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## Introduction

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The Cultural Resources Element addresses the historic, archaeological and paleontologic resources within San Juan Capistrano. San Juan Capistrano's history of human occupation began prior to the establishment of Mission San Juan Capistrano in the late 1700's. As a result of this rich history, the City contains many historic and archaeological resources which help define the character of the community. Protecting these resources and assuring that new development enhances historical and archaeological resources will ensure that the character and tradition of San Juan Capistrano is preserved.

### *Purpose of the Cultural Resources Element*

The purpose of the Cultural Resources Element is to protect and preserve the historic, archaeological and paleontologic resources that are found in San Juan Capistrano. After identifying those important resources which should be protected or preserved, the City will work with the property owners to find a balance between the cost of protecting a resource and the importance of the resource.

### *Scope and Content of the Cultural Resources Element*

The Cultural Resources Element is not a state-mandated element; however, the Element is an important component of the San Juan Capistrano General Plan. The Cultural Resources Element is comprised of three sections: 1) Introduction, 2) Issues, Goals and Policies and 3) the Cultural Resources Plan. In the Issues, Goals and Policies section, major issues related to preservation and protection of historic, archaeological and paleontologic resources are identified and related goals and policies are established to address these issues. The goals, which are overall statements of the community's desires, are comprised of broad statements of purpose and direction. The policies serve as guides for working property owners to preserve and protect identified important historic, archaeological and paleontologic resources. The Plan explains how the goals and policies will be achieved and implemented, while the General Plan Implementation Program, contained in Appendix A, identifies the specific implementation programs for this element.

### *Related Plans and Programs*

There are a number of existing plans and programs which are related to the goals and policies contained in the Cultural

Resources Element. These plans and programs, which are described below, have been enacted by local and state agencies with the power to adopt and enforce state and local actions.

#### **California Environmental Quality Act (CEQA) and Guidelines**

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for thorough environmental analysis of projects that might affect the environment. The provisions of the law and environmental review procedure are described in the CEQA Statutes and the CEQA Guidelines which were amended in 1998. Implementation of CEQA ensures that during the decision making stage of development, City officials and the general public will be able to assess the environmental impacts associated with private and public development projects to historic, archaeological and paleontological resources.

#### **San Juan Capistrano's Historical & Cultural Landmarks Ordinance**

San Juan Capistrano has adopted an Historical & Cultural Landmark Ordinance. This ordinance forbids damage of any kind to any resource listed in the City's Inventory of Historical & Cultural Landmarks (IHCL) without first obtaining City approval. Applications are reported to the Cultural Heritage Commission (CHC) which has 30 days to render a decision. Decisions of the CHC may be appealed to the City Council. Owners and other occupants of properties listed on the IHCL or located in an historic district are required to maintain the exteriors of their structures. Failure to comply with the provisions of the ordinance is a ground for revocation of any relevant permits and is punishable as a misdemeanor.

#### **Historic Preservation Ordinance**

The City also adopted an Historic Preservation Ordinance. The law provides that permitted and conditional uses of properties within an historic district shall be the same as those permitted for the base district. Like the Historical & Cultural Landmarks Ordinance, the Historic Preservation Ordinance forbids damaging historic resources in any way and provides for revocation of relevant permits in instances where there is failure to comply.

### **Historical, Archaeological and Paleontological Resource Management Guidelines**

The revision of City Council Policy 601, which took place in 1997, is entitled "Historical, Archaeological and Paleontological Resource Management Guidelines." Policy 601 provides for insuring that cultural resource related projects are conducted by qualified individuals and establishes procedures for reviewing their reports. In addition, the policy adopts procedures to insure proper mitigation of impacts or potential impacts to previously unknown cultural resources during construction (i.e., provides for on-site monitoring of grading operations). It also provides for recording the presence of all significant historic resources with the City and with the corresponding "research institution". To encourage historic preservation, qualifying project sponsors are exempted from all City fees for rehabilitation, restoration, preservation, and relocation work performed on historic resources.

