



Berkeley City Councilmember
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CONSENT CALENDAR

July 28, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Mayor Adena Ishii (Co-Sponsor), Councilmember Brent Blackaby (Co-Sponsor), Councilmember Shoshana O’Keefe (Co-Sponsor)

Subject: Referral to the City Manager: RENAISSANCE (Revitalizing Enterprise and Neighborhoods through Activation, Investment, Safety, Streamlining, Accessibility, Networking, Collaboration, and Equity), Part 1: Performance Standards for Commercial District Activation and Blight Mitigation

RECOMMENDATION

Refer to the City Manager the development of a set of commercial vacancy blight mitigation strategies that include but are not limited to:

1. **Performance Standards**: Establish performance standards for commercial district properties, where a building has been demolished, partially demolished, or partially constructed, and the property has remained in that condition for an established time period without any documentation showing that the project is advancing within the defined near-term timeframe. These standards may include but are not limited to temporary landscaping, creative temporary use, creative and dynamic fencing, murals, green walls and/or other remedies that maintain the site in an attractive and visibly activated state.
2. **Revocation of Permits**: Reaffirm the authority of the City Manager or designee to declare the permit lapsed due to non-compliance findings outlined in Number 1 above. Explore streamlining and simplifying the permit revocation process established in Berkeley Municipal Code (BMC) 23.404.080 if the owner of the

property is out of compliance with the performance standards described in Number 1.

3. **Unmitigated Prolonged Commercial Vacancy**: Add “unmitigated prolonged commercial vacancy” as a defined factor to declare a property blighted in commercial districts.

BACKGROUND

Berkeley has commercial districts with strong potential for economic vitality, community gathering, and cultural expression.¹ However, some of its commercial districts continue to experience a combination of challenges, including public safety incidents, prolonged vacancies, blighted properties, underutilized storefronts, and intermittent periods of visible distress. These conditions contribute to the perception and reality of economic decline, which in turn could reduce foot traffic, discourage investment, weaken local business stability and neighborhood cohesion, and reduce the overall sense of safety and vibrancy in key business districts (including Downtown Berkeley, Telegraph Avenue Commercial District, Adeline Corridor, San Pablo Avenue Corridor, and Solano Avenue Commercial District).²

Despite several successful programs³ and encouraging trends⁴ the prevalence of long-term commercial storefront vacancies continues to create a sense of an unwelcoming environment, which can discourage residents and visitors from spending time in our most active commercial districts.

In some cases, buildings have been demolished in anticipation of new construction. However, due to complex macroeconomic factors and market conditions, inactive and visually unappealing lots have been left behind over a period of months, even years.⁵ The surrounding community experiences the cumulative impacts through reduced foot traffic, blocked sidewalks, negative visual conditions, and a diminished sense of place.

¹ Economic Dashboards and Reports, <https://berkeleyca.gov/doing-business/economic-development/economic-dashboards-and-reports>

² Commercial District Dashboards 2024, https://berkeleyca.gov/sites/default/files/documents/Attachment2_Commercial%20District%20Dashboards_2024_Q4.pdf

³ Berkeley Relief Fund, <https://berkeleyrelieffund.org/>; City Loan Fund for Small Businesses, https://www.dailycal.org/archives/city-of-berkeley-announces-loan-fund-to-support-small-businesses/article_d3dc322c-9aa7-5f74-b030-cd56920ef263.html#:~:text=To%20prevent%20Berkeley's%20entrepreneurial%20landscape,default%20rate%20of%20about%2020%25.

⁴ Office of Economic Development, “Berkeley Economic Dashboards Update,” February 2025, <https://berkeleyca.gov/sites/default/files/documents/2025-02-25%20Special%20Item%2001%20Berkeley%20Economic%20Dashboards.pdf>

⁵ Downtown Berkeley Vacancies, <https://www.berkeleyside.org/2025/04/04/berkeley-housing-downtown-vacancies>

Public entities and neighboring businesses are often left to bear the financial and administrative burden of attempting to mitigate these conditions in order to support adjacent businesses and maintain a more attractive and welcoming environment for the surrounding community.

In some cases, property owners have been unwilling to invest in interim mitigation measures while the commercial sites they own remain inactive. Short-term activation measures, including temporary community use, landscaping, or cultural installations, can provide meaningful benefit, can be low cost for the property owner and should be explored and encouraged.⁶

While the Berkeley City Council updated BMC Chapter 23.326 in 2024 to clarify demolition standards for residential properties and units, including improved management of properties between demolition and redevelopment, the changes did not apply to non-residential properties or commercial storefronts.⁷ The City's public nuisance provisions do provide certain enforcement tools for inadequately maintained properties that contribute to blight.⁸ In 2018, the City Council adopted a referral to specify the time period after which vacant properties meet a condition of unlawful nuisance, but the item was amended to only include long-term residential vacancies prior to adoption.⁹

Without appropriate regulatory tools, the City has limited ability to prevent these conditions from persisting or to require reasonable steps to reduce their negative impacts. In the absence of clear expectations, timelines, and mitigation requirements, such properties may remain in prolonged limbo.

