

# *Lompoc City Council Agenda Item*



**City Council Meeting Date:** February 21, 2006

**TO:** Gary P. Keefe, City Administrator

**FROM:** Stacy L. Lawson, Senior Environmental Coordinator  
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**SUBJECT:** ENVIRONMENTAL REVIEW AND PROJECT APPROVAL OF  
TA 05-03 / ER05-09; CULTURAL RESOURCES OVERLAY  
DISTRICT

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**RECOMMENDATION:** The Planning Commission recommends that the City Council take the following actions:

- 1) Conduct a public hearing and take public testimony;
- 2) Adopt the Negative Declaration;
- 3) Review the draft Ordinance and recommend any changes;
- 4) Adopt Resolution No. 5306 (06) approving Text Amendment TA 05-03, Cultural Resources Overlay Ordinance and related Zoning Map Amendment; and
- 5) Introduce Ordinance No. 1521 (06), the Cultural Resources Overlay Ordinance.

**BACKGROUND:** The process of complying with the California Environmental Quality Act (CEQA) requires that projects in areas of high archaeological significance be subject to environmental review, the result of which is reviewed by the State Historic Preservation Office (SHPO). This process typically requires a fee and two to three months to complete. The additional time needed for SHPO review is frustrating for property owners, especially since the response received from SHPO has consistently applied the same mitigation measure(s) to address archaeological impacts.

The proposed ordinance is intended to relieve owners of property located in high archaeological sensitivity zones of the requirement to circulate an environmental document through the state for each construction project. This change will reduce processing time for some property owners seeking to improve or develop their property. The ordinance will not exempt property owners from compliance with mitigation measure(s) generally applied by the SHPO, but will eliminate the time necessary for the SHPO review to take place.

**DISCUSSION:** On January 9, 2006, the Planning Commission held a public hearing to review the City of Lompoc's proposal to amend the City's Zoning Ordinance. A copy of the staff report is included as Attachment No. 5. The proposed Zoning Text and Map Amendment would create a Cultural Resources Overlay District. The Zoning Map Amendment applies to all property within the City that is south of the centerline of Olive Avenue. After reviewing the staff report and taking public testimony, the Planning

Commission took the following actions:

1. Reviewed the draft Initial Study and certified the Negative Declaration;
2. Adopted Resolution No. 432 (05) recommending that the City Council approve the Zoning Text Amendment (TA 05-09) and the related Zoning Map Amendment, creating a Cultural Resources Overlay Zone, on a 4-0-1 vote, with Commissioner Rodenhi absent;

The Planning Commission's minutes, staff report, and Resolution No. 432 (05) are attached for Council review.

During the hearing, concern arose regarding the definition of the term "ground disturbance". A revised definition is proposed by staff for Council consideration, as follows:

*"Ground Disturbance – "Any excavation, at any depth, for which a building, grading or planning permit is required, except excavation in areas and to depths that can be identified as having been previously disturbed."*

Because the properties located south of Olive Avenue vary significantly in location and age of construction and because archaeological artifacts and features have been discovered both on the ground's surface and only a few inches below the surface in some locations, it is not possible to develop an general exemption that stipulates a depth to which soil disturbance is assumed to have occurred during development.

Stacy L. Lawson  
Senior Environmental Coordinator

- Attachments:**
1. [Ordinance No. 1521 \(06\)](#)
  2. Planning Commission Minutes Excerpt from January 9, 2006
  3. [Planning Commission Resolution No. 432 \(05\)](#)
  4. Letters of Comment Received for January 9, 2006 P.C. Meeting
  5. [Planning Commission Staff Report, January 9, 2006](#)

**APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:**

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Arleen T. Pelster, AICP  
Community Development Director

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Gary P. Keefe  
City Administrator