### **Los Rios Precise Plan**



The original Los Rios Precise Plan was adopted in February, 1978 and is currently being revised. The Plan addresses the special planning needs identified by the community for the protection of the historic neighborhood. The Precise Plan requires that future construction and activities within the Los Rios Precise Plan area be consistent with the area's historical character.

### **National Historic Preservation Act**

The National Historic Preservation Act (NHPA) is a federal law which establishes the legal and administrative context to encourage preservation of historic resources and is administered by the State Historic Preservation Office (SHPO). The NHPA establishes criteria for inclusion into the National Register of Historic Places (NRHP) and requires Federal agencies to consider the effects federal actions will have on historic properties.

### ***Relationship to Other General Plan Elements***

According to state planning law, the Cultural Resources Element must be consistent with the other General Plan elements. While all of the elements are independent, they are also interrelated to a degree. Certain goals and policies of each element may also address issues that are primary subjects of other elements. This integration of issues throughout the General Plan creates a strong basis for the implementation of plans and programs and achievement of the community's goals. The Cultural Resources

Element is most directly related to the Conservation & Open Space and Community Design Elements. Both the Conservation & Open Space and Community Design Elements address the protection of historical resources by requiring new development to be compatible with the surrounding historical resources.



## Issues, Goals, and Policies

One major issue is addressed in the goals, policies and implementing actions of the Cultural Resources Element. This major issue is the preservation of historic, archaeological and paleontologic resources within the City of San Juan Capistrano. The associated goals, policies and implementation actions are identified and discussed in the following section.

### *Preservation of Historic, Archaeologic and Paleontologic Resources*

San Juan Capistrano is located in an area which has attracted humans both during prehistoric, as well as in historic times. This rich past has been incorporated into the fabric of the City and provides a link to the community's heritage and history. For example, the Mission and downtown area creates a focal point for the community and provides a sense of place. These resources have a value that needs to be protected and enhanced to maintain the historical quality and focus of the community.

**Cultural Resources Goal 1: Preserve and protect historical, archaeological, and paleontological resources.**

**Policy 1.1:** Balance the benefits of development with the project's potential impacts to existing cultural resources.

**Policy 1.2:** Identify, designate, and protect buildings and sites of historic importance.

**Policy 1.3:** Identify funding programs to assist private property owners in the preservation of buildings and sites of historic importance.

### *Related Goals and Policies*

The goals and policies described in the Cultural Resources Element are related to and support subjects included within other General Plan elements. In turn, many goals and policies from other elements directly or indirectly support the goals and policies of the Cultural Resources Element. These supporting goals and policies are identified in Table CR-1.

**Table CR-1  
Related Goals and Policies by Element**

General Plan Elements	Preservation of Historic, Archaeologic and Paleontologic Resources
	Land Use
Housing	
Circulation	
Safety	
Conservation & Open Space	4.1, 5.2
Noise	
Cultural Resources	
Community Design	
Growth Management	
Parks & Recreation	
Public Facilities & Utilities	
Floodplain Management	



## Cultural Resources Plan

### *Preservation of Historic, Archaeologic and Paleontologic Resources*

The City of San Juan Capistrano has a rich history embedded in the early cultural settlement of the area by Native Americans and later by the establishment of the Mission San Juan Capistrano in the late 1700's. This heritage can be seen throughout the City from the historic Mission District and Mission San Juan Capistrano to the Spanish architectural themes that identify the entire community. The Cultural Resources Plan identifies cultural resources within the City worthy of preservation and protection, as well as programs which will help preserve these resources for the visitors and residents of San Juan Capistrano.

### **Historic and Archaeologic Resources**

Evidence of human habitation in Orange County, including the San Juan Capistrano area, exists over 13,000 years. Early inhabitants appear to have subsisted through hunting and gathering. By 3,000 B.C., the local population exhibited an increased dependance on marine resources and acorns. This way of life continued until the Spanish arrived in the 18<sup>th</sup> century, at which time the Juaneno Indians occupied the area from the coast to the Santa Ana Mountains. When the Mission was established in San Juan Capistrano in 1776, the local Juaneno were gathered together at the Mission and were taught Christianity and European-style sufficiency.

