

# 18. Residential Zones

## 18.1 Introduction

The Kaikoura urban area is the District's primary residential, commercial and industrial area, and the focal point of the developing tourism industry.

Most residential expansion in the last 5 years has taken place within the Kaikoura urban area and on the Kaikoura Plains.

The majority of the District's residential, commercial, industrial and other social facilities and activities are located in Kaikoura and its environs.

## 18.2 Issue 1 - Protection of Amenity Values in Residential Zones

The character and scale of buildings and the effects of activities have the potential to adversely affect the amenity values in residential areas.

### 18.2.1 Objective 1

To provide an essentially low density, small scale residential environment within the Kaikoura urban area with a dominance of open space and planting over buildings, and where the pleasantness and amenity of the residential area is maintained and enhanced.

### 18.2.2 Policies

1. To enable the establishment of non-residential activities in residential areas within Kaikoura urban area, in circumstances where:
  - the predominant use of the site remains residential; and
  - the activity is compatible in terms of its potential effects on those of a residential nature.
2. To maintain the amenity of residential areas by ensuring sufficient on-site parking and manoeuvring areas for vehicles are established.
3. To ensure that the design and siting of development (building height, building coverage, recession lines, setbacks and provision of outdoor living areas) is controlled so that:
  - a. development will not unreasonably deny neighbouring properties sunlight, daylight, views or;
  - b. ample on-site provision of outdoor living space oriented to the sun exists; and
  - c. an open and attractive scene exists; and
  - d. a character and scale of buildings and open space is maintained which is compatible with the anticipated residential environment.
4. To ensure noise and lighting spill do not adversely affect the amenity enjoyed on residential sites.
5. To avoid activities within the residential areas of the Kaikoura urban area which are incompatible with residential activities and to maintain an appropriate level of residential amenity.

6. To avoid or mitigate development which would detract from the predominant character, scale and amenity of the particular residential environment.
7. To promote Council's "Zero Waste" policy by promoting and encouraging the reduction, reuse and recycling of unwanted materials.

### 18.2.3 Implementation Methods

1. Provision of Residential Zones and rules to control the use, development and subdivision of land in those zones. These rules will include rules relating to the following:
  - a. The size and siting of development - e.g. building height, building coverage and recession lines and setbacks.
  - b. Noise and lighting spill.
  - c. The establishment of non-residential activities in residential areas.
  - d. Subdivision e.g. rules regarding natural hazards, servicing, provision of land for open space and recreation.
2. Guidelines to promote and encourage the reduction, reuse and recycling of unwanted materials – refer to the Waste Management Guidelines - All Zones in Appendix G.

#### **Explanation and Reasons**

The quality, harmony and coherence of residential areas make them pleasant places in which to live, work, play or visit. These attributes are broadly referred to as "amenity values" - the natural or physical qualities and characteristics of an area that contribute to people's appreciation of it and the community's perception of well-being.

Residential amenity can be attributed to a number of factors such as visual appearance, clean air, noise levels, amount of sunlight received, privacy and views, security and open space. These attributes can be controlled by rules relating to minimum lot sizes, building height, building design and the percentage of space occupied by buildings.

Two separate residential areas have been identified in the Kaikoura urban area, primarily based on amenity values. These have been respectively zoned Residential A and Residential B. The Residential A Zone essentially includes all the non-hill areas such as South Bay, Avoca St, The Esplanade to Torquay St and Beach Road, as well as the hill areas east of Churchill Street and below Hastings St. These areas exhibit amenity values which represent a moderate density residential environment.

The second residential area is the Residential B Zone. This is limited to Austin Heights, part of Scarborough Street and Ludstone Hill above Hastings St and West of Churchill St. The Res B Zone generally exhibits amenity values which represent a low density residential environment. In order to avoid adverse effects on these amenity values, the Res B Zone contains larger minimum lot sizes and a lower site coverage.

Residential areas have always contained a range of complementary non-residential community activities. To satisfy community needs it is appropriate that non-residential community activities such as doctors surgeries, marae, schools, hospitals, nurseries and playing fields are located within residential areas. In addition, it is generally considered acceptable for "home occupations" involving small scale businesses, crafts or trades, to be located in residential areas where they make use of part of a residential dwelling, or an accessory building. However, it is necessary to take into account the effects of non-residential activities within residential areas.

