

Appendix 2: Plan Effectiveness Review



District Plan Effectiveness Report Proposed Plan Change 40

Dated: December 2013

DISTRICT PLAN EFFECTIVENESS: PARKING

1 INTRODUCTION

The purpose of this paper is to report on the effectiveness of the parking provisions in the Waimakariri District Plan. This will briefly summarize the provisions in the Plan, examine consenting issues associated with recent cases in the various zones and how these have played out on the ground.

It is recognised that while this paper focuses on the Plan standards for parking, provision for parking in the context of the District Plan is almost inevitably associated with development of another kind and, therefore, it will be necessary for this paper to be read in conjunction with other work undertaken for the District Plan review.

2 Plan provisions

2.1 Policy framework

The Policy framework for the management of the provision of parking is provided in Chapter 11, of the operative Waimakariri District Plan, which addresses matters relating to Utilities and Traffic Management.

The issue and objective under which the policy relating to the management of parking appears are:

Issue

Utilities are necessary for people and communities to provide for their health, wellbeing and safety.

Objective

Utilities that maintain or enhance the community's social, economic and cultural wellbeing, and its health and safety.

The general Policy which addresses parking is:

"Policy 11.1.1.7

Sites shall provide on-site parking, loading, turning for vehicles or have safe and efficient access to those facilities. Any use of off-site facilities should not compromise pedestrian and vehicle safety, or the safe and efficient operation of the road network."

The explanation for Policy 11.1.17 states:

"Potential hazards created by traffic movement and traffic generation can be reduced if each site provides adequate space on-site, so that parking, loading, and manoeuvring of vehicles can be contained within the boundaries of the site. This is also applicable for rural uses where, for example, heavy vehicles servicing farms should be able to carry out loading and unloading on the property rather than the road reserve. Where there is insufficient room on-site parking may be provided off-site, subject to a legally binding covenant or agreement to secure access to parking elsewhere. The arrangements should not lead to a hazard to vehicle traffic or pedestrians."

The implementation of this Policy involves District Plan Rules, and liaison with "developers to co-ordinate proposals and to explore alternative means of providing for

servicing.” The methods also cross reference to the provisions relating to Development and Financial Contributions, and to the Rules requiring money or land set out in Chapter 20 of the Waimakariri District Plan.

2.2 Plan rules for roadside parking

Plan Rule 30.1.1.9 and Table 30.1 address general aspects of road construction for roads constructed after 20 June 1998, the date at which the Proposed Waimakariri District Plan was notified, and these include parking lane width, and the minimum number of parking lanes for rural and residential or business roads and the different roads within the road hierarchy.

Parking lanes for “strategic”, “arterial” and “collector/urban collector” road in Residential and Business Zones are required to be 2.5 metres, and two parking lanes must be provided. For “local” and “cul-de-sac” road in Residential and Business Zones the required width is 2.0 metres, and for these roads within the hierarchy only one lane must be provided.

In the Rural Zone, a sealed shoulder with a minimum width of 1.5 metres is required for “strategic” roads, and a sealed shoulder of 0.75 metres is required for “arterial” roads.

Roads in Residential 6, 6A and Business 1 Zones at Pegasus, or in the Pegasus Rural Zone are excluded from the general rule and must comply with Rule 32.1.1.26d.

There are also separate roading requirements for the Residential 7 Zone (West Kaiapoi: Silverstream) and these are set out in Rule 30.1.1.10 and Table 30.2. The “collector/urban collector” roads in the Silverstream subdivision are required to have two parking lanes, with each measuring 2.0 metres in width. All other roads in this subdivision, “local” or “neighbourhood” and irrespective of whether these are through roads or cul-de-sacs are required to have one parking lane which is 2.0 metres wide.

2.3 Plan rules for on-site parking

The District Plan requirements for on-site parking are set out in Rule 30.6.1.26, and in Tables 30.8.

