



**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
REGULAR MEETING**

**Monday, July 6, 2026
10:00 AM**

2180 Milvia Street, Berkeley, CA 94704

Teleconference Location – 9175 Lark St, Elk Grove, CA 95624

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra
Alternate: Councilmember Shoshana O’Keefe

This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 165 909 6627**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the Committee’s consideration and inclusion in the public record, email policycommittee@berkeleyca.gov. All Committee meetings are recorded.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

California Government Code Section 84308 (Levine Act) Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

AGENDA

Roll Call

Public Comment on Non-Agenda Matters

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes – June 8, 2026

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

2. Referral to the City Manager: Update Definition of and, in the C-DMU District, Expand Restrictions Related to the Establishment of Adult-Oriented Businesses in the Berkeley Municipal Code

From: Councilmember Tregub (Author)

Referred Date: June 15, 2026

Due Date: November 30, 2026

Recommendation: Refer to the City Manager the following actions:

- 1) Updating the definition of “Adult-Oriented Business” in the Berkeley Municipal Code (BMC) Section 23.302.070.A, BMC Chapter 23.204, and/or any other relevant provisions; and
- 2) Expanding restrictions of such uses in the C-DMU Commercial District in the Downtown.

Financial Implications: Staff time

Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

- None

Items for Future Agendas

- Requests by Committee Members to add items to the next agenda

Adjournment

Written communications addressed to the Land Use, Housing & Economic Development Committee and submitted to the City Clerk Department will be distributed to the Committee in advance of the meeting and retained as part of the official record.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Members of the City Council who are not members of the standing committee may attend a standing committee meeting even if it results in a quorum being present, provided that the non-members only act as observers and do not participate in the meeting. If only one member of the Council who is not a member of the committee is present for the meeting, the member may participate in the meeting because less than a quorum of the full Council is present. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900.

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at ada@berkeleyca.gov, (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date. Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

I hereby certify that the agenda for this meeting of the Standing Committee of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 2, 2026.



Mark Numainville, City Clerk

Communications

Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or policycommittee@berkeleyca.gov.

**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
SPECIAL MEETING MINUTES**

**Monday, June 8, 2026
10:30 AM**

2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra
Alternate: Councilmember Shoshana O'Keefe

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MINUTES

Roll Call: 10:35 a.m.

Present: Tregub, O'Keefe (for Lunaparra), Bartlett

Public Comment on Non-Agenda Matters – 3 speakers.

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - March 2, 2026

Action: M/S/C (Tregub/Bartlett) to approve the March 2, 2026 minutes.

Vote: Ayes – Tregub, Bartlett; Noes – None; Abstain – O'Keefe; Absent – None.

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

2. **Adopt a Resolution in Support of California Senate Bill (SB) 1383 (Arreguín):
Housing Development: Density Bonus: Labor Standards
From: Councilmember Tregub (Author), Councilmember Bartlett (Co-Sponsor),
Councilmember Taplin (Co-Sponsor)
Referred Date: May 28, 2026
Due Date: November 12, 2026
Recommendation:** Adopt a Resolution in support of California Senate Bill (SB) 1383 (Arreguín), which would clarify that developers may not use concessions or incentives under California's Density Bonus Law to waive or reduce local labor standards relating to wages, apprenticeship requirements, healthcare benefits, or working conditions, and distribute copies to California Governor Gavin Newsom, Senator Jesse Arreguín, and Assemblymember Buffy Wicks to support its passage.
Financial Implications: Staff time
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: 4 speakers. M/S/C (O'Keefe/Tregub) to send the item to the City Council with a qualified positive recommendation to approve the item including the revisions proposed by the author to remove the resolution and include a letter of support.
Vote: Ayes – Tregub, O'Keefe; Noes – None; Abstain – None; Absent – Bartlett (recused due to Brown Act participation rules).

Committee Action Items

Councilmember Bartlett exited the meeting for the consideration of Item 2 at 10:41 a.m. due to Brown Act participation rules. Councilmember Bartlett returned at 10:51 a.m. after the vote on Item 2.

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

- **None**

Items for Future Agendas

- **Discussion Item: Status of “Right of Return” housing policy in Berkeley**

Action: M/S/C (Bartlett/Tregub) to add a discussion item regarding the status of the “Right of Return” housing policy in Berkeley.

Vote: All Ayes.

Adjournment

Action: M/S/C (Bartlett/O’Keefe) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 10:56 a.m.

I hereby certify that the foregoing is a true and correct record of the Land Use, Housing & Economic Development Committee meeting held on June 8, 2026.

Rose Thomsen, Deputy City Clerk

Communications

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Igor Tregub, Councilmember District 4

CONSENT CALENDAR

June 30, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmember Igor Tregub (Author)

Subject: Referral to the City Manager: Update Definition of and, in the C-DMU District, Expand Restrictions Related to the Establishment of Adult-Oriented Businesses in the Berkeley Municipal Code

RECOMMENDATION

Refer to the City Manager the following actions:

- 1) Updating the definition of “Adult-Oriented Business” in the Berkeley Municipal Code (BMC) Section 23.302.070.A, BMC Chapter 23.204, and/or any other relevant provisions; and
- 2) Expanding restrictions of such uses in the C-DMU Commercial District in the Downtown.

