The Drakenstein Municipality initiated the preparation of a zoning scheme in 2015, and at that stage the public was invited to raise issues to be addressed in the new zoning scheme. A background information document provided details on the nature, content and purpose of a zoning scheme as well as the process to prepare a new scheme.

The project has now progressed to the stage where a draft document and zoning maps have been prepared for public comment. This document provides a brief overview of the process to date, as well as the draft Scheme to assist interested and affected parties in reviewing the draft Scheme.

### INTRODUCTION AND BACKGROUND

The Spatial Planning and Land Use Management Act (No. 16 of 2013)(SPLUMA) and the Western Cape Land Use Planning Act (No. 3 of 2014) (LUPA) require that municipalities must adopt a zoning scheme for its area of jurisdiction. A zoning scheme is a set of regulations which describe how land may be used, developed and includes a map which depicts the zoning of each property.

The research work was complemented by:
- A two-day workshop on the Future Development Scenarios for the Drakenstein Municipality;
- Workshops with Drakenstein officials on issues and problems to be addressed in the zoning scheme; and
- Meetings with the Intergovernmental Steering Committee.

The background research report was published in June 2016 for public comment (copies of this report are available upon request). This report concluded that the new zoning scheme should aim to:
- Protect agricultural land for agricultural purposes;
- Facilitate agri-processing in appropriate areas;
- Allow for additional income streams to people in all zones where appropriate;
- Protect the cultural landscape from inappropriate development and agricultural practices;
- Protect established residential neighbourhoods from inappropriate development, whilst enabling everyone to work from home in a manner which is non-intrusive to neighbours;
- Create diversity on area-by-area basis;
- Make the scheme familiar and easy to use, to simplify basic controls and reduce red tape.

### PROCESS TO DATE

**Early 2015 - Project Initiation:** Finalisation of brief, setting up of Intergovernmental Steering Committee, registration of Interested and Affected Parties (I&APs) and call for public input.

### 2015 to 2016 - Background Research:

Comprehensive background research exercise which included the following:
- An analysis of all existing legislation and policies affecting land use management in Drakenstein, including the SDF.
- An analysis of the existing schemes in use in Drakenstein.
- The history of zoning schemes and international trends in land use management.
- An investigation into future trends that are likely to influence land use such as climate change, technological innovation, changes in economic activities, and informality. These were analysed with regards to impacts on the major land use categories namely, residential, business, community uses and rural land uses.

The research work was complemented by:
- A two-day workshop on the Future Development Scenarios for the Drakenstein Municipality;
- Workshops with Drakenstein officials on issues and problems to be addressed in the zoning scheme; and
- Meetings with the Intergovernmental Steering Committee.

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- Create diversity on area-by-area basis;
- Make the scheme familiar and easy to use, to simplify basic controls and reduce red tape.

### 2016 to date - Scheme Framework, Draft Scheme and Zoning Maps:

This document provides a brief summary of the Scheme and how the existing zoning map will be updated to reflect the new Scheme. Parties, who wish to comment on the draft Scheme and zoning maps, are urged to review the actual draft Scheme document and zoning maps. (Details provided at the end).

**September 2017 to February 2018 - Finalisation of Scheme:**

Following on the comment period, the Scheme will be revised in response to comments received and the final Scheme and zoning maps will be presented to the Drakenstein Municipal Council for formal adoption and publication.

**March 2018 to May 2018 - Project Closure**
EXISTING SCHEMES TO BE REPEALED

There are currently 4 town planning and zoning schemes applicable in the Drakenstein Municipal area, namely:

- Paarl Zoning Scheme
- Wellington Zoning Scheme
- Section 8 Zoning Scheme
- Mbekweni Town Planning Scheme

In the past, Saron did not have a zoning scheme to regulate development, however with the inception of the new Drakenstein Planning By-Law in 2015, legislation required that all land be zoned, and the Saron area has therefore been allocated zoning in terms of the Section 8 Zoning Scheme.

The abovementioned schemes will all be repealed and replaced by the new scheme.

The existing schemes contain 60 different zones in total. These zones will fall away and be replaced by the proposed 12 base zones and 6 overlay zones, when the new Scheme gets adopted.

