



5.5 CULTURAL RESOURCES

This section describes cultural resources within the General Plan Planning Area. Cultural resources include places, objects, and settlements that reflect group or individual historical, archaeological, architectural, or paleontological resources. The potential impacts resulting from implementation of the Yorba Linda General Plan Update are identified and analyzed, and mitigation measures to avoid or lessen the potential impacts are recommended as necessary.

5.5.1 Methodology

Data from various sources were used for the preparation of this section, including a search of the Native American Heritage Commission Sacred Lands files; a search of the National Register of Historic Places, California State Historic Landmarks, California Register of Historical Resources, and California Points of Historic Interest; the adopted Yorba Linda Historical Resources Element; and the City of Yorba Linda Citywide Historic Property Survey: Historic Context and Survey Report (GPA, 2009).

5.5.2 Regulatory Setting

Federal

National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, established a national policy of historic preservation, and encourages such preservation. The NHPA established the Advisory Council on Historic Preservation (ACHP) and provided procedures for the agency to follow if a proposed action affects a property that is included or may be eligible for inclusion, on the National Register of Historic Places (NRHP). The NRHP was developed as a direct result of the NHPA.

Pursuant to the NHPA, the federal government, acting through the U.S. Department of the Interior's National Park Service, maintains an inventory of properties and structures that have been determined to meet certain criteria as significant historic resources commonly referred to as the "National Register of Historic Places" (NRHP). Eligibility for the NRHP is determined by the U.S. Department of the Interior in a formal review process in which a resource is proposed for listing. For purposes of Section 106 of the NHPA, any property listed on or deemed eligible for listing on the NRHP is considered historic. While ordinarily the NHPA does not apply to projects sponsored by private parties on private land, Section 106 of the NHPA may apply if the project is on federal land, is using federal money, or requires a federal permit (e.g., a Section 404 permit under the Clean Water Act from the U.S. Army Corps of Engineers [USACE]).

The eligibility for inclusion in the NRHP is determined by applying the following criteria as per provisions of the NHPA:

- The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
 - A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
 - B. That are associated with the lives of persons significant in our past; or



- C. 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
- D. That have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).

Listing in the NRHP does not guarantee specific protection or assistance for a property, but it helps to ensure its recognition in the planning process for federal or federally-assisted projects (see Section 106), eligibility for federal tax benefits, and qualification for federal historic preservation assistance. In addition, the NRHP is designed to achieve uniform standards of documentation and evaluation for historic properties.

State of California

California Register of Historical Resources

In 1992, the Governor signed Assembly Bill (AB) 2881 into law establishing the California Register of Historical Resources (CRHR). The CRHR is an authoritative guide in California used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. Eligibility for the CRHR is determined by the California Office of Historic Preservation (OHP) in a formal review process in which a resource is proposed for listing. A resource deemed eligible for the NRHP is typically deemed eligible for the CRHR. Certain resources are determined by the statute to be included in the CRHR, including California properties formally determined eligible for or listed in the NRHP, as well as State Landmarks and State Points of Interest.

The State Office of Historic Preservation (OHP) makes determinations of eligibility for listing on the CRHR. A resource may be listed in the CRHR if it meets any of the following criteria:

- A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- B. Is associated with the lives of persons important in our past.
- C. 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 values.
- D. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the above criteria, the State regulations require that to be listed in the California Register, sufficient time must have passed to allow a "scholarly perspective on the events or individuals associated with the resource." Fifty years is used as a general estimate of the time needed to understand the historical importance (14 C.C.R. Section 4852(d)). The California Register also requires a resource to possess integrity, which is defined as "the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association."



Senate Bill 18

On September 29, 2004, Senate Bill (SB) 18 (California Government Code § 65352.3) was signed into law. This law requires local governments to consult with Native American tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to the adoption and amendment of general plans and specific plans.

The consultation process requires (1) that local governments send the State Native American Heritage Commission (NAHC) information on the proposed project and request contact information for local Native American tribes; (2) that local governments then send information on the project to the tribes that the NAHC has identified and notify them of the opportunity to consult; (3) that the tribes have 90 days to respond on whether they want to consult or not, and (4) that consultation begins if requested by a tribe and there is no statutory limit on the duration of the consultation. If issues arise and consensus on mitigation cannot be reached, SB 18 allows a finding to be made that the suggested mitigation is infeasible.

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting or mitigating impacts to cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land policy, before individual projects are reviewed by a local government.

