

## MUZ – Mixed-use Zone

### Introduction

Dannevirke, Woodville, Eketahuna and Pahiatua are the largest commercial business and rural service centres in the District, providing a wide range of activities, including retail shops, professional and administrative offices, community facilities, personal and household services, entertainment, restaurants and industry. In the settlement areas, Norsewood, Ormondville and Pongaroa also provide commercial services and activities to the District.

To enable and promote vibrancy, flexibility and growth within the urban centre, the decision was made to use areas of Mixed-Use Zone across the urban centres as a whole. The purpose of the Mixed-Use Zone is to provide for a compatible mixture of commercial, light industrial, residential, recreational, and community facility activities. The Mixed-Use Zone provides for a wide range of activities that may be unsuited to the other zones because of the effects they generate or due to the unavailability of sites to accommodate footprint requirements. Limits on the range and scale of activities in the Mixed-Use Zone will ensure the viability and vibrancy of the main street retail areas is not compromised but the overall viability of the zone is promoted. Existing residential activities form a compatible part of the Mixed-Use Zone as commercial and light industrial development has taken into account effects on these activities when establishing. However, over time there is expected to be a transition away from separate residential uses and new stand-alone residential development is discouraged. There may be a number of rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

The existing buildings in the central retail areas are generally one or two storeys high, and are often characterised by verandas and display windows adjacent to the street frontage. The Council provides off-street parking, street furniture and public toilets in these areas.

Performance standards aim to maintain and enhance the existing character and amenity of the zone while providing flexibility in built form and development. Performance Standards also apply to activities within the Mixed-use Zone that are on sites adjoining the General Residential Zone, to ensure that effects resulting from commercial activities at the interface are appropriately managed so as not to adversely affect residential amenity.

### Objectives

- MUZ-01** Maintain and enhance the character and amenity values of the Mixed-use Zone in a manner that enables a range of activities to support the local economy and provide an environment that is fit for purpose, while avoiding, remedying or mitigating adverse effects within and adjoining the zone.
- MUZ-02** The Mixed-Use Zone provides a compatible mixture of residential, commercial, light industrial, recreational, and community activities and avoids incompatible uses such as medium to heavy industrial activities.
- MUZ-03** Mixed use areas provide a safe, accessible, and functional working and complementary residential environment with well-designed buildings and sites that reflect the mix of activities in the zone and contribute positively to and integrate well with the surrounding area.
- MUZ-04** The type and scale of activities is limited in the Mixed-Use Zone to ensure they do not undermine the viability and vibrancy of the central retail areas.
- MUZ-05** The amenity values of any adjacent Residential or Open Space Zone are protected from the adverse effects of activities within the Mixed-Use Zone.
- MUZ-06** Ensure new light industrial development is designed and located to manage significant risks from natural hazards, particularly flooding.

**MUZ-O7** Ensure new development or re-development does not exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.

## **Policies**

**MUZ-P1** To provide for a mix of activities within the Mixed-Use Zone which meet the needs of the local community through the provision of convenient access to goods and services, while ensuring adverse effects on the environment, human health and safety are avoided, remedied or mitigated.

**MUZ-P2** Allow use and development that is compatible with the purpose, character, and amenity values of the Mixed-Use Zone, where:

1. the design and scale of any buildings is compatible with the surrounding area;
2. there is adequate existing and/or planned infrastructure to service the activity; and
3. the activity is not of a scale and nature that it would undermine the purpose, function, and amenity values of the central retail areas.

Compatible activities may include the following (where they can meet the above criteria):

1. retail activities;
2. professional service activities;
3. ancillary residential activities consistent with MUZ-P4;
4. healthcare activities;
5. visitor accommodation;
6. light industrial activities (excluding noxious or offensive industry);
7. community facilities;
8. trade suppliers; and
9. recreation activities.