RATIONALE FOR RECOMMENDATION

The City has a strong interest in promoting compatible land uses, supporting vibrant commercial districts, protecting sensitive community-serving uses, and maintaining a high quality of life for Berkeley residents.

As Berkeley continues to evolve, questions have risen regarding whether the City's existing definitions of “Adult-Oriented Business” may need to be updated in the BMC. Further, it is the intent of this item to explore further restrictions to “Adult-Oriented Business” uses in the Commercial – Downtown Mixed Use (C-DMU) district.

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley currently regulates “Adult-Oriented Business” uses through Berkeley Municipal Code Section 23.302.070.A, “Use-Specific Regulations: Adult-Oriented Businesses,” as well as in BMC Chapter 23.204, “Commercial Districts.” These

regulations establish the locations of where “Adult-Oriented Business” uses may be approved and impose location-based restrictions intended to separate such uses from certain areas of the city. Among other restrictions, Adult-Oriented Businesses are prohibited on lots with frontage on San Pablo Avenue within the C-W (West Berkeley Commercial) District¹.

Berkeley is currently experiencing significant redevelopment activity, particularly in the Downtown area, where numerous commercial spaces are available for future tenancy and multiple new mixed-use projects are under construction. At the same time, Downtown Berkeley is also home to a unique concentration of educational, cultural, and community-serving institutions, including UC Berkeley, public libraries, schools, childcare facilities, youth-serving programs, and other sensitive uses.

As new commercial spaces become occupied and additional commercial space comes online, the City has an opportunity to evaluate whether its existing regulations appropriately reflect the priorities and intended land uses of these areas and ensure continued alignment.

BACKGROUND

The City of Berkeley has regulated Adult-Oriented Business uses through its zoning ordinance for many years.

In 2021, Berkeley adopted a comprehensive reorganization of its Zoning Ordinance, the first major revision of the zoning code structure since 1999. Effective December 1, 2021, the updated Baseline Zoning Ordinance repealed the previous code and comprehensively reorganized Title 23 of the Berkeley Municipal Code to create a more modern, consistent, and user-friendly zoning framework². While the update consolidated and reorganized zoning regulations, existing land use policies and use-specific regulations, including those governing Adult-Oriented Business uses, were largely carried forward with little substantive change.

Adult-Oriented Business uses remain permitted in a limited number of commercial zoning districts, including C-DMU, Commercial – West Berkeley (C-W) C-U (Commercial – University Avenue (C-U), and Community Commercial (C-C), subject to applicable restrictions³.

¹ [https://berkeley.municipal.codes/BMC/23.302.070\(M\)](https://berkeley.municipal.codes/BMC/23.302.070(M))

² <https://www.reubenlaw.com/berkeley-adopts-new-zoning-ordinance/>

³ <https://berkeleyca.gov/sites/default/files/documents/2022-07-12%20Item%2017%20Zoning%20Ordinance%20Amendments.pdf>

Given the ongoing redevelopment and creation of new commercial spaces in the C-DMU, this referral seeks recommendations that would further support neighborhood livability, commercial district vitality, and the City's broader planning goals, including whether additional restrictions on the location and concentration of Adult-Oriented Businesses uses may be appropriate.

ALTERNATIVE MEASURES CONSIDERED

In addition to or instead of a blanket prohibition of Adult Use Businesses in the C-DMU, the following amendments to the Municipal Code could be considered:

- Increasing the minimum separation requirements between Adult Use Businesses and sensitive uses, including schools, parks, childcare facilities, libraries, youth-serving facilities, places of worship, and residential areas;
- Increasing minimum separation requirements between Adult Use Businesses to prevent overconcentration;
- Restricting the zoning districts in which Adult Use Businesses may locate beyond the C-DMU, including but not limited to, commercial districts, mixed-use districts, neighborhood commercial districts, or other areas deemed appropriate;
- Establishing enhanced operating standards designed to reduce adverse impacts on surrounding neighborhoods and businesses; and
- Any other measures that staff recommend to further protect public safety, quality of life, and compatibility with surrounding land uses.

COMMUNITY IMPACT

The location and concentration of Adult-Oriented Businesses may impact the of surrounding neighborhoods, commercial districts, and community-serving areas. This consideration is particularly relevant in areas such as Downtown Berkeley, which contain a significant concentration of schools, libraries, youth-serving facilities, cultural institutions, and other community-serving uses.

Additional regulations may help promote compatibility between Adult-Oriented Business uses and surrounding land uses, preserve or enhance the vitality of commercial districts, and provide greater clarity regarding the appropriate location and operation of such businesses within the City.

FINANCIAL IMPLICATIONS

Financial implications may include staff time associated with researching, developing, and presenting recommendations and draft ordinance language to the City Council.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

No direct environmental sustainability impacts are anticipated from this referral.

CONTACT PERSON

Councilmember Igor Tregub, Council District 4
510-981-7140, ltregub@berkeleyca.gov

Olga Bolotina, Chief of Staff, Council District 4
obolotina@berkeleyca.gov