

Mixed-use Zone (MU)

Overview

The Mixed-use Zone (MU) seeks to enable activities and a built form that complement the City Centre and Waterfront Zones. The MU promotes active street frontages and a range of activities which aim to enhance economic growth and are compatible with residential activities. It is anticipated that the MU will experience incremental change in built form and character as amenity is improved and non-compatible landuses are relocated to enhance amenity and walkability.

Landuse controls and urban design standards have historically been permissive within the MU. This has diminished the amenity for residents and visitors and has reduced the feasible land supply available for commercial and residential activities. Various strategic documents have identified the MU as an area of change for the following reasons:

- A reasonable level of amenity should be maintained to improve connectivity and walkability between the MU and the City Centre and Waterfront Zones.
- The area is located along key streets, such as Cameron and Bank Streets, which should have high amenity and walkability.
- Promoting and increasing residential uses within and adjacent to the City Centre is a key objective within the Urban Area. By improving amenity and increasing certainty for developers, the MU is an appropriate area to provide for high density residential use.

To enable change within the MU, a mix of uses are provided for including residential activities, commercial services, retail activities, visitor accommodation and community activities. It is intended that these activities are complementary to the City Centre and Waterfront Zones. To protect the vibrancy and viability of the City Centre and Waterfront Zones, smaller scale retail and food and beverage activities are limited.

As increased residential use is a key objective within the MU and the City Centre, it is important to enhance amenity within the MU. Activities which detract from amenity, generate high volumes of traffic or operate outside normal business hours are discouraged.

Objectives

MU-O1 – Appropriate Activities	Accommodate a range of activities that do not undermine the strength, vibrancy and viability of the City Centre or Waterfront Zones.
MU-O2 – Residential Activities	Promote residential activities and avoid activities which would materially detract from residential amenity.
MU-O3 – Urban Form	Development achieves high quality urban form that positively interacts with the public realm and is sympathetic to the surrounding environment.
MU-O4 – Walkability	Prioritise pedestrians and improve walkability within the MU.
MU-O5 – Cross Boundary Effects	Manage adverse effects in relation to amenity, noise, sunlight access, visual dominance and traffic on adjacent Living and Green Space Zones.

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Policies	
MU-P1 – Character and Amenity	<p>To recognise the character and amenity values of the MU including, but not limited to:</p> <ol style="list-style-type: none"> 1. An active urban environment. 2. A medium to high scale of built development. 3. Moderate levels of noise during the daytime associated with traffic and commercial activities. 4. Moderate access to sunlight. 5. Active building frontages at ground floor. 6. On-street parking with limited off-street parking. 7. High presence of pedestrians and cyclists.
MU-P2 – Economic Growth	<p>To enable economic growth and employment opportunities while protecting walkability within the MU and the vitality and viability of the City Centre, Waterfront and Local Commercial Zones by:</p> <ol style="list-style-type: none"> 1. Enabling residential activities and compatible activities in terms of the nature, scale, design and hours of operation of the activity. 2. Managing and limiting cumulative effects associated with commercial sprawl outside of the City Centre, Waterfront and Local Commercial Zones and the Hihiaua Precinct where activities may detract from or compete with these areas. 3. Managing the scale, design and nature of activities to ensure that: <ol style="list-style-type: none"> a. Active frontage is maintained and enhanced at ground floor. b. The activity and building design are complementary to the MU context and retain narrow activity and site frontages. c. Standalone car parking facilities and other large single use buildings at ground floor are sleeved by smaller scale commercial activities. d. Activities which cater to private motorists, such as large scale retail activities, drive through facilities and service stations, do not compromise the walkability, streetscape or amenity of the MU.
MU-P3 – Residential Activities and Amenity	<p>To encourage residential uses and protect residential amenity by:</p> <ol style="list-style-type: none"> 1. Avoiding industrial activities and rural production activities where external adverse effects cannot be mitigated. 2. Managing non-residential activities which generate high levels of noise and/or motor vehicle traffic, or operate outside normal business hours. 3. Requiring residential units to provide sufficient internal space and outdoor living spaces. 4. Managing building scale and design to limit shading and building dominance.

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MU-P4 – Ground Floor Residential Units	To protect residential amenity and active frontages by sensitively designing residential units at ground floor with regard to aspect such as outlook, outdoor living courts and private entrances.
MU-P5 – Outdoor Living Courts	To mitigate adverse effects on residential amenity by providing communal outdoor living spaces where individual outdoor living courts are not practicable.
MU-P6 – Cross Boundary Effects	To protect amenity in adjacent Living and Green Space Zones by managing built form and requiring landscaping along shared zone boundaries.
MU-P7 – Esplanade Areas	To safeguard esplanade areas and waterfront walkways by avoiding impervious areas adjacent to Mean High Water Springs and river banks.
MU-P8 – Walkability	To enhance walkability and street amenity by: <ol style="list-style-type: none"> 1. Managing, and where appropriate avoiding, new vehicle crossings to retain a safe and accessible pedestrian network. 2. Requiring sufficient site frontages to: <ol style="list-style-type: none"> a. Avoid rear sites. b. Enable corner sites to be emphasised. c. Maintain narrow site frontages within the MU.
MU-P9 – Incentives	To enable higher building densities and varied setbacks where active frontages or pedestrian connectivity are enhanced or residential activities are provided.