SUMMARY OF THE DRAFT SCHEME

In Chapter 2, the draft Scheme includes provisions for certain applications to be made in terms of the Scheme and makes provision for the transitional arrangements, deeming of zoning, and implementation of the new scheme.

The general development parameters in Chapter 3 deal with parameters which apply to all land, regardless of the base zone, and covers aspects such as:

- Parking provision, access, loading and shared parking;
- Boundary walls and fences;
- Entrances and gatehouses;
- The use of land for an occasional event;
- Measures for resource conservation and use of renewable resources;
- Visual impacts, and screening as may be required;
- Decommissioning of certain installations;
- Development on steep slopes and ridgelines.

Of particular importance are the provisions regarding development contributions. Where the new Scheme permits more land use rights than were assigned to a property under the previous scheme (e.g. more floor area), the Municipality may charge development contributions to service the property should the owner wish to exercise those rights.

Chapters 4 to 15 sets out the base zones; and Chapters 16 to 22 the overlay zones.

1. BASE ZONES

1.1. Mixed-Use Zone (MU)

All properties currently zoned for general business purposes and which are located inside the CBD nodes or the Densification Zone as shown in the Municipality's adopted Spatial Development Framework will convert to the Mixed-use zone (blue).

This zone provides for the greatest mix of uses aimed at creating vibrant central business areas, other nodes and activity streets. It also allows for the most intensive development. Uses include business, high density residential, including tourist accommodation and community uses. Provision is made for limited on-site manufacturing for businesses, such as bakeries, micro-breweries etc. Business uses that may impact on the amenity of an area, such as fuel retail or light industry will require the consent of the Municipality so as to mitigate impacts. Development should be fine grained (i.e. large single use are not permitted) and active street edges are mandatory for new development in this zone. The parameters also allow for outdoor business activities, such as outside seating for restaurants.

1.2. Industry Zone (I)

All properties currently zoned for industry, noxious industry, light industry, or similar will convert to the Industrial zone (purple), except in certain instances where light industrial uses are located in CBD areas, in which case they will convert to mixed use.

This zone provides for a variety of industrial as well as other compatible higher impact uses, including limited retail uses to serve the industrial area. High risk and high impact uses (such as noxious industry) require consent approval of the Municipality (except where the use is an existing use, when consent is deemed to be granted). The parameters also allow for the Municipality to require screening and landscaping of industrial properties.

1.3. Utility Zone (U)

All properties which are used for utility/bulk services purposes, will convert to the Utility Zone (red), provided that they are currently zoned government/municipal use and do not have another base zone which is automatically converted to another zone.

This zone allows for existing utility plants as well as major utility services and green infrastructure. New facilities such as recycling facilities will require the consent of the Municipality.

1.4. Transport Zone (T)

All properties currently zoned for street, transport or parking or similar will convert to the Transport Zone (pale grey).

This zone provides for all transport related land uses; some such as parking areas and passenger transport facilities will require an SDP approval, whilst higher impact uses such as an airport or parking garage will require the consent of the Municipality.
1.5. Neighbourhood Business Zone (NB)

All properties currently zoned for business purposes, outside CBD or the Densification Zone (SDF) areas will convert to the Neighbourhood Business Zone (pale powder blue).

This zone provides for mixed use development at neighbourhood scale, as opposed to the higher order mixed use zone, which allows greater intensity development and also a greater mix of land uses. Certain potentially higher impact uses such as adult entertainment, places of entertainment and large footprint businesses will require the consent of the Municipality.

<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>0m</td>
<td>0m</td>
<td>80%</td>
<td>11m</td>
</tr>
</tbody>
</table>

1.6. Multi-Unit Housing Zone (MUH)

All properties currently zoned general residential or similar will convert to the Multi-Unit Housing Zone (orange).

This zone provides for apartment buildings, group housing and community residential buildings such as old age homes, as well as tourist accommodation. There is also opportunity for limited shops and restaurants as well as business uses from dwelling units. Higher impact uses such as hotels, and offices require the consent of the Municipality.

<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>5m/7m depending on height</td>
<td>5m/7m depending on height</td>
<td>75%</td>
<td>21m</td>
</tr>
</tbody>
</table>

1.7. Conventional Housing Zone (CH)

All properties currently zoned single residential and group housing, will convert to the Conventional Housing Zone (yellow). For existing Group housing or town houses, consent for group housing is deeded to have been granted.