The City's rich historic period began in 1776 with the establishment of the San Juan Capistrano Mission by the Spanish. By 1833, the secularization of mission lands by the Mexican government had begun and in 1834 the Pueblo de San Juan was created. When California became part of the United States, the Pueblo de San Juan was considered government land, and not recognized as an independent municipality. The town was surveyed and patented in 1876. Tourism in San Juan Capistrano began when the railroad arrived in 1881 and has continued to this day. The historic resources of the City are anchored by the Mission. The Mission forms the focal point for the Historic Town Center area of San Juan Capistrano. This area not only provides a strong base for tourism, but also is the basis for the City's Spanish character.

Since the 1960's, when several historic structures within the City were demolished, the community of San Juan Capistrano has identified the preservation of its cultural resources as an important factor to consider while evaluating future development within the City. To assist with historic preservation in the City, the Cultural Heritage Commission (CHC) was created by the City Council in May, 1977. The CHC has the following powers and duties:

- To act in an advisory capacity to the City Council, the Planning Commission, Parks and Recreation Commission, City staff and any other groups which the City Council might designate in all matters pertaining to the culture, heritage and history of the City;
- To compile, keep and maintain a list of all sites, structures, persons, events, and landmarks which have cultural or historical significance or importance and notify the owners of any item on the list of any special City requirements applicable to their property;
- To implement and administer studies and plans relating to matters of historical, cultural, paleontological or archaeological significance and to make recommendations on the designation and creation of historical, cultural, paleontological or archaeological districts;
- To recommend to the City Council an annual budget including: financing of the activities of this Commission; capital projects designed to protect the cultural heritage of the community; and funding programs available through state and federal agencies; and
- To undertake such other duties as may be assigned by the City Council.

### **Historic and Archaeologic Resource Surveys**

As discussed above, one of the duties of the CHC is to compile and maintain the City's Inventory of Historical & Cultural Landmarks (IHCL). The IHCL includes 32 developed properties, six historic districts, and four historic streets. It is the intention of the City that all locally significant historical or cultural landmarks be included in the IHCL. However, some of these landmarks are sufficiently pristine and important that they merit national recognition. Such properties are listed in the National Register of Historic Places (NRHP) and groups of such properties are listed as districts.

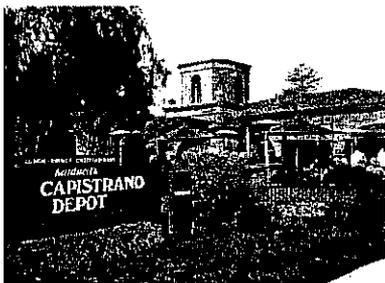
A state inventory, the California Register of Historical Resources (CRHR) includes properties of importance at the state level. All properties listed in the NRHP are automatically included in the CRHR. The State of California also maintains an historical resources inventory which is administered by eleven regional offices. Orange County records are kept at the South Central Coastal Information Center at UCLA.

