



REPORT TO SUBCOUNCILS

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24

1. ITEM NUMBER:

01SUB07/06/2019

2. SUBJECT

THE TRANSIT ORIENTED DEVELOPMENT (TOD) MANUAL FOR
DEVELOPMENT MANAGEMENT

ONDERWERP

DIE HANDLEIDING VIR VERVOERGEORIËNTEERDE ONTWIKKELING (TOD)
VIR ONTWIKKELINGSBESTUUR

ISIHLOKO

INCWADANA YOPHUHLISO OLUBHEKISELELE KWEZOTHUTHO (TOD)
ELUNGISELELWE ULAWULO LOPHUHLISO

[LSU: K4661]

3. PURPOSE

The purpose of this report is to inform Subcouncils of the adoption of the TOD Manual by the Spatial Planning and Environment Portfolio and the Transport Portfolio Committees, as stated in the Portfolio Committee Minutes (Annexures 3 and 4) as well as the strategic intent and use of the TOD Manual within the directorate.

4. FOR DECISION BY

Not delegated: for noting by Subcouncil

5. EXECUTIVE SUMMARY

The TOD Manual for Development Management is an operational guide to empower case officers (and other specialist commenting officials) to holistically assess development proposals and applications. This will assist in making consistent and informed recommendations and decisions from the pre-application consultation period to the final assessment. The manual aims to integrate TOD

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design principles embedded within various existing urban development and integrated transport policy and to demonstrate how development principles in current policy can be applied at the precinct level in order to realise the City's key spatial transformational objectives in the IDP, MSDP and TOD Strategic Framework.

It is important to emphasise that the manual does not replace the development principles articulated in approved policy and does not circumvent any decision-making criteria articulated in planning legislation. It is an operational tool to assist (and provide clarity to) officials to process and assess development applications more efficiently towards the implementation of the current City of Cape Town MSDP.

6. RECOMMENDATIONS FROM THE SPATIAL PLANNING & ENVIRONMENT AND THE TRANSPORT PORTFOLIO COMMITTEE: 04 APRIL 2019.

"Not delegated: for noting by the Subcouncil:

It is recommended that:

- a) the intended operational use of the Transit Orientated Development (TOD) Manual for Development Management, described in this report, be noted by the Subcouncil.

AANBEVELINGS VAN DIE PORTEFEULJEKOMITEE OOR RUIMTELIKE ONTWIKKELING, DIE OMGEWING EN VERVOER: 4 APRIL 2019.

"Nie gedelegeer nie: ter kennisname deur die subraad:

Daar word aanbeveel dat:

- a) Daar deur die subraad kennis geneem word van die beoogde bedryfsgebruik van die TOD-handleiding vir ontwikkelingbestuur, soos in hierdie verslag beskryf.

IZINDULULO EZIPHUMA KWIKOMITI EJONGENE NEMICIMBI ENGOCWANGCISO LEMIHLEBA ENGAMABALA NOKUSINGQONGILE KUNYE NEZOTHUTHO: 04 KUTSHAZIIMPUZI 2019

"Sigunyazisiwe: sesokuba siqwalaselwe liBhungana:

Kundululwe ukuba:

- a) IBhungana maliqwalasele injongo engokusetyenziswa kweNcwadana yoPhuhliso olubhekiselele kwezoThutho (TOD) kulungiselelwa uLawoulo loPhuhliso, olucaciswe kule ngxelo.

7. DISCUSSION/CONTENTS

7.1. Background and Purpose

Council adopted the City's TOD Strategic Framework on 31 March 2016. Council Resolution C 15/03/16, (a) (v) of the approval states that:

the TOD toolkit in the TOD Strategic Framework is adopted and pursued as a transversal mechanism to mainstream the implementation of TOD within the context of the TOD Strategic Framework, including any associated processes necessary to regularise the tools contained within the toolkit.

One of the tools recommended in the TOD Strategic framework was the development of a manual, a design mechanism to inform the appropriate application of policy guidelines to the assessment of private and public development by giving consideration to TOD outcomes at the nodal and precinct scale, particularly the interface between land use and transport.

