

AREA SPECIFIC MATTERS

Commercial Zone (COMZ)

Introduction

The Commercial Zone is applicable only to sites not rezoned Town Centre (previously Inner Business) or Mixed Use (previously Outer Business) as a result of PC46.

Issues

Refer: GEN-14

Objectives

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| COMZ-O1 | To promote the efficient use and development of existing physical resources within Feilding's Commercial Zone. |
| COMZ-O2 | To avoid or mitigate the adverse <i>effects</i> of Commercial zone activities upon residents and upon people using the Zone. |
| COMZ-O3 | To accommodate <i>retail activities</i> which would be enabling for the communities of Feilding and its wider environs so as to reinforce the function of the Feilding Town Centre. |

Policies

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| COMZ-P1 | To help make the Commercial Zones more attractive, vibrant and user-friendly places. |
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| COMZ-P2 | To ensure that people working and doing business in the zones are not subjected to undue nuisance. |
| COMZ-P3 | To ensure that residents of Commercial <i>Zones</i> have a level of amenity which recognises that some permitted adverse <i>effects</i> may arise from other activities in the <i>zone</i> . |

Permitted Activities (PER)

The following shall be *permitted activities* provided that they comply with the standards in COMZ-ST1 to COMZ-ST10 below:

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| COMZ-R1 | Shops. |
| COMZ-R2 | <i>Offices.</i> |
| COMZ-R3 | Hotels and taverns. |
| COMZ-R4 | Restaurants. |
| COMZ-R5 | Places of assembly. |
| COMZ-R6 | Reserves. |
| COMZ-R7 | <i>Commercial services</i> and printing. |
| COMZ-R8 | Specialist services. |
| COMZ-R9 | <i>Accessory buildings.</i> |
| COMZ-R10 | Libraries. |
| COMZ-R11 | <i>Signs</i> which comply with SIGN-R1, SIGN-R2, and SIGN-ST1 to SIGN-ST3. |

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| COMZ-R12 | <i>Earthworks</i> which comply with EW-R1, EW-R2, and EW-ST1 to EW-ST9. |
| COMZ-R13 | Premises for the sale of <i>motor vehicles</i> , boats, caravans and farm equipment. |
| COMZ-R14 | <i>Service stations</i> . |
| COMZ-R15 | Car parking and parking <i>buildings</i> . |
| COMZ-R16 | <i>Light Industry</i> . |
| COMZ-R17 | Formation of vehicle crossings onto <i>roads</i> . |

Controlled Activities (CON)

The following shall be *controlled activities*:

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| COMZ-R18 | Residential accommodation. |
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Reservation of Control (RC)

The matters over which *Council* has reserved its control and in respect of which conditions may be imposed are set out in COMZ-RC1 to COMZ-RC3:

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| COMZ-RC1 | <i>Relocated buildings</i> – Refer to matters of control provided for in REL-R1. |
| COMZ-RC2 | Dwellings on <i>sites</i> under 350m ² , and More than Two Units on a <i>Site</i> (GRZ-R14 to GRZ-R19, and SETZ-R30 to SETZ-R32) |
| | COMZ-RC2.1 Separation and design of houses for visual and aural privacy, including screening, the bulk of proposed <i>buildings</i> in relation to neighbouring properties, and the location of open space and glazing. |
| | COMZ-RC2.2 Arrangement of <i>yard</i> space, including the use of zero lot lines, common open space and room for trees and landscaping. |
| COMZ-RC2.3 | The orientation, roof pitch and style, and footprint of the <i>dwelling</i> units, in terms of promoting a difference from other dwellings existing or proposed nearby. |

The illustrations in Figure 50 below show the type of development which would not be appropriate:

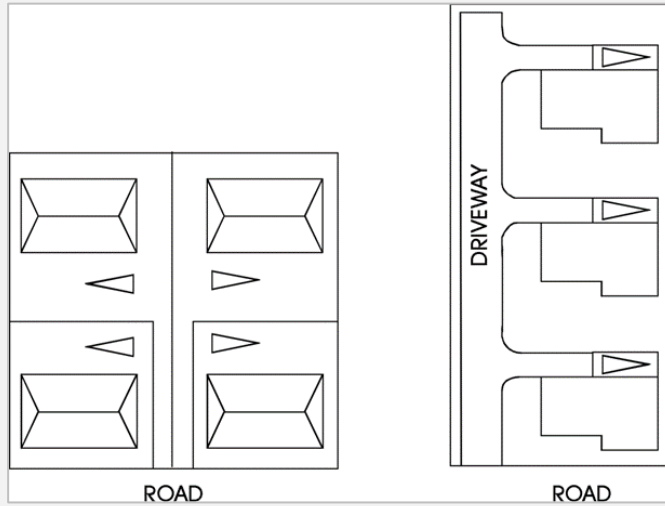


Figure 50 – Examples of inappropriate development

COMZ-RC3

Residential and Caretakers Accommodation (COMZ-R18)

COMZ-RC3.1 Noise mitigation measures. The siting and construction of the accommodation shall ensure that noise received at any boundary shall be reduced by 20 dB when received in any living room and by 30 dB when received in any room used for sleeping. In the absence of forced ventilation or air-conditioning these reductions shall be achieved with any exterior windows open. This requirement does not apply to noise received at boundaries with *sites* zoned General Residential or Settlement.

COMZ-RC3.2 Prior to considering the application, *Council* may require an acoustic design report to be prepared by a suitably qualified and experienced person, demonstrating compliance with COMZ-RC3.1 above.

Standards for Permitted and Controlled Activities

The *permitted* and *controlled activities* specified in COMZ-R1 to COMZ-R18 shall comply with the following standards:

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| COMZ-ST1 | Height | |
| | COMZ-ST1.1 | Maximum Height - 9m. |
| | COMZ-ST1.2 | No part of any <i>building</i> on any <i>site</i> in the <i>zone</i> shall exceed a <i>height</i> of 3m plus three quarters of the shortest horizontal distance to the nearest residentially-zoned boundary (Refer Figure 51). |

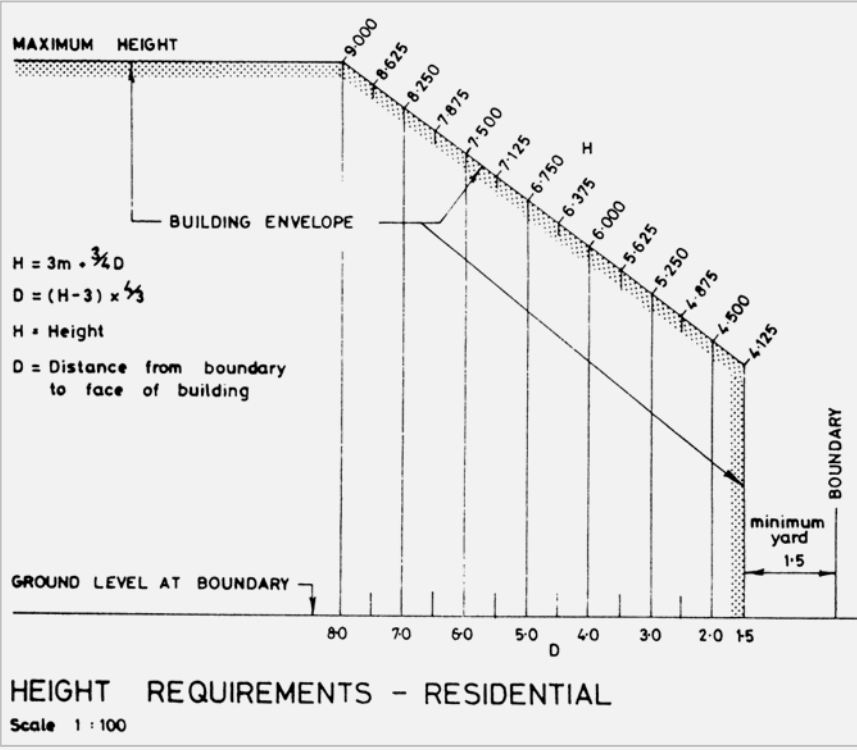


Figure 51 – Height requirements

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| COMZ-ST2 | Yards – All yards - 4.5m from any <i>site</i> zoned General Residential. |
| COMZ-ST3 | Screening - Any boundary with an adjoining <i>site</i> zoned General Residential shall be fenced to a <i>height</i> of 1.5m with a solid screen wall or fence unless the parties agree to an alternative form of screening. |
| COMZ-ST4 | Residential accommodation - shall comply with the requirements of GRZ-ST1 to GRZ-ST35, relating to the type of accommodation proposed. |
| COMZ-ST5 | Noise - Compliance with NOISE-ST1 to NOISE-ST4. |

