

The following are the definitions in the City Code that are relevant to this discussion:

**Sec. 66-4. – Definitions.**

**Housebarge** means a residence floating on water, usually permanently moored, not manufactured with a system of propulsion.

**Marina** means any installation operated for profit which exclusively provides any accommodations or facilities for watercraft, including mooring, docking, storing, leasing, sale or servicing of watercraft, located in the waters of the city.

**Marine facility** means any device, structure, building or component of a marina.

**Marine structure** means any device or structure built or constructed, erected, driven or installed in, over or adjacent to any of the waters of the city. The term shall include, but not be limited to, docks, seawalls, piles, davits, hoists and similar structures. The term shall be construed to include the words "or part thereof."

**Mooring** means any appliance used to secure a vessel to a dock or pier, which may or may not be carried aboard such vessel as regular equipment when under way; also the attaching of a vessel to a permanent or floating structure or other vessel.

**Motorboat** means a vessel equipped with machinery for propulsion, irrespective of whether the propulsion machinery is in actual operation.

**Vessel** includes every description of watercraft used or capable of being used as a means of transportation on water. The term shall mean any watercraft, and all vessels shall belong to one of the following classes:

- (1) **Commercial vessel** means and includes every vessel used or operated for commercial purposes on the navigable waters of the city; that is either carrying passengers, carrying freight, towing, or for any other use; for which a compensation is received, either directly or where provided as an accommodation, advantage, facility or privilege at any place or public accommodation, resort or amusement.
- (2) **Pleasure vessel** means and includes every vessel not within the classification of commercial vessel. The provisions of this chapter shall apply to rowboats, canoes, sailboats, except as otherwise expressly provided. The term shall not include a crew racing shell, which means any shell, gig, barge or other boat designed primarily for the practice of racing conducted by a private or public educational institution, school, academy, college, university or association of any of the preceding, or by an amateur sports club or association or by the United States or International Olympics Committee, and shall not include canoes, rowboats or lifeboats. The term "vessel" and "boat" are interchangeable for the purpose of this chapter.

**Watercraft** means any contrivance used or capable of being used for navigation upon water whether or not capable of self-propulsion.

Based upon the above definitions, a luxury vessel such as Arkup, **is not** a housebarge, **is** a motorboat, **is** a vessel (pleasure), and **is** a watercraft.

As it pertains to the Land Development Regulations, and specifically single-family districts, such vessels are not permitted as a main permitted use on a property. A homeowner may have an accessory dock with a such as vessel, but the entire property, including the dock must be rented together for no less than six (6) months and a day. The owner of such a vessel could not rent a dock from a homeowner, without also renting the entire property, and for the minimum timeframe.

Below are the applicable code requirements for single family districts.

**Sec. 142-102. - Main permitted uses.**

*The main permitted uses in the RS-1, RS-2, RS-3, RS-4 single-family residential districts are single-family detached dwellings.*

**Sec. 142-104. - Accessory uses.**

*The accessory uses in the RS-1, RS-2, RS-3, RS-4 single-family residential districts are those uses customarily associated with single-family homes. (See article IV, division 2 of this chapter.)*

**Sec. 142-905. - Permitted accessory uses in single-family districts.**

- (a) *Generally. Permitted accessory uses in single-family districts are those uses which are customarily associated with single-family houses such as, but not limited to, decks, swimming pools, spas, ornamental features, tennis courts. However, in no instance shall landing or storage areas for a helicopter, or other aircraft, be permitted as an accessory use. The planning and zoning director may allow other accessory uses if the director finds after consultation with the chairman of the planning board that they will not adversely affect neighboring properties, based upon the criteria listed in section 142-901. Appeal of the director's decision is to the board of adjustment pursuant to chapter 118, article VIII.*
- (b) *Permitted accessory uses. The following are permitted accessory uses in single-family districts:*
  - (5) *Leases of single-family homes to a family (as defined in section 114-1) for not less than six months and one day, including extensions for lesser periods of leases permitted under this subsection to original leaseholders.*

As it pertains to other zoning districts, such vessel would be allowed to potentially dock in a zoning district which allows a marina, such as the MR (Marine Recreation District).