62-834 - Uses on floating structures
In all districts, the City Planning Commission may permit a use not otherwise allowed as-of-right by Section 62-25 to be located on a floating structure provided the use is permitted by the applicable district regulations and the floating structure complies with the height and setback regulations of Section 62-343.

An application for a use on a floating structure pursuant to this Section shall be made jointly by the property owner and the owner of the floating structure, if they are separate entities. In addition, the application shall include copies of all Federal and State permit applications that are required to be filed in conjunction with the proposed use.

As a condition for granting a special permit, the Commission shall find that:

(a) the proposed use is a WE use or is either a power plant or government-owned and operated facility that requires such a location due to the absence of a reasonable way to site the facility without use of a floating structure;

(b) a plan for public access on the floating structure, elsewhere on the zoning lot, or off-site on public property adjacent to the zoning lot, is provided that is appropriate to the size and intensity of use on the floating structure;

(c) except for power plants or government-owned and operated facilities, the location of such use on a floating structure will enhance public access to and use of the waterfront; and

(d) the location of such use on a floating structure will not adversely affect the essential character, use or future growth of the waterfront and the surrounding area.

However, the Commission may waive the public access requirement for a power plant or government-owned and operated facility either where such access would conflict with the operation of the facility or be detrimental to the public welfare.

The Commission may also permit modification of the visual corridor requirements of Section 62-51, inclusive, provided it makes the additional finding that the location and configuration of the floating structure minimizes any adverse effects on significant views to the water from upland public streets or other public places.

The Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the waterfront and the surrounding area, including requirements for setbacks from lot lines, spacing from other floating structures on the same or adjoining zoning lots and limitations on lighting or signage.