

4.4 CULTURAL RESOURCES

This chapter describes the regulatory framework and existing conditions of the City of San Mateo Environmental Impact Report (EIR) Study Area and evaluates the potential cultural resources impacts from adopting and implementing the proposed General Plan 2040 and proposed Climate Action Plan, and from future development and activities that could occur under the proposed project. A summary of the relevant regulatory framework and existing conditions is followed by a discussion of potential impacts and cumulative impacts related to implementation of the proposed project.

4.4.1 ENVIRONMENTAL SETTING

4.4.1.1 REGULATORY FRAMEWORK

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act of 1966 established the National Register of Historic Places (National Register) as the official federal designation of historical resources, including districts, sites, buildings, structures, and objects. Resources less than 50 years in age, unless of exceptional importance, are not eligible for the National Register. Properties that are 50 or more years in age may be eligible for the National Register if one or more criterion for historic significance is met and physical integrity is retained. Though a listing in the National Register does not prohibit demolition or alteration of a property, the California Environmental Quality Act (CEQA) requires the evaluation of a project's effects and feasible mitigations on properties that are listed in, or determined eligible for listing in, the National Register.

According to 36 Code of Federal Regulations (CFR) part 60.4, the criteria for inclusion on the National Register, which are worded in a manner to provide for a wide diversity of resources, are based on the resources' quality of significance in American history, architecture, archeology, engineering, as well as the significance of the culture present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association. The following aspects are used to evaluate the eligibility of potential resources for listing in the National Register:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of persons significant in our past; or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield, information important in prehistory or history.

CULTURAL RESOURCES

Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards) promote responsible practices that help protect the nation's irreplaceable cultural resources. The Secretary of the Interior's Standards are neither technical nor prescriptive, and cannot, in and of themselves, be used to make essential decisions about which features of the historic building should be saved and which can be changed. But once a treatment is selected, the Secretary of the Interior's Standards provide for philosophical consistency in the work. An individual set of Secretary of the Interior's Standards has been formulated for each of four identified treatment approaches: Preservation, Rehabilitation, Restoration, and Reconstruction. The four approaches are defined below:

- *Preservation* requires retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time.
- *Rehabilitation* acknowledges the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character.
- *Restoration* allows for the depiction of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods.
- *Reconstruction* establishes a limited framework for re-creating a vanished or non-surviving building with new materials, primarily for interpretive purposes.

The Secretary's Standards for Rehabilitation—*Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995)—specifically address and encourage alterations or additions to a historic resource to allow new uses while retaining the resource's historic character and are particularly applicable in the Downtown Precise Plan Area. The Secretary of the Interior's Standards for Rehabilitation include the following:

1. A property will be used as it was historically or be given new use that requires minimal changes to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alterations of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

CULTURAL RESOURCES

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.¹

Secretary of the Interior's Professional Qualifications Standards

The Secretary of the Interior's Professional Qualifications Standards define minimum education and experience required to perform historic resources identification, evaluation, registration, and treatment activities. The areas of expertise defined by the Professional Qualifications Standards include History, Archeology, Architectural History, Architecture, and Historic Architecture.²

State Regulations

California Environmental Quality Act

Section 15064.5 of the CEQA Guidelines states that projects which may cause a substantial adverse change in the significance of a historical resource may also have a significant effect on the environment. The CEQA Guidelines define four ways that a property can qualify as a historical resource for purposes of CEQA compliance:

- The resource is listed in or determined eligible for listing in the California Register of Historical Resources, as determined by the State Historical Resources Commission.
- The resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code, or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- The lead agency determines the resource to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, as supported by substantial evidence in light of the whole record.

¹ Anne E. Grimmer, revised 2017, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*, <https://www.nps.gov/orgs/1739/upload/treatment-guidelines-2017-part1-preservation-rehabilitation.pdf>, accessed May 19, 2023.

² Code of Federal Regulations, 36, CFR Part 61.

CULTURAL RESOURCES

- The lead agency determines that the resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1 (CEQA Guidelines Section 15064.5) which means, in part, that it may be eligible for the California Register.

In addition, Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines specify lead agency responsibilities in determining whether a project may have a significant effect on archaeological resources. If it can be demonstrated that a project will damage a unique archaeological resource, reasonable efforts may be required of the lead agency so the resources are preserved in place or left in an undisturbed state. Preservation in place is the preferred approach to mitigation. The Public Resources Code also details required mitigation if unique archaeological resources are not preserved in place.