**MUZ-P3** Avoid activities that are incompatible with the purpose, character, and amenity values of the Mixed-Use Zone and/or activities that will result in:

1. the establishment of activities in the Mixed-Use Zone if it is more appropriate that they be located in an alternative zone to achieve the District Plan's objectives and policies;
2. reverse sensitivity effects and/or conflict with permitted activities; and/or
3. adverse effects that cannot be avoided, or appropriately remedied or mitigated.

Incompatible activities include medium and heavy industrial activities, noxious or offensive industry and other activities that are more appropriate in another zone.

**MUZ-P4** Provide for existing legally established residential activities, and new residential activity where:

1. the residential unit and activity are a component of and complementary to commercial or other permitted activities on the site and do not comprise a standalone residential development;
2. the residential unit and activity is located entirely above ground floor or at the rear of a commercial or other permitted activity;
3. any residential unit is designed to:
  - i. ensure that indoor noise and ventilation levels are appropriate for occupants; and
  - ii. provide amenity for residents in respect to privacy and residential outdoor living space;
4. reverse sensitivity effects on commercial and industrial activities are minimised

**MUZ-P5** Only allow for other activities not covered by MUZ-P1 to MUZ-P4 where:

1. the viability and vibrancy of the central retail area is protected by limiting the establishment of out of town centre larger-scale commercial development;
2. any significant adverse effects on character, amenity, and reverse sensitivity effects, can be avoided, remedied, or mitigated;

3. the design, intensity, and scale of the activity is consistent with the anticipated character and amenity values of the Mixed-Use Zone and the surrounding area;
4. there is adequate existing and/or planned infrastructure to service the activity;
5. the design and location of any parking areas, vehicle access, and servicing arrangements maintain streetscape amenity and do not compromise pedestrian safety.

**MUZ-P6** Ensure that adverse effects from activities on nearby areas, particularly the Residential and Open Space zones, are minimised by requiring:

1. buildings and structures to be set back from Residential, Rural, and Open Space zones; and
2. screening of industrial activities, outdoor storage areas, and servicing areas.

**MUZ-P7** Coordinate the provision of reticulated services and other infrastructure with the development of sites. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated wastewater and stormwater methods.

**MUZ-P8** Adequate assessment of the natural hazard risk must be undertaken prior to the establishment of new development. Some areas may not be appropriate for development if the natural hazard risk, particularly flooding issues, cannot be appropriately managed.

**MUZ-P9** Where an activity results in high-use allocation from the reticulated water supply system, evidence of satisfactory water supply must be provided.

### Rule Overview Table

The rules that apply to Mixed-Use Activities are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- MUZ-R1 to MUZ-R10 - Activities Rules; and
- MUZ-S1 to MUZ-S15 – Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may also be relevant.

### Rules

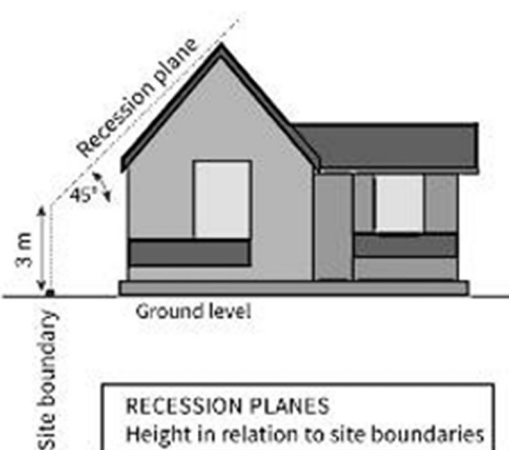
MUZ-R1	Commercial Activities, including Rural and Animal Services	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>MUZ-S1                      MUZ-S2                      MUZ-S3                      MUZ-S5 to MUZ-S7                      MUZ-S9 to MUZ-S11                      MUZ-S14 and MUZ-S15</p> <p><b>And</b></p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p>Where compliance is not as achieved with MUZ-S7 then MUZ-S8 must be complied with.</p> <p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>a. Scale and intensity</li> <li>b. Effects of shading on Residentially zoned sites.</li> <li>c. Noise.</li> <li>d. Size and appearance of signage.</li> <li>e. Building form, design and materials.</li> </ol>

