

**ORDINANCE NO. 1521 (06)**

**An Ordinance Of The City Of Lompoc,  
County Of Santa Barbara, State Of California  
Adding Article 16 To Title 2 Of Chapter 50 Of The Lompoc City Code  
Establishing A Cultural Resources Overlay District**

**THE CITY COUNCIL OF THE CITY OF LOMPOC DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Article 16 is hereby added to Title 2 of Chapter 50 (the Zoning Ordinance) of the Lompoc City Code to read as follows:

"Article 16. Cultural Resources Overlay District (CR).

**Section 8750. Purpose and Intent.**

The Cultural Resources Overlay District (CR) is intended to ensure protection of cultural resources within the City of Lompoc, while streamlining the process of development review within the Archaeological High Sensitivity Zone on the City's south side.

**Section 8751. Effect of Provisions.**

The provisions of this Ordinance will:

1. Establish a Cultural Resources Overlay District, identifying special development requirements for properties that are located south of Olive Avenue;
2. Add provisions to ensure protection of identified cultural resources within the City of Lompoc; and
3. Codify standard requirements that apply in case of accidental discovery of cultural artifacts during construction.

**Section 8752. Definitions.**

The definitions set forth in this section shall govern the construction of this Chapter.

1. **Archaeological Resources.** Archaeological resources consist of the physical remains of past human activity.
2. **California Historical Resources Regional Information Center.** The Central Coast Information Center, Department of Anthropology, University of California, Santa Barbara, Santa Barbara, CA 93106. The Central Coast Information Center is one of twelve independent regional Information Centers in California that comprise the California Historical Resources Information System (CHRIS). Each center maintains the statewide Historical Resources Inventory (HRI) database and related records for its area of responsibility.
3. **Chumash Tribe.** The Santa Ynez Band of Chumash Indians, headquartered in Santa Ynez, CA. Notices should be directed to the Chairman or Chairwoman of the Tribal Elders Council Governing Board for the Santa Ynez Band of Chumash Indians. The Elders request that the Tribal Elders Office be notified of any issues concerning archaeological disturbance, the finding of artifacts and/or human remains or the Native American Graves Protection and Repatriation Act. The Chumash Tribe's mailing address is P.O. Box 517, Santa Ynez, CA 93460.
4. **Cultural Resources.** Prehistoric and historic materials, features, and artifacts. Cultural Resources include, but are not limited to, historic structures, archaeological sites, archaeological isolates, and paleontologic resources (Reference Section 8754 of this Article).
5. **Demolition.** The removal, destruction, or partial destruction of any structure or structures, including walls.

6. Discretionary Permits. Permits which are not ministerial, those on which a decision must be made, including, for example, grading permits and development review permits, but not building permits.
7. Development Proposals. Any application for development granted or issued by the Planning Division, Building Division, or Engineering Division (development review, grading permit, building permit, or demolition permit).
8. 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.
9. High Sensitivity Zone. An area that includes a high density of recorded archaeological sites, although only a small proportion of its area has been surveyed. (The High Sensitivity Zone can be found on the Archaeological Sensitivity Zones Map in the Resource Management Element of the City's General Plan.) On a given project site, only the portion of that site with a slope of less than 30% will be considered to be within the high sensitivity zone.
10. Historic Archaeological Resources. Archaeological Resources that have been determined to meet one or more of the following criteria:
  - (a) The resources are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - (b) The resources are associated with the lives of persons important in our past;
  - (c) The resources embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
  - (d) The resources have yielded, or may be likely to yield information important in prehistory or history.
11. Historic Context. A unit created for planning purposes that groups information about historic properties based on a shared theme, specific time period, and geographical area.
12. Historic Property. A district, site, building, structure, or object significant in North American history, architecture, engineering, archaeology, or culture at the national, state, or local level.
13. Historic Resource. Includes, but is not limited to, districts, ensembles, thematic groups, corridors, structures, bridges, buildings, sites, cemeteries, landscape features, signs, plaques, archaeological sites or artifacts, or other objects that may have historic, cultural and/or architectural significance, locally, regionally, or nationally. A historic site is considered to be the location of a historic or archaeological event, activity, occupation, structure, object, or landscape feature, including existing buildings or structures on the site, which has historic significance.
14. Integrity. The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.
15. Isolate. An individual archaeological artifact or group of artifacts.
16. Low Sensitivity Zone. An area having a low density of recorded archaeological sites; less available fresh water except for seasonal flows in the Santa Ynez River; less diversity of plant, animal, and mineral resources important to prehistoric and early historic peoples; steep slopes less suitable for habitation or other use; past cutting and terracing which would have destroyed, displaced, or damaged surface or shallow archaeological deposits; areas of recent and rapid geologic deposition which would have tended to bury all but the most recent archaeological sites; or urban