### Historical Sites

#### San Juan Capistrano's Inventory of Historical and Cultural Landmarks (IHCL)

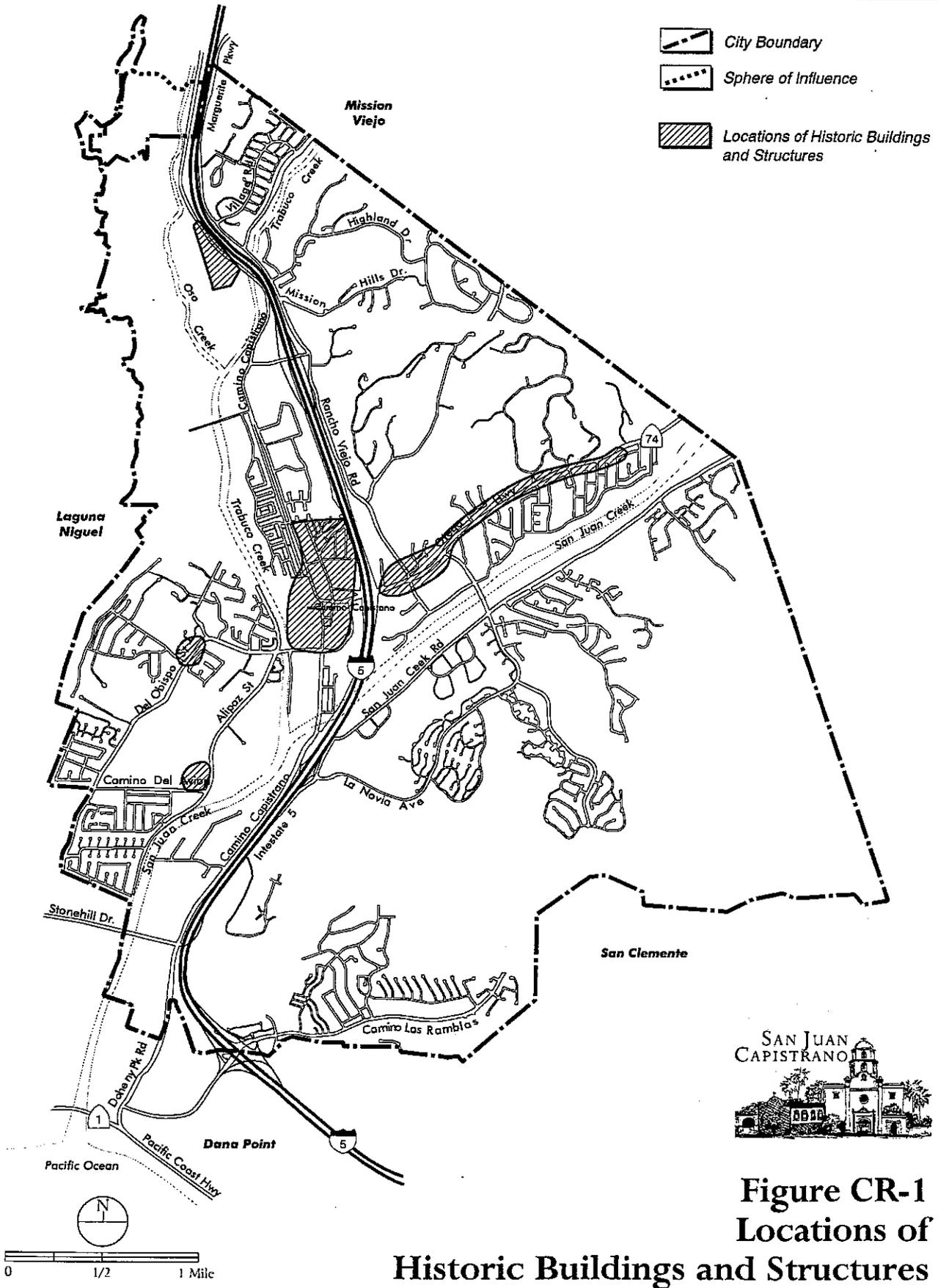
Thirty-two properties, six districts, and four streets are currently listed in the IHCL. It includes the Mission, the Mission kiln, the Santa Fe Railroad depot, a late 19th century dance hall, a church, a high school, a medical building, commercial buildings, and residences of various dates. Figure CR-1 depicts the location of these resources.

A few of the listings are potentially archaeological, but many of these, including the ten standing adobes, are also purely historical in character. The City's adobes, which probably represent the best inventory of adobe structures in southern California, represent three different eras including Spanish (1776-1820; Rios, Montanez, Silvas and Pablo Pryor Adobes), Mexican (1821-1847; Para, Blas Aguilar, Garcia, and Juzgado/Jose Antonio Yorba Adobes), and Statehood (post-1850; Juan Avila and Domingo Yorba Adobes). The four Spanish era adobes are especially interesting because they are believed to have been built by and for the neophyte residents of the Mission.



At least seven of the resources listed on the IHCL relate to late 19th century themes. These include the Santa Fe Railroad depot (transportation), the C. Russell Cook house and barn, the Joel Congdon farmhouse, and the Harrison farmhouse (agriculture), the Hot Springs dance hall (entertainment), and the old Fire Station Complex (public safety). Several residences of prominent late 19th century citizens could also be regarded as theme-related although these structures qualify as historical architectural resources (Judge Egan and Frank Forster homes).