This zone is aimed at properties of a predominantly single residential nature, but also allows for controlled densification in the form of second and third dwelling units. In recognition of the reality of backyard dwellers, shelters are also allowed with the permission of affected neighbours. A variety of additional uses are permitted to be conducted by a resident, from their dwelling, such as business, instruction or visitors’ accommodation, subject to certain thresholds and conditions.

<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>5m</td>
<td>5m</td>
<td>50% (but only 30% of area exceeding 2000m²)</td>
<td>8m, but architectural features such as minarets are exempt</td>
</tr>
</tbody>
</table>

1.8. Community Use Zone (CU)

All properties currently zoned as institution, education, and place of worship or similar will convert to the Community Use Zone (cyan).

This zone provides for all community uses, such as schools, churches, mosques, halls, libraries, communal residential and indoor and outdoor sports facilities. Ancillary uses such as restaurants and pubs are also allowed within limits. Uses with a potentially high impact such as correctional facility or cemetery, will require the consent of the Municipality. In addition where the change from primary community use to another is regarded as significant, the Municipality may request an SDP. Transmission of amplified sound may only be allowed in terms of the relevant legislation governing noise.

<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>1m, 2m or 4.5m depending on erf size</td>
<td>0m, 1m or 1.5m depending on erf size</td>
<td>70%, 60% or 50% depending on erf size</td>
<td>8m</td>
</tr>
</tbody>
</table>

Street and common building lines for garages and carports are 0m with a maximum height of 4m.

1.9. Open Space Zone (OS)

All properties currently zoned for public or private open space will convert to the Open Space Zone (pale green).

Primary uses in this zone include monuments, outdoor sports, urban horticulture, green infrastructure and open space. Limited additional uses such as shops and restaurants are allowed with SDP approval. Higher impact uses such as visitors’ facilities and accommodation, and indoor sports facilities will require the consent of the Municipality.

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<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>5m</td>
<td>5m</td>
<td>120m² /structure up to max 500m²</td>
<td>5m</td>
</tr>
</tbody>
</table>

1.10. Agriculture Zone (A)

All properties currently zoned for agriculture will convert to the Agriculture Zone (mid green).

The agriculture zone allows for farming as well as the processing of agricultural produce on farmland. The latter is subject to SDP approval. In addition, a variety of additional uses such as visitors’ facilities and accommodation is allowed within limits, to provide additional income streams to producers. Dwelling units are limited in size and number, and provision is made for community facilities for employees on farms. Potentially high impact uses such as large area of crop covers and function venues will require the consent of the Municipality.

<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>5m</td>
<td>3m, but where animals are kept 30m</td>
<td>Dependent on structure</td>
<td>8m</td>
</tr>
</tbody>
</table>

1.11. Natural Environment Zone (NE)

All properties currently zoned as open space III (Section 8) and declared NEM/PAA reserves or similar will convert to the Natural Environment Zone (dark forest green).

The purpose of this zone is to protect important natural habitats and critical biodiversity, thus only very limited land uses are allowed with limited visitors’ facilities. All motorised recreation activities will require SDP approval and overnight accommodation will require the consent of the Municipality.

<table>
<thead>
<tr>
<th>Street bldg. line</th>
<th>Common bldg. line</th>
<th>Maximum Coverage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>5m</td>
<td>5m</td>
<td>120m² /structure up to max 500m²</td>
<td>5m</td>
</tr>
</tbody>
</table>

1.12. Limited Use Zone (LU)

All properties previously zoned undetermined or unknown will convert to the Limited Use Zone (brown). Existing land uses may continue but no new land uses will be allowed without a rezoning approval. Certain other zones (ie resort zone outside urban edge) also convert to this zone.
Note on the conversion of existing zones to the new zoning scheme:
In this document the main objective for conversion of zoning is indicated in the summary. However in all instances the Zoning Conversion Tables in the Methodology Document will capture the final conversion methodology for this project.

2. OVERLAY ZONES

Overlay zones apply to specific areas and the development rules in those areas are altered to be either more lenient or to exercise stricter control over certain aspects of development depending on the purpose of the overlay zone.