## 18.3 Issue 2 - Housing Needs

The Plan needs to recognise and enable a diverse range of living environments to occur within the District, while maintaining the quality of environment.

### 18.3.1 Objective 2

To provide for a diverse range of living environments expressed in built form, density of development and housing types.

### 18.3.2 Policies

1. To enable a mixture of housing styles in residential areas provided the amenity of these areas is not adversely affected.
2. To enable higher density development to be established in areas where this is appropriate.
3. To place no restrictions on building design in residential areas, other than in respect of matters such as recession planes, height, setback and percentage coverage.
4. To impose height restrictions along waterfront sections to avoid adverse effects on views from houses behind waterfront sections.
5. To allow higher dwellings along the south side of Torquay Street up to a maximum specified height, where they do not affect views from other dwellings and where they do not break the skyline.

#### Explanations and Reasons

The housing needs and lifestyle preferences of the District's population differs according to influences such as an individual's stage in life and socio-economic factors. Available services, lot size and property value are major factors which attract certain people to a particular area. The separation of a Residential A and Residential B Zone provides greater choice for residents on the basis of residential density. Providing for lower height limits along the waterfront of the Residential A Zone will avoid waterfront buildings adversely affecting views. The extended height limit along the south side of Torquay Street recognises that three storey buildings can be built in that area without affecting views, shading or privacy. However, such buildings should not be visible against the sky when viewed from the waterfront, to avoid adverse visual effects.

In respect of building design, freedom of expression is generally allowed in residential areas. Building size and siting is controlled through setbacks, height and recession planes.

### 18.3.3 Implementation Methods

1. The creation of two residential zones which provide for different levels of residential density.
2. No controls on building design within the Residential Zone, other than in respect of matters such as recession plans, height and setback.

## 18.4 Anticipated Environmental Results

1. Retention of the character and of the residential environment within urban areas of the District, including:
  - a. dominance of open space and plantings over buildings;
  - b. a safe and efficient residential transport network;
  - c. compatibility between activities, with the dominant activity being residential use.

2. Diversity in housing and lifestyle types, and greater choice of living environments to meet a range of community needs.
3. Protection of dramatic views to coastal areas and the mountains when viewed from the Kaikoura urban area.

# Residential A and Residential B Zone Rules

## 18.5 Zone Description

The Residential Zone applies to the Kaikoura urban area. This area has a primarily residential character and provides principally for low-medium density and medium height living accommodation. It is anticipated that the zone provisions will maintain residential areas with ample open space for tree and garden plantings and with minimal adverse environmental effects on residential amenities.

The Residential A Zone flats and lower hills. exhibits a medium residential density and corresponding amenity values. The Residential B Zone Peninsula and upper Ludstone Hill. exhibits a lower residential density.

## 18.6 Activities

Activities specified in the following table shall be assessed as permitted, restricted discretionary or unrestricted discretionary as shown, in respect of this section of the Plan.

**Table 18.6**

Status	Activity	Conditions
Permitted	<p><b>a.</b> Residential Activities</p> <p><b>b.</b> Home Occupations</p> <p><b>c.</b> Recreational Activities limited to outdoor recreational activities on public reserves</p> <p><b>d.</b> Take off or landing of aircraft for emergency landing, rescue, fire fighting, civil defence, or activities carried out by the New Zealand Defence Force</p>	All activities permitted subject to compliance with performance standards in rule 18.7.
Restricted Discretionary	Any permitted activity which does not comply with one or more of the performance standards in 18.7.	Council's discretion restricted to those standards not complied with as indicated in table 18.7.
Unrestricted Discretionary	Any other activity not listed as Permitted or Restricted Discretionary	Discretion is not restricted. The performance standards in 18.7 will be used as a guide when assessing applications for unrestricted discretionary activities.