Table 30.8 specifies the number of parking spaces that must be provided for a range of activities, as follows:

Activity	Parking Spaces to be Provided
Dwellinghouse	2 spaces per dwellinghouse, except in the Residential 6A and Business 1 Zones at Pegasus where 1 space per dwellinghouse shall be required
Accommodation involving the payment of a tariff	1 space per 5 beds provided
Facilities designed to cater for more than 10 people at any one time (except for retail activity, accommodation involving the payment of a tariff or education facilities)	1 space per 10 persons catered for, or 1 space per 10m ² net floor area, whichever is the greater
Education facilities	1 space per 20 students over 16 years on site at any one time
Retail activity	1 per 45m ² net floor area of retail area, except in the Business 1 Zone at Pegasus where 1 space per 100m ² of net floor area shall be provided
All activities employing staff	1 space per 2 employees in attendance at any one time, with a minimum of 1 parking space
Sporting grounds, playing fields and golf courses	10 spaces per ha used for the activity

Further Rules provide greater clarity and/or specificity in terms of what is required with respect to on-site parking. These include the approach to be taken when the formula provided in Table 30.8 when it results in a fraction and for situations where this is less than half it is to be disregarded. It also provide directions as to how to assess the number of parking spaces required for a complex involving more than one of the listed activities in Table 30.8, which specifies that each activity shall be calculated separately.

Rule 30.6.1.29 addresses the issue of the amount of loading and manoeuvring space required on site, and specifies that it must be sufficient to *“ensure that no vehicle is required to reverse either onto or off a site where access is to a strategic or arterial road.”*

Rule 30.6.1.30 requires that parking spaces provided for people with disabilities are to be provided in accordance with the New Zealand Standard NZS:4121:2001: Design for Access and Use of Buildings and Facilities for Disable Persons. While this Rule addresses the dimensions for parking spaces for people with disabilities, the Plan is silent about the number or location of these special parking spaces within the District’s Business 1 Zones.

There are separate parking requirements for the Residential 6A Zone, which require all garages and parking spaces to be from access ways and not form roads, and that on any site *“there shall be no vehicle parking between a dwelling household and a road”*. (NB Residential 6A initially for Pegasus only, now there is a Residential 6A Zone proposed for Ravenswood).

There is also an amenity provision for Business 1 Zones. Rule 30.6.1.32 requires that *“where more than five parking spaces are required on a site under Rules 30.6.1.26 to 20.6.1.28, within the area where the parking spaces are provided, or within the immediate vicinity, there shall be a minimum of one tree provided on the site, every five parking spaces”*.

3 Plan Changes 34 and 35: Kaiapoi and Rangiora Town Centre Urban Design

3.1 Rationale for Plan Changes

Plan Changes 34 and 35 were prompted by concern about the future development of the Kaiapoi and Rangiora Town Centres from an urban design perspective. In particular, the controls which required buildings to immediately address the street in the District’s Business 1 Zones were confined to Williams Street in Kaiapoi between the Railway and Sewell Street, and in Rangiora between King and Ashley/Ivory Streets.

While urban design was the main matter addressed, and the focus was on extending the number of streets in both town centres on which new buildings were to be built up to the site boundary, consideration was also given to the impact of parking on the overall look and feel of the Business 1 environment for Kaiapoi and Rangiora.

The commissioners’ decision on Plan Changes 34 and 35 indicate that the hearing panel appreciated the limitations of the Plan Changes that they were hearing. The hearing reports states:

“Vehicle access and parking is an important consideration within the Town Centre areas of Rangiora and Kaiapoi. We find that the Town Centre Design guides that form part of these Plan Changes do appropriately address these matters in the layout of sites, and the interface of sites and public spaces. We recognise that these Plan Changes do not alter the requirements in the District Plan to provide access and car parking.”

The commissioners' also commented on the role of trees in respect to town centre amenity. *"We have determined that the preparation of a policy or strategy addressing trees in the Town Centres is beyond the matters addressed in these Plan Changes. However we recognise that the Design Guides do recognise the importance of vegetation and trees within the layout of sites provide some guidance in the development of these sites."*

These comments highlight the fact that although the issue of parking, particularly the placement of on-site parking in relation to buildings on each site provided impetus for the Plan Changes, further changes to the District Plan may well be considered necessary to reinforce the Town Centre Design guides. These could well include provisions that assist with the consolidation of public car parking at strategic locations within town centres, rather than requiring on-site parking to be provided by each building owner.