7.2. Strategic Intent and Intended Use

The City adopted a revised SPLUMA compliant MSDF (Municipal Spatial Development Framework) for Cape Town in April 2018, which was informed by the principles and objectives of the TOD Strategic Framework. The MSDF proposes the following overarching spatial vision for the city:

The City is intent on building – in collective partnership with the private and public sector - a more inclusive, integrated and vibrant city that addresses the legacies of apartheid, rectifies existing imbalances in the distribution of different types of residential development, and avoids the creation of new structural imbalances in the delivery of services. Key to achieving this spatial transformation is transit-oriented development (TOD) and associated densification and diversification of land uses.

In addition, the City of Cape Town has adopted complementary policies, such as the Densification Policy, Tall Buildings Policy and the Urban Design Policy, which set sustainable design parameters to guide the form of future development. Whilst these policies currently support the principles and objectives of TOD and the MSDF's spatial vision for the city there are other policies and guideline documents that sometimes conflict. For example, there are some engineering standards in place that limit TOD outcomes and are historically oriented towards COD (Car Oriented Development). In some instances, these standards are generically applied without the full consideration

of context and its impact on other related structuring elements like public realm, economic and/or social opportunity.

To this end the TOD Manual is seen as a road map to existing integrated transport and urban development policy, and more precisely a mechanism to enable more effective, efficient and integrated decision making, and demonstrate how development principles in current policy can be applied at the precinct level in order to realise the City's key spatial transformational objectives in the IDP (Integrated Development Plan), MSDF and TOD Strategic Framework. The manual does not replace any criteria in Section 99 of the MPBL when deciding to refuse or approve an application. It is an operational tool to assist (and provide clarity to) the Development Management Case Officer (and other specialist commenting officials) to process and assess development applications more efficiently in the immediate future given the changing context towards the implementation of the current City of Cape Town MSDF.

7.3. Key Components of the TOD Manual

The Manual consist of two key sections. The Quick Reference Guide (QRG) and the TOD Design Parameters.

The QRG tabulates the types of applications categorised in terms of the "MSDF" Spatial Transformational Areas (refer to the extract from the MSDF in ANNEXURE B of this document which depicts and describes each transformational area). The elements listed in the cross referenced "box" should be applied as a method in the pre-consultation and assessment of such an application type. The QRG is structured in a table format that aims to provide guidance on the following aspects of development in relation to the MSDF and TOD objectives:

- **Location:** the area in which appropriate forms and mix of land uses are desired.
- **Type:** the appropriate mix or type of land use targeted in a particular area or scale of planning (using the Transit-Orientated Development Comprehensive land use scenario (TODC) model or applicable corridor and local development frameworks).
- **Form:** the appropriate threshold of density or intensity of land use in a particular area of scale of planning. Unit of measure: residential density (du/ha), people density (persons/ha), Gross Leasable Area (GLA m²), employment density (jobs/ha), trip generation and temporal distribution.

The TOD design parameters and associated case studies should guide the physical form of development at the precinct and site scale.

7.4. Constitutional and Policy Implications

It is important to emphasise that the manual does not replace the development principles articulated in approved policy and does not circumvent any decision-making criteria articulated in planning legislation. It is an operational tool to assist (and provide clarity to) officials to process and assess development applications more efficiently towards the implementation of the current City of Cape Town MSDF.

7.5. Sustainability implications

Does the activity in this report have any sustainability implications for the City?	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
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The TOD Manual for Development Management is a tool to assist in implementing the TOD Strategic Framework which is one of the key strategies to achieve a sustainable urban form, development and transport system.

7.6. Legal Implications

No ☒

Yes ☐

7.7. Staff Implications

Does your report impact on staff resources or result in any additional staffing resources being required?

No ☒

Yes ☐

7.8. Other Services Consulted

All affected departments and line representatives of the TOD Working Group were consulted and given an opportunity to comment on the first draft of the TOD Manual. These include:

- a. Environmental Management
- b. Development Management
- c. City Growth Management
- d. Urban Catalytic Investment
- e. Organisational Policy and Planning
- f. Transport Planning
- g. Transport Infrastructure: Asset Management and Maintenance
- h. Human Settlements
- i. Waste and Water

All comments received were incorporated into the version attached to this report as Annexure B. The manual was also workshopped with the 8 local district offices during the TOD Roadshows between February and March 2018.