RATIONALE FOR RECOMMENDATION

Under California law, local jurisdictions have well-established authority to set and enforce standards related to property conditions, nuisance, and blight – including long-term property vacancies – to protect community health, safety, and neighborhood vitality. This authority generally includes regulating physical changes to buildings through permitting

⁶ Rethinking urban transformation: Temporary uses for vacant land, <https://jeremynemeth.com/wp-content/uploads/2011/10/cities.pdf#:~:text=journal%20homepage:%20www.elsevier.com/locate/cities.%20Please%20cite%20this%20article,press%20as:%20N%C3%A9meth%2C%20J.%2C%20&%20Langhorst%2C%20J.>

⁷ <https://berkeley.municipal.codes/BMC/23.326.070>

⁸ [Ch. 12.92 Anti-Blight | Berkeley Municipal Code](#)

⁹ <https://records.cityofberkeley.info/PublicAccess/paFiles/cqFiles/index.html>, Search Term: “7/10/2018; CLK - Agenda Packet (Public); District 4; REGULAR; Amending Berkeley Municipal Code Chapter 12.92 to Specify that Vacancy after a Given Period in a Residential or Commercial Building is a Condition of Unlawful Nuisance,” between 7/10/18 and 8/25/18

requirements, particularly when tied to construction, safety, and habitability considerations, such as the removal or decommissioning of utility systems.

The existing policy environment, permitting structures, and economic development tools require strengthening and alignment to effectively respond to the changing conditions across several of the City's commercial districts.¹⁰

Local jurisdictions may also use tools such as performance bonds or other financial assurances in connection with demolition, construction, or ongoing site maintenance to help ensure properties are not left in conditions that contribute to deterioration or disinvestment. Establishing local measures can help address the visible and community-facing impacts of prolonged vacancies, including maintenance standards, registration programs, and temporary activation strategies. These approaches are most effective when they focus on property conditions and community impacts and are carefully aligned with applicable state law governing leasing and property rights.

Additionally, safe and active storefronts as well as welcoming public spaces strengthen local jobs, foster daily community interaction, and support a sense of safety and belonging. When storefronts remain inactive, when demolition sites remain idle, or when businesses struggle to open or recover after damage, the resultant visible decline affects residents, workers, and visitors alike.

Establishing performance standards for properties, where buildings have been demolished, will help prevent inactive, fenced off, or deteriorating sites from contributing to neighborhood blight. Streamlining and simplifying the permit revocation process will ensure that the established performance standards are being followed. Lastly, adding "unmitigated prolonged commercial vacancy" as a defined factor to declare a property blighted in commercial districts will communicate clear expectations with property owners. This, in turn, will also support merchants, cultural organizers, property owners, workers, residents, and visitors by creating conditions that encourage activation, reduce uncertainty, and strengthen shared responsibility for the health and vibrancy of Berkeley's commercial districts.

Short-term activation measures, including temporary community use, landscaping, or cultural installations, can be low-cost for the property owner and provide meaningful benefit to the community.¹¹

¹⁰ Berkeley City Council Economic Development Work Session: Small Business Support, <https://berkeleyca.gov/sites/default/files/2022-03/Small%20Business%20Report%202018.pdf>

¹¹ Rethinking Urban Transformation: Temporary Uses for Vacant Land, <https://jeremynemeth.com/wp-content/uploads/2011/10/cities.pdf#:~:text=journal%20homepage:%20www.elsevier.com/locate/cities.%20>

ALTERNATIVE ACTIONS CONSIDERED

No alternatives have been considered, but elements of this referral can be amended, added to, or combined. Additional RENAISSANCE referrals are contemplated for future submission to the City Council.

COMMUNITY IMPACT

Strengthening the vitality of Berkeley's Commercial Districts supports the wellbeing of residents, employees, business owners, and visitors. When storefronts are active, streets feel and are more welcoming, walkable, and safe. Clear performance expectations for properties undergoing transition, combined with predictable enforcement and support tools, help ensure that commercial districts continue to be places where people feel a sense of belonging and pride. The recommendations outlined in this report support economic resilience, cultural vibrancy, and the shared experience of public life in Berkeley.

CONSULTATION CONDUCTED

This report was prepared with input from the City Manager's Office, the Office of Economic Development, the Department of Planning and Zoning, and the City Attorney's Office. The Berkeley Chamber, Downtown Berkeley Association, small business owners, cultural space owners, constituents, and other stakeholders were also consulted, and their feedback has been incorporated to the extent possible.

FINANCIAL IMPLICATIONS

There are no known direct financial costs and/or cost savings associated with these recommendations beyond the staff time associated with implementing this referral. The resultant outcomes associated with this item support more vibrant and active commercial districts which could increase revenue to the City.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Vibrant local commercial districts reduce driving distances, encourage walking and transit use, and support localized economic systems which reduce emissions associated with regional retail travel.

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