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These provisions protect such remains from disturbance, vandalism, and inadvertent destruction by establishing procedures to be implemented if Native American skeletal remains are discovered during construction of a project and establish the Native American Heritage Commission (NAHC) as the authority to identify the most likely descendant (MLD) and mediate any disputes regarding disposition of such remains.

California Register of Historical Resources

The California Register of Historic Resources (California Register) establishes a list of properties to be protected from substantial adverse change (Public Resources Code Section 5024.1). The State Office of Historic Preservation (OHP) has determined that buildings, structures, and objects 45 years or older may be of historical value. A historical resource may be listed in the California Register if it meets any of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- It is associated with the lives of persons important in California's past.
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
- It has yielded, or is likely to yield, information important in prehistory or history.

The California Register includes properties that are listed or have been formally determined eligible for listing in the National Register, State Historical Landmarks, and eligible Points of Historical Interest. Other resources that may be eligible for the California Register, and which require nomination and approval for listing by the State Historic Resources Commission, include resources contributing to the significance of a local historic district, individual historical resources, historical resources identified in historic surveys conducted in accordance with OHP procedures, historic resources or districts designated under a local ordinance consistent with the procedures of the State Historic Resources Commission, and local landmarks or historic properties designated under local ordinance.

CULTURAL RESOURCES

California Historical Building Code

The California Historical Building Code (as set forth in Sections 18950 to 18961 of Division 13, Part 2.7 of Health and Safety Code and as subject to the rules and regulations set forth in 24 CCR Part 8), provides alternative building regulations and standards for permitting repairs, alterations, and additions necessary for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of historical buildings, structures, and properties deemed by any level of government as having importance to the history, architecture, or culture of an area.

California Health and Safety Code

California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC.

California Public Resources Code Section 5097

Archaeological resources are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code (PRC). In addition, cultural resources are recognized as a nonrenewable resource and therefore receive protection under the California PRC and CEQA.

PRC Sections 5097.9 through 5097.991 provide protection to Native American historical and cultural resources, and sacred sites and identifies the powers and duties of the NAHC. It also requires notification to descendants of discoveries of Native American human remains and provides for treatment and disposition of human remains and associated grave goods.

State Laws Pertaining to Human Remains

Any human remains encountered during ground-disturbing activities are required to be treated in accordance with California Code of Regulations Section 15064.5(e) (CEQA), PRC Section 5097.98, and the California Health and Safety Code Section 7050.5. California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Specifically, Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are determined to be of Native American origin, the county coroner must contact the California NAHC within 24 hours of this identification. An NAHC representative will then identify a Native American Most Likely Descendant to inspect the site and provide recommendations for

CULTURAL RESOURCES

the proper treatment of the remains and associated grave goods. In addition, CEQA Guidelines Section 15064.5 specifies the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

Local Regulations

San Mateo General Plan 2030

The City of San Mateo General Plan 2030 goals, policies, and actions that are relevant to cultural resources are primarily in the Conservation, Open Space, Parks and Recreation Element. As part of the proposed project, some existing General Plan goals, policies, and actions would be amended, substantially changed, or new policies would be added. Applicable goals, policies, and actions are identified and assessed for their effectiveness and potential to result in an adverse physical impact later in this chapter under Section 4.4.3, *Impact Discussion*.

City of San Mateo Municipal Code

The San Mateo Municipal Code (SMMC) includes various directives pertaining to cultural resources. The SMMC is organized by title, chapter, and section and, in some cases, articles. Provisions related to cultural resource impacts are included in Title 23, *Building and Construction*, and Title 27, *Zoning*.

- Chapter 23.36, *Historical Building Code*, adopts the 2022 California Historical Building Code as the rules, regulations, and standards within the city as to all matters except as modified or amended in the SMMC.
- Chapter 27.66, *Historic Preservation*, establishes requirements to ensure the preservation and maintenance of the city's historic structures and the Downtown historic district. Section 27.66.030, *Review Required*, outlines the process for reviewing projects that alter the exterior of historic resources. No building permit for an exterior façade modification, exterior alteration, or building addition will be issued until a planning application for Site Plan and Architectural Review has been approved. Under Section 27.66.040, *Conformance with the Standards*, all planning applications involving a designated historic resource are required to be evaluated by an independent architectural historian hired directly by the City to review the project and determine that the project is in compliance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Structure. Any exterior modifications of individually eligible and contributor buildings and new buildings in the Downtown Retail Core subarea of the Downtown Specific Plan shall also conform with the Downtown Retail Core and the Downtown Historic District Design Guidelines. Section 27.66.060, *Demolition*, includes specific requirements related to the demolition of a historic building. A planning application for a Historic Building Demolition Permit is required to be approved by the City Council, and specific findings made to approve the permit. Additionally, demolition of any historic resource is subject to additional review and the requirements of CEQA.