Assembly Bill 52

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes “Tribal Cultural Resources” (TRC) as a new, separate, and distinct category of resources requiring consideration in the CEQA process. AB 52 amends CEQA by adding a new definition for TRCs. It also requires a new consultation process with Native American tribes to occur during the CEQA process to allow tribes the opportunity to provide input on tribal cultural resources, and appropriate mitigation and alternatives to avoid or reduce significant impacts to tribal cultural resources. AB 52 also establishes that a substantial adverse change to a tribal cultural resource is a significant impact.

California Environmental Quality Act (CEQA)

CEQA requires a Lead Agency to determine whether a project may have a significant effect on one or more historical resources. For CEQA compliance consideration, the Public Resources Code (PRC) establishes the definition and criteria for “historical resources,” which require similar protection to what NHPA Section 106 mandates for historic properties. “Historical resources,” according to PRC Section 5020.1(j), “includes, but is not limited to, any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.” More specifically, the CEQA Guidelines state that the term “historical resources” applies to any such resources listed in or determined to be eligible for listing in the California Register of Historical Resources, included in a local register of historical resources, or determined to be historically significant by the Lead Agency (CEQA Guidelines § 15064.5(a)(1)-(3)).



Regarding the proper criteria for historical significance, the CEQA Guidelines mandate that “a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing in the California Register of Historical Resources” (CEQA Guidelines § 15064.5(a)(3)).

The Lead Agency must concurrently determine whether a project will cause damage to a unique archaeological resource (as defined in PRC § 21083.2[b]) and, if so, must make reasonable efforts to permit the resources to be preserved in place or left undisturbed. Section 21083.2(g) of CEQA defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be demonstrated that without merely adding to the existing body of archaeological knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

To the extent that unique archaeological resources are not preserved in place, mitigation measures shall be required (PRC § 21083.2[c]).

Using the information outlined above, the first level of evaluation is to determine whether a resource on a site is a historical resource and/or a unique archaeological resource that would be considered eligible for the CRHR and, therefore, significant.

Impacts to significant cultural resources that affect those characteristics of the resource that qualify it for the CRHR or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. Impacts to cultural resources are considered significant if a project (1) physically destroys or damages all or part of a resource; (2) changes the character of the use of the resource or physical feature within the setting of the resource that contributes to its significance; and/or (3) introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

Historical Resources. “Historical” resources are defined in Section 21084.1 of CEQA and the State CEQA Guidelines (14 CCR §15064.5). CEQA Section 21084.1 states:

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in



subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.

The State CEQA Guidelines (14 CCR §15064.5[b]) state:

A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

- (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- (2) The significance of an historical resource is materially impaired when a project:
 - (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
 - (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources...unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
 - (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

An archaeological resource must be determined to be “unique” or “historic” for an impact to the resource to be considered significant. A “unique archaeological resource” is defined in Section 21083.2(g) of CEQA and is discussed above under “prehistoric archaeological resources”.

Paleontological Resources. Paleontological resources are nonrenewable scientific and educational resources. The CEQA regulatory framework for impacts on paleontological resources is contained in Appendix G (Environmental Checklist Form) of the State CEQA Guidelines and includes paleontological resources under the general heading “Cultural Resources”. Projects subject to CEQA must determine whether the project would “directly or indirectly destroy a unique paleontological resource”.

An impact to paleontological resources would be considered a significant impact if a project results in the direct or indirect destruction of a unique or important paleontological resource or site. A project site is deemed paleontologically sensitive if (1) it has fossils that have previously been recovered from a particular geologic unit; (2) there are recorded fossil localities within the same geologic units as occur within the project area; and (3) the types of fossil materials that have been recovered from the geologic unit are unique or important.



California Public Resources Code

The California Public Resources Code, Section 5097.5, prohibits the excavation or removal of any “vertebrate paleontological site, or any other archaeological, paleontological, or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction of such lands.” Public lands are defined as lands owned by or under the jurisdiction of the State, or any city, county, district, authority, or public corporation. Any unauthorized disturbance or removal of archaeological, historic, or paleontological materials or sites located on public lands is considered a misdemeanor.

Regional and Local

Yorba Linda Municipal Code

Yorba Linda Municipal Code (YLMC) Chapter 18.18, Combining Zones, Article II, Historic (H) Combining Zone establishes the Historic Combining Zone overlay district in order to recognize, preserve, and protect historically significant structures, sites, and features that reflect elements of the City’s heritage. Criteria for inclusion in a Historic Combining Zone district include:

- A. It exemplifies or reflects special elements of the City’s cultural, architectural, aesthetic, social, economic, political, or artistic heritage; or
- B. It is identified with persons, a business use, or events significant in local, State, or national history; or
- C. It embodies distinctive characteristics of style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- D. It is representative of the notable work of a builder, designer, or architect; or
- E. Its unique location or singular physical characteristic represents an established and familiar visual feature of a neighborhood, community, or the City; or
- F. Its integrity as a natural environment or feature strongly contributes to the well-being of residents of the City or the well-being of a neighborhood within the City; or
- G. It is a geographically definable area possessing a concentration or continuity of site, buildings, structures, or objects as unified by past events or aesthetically by plan or physical development.