## 18.7 Performance Standards

**Table 18.7**

	Standard
1. Heavy Vehicle Storage	No more than one heavy vehicle may be parked overnight on any one site.
2. Lighting	Exterior lights shall be directed away from adjacent properties and roads and shall not result in lux spill which exceeds 3 lux maximum, horizontal and vertical, onto adjoining properties measured at any point more than 2m inside

	<b>Standard</b>
	the boundary of the adjoining property.
<b>3. Noise</b>	<p>All activities shall be conducted so that the following noise limits, measured at any point within any other residential site in the Residential Zone, are not exceeded during any time period for assessment within the following time-frames:</p> <p><b>a.</b> Monday to Saturday 7am to 11pm 55 dBA Leq</p> <p><b>b.</b> At all other times not specified in a. above 40 dBA Leq</p> <p><b>c.</b> On any day between 11pm and 7am the following day 70 dBA Lmax</p> <p><b>Note:</b> Refer to Appendix Q for a list of noise provisions relating to construction, blasting and watercraft, and for a list of exemptions to the noise provisions.</p>
<b>4. Building Coverage</b>	<p><b>a.</b> Res A Zone - 35% maximum</p> <p><b>b.</b> Res B Zone - 25% maximum</p> <p>except that for recreational activities, building coverage is limited to 1% excluding children's play equipment.</p>
<b>5. Sky-lining - Residential B Zone</b>	Buildings on any site in the Res B Zone east of Ward St or North of Cromer St and which adjoin the Rural Zone, shall be setback from the eastern and northern internal boundary of the site so they are not visible against the sky when viewed from any point on the road between Jimmy Armers Beach and Point Kean seal colony.
<b>6. Height of buildings</b>	<p><b>a.</b> 5.5m maximum in height control area A refer Planning Maps.</p> <p><b>b.</b> 11m maximum height in height control area B Torquay St., provided that buildings in height control area B do not break the skyline when viewed from the mean high water tide mark along The Esplanade foreshore, between Memorial Gardens and the New Wharf.</p> <p><b>c.</b> 8m maximum all other areas</p>
<b>7. Landscaping</b>	<p>Except for vehicle crossings, Residential Activities, Home occupations and Recreational Activities limited to outdoor recreational activities on public reserves., landscaping shall be provided as follows:</p> <p><b>a.</b> 2m minimum width along road boundaries and;</p> <p><b>b.</b> minimum of 1 tree / 10m road frontage min height 1.5m or min age 3 years. and;</p> <p><b>c.</b> 1m minimum width along the boundary of an adjoining site which contains a reserve or a residential activity, such that building are screened from the adjoining site at landscaping maturity.</p>
<b>8. Outdoor Living Space</b>	<p>Outdoor living space shall be provided as follows:</p> <p><b>a.</b> 70m<sup>2</sup> minimum area with minimum dimension of 5m for each residential unit</p> <p><b>b.</b> 10m<sup>2</sup> minimum area and minimum dimension of 2m for each visitor accommodation unit</p> <p><b>c.</b> 10m<sup>2</sup> minimum area and minimum dimension of 2m for each elderly persons housing unit.</p>
<b>9. Density</b>	<p>No Residential Unit shall be located on a site having a net site area less than the following:</p> <p><b>a.</b> Residential A Zone - 500m<sup>2</sup> minimum</p> <p><b>b.</b> Residential B Zone - 1000m<sup>2</sup> minimum</p> <p>Except as a result of lots created by subdivision after the May 2005 where, For Residential A - the average net site area of all units shall not be less than 500m<sup>2</sup> and no one site have a net area of less than 350m<sup>2</sup>. For Residential B - the average net site area of all units shall not be less than 1000m<sup>2</sup> and no one site have a net area of less than 750m<sup>2</sup>.</p>
<b>10. Recession Planes</b>	No part of any building shall intrude into a recession plane constructed from points measured 2.5m above internal boundaries as shown in Appendix H, unless exempt under Appendix H.
<b>11. Internal boundary separation</b>	No buildings shall be located closer than 2m to any internal boundary unless the exceptions under rule 18.8 apply.
<b>12. Road boundary</b>	No building shall be located closer than 4.5m to any road boundary unless the exceptions under rule 18.8 apply.