development which would have buried or destroyed earlier sites. (The High Sensitivity Zone can be found on the Archaeological Sensitivity Zones Map in the Resource Management Element of the City's General Plan.)

17. Mission. The Misión La Purísima Concepción De María Santísima (Mission of the Immaculate Conception of Most Holy Mary), also called Mission Vieja de la Purísima, which was founded by Father Presidente Fermin de Lasuén on December 8, 1787, was the eleventh of the 21 Franciscan Missions in California. The Mission and its related uses were located on the south side of the City of Lompoc. The Mission is named in the National Register of Historic Places (Site#78000775) and is identified as State Historic Landmark No. 928.

18. National Register Criteria. The established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places. (Ordinarily, cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register.)

Criteria - Significance in North American history, architecture, archaeology, engineering, and culture 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, that represent the work of a master, that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(d) That yielded or may be likely to yield, information important in prehistory or history.

19. Native American. A member of any of the indigenous peoples of the Western Hemisphere. (Lompoc was traditionally Purismeño Chumash ethnographic territory. The local tribe is the Santa Ynez Band of Mission Indians, with headquarters in Santa Ynez, CA.)

20. Non-unique Archaeological Resource. An archaeological artifact, object, or site that does not contain information needed to answer important scientific research questions, where there is a demonstrable public interest in that information; has no special and particular quality such as being the oldest of its type or the best available example of its type; or has no direct association with a scientifically recognized important prehistoric or historic event or person. A non-unique archaeological resource need be given no further consideration, other than simple recording of its existence by the lead agency, if it so elects.

21. Paleontologist. A scientist who studies paleontology, learning about forms of life that existed in former geologic periods, chiefly by studying fossils.

22. Paleontologic Resources. Fossils that are studied for what they are able to reveal about the ecologies of the past, evolution, and humans' relationship to them.

23. Phase 1 Study. The assessment, by a qualified archaeologist, of a site through a review of archival records and a field survey of the project area. Field surveys on sites of high sensitivity are to be conducted on foot along transects spaced not more than 15 meters (approximately 50 feet) apart. Field surveys of sites of low sensitivity are to be conducted so that selected areas where resources are expected to occur are examined.

24. Phase 2 Study. The assessment, by a qualified archaeologist, of an identified archaeological site to determine its extent, integrity, and significance.
25. Phase 3 Study. Data recovery by a qualified archaeologist, generally used when a significant site cannot be reasonably avoided or preserved by the proposed development.
26. Preservation. The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features, rather than extensive replacement and new construction. New exterior additions to historic structures are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.
27. Qualified Archaeologist. An archaeologist who meets the standards of the National Register in archaeology, prehistoric archaeology, or historic archaeology, whichever applies most closely to the site or artifacts in question.