3.2 Plan Changes 34 and 35: Changes to Town Centre planning framework

Through Plan Changes 34 and 35 Policy 16.1.1.1 which establishes the Business Zones, provides a set of actions in relation to the management of the different qualities and characteristics of the District's several Business Zones. Of particular significance from the perspective of this review of the parking provisions in the District Plan, is the addition of Policy 16.1.1.1 (c) *"enhancing the amenity and character of buildings and public open spaces within the town centres; ..."*

In addition to the changes to Policy 16.1.1.1, these Plan Changes introduced a new Policy 16.1.1.2 which states: *"Provide for development and activities within the Business 1 Zones where the characteristics of the zone are observed: ..."*

Parking	<ul style="list-style-type: none"> - Public off-street parking - Limited private off-street parking - Limited duration on-street parking - Public parking pedestrian connections with footpaths, lanes and public spaces
Built environment and built form	<ul style="list-style-type: none"> - ... - Absence of setbacks on identified streets and limited setbacks on other streets - Mostly continuous business display frontages on primary shopping streets - ...

This new policy is supported by a range of Methods 16.1.1.2.1 to 16.1.1.2.6 which include Design guidelines for the Business 1 Zones of Kaiapoi and Rangiora, and the establishment of Planning and Urban Design Forum to provide advice on development and redevelopment proposals *"including resource consent applications and changes to the District Plan where sought or appropriate"*.

In addition, these Plan Changes introduced a new Rule 31.19.1.1 requiring buildings in the Business 1 Zone on streets identified in new Figure 31.2 to be built up to the road boundary. In addition, these buildings are now required to occupy the full frontage of the site, except where necessary to provide pedestrian access to the rear of the site, and to include pedestrian access directly from the road boundary and any public open space. New Rule 31.19.1.2 provide controls on the location of on-site parking for sites within the Business 1 Zone other than those identified in Figure 31.2 and controlled by Rule 31.19.1.1. This new Rule requires on-site parking to be to the rear or side of the road frontage, and for there to be landscaping along the length of the road boundary, except where the setback is less than 2.0 metres or where necessary to provide

pedestrian and vehicle access, and pedestrian access is to be provided directly from the road frontage.

The following photograph of the new building on the corner of Ashley and Blackett Streets in Rangiora illustrates the problem that Plan Changes 34 and 35 were designed to address.



View along Blackett Street showing cars parked in front of shops



View from Blackett Street showing the space between the shops and parked cars, with no clearly defined area for pedestrians



View of entrance from Ashley Street and barriers to protect the Bank entrance



View towards the Rangiora New World supermarket showing poor linkage with Council car park

While these photographs show the situation that the changes to the planning requirements for the placement of new buildings in relation to the pavements on the identified streets is designed to avoid, the following photograph provides an existing example of the placement of an office building adjacent to the pavement and parking to the side of the building. This is the design requirement for the placement of buildings and car parking on other streets within the Business 1 Zones for Kaiapoi and Rangiora where carparking is not required to be at the rear of the building. It should be noted that the landscaping in this example does not fully meet the new design standard.



Office building on Durham Street with parking to the side of the building and landscaping involving a single tree adjacent to the pavement.

The decisions for Plan Changes 34 and 35 were issued on 15 September 2012 and the Changes became operative on 4 December 2012. Despite the emphasis on urban design and the relationship between the provision of parking and other aspects of good urban design, there remains scope for amending the District Plan provisions with respect to parking Rules in Business 1 Zones, as well more general aspects of the provision for parking in other locations across the District.