4.4.1.2 EXISTING CONDITIONS

Archaeological Resources

San Mateo was initially the home of the Ohlone Indians. The Ramaytush Ohlone population numbered about 2,000 prior to the arrival of the Spanish in 1769.³ They lived in approximately ten tribes, and villages were organized around watersheds where there was a great abundance of resources. It is known that the Ohlone congregated near San Mateo Creek and the Bay Marshes.⁴

According to an archaeological study conducted in 1983 by David Chavez, the Costanoan people, commonly referred to as Ohlone Indians, are estimated to have been some of the earliest inhabitants in the general area between 5,000 and 7,000 years ago.⁵ The study concluded with findings of mortars, pestles, manos, charmstones, bone and deer/elk horn tools, projectile points (including obsidian), and shell ornaments.

As a result of the 1983 archaeological survey, the City concluded that a majority of the city is in a “low sensitivity” zone wherein archaeological resources are not generally expected, but may occur.⁶ The 1983 archaeological survey concluded that soil removal and construction have eliminated most above-ground shell mounds; however, the potential exists for the presence of undisturbed subsurface deposits.⁷

See Chapter 4.16, *Tribal Cultural Resources*, of this Draft EIR for additional discussion of past and present-day Native American presence in San Mateo.

Historical Resources

Historic Overview

Spanish exploration of San Mateo began in the 1770s, but European settlement of the EIR Study Area started around 1793 when the San Mateo area became an asistencia, or outpost, for Mission Dolores. After Mexican independence from Spain in 1822, the missions were divided into large land grants. Rancho San Mateo and Rancho de las Pulgas encompassed what became San Mateo.⁸

By the end of the Mexican-American War in 1848, California had become a territory of the United States and obtained statehood two years later. The small village of San Mateo began to develop at the juncture of several stagecoach lines, established in the late 1840s and 1850s, and the San Francisco and San Jose Railroad began servicing the community in 1864. San Mateo became a popular destination for tourists visiting Crystal Springs Canyon and for wealthy San Franciscan families, who constructed lavish mansions. The commercial downtown developed around the intersection of the railroad station and B Street, and

³ County of San Mateo, The Ramaytush Ohlone, The First People to Call the Peninsula Home, <https://www.arcgis.com/apps/Cascade/index.html?appid=ff1475b14956474989181b48dbadd487>, accessed July 29, 2022.

⁴ City of San Mateo, amended April 2011. *2030 General Plan, Conservation and Open Space Element*.

⁵ City of San Mateo, July 2009, *General Plan Update Draft EIR, Chapter 4.10, Cultural and Paleontological Resources*.

⁶ City of San Mateo, amended April 2011, *General Plan 2030, Conservation and Open Space Element*.

⁷ City of San Mateo, July 2009, *General Plan Update Draft EIR, Chapter 4.10, Cultural and Paleontological Resources*.

⁸ Mitchell P. Postel, *San Mateo: A Centennial History* (San Francisco: Scottwall Associates, 1994), pages 3 to 15.

CULTURAL RESOURCES

schools, utilities, and other public services were established to support the growing population. In 1894, an overwhelming majority of residents voted to incorporate the town of San Mateo.⁹

From the late nineteenth century through the 1930s, numerous residential neighborhoods were established throughout San Mateo, particularly as former estates were sold and subdivided. These include subdivisions in the Central neighborhood in the late nineteenth century, and the San Mateo Park, San Mateo Heights, and Hayward's Addition subdivisions in the early 1900s. Residential development intensified following the 1906 earthquake and fires, with new development concentrated in the Hayward Park, East San Mateo, and North Central neighborhoods. Other notable developments included the Glazenwood neighborhood in the 1920s and the Baywood and Aragon neighborhoods in the 1930s.¹⁰