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| COMZ-ST6 | Visibility at Railway Crossings - Compliance with TR-ST1 and TR-APP5. | | |
| COMZ-ST7 | Access - Compliance with TR-ST1. | | |
| COMZ-ST8 | Glare - Compliance with TR-ST2. | | |
| COMZ-ST9 | Visual Amenities - No activity shall involve keeping more than one <i>derelict vehicle</i> within view of neighbouring properties or a public place. | | |
| COMZ-ST10 | Signs | | |
| | COMZ-ST10.1 | Compliance with SIGN-R1, SIGN-R2, and SIGN-ST1 to SIGN-ST3. | |
| | COMZ-ST10.2 | Signs located above the footpath or carriageway, provided that no part of such <i>signs</i> shall be less than 2.5m above the footpath or 5.5m above the carriageway. | |
| | COMZ-ST10.3 | The only <i>signs</i> permitted on <i>sites</i> adjoining SH54, are: | |
| | | COMZ-ST10.3.a | <i>Temporary signs</i> permitted by SIGN-R2. |
| | | COMZ-ST10.3.b | Traffic <i>signs</i> , or <i>signs</i> showing the number of the premises or the location, timetable or other details of any utility or public facility |
| COMZ-ST10.3.c | | One pole sign not exceeding 3m ² for any permitted use of the premises. | |
| COMZ-ST10.3.d | <i>Signs</i> written on or affixed to a <i>building</i> | | |

Restricted Discretionary Activities (RDIS)

The following shall be *restricted discretionary activities* in the Commercial Zone:

COMZ-R19

Any *permitted activity* or *controlled activity* specified above which does not comply with any of the relevant standards in COMZ-ST1 to COMZ-ST10.

Matters of Discretion:

Applications for *restricted discretionary activities* shall be assessed against the matters set out in COMZ-MD1 to COMZ-MD2

COMZ-MD1

In assessing applications for *restricted discretionary activities* Council has reserved its control over matters related to the *effect* of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the *effects* of non-compliance.

COMZ-MD2

In assessing applications which have become *restricted discretionary activities* due to non-compliance with the Plan’s performance standards, but which otherwise would have been *controlled activities*, Council has also reserved its control over the matters in COMZ-RC1 to COMZ-RC3 which relate to that type of *controlled activity*.

Discretionary Activities (DIS)

The following shall be *discretionary activities* in the Commercial zone:

COMZ-R20

Any *industry* other than high-impact industries

Assessment Criteria:

The matters set out in GEN-AC1 to GEN-AC25 will be taken into account in considering applications for the above *discretionary activities*.

Non-Complying Activities (NC)

COMZ-R21

Any activity which is not categorised by this chapter as being a *permitted, controlled, restricted discretionary, or discretionary* shall be a *non-complying activity*.

Explanation

The District Plan’s role is to help provide a pleasant physical *environment*, and to leave the businesses in the zones free of unnecessary restrictions. Any initiatives aimed at improving the financial viability of the town’s businesses will be done by methods outside this Plan.

The Plan must deal with any adverse *effects* which activities in the *zone* might have upon users and neighbours. The level of amenity sought for residents in the *zone* is not as high as for neighbouring residential areas, to reflect the primary business purpose of the *zone*.

Methods

District Plan Methods

- Commercial Zone Chapter.

Other Methods

- Traffic management tools to discourage heavy and through-traffic, and to make the area more pedestrian-friendly.
- Providing sufficient conveniently-located parking and other services.
- Bylaws which support the above.