

### 3.8 GENERAL BUSINESS ZONE (Bulk Zones One, Two and Three)

3.8.1 In addition to the general provisions of the Scheme, the following shall apply exclusively to the General Business zone. Provided that, where any Site faces on to the City Centre Zone, all plans for new building work/alterations to buildings, shall also be submitted to the City Centre Committee.

#### 3.8.2 Use of Land and Buildings

3.8.2.1 Reference to Map - coloured dark blue

3.8.2.2 Expressly Permissible Development or Uses of Land or Uses of Buildings-

1.6.4 Business Premises

1.6.6 Dwelling

1.6.7 Flat

1.6.18 Outbuilding

1.6.23 Place of Instruction

1.6.27 Public Office

1.6.28 Residential Building

1.6.29 Restaurant

1.6.32 Service Workshop

1.6.33 Shop

1.6.34 Social Hall

1.6.36 Specialised Office

3.8.2.3 Development or Uses of Land or Uses of Buildings Permitted by Special Consent -

1.6.1 Agricultural Building

1.6.8 Home Activity, subject to the provisions of Clause 3.1.3.1

1.6.9 Home Business, subject to the provisions of Clause 3.1.3.1

1.6.10 Industrial Building

1.6.12 Institution

1.6.13 Light Industrial Building

1.6.15 Motor Salesroom

1.6.16 Motor Workshop

1.6.20 Parking Garage

1.6.21 Parking Lot

1.6.22 Petroleum Filling Station

1.6.24 Place of Public Entertainment

1.6.25 Place of Worship

1.6.26 Public Garage

1.6.31 Service Industrial Building

1.6.34 Social Hall

1.6.35 Special Building.

3.8.2.4 Expressly Prohibited Development or Uses of Land or Uses of Buildings -

All Development or uses of Land or uses of Buildings not under Clauses 3.8.2.2 and 3.8.2.3 hereof.

3.8.3 Density and Height Control

3.8.3.1 Bulk Zone One

TYPE OF BUILDING OR USE OF LAND	MAX BULK FACTOR OR MAX UNITS/HECTARE	MAX COVERAGE FACTOR	MAX HEIGHT
Dwellings (flats)	220 uph	1/2	Controlled by 60°
Residential Buildings	2	1/2	light angle
All other uses	4	1	(Clause 2.5.7)

## 3.8.3.2 Bulk Zone Two

TYPE OF BUILDING OR USE OF LAND	MAX BULK FACTOR OR MAX UNITS/HECTARE	MAX COVERAGE FACTOR	MAX HEIGHT
Dwellings (flats)	175 uph	1/3	Controlled by 60°
Residential Buildings	1 1/2	1/2	light angle
All other uses	3	4/5	(Clause 2.5.7)

## 3.8.3.3 Bulk Zone Three

TYPE OF BUILDING OR USE OF LAND	MAX BULK FACTOR OR MAX UNITS/HECTARE	MAX COVERAGE FACTOR	MAX HEIGHT
Dwellings (flats)	80 uph	1/3	Controlled by 60°
Residential Buildings	1	1/2	light angle
All other uses	1 1/2	3/4	(Clause 2.5.7)

## 3.8.4 Building Lines, Side and Rear Spaces

- 3.8.4.1 Generally, all Buildings and structures associated therewith shall observe a Building line of at least 6m.
- 3.8.4.2 The Council may grant Special Consent for the erection of a Building or structure in front of the Building Line. Any person wishing to make an application for relaxation shall proceed in the manner provided for in Appendix 9 to the Scheme.
- 3.8.4.3 There shall be, in respect of Business Premises, Shops, Specialised Offices and other non-residential uses, no specified Side Space or Rear Space, which shall be determined in terms of the National Building Regulations.
- 3.8.4.4 All new Buildings, or portions of Buildings, accommodating or comprising Dwellings, Residential Building or Flats, shall observe a Side Space and a Rear Space as provided for in accordance with the requirements for those uses where they appear elsewhere in the Scheme, including any limitations on relaxation of those requirements.
- 3.8.4.5 Side and Rear Spaces for any use not specified herein shall be provided in accordance with the requirements for those uses where they appear elsewhere in the Scheme.

