

# Lancaster County/ Virginia

## MEMORANDUM

Date:

To:

From:

Subject:

Docket:

August 8, 2007

Lancaster County Planning Commission

Jack D. Larson, Director of Planning/Land Use

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Floating Houses

August 19, 2007—Discussion Item #1

Issue: Establishing regulatory control over "floating houses" that are licensed and presented as boats but are intended for full-time or extended residential use rather than as a means of navigating bodies of water.

Recommendation: None.

Discussion: The County Administrator's attached memorandum of July 27, 2007 serves as the direction and basis for considering this issue. In response to the requirement set forth in the second paragraph, the County Attorney was consulted as to the legality of exempting sailboats and power boats from any exclusion of "live-a-boards" that, as Mr. Pennell states, are an "extant situation" not requiring regulation. The County Attorney advises that, as long as the definition of that which we want to exclude is structured precisely enough, such a distinction would be legally permissible. The following definition and stipulation is then offered for consideration and refinement by the Planning Commission:

Floating Houses. A structure or device, regardless of any registration attached, that is primarily intended for habitation and not navigation across water bodies. Further identified as lacking a source of propulsion and or/navigation device such as rudder or steering mechanism that is an integral part of the structure or device. Floating Houses are not a permitted use in Lancaster County.