4 Effectiveness of District Plan provisions for Parking

- 4.1** Business 1 Parking Controls: The Town Centre Design guidelines introduced by Plan Changes 34 and 35 remain only guidelines and not District Plan Rules. The concerns that remain relate to the appropriateness of the number of car parks required to be provided for the activities listed in Table 30.8. Also the possibility of providing encouragement for property owners contemplating sites in the priority street frontages marked in Figure 31.2 to be encouraged to make greater use of their sites and provide Development Contributions as an alternative to the amount of on-site parking that required for the relevant activity or activities by Table 30.8 may warrant consideration.
- 4.2** Rule 30.6.1.32 requires for car parking in Business 1 zones where more than five parking spaces are required for a minimum of one tree to be planted per five car parking spaces "*within the immediate vicinity*". Give the more detailed requirements for landscaping introduced for Business 1 zones in Rangiora and Kaiapoi, consideration could be given to adopting the provisions introduced for the parking requirements for the balance of the Business 1 Zones for Rangiora and Kaiapoi which require parking to the side and/or the rear of buildings for the Woodend, Ravenswood and Oxford Business 1 Zones.

5 Assessments of current practice - examples

- 5.1 High and Cone Street 3 level development:** The current approach to assessing the parking requirements is not easily applied to "spec" developments in the Business 1

Zone as it is necessary to distinguish what the activities are likely to be and the number of people likely to be employed at the outset. It was indicated that with the three level Cone Street office block the parking allocation was assessed to ensure that the proposed building was a complying activity, with the ground floor assessed as retail, and the area in levels two and three being identified as “storage” or “meeting” spaces to reduce the assessment of the number of people likely to be employed. As a result of this approach to the parking assessment the initial resource consent application was withdrawn on the basis that the allocation of 18 car parking spaces complied with the District Plan (no. 080708021059).

The following photograph shows the car park for this building, which is accessed from Cone Street, not High Street which is the main road in the area.



Car park viewed from Cone Street, photograph taken at approximately 1.00pm on Tuesday 30 July 2013.

The car park associated with this building has been visited on two occasions during business hours, once mid-morning and in the middle of the day, and on both occasions at least two or three of the spaces were not occupied and thus available for visitors to the building. In view of the limited on-street parking available in the vicinity of Cone Street and the adjacent portion of High Street, the availability of off-street parking for visitors to this building can be seen as important. From these limited observations it would appear that the provision of 18 car parks, which was considered to comply with the Plan standard meets the requirements of this building.

- 5.2 The Artisan café/retail, office and factory complex:** This Business 2 development required a resource consent because of its proximity to the railway line and parking requirements. Based on the District Plan requirements, as calculated by Viastrada for the applicant a total of 195 parking spaces would be required. The table below sets out these calculations.

Activity	Parking rate	Number
All activities employing staff (20 staff)	1 space per 2 employees in attendance at any one time, with a minimum of 1 space	10
Facilities designed to cater for more than 10 people at any one time (1060 m ² factory) (705 m ² Offices)	1 space per 10 persons catered for, or 1 space per 10 m ² net floor area, whichever is greater	176.5
Retail activity (385 m ² retail)	1 space per 45 m ² net floor area of retail area	8.5
Total		195

The Council's decision allowed 16 parking spaces for patrons visiting the retail section of the premises accessed off High Street, and for all staff parking to be located off Aquila Street to the rear of the building (no 08071621819).

The consultant's conclusion was that the allocation of 16 spaces at the front of the site *"will be sufficient to cater for all visitor demand associated with the new building"*, and *"On-street parking will not result from this proposal. It should also be noted that there is ample room at the rear of the site to provide for additional parking in the unlikely event that demand exceeds supply."*

The Artisan case highlights two anomalies in the Waimakariri District Plan's car parking requirements:

- a) The generic requirement for 1 space per 10 people catered for, or 1 space per 10 m² when applied to the factory and office space in the proposed building created a parking requirement out of all proportion to the likely demand. It also represented a degree of "double counting" as the areas on which this calculation was based were the areas which it was assessed as having 20 staff in attendance at any one time for which 10 spaces had already been allocated.
- b) The Plan did not allow any part of the retail area to be assessed as involving restaurant/café activity rather than retail. Other Plans reviewed assess restaurants or cafés either on the basis of the number of seats per space, for example, or at a rate per 100m² substantially higher than the rate for retail activity in the Waimakariri District Plan. For example, the Hastings District plan requires 1 parking space per 4 seats while the Tauranga District Plan requires 10 spaces per 100 m² of Gross Floor Area (GFA). The application of the number of parking spaces per 4 seats in the restaurant would have required an assessment by the owner at the outset of the capacity of the combined restaurant/café/retail space, and if the GFA approach had been adopted it would have been necessary to distinguish between the retail area and the restaurant area because of the higher number of parking spaces required for the restaurant.

