



Executive summary - Proposed amendments to the City of Cape Town Municipal Planning By-Law, 2015 (the by-law)

New planning legislation has been adopted and implemented in Cape Town since 1 July 2015, which included the City of Cape Town Municipal Planning By-law, 2015 (the by-law). The by-law also includes the City of Cape Town Development Management Scheme, which is the zoning scheme for the City.

As part of an annual review of the by-law and to give effect to City policies, strategies and the like, certain amendments are now proposed, to amongst other things, create more efficiency and in general a better planned City.

Some notable proposed amendments include:

- Improved efficiency for 'emergency housing' provision
- To streamline communication with relevant stakeholders during development applications using e-mail.
- Improved clarity allowing applications already accepted by the City to be finalized in terms of the by-law as it existed prior to a proposed amendment.
- Regulation of boundary walls in terms of the zoning scheme
- Revised method to calculate and determine the height of buildings
- Additional provisions to allow short term accommodation from a dwelling unit
- To permit minor freestanding and minor rooftop base telecommunication stations in certain zonings
- Third dwelling unit to be permitted as an extra additional use right on Single Residential zoned properties providing compliance with a set of conditions is met.
- Redrafted provisions for the Small and Micro Enterprise Overlay Zoning
- Additional provisions for owners to demonstrate compliance with conditions of subdivision approval prior to transfer of a land unit by a 'certificate of registered title'
- Inclusion of further exemptions from the requirement to obtain approval for subdivision and consolidations by the City
- Requirement that an objection and appeal in terms of the by-law must be accompanied by a prescribed form
- Improved decision making criteria in section 99 for land use applications
- Clarification on the procedure for circulating appeals submitted by objectors
- To allow the City Manager to prescribe a category of contravention of this By-law to which administrative penalty provisions do not apply
- The introduction of a new 'Toll Road' zoning category for which land would need to be zoned should a toll road be proposed
- Addition/amendment of Heritage Protection Overlay Zoning general and specific provisions

Other amendments are mostly administrative in nature or to clarify existing provisions.

The amendments are now in a phase where opportunity for public comment thereon is being obtained. After this, careful consideration of all comments will be given where after Council will make a final decision thereon.