San Mateo's population evolved and the community expanded through the early twentieth century. Large numbers of Irish immigrants arrived in the 1860s and were followed by the first Chinese and Japanese immigrants the following decade. Chinese residents initially formed a small Chinatown at B Street and Second Avenue and later at Claremont Street and First Avenue around 1900. Chinese residents continued to live in small clusters in the downtown area well into the 1940s. Japanese immigrants who arrived in San Mateo found employment as domestic workers and at the local salt plant; they also opened small businesses in the burgeoning downtown and became successful gardeners as part of the Peninsula's flower industry. By the turn of the twentieth century, they made up the largest Japanese community in the county.¹¹

Following World War II, development increased significantly in San Mateo. Significant postwar development included the construction of the Hillsdale shopping center and large-scale residential tract developments west of El Camino Real.¹²

Historic Resources

The history of San Mateo is represented in the almost 200 recognized historic resources and two historic districts, as identified in the 1989 Historic Building Survey.¹³ Approximately 37 of these structures are individually eligible for the National Register. They range from historic buildings in the downtown area to single-family homes from the late nineteenth century. Within the EIR Study Area, six historic resources are listed in the National Register and six historic resources are listed in the California Register, as shown in Table 4.4-1, *Federal- and State-Recognized Historic Resources*.

⁹ Mitchell P. Postel, *San Mateo: A Centennial History* (San Francisco: Scottwall Associates, 1994), pages 19 to 20, 40 to 49, 101; Linda Wickert, "City of San Mateo Historic Building Survey, Final Report," (San Mateo County Historical Association, 1989), 15.

¹⁰ Linda Wickert, "City of San Mateo Historic Building Survey, Final Report," (San Mateo County Historical Association, 1989), pages 14 to 15.

¹¹ Mitchell P. Postel, *San Mateo: A Centennial History* (San Francisco: Scottwall Associates, 1994), pages 138 to 143, pages 162 to 169.

¹² Mitchell P. Postel, *San Mateo: A Centennial History* (San Francisco: Scottwall Associates, 1994), pages 232 to 238.

¹³ San Mateo County Historical Association, September 1989, *City of San Mateo Historic Building Survey Final Report*.

CULTURAL RESOURCES

TABLE 4.4-1 FEDERAL- AND STATE-RECOGNIZED HISTORIC RESOURCES

Historic Resource	Location	National Register of Historic Places	California Register of Historic Resources
Baywood Elementary School (1939)	600 Alameda de las Pulgas		X
Ernest Coxhead House	37 East Santa Inez Avenue	X	X
Eugene De Sabla J. Jr. Teahouse and Tea Garden	70 De Sabla Road	X	X
Hotel St. Matthew	215-229 Second Avenue	X	X
National Bank of San Mateo	164 South B Street	X	X
US Post Main Office – San Mateo	210 South Ellsworth Street	X	X
Vollers House	353 North Claremont Street	X	

Source: National Park Service, 2023, National Register of Historic Places, <https://www.nps.gov/subjects/nationalregister/database-research.htm>; California State Parks, Office of Historic Preservation, 2023, California Historical Resources, <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=41>.

The 1989 Historic Building Survey also identified two National Register-eligible historic districts, the Downtown Historic District and the Glazenwood Historic District.¹⁴ Contributing resources in the Downtown Historic District are primarily concentrated along B Street and Third Avenue and were largely constructed from the late nineteenth century to the late 1930s. The Glazenwood Historic District is a residential subdivision that includes a distinctive concentration of 1920s Spanish Colonial Revival homes.

The 1989 Historic Building Survey undertook preliminary documentation of several neighborhoods located on the east side of El Camino Real. These neighborhoods were subject to an intensive survey and include Central, East San Mateo, Hayward Park, San Mateo Heights, and North Central. Other than the Glazenwood Historic District, which is located within the Hayward Park neighborhood, the 1989 Historic Building Survey did not formally evaluate these neighborhoods as historic districts. The neighborhoods with high concentrations of older homes on the west side of El Camino Real, including Aragon, Baywood, Baywood Knolls, and San Mateo Park, were subject to a visual (windshield) survey. The 1989 Historic Building Survey recommended that future historic resources surveys be undertaken to comprehensively document and evaluate these neighborhoods as historic districts.