Rules

MU-R1	Any Activity Not Otherwise Listed in this Chapter	
	Activity Status: P	
	Where:	
	<ol style="list-style-type: none"> 1. Resource consent is not required under any rule of the District Plan. 2. The activity is not prohibited under any rule of the District Plan. 	
MU-R2	Building Height	
	Activity Status: P	Activity Status when compliance not achieved: D
	Where:	
	<ol style="list-style-type: none"> 1. The maximum building height is 15m. 	

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MU-R3	Bonus Building Height	
	<p>Activity Status: C</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The maximum building height is 21m and at least one of the following is provided on-site: <ol style="list-style-type: none"> a. 2 or more residential units. b. A through-site link. <p>Matters of Control:</p> <ol style="list-style-type: none"> 1. Means of ensuring ongoing compliance with rule. 2. Appropriateness of through-site links in terms of location, design, size, safety and accessibility. 	<p>Activity Status when compliance not achieved: D</p>
MU-R4	Building Setbacks	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The building is within 1m of a road boundary for at least 75% of the site frontage for any front site, except any of the following: <ol style="list-style-type: none"> a. One setback of up to 3m for a maximum width of 2.5m to allow for a recessed pedestrian entrance. b. One setback adjacent to a side boundary of the site for a maximum width of 6m to allow for a through-site link. 2. The building is set back at least: <ol style="list-style-type: none"> a. 3m from any Living or Green Space Zone boundary. b. 27m from Mean High Water Springs or the top of the bank of any river that has a width 	<p>Activity Status when compliance not achieved: D</p>

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exceeding 3m (excluding bridges, culverts and fences).

MU-R5	Building Height in Relation to Boundary	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> The building does not exceed a height equal to 4m plus the shortest horizontal distance between that part of the building and any Living or Green Space Zone boundary. 	<p>Activity Status when compliance not achieved: D</p>
MU-R6	Building Frontages	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> At least 65% of the building frontage at ground floor is clear glazing. At least 25% of the building frontage above ground floor is clear glazing. The principal public entrance to the building is situated to face the road where the building is on a front site. There are no roller doors (except security grills which allow views from the street into the premises) along site frontage. 	<p>Activity Status when compliance not achieved: D</p>
MU-R7	Impervious Areas	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> The impervious area is set back at least 5m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences). 	<p>Activity Status when compliance not achieved: D</p>

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MU-R8	Fence Along Site Frontage	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> The fence is required by by-law or for public health and safety. 	<p>Activity Status when compliance not achieved: D</p>
MU-R9	Outdoor Areas of Storage or Stockpiles	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> Any outdoor area of storage or stockpile complies with rules MU-R2, R4.2 and R5. Any outdoor area of storage or stockpile is screened from view from public places and surrounding sites. 	<p>Activity Status when compliance not achieved: D</p>
MU-R10	Residential Unit	
	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> Every residential unit provides an internal area (excluding garages) of at least: <ol style="list-style-type: none"> For 1 bedroom – 45m² For 2 bedrooms – 70m² For 3 bedrooms – 90m² For more than 3 bedrooms – 90m² plus 12m² for each additional bedroom. Every 1 bedroom residential unit contains an outdoor living court of at least 4m² and at least 1.5m depth. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth. Every residential unit is above ground floor. 	<p>Activity Status when compliance not achieved: RD</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. Adverse effects on active frontage. <p>Notification:</p> <p>Any application for a residential unit which does not comply with MU-R10.1 – 3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.</p>

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MU-R11	Trade Supplier	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The maximum Net Floor Area is between 250m² and 600m². 2. Any site boundary which is adjoining a Living or Green Space Zone is planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m. 	<p>Activity Status when compliance not achieved: D</p>
MU-R12	Grocery Store		
MU-R13	General Retail		
MU-R14	Commercial Services	<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any site boundary which is adjoining a Living or Green Space Zone is planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m. 	<p>Activity Status when compliance not achieved: D</p>
MU-R15	Visitor Accommodation		
MU-R16	Place of Assembly		
MU-R17	Recreational Facilities		
MU-R18	Emergency Service		
MU-R19	Educational Facilities		

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MU-R20	Any New Vehicle Crossing Over A Footpath
MU-R21	Standalone Car Parking Facility
MU-R22	Supported Residential Care
MU-R23	Retirement Village Premises
MU-R24	Drive Through Facility
MU-R25	Food and Beverage Activity
MU-R26	Entertainment Facility
MU-R27	Service Station
MU-R28	Care Centre
Activity Status: D	

MU-R29	Car Parking Space Located Between the Building Frontage and Any Road Boundary
MU-R30	Farming
MU-R31	General Industry
MU-R32	Manufacturing and Storage
MU-R33	Repair and Maintenance Services
MU-R34	Artisan Industrial Activities
MU-R35	Marine Industry
MU-R36	Motor Vehicle Sales
MU-R37	Garden Centre
MU-R38	Marine Retail
MU-R39	Hire Premise
MU-R40	Funeral Home
MU-R41	Hospital
Activity Status: NC	

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MU-R42	Plantation Forestry
MU-R43	Intensive Livestock Farming
MU-R44	Farm Quarrying
MU-R45	Seasonal Activity
MU-R46	Waste Management Activity
MU-R47	Landfill Activity
Activity Status: Pr	