The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely related field, plus:

- (a) At least one year of full-time professional experience or equivalent specialized training in archeological research, administration, or management;
- (b) At least four months of supervised field and analytic experience in general North American archaeology; and
- (c) Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

28. State Historic Preservation Office (SHPO). The California governmental agency charged with preserving and enhancing California's irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.
29. Substantial Adverse Change. Demolition, destruction, relocation or alteration of the resource or its immediate surroundings resulting in the significance of the resource being materially impaired.
30. Unique Archaeological Resource. An archaeological artifact, object, or site demonstrating, without merely adding to the current body of knowledge, a high probability of meeting any of the following criteria:
- (a) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or
  - (b) Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
  - (c) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

### Section 8753. Applicability

This Article applies to all development proposals. The following development proposals shall comply with all of the provisions of this Article:

- A. Development proposals for which applications were received by the Planning, Engineering, or Building Divisions, but not approved prior to the effective date of this Chapter.
- B. Development proposals, grading permit applications and building permit applications filed after the effective date of this Chapter.
- C. Private facilities, including utilities, in the public right-of-way.
- D. Public facilities within and outside of the public right-of-way.
- E. Development proposals for annexation and/or development of property outside City limits at the time of application.

Development proposals, grading permits and/or building permits issued, on or prior to the effective date of this Article, shall be exempt from the requirements of this

Article, but remain subject to any conditions of approval related to cultural resource protection that were applied to the proposed project(s).

### Section 8753. 1 Demolition

Demolition that requires ground-disturbance is subject to the provisions of this Article.

### Section 8753.2 Non-conforming Facilities

Non-conforming Facilities are subject to the requirements of Sections 8860 et seq., Non-conforming Uses, Structures, and Lots. New construction or demolition on sites with non-conforming structures shall comply with all the provisions of this Article.

### Section 8753.3 Modifications to Existing Structures or Facilities

Modifications to existing structures or facilities that require a building permit are subject to the requirements of this Article, if the modifications will involve or require ground disturbance.

### Section 8754. Types of Cultural Resources

There are several different types of cultural resources. These include: historic resources, paleontological resources, and archaeological resources classified as historic, unique, and non-unique. It is not uncommon to have more than one type of cultural resource located in the same area or on the same site. Areas such as river valleys and wetlands that were desirable for prehistoric creatures also may have provided construction materials, water and food sources for Native Americans. Explorers, missionaries and settlers may have later used these same sources, for many of the same reasons. Therefore, classification of some cultural resource sites can be difficult. For example, while there are no identified sites in Lompoc that are associated only with Paleontologic resources, there are combined sites where historic, historic archaeological and paleontologic remains have been found. Because there are no known paleontologic resource sites in Lompoc, specific recommendations, beyond those included in the standard accidental discovery conditions for cultural resources, have not been made.

## Section 8755. Environmental Review

The City of Lompoc's General Plan, Resource Management Element, addresses Cultural Resource Protection, including historic structures and archaeological resources. This element divides the City into two areas with respect to archaeological resources, those in the high sensitivity zone and those in the low sensitivity zone. In addition, archaeological resources are classified as being historic, unique and historic, unique or non-unique. The following section discusses the requirements under this Ordinance for environmental review of cultural resources in these differing classifications.

- A. Historic Structures. Individual environmental documentation shall be prepared for any proposal involving a historic structure, place or landmark, as a part of the evaluation of the proposed project.
- B. Historic Archaeology - Single Issue Evaluation. In cases where the only environmental issue related to a proposed development within the Cultural Resources Overlay District, High Sensitivity Zone, or on or adjacent to a known historic archaeological site, is that of cultural resources that are known, or reasonably expected to be historic archaeological resources, the Negative Declaration prepared for this Ordinance and this Ordinance may be relied upon as having adequately addressed the archaeological impact of these subsequent projects, pursuant to the California Environmental Quality Act (CEQA). When this is the case, all of the measures required by this Ordinance for development located in an archaeologically High Sensitivity Zone or on a known historic archaeological site, shall be fully implemented as set forth in Section 8758 of this Article.
- C. Multiple Environmental Issues of Potential Significance. If there are potentially significant environmental issues, in addition to historic archaeological resources, associated with a proposed project within the Cultural Resources Overlay District, High Sensitivity Zone, or on or adjacent to a known historic or archaeological site, a full environmental review, in the form of a Negative Declaration or Environmental Impact Report (EIR), must be prepared, prior to project approval.
- D. Unique Archaeological Resource. If an archaeological resource is determined to be unique but does not qualify as a historic archaeological resource, a Mitigated Negative Declaration or EIR must be prepared for the proposed project. A Phase 1 study must be prepared, as well as a Phase 2 or 3 investigation if determined to be warranted by a qualified archaeologist, as a part of the environmental evaluation of the project.