Most of the remaining properties on the IHCL are important due to their architectural qualities. Late 19th century and early twentieth century styles include Victorian (e.g., Hankey/Rowse Cottage and Pryor/O'Neill Museum), Mission Revival (Frank Forster mansion), commercial brick storefront (Ferris Kelly



**Figure CR-1  
Locations of  
Historic Buildings and Structures**

buildings), and pattern book vernacular (Stroschein House). Early contemporary architecture is represented by Moderne (old Union [Serra] High School) and Streamline Moderne (Esslinger Building).

The IHCL currently lists six historic districts:

- Mission Refuse Area
- Mission Cemetery
- River Street (within the Los Rios Historic District)
- Serra High School Site
- Los Rios Historic District
- Little Hollywood

With the exception of the Los Rios District, none of these properties comprise a "district" within the meaning of the NHPA or CEQA (i.e., an area encompassing multiple contributing properties).

The IHCL also lists four historic streets:

- Los Rios Street (from Del Obispo to Mission Street)
- El Camino Real (from La Zanja to Forster Street)
- Camino Capistrano (south of Mission to El Adobe Restaurant)
- Spring Street

#### **List of Buildings and Sites of Distinction**

The List of Buildings and Sites of Distinction serves as an inventory of resources which are regarded by the Cultural Heritage Commission as potentially eligible for addition to the Inventory of Historic and Cultural Landmarks. The List, which was established by the CHC in 1987, is an honorary designation which imposes no restrictions and conveys no benefits.

The List includes twelve 20th century residential properties, six commercial properties, the Presbyterian/Community Christian Church, Capistrano Union High School "C", and the San Juan Capistrano Public Library. A few of these structures have recently been added to the IHCL including the church, the Esslinger Building and the high school.

#### **National Register of Historic Places (NRHP) Properties**

There are currently one district and eight individual properties listed in the NRHP as follows:

- Los Rios Historic District
- Mission San Juan Capistrano
- Montanez Adobe
- Domingo Yorba Adobe
- Esslinger Building
- Para Adobe
- Frank A. Forster Mansion
- Harrison House
- Blas Aguilar Adobe (Casa de Esperanza)

Each of these properties is briefly described in the following paragraphs:

**Los Rios Historic District:** The Los Rios Historic District is the oldest neighborhood in California and includes three adobe homes built in 1794 as housing for families with ties to the Mission. Thirty-one buildings are included in the district which includes both sides of Los Rios Street between Del Obispo and Mission Streets. The Los Rios District was nominated to the NRHP in 1977 but listing was delayed for various reasons, including changes in the National Historic Preservation Act. The District was finally placed on the NRHP on April 4, 1983.

**Mission San Juan Capistrano (Ortega Highway at Camino Capistrano):** The old Mission is the focal point of downtown San Juan Capistrano and probably contributes more to the City's historic atmosphere than any other property. Built in 1776, the Mission property includes ten acres in the heart of town. Built around a large central courtyard, the cloister currently houses museum rooms and displays featuring the Late Prehistoric and Spanish eras.

**Montanez Adobe (31745 Los Rios Street):** Alfred Robinson, a visitor to San Juan Capistrano in the 1820's, wrote that unlike other towns, the Indians in San Juan Capistrano were housed in some forty adobe dwellings which were arranged around the mission in five or six neat blocks. Believed to have been built in 1794, the Montanez adobe was one of these dwellings. It received its name from Doña Polonia Montanez who was the religious instructor of the village children during the period from 1886 to 1910 when the Mission had no resident priest. The City restored the adobe in 1980.

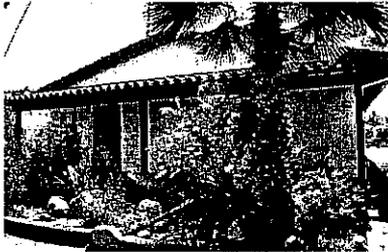
**Domingo Yorba Adobe (31871 Camino Capistrano):** Believed to have been built around 1830, the adobe was the home of Domingo Yorba during the 1860's. The adobe has been owned by the Oyharzabal family since 1880.

