
12. HISTORIC AND CULTURAL RESOURCES

This chapter describes historic and cultural resources conditions in the planning area. Tribal Resources are addressed in Chapter 19. This chapter includes the regulatory framework necessary to evaluate potential environmental impacts resulting from the 2040 General Plan, describes potential impacts that could result from the General Plan, and discusses General Plan goals, policies, and implementation programs that would avoid or reduce those potential impacts. It also recommends mitigation to reduce potentially significant impacts on paleontological resources.

12.1 SETTING

For the environmental topics relevant to this chapter, the environmental and regulatory setting of the planning area with respect to historic and cultural resources is described in Section 6.8 (Cultural Resources and Urban Forests) of the General Plan Existing Conditions Report (City of Burlingame, 2015). Pursuant to section 15150 of the State CEQA Guidelines, the Existing Conditions Report is incorporated into the Draft Program EIR by reference. The Existing Conditions Report is available at the City of Burlingame 2040 General Plan website at:

<http://www.Burlingame.org/GENERALPLAN/>

Copies of the Existing Conditions Report may be viewed during regular business hours (8:00 a.m. to 5:00 p.m.), Monday through Friday, at the City of Burlingame Planning Division, 501 Primrose Road, Burlingame, CA 94010.

12.1.1 Environmental Setting

The Land Use and Urban Form Chapter and Natural Resources and Hazards Chapter (sections 2.8 and 6.8, respectively) of the Existing Conditions Report describe historic and cultural resources within the planning area. The major findings below describe the cultural (historical and archaeological) resources present or potentially present in the planning area. Significant cultural resources in the city include structures that may be eligible for the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), or otherwise listed on the City of Burlingame List of Officially Designated Architecturally and Historically Significant Buildings.

- Burlingame is situated within the historic territory of many discrete tribes of Native Americans known collectively as the Ohlone (also known as Costanoans). The Ohlone inhabited a natural environment of grasslands and oak forests in the Burlingame area.
- The planning area contains 10 recorded Native American sites; 31 historic period buildings, structures, or objects; and one other historic period resource. Additionally, the State Office of Historic Preservation Historic Property Directory (OHP HPD) lists 32 recorded buildings or structures within the Planning area, and Caltrans lists six San Mateo County bridges eligible for NRHP listing.

- Burlingame incorporated in 1908. The original settlement centered around the Burlingame train station. Burlingame's population grew slowly until 1906, when the San Francisco earthquake and fires forced hundreds of people to leave the city in search of new homes. A second settlement grew around the Broadway train station, and was ultimately annexed into Burlingame.
- Four resources in Burlingame are listed on the National Register of Historic Places: Burlingame Railroad Station, Kohl Mansion, Howard-Ralston Eucalyptus Tree Rows, and Severn Lodge Dairy Wallscape.

12.1.2 Regulatory Setting

The Natural Resources and Hazards Chapter (Section 6.8) of the Existing Conditions Report discusses the following regulatory setting relevant to historic and cultural resources.

Federal

National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.). This law was enacted to prevent unnecessary harm to historic properties. The National Historic Preservation Act (NHPA) includes regulations that apply specifically to Federal land-holding agencies, but also includes regulations (Section 106) that pertain to all projects funded, permitted, or approved by any Federal agency that has the potential to affect cultural resources. Provisions of the NHPA establish a National Register of Historic Places (NRHP) (the National Register is maintained by the National Park Service), the Advisory Council on Historic Preservation, State Historic Preservation Offices, and Federal grants-in-aid programs.

State

California Register of Historical Resources. On September 27, 1992, Assembly Bill 2881 (Statutes of 1992, Chapter 1075) was signed into law amending the Public Resources Code as it affects historical resources (Public Resources Code §4850 et seq.). This legislation, which became effective on January 1, 1993, also created the California Register of Historical Resources, informally the CRHR. Under the CRHR, a historical resource may be determined significant under one or more of the following four criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
- It is associated with the lives of persons important to local, California, or national history;
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Integrity is the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. All resources nominated for listing on the CRHR must have integrity. Resources, therefore, must retain enough of their historic character or appearance to be recognizable as historical resources and

to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance.

