62-913 - Conditions for adoption of a Waterfront Access Plan
As a condition precedent to its approval of a Waterfront Access Plan, the City Planning Commission shall find, in its report to the City Council for adoption, that such plan:

(a) would improve public use and enjoyment of the waterfront, thereby serving to implement the goals set forth in Section 62-00; and

(b) meets any of the following:

1. is necessary to link public parks or other public areas along the waterfront or to the waterfront, and such linkage would not necessarily be achieved solely by the provisions of Sections 62-34 (Height and Setback Regulations on Waterfront Blocks), 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS);

2. is necessary to accommodate unique shore conditions or the retention of existing buildings or other structures, including bridges, viaducts or railways that would not be adequately accommodated by the provisions of Sections 62-50 and 62-60;

3. is necessary to accommodate unique topography or natural features, such as wetlands conditions, significant grade changes, geologic formations, natural vegetation or wildlife habitats, which natural features or topography would not be adequately accommodated by the provisions of Sections 62-34, 62-50 and 62-60;

4. is necessary to create a better physical or visual relationship of the waterfront to significant upland streets or preserves significant views of the water or historic structures from such streets, which would not necessarily be achieved by the provisions of Sections 62-34, 62-50 and 62-60;

5. is necessary to achieve public access to the waterfront in an area characterized by large undeveloped tracts of land with a limited number of public streets leading to the shore;

6. is necessary to maintain visual corridors that would be extinguished by a street de-mapping after October 25, 1993, or maintains visual corridors from certain upland streets that would be exempted from such requirements as the result of an intervening street mapping after October 25, 1993; or

7. is necessary to retain the bulk regulations of Section 62-30 on certain blocks that would be exempted from such requirements as the result of an intervening street mapping after October 25, 1993.