YLMC Section 18.18.130 establishes the historic designation procedures in order to establish a historic combining zone district. YLMC Sections 18.18.150 and 18.18.160 include the design standards for residential and commercial uses within the historic combining zone districts.

Yorba Linda Historic Resources Element

The Yorba Linda Historic Resources Element was adopted by the City Council on September 18, 2012. The purpose of the Historic Resources Element is to provide the basis for enabling legislation and policy guidance that will allow the City to effectively preserve, enhance, and maintain buildings, sites, and areas which have been deemed architecturally and/or historically significant.



5.5.3 Environmental Setting

The City of Yorba Linda is located in Orange County. The topography of the City is generally flat with hills located near the northern boundary of the City.

Paleontological Background

Paleontological sites are those that show evidence of pre-human activity. Often they are simply small outcroppings visible on the surface or sites encountered during grading. The Planning Area is located within the central, northernmost portion of the Santa Ana Mountains, which are part of the Peninsular Ranges Geomorphic Province. It is located in Santa Ana Canyon on a low rolling plain formed by streams that drain the Puente Hills. The Puente Hills (also known as the Chino Hills) extend beyond the Planning Area to the north and east while the Santa Ana River forms a natural southern boundary. Yorba Linda can be divided into three terrain provinces: (1) the eroded plain, (2) the Santa Ana River floodplain, and (3) the Puente Hills.

The majority of the Planning Area is underlain by the eroded plain area, extending from the edge of the Puente Hills to the Santa Ana River. It is characterized by low rounded ridges and knolls, separated by generally northeast-and southeast trending gullies and ravines. Old alluvial fans in the canyon bottoms are comprised of highly varied and discontinuous units of silt, mud, gravel, and boulders. The Santa Ana floodplain is the relatively flat area between the Santa Ana Mountains and the floodplain to the north. The floodplain is covered by relatively recent deposits of course-grained sand and gravel.

The Puente Hills area is characterized by semi-to-well-rounded hills with rather deeply gashed drainage channels. The Puente Hills are mostly underlain by Cenozoic sedimentary bedrock formations consisting of sandstone, silt-stone, and shale. The eastern Puente Hills are made up of middle Miocene to early Pliocene (16 million to 3.6 million years old) marine sedimentary rock units overlain in some areas by Pleistocene Epoch (1.8 million to 10,000 years old) terrestrial sediments. Reviews of geologic maps indicate that sediments from the Late Miocene Yorba and Sycamore Canyon Members of the Puente Formation, Quaternary landslides, and older and younger Quaternary Alluvium underlie the eastern Puente Hills. All of these geologic units, except for the younger Quaternary Alluvium, are conducive to retaining paleontological resources.¹ The Miocene formation is known to have produced significant vertebrate paleontological resources near the Planning Area.²

Archaeological Background

Archaeological resources are defined as the material remains of any area's pre-historic (aboriginal/ Native American) or historic (European and Euro-American) human activity. Most of the City of Yorba Linda is not surveyed and is of unknown archaeological sensitivity.

Prior to the settlement of the region by Europeans, the General Plan Planning Area was affiliated with the Gabrielino and Juaneño ethnographic groups.

¹ PCR Services Corporation, *Cielo Vista Draft Environmental Impact Report (SCH #2012071013)*. November 7, 2013.

² CAA Planning, Inc. *Esperanza Hills Draft Environmental Impact Report (SCH #2012121071)*. November 27, 2013.



The Gabrielino territory included the Los Angeles Basin, the coast of Aliso Creek in Orange County to the south, and Topanga Canyon to the north, the four southern Channel Islands, and the watersheds of the Los Angeles, San Gabriel, and Santa Ana Rivers. Their name is derived from their association with Mission San Gabriel. The Gabrielino were advanced in their culture, social organization, religious beliefs, and art and material production. At the time of European contact, the Gabrielino were actively involved in trade using shell and bead currency. The Gabrielino were known for excellent artisanship in the form of pipes, ornaments, cooking implements, inlay work, and basketry.³