It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data.

Local Regulations

City of Burlingame Tree Preservation Ordinance. Burlingame Municipal Code Title 11 provides for the protection and preservation of significant trees. Title 11 designates what types of trees located on what types of development or properties are “protected” and would require a permit before removal or pruning (aside from routine maintenance), and determines when removed or disfigured trees would require replacement. Protected trees include:

- Street trees, which are defined as any woody perennial plant having a single main axis or stem more than 10 feet in height; or
- Any tree with a circumference of 48 inches or more when measured 54 inches above natural grade; or
- A tree or stand of trees so designated by the City Council based upon findings that it is unique and of importance to the public due to its unusual appearance, location, historical significance, or other factor; or
- A stand of trees in which the Director of Parks has determined each tree is dependent upon the others for survival.

City of Burlingame Historic Resource Preservation Ordinance. Burlingame Municipal Code Title 21 implements the historic preservation policies in the Downtown Specific Plan through a voluntary program that provides property owners with fiscal benefits or zoning and code incentives to preserve historic properties in the Downtown area. It applies only to properties located within the Downtown Specific Plan boundaries. Preservation incentives include:

- Use of the California State Historic Building Code (SHBC) for projects involving designated historic resources;
- Fee reductions for minor or major exterior modifications to historic resources done in accordance with the *Secretary of the Interior Standards for Rehabilitation*;
- Flexibility in application of development standards such as parking reductions and historic variances;
- Provisions for adaptive reuse of historic structures;

- Mills Act contracts granting property tax relief for preservation of historic resources; and
- Provisions to allow preservation easements.

12.2 ENVIRONMENTAL EFFECTS

This section describes potential impacts related to historic and cultural resources that could result from the General Plan, and discusses General Plan goals, policies, and implementation programs that would avoid or reduce those potential impacts. The section also recommends mitigation measures as needed to reduce significant impacts.

12.2.1 Significance Criteria

Based on the CEQA Guidelines, implementation of the City of Burlingame 2040 General Plan would have a significant impact related to historic and cultural resources if it would:

- (a) Cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines section 15064.5;
- (b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 15064.5;
- (c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- (d) Disturb any human remains, including those interred outside of formal cemeteries.

12.2.2 Analysis Methodology

The methodology for evaluating potential environmental impacts related to historic and cultural resources followed this basic sequence:

- (a) The General Plan Existing Conditions Report was evaluated to identify existing environmental conditions and problems related to historic and cultural resources, including the regulatory framework that applies to these issues.
- (b) The CEQA Statute and Guidelines (2013), including appendix G (Environmental Checklist Form), were consulted to identify environmental impact topics and issues that should be addressed in the program EIR. In part, this process resulted in the significance criteria listed in subsection 12.2.1 above.
- (c) The General Plan Policy Document, including the associated development capacity assumptions (see EIR section 3.6), was analyzed to identify goals, policies, implementation programs (“policies” for short), and potential outcomes that address the significance criteria. This analysis resulted in two basic conclusions regarding policies and outcomes: (a) many policies would avoid or reduce potential environmental impacts, and (b) some policies or outcomes could result in new environmental impacts or increase the severity of existing environmental problems.
- (d) For potential environmental impacts that would result from the 2040 General Plan, mitigations were designed to avoid or reduce each impact to a less-than-significant level.

If implementation of all identified feasible mitigations cannot reduce the impact to a less-than-significant level, then the impact is considered significant and unavoidable.