If a qualified archaeologist finds that an archaeological resource is unique and cannot be avoided or preserved in place by some other means, and data recovery through excavation is the only feasible mitigation, a data recovery plan, providing for adequately recovering the scientifically consequential information from and about the resource shall be prepared and adopted, prior to any excavation or further excavation being undertaken. Data recovery shall not be required for an archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological resource, provided that such determination is recorded in the environmental document and that such studies are deposited with the California Historical Resources Regional Information Center.

- E. Low Sensitivity Zone. All projects in the Low Sensitivity Zone involving 20 acres or more in size shall be required to have a Phase 1 Study, and, if cultural resources are identified, a Phase 2 and/or 3 study, as directed by a qualified archaeologist. After the Phase 1-3 studies have been completed, an environmental document shall be prepared pursuant to CEQA.
- F. Non-unique Archaeological Resource. If an archaeological resource is determined to be non-unique and archaeological resources are the only environmental issues associated with the proposed development or project, a Categorical Exemption may be prepared pursuant to CEQA.

If, however, because of other potentially significant environmental issues, a Negative Declaration or EIR is prepared for the project, the non-unique archeological resource and

the effect of the project on it should be noted in the initial study or EIR, but does not need to be considered further in the CEQA process.

#### Section 8756. Historic Structures, Places and Landmarks

Lompoc's historic structures and places are identified in Table 4 of the City of Lompoc's Cultural Resources Study, prepared by Laurence W. Spanne, M.A. in October 1988, and retained in the office of the City Clerk. Lompoc's designated Historic Landmarks 1-8 are identified on pages 30 and 31 of the Lompoc Cultural Resources Study. Two Landmarks designated after the study was published are the Douglass-Willis House at 105 E. Olive Avenue and the Veterans Memorial Building on the south side of the intersection of Locust Avenue and "H" Street. All projects that involve changes to or impacts on designated historic structures, places, and landmarks shall be reviewed through the Lompoc Planning Commission's Architectural Review Process, as described in Title 3, Chapter 2, Article 1 of the Lompoc's Comprehensive Zoning Ordinance and the City's Architectural Review Guidelines, Lompoc City Code Section 8825.

#### Section 8757. Reserved For Future Use

#### Section 8758. Development Within the Archaeological High Sensitivity Zone.

The City of Lompoc's General Plan identifies areas of high archaeological sensitivity in the Archaeological Sensitivity Zones Map in the Resource Management Element of the City of Lompoc's General Plan. The delineation of these high sensitivity zones was made by Laurence Spanne, M.A. and is taken from his City of Lompoc Cultural Resources Study, prepared in 1988, a copy of which is on file in the City Clerk's office. Much of the High Sensitivity Zone is located in the south and southeast section of the City, against the south hills, and on the alluvial fan of Miguelito Creek. Significant historic, pre-historic, and paleontologic resources have been found in these areas. On a given project site, only the portion of that site with a slope of less than 30% will be considered to be within the high sensitivity zone.

The most important historic archaeological site in the City of Lompoc is the Misión La Purísima Concepción De María Santísima and its related activity sites (SBa – 220, SBa – 221). The Mission is located south of Olive Avenue in Lompoc. A portion of the Mission site is designated on the National Register of Historic Places (Site#78000775) and is identified as State Historical Landmark No. 928. The National Register site encompasses only a very small portion of the Mission and its related activity areas.