The alternative approach to the calculation of the number of parking spaces required for the complex would have been to have applied the formula of 1 parking space per 10m² to some or all of the public area instead of the retail formula of 1 space per 45m², which would have increased the number of parking spaces required for patrons while reducing the overall requirement and eliminating the double counting applied.

Given that the building covers the entire width of the site, thus making it impractical to provide parking for patrons at the rear of the building, an increase in the number of parking spaces required for those visiting the retail/restaurant/café area would have required the building to be located further back on the site. This raises the issue of the extent to which parking requirements should dominate the development of an

industrial/retail complex in a Business 2 Zone, particularly one that is essentially in a “transition” area bordering on a Business 1 Zone rather than a separate Business 2 Zone.

The following photograph shows most of the car parking spaces at the Artisan occupied at approximately 1.00pm on 30 July 2013.



Artisan car park with access from High Street, adjacent to the railway line

5.3 Pre-school 52 Southbrook Road: The proposal to establish a pre-school in a Residential 2 Zone on the corner of Dench Street and Southbrook Road raised the issue of how parking requirements should be assessed under the Waimakariri District Plan. The pre-school was designed to be licensed for 100 children and was projected to have a staff of 17. The initial proposal was for 17 on-site parking spaces, but this was amended to 21 spaces during the hearing.

Under the Waimakariri District Plan the staff parking requirements based on 1 space for every two members of staff, the requirement would be 8.5 parking spaces. The only Plan provision indicating the number of additional parking spaces required for a pre-school accommodating 100 children is the formula for facilities designed to cater for more than 10 people at any one time. This requires one parking space for each 10 people or 1 space per 10m² of net floor area, whichever is the greater. At one parking space for each 10 children, the pre-school would have been required to provide a further 10 spaces in addition to those provided for staff. While the net floor area will be less, it should be noted that the gross floor area of the pre-school building is 672m², and at one parking space for each 10m² this formula would have required significantly more than the additional 10 spaces based on the number of children involved.

The traffic experts who gave evidence to the commissioner hearing for the resource consent for this development had differing views about the number of parking spaces that should be provided. The Traffic Design Group's representative indicating that 7 parking spaces required to “drop off or pick up” 100 children, while ViaStrada's expert argued that 12 parking spaces would be required.

A review of some other District Plan parking provisions shows significant discrepancies in the number of parking spaces that would have been required at the Southbrook pre-school.

- The Hastings District Plan, like the Waimakariri District Plan requires one parking space for every two staff members for “daycare centres” and does not specifically refer to pre-schools.
- The Tauranga City Council requires one parking space of every 10 pupils of loading and unloading pupils, and one staff parking space for each 25 pupils.
- The Kapiti Coast District Council requires 1 parking space for each staff member, and for provision for a stand off-street for the loading and unloading of passengers.
- The Nelson City Council requires 1 parking space for each staff member, and 1 space of each 12 students for pre-schools and primary schools.
- The Selwyn District Plan requires 0.26 spaces per child including drop off and staff parking.

The 21 parking spaces settled on for the Southbrook pre-school would appear to be reasonable based on the other plans reviewed. This total is below that which would be required under the Selwyn District Plan of 26 parking spaces. The Nelson Plan would have required 17 staff parking spaces and a further 8 at one space for every 12 children, or a total of 25 parking spaces. The Tauranga Plan would have required 10 parking spaces based on one for every 10 pupils, but only four staff parking spaces, or a total of 14. The Kapiti Plan would have required 17 staff parking spaces, and an unspecified number/area at the off-street area provided for loading and unloading children.

The following photograph shows the use being made of the pre-school car park at approximately 3.15pm on 30 July 2013, when children from the New Life School located on the opposite side of Denchs Road were being collected by parents as well as children being taken home from the pre-school. At that time, some of the children attending the pre-school were still involved in activities.



