BCDC – Recreation Policies

3. c. Live-aboard boats. Live-aboard boats should be allowed only in marinas and only if: (1) The number would not exceed ten percent of the total authorized boat berths unless the applicant can demonstrate clearly that a greater number of live-aboard boats is necessary to provide security or other use incidental to the marina use; (2) The boats would promote and further the recreational boating use of the marina (for example, providing a degree of security), and are located within the marina consistent with such purpose; (3) The marina would provide, on land, sufficient and conveniently located restrooms, showers, garbage disposal facilities, and parking adequate to serve live-aboard boat occupants and guests; (4) The marina would provide and maintain an adequate number of vessel sewage pumpout facilities in locations that are convenient in location and time of operation to all boats in the marina, particularly live-aboard boats, and would provide the service free of charge or at a reasonable fee; and (5) There would be adequate tidal circulation in the marina to mix, dilute, and carry away any possible wastewater discharge. Live-aboard boats moored in a marina on July 1, 1985, but unauthorized by the Commission, should be allowed to remain in the marina provided the tests of (2), (3), (4), and (5) above are met. Where existing live-aboard boats in a marina exceed ten percent of the authorized berths, or a greater number is demonstrated to be clearly necessary to provide security or other use incidental to the marina use, no new live-aboard boats should be authorized until the number is reduced below that number and then only if the project is in conformance with tests (1), (2), (3), (4), and (5) above.

<http://www.bcdc.ca.gov/plans/sfbay_plan#25>

Permit Amendments

After issuance, permits can be amended. Amendments which materially change a project require full Commission consideration and a public hearing. Non-material amendments can be approved by the Commission's executive director. [California Code of Regulations, section 10800 et seq].

Additional Information

Most of the laws, plans and policies which govern the Commission's decisions are available [here](http://www.bcdc.ca.gov/publications/index.html) or from the Commission's office at a nominal charge. All California state agency regulations, including the Commission's, can be purchased by contacting the private company with which the state has contracted for regulation publishing.

The Commission's regulations can also be ordered by contacting Barclays Law Publishers, P.O. Box 3066, South San Francisco, California 94083 (415/244-6611) and asking for 14 California Code of Regulations Division 5, Chapters 1 through 17 and Appendices A through M.

Posting Application Notice

The Commission's staff will send a pending application notice to the applicant who must post the notice at the project site. The applicant must return a form to the Commission certifying that the notice has been posted as a filing requirement.

Design Review Board

To assist the Commission in evaluating the appearance, design, and scope of proposed public access of applications for significant projects are evaluated by the Commission's [Design Review Board](http://www.bcdc.ca.gov/permits/drbmembers.html), an advisory board made up of: prominent architects; landscape architects; engineers; and other design professionals.

The Design Review Board's evaluation of a proposed project is normally scheduled to take place prior to the Commission's public hearing on the application.

<http://www.bcdc.ca.gov/permits/processing_permit.html>

**To Do’s:**

* City would need to assess and identify needs to upgrade marina from 5% - 10 % liveaboard occupancy i.e. bathrooms, showers, parking, adequate number of pump out stations
* Develop preliminary plans and cost estimates for improvements
* Plan show distribution of liveaboards within marina
* Staff Report to City Council authorizing approval for increase
* CEQA filing
* Posting of Public Notice distribution
* Submit letter requesting increase explain how City would continue to fulfil policy, signed by City Manager
* Pay Application Fee approx. $150.00