#### Section 8758.1. Cultural Resource Overlay District Requirements

The Cultural Resources Overlay District applies to all property, within the City of Lompoc, located south of the centerline of Olive Avenue and its extrapolation to the east, between "V" Street and Highway 1, as shown on the Archaeological Sensitivity Zones Map found in the Resource Management Element of the Lompoc General Plan. This area has been evaluated and determined to have historic archaeological value, based on the presence of the Mission, other known archaeological sites, and Mission- related uses. This Cultural Resources Overlay District will be reflected on the City's Zoning Map with the designation of "CR". If ground-disturbing development is proposed in this area, the property owner or applicant has the option of implementing measure A or B below.

- A. Phase I Evaluation Prior to construction, the project applicant shall retain a qualified archaeologist to conduct a Phase 1 study of the subject property, in relation to the proposed development. If the project area, or a portion thereof, was previously surveyed to acceptable standards, the earlier Phase 1 study can be used to satisfy this requirement for the area that was surveyed. If cultural resources are found as a result of the Phase 1 study, a qualified archaeologist shall make recommendations regarding the need for additional investigation or measures necessary to protect the archaeological resources on the subject site (Phase 2 or 3 evaluation). As development occurs, measures included in the archaeologist's report shall be implemented. If evidence of prehistoric artifacts are discovered, the Chumash Tribe shall be consulted; or
- B. Monitoring Prior to construction, the applicant shall retain a qualified archaeologist to monitor all ground-disturbing work associated with the proposed project. If evidence

of prehistoric artifacts is discovered, the Chumash tribe shall be consulted. If artifacts of significance are identified during ground-disturbing work, the measures stipulated in the Archaeological Protection Program shall be followed, or the Program, as amended by a qualified archaeologist, shall be followed, to preserve or curate the artifacts.

Within 30 days after completion of a Phase 1 study or monitored ground-disturbing activity, the property owner shall provide the Planning Division with a report prepared by a qualified archaeologist, verifying that the monitoring occurred as required, discussing the results of the monitoring, and identifying the significance and disposition of any artifacts discovered during monitoring.

#### Section 8758.2 Cultural Resource Protection Program

The following Cultural Resource Protection Program shall be implemented in cases where cultural resources are uncovered, either while a project is being actively monitored by an archaeologist or accidentally during the course of construction.

Work shall stop until a qualified archaeologist has reviewed the find and determined if it qualifies as a historic resource or a unique resource. If the find is determined to be historic or unique by the qualified archaeologist, a plan for preservation of the material shall be developed by the archaeologist and implemented. If evidence of prehistoric artifacts is discovered, the Chumash tribe shall be consulted. Preservation in place shall be the preferred manner of mitigation. If data recovery through excavation is the only feasible mitigation, a data recovery plan, providing for adequate recovery of scientifically consequential information from and about the historical resource, shall be prepared and adopted, prior to any further excavation. Data recovery shall not be required for an archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological resource, provided that the studies are deposited with the California Historical Resources Regional Information Center.

#### Section 8758.3 Development Within the High Sensitivity Zone, Outside The Cultural Resources Overlay District

Development, including annexation proposals, on property within the High Sensitivity Zone, but outside the Cultural Resources Overlay District, shall comply with the requirements identified in 8758.1 above.

Historic archaeological sites within the High Sensitivity Zone that are currently within the City's jurisdiction are Archaeological site numbers SBa-1751 and SBa-2066. In addition, some isolates have been found within City jurisdiction and at many archaeological sites on United States Bureau of Prisons property, lying within City limits, and under federal jurisdiction.

#### Section 8759. Development Within The Archaeological Low Sensitivity Zone

All development proposals, involving parcels 20 acres or more in size, within the low sensitivity zone, including General Plan amendments, zone changes, annexations, subdivision maps, and parcel maps shall be required to conduct a Phase 1 study as a part of an environmental review of the proposal. The coverage of the Phase 1 study, the need for subsequent studies, and use of previous studies shall be as set forth in Section 8758.1.

Archaeological sites currently identified within the Low Sensitivity Zone, within the City's jurisdiction, that have historic value are Archaeological site numbers SBa-3576 and SBa-1767H. Development on or near these known historic cultural resource sites, or on or near any cultural resource sites discovered subsequent to the adoption of this Article, must comply with the requirements identified in 8761.1.