**Esslinger Building (31866 Camino Capistrano):** Built in 1939, the Esslinger Building is one of only two 20th century NRHP structures in San Juan Capistrano (the other is the Forster mansion; see below). The listing is on architectural grounds, the medical building presenting an outstanding example of the Streamlined Moderne style of architecture. Particularly innovative is the use of glass block across much of the facade.

**Para Adobe:** The Para Adobe is located off the Ortega Highway about a mile east of the San Diego Freeway. The building belonged to Miguel Para who is listed in the 1850 Los Angeles County tax roll as a resident of San Juan Capistrano. It has been suggested that the building may have originally served as a barracks for Mission vaqueros.

**Frank A. Forster Mansion (28232 Ortega Highway):** Built circa 1910, the Forster residence is one of only two structures built in the Neo-Mission architectural style which was popular at the turn-of-the-century.

**Blas Aguilar Adobe (Casa de Esperanza); 31806 El Camino Real):** The Casa de Esperanza comprises the north wing of this building which once had a south wing called the Casa Tejada. The latter, which no longer exists, was said to have been built in 1794. The Casa de Esperanza is said to have been built by Blas Aguilar in the 1840's. Aguilar is included on the 1850 Los Angeles County tax roll.



**Harrison House (27832 Ortega Highway):** Built circa 1905, the Harrison farmhouse is associated with John Harrison who had purchased the property in 1917. The building is said to be an outstanding example of single-wall construction, a style unique to Southern California. The building was restored by the City and today serves as the office of the Capistrano Indian Council.

#### California Historical Resources Information System (CHRIS)

The California Historical Resources Information System (CHRIS) has identified eight existing historic structures including small residential complexes; one of which contains the last existing segment of the old Camino Real within the City limits. Other types of structures include a brick-lined cistern fed by the Mission zanja and a brick-lined well. The Ortega Highway (State Highway 74) is also listed.

## Archaeological Sites

### California Historical Resources Information System

**Prehistoric Archaeological Sites:** The records show that there are currently 43 prehistoric archaeological sites of varying significance within the City limits. While only one has been reported as destroyed, by freeway construction, it is probable that others have also been destroyed or damaged. Two of the archaeological sites have been reported to represent villages. Other recorded prehistoric archaeological sites include milling stone and chipped stone scatters; campsites; a light milling stone scatter; and a milling stone cache.

