CITY OF BRISBANE

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MEMORANDUM

To: Infrastructure, Utilities & Franchise Subcommittee

From: Randy Breault, Director of Public Works/City Engineer via City Manager

Subject: Discussion on permitting Liveaboards at Brisbane Marina

Date: June 21, 2017

At the last subcommittee meeting, staff was asked to review issues relative to allowing a limited number of liveaboards at the Marina. The city's original permit from the San Francisco Bay Conservation and Development Commission did permit liveaboards; however, a subsequent permit revision rescinded that designation. During recent conversations with BCDC, staff was advised that to restore this permission we would need to prove the following:

- Our private and public bathrooms are more than adequate to handle the increased sewer demands. *(The "dock 3" restrooms were not in existence at the time the liveaboards were forbidden by City action in 1999.)*
- Vessels would be prevented from pumping into Bay waters and could be required to have a sealed holding tank with dye to track compliance.
- Liveaboards would need to prove they have pumped out at the pump out dock, or that they employ a service such as BayGreen to empty their holding tanks on a regular basis.
- We would need to argue that there is a true security benefit to allowing the liveaboards and that there has been an increase in crime on the docks and at the facility.
- We would propose no more than the maximum percentage (10) of liveaboards allowed by BCDC.
- The request must NOT be couched in terms of providing more affordable housing in Brisbane.
- Modification of the existing berth license document and creation of specific regulations as to the required minimum liveaboard vessel size, number of people allowed to liveaboard each vessel, pet policies, mandatory pump out required, and storage issues on and around the vessels on the docks.
- Legal contract work to ensure that any concerns for changes to berth licensing and landlord/tenant issues that could arise are adequately anticipated.

This item is presented to the subcommittee for review/comment in advance of staff submitting a request to BCDC, and developing draft municipal code language to allow for liveaboards.