

Questions & Answers – Proposed Beach Character Setback Margin changes

Q1: What do the proposed changes mean for proposed new buildings and proposed extensions to existing buildings?

A: The following table shows the difference between the existing front yard setback and the proposed:

Activity	Existing front yard setback	Proposed change
Setback from the front (road or street) boundary of the property for a new house or addition to an existing house.	Front façade ¹ of the <i>primary residential building</i> ² must be located within the <i>Beach Character Setback Margin</i> , and must be no closer than 3 metres from the road boundary.	At least 4.5 metres from any road boundary.
Setback from the front (road or street) boundary of the property for all other buildings (e.g. garages) and above ground water tanks.	At least 4.5 metres from any road boundary.	No change.

Q2: What does the immediate legal effect mean for new buildings or extensions to existing buildings?

A: The proposed changes for the Beach Residential zone front yard setbacks apply from 14 August 2019 alongside the existing rules. This means that you will need to comply with the proposed changes AND the existing Proposed District Plan provisions. Until the proposed changes have completed the submissions and hearings process there will be two different rules for front yards in this zone. Any applications for building or resource consent will need to consider both rules.

Q3: Do the proposed changes affect existing buildings?

A: No. The proposed changes will only affect proposed new buildings and extensions or additions to existing buildings.

Q4: Does the *beach character setback margin* apply to all properties in the Beach Residential Zone?

A: No. The *Beach Character Setback Margin* only applies to properties which have 6 metres or more in width of street frontage. If your property is a rear lot (the property is at the end of a driveway or right of way which is 6 metres or less in legal width at the street) the *Beach Character Setback Margin* does not apply and this proposed change to the District Plan does not affect your property.

Q5: Why is the Council intending to make these changes?

A: The *Beach Character Setback Margin* definition is confusing, difficult for people to calculate, and it does not allow for all building situations. In some situations, taking measurements to work out the *Beach Character Setback Margin* will require accessing

¹ The front exterior walls of a building that face the street.

neighbouring properties. As a result, some people have needed to apply for resource consents for additions to their houses, even if they are set back a long way from the front boundary. The Council wants to fix this as quickly as possible.

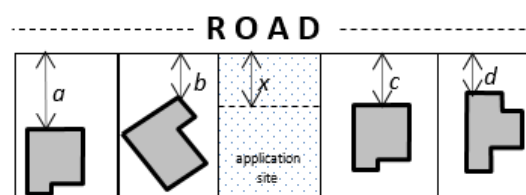
Q6: What is the Beach Character Setback Margin and how is it calculated?

A: The *Beach Character Setback Margin* is the front yard standard for new *primary residential buildings*² in the Beach Residential Zone. The definition and the way it is calculated on a property-by-property basis are explained in the District Plan. The definition and the method to calculate the setback are complicated:

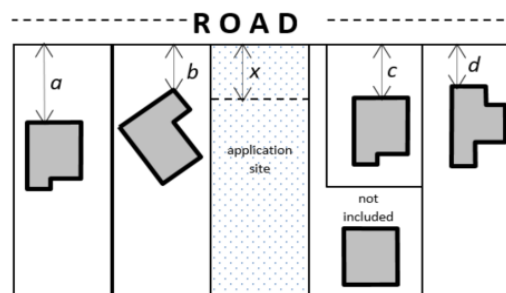
Beach Character Setback Margin means the area for any *property* in the Beach Residential Zone in which the front façade of a proposed *primary residential building* is to be located in order to maintain streetscape rhythm. The Beach Character Setback Margin for a *property* is calculated by:

1. deriving the average setback distance (**x**) from the *road boundary* for the *primary residential building* on the two adjoining *lots* located either side of the *application site* and on the same side of the *road*, where:

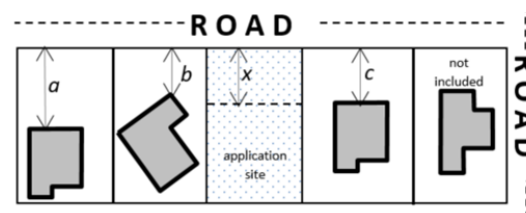
$$x = \frac{(a + b + c + d)}{4}$$



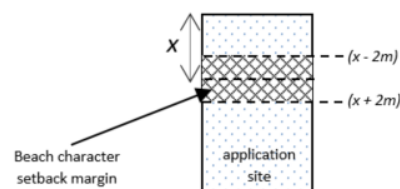
Where any of the four immediately adjacent *lots* are rear *lots*, the rear *lots* shall not be considered and the next most adjacent *lot* shall be included in the average calculation.



Where any of the four immediately adjacent *lots* are corner *lots*, the corner *lot* shall not be considered and the remaining three *lots* (or two where the *application site* directly adjoins the corner *lot*) shall be included in the average calculation.



2. starting with a line that runs parallel to the *road* and across the site distance 'x', and extending a plane 2 metres closer to the *road* and 2 metres further from the *road*.



For the purposes of determining a *Beach Character Setback Margin* where the *application site* is a corner *property* (i.e. has frontage to two *roads*), the margin applies only to one *road* frontage.

² *Primary residential building* means the largest *residential building* on a property. A *residential building* is a residence and includes a dwelling, a minor flat or mobile home.

Q7: Why is the front yard setback proposed to be 4.5 metres?

A: The 4.5m front yard setback was in place for many years (at least since 1995) until it was replaced by the *Beach Character Setback Margin* in November 2017. The 4.5 metre front yard setback is familiar to many people. It has helped create and maintain the existing character of residential areas in Kāpiti.

Q8: What are the next steps?

A: The key next steps and estimated dates are:

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| After September 2019 | Summarise all submissions and publicly notify the summary enabling anyone to make further submissions in support or in opposition to any submissions made. |
| After October 2019 | Consider all submissions and further submissions, prepare a hearing report and hold a hearing. Submitters may speak at the hearing in support of their submissions. |
| 2020 | Release decisions on the submissions, submitters are able to appeal decisions to the Environment Court. |