The Planning Area is located near the traditional territory of the Juaneño, or Acjachemen. The territory of the Juaneño was bound to the north by the Aliso Creek Watershed where they shared a tribal boundary with the Gabrielino. Their territory was bound to the east by the crest of the Santa Ana Mountains, the south by San Onofre Creek, and the west by the Pacific Ocean. The term Juaneño derives from the Mission San Juan Capistrano and has been used to refer to those Takic speakers associated with the mission. Like many California tribes, the Juaneño were organized in permanent villages of 50 to 250 people that were concentrated near watercourses and the coast, which allowed for the exploitation of not only the much needed water, but also the resulting floral and faunal communities that thrived in those areas. Seasonal settlements were also established to harvest acorns, a California staple, and to hunt game in the interior. Marine mammals, fish, and shellfish were also exploited on the coast and goods were traded between Juaneño clans and surrounding groups.⁴

The proximity of Yorba Linda to the Santa Ana River indicates that there is a very good potential for prehistoric cultural resources to be present in the area.

Historical Background

Yorba Linda is a post-war residential community of suburban character that originated as a small farm town in the early 1900s. Following the arrival of Europeans, the area was lightly settled by Spanish and Mexican settlers in the late 18th century and 19th century. The earlier efforts to urbanize the area for rural agricultural development occurred under U.S. governance in the later 1800s, but failed largely due to a lack of potable (drinkable) water.

In 1909, a tract map of the new town of Yorba Linda was completed. That same year, the Yorba Linda Water Company was formed in order to create a new irrigation system. This increased agricultural productivity in the area and it also attracted new settlers. Additionally, the Pacific Electric Railway line was extended from Los Angeles to Yorba Linda in 1911. The establishment of a passenger and freight depot in 1912 solidified the new town's identity as a growing urban center within a farming region. The core of the town was developed by the late 1910s, with a small commercial downtown concentrated primarily along Main Street and residential development found in small tracts around the downtown. The young community was enhanced by social and cultural institutions located in downtown such as the Yorba Linda School, the Friends Church, the Masonic Lodge, and a library.

In the 1910s, with available water and relatively inexpensive land, Yorba Linda and its surrounding area became great producers of citrus and avocados. These flourishing agricultural industries sustained the small farming town throughout the first half of the 20th century, despite setbacks during the Great

³ PCR Services Corporation, *Cielo Vista Draft Environmental Impact Report (SCH #2012071013)*. November 7, 2013.

⁴ Ibid.



Depression and World War II. Urban development was slow during this period of time as the town's population increased gradually and residential neighborhoods expanded house-by-house around the downtown core. In the late 1930s, Imperial Highway was constructed between Hawthorne/Inglewood and Yorba Linda, which opened up Yorba Linda to Los Angeles County. This led to increased commercial and residential development in Yorba Linda following the end of World War II in 1945.

During the post-war period, a construction boom occurred in California due to a statewide housing shortage. This boom transformed a number of farming towns into suburbs, including Yorba Linda. Beginning in the 1950s, the orchards began to be replaced with residential and commercial developments leading to the town's incorporation in 1967. In 1966, the Yorba Linda Citrus Association packing house closed after over 50 years of operation; this action essentially signaled the end of the citrus industry in Yorba Linda. Between 1957 and the mid-1960s, nearly 2,000 homes were constructed in Yorba Linda. The post-war development of Yorba Linda also reflected the growing popularity of automobiles. Construction of new highways coincided with the development of automobile-friendly shopping centers in outlying areas and a gradual shift of businesses away from the traditional downtown core.

During the 1970s, continued population growth prompted the City to expand its boundaries. By 1980, the City had annexed over 10,000 acres. Yorba Linda also made efforts to revitalize its downtown by improving its streetscape during the late 1970s. In 1990, the Richard Nixon Library was established at the birthplace of the former president at the northeast corner of Yorba Linda Boulevard and Eureka Avenue. During the early 21st century, Yorba Linda continued to grow through the development of predominately single-family residences along the northern boundary of the City.

Historic and Cultural Resources

The City of Yorba Linda Citywide Historic Property Survey: Historic Context and Survey Report identifies historical resources throughout the City. There are 3 properties are listed on the NRHP, 3 properties which appear eligible for the NRHP as an individual property, 1 district is eligible for the NRHP, 1 district that qualifies as a City of Yorba Linda Local Historic District, and 26 properties that appear to be individually eligible for the Local Historical Register.

The three properties listed on the NRHP are:

1. Bixby-Bryant House (listed in 1997 – Building - #96001537), 5700 Susanna Bryant Dr., Yorba Linda.
2. Richard Nixon, Birthplace (listed in 1971 – Building - #71000171), 18132 Imperial Hwy., Yorba Linda.
3. Pacific Electric Railway Company Depot (listed in 1979 – Building - #79000517), 18132 Imperial Highway, Yorba Linda.