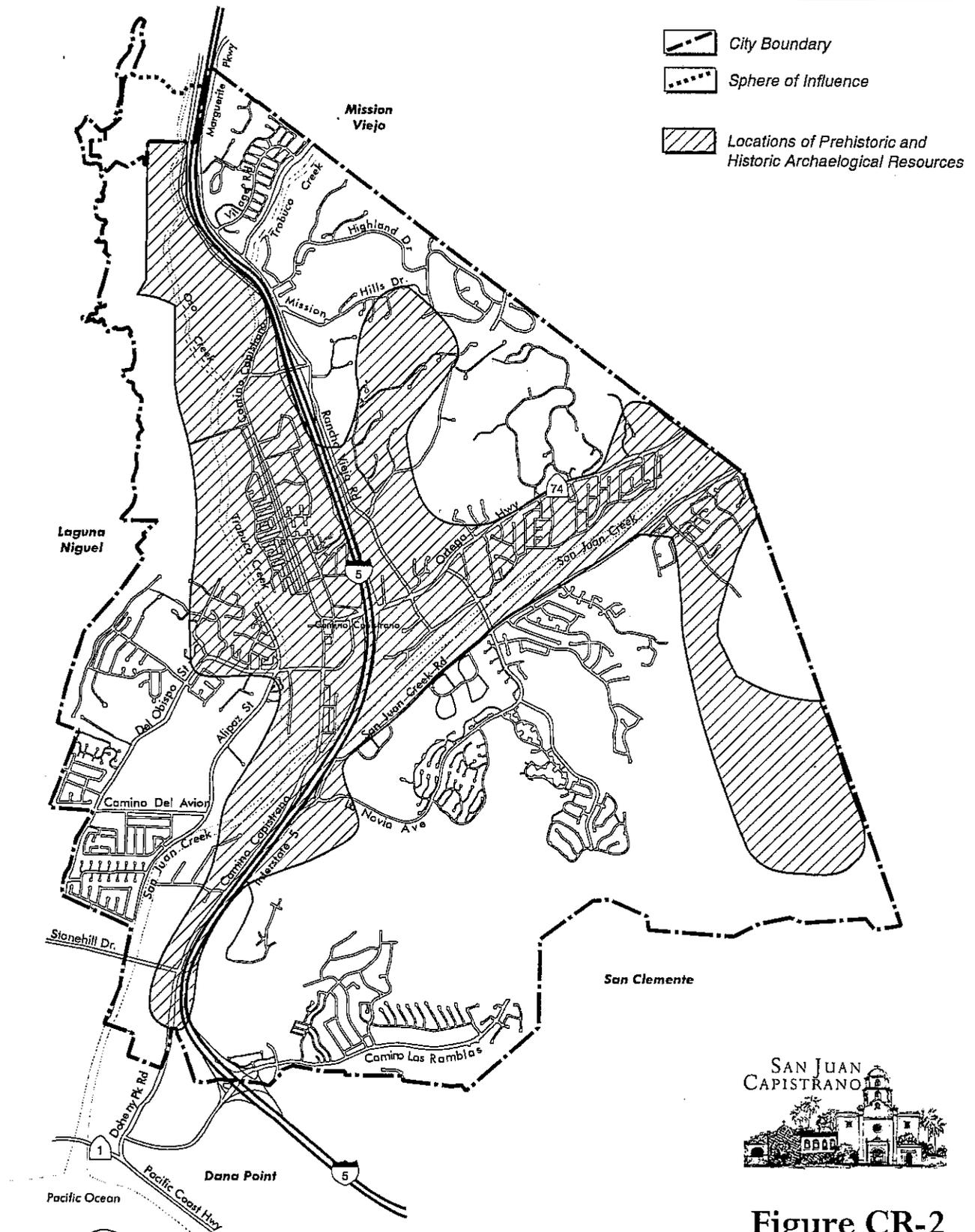
**Historical Archaeological Sites:** Ten historic archaeological locations are included in the CHRIS records. Most of these represent house foundations and at least one, formerly a brick house belonging to Judge Richard Egan, may include a prehistoric deposit.

Figure CR-2 depicts the general location of areas within the City which potentially contain sensitive archaeological resources. Due to the sensitive nature of these resources, specific sites are not located on Figure CR-2.

### Paleontological Resources

Paleontological resources have been uncovered in various portions of the City. The valley area, with its alluvial deposits has less potential to produce fossils, while the older foothills have a higher potential to yield fossils. The Capistrano and Monterey Formations and San Onofre Breccia, mainly located in the eastern foothills of the City, are considered to be of high paleontologic importance. This is due to the numerous fossil sites which have been found in these bedrock units.

San Juan Capistrano will encourage the preservation and protection of the archaeological, historic and paleontologic resources identified above through the application of the California Environmental Quality Act (CEQA). Development proposals will be evaluated under CEQA to assess their impacts to sensitive cultural resources. If significant impacts to cultural resources will result from the proposed development, appropriate modifications to the project, or mitigation measures, will be required.



**Figure CR-2**  
**Locations of Prehistoric**  
**and Historic Archaeological Resources**

The Historical & Cultural Landmarks and Historic Preservation Ordinances will also be implemented to protect cultural resources listed in the City's Inventory of Historical & Cultural Landmarks (IHCL) and located within a historic district. Development which has the potential to damage these resources is forbidden without prior approval by the City. Implementation of the City's Historical, Archaeological and Paleontological Management Guidelines will also result in the proper evaluation of projects and mitigation of their impacts to cultural resources.

Additional programs to assist and encourage private property owners to preserve cultural resources within the City will be identified and implemented by the City to further protect historic, archaeological and paleontologic resources. The City will also continue to update its Inventory of Historical and Cultural Landmarks in a manner consistent with state regulations to be used in evaluating development proposals under CEQA.