	Have a maximum gross floor area of 1,500m <sup>2</sup>	<ul style="list-style-type: none"> <li>f. Building location relative to boundaries.</li> <li>g. Screening, Planting and landscaping.</li> <li>h. Traffic generation, site access and parking.</li> <li>i. Screening of outdoor storage areas from the street and adjacent properties.</li> <li>j. Any relevant assessment matters in TRAN, LIGHT, and NOISE.</li> </ul>
<b>MUZ-R2</b>	<b>Buildings and structures, including construction, additions, and alterations and demolition or removal of existing buildings or structures</b>	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b>            MUZ-S1 to MUZ-S7            MUZ-S9 to MUZ-S15</p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p>Where compliance is not as achieved with MUZ-S7 then MUZ-S8 must be complied with.</p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. Scale and intensity</li> <li>b. Effects of shading on Residentially zoned sites.</li> <li>c. Building form, design and materials.</li> <li>d. Building location relative to boundaries.</li> <li>e. Traffic generation, site access and parking.</li> <li>f. Screening of outdoor storage areas from the street and adjacent properties.</li> <li>g. Any relevant assessment matters in TRAN, LIGHT, and NOISE.</li> </ul>
<b>MUZ-R3</b>	<b>Industrial activities and Emergency Services activities</b>	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b>            MUZ-S1 to MUZ-S7            MUZ-S9 to MUZ-S15</p> <p><b>And</b></p> <ul style="list-style-type: none"> <li>i. The activity is not located in a central retail area as shown on the planning maps;</li> <li>ii. The maximum gross floor area does not exceed 400m<sup>2</sup>.</li> </ul>	<p><b>Activity status where compliance is not achieved: DIS</b></p>
<b>MUZ-R4</b>	<b>Healthcare and Community facility activities</b>	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b>            MUZ-S1 to MUZ-S7            MUZ-S9 to MUZ-S15</p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p>Where compliance is not as achieved with MUZ-S7 then MUZ-S8 must be complied with.</p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. Scale and intensity</li> <li>b. Effects of shading on Residentially zoned sites.</li> <li>c. Noise.</li> <li>d. Size and appearance of signage.</li> <li>e. Building form, design and materials.</li> <li>f. Building location relative to boundaries.</li> </ul>

		<ul style="list-style-type: none"> <li>g. Screening, Planting and landscaping.</li> <li>h. Traffic generation, site access and parking.</li> <li>i. Screening of outdoor storage areas from the street and adjacent properties.</li> <li>j. Any relevant assessment matters in TRAN, LIGHT, and NOISE.</li> </ul>
<b>MUZ-R5</b>	<b>Visitor accommodation</b>	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>MUZ-S1  MUZ-S2  MUZ-S3  MUZ-S5 to MUZ-S7  MUZ-S9 to MUZ-S15</p> <p><b>And</b></p> <p>The activity is not located in a central retail area.</p>	<p><b>Activity Status where compliance is not achieved: DIS</b></p>
<b>MUZ-R6</b>	<b>Ancillary Activities including residential</b>	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>MUZ-S1  MUZ-S2  MUZ-S3  MUZ-S5 to MUZ-S7  MUZ-S9 to MUZ-S15</p> <p><b>And</b></p> <ul style="list-style-type: none"> <li>i. The activity is ancillary to primary activities on the site; and</li> <li>ii. The activity's gross floor area does not exceed 20% of all buildings on the site.</li> </ul>	<p><b>Activity Status where compliance is not achieved: DIS</b></p>
<b>MUZ-R7</b>	<b>Trade suppliers</b>	
	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>MUZ-S1 to MUZ-S7  MUZ-S9 to MUZ-S15</p> <p><b>And</b></p> <ul style="list-style-type: none"> <li>i. The activity is not located in a central retail area; and</li> </ul>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p>Where compliance is not as achieved with MUZ-S7 then MUZ-S8 must be complied with.</p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The effect of the non-compliance with the relevant standard that and the matters of discretion of any standard that is not met.</li> <li>b. Any relevant assessment matters in TRAN, LIGHT, and NOISE.</li> </ul>
<b>MUZ-R8</b>	<b>Drive-through activities</b>	