Southbrook pre-school car park viewed from Southbrook Road



Southbrook pre-school car park viewed from Denchs Road entrance showing traffic calming measure.

The importance of having a significant amount of car parking at this pre-school is highlighted by the overall volume of traffic movements in the immediate vicinity of the pre-school, at the times when children attending the New Life School are going to or leaving school. The following photograph shows the situation on Denchs Road at approximately 3.15pm on 30 July 2013.



Dench Road viewed from Southbrook Road, with pre-school car park to the right and showing significant landscaping.

- 5.4 Pre-school Judsons Road Woodend:** in the absence of a formula for determining the number of parking spaces that should be provided at pre-schools by the Waimakariri District Plan, it should be noted that the Judsons Road pre-school at Woodend is licensed for 75 children and the consent application indicated that it would have a full-time staff of 11. The facility has a gross floor area of approximately 454 m². The Council approved the provision of 16 parking spaces for this pre-school, which is

slightly below the number that would have been required under the Selwyn or Nelson Plans.

- 5.5 Southside Health Newnham Street:** is a recently established medical practice located on a rear section in a Business 2 Zone. The application stated that three doctors would be on site at any one time, plus two nurses and two receptionists giving a total of seven staff. The application proposed 11 carparks on site.

Based on the assessment of the medical practice as “retail activity” and the number of staff proposed, the District Plan carparking standard required the provision of 11 car parks. This assessment was based on the requirement for one car parking space per 45m² for the 321m² of retail space, and one car parking space for each two people employed.

The layout of the proposed car park caused sufficient concern for a carparking assessment to be requested from the applicant and this was peer reviewed by Abley Transportation Consultants. The reporting officer's report states *“[o]verall, it was found that carparking is the key issue for the proposal, it can achieve the required number of carparks prescribed under the district plan and all carparks are technically accessible. It is likely that the carparking layout will be difficult to manoeuvre, however this effect will be internalised on site. Abley consultants recommended a condition of consent limiting the number of staff on the site, which I agree with, and I also consider a review clause specific to the carpark layout and staff numbers is appropriate to ensure that the carpark operates in a safe and efficient manner so to avoid adverse effects on the safety of the site and the right of way. Key issues concern patients parking on the right of way and walking down the right of way when parking on Newnham Street and issues arising with vehicles using the right of way.”* (no. 120924064922)

In view of this the decision notes *“[i]t is likely that the carparking layout will be difficult to manoeuvre. However the proposal can achieve the required number of carparks prescribed under the district plan and all carparks are technically accessible. A review clause has been imposed to ensure that the carpark operates in a safe and efficient manner so to avoid adverse effects on the safety of the site and the right of way.”* Also *“[b]ased on the number of staff, it is considered that the carpark is near capacity for the activity.”* A further condition of the consent is that no more than eight people staff should occupy the site at any one time. (no. 120927066077)

The following photograph shows the car parking area located to the front of the Southside Health building, was taken at approximately 3.45pm on Tuesday 30 July 2013. While the decision letter indicated a degree of concern about the layout of, and possibly also the number of car parking spaces to be provided, it should be noted that access to the site is from a wide turning circle which is located at the end of an accessway. It is not directly off a public road. It should also be noted that at the time of the visit, there appeared to be sufficient car parking spaces available to meet the requirements of Southside Health.



Part of the car park for Southside Health, showing relatively little space for maneuvering vehicles beyond the general turning circle servicing the medical centre and the adjacent industrial building.



Alternative view of part of the Southside Health car parking showing the parking for people with disabilities beside the building, and the driveway access to the front of the building.

While the number of car parking spaces provided by Southside Health complies with the formula for the provision of car parking in the District Plan, the reporting officer considered that it was probably the minimum acceptable. In this instance, the Waimakariri District Plan requirements, while regarding a medical practice as a “retail activity” the number of car parks required was similar to would have been required in some plans which address the needs of medical practices as a separate matter.

The Hastings District Plan, for example requires one space per 50m² in a Commercial Zone, which would have meant that only six spaced would have been required for the 321m² in Southside Health. Significantly this Plan requires four spaces per practitioner for a medical centre in a Residential Zone, which would have meant that with three