#### Section 8760. Accidental Discovery During Construction

Because the Lompoc Valley has been identified as having potentially significant cultural resources throughout and has not been fully surveyed, each conditionally approved development application shall have the following three conditions applied to ensure that accidental finds of cultural resources are properly evaluated. This section applies to all conditionally approved development proposals, whether they are in the high sensitivity zone



or the low sensitivity zone, even if a Phase 1 study has been undertaken.

- A. In the event that cultural artifacts are unearthed during excavation, work shall stop and a qualified archeologist, meeting the professional qualifications standards of the Secretary of the Interior for Archaeology, shall evaluate the find. If determined to be necessary by the archaeologist, a plan for the preservation or curation of the artifacts from the site shall be prepared by the archeologist and implemented, while being overseen by that archeologist. If evidence of prehistoric artifacts is discovered, the Chumash tribe shall be consulted. Construction work may be allowed to continue on other parts of the construction site while mitigation takes place. The archeologist shall file a resource record detailing the materials found and their disposition, as required by the State Historic Preservation Office.
- B. If paleontological artifacts are unexpectedly unearthed during excavation, an evaluation of the artifacts and the site shall be conducted by an experienced paleontologist. An appropriate plan for the preservation of the artifacts shall be prepared by the paleontologist and implemented, while being overseen by that paleontologist. Construction work may be allowed to continue on other parts of the construction site while mitigation takes place.
- C. If human remains are accidentally discovered or recognized during construction, all site excavation or other disturbance shall cease and the County Coroner shall be notified. Excavation shall not resume until the Coroner has determined that the remains are not subject to investigation under Government Code Section 27491 and until any required recommendations on Native American Remains have been made under Public Resources Code Section 5097.98.; Health and Safety Code Section 7050.5(b); 14 Cal. Code Regs Section 15064.5(e); or other applicable law. Construction work may be allowed to continue on other parts of the construction site while the requirements identified above are being met.

Section 8761. TABLE OF REQUIREMENTS FOR CULTURAL RESOURCE EVALUATION

<b>Location of Proposed Development</b>	<b>Required Cultural Resource Process</b>
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<p>Designated historic structures, places and Landmarks.</p>	<ul style="list-style-type: none"> <li>• Projects that involve changes to or will impact these historic structures, places and landmarks are to be reviewed through the Lompoc Planning Commission’s Architectural Review Process as described in Title 3, Chapter 2, Article 1 of the City’s Zoning Ordinance and Architectural Review Guidelines. An Individual Environmental Assessment under CEQA must be conducted.</li> <li>• Apply standard cultural resource conditions.</li> </ul>
<p>Development on property within the identified Cultural Resource Overlay District, where archaeology is the only environmental issue.</p>	<ul style="list-style-type: none"> <li>• Retain a qualified archaeologist to conduct a Phase 1 evaluation of the site and proposed development and if cultural resources are identified, a Phase 2 and/or 3 study; or retain a qualified archaeologist to monitor all ground-disturbing activity associated with the proposed development and implement the Archaeological Protection Program when appropriate.</li> <li>• Apply standard accidental discovery cultural resource conditions.</li> </ul>
<p>Development within the High Sensitivity Zone not within the Cultural Resource Overlay District, where the archaeological resource in question is historic and archaeology is the only environmental issue.</p>	<ul style="list-style-type: none"> <li>• Retain a qualified archaeologist to conduct a Phase 1 evaluation of the site and proposed development, and if cultural resources are identified, a Phase 2 and/or 3 study; or retain a qualified archaeologist to monitor all ground-disturbing activity associated with the proposed development and implement the Archaeological Protection Program when appropriate.</li> <li>• Apply standard accidental discovery cultural resource conditions.</li> </ul>
<p>Development within the Low Sensitivity Zone on or adjacent to an identified archaeologically historic site, where archaeology is the only issue.</p>	<ul style="list-style-type: none"> <li>• Retain a qualified archaeologist to monitor all ground-disturbing activity associated with the proposed development and implement the Archaeological Protection Plan when appropriate.</li> <li>• Apply standard accidental discovery cultural resource conditions.</li> </ul>
<p>Development in the Cultural Resources Overlay District, High Sensitivity Zone, on or adjacent to a known archaeological site, where the resources involved are historic archaeological resources, and there are other environmental issues associated with the project.</p>	<ul style="list-style-type: none"> <li>• A full environmental review, in the form of a Negative Declaration or Environmental Impact Report (EIR) must be prepared, prior to project approval. This review shall include a Phase 1 evaluation and, if cultural resources are identified, a Phase 2 and / or 3 study shall be completed if it is determined to be necessary by a qualified archaeologist. The findings of these studies shall be incorporated into the environmental review document.</li> <li>• Apply standard accidental discovery cultural resource conditions.</li> </ul>
<p>Development within the high or low sensitivity zone where the archaeological resource is determined to be unique, but not historic.</p>	<ul style="list-style-type: none"> <li>• Conduct a Phase 1 evaluation of the site and proposed development, and if cultural resources are identified, a Phase 2 and/or 3 study, as determined to be necessary by a qualified archaeologist. Once the Phase 1-3 studies have been completed, an environmental document shall be prepared pursuant to CEQA.</li> <li>• Apply standard accidental discovery cultural resource conditions.</li> </ul>