The remaining individual properties listed in the 1989 Historic Building Survey as eligible or potentially eligible for listing in the National Register or as locally significant are considered potential historic resources but are not formally listed or landmarked. In subsequent decades, many other properties in San Mateo have been determined to be historic resources through the environmental review process. Documentation on these properties is maintained by the city.

4.4.2 STANDARDS OF SIGNIFICANCE

The proposed project would result in a significant cultural resources impact if it would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

¹⁴ San Mateo County Historical Association, September 1989, *City of San Mateo Historic Building Survey Final Report*.

CULTURAL RESOURCES

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
3. Disturb any human remains, including those interred outside of dedicated cemeteries.
4. In combination with past, present, and reasonably foreseeable projects, result in cumulative cultural resource impacts in the area.

4.4.3 IMPACT DISCUSSION

CULT-1	The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
---------------	--

The types of cultural resources that meet the definition of historical resources under CEQA Guidelines Section 15064.5 generally consist of districts, sites, buildings, structures, and objects that are significant for their traditional, cultural, and/or historical associations, as detailed in Section 4.4.1.1, *Regulatory Framework*. Under CEQA, both prehistoric- and historic-period archaeological sites may qualify based on historical associations. As such, the two main historical resources that are subject to impact, and that may be impacted by implementation of the proposed project, are historical archaeological deposits and historical architectural resources. Potential impacts to archaeological resources are described in impact discussion CULT-2, and potential impacts to human remains are addressed in impact discussion CULT-3.

As discussed under Section 4.4.1.2, *Existing Conditions*, several individual properties and historic districts within the EIR Study Area meet the CEQA definition of a historical resource, including 7 properties that are individually listed in the National Register and/or California Register and approximately 37 individual properties and 2 historic districts that are eligible for listing in the National Register. In addition to these known historical resources, unidentified or undesignated historic resources that may be eligible for listing in the National Register and/or California Register exist within the EIR Study Area. Therefore, implementation of the proposed project could have the potential to directly impact cultural resources by altering land use regulations that govern these properties or surrounding sites.

The proposed project would allow for an increase in development of various land use types in San Mateo over the planning horizon (2040). Potential impacts from future development on, or adjacent to, historical resources could lead to (1) demolition, which by definition results in the material impairment of a resource's ability to convey its significance; (2) inappropriate modification, which may use incompatible materials, designs, or construction techniques in a manner that alters character-defining features; and (3) inappropriate new construction, which could introduce incompatible new buildings that clash with an established architectural context. For example, the design characteristics and materials of new construction could impact adjoining or nearby historical buildings. Because the EIR Study Area is predominantly built out and new development under the proposed project is expected to be located within the ten General Plan Land Use Study Areas (which, as discussed in Chapter 3, *Project Description*, of this Draft EIR, are already developed), including Downtown, new development projects could occur on or near sites containing historic resources. Development activities under the proposed project therefore have the potential to be incompatible with historical resources, which could be a significant impact.

CULTURAL RESOURCES

Additionally, if new development were to directly impact existing resources, impacts on historical resources could be significant.

Future development under the proposed project would be required to comply with existing federal, State, and local laws and regulations that protect historical resources. On a project-by-project basis, CEQA requires the evaluation and disclosure of significant effects on properties on historical resources listed in the National Register, California Register, or local register, and on properties determined to be significant by the lead agency or eligible for listing in the California Register. Therefore, properties in the EIR Study Area that are listed in or determined to be eligible for listing in the National and California Registers would be categorized as historic resources even if they are not formally landmarked by the City. Future projects would be required to comply with SMMC Chapter 23.36, which adopted the 2022 Edition of California Historical Building Code and its regulations for permitting repairs, alterations, and additions necessary for the preservation, rehabilitation, relocation, related construction, change of use, or continued use of a qualified historical building or structure, as well as SMMC Chapter 27.66, which establishes requirements to insure the preservation and maintenance of the city's historic structures and the Downtown historic district.