## 3.8.5 Minimum Site Areas / Frontages

3.8.5.1 Minimum Site areas, Frontages and mean widths for all non-residential uses shall be in accordance with Clause 6.3.

3.8.6.2 Minimum Site areas, Frontages and mean widths for residential uses, shall be in accordance with Clauses 6.2.1, 6.2.2, 6.2.3 and 6.2.4, as the case may be.

## 3.8.6 Provision of On-site Parking / Loading

3.8.6.1 There shall be, in respect of Business Premises, Shops and other non-residential uses, including Restaurants, within the Central City Area and in Raisethorpe between Mysore Road/ Allandale Drive and Mosque Road/Baijoo Road, no specified on-site parking requirement.

3.8.6.2 The following on-site parking requirements for non-residential uses shall apply elsewhere in this zone -

Use of Land/Buildings	Minimum Number of Parking Bays to be provided
Specialised Offices, other than medical/dental practices	1 per 40m <sup>2</sup> of nett Office space
Banks and building societies	1 per 25m <sup>2</sup> of nett space
Shops, medical/dental practice	1 per 15m <sup>2</sup> of nett space
Private hospitals	1 per bed, in addition to parking required for any consulting rooms.

Provided that the Council may grant its Special Consent for the partial or total relaxation of the foregoing requirement, if it is clear that provision cannot reasonably be made on Site.

3.8.6.3 Any person who provides on-site parking in terms of the foregoing Clause 3.8.6.2 may, with the Consent of the Council, be permitted an increased Bulk in respect of that Site, by an amount equal to the total area of the parking area to be established, provided that such increase shall be limited to not more than 1/4 of the maximum Bulk which would normally be permitted on the Site

3.8.6.4 Any person who is aggrieved by a decision of the Council, made under Clauses 3.8.6.2 and 3.8.6.3, may Appeal.

3.8.6.5 On-site parking requirements for any other uses shall be in accordance with the requirements for those uses, as provided for elsewhere in the Scheme.

3.8.6.6 The technical requirements for on-site parking shall be in accordance with Appendix 2 to the Scheme.

3.8.6.7 Whether or not on-site parking is required in terms of this or any other clause, any person proposing to erect any Building which will front or abut on any street, or proposed street, and is intended to be used for the purposes of business or industry, shall give not less than forty-two (42) days notice thereof to the Council before commencing to erect the Building.

Any application to the Council for Consent to, or approval of, the erection of a Building intended to be used for purposes of business or industry, or the submission to the Council of plans, specifications or other particulars for approval under any other provisions of this Scheme or under the By-laws shall be sufficient notice of the proposal for the purposes of this Clause.

3.8.6.8 For the purpose of preventing obstruction to traffic on any street or proposed street on which the proposed building would front or abut, the Council may within forty-two (42) days of the receipt of the notice referred to in sub-clause 3.8.6.7 of this Clause, require the person to submit for its approval proposals for securing, so far as is reasonably practicable, the provision of suitable and sufficient accommodation within the Site for any loading, unloading or fuelling of vehicles which are likely to be habitually involved in connection with the use of the Building.

3.8.6.9 If the Council requires proposals to be submitted under this Clause, or if the person submits proposals together with the notice referred to in sub-clause 3.8.6.7 of this Clause, the Council shall either approve the proposals with or without modification or disapprove them within a period of two months from the date of submission of the proposals. The Building Owner, if aggrieved by the decision of the Council, may Appeal.

3.8.6.10 No Owner or occupier of the Building in respect of which proposals under this Clause have been required shall undertake or knowingly permit the habitual loading or unloading or fuelling of vehicles otherwise than in accordance with the approved proposals, or unless such requirements have been withdrawn by the Council.