2.1. Local Economic Development Overlay Zone (LEDOZ)

This zone is intended to provide for a greater mix of small scale business activities from dwelling houses in specific areas. Typically, to assist residents with lower income levels, a greater mix of land uses are enabled, including house shops (subject to certain rules and thresholds). Taverns may be conducted with the consent of the Municipality (and for existing lawful taverns, consent is deemed to have been granted). The consent application process means that surrounding neighbours will be consulted before an approval is granted, and the use can only be approved if it is desirable and will not have an adverse impact.

2.2. Incremental Housing Overlay Zone (IH OZ)

This zone allows for the creation of emergency housing areas where temporary structures are allowed, as well for the transformation of existing informal settlements overtime into conventional residential areas. In recognition of a move to the provision of serviced plots, and also to address the housing need, this zone allows for shelters, as well as core structures which can be completed by owners to create formal dwellings. Similar opportunities for additional uses to generate an income as in the conventional housing zone are allowed in this zone, and these areas can also be included in the LEDOZ for an even greater mix of land uses from dwelling units.

2.3. Heritage Conservation Overlay Zone (HCOZ)

This zone allows for the control of the impacts of development on heritage resources in the heritage areas recently identified as part of the heritage resources survey for the Drakenstein Area. This overlay zone will be in place until it is replaced by heritage areas proclaimed in terms of the National Heritage Resources Act (Act 25 of 1999). All development in these areas will require the consent of the Municipality.

The aim of this zone is not to reduce existing development rights, but to provide a mechanism to mitigate the impact of development on the heritage character of the area. The Municipality may adopt character statements and decision-making guidelines for each area. The Municipality may also appoint an advisory committee to make recommendations regarding applications in heritage areas. The following heritage areas have been identified:

- Paarl Mountain Slopes
- Paarl Central Area
- Paarl Berg River Corridor
- Wellington
- Saron
- Hermon
- Rondeheuwel Village
- Bainskloof Village
- Bovlei
- Blouwlei
- Voorgroenberg
- Agtergroenberg
- Klein Drakenstein
- Wemmershoek
- Simonsberg Slopes
- Perdeberg Slopes
- Agterpaarl
- Berg River Corridor South
- Dalerospath

2.4. Green Core Overlay Zone (GCOZ)

This zone provides for the management of the interface between the Municipality’s core green areas, such as its river systems and major open spaces. It applies to the properties abutting the identified open spaces and rivers. The Municipality may inter alia impose requirements for fencing and landscaping on the abutting properties that will improve the interface with the open space, and they may also impose conditions on the open space erven itself which aim to improve the ecological functioning and amenity of the green area.

2.5. Scenic Route Overlay Zone (SROZ)

In recognition of the importance of the scenic landscapes of the Drakenstein Municipality (important driver of tourism), this overlay zone provides for additional measures to control development along identified scenic routes. The Scenic Route Overlay zones are based on scenic routes identified in the Spatial Development Framework (SDF). All development within 200m on either side of a scenic road will require the consent of the Municipality and the Municipality may impose conditions to mitigate visual impacts.

2.6. Road Widening Overlay Zone (RWOZ)

This overlay zone provides for the management of previously identified road widening schemes in the Municipal area. In particular it provides a mechanism for the lifting of road widenings should it no longer be required. When land required for road widening is transferred to the Municipality free of charge, it allows for the owner to utilise developments rights based on the original floor area and building lines permitted on the property. This services as an incentive for land to be transferred free of charge.

HOW TO COMMENT ON THE DRAFT SCHEME AND ZONING CONVERSIONS

All land owners and members of the public are urged to review the draft Zoning Scheme, familiarise themselves with the proposals and submit comments (even if it is only to support the proposed Scheme).

The complete draft Scheme and Conversion Table will be available at all public libraries from the 1st of July 2017 to the 31st of August 2017. These documents are also available on the Municipality’s website (www.drakenstein.gov.za). The converted zoning maps will be available at the Open Day and thereafter on the website.

An OPEN DAY will be held on the 1st August 2017 at the Paarl Town Hall from 15:00 to 19:00, where members of the public can interact with officials and the consultant team.

Closing date for comments: 31 August 2017

Comments/objections can be emailed to chaz@sakaza.co.za or posted to PO Box 45510, Ottery 7808.

Parties who are unable to read or write or who otherwise need special assistance to state their views on the draft Scheme may by appointment (during office hours) request a member of Sakaza to assist them to record their comments or objections.