	<p><b>Activity status: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. Effects on the safe, effective, and efficient functioning of the transport network, site access, parking, servicing, and traffic generation, including safety for pedestrians, cyclists, and other road users.</li> <li>b. Operational noise.</li> <li>c. Amenity effects on nearby residential zones, and on established residential activities or sensitive activities.</li> <li>d. Hours of operation.</li> <li>e. Compatibility with the existing streetscape amenity values.</li> </ul>	
<b>MUZ-R9</b>	<b>Activities not otherwise listed</b>	
	<b>Activity Status: DIS</b>	
<b>MUZ-R10</b>	<b>Noxious or offensive industry</b>	
	<b>Activity status: NC</b>	

**Standards**

<b>MUZ-S1 Maximum Height</b>	
	Maximum height of any building or structure shall be 15m above ground level.
<b>MUZ-S2 Maximum height to boundary</b>	
	<p>For sites adjoining a residential or open space zone site:</p> <p>No structure or stored materials shall penetrate a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 3 m above the ground level of the road or internal boundaries of a site. See Figure - MUZ 1.</p> <p style="text-align: center;">Figure – MUZ 1: Height in relation to a boundary</p> <div style="text-align: center;">  <p>The diagram illustrates a building with a gabled roof. A dashed line representing the 'Recession plane' starts at a point 3 meters above the 'Ground level' and extends upwards and inwards at a 45-degree angle to a vertical 'Site boundary' line. The building's roofline is shown to be within this recession plane.</p> </div> <div style="text-align: center; border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p><b>RECESSION PLANES</b> Height in relation to site boundaries</p> </div>

<b>MUZ-S3 Minimum Setbacks</b>	
	Buildings or structures must not be located within: <ul style="list-style-type: none"> <li>a. 4m of any boundary with a Residential, Rural, or open space zone; and</li> </ul>
<b>MUZ-S4 Screening of industrial activities</b>	
	An industrial activity shall provide screening from any site zoned Residential, Open Space, Rural, Māori Purpose, Mixed Use that is adjoining or opposite (across a road). The screening shall comprise either: <ul style="list-style-type: none"> <li>a. a densely planted buffer of at least 2m width, reaching a height of 1.8m within two years of the industrial activity commencing; or</li> <li>b. a solid fence or wall at least 1.8m in height.</li> </ul>
<b>MUZ-S5 Outdoor storage or service area screening</b>	
	Any outdoor storage or servicing area that is: <ul style="list-style-type: none"> <li>a. more than 10m<sup>2</sup>; and</li> <li>b. visible from a Residential, Open Space, Rural, Māori Purpose or Mixed-Use zoned site, or from a formed public road, shall be effectively screened from that site/road. The screening shall comprise either: <ul style="list-style-type: none"> <li>c. a densely planted buffer of at least 2m width, reaching a height of 1.8m within two years of the industrial activity commencing; or</li> <li>d. a solid fence or wall at least 1.8m in height.</li> </ul> </li> </ul>
<b>MUZ-S6 Servicing</b>	
	All buildings and activities must be provided with a connection to Council's reticulated water supply and wastewater systems, which shall be in accordance with Council's Engineering Development Standard.
<b>MUZ-S7 Stormwater Management</b>	
	For stormwater, where a connection to a reticulated network is not available: <ol style="list-style-type: none"> <li>1. All developments must have an area on the site that is of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP); and</li> <li>2. All development shall be able to be provided with a means of stormwater drainage which avoids flooding downstream or on adjacent properties and does not cause any other adverse environmental effects such as increased siltation, or contamination of aquatic environments, erosion or instability of any land or watercourses.</li> <li>3. All buildings and activities must provide the means for treatment, catchment, and disposal of stormwater from all impervious or potentially impervious surfaces, including, but not limited, to structures, compacted soils and sealed surfaces, which shall be in accordance with Council's Engineering Development Standard.</li> <li>4. Where the means of stormwater disposal is to ground, that area must be able and suitable to accommodate the stormwater discharge, and shall not be subject to instability, slippage, or inundation, or used for the disposal of wastewater.</li> </ol>
<b>MUZ-S8 Integrated Stormwater Management Plan</b>	
	<b>Integrated Stormwater Management Plan</b> – for any resource consent application, the application must include an integrated stormwater management plan completed by a suitably qualified person.
<b>MUZ-S9 Transport</b>	
	All activities must comply with the provisions of TRAN – Transport Chapter