### 3.8.7 Restricted Vehicular Access and On-site Parking

Notwithstanding the provisions of Clause 3.8.6 –

3.8.7.1 In the portion of Bulk Zone One between West Street and Commercial Road and between East Street and Relief Street,

no new vehicular access shall be provided to any Site, nor shall any provision be made in any Site or Building Development for the parking thereon or therein of any vehicle, without the Special Consent of the Council first having been obtained.

3.8.7.2 Before granting its Special Consent the Council shall satisfy itself that the street is capable of accommodating the extra traffic and will not cause undue hazard to pedestrian and vehicular traffic. In granting its Special Consent, the Council may impose, inter alia, conditions limiting the number and size of vehicles to be accommodated on the Site.

### 3.8.8 Rear Access Lanes

3.8.8.1 The rear access lanes indicated on Plan TPX 1/504B shall not be deemed to be streets for the purposes of the subdivision of Land.

3.8.8.2 The Council may, upon application being made for its Special Consent, permit a Building, including display windows to front on to a rear access lane.

3.8.8.3 If such Special Consent is granted, the Council may require any new Building to be set back from the boundary of the rear access lane reserve. The area between such boundary and the building shall be hardened to the satisfaction of the Council.

3.8.8.4 Notwithstanding the provisions of this Clause where, in the opinion of the Council, circumstances exist which would render impracticable the establishment of a rear access lane as shown on the scheme map, the Council may, at its discretion, amend the position, alignment and dimensions of such lane in relation to the boundary or boundaries of the Erf or Erfs concerned, to an extent not exceeding 6m in any dimension or direction.

3.8.8.5 Where, in the opinion of the Council, the intent or purpose or operation of such rear access lanes would not be unduly hindered, the Council may, notwithstanding any other, provisions of the Scheme regulating the height of Buildings, authorise the erection of corridors connecting opposing Buildings across such rear access lanes, above the first Floor level, provided that such connecting corridors shall allow a clearance of at least 4,5m above the rear access lane at that point.

### 3.9 CITY CENTRE ZONE

- 3.9.1 In addition to the general provisions of the Scheme, the following shall apply exclusively to the City Centre Zone.
- 3.9.2 General
- 3.9.2.1 No work, including the erection of a Building or structural alteration to a Building, exterior painting of a Building, or the erection or establishment of any sign, shall be executed within the City Centre Zone, without the prior Consent of the Council having first been obtained therefor.
- 3.9.2.2 All signs within the area bounded by Loop Street, Pietermaritz Street, Chapel Street and Commercial Road, shall observe such guidelines as may be established by the Council.
- 3.9.2.3 Where any Building or structure is to be erected or established, or any major addition is to be made thereto, adjoining a Site which contains a Building or other item which has been listed in terms of Clause 7.2 of the Scheme, the Council may require such Building, structure or addition to be set back from the street boundary or the indicated road widening line notwithstanding any other provision of the Scheme. Such setting back may be required to improve or enhance the setting of the listed Building or item. Any person aggrieved by the Council's decision under this Clause may make further application for the Council's Special Consent, for the establishment of the proposed Building or structure closer to the street boundary than previously decided by the Council. Any person aggrieved by the Council's decision on such application, may Appeal.
- 3.9.2.4 Any person aggrieved by any decision of the Council made in terms of any Regulation as made under the provisions of the Scheme which regulates the design or external appearance of Buildings, may Appeal.
- 3.9.2.5 In any case where the Council is authorised to make regulations in terms of Clauses 3.9.3, 3.9.4, 3.9.5 or 3.9.6, it shall make such regulations in the form of an Appendix in accordance with the provisions of Clause 8.14.
- 3.9.3 General Business 1 Sub-zone
- 3.9.3.1 Use of Land and Buildings -