The Community Design and Historic Resources (CD) Element and Land Use (LU) Element of the proposed General Plan contains goals, policies, and actions that that require local planning and development decisions to consider impacts to historic resources. The following General Plan 2040 goals, policies, and actions would serve to minimize potential adverse impacts related to historic resources:

- **Goal CD-5:** Preserve historic and culturally important resources to maintain San Mateo's special identity and continuity with the past.
 - **Policy CD 5.1: Historic Preservation.** Identify and preserve historic resources, including individual properties, districts, and sites to maintain San Mateo's sense of place and special identity, and to enrich our understanding of the city's history and continuity with the past.
 - **Policy CD 5.2: Historic Resources Preservation.** Actively identify and preserve concentrations of historic resources, which convey the flavor of local historical periods, are culturally significant, or provide an atmosphere of exceptional architectural interest or integrity, when they meet national, State, or local criteria.
 - **Policy CD 5.3: Historic Resources Definition.** Define historic resources as buildings, structures, sites, and districts that are listed in or determined to be eligible for listing in the National Register of Historic Places and/or California Register of Historical Resources, designated resources in the 1989 Historic Building Survey Report, and resources found to be eligible through documentation in a historic resources report.
 - **Policy CD 5.4: Public Awareness.** Foster public awareness and appreciation of the City's historic resources and educate the community about how to preserve and improve these resources. Increase public appreciation by supporting groups and organizations that provide neighborhood workshops, public presentations, interpretive signage, and walking tours.
 - **Policy CD 5.5: Historic Resources Renovation and Rehabilitation.** Promote the renovation and rehabilitation of historic resources that conforms to the Secretary of the Interior's Standards for

CULTURAL RESOURCES

Rehabilitation and Guidelines for Rehabilitating Historic Structures and the California Historical Building Code and prioritize historic structures for available rehabilitation funds.

- **Policy CD 5.6: Historic Preservation Funding.** Pursue and promote historic preservation funding sources to incentivize the protection of historic resources, such as the California Mills Act Property Tax Abatement Program, Federal and State Historic Preservation Tax Incentives Program, and State Historic Rehabilitation Tax Credit Program.
- **Policy CD 5.7: Demolition Alternatives.** Require an applicant to submit alternatives to preserve a historic resource as part of any planning application that proposes full demolition. Implement preservation methods unless health and safety requirements cannot be met or the City Council makes a finding explaining the specific reasons why the social, economic, legal, technical, or other beneficial aspects of the proposed demolition outweigh the unavoidable adverse impacts to the historic resource. If a designated historic resource cannot be preserved, require City approval before the demolition of a historic resource.
- **Action CD 5.8: Historic Resources Context Statements.** Prepare a citywide historic context statement to guide future historic resource survey efforts to identify individually eligible resources and historic districts. If a neighborhood is identified as a historic district, prepare a more detailed historic context statement for that individual neighborhood.
- **Action CD 5.9: Historic Resources Survey.** Establish and maintain an inventory of architecturally, culturally, and historically significant buildings, structures, sites, and districts. Proactively maintain an up-to-date historic resources inventory by seeking funding opportunities to update the historic survey. Prepare neighborhood-specific historic context statements prior to updating the historic resources survey.
- **Action CD 5.10: Historic Preservation Ordinance.** Update the City's Historic Preservation Ordinance to create a framework for the designation of historic resources and districts, establish review and permitting procedures for historic alterations, demolitions or relocations, be consistent with federal and State standards and guidelines, and align with the other goals and policies outlined in this Element.
- **Action CD 5.11: Preservation Incentives.** Explore the option to create incentives to preserve historic and cultural resources, such as reducing parking and other prescriptive requirements, allowing adaptive reuse, or establishing a transfer of development rights program.
- **Action CD 5.12: Historic Resources Design Standards.** Create objective design standards for alterations to historic resources and new development adjacent to historic resources within historic districts. Use the Secretary of the Interior's Standards as the basis for these objective design standards to ensure projects have a contextual relationship with land uses and patterns; spatial organization; visual relationships; cultural and historic values; and the height, massing, design, and materials of historic resources.
- **Action CD 5.13: Certified Local Government.** Explore the feasibility of becoming a Certified Local Government (CLG) to become eligible for federal grant funds and technical assistance in support of historic resource preservation efforts.
- **Goal LU-2: Balance well-designed development with thoughtful preservation.**

CULTURAL RESOURCES

- **Policy LU 2.4: Clustering.** Encourage clustered development where benefits to natural ecology, habitat conservation, and/or preservation of historic resources can be achieved.
- **Goal LU-4:** Maintain downtown San Mateo as the economic, cultural, and social center of the community.
 - **Policy LU 4.2: Quality of Downtown Development.** Promote quality design of all new development that recognizes the regional and historical importance of Downtown San Mateo and strengthens its pedestrian-friendly, historic, and transit-oriented character.
 - **Policy LU 4.3: Significant Historic Structures.** Protect key landmarks, historic structures, and the historic character of Downtown, as defined in the Community Design and Historic Resources Element.