Three properties appear eligible for the NRHP as an individual property through survey evaluation. These properties are:

1. 18452 Buena Vista Avenue, Vacant – Residential, Murray Residences, built in 1920.
2. 4602 Valley View Avenue, Single-family residence, Spanish Colonial Revival, Bates Residence, built in 1931.
3. 4742 Plumosa Avenue, Single-family residence, Craftsman, built 1925/1912.



There are 26 properties in the City that appear to be individually eligible for local listing or designation through survey evaluation. These are typically buildings that are: (1) very good representations of their architectural style; (2) the earliest buildings that were constructed within the City that still retain moderate to high level of historic integrity and original building materials; (3) associated with significant local individuals; or (4) good examples of at least one historic context. **Table 5.5-1, Properties Eligible for Local Historic Designation** shows the properties in the City that are potentially eligible for local historic designation.

Additionally there is one property that appears eligible for NRHP both individually and as a contributor to a NRHP eligible district through survey elevation located at 4801 Park Avenue. The property was built in 1918 and is a single family residence, built in the Aeroplane Craftsman architectural style.

Park Avenue/Park Place Historic District. The Park Avenue/Park Place Historic District is eligible for the NRHP. The district includes 24 contributing buildings and 16 non-contributing buildings. The Park Avenue/Park Place neighborhood represents a specific development pattern within the City of Yorba Linda. Developed between 1910 and 1921, this area was the first residential neighborhood in Yorba Linda and primarily housed resident citrus and avocado industry workers and early residents. The architecture found within the Park Avenue/Park Place neighborhood is comprised mostly of Craftsman style, one-story, single-family residences.

The significance of this neighborhood is derived from its modest roots and representation of an early working-class community. Its location is significant due to its location near the rail line and packing houses as well as its proximity to the downtown area. It was the first neighborhood of its kind to develop in Yorba Linda and has remained largely intact.

The district is eligible for the NRHP under Criterion A for the contribution that this neighborhood made to the development of Yorba Linda's early history and under Criterion C for embodying the distinctive characteristics of a type, period, or method of construction and because it represents a significant and distinguishable entity whose components lack individual distinction.

Yorba Linda Old Town Historic District. There is a small concentration of commercial buildings located along Main Street that strongly convey the City's early commercial and social center. The Old Town Historic District (locally significant district) is an early- to mid-20th century commercial neighborhood that is centered on the 4800 and 4900 blocks of Main Street and Olinda Street. It includes 16 contributing buildings and 6 non-contributing buildings. The district boundaries include the east side of Olinda Street to the west, Lemon Drive to the north, the east side of Main Street to the east, and the northeast side of Imperial Highway to the southwest. Boundaries exclude the parcel located at the intersection of Main Street, Imperial Highway, and Arroyo Street.

The Old Town Historic District was developed between 1914 and 1954. The district is significant as the first commercial development in Yorba Linda. It is the City's original downtown, the heart of its early social and commercial existence. The overall integrity of Old Town Historic District is good. Therefore, this local commercial district reflects the special elements of the City's cultural, social, and economic heritage as the core area of the town where people shopped, gathered, and dined in Yorba Linda's early years (Yorba Linda Criterion A). Also, the area is geographically definable and possesses a concentration and continuity of buildings that are unified visually as the town's early commercial core and also represent the town's



early commercial development. The Old Town Historic District qualifies as a City of Yorba Linda Local Historic District (Yorba Linda Criterion G).

Table 5.5-1 Properties Eligible for Local Historic Designation		
Address	Description	Year Built
18132 Imperial Highway	Commercial, None, P.E. Co. Railway Depot	1912/1911
18161 Bastanchury Road	Rural – Improved, Aeroplane Craftsman; Jacobs Residence	1922
18372 Lemon Drive	Religious Building, Craftsman	1912, 1920s/1917
17131 Orange Drive	Single Family Residence, Craftsman, Selover Residence	1913
17322 Orange Drive	Single Family Residence, Aeroplane Craftsman	1922
4622 Rose Drive	Single Family Residence, No Style	1912
4602 Santa Fe Street	Single Family Residence, Aeroplane Craftsman	1921/1913
17611 Yorba Linda Boulevard	Miscellaneous, Craftsman, Niswander Residence, Arabella’s Smith’s	1922
18452 Buena Vista Avenue	Vacant – Residential, Murray Residence	1920
4852 School Street	Vacant – Residential, Craftsman	1912
4835 School Street	Church Building	1917/1914
4871 School Street	Single Family Residence, Craftsman	1920/1919
4842 School Street	Single Family Residence, Craftsman	1925/1915
4471 Lakeview Avenue	Single Family Residence, No Style, Mohler Residence	1919/1920
17282 Orange Drive	Single Family Residence, Ranch	1955
4502 Plumosa Drive	Single Family Residence, Spanish Colonial Revival	1920
17621 Bastanchury Road	Residential, Craftsman	1920
16881 Bastanchury Road	Religious Building	1951
17132 Marda Avenue	Single Family Residence, Craftsman	1920s
17997 Oak Leaf Lane	Single Family Residence, Tudor Revival	1927
4722 Ohio Street	Single Family Residence, Modern (Concrete Block)	1956
5232 S. Ohio Street	Single Family Residence, Craftsman	1920
5882 Short Street	Single Family Residence, Tudor Revival	1917
18200 Yorba Linda Boulevard	Former Packing House	1929
18422 Lemon Drive	Civic, Craftsman	1938
Source: Galvin Preservation Associates, <i>City of Yorba Linda Citywide Historic Property Survey: Historic Context and Survey Report</i> . November 2009.		



