

Title 3.24 Amendments to Revise Procedures to Designate Landmarks and Incorporate Technical Edits

BMC Title 3.24 – Landmarks Preservation Commission



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Agenda

I. Current Effects

II. Background

III. Proposed Ordinance Amendments

IV. Staff Recommendation

I. Current Effects

Existing Procedures for Landmark Designation:

- **Commissions, City Council, the property owner, or**
- **Application from 50 residents of Berkeley**

Existing Procedures for Appeal of Landmark Decisions:

- **City Council, Commissions, the property owner, or**
- **Application from 50 residents of Berkeley**

I. Current Effects

Technical Edits

- **1970's procedures are inconsistent with the City's current practice and State Law**

Fees

- **Landmarks fees are currently set by Ordinance and have not been updated since 1985**

II. Background

Referrals and Supplemental Materials – Nov. 10, 2025

- **Supplemental Referral 1:**
 - 200 Signatures with owner consent
 - 400 signatures without owner consent
- **Supplemental Referral 2:**
 - 200 Signatures regardless of owner consent
 - 5-year stay of landmark initiation for development proposals vested under SB 330

II. Background

SB 330: Housing Crisis Act of 2019

- **Locks in zoning, design and preservation standards**
- **Future changes to landmark status or zoning do not affect vested projects under SB 330**
- **Since 2019, nearly a third of all landmark initiation attempts responded to an SB 330 application**

II. Background

Landmarks Preservation Commission Discussion

- **February 5, 2026: LPC discussion of the Council's referrals and formation of an Ad-Hoc Committee**
- **March 5, 2026 : Adoption of the Ad Hoc Committee's Supplemental Communication**

California Office of Historic Preservation (SHPO) Guidelines and Certified Local Government (CLG) Status

- **SHPO Guidelines on Landmarks Ordinance**
- **CLG Program Requirements**

III. Proposed Ordinance Amendments

3.24.120 Designation Initiation

	Current BMC	Alternative 1	Alternative 2
Who Can Initiate Designation	<ul style="list-style-type: none"> • City Council • Landmarks Preservation Commission • Planning Commission • Civic Arts Commission • Property Owner 	Same as Current BMC	Same as Current BMC
Signature Requirement	50 Signatures	<ul style="list-style-type: none"> • 200 Signatures (with owner consent) • 400 Signatures (without owner consent) 	200 Signatures
SB 330 Exemption	No Exemption	5-year Delay for Vested SB 330 Projects	5-year Delay for Vested SB 330 Projects

III. Proposed Ordinance Amendments

3.24.300 Appeals

	Current BMC	Alternative 1	Alternative 2
Who Can Initiate Appeals	<ul style="list-style-type: none"> • City Council • Landmarks Preservation Commission • Planning Commission • Civic Arts Commission • Property Owner 	Same as Current BMC	Same as Current BMC
Signature Requirement	50 Signatures	<ul style="list-style-type: none"> • 200 Signatures (with owner consent) • 400 Signatures (without owner consent) 	200 Signatures

III. Proposed Ordinance Amendments

Technical Edit	# of Sections
Error corrections, typos, capitalization	6
Alignment with the Commissioners' and Board Members' Manual	1
Language updates	1
Organizational change for consistency and language edits for clarity	2
Procedural updates for consistency with ZAB	3
Codification of existing practice	2
Fee language	2

IV. Staff Recommendation

- **Adopt the first reading of an ordinance amending BMC Title 3.24 (Landmarks Preservation Commission) to revise procedures for designating landmarks, historic districts and structures of merit, and to incorporate technical edits.**

Thank you!



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