12.2.3 Environmental Impacts

Potential Impacts of Future Development under the 2040 General Plan

Future development within the planning area subject to the goals and policies of the General Plan could impact historic resources where new development supplants older development. Adverse modification of historic resources may also occur if appropriate restoration methods are not implemented, thereby permanently altering the historic character of the resource. Impacts associated with the destruction or alteration of historic resources can affect a City's sense of place and lose important information relevant to City, regional, and/or State history. (Significance Criterion 12.2.1 [a])

Future development within the planning area subject to the goals and policies of the General Plan could impact archaeological resources where excavation and other earthmoving activities are required. Failure to properly survey development sites and, if necessary, monitor earthmoving activities to ensure identification and recovery of archaeological resources could result in a significant impact due to the loss of information related to pre-historic and historic human activities. (Significance Criterion 12.2.1 [b])

Excavation and other earthmoving activities required for future development pursuant to General Plan policy within surface and subsurface exposures of Pleistocene-era alluvium materials could disturb paleontological resources. Failure to survey development sites and if necessary, monitor earthmoving activities to ensure proper identification and recovery of paleontological resources could result in a significant impact on fossil resources due to the loss of information important to understanding pre-historic life and evolution. (Significance Criterion 12.2.1 [c])

The City currently does not have any policies related to the protection of paleontological resources during development-related earthmoving activities. Therefore, this EIR includes mitigation to avoid or minimize impacts on buried paleontological resources. Mitigation CR-1 below would be applicable to all future development and infrastructure proposals subject to review pursuant to CEQA. These measures will ensure that future development sites are surveyed and monitored and resources avoided, if possible, or identified, recovered, and catalogued to disseminate and preserve applicable paleontological information. All monitoring activities are to be implemented by qualified vertebrate professional paleontologists in accordance with the guidelines of the Society of Vertebrate Paleontology. **Impacts on paleontological resources would be less than significant with mitigation incorporated.**

The potential exists that as yet undiscovered human remains may be encountered during future development activities within the Planning area. Destruction of pre-historic or historic remains can result in the loss of information important to the history of the State, the region, or the immediate locality. Destruction of recent human remains could result in destruction of evidence associated with a crime. (Significance Criterion 12.2.1 [d])

How Existing Regulations and General Plan Policies Reduce Impacts

Table 12-1 is aligned with relevant Existing Regulations and General Plan policies that relate to cultural resources. Column 1 (Objective) lists each Regulation and General Plan goal, policy, and implementation program (“policy” for short), organized by General Plan element, that addresses the potential impact identified in Table 12-1. Column 2 is a summary of the regulation/policy and the text of the policy. Column 3 answers the question, “How does the regulation/policy avoid or reduce the potential impact?” Column 4 identifies the applicable significance criteria that is addressed by the regulation/goal.

The verbs in Column 3 are intended to be applied consistently. The verb “ensures” means that the policy is sufficient to guarantee the result identified in the policy. The verb “helps” means that the policy contributes to avoiding or reducing the identified potential impact; in many cases, “helps” is used for a policy that can be applied to avoid or reduce a wide range of potential impacts.

Impact 12-1. Since there is no information on the likelihood of discovering paleontological resources and there are currently no General Plan policies requiring the discovery, monitoring, and protection of paleontological resources, Mitigation 12-1 is recommended to avoid potentially significant impacts on paleontological resources should they occur in the planning area.

*Mitigation 12-1. **Paleontological Assessment.** In areas containing middle to late Pleistocene-era sediments where it is unknown if paleontological resources exist, prior to grading an assessment shall be made by a qualified paleontological professional to establish the need for paleontological monitoring. Should paleontological monitoring be required after recommendation by the professional paleontologist and approval by the Community Development Director, paleontological monitoring shall be implemented.*

***Paleontological Monitoring.** A project that requires grading plans and is located in an area of known fossil occurrence or that has been demonstrated to have fossils present in a paleontological field survey or other appropriate assessment shall have all grading monitored by trained paleontological crews working under the direction of a qualified professional, so that fossils exposed during grading can be recovered and preserved. Should any potentially unique fossils be encountered during development activities, work shall be halted immediately within 50 feet of the discovery, the City of Burlingame Planning Department shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery.*

***Paleontological Recovery, Identification, and Curation.** The City and a project applicant shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project applicant shall be required to implement any mitigation necessary for the protection of paleontological resources.*

***Paleontological Findings.** Qualified paleontological personnel shall prepare a report of findings (with an itemized appendix of specimens) subsequent to implementation of paleontological recovery, identification, and curation. A preliminary report shall be submitted, subject to approval by the Community Development Director before granting*

of building permits, and a final report shall be submitted, subject to approval by the Community Development Director before granting of occupancy permits.