Under CEQA, conformance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties would normally mitigate impacts to a less-than-significant level. Because the proposed General Plan is a program level document, it is not possible to determine whether individual projects under the proposed project would be able to conform with the Secretary of Interior’s Standards. However, CEQA would require that future potential projects permitted under the proposed project with the potential to significantly impact historical resources be subject to project-level CEQA review wherein the future potential project’s potential to affect the significance of a surrounding historical resource would be evaluated and mitigated to the extent feasible. The requirement for subsequent CEQA review, pursuant to state law, would minimize the potential for new development to indirectly affect the significance of existing historical resources to the maximum extent practicable.

Compliance with federal and state laws as described in Section 4.4.1.1, *Regulatory Framework*, SMMC, and the proposed General Plan goals, policies, and actions identified above would ensure future development would not be detrimental or injurious to property or improvements in the vicinity and impacts would be *less than significant*.

Significance without Mitigation: Less than significant.

CULT-2	The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
---------------	---

Historical and pre-contact archaeological deposits that meet the definition of archaeological resources under CEQA could be damaged or destroyed by ground-disturbing activities associated with potential future development in San Mateo. A substantial adverse change in the significance of an archaeological resource would occur from its demolition, destruction, relocation, or alteration such that the significance of the resource would be materially impaired per CEQA Guidelines Section 15064.5(b)(1). Should this occur, the ability of the deposits to convey their significance, either through containing information important in prehistory or history, or through possessing traditional or cultural significance to Native American or other descendant communities, would be materially impaired.

CULTURAL RESOURCES

As discussed in Section 4.4.1.2, *Existing Conditions*, the City has concluded that a majority of the city is in a “low sensitivity” zone wherein archaeological resources are not generally expected. However, the potential exists for the presence of undisturbed archaeological resources throughout the EIR Study Area. Ground-disturbing construction activities (e.g., site preparation, grading, excavation, and trenching for utilities) associated with the proposed project may result in unanticipated discoveries of cultural resources or the damage or destruction of previously undiscovered resources. Development under the proposed project would be largely focused in the ten General Plan Land Use Study Areas, which include areas where current buildings are aging, vacant, or not maintained and areas where property owners have expressed interest in considering redevelopment of the property. Focused development in the General Plan Land Use Study Areas would reduce the potential for disturbing archaeological deposits since ground-disturbing activities have already taken place.

Additionally, the Community Design and Historic Resources (CD) Element of the proposed General Plan provides guidance for the development and physical form of San Mateo and includes actions to help preserve the city’s historic resources as well as archaeological resources. The following General Plan 2040 goal, policies, and actions would serve to minimize potential adverse impacts related to archaeological resources:

- **Goal CD-4:** Protect archaeological and paleontological resources and resources that are culturally significant to Native American tribes and acknowledge San Mateo’s past as indigenous land. Encourage development projects to recognize historical tribal lands.
 - **Policy CD 4.1: Archaeological Resources Protection.** Preserve, to the maximum extent feasible, archaeological sites with significant cultural, historical, or sociological merit for present-day residents or Native American tribes.
 - **Policy CD 4.2: Tribal Cultural Resources.** Preserve areas that have identifiable and important tribal cultural resources and comply with appropriate State and federal standards to evaluate and mitigate impacts to cultural resources, including tribal, historic, archaeological, and paleontological resources.
 - **Policy CD 4.3: Tribal Consultation.** Consult with Native American representatives, including through early coordination, to identify locations of importance to Native Americans, including archaeological sites, sacred sites, traditional cultural properties, and other types of tribal cultural resources. Respect tribal concerns if a tribe has a religious prohibition against revealing information about specific practices or locations.
 - **Policy CD 4.4: Potential Archaeological Impacts.** Consistent with the California Environmental Quality Act (CEQA), prior to construction, consult the California Archaeological Inventory Northwest Information Center for project-specific reviews to evaluate the potential for impact on archaeological resources and determine whether or not further study is warranted.
 - **Policy CD 4.5: On-Site Mitigation.** If development could affect a tribal cultural resource or archaeological resource, require the developer to contact an appropriate tribal representative to train construction workers on appropriate avoidance and minimization measures, requirements for confidentiality and culturally appropriate treatment, other applicable regulations, and consequences of violating State laws and regulations.