ANNEXURES

- Annexure 1: Extract from Council Resolution C 15/03/16
- Annexure 2: Technical report: the TOD Manual for Development Management
- Annexure 3: Extract from Minutes of the Spatial Planning and Environment Portfolio Committee Meeting: 4 April 2019
- Annexure 4: Extract from Minutes of the Transport Portfolio Committee Meeting: 4 April 2019

000110

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Spatial Planning and Environment: Urban Planning and Design
FILE REF No	


ACTING EXECUTIVE DIRECTOR
 [Osman Asmal]

NAME

DATE 30/5/2019

Comment:

☐ REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

LEGAL COMPLIANCE

☐ NON-COMPLIANT

NAME

TEL

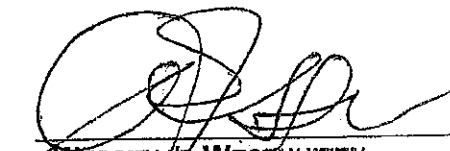
DATE

Comment:

000111



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD


WESSIE VAN WESTHUIZEN
MANAGER SUBCOUNCIL 1


Comment:

NAME

V. van Westhuizen

DATE

07/06/2019


CLLR. CYNTHIA CLAYTON
Chairperson Subcouncil 1

Comment:

NAME

Cynthia Clayton

DATE

2/6/2019

ANNEXURE 1: Extract from Council Resolution C 15/03/16

ANNEXURE A

COUNCIL MINUTES

31 MARCH 2016

C 14/03/16 ADOPTION AND APPROVAL TO PROMULGATE THE CITY OF CAPE TOWN, AIR QUALITY MANAGEMENT BYLAW, 2015**RESOLVED** that:

- (a) the City of Cape Town Air Quality Management By-Law, 2015 be adopted
- (b) approval be granted to commence with promulgation of the City of Cape Town, Air Quality Management By-Law, 2015 in the Government Gazette.

ACTION : I GILDENHUYS, Z MAHLANGU, P PETER*[195 Councillors were present when the above decision was taken.]***C 15/03/16 CITY OF CAPE TOWN TRANSIT ORIENTATED DEVELOPMENT STRATEGIC FRAMEWORK****RESOLVED** that:

- (a) the Cape Town Transit Oriented Development (TOD) Strategic Framework be approved as the basis for promoting TOD by the City of Cape Town and accordingly that:
 - (i) the principles, objectives and vision of Transit Oriented Development (TOD) for Cape Town as encapsulated in the TOD Strategic Framework for the City of Cape Town is approved as one of the primary informants for the review of the City of Cape Town strategic and built environment plans;
 - (ii) the TOD Comprehensive Land Use Scenario in the TOD Strategic Framework is adopted as the desired end-state for TOD in the City of Cape Town and is used to guide TOD interventions that support the principle and objectives of the TOD Strategic Framework;
 - (iii) the TOD Comprehensive Land Use Scenario is used as one of the primary strategic informants to the review of the City of Cape Town Spatial Development Framework which is the primary tool of the City to guide land use planning decisions and inform public led investment;
 - (iv) the TOD Programmes articulated in the TOD Strategic Framework are adopted as the basis for guiding the

implementation and alignment of public and private investment, programmes, projects and initiatives toward the objectives of TOD;

- (v) the TOD toolkit in the TOD Strategic Framework is adopted and pursued as a transversal mechanism to mainstream the implementation of TOD within the context of the TOD Strategic Framework, including any associated processes necessary to regularise the tools contained within the toolkit.
- (b) a bi-annual progress report on the implementation of the TOD Strategic Framework be submitted to the TOD Working Group and submitted to the joint Economic and Social Clusters for consideration.

ACTION : L STOLWORTHY, V MOONSAMY, M MAZAZA, M WHITEHEAD

C 16/03/16 CAPE TOWN SPATIAL DEVELOPMENT FRAMEWORK (CTSDF) REVIEW 2016/17

ITEM WITHDRAWN FROM THE AGENDA AS THE MATTER IS DELEGATED TO MAYCO.

C 17/03/16 CONSIDERATION FOR AN AMENDMENT TO THE INFORMAL TRADING PLAN FOR WARD 77 BEING CAPE TOWN CBD AND IMMEDIATE SURROUNDS

RESOLVED that:

- (a) based on the process prescribed in the Informal Trading By-law, a revised informal trading plan for Ward 77, be adopted
- (b) the areas earmarked for informal trading bays as shown on the maps attached to the report on the agenda, namely Annexures 2 to 62, be approved
- (c) the areas as shown by Annexures 2 to 62 attached to the report on the agenda be declared an area in which informal trading will be permitted
- (d) the trading areas in the trading plan be let out by means of a trading permit
- (e) the trading hours for day traders be from 06:00 to 18:00 from Mondays to Sundays

**ANNEXURE 2: Technical Report: the TOD Manual for Development
Management**

000116

Transit Oriented Development (TOD) Manual for Development Management

VERSION: 1.0

DATE: 01/03/2019



CITY OF CAPE TOWN
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STAD KAAPSTAD

Making progress possible. Together.