This impact would be ***less than significant with this mitigation.***

Table 12-1: Proposed Burlingame Existing Regulations and General Plan Policies to Avoid or Reduce Impacts on Cultural Resources

Regulation/Policy	Description of Regulation/Policy	How Does It Avoid or Reduce Impact?	Applicable Significance Criteria
Existing Regulations			
National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.).	This law was enacted to prevent unnecessary harm to historic properties. The National Historic Preservation Act (NHPA) includes regulations that apply specifically to Federal land-holding agencies, but also includes regulations (Section 106) that pertain to all projects funded, permitted, or approved by any Federal agency that has the potential to affect cultural resources.	Helps ensure preservation of Burlingame’s historic resources.	(a) Change to historic resource (b) Change to archaeological resource
California Register of Historical Resources.	On September 27, 1992, Assembly Bill 2881 (Statutes of 1992, Chapter 1075) was signed into law amending the Public Resources Code as it affects historical resources (Public Resources Code §4850 et seq.) This legislation, which became effective on January 1, 1993, also creates the California Register of Historical Resources, informally the CRHR.	Helps ensure preservation of Burlingame’s historic resources.	(a) Change to historic resource
City of Burlingame Tree Preservation Ordinance	Burlingame Municipal Code Title 11 provides for the protection and preservation of significant trees by designating what types of trees located on what types of development or properties are “protected” and would require a permit before removal or pruning (aside from routine maintenance) as well as determining when removed or disfigured trees would require replacement.	Helps ensure protection and maintenance of Burlingame’s historic Eucalyptus groves and other heritage trees.	(a) Change to historic resource

Table 12-1: Proposed Burlingame Existing Regulations and General Plan Policies to Avoid or Reduce Impacts on Cultural Resources

Regulation/Policy	Description of Regulation/Policy	How Does It Avoid or Reduce Impact?	Applicable Significance Criteria
City of Burlingame Historic Resource Preservation Ordinance	Burlingame Municipal Code Title 21 implements the historic preservation policies in the Downtown Specific Plan through a voluntary program that provides property owners with fiscal benefits or zoning and code incentives to preserve historic properties in the Downtown area.	Helps ensure protection and maintenance of historic resources within the Downtown Specific Plan area.	(a) Change to historic resource
Community Character Element			
Goal CC-3: Historical Resources	Protect the character and quality of Burlingame's historical buildings, tree groves, neighborhoods and districts	Helps ensure preservation of Burlingame's historic resources. Helps ensure that archaeological sites and resources will be protected.	(a) Change to historic resource (b) Change to archaeological resource
Policy CC-3.1: Comprehensive Historic Surveys	Require the applicant for any discretionary permit that involves remodeling, removing or substantially altering any structure older than 50 years old at the time of the application to prepare a Historic Resources Survey consistent with State CEQA requirements to identify the historical significance of the property.	Helps ensure preservation of Burlingame's historic resources. Helps ensure that archaeological resources are professionally documented to enable their protection. Helps ensure that archaeological resources are professionally documented to enable their protection.	(a) Change to historic resource (b) Change to archaeological resource (c) Disturb human remains
Policy CC-3.3: Historic Preservation Standards and Guidelines	When a structure is deemed to have historic significance, use the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings when evaluating development applications and City projects, or development applications that may affect scenic views or the historic context of nearby historic resources.	Helps ensure preservation of Burlingame's historic resources. Helps ensure that archaeological sites and resources will be protected. Helps ensure that archaeological sites and resources will be protected.	(a) Change to historic resource (b) Change to archaeological resource (c) Disturb human remains

Table 12-1: Proposed Burlingame Existing Regulations and General Plan Policies to Avoid or Reduce Impacts on Cultural Resources