CULTURAL RESOURCES

- **Action CD 4.7: Preconstruction Investigations.** Consistent with CEQA, establish specific procedures for preconstruction investigation of high- and medium-sensitivity sites identified in the 1983 Chavez investigation, unless superseded by more recent investigations, to assist property owners, developers, and the City in making decisions when archaeological resources may be affected.
- **Action CD 4.8: Archaeological Sensitivity Data.** Update and maintain the City's data on areas with high archaeological sensitivity.

Implementation of the proposed project would require the preservation of archaeological and historic resources that are found within the city and would require new development to analyze and avoid any potential impacts to archaeological resources through record searches, pre-construction investigations, and implementation of appropriate measures during construction to avoid identified significant impacts. Compliance with existing federal, State, and local laws and regulations, and the proposed General Plan goal, policies, and actions would protect recorded and unrecorded archaeological deposits in the city. Therefore, implementation of the proposed project would be *less than significant*.

Significance without Mitigation: Less than significant.

CULT-3 The proposed project would not disturb any human remains, including those interred outside of dedicated cemeteries.

Previously undiscovered human remains associated with pre-contact archaeological deposits may exist within the EIR Study Area, as ground-disturbing activities sometimes uncover such previously unrecorded remains. As described in impact discussion CULT-2, ground-disturbing activities and excavation for the project would have the potential to uncover buried resources. It is possible that human remains may be present in the EIR Study Area. Descendant communities may ascribe religious or cultural significance to such remains, making any such disturbances a potentially significant impact.

As described in impact discussion CULT-2, the proposed Community Design and Historic Resources (CD) Element of the proposed General Plan contains a goal, policies, and actions that require local planning and development decisions to consider impacts to cultural resources, including human remains resources. Specifically, Policy CD 4.4, *Potential Archaeological Impacts*, requires consultation with the California Archaeological Inventory Northwest Information Center prior to construction for project-specific reviews to evaluate the potential for impact on archaeological resources and determine whether or not further study is warranted. Furthermore, Action CD 4.6, *Pre-Construction Investigations*, aims to establish specific procedure for pre-construction investigation of high and medium sensitivity sites identified in the 1983 Chavez investigation, unless superseded by more recent investigations.

Development under the proposed project would be required to comply with Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code, discussed in Section 4.4.1.1, *Regulatory Framework*. In the event a human burial or skeletal element is identified during excavation or construction, work in that location shall stop immediately until the find can be properly treated. The San Mateo County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner

CULTURAL RESOURCES

shall notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. If the NAHC is unable to identify an MLD, the MLD fails to make a recommendation within 48 hours after being notified, or the landowner rejects the recommendation of the of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance.

Therefore, with the mandatory regulatory procedures and compliance with the proposed General Plan goal, policies, and actions discussed above, potential impacts related to the potential discovery or disturbance of any human remains accidentally unearthed during construction activities associated with future development resulting from implementation of the proposed project would be *less than significant* and no mitigation measures are required.

Significance without Mitigation: Less than significant.

CULT-4 The proposed project would not, in combination with past, present, and reasonably foreseeable projects, result in cumulative cultural resources impacts in the area.

The impacts of potential future development under implementation of the proposed project on cultural resources tend to be site specific, and cumulative impacts would occur when a series of actions leads to the loss of a substantial type of site, building, or resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such resources on a project-by-project basis could constitute a significant cumulative effect. This is most obvious in historic districts, where destruction or alteration of a percentage of the contributing elements may lead to a loss of integrity for the district overall. For example, changes to the setting or atmosphere of an area by adding modern structures on all sides of a historically significant building, thus altering the aesthetics of the streetscape, would create a significant impact. Destruction or relocation of historic buildings would also significantly impact the setting.

Future development allowed under the proposed project would be primarily within the developed portions of the EIR Study Area. This, in conjunction with buildout of the city and the region, has the potential to cumulatively impact cultural resources. The existing federal, State, and local regulations and proposed General Plan goals, policies, and actions described throughout this chapter serve to protect cultural resources in San Mateo. Continued compliance with these regulations substantially decreases potential impacts to historical resources, archaeological resources, human remains, and tribal cultural resources to the maximum extent practicable. Cumulative impacts related to cultural resources would therefore be *less than significant*.

Significance without Mitigation: Less than significant.