



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

MUNICIPAL PLANNING BY-LAW: the Development Management Scheme (DMS)

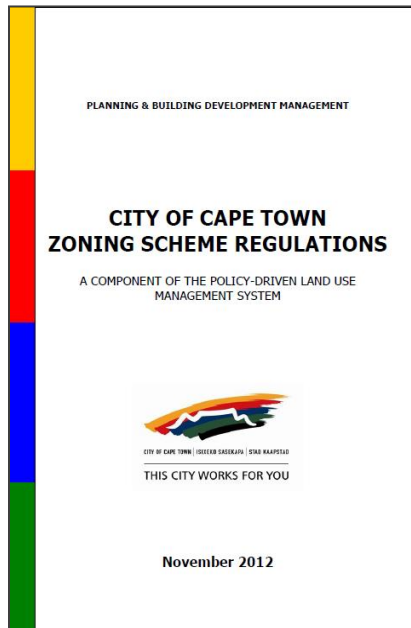
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Cape Town City Stadium
Date: 22 June 2015

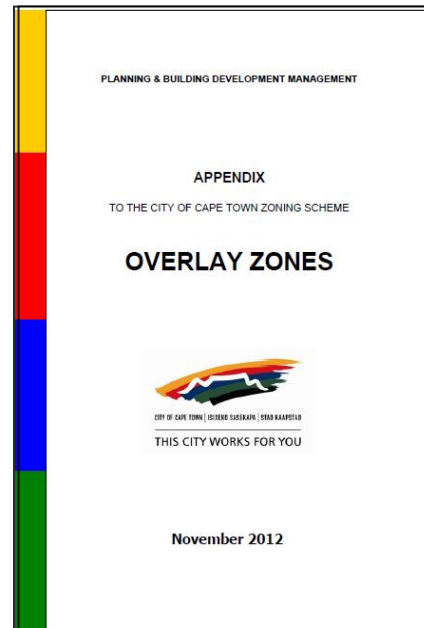
Making progress possible. **Together.**

From CTZS to DMS

CTZS regulations



Overlay zones Appendix



**DEVELOPMENT
MANAGEMENT
SCHEME
(DMS)**



Schedule 3 in MPBL

Zoning scheme

- The zoning scheme comprises:
 - (a) the development management scheme
 - (b) the zoning map; and
 - (c) the zoning register.
- The zoning scheme applies to all land in the geographic area of the City.

Should not use “Zoning Scheme Regulations” in terms of the Bylaw

Get used to the term “Development Management Scheme” (DMS) and use in all discussions & correspondence.

Breakdown of DMS

All the section numbers have changed and must not be confused with section numbers in the main bylaw

Division I: Interpretation & Procedures

- Chapter 1: Definitions and interpretations
- Chapter 2: Application and approval procedures

Division II: Zoning Categories, Base zones and Development rules

- Chapter 3: Zoning and use of Property
- Chapter 4: Summary of Zonings
- Chapter 5: Single Residential Zonings
- Chapter 6: General Residential Zonings
- Chapter 7: Community Zonings
- Chapter 8: Local business Zonings
- Chapter 9: General Business and Mixed Use Zonings
- Chapter 10: Industrial Zonings
- Chapter 11: Utility, Transport and National Port Zonings
- Chapter 12: Open Space Zonings
- Chapter 13: Agricultural, Rural and Limited Use Zonings

Breakdown of DMS (Continued)

Division III: General Provisions

- Chapter 14: General Provisions
- Chapter 15: Parking, Loading and Infrastructure
- Chapter 16: Subdivision of Land

Division IV: Overlay Zoning

- Chapter 17: General provisions in respect of overlay zonings
- Chapter 18: Overlay zonings providing specific development directives
- Chapter 19: Overlay zonings providing strategic development directives
- Chapter 20: Overlay zonings for specific management mechanisms

Division V: Annexures

- Chapter 21 Annexures

Chapter 1: Changes to definitions

Reference to Public authority is now **organ of state**

'domestic staff quarters' means an outbuilding which has a floor space of not more than 50 m², including sanitary and cooking facilities, and used for the accommodation of domestic staff employed at the dwelling house concerned

INTERPRETATION

A sentence in *italics* is for guidance only and does not form part of the DMS

Definitions moved to Bylaw definitions

Advertise

Applicant

Approval

Base zone

Confirm

Consent use

Departure

Development rule

Engineering services

Heritage legislation

Integrated development plan

Land

Land unit

Land use

Lawful non-conforming use

Overlay zone

Owner

Planning law

Register

Rezoning

Road

Road reserve

Sectoral plan

Structure plan

Subdivide

Subdivisional area

Subdivision plan

substitution scheme

Urban edge

Use right

Zoning + ZScheme + ZMap

Changes Chapter 2: Application and approval procedures

Conditions applicable to an approved consent use

- (1) When a consent use is approved, the following general conditions shall apply:
 - (a) If such consent use as listed in a specific zoning is a primary use in another zoning, it shall be subject to the most restrictive development rules operating in such other zoning;
 - (b) If such consent use as listed in a zoning is not a primary use in another zoning, it shall be subject to the development rules in that zoning;
 - (c) Notwithstanding (a) and (b) above, a consent use for a second dwelling in the Single Residential 1 Zoning is subject to the development rules in that zoning

Changes Chapter 3: Zoning and use of property

Lawful non-conforming uses ... moved to the main bylaw

Deemed Zoning public streets ... where land that was previously a public street of public open space vested or owned by the City, is closed or transferred to an abutting owner, such portion of land shall be deemed to fall into the same zoning and subzoning, including any conditions of approval, if any, as that of the abutting land belonging to such owner provided that:

Special Provisions : this was part of the annexures to the CTZS and has now been brought into Chapter 3 of the bylaw. Deals with Rondebosh shopping precinct, Howard place in Pinelands and the Schedule 8 provisions applicable to certain properties.

Other changes and repackaging

Changes Chapters 4 to 13 : Zonings

SR1:

22(f)

Garages, carports and outbuildings

(i) A garage, carport and outbuildings are permitted within the common boundary building line provided that the garage, and carport and outbuilding do not:

(aa) extend higher than 3,5 m from base level to top of roof;

(bb) contain more than a double garage façade; and

(cc) exceed a width of 6,5 m.

Changes Chapters 14 to 16 : General provisions

There are no material changes

Other changes and repackaging

Changes Chapters 17 to 20 : Overlay Zoning

There are no material changes

Removed repetitions

Clarification and general tidy up

No processes changes >>>>> Nothing NEW

Transitional arrangements

- A building plan application that was formally submitted and accepted –
 - (a) before 1 March 2013 and which is still being processed; or
 - (b) on or after 1 March 2013 with the purpose to act on an approval in terms of a previous planning law,
- Must be assessed in accordance with that approval, providing that the building plan application is approved by **31 August 2017**



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Conclusion

Let us work together for a better city

Thank You

Making progress possible. Together.