5.5.4 Significance Threshold Criteria

In accordance with *CEQA Guidelines*, the effects of a project are evaluated to determine whether they would result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. The criteria used to determine the significance of impacts may vary depending on the nature of the project. According to Appendix G of the *CEQA Guidelines*, the proposed project would have a significant impact related to cultural resources, if it would:

- CR-1 Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5 of the *CEQA Guidelines*;
- CR-2 Cause a substantial adverse change in the significance of an archaeological resource, as defined in Section 15064.5 of the *CEQA Guidelines*;
- CR-3 Disturb any human remains, including those interred outside of formal cemeteries; or
- CR-4 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Impacts to significant cultural resources that affect those characteristics of the resource that qualify it for the CRHR or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. Impacts to cultural resources are considered significant if a project (1) physically destroys or damages all or part of a resource; (2) changes the character of the use of the resource or physical feature within the setting of the resource that contributes to its significance; and/or (3) introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

5.5.5 Impacts and Mitigation Measures

The purpose of this analysis is to identify any potential cultural resources within the Planning Area, and to assist the Lead Agency in determining whether such resources meet the office definitions of “historical resources,” as provided in the California Public Resources Code, in particular CEQA. The evaluation is based on professional judgment, and the significance criteria established by Appendix G of the *CEQA Guidelines*, which the City has determined to be appropriate criteria for this Program EIR. The findings from the *City of Yorba Linda Citywide Historic Property Survey: Historic Context and Survey Report* (GPA, 2009) have also been referenced when determining potential impacts of the General Plan Update. In accordance with CEQA, the effects of a project are evaluated to determine if they would result in a significant adverse impact on the environment. Cultural resources impacts are analyzed below according to topic.

Impact 5.5-1: Implementation of the General Plan Update could adversely impact the significance of a historical resources. [Threshold CR-1]

Impact Analysis

Pursuant to CEQA, a historical resource is a resource listed in, or eligible for listing in the California Register of Historical Resources (CRHR). In addition, resources included in a local register of historical resources or identified as significant in a local survey are considered historical resources under CEQA. There are several sites within the City that are currently listed on the NRHP, three properties that appear to be eligible for



the NRHP, and a historic district that is eligible for the NRHP at the local level of significance. There are individual properties as well as a historic district that are considered eligible for local historic designation, however, no properties within the City of Yorba Linda have been formerly designated using the local designation criteria. Future development, revitalization, and redevelopment activities within or adjacent to these sites or districts could adversely impact the significance of a historical resource.

Cultural resources significant under Section 106 are evaluated in terms of eligibility for listing of in the NRHP. NRHP significance criteria applied to evaluate the cultural resources are defined in 36 CFR 60.4 as described in the Regulatory Settings above. The CRHR includes buildings, sites, structures, objects, and districts significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. To qualify for inclusion in the CRHR, a historical resources must meet the criteria described in Regulatory Settings above. If no eligible resources are identified within a project's Area of Potential Effects, then the project is not considered to have a significant impact on cultural resources.

The Yorba Linda General Plan Update identifies seven focus areas. It is anticipated that most new growth resulting from new development and/or redevelopment activities over the 20-year planning period of the General Plan Update would occur in these areas, particularly in the Cielo/Esperanza, Community Core, East Gateway, and West Gateway Focus Areas. The Richard Nixon Birthplace, the Pacific Electric Railway Company Depot, the property at 4742 Plumosa Avenue, the Park Avenue/Park Place Historic District, and the Yorba Linda Old Town Historic District are located within the Community Core Focus Area.