<b>MUZ-S10 Light</b>	
	All activities must comply with the provisions of LIGHT – Light Chapter
<b>MUZ-S11 Noise</b>	
	All activities must comply with the provisions of NOISE – Noise Chapter
<b>MUZ-S12 Residential Units and Visitor Accommodation</b>	
	<p>1. <b>Noise</b> – Any habitable room in a building used by a noise sensitive activity, or accommodation unit or room intended for sleeping as part of visitor accommodation, within the Mixed-Use Zone shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standards:</p> <p style="padding-left: 40px;">Bedrooms: <math>DnT,w + Ctr &gt; 30</math> dB Other Habitable Spaces: <math>DnT,w + Ctr &gt; 25</math> dB</p> <p>Compliance with these performance standards will be achieved by ensuring bedrooms and other habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.</p> <p>2. <b>Ventilation</b> – Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.</p> <p>3. <b>Minimum residential unit size</b> – The gross floor area of any residential unit or unit located within a multi-unit residential development located in the Mixed-Use Zone must not be less than 35m<sup>2</sup>.</p>
<b>MUZ-S13 Outdoor living space for residential units</b>	
	<p>Each residential unit must be provided with an outdoor living space that:</p> <ol style="list-style-type: none"> <li>i. has a minimum area of 8m<sup>2</sup>;</li> <li>ii. has a minimum dimension of 1.8m; and</li> <li>iii. is directly accessible from a habitable room in the residential unit to which it relates.</li> </ol>
<b>MUZ-S14 New buildings on an active street frontage</b>	
	<ol style="list-style-type: none"> <li>1. New buildings, or additions or alterations to a building on an active street frontage shall meet the following standards:</li> <li>2. The ground floor of a building shall have glazing that covers 75% of the frontage facing the road boundary, that is not painted or obscured.</li> <li>3. Buildings shall be built across 100% of the width of the site (excluding any existing vehicle accessway)</li> <li>4. Building location: <ol style="list-style-type: none"> <li>a. all buildings shall be built to the site frontage/road boundary of the site, or</li> <li>b. where buildings are not constructed to the site frontage/road boundary, the building is to be setback no more than 10m from the site frontage/road boundary, and the area between the site frontage/road boundary and building is to be developed and used for outdoor dining or hospitality purposes.</li> </ol> </li> <li>5. Where a building is built to the site frontage/road boundary of the site: <ol style="list-style-type: none"> <li>a. buildings shall have a veranda extending the full length of the frontage and shall adjoin existing verandas on adjacent buildings.</li> <li>b. verandas shall be 3m in depth or 300mm back from the kerb line,</li> </ol> </li> </ol>



	<p>whichever is the lesser.</p> <p>c. verandas shall be not less than 2.5m above the footpath.</p> <p>6. All buildings shall provide at least one pedestrian entrance at the street or facing the street.</p> <p>7. No new vehicle crossings shall be constructed</p>
<b>MUZ-S15 Seismic Strengthening</b>	
	<p>Seismic strengthening is a permitted activity only where the strengthening work does not:</p> <ol style="list-style-type: none"><li>1. Result in structural alterations to the external appearance of the <i>building</i>.</li><li>2. Result in any existing openings (doors and/or windows) being obstructed.</li></ol>

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