	<b>Standard</b>
separation	
<b>13. Sewage Disposal Systems Separation</b>	<p><b>a.</b> Sewage disposal systems shall comply with the following minimum separation distances:</p> <ul style="list-style-type: none"> <li>— 50m separation upgradient, or 30m separation in any other direction, between any sewerage disposal system with treatment to a standard of 1000 or less faecal coliforms per 100ml and any domestic water supply intake;</li> <li>— where the treatment standard specified in a. above is not met 500m separation upgradient, or 300m separation in any other direction, between any sewerage disposal system not specified in 13a. and any domestic water supply intake;</li> <li>— 20m between any sewage disposal system and any stream, river, lake, wetland or coastal water.</li> </ul> <p><b>b.</b> Sewage disposal systems shall be separated from any dwelling or habitable building not on the same site as the disposal system, by a minimum of 100m upgradient of the dwelling or habitable building or 50m on any other direction.</p>
<b>14. Waterbody separation</b>	No buildings or utility buildings exceeding 9m <sup>2</sup> Gross Floor Area or 2m in height shall be located closer than 10 metres to the edge of a bed of any river, or the edge of any wetland, whichever is the further.
<b>15. Separation Distance, High Voltage Electricity Transmission Line</b>	No building shall be located within 20m of the centre line of any electricity transmission line with a voltage of 66kV or higher.
<b>16. Waste Management</b>	All activities, other than residential activities, shall comply with the Waste Management Protocol in Appendix G.

## 18.8 Exceptions to Performance Standards

### 18.8.1 Internal Boundary Separation Distances

Rule 18.7.11 internal boundary separation. shall not apply in the following circumstances:

- a.** Accessory buildings, which are not used for human habitation, may be located closer to an internal boundary subject to the following conditions:
  - i.** buildings shall not be located closer than 0.5m from an internal boundary and;
  - ii.** all stormwater shall be contained within the site and;
  - iii.** the total length of walls of accessory buildings facing, and located within 2m of, each internal boundary shall:
    - not exceed 6.0m in length, and
    - not contain any windows
- b.** Where buildings on adjoining sites share a common wall along a site boundary, no boundary separation distance is required along that part of the boundary covered by such a wall.
- c.** Eaves, porches, chimneys, bay windows, stairways, steps, landings, and balconies may intrude into the internal boundary separation distance subject to the following limits:
  - eaves may intrude into the separation distance by no more than 0.6m;
  - porches and windbreaks opposite a doorway may intrude into the separation distance by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary;

- bay windows may intrude into the separation distance by no more than 0.6m parallel to the boundary;
  - chimneys may intrude into the separation distance by no more than 0.6m parallel to the boundary provided that the chimney is of no greater width parallel to the boundary than 1.8m;
  - external stairways, landings and un-enclosed balconies may intrude into the separation distance by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length; and
- d.** Where an internal boundary of a site immediately adjoins an access or part of an access, which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the minimum building separation distance from that internal boundary shall be 1m.
- e.** Buildings, other than principal residential buildings, designed and/or used for the housing of domestic livestock or other animals shall be separated from internal boundaries as follows:
- |                                       |      |
|---------------------------------------|------|
| Poultry and other birds               | 5.0m |
| Dogs                                  | 5.0m |
| Pigs                                  | 50m  |
| Other animals associated with farming | 25m  |

### 18.8.2 Roads Boundary Separation Distances

Rule 18.7.12 road boundary separation distances. shall not apply to the following:

- eaves may intrude into the separation distance by no more than 0.6m;
- porches and windbreaks opposite a doorway may intrude into the separation distance by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary;
- bay windows may intrude into the separation distance by no more than 0.6m parallel to the boundary;
- chimneys may intrude into the separation distance by no more than 0.6m parallel to the boundary provided that the chimney is of no greater width parallel to the boundary than 1.8m;
- external stairways, landings and un-enclosed balconies may intrude into the separation distance by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length.

## 18.9 District-Wide Rules

In addition to zone rules, the following district-wide Rules may also apply to activities undertaken in the Residential Zones:

Development and Tourism	refer to Section 7
Natural Hazards	refer to Section 8
Hazardous Substances	refer to Section 9
Utilities	refer to Section 10
Landscape and Amenity	refer to Section 11
Transport	refer to Section 12

Subdivision	refer to Section 13
Financial Contributions	refer to Section 14
Heritage	refer to Section 15
Relocated Buildings, Temporary Buildings and Temporary Activities	refer to Section 17
Noise Provisions & Exemptions	refer to Appendix Q