The Historical Resources Element established a framework to protect and preserve the historic character and resources of Yorba Linda. Yorba Linda Municipal Code (YLMC) Chapter 18.18, Article II establishes the Historic (H) Combining Zone district to recognize, preserve, and protect historically significant structures, sites, and features that reflect elements of the City's heritage. Section 18.18.120 establishes the criteria used to designate a structure, site, or natural feature as part of the Historic Combining Zone district. Section 18.18.140 sets the requirement that a Conditional Use Permit is required for new construction and/or alteration of the exterior features of a building or site within a designated Historic Combining Zone district. Sections 18.18.150 and 18.18.160 establish the design standards for residential and commercial site development within a designated Historic Combining Zone district.

Future development within the Planning Area, including the focus areas, would be reviewed for consistency with General Plan Update policies and implementation measures, and the YLMC. Compliance with the General Plan Update policies and implementation measures, and the YLMC would protect currently designated and potential historic resources and districts from significant adverse impacts. In addition to the policies and implementation measures identified in the General Plan Update, future development would be subject to compliance with the established federal and State regulatory framework, which is intended to mitigate potential impacts to historical resources. Therefore, potential impacts to historic resources would be less than significant with compliance with the General Plan Update policies and implementation measures and the YLMC.

Proposed General Plan Update Goals and Policies

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| Policy HR-1.1 | Protect existing buildings and their features that contribute to the unique historic character and architectural styles of the Town Center. |
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| Policy HR-1.2 | Ensure that new development within the Town Center complements the area's unique historic and architectural character. |
| Policy HR-1.3 | Facilitate the rehabilitation of older buildings in the Town Center for highest and best uses. |
| Policy HR-1.4 | Promote programs that create, enhance, and strengthen connections between historic/ architectural character and community image. |
| Policy HR-2.1 | Identify individual buildings and districts that qualify as historic resources. |
| Policy HR-2.2 | Provide tools that facilitate preservation of unique historic/architectural character of buildings and districts. |
| Policy HR-2.3 | Review and make informed decisions regarding proposed changes to historic resources. |
| Policy HR-2.4 | Ensure that the City is a leader in preservation and a good steward of its historic properties. |
| Policy HR-3.1 | Make available economic incentives to homeowners to promote preservation and maintenance of historic residences. |
| Policy HR-3.2 | Offer financial incentives to owners of historic properties within commercial districts to carry out compatible improvements. |
| Policy HR-3.3 | Assist all property owners in applying for and obtaining economic incentives for historic preservation. |
| Policy HR-4.1 | Inform property owners of the locations of historic buildings and districts. |
| Policy HR-4.2 | Advise owners of historic properties of preservation goals and policies. |
| Policy HR-4.3 | Consider information and comments received from property owners when making decisions regarding historic resources. |
| Policy HR-4.4 | Ensure that City decisions regarding public and private property are based on sound understandings of historic preservation principles and planning. |
| Policy HR-4.5 | Consider special economic hardship where it exists as a factor in City decisions regarding historic properties. |
| Policy HR-5.1 | Promote adaptive reuse and rehabilitation of existing historic buildings as a more sustainable activity than demolition and new construction. |
| Policy HR-5.2 | Encourage improvements to historic buildings that increase energy efficiency while retaining historic features, materials, and character. |
| Policy HR-5.3 | Consider preservation alternatives that preserve existing buildings, structure, and materials to the greatest extent feasible. |



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| Policy HR-6.1 | Provide information to the general public regarding Yorba Linda’s historic character, buildings, and architecture. |
| Policy HR-6.2 | Support efforts to expand and augment the knowledge that has been gathered regarding the history of Yorba Linda and the surrounding region. |
| Policy HR-6.3 | Work with the community to conduct events and activities that educate the general public about Yorba Linda’s historical and cultural development. |

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Impact 5.5-2: Implementation of the General Plan Update could adversely impact the significance of an archaeological resource. [Threshold CR-2]

Impact Analysis

As discussed in Section 3.0, Project Description, Yorba Linda is largely built out with approximately 2,587 acres of vacant land. The General Plan Update identifies seven Focus Areas. It is anticipated that most new growth resulting from new development and/or redevelopment activities over the planning period of the General Plan Update would occur in these areas, particularly in the Cielo/Esperanza, Community Core, East Gateway, and West Gateway Focus Areas.

All of the focus areas, except for Cielo/Esperanza, are primarily developed or have been previously developed or disturbed. Environmental Impact Reports done for potential development within the Cielo/Esperanza Focus Area concluded that there is a low likelihood of archaeological resources in the area. Although archaeological resources are not anticipated to occur within these areas, there is the potential for unknown or undiscovered resources to occur. Therefore, future development anticipated by the General Plan Update could indirectly result in impacts to previously unknown archaeological resources through construction activities.