Regulation/Policy	Description of Regulation/Policy	How Does It Avoid or Reduce Impact?	Applicable Significance Criteria
Policy CC-3.4: Flexible Land Use Standards	Maintain flexible land use standards to allow the adaptive reuse of identified historic buildings with a variety of economically-viable uses, while minimizing impacts to the historic value and character of sites and structures.	Helps ensure preservation of Burlingame's historic resources. Helps preserve historic resources within the surrounding context. Implements historic preservation within the context of the professionally recognized Secretary of the Interior's Standards.	(a) Change to historic resource (b) Change to archaeological resource
Policy CC-3.5: Historic Districts	Identify opportunities to establish National Park Service Certified Historic Districts to encourage the preservation of Burlingame's historic neighborhoods and districts, and to qualify property owners for the Federal Preservation Tax Incentives Program.	Helps ensure preservation of Burlingame's historic resources. Increases opportunities to preserve and enhance potential historic resources.	(a) Change to historic resource
Policy CC-3.6: State Historic Building Code	Promote the use of the State Historic Building Code to facilitate the reuse and conversion of historical buildings to alternative uses.	Helps ensure preservation of Burlingame's historic resources. Increases opportunities to preserve and enhance potential historic resources.	(a) Change to historic resource
Policy CC-3.7: Mills Act	Participate in the California Mills Act Property Tax Abatement Program to provide property owners of historical resources an economic incentive (property tax relief) to restore, preserve, and maintain qualified historic properties.	Helps ensure preservation of Burlingame's historic resources. Increases opportunities to preserve and enhance potential historic resources.	(a) Change to historic resource
Policy CC-3.8: Federal Historic Preservation Tax Incentives	Promote the use of the Federal Historic Preservation Tax Incentives Program to encourage the rehabilitation of income-producing historical structures in Burlingame.	Helps ensure preservation of Burlingame's historic resources. Increases opportunities to preserve and enhance potential historic resources.	(a) Change to historic resource
Policy CC-3.9: Federal Historic Preservation	Promote the Federal Historic Preservation Tax Credit	Helps ensure preservation of	(a) Change to historic resource

Table 12-1: Proposed Burlingame Existing Regulations and General Plan Policies to Avoid or Reduce Impacts on Cultural Resources

Regulation/Policy	Description of Regulation/Policy	How Does It Avoid or Reduce Impact?	Applicable Significance Criteria
Tax Credit Program	Program to encourage the charitable contribution of historical resources and the establishment of conservation easements for historic preservation purposes.	Burlingame’s historic resources. Increases opportunities to preserve and enhance potential historic resources.	
Policy CC-3.10: Demolition of Historic Resources	Prohibit the demolition of historic resources unless one of the following findings can be made: 1) The rehabilitation and reuse of the resource is not structurally or economically feasible. 2) The demolition is necessary to protect the health, safety, and welfare of the public. 3) The public benefits of demolition outweigh the loss of the historic resource.	Helps ensure that opportunities for historic preservation will be thoroughly evaluated before any demolition of a historic resource occurs.	(a) Change to historic resource
Policy CC-1.11: Heritage Trees	Protect and maintain Burlingame’s historic Eucalyptus groves and other heritage trees in a healthy, safe and efficient manner so they remain an important part of the community.	Helps ensure protection and maintenance of Burlingame’s historic Eucalyptus groves and other heritage trees.	(a) Change to historic resource

Conclusions

In most cases, no one goal, policy, or implementation measure is expected to completely avoid or reduce an identified potential environmental impact. However, the collective, cumulative mitigating benefits of the policies listed in each table will result in a less-than-significant impact related to the identified significance criterion and the corresponding environmental topic listed in the table name. This conclusion is consistent with the purpose and use of a program EIR for a general plan (see EIR Introduction, Chapter 1).

Based on the methodology described above, 2040 General Plan impacts related to **historic and cultural resources** would be **less than significant** (see criteria [a], [b] and [d] in subsection 12.2.1, “Significance Criteria,” above). Impacts on **paleontological resources** (criteria [c]) would be **less than significant with mitigation incorporated**.