Development within the Low Sensitivity Zone	<ul style="list-style-type: none"> <li>• All projects involving 20 acres or more in size shall be required to have a Phase 1 Study, and if cultural resources are identified, a Phase 2 and/or 3 study. Once the Phase 1-3 studies have been completed, an environmental document shall be prepared pursuant to CEQA.</li> <li>• Apply standard accidental discovery cultural resource conditions.</li> </ul>
Citywide, on Discretionary Permits for Development	<ul style="list-style-type: none"> <li>• Apply standard cultural resource conditions.</li> </ul>

Section 8762. Violations / Penalties

Any firm corporation, or person, whether as principal, agent, employee, or otherwise violating or causing the violation of any of the provisions of this Article shall be guilty of a misdemeanor, and any conviction thereof shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by incarceration in the County jail for not more than six (6) months, or by both such fine and incarceration. Any violations of these provisions shall constitute a separate offense for each and every day during which such violation is committed or continued. In addition, any violation of the divisions of this Article is hereby declared to constitute a public nuisance and, as such, may be abated or enjoined from further operation.

Section 8763. Severability

If any portion of this article is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsection, and clauses shall not be affected thereby. The City council hereby declares that it would have adopted this Article regardless of the fact that one or more sections, subsections, sentences, clauses, or phrases may be determined to be unconstitutional or invalid.

**SECTION 2.** This Ordinance is effective on the thirty-first day after its enactment.

PASSED AND ADOPTED on \_\_\_\_\_ 2006, by the following electronic vote:

AYES: Councilmember: DeWayne Holmdahl, Janice Keller, Will Schuyler, Michael Siminski, and Mayor Dick DeWees.  
 NOES: Councilmember: None  
 ABSENT: Councilmember: None  
 ABSTAIN: Councilmember: None

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 Dick DeWees, Mayor  
 City of Lompoc

ATTEST:

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 Donna N. Terrones, City Clerk  
 City of Lompoc

Attachment: A

Exhibit A1 – Zoning Map Amendment (Existing)  
Exhibit A2 – Zoning Map Amendment (Existing)  
Exhibit A3 – Zoning Map Amendment (Existing)  
Exhibit A4 – Zoning Map Amendment (Existing)

Exhibit B1 – Zoning Map Amendment (Proposed)  
Exhibit B2 – Zoning Map Amendment (Proposed)  
Exhibit B3 – Zoning Map Amendment (Proposed)  
Exhibit B4 – Zoning Map Amendment (Proposed)