On September 9, 2015, Kimley-Horn and Associates, on behalf of the City of Yorba Linda, submitted a local government consultation list request to the Native American Heritage Commission (NAHC), which responded on October 7, 2015 with the results of a Sacred Lands File search for the Planning Area. Results of the Sacred Lands File search through the NAHC did not indicate and known Native American cultural resources from the NAHC archives within the Planning Area.

The City subsequently initiated SB 18 consultation with the Native American groups identified by the NAHC as having affiliation with the Planning Area vicinity, in addition to Native American groups that requested consultation on projects within the City, pursuant to Assembly Bill (AB) 52. SB 18 consultation provides the Native American community an opportunity to express their views to the City regarding tribal “cultural places” within or near the project site. No requests for consultation were received.

Proposed General Plan Update Policies and Actions

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| Policy HR-2.5 | Avoid adversely affecting significant archeological and paleontological resources. |
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Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

Impact 5.5-3: Implementation of the General Plan Update could disturb human remains, including those interred outside of formal cemeteries. [Threshold CR-3]

Impact Analysis

No conditions exist that suggest human remains are likely to be found in the Planning Area. Due to the level of past disturbance in the City, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or disturbance activities. The NAHC Sacred Lands File search did not indicate the presence of Native American cultural resources within the Planning Area.

The Native American Graves Protection and Repatriation Act within the State of California is enacted by the California Native American Historical, Cultural and Sacred Sites Act, and applies to federal, State, and private lands. Upon discovery of human remains, the activity ceases and the County Coroner is notified. If the remains are of a Native American, the Coroner notifies the NAHC, which then notifies the most likely descendants. The NAHC is directed to prepare an inventory of Native American Sacred Places on public lands. It is illegal for anyone to knowingly or willfully possess or obtain any Native American artifacts or human remains from a Native American grave or cairn. Any person who removes, without authority or law, Native American artifacts or human remains from a Native American grave or cairn with the intent to sell or dissect such remains is guilty of a felony punishable by imprisonment in a federal or State prison.

If human remains are found, those remains would require proper treatment, in accordance with applicable laws. State California Public Resources Health and Safety Code Sections 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 establishes the requirements if human remains are accidentally discovered during excavation of the site. In addition, the requirements and procedures set forth in California Public Resources Code Section 5097.98 would be implemented. If human remains are found during excavation, excavation must stop in the vicinity of the finds and any area that is reasonably suspected to overlie adjacent remains until the County Coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains.

In the event human remains are encountered during earth removal or disturbance activities compliance with the California Health and Safety Code Section 7050.57.98 would reduce any impact associated with human remains to less than significant levels.

Proposed General Plan Update Goals and Policies

The General Plan Update does not include policies or implementation measures for human remains.

Mitigation Measures

No mitigation measures are required.



Level of Significance After Mitigation

Less than significant impact.

Impact 5.5-4: Implementation of the General Plan Update could adversely impact the significance of a paleontological resource, including unique geologic features. [Threshold CR-4]

Impact Analysis

As discussed in Impact 5.5-2, it is anticipated that most new growth resulting from new development and/or redevelopment activities over the planning period of the General Plan Update would occur in these areas, particularly in the Cielo/Esperanza, Community Core, East Gateway, and West Gateway Focus Areas.

All of the focus areas, except for Cielo/Esperanza, are primarily developed or have been previously developed or disturbed. Environmental Impact Reports done for potential development within the Cielo/Esperanza Focus Area concluded that there is a likelihood of paleontological resources in the area. Although paleontological resources are not anticipated to occur within the other focus areas, there is the potential for unknown or undiscovered resources to occur. Therefore, future development anticipated by the General Plan Update could indirectly result in impacts to previously unknown paleontological resources through construction activities.

Proposed General Plan Update Goals and Policies

Policy HR-2.5 Avoid adversely affecting significant archeological and paleontological resources.

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Less than significant impact.

5.5.6 Cumulative Impacts

Future development projects in the General Plan Planning Area may potentially impact previously unknown historic, archaeological, and/or paleontological resources. It is possible that cumulative development could result in the adverse modification or damage to historic, archaeological and/or paleontological resources. Potential cultural resource impacts associated with the development of individual projects under the Yorba Linda General Plan Update would be site specific. All new development would be required to comply with existing federal, State, and local regulations concerning the protection of historic, archaeological, and paleontological resources on a project-by-project basis. Additionally, implementation of the General Plan Update policies and implementation measures would reduce potential impacts to cultural resources to less than significant levels. Therefore, implementation of the Yorba Linda General Plan Update would not result in cumulatively considerable cultural resource impacts.

5.5.7 Significant Unavoidable Impacts

No significant unavoidable impacts are identified.