and parking areas that comply with the 25-foot side setbacks; and although the hotel is not subject to parcel creation requirements, it complies with the 150-foot minimum lot width requirement.

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- (11) Mitigation Measures have been found to be feasible and have been adopted based on responsible agency comments and do not require a statement of overriding considerations.

In the Final EIR, Response to Comments, staff responded to every comment in over 26 letters and emails (See FEIR, Response to Comment). The following is a staff summary of responses to these comments including:

- (1) Caltrans concluded that the Traffic Impact Study (TIS) did not require any additional analysis for this project and suggested ideas for future pedestrian connectivity. This Project does not require VMT analysis, as the project's application was made prior to SB 743's Vehicle Miles Traveled (VMT) review requirements by either agency. However, a VMT was included in the TIS and concluded that the project would reduce VMT by providing an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations (which averages nearly 30 miles travel distance from the Project's location). Regarding other congestion (including employee travel) / accidents / evacuation concerns, the consultant made recommendations to Caltrans and Sequoia National Park for suggested improvements, but these are not mandatory and are outside the jurisdiction of Tulare County. No traffic mitigation measures, or additional analysis were required by Caltrans, or the County in considering the TIS for this Project based on the consultant's analysis.
- (2) Tulare County Fire's requirements are noted and are based on applicable laws under Title 24.
- (3) Tulare County Health and Human Services septic requirements are noted, and septic requirements will be permitted by the Regional Water Quality Control Board.
- (4) Three Rivers CSD (and neighboring property owners) had concerns about water supply and quality impacts. Information from the consultant's water supply evaluation and the Community Plan concluded that the Project would use 15-acre feet a year, of the 50,000-acre feet available in the watershed. Therefore, it would not substantially decrease water supply. The well itself will be permitted by the State Division of Drinking Water. It will also have to meet County requirements including meeting setback and treatment requirements.
- (5) Air District had no comments.
- (6) The project is in FEMA Flood Zone X, areas of .2% chance of flooding, and does not require any special flood zone considerations.
- (7) Lighting would follow the Night Sky Standards from the Community Plan, limiting evening access lighting, pedestrian, and security lighting.
- (8) A noise assessment was conducted, and no significant impacts were found.
- (9) The project would not be a significant impact aesthetically to the surroundings, given the commercially developed nature immediately to the west of the project, and does not require visual simulations for staff to analyze the project's aesthetics, in its setting. There are no additional scenic corridor "aesthetic" review requirements, under the Zoning Code, *Scenic Corridors*, Section 14.4.
- (10) The Project only includes the hotel on the 2.8-acre site. A reference was made to an alternative restaurant and other usages on the adjacent site to propose a "community solution" to waste water treatment. Any development on that site is

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unknowable or uncertain, as there are no proposed plans on the adjacent site immediately west of the project.

- (11) "Cumulative" analysis requires the analysis of "reasonable" future, applied for, projects. No other projects are being processed in Three Rivers at this time, therefore, no additional cumulative analysis is required.

Some of the other comments are matters outside the scope of CEQA. However, the Transit Occupancy Tax generated will go into the general fund and continue to support the sheriff, fire, and other County services. Tulare County works towards gaining jobs for all Tulare County residents, so there are no locational employment requirements for the proposed project.

**FISCAL IMPACT/FINANCING:**

There is No Net County Cost to the General Fund. County environmental review and processing costs are covered by the applicant.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

This project will promote economic development opportunities, effective growth management and a quality standard of living in Tulare County and the Community of Three Rivers.

**ADMINISTRATIVE SIGN-OFF:**

**/s/ Aaron R. Bock**

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Aaron R. Bock, MCRP, JD, LEED AP  
Assistant Director

**/s/ Michael Washam**

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Michael Washam, ACE  
Associate Director

**/s/ Reed Schenke**

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Reed Schenke, P.E.

Cc: County Administrative Office

Attachment A – Notice of Preparation (Initial Study, Maps, and Site Plan)

Attachment B – Final EIR (Response to Comments, MMRP, Errata, Finding of Facts)

Attachment C – Notice of Determination