This document is a product of the City of Cape Town's TOD Technical Working Group. The following departments and associated representatives comprise the TOD Technical Working Group:

Name	Department	TOD WG Membership Category
Gershwin Fortune	Acting Commissioner: TDA	Chairperson
Gershwin Fortune	Portfolio Manager: Integrated Transport	Member
Hendrika Naude	Portfolio Manager: Urban Investment	Member
Maddie Mazaza	Director: Transport Planning :TDA	Member
Cheryl Walters	Director: Development Management : TDA	Member
Namso Baliso	Director: Urban Integration	Member
Lwazi Nobaza	Manager: Urban Integration	Member
Nigel Titus	TDA: Urban Integration	Member
Frank Cummings	Director: Urban Catalytic Investment	Member
Rayan Rughubar	Director: Human Settlement implementation	Member
Osman Osmal	Director: Environmental Management	Member
Johan Steyl	Director: Budgets: Finance	Member
Peter Ahmad	TDA: Catalytic Investment	Member
Vernon Moonsamy	TDA: Urban Integration	Member
Jaco Petzer	TDA: Catalytic Investment	Member
Claire Holderness	TDA: System Planning & Modelling	Member
Edward Beukes	TDA: Transport System Planning	Member
Leigh Stolworthy	TDA: Innovation	Member
Gideon Brand	TDA: Innovation	Member
Barry Coetzee	Informal settlement, water and Waste Services	Member
Kathryn Schneider	Strategic Policy Unit: Office of the Mayor	Member
Andre le Roux	Strategic Policy Unit, Office of the Mayor	Member

Note: Department titles reflect the previous organisational structure and membership of the working group pre-January 2019.

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ABBREVIATIONS & ACRONYMS

CBD	Central Business District
COD	Car Oriented Development
DAMS	Development Application Management System
DM	Development Management
DMS	Development Management Scheme
GLA	Gross Leasable Area
ICT	Information and Communications Technology
IPTN	Integrated Public Transport Network
MPBL	Municipal Planning By-Law
MSDF	Municipal Spatial Development Framework
NMT	Non-Motorised Transport
PRASA	Passenger Rail Agency of South Africa
PT1	Public Transport One Zone
PT2	Public Transport Two Zone
QRG	Quick Reference Guide
SDP	Site Development Plan
SOP	Standard Operating Procedure
TAP	Transport Accessible Precinct
TAZ	Transport Analysis Zone
TDM	Travel Demand Management
TDA	Transport and Urban Development Authority
TIA	Traffic Impact Assessment
TOD	Transit Oriented Development
TODC	Transit Oriented Development Comprehensive land use scenario
TODSF	Transit Oriented Development Strategic Framework

GLOSSARY

Densification: Increased use of space, both horizontally and vertically, within existing areas/properties and new developments, accompanied by an increased number of units and/or population.

Diversification: A greater mix of residential and non-residential land uses.

Gross Leasable Area (GLA): The area of a building designed for, or capable of, occupancy and/or control by tenants, measured from the centre line of joint partitions to the inside finished surface of the outside walls, and excludes the following:

- (a) all exclusions from the definition of floor space;
- (b) toilets;
- (c) lift shafts, service ducts, vertical penetrations of floors;
- (d) lift motor rooms and rooms for other mechanical equipment required for the proper functioning of the building;
- (e) areas reasonably used in connection with the cleaning, maintenance and care of the building, excluding dwelling units for caretakers, supervisors, cleaners or maintenance staff; and
- (f) interior parking and loading bays.

Inclusionary Housing: Used to describe the inclusion (preferably on site) of residential units targeted at the gap and/or rental (social housing) market as part of the development of new areas. Where contextually appropriate, a subsidy housing component may be necessary (City of Cape Town: District Spatial Plans, 2012).

Land Value Capture (LVC): Policy and regulatory mechanisms that allow a public entity to "capture" the increased value (direct or indirect) of **land** resulting from private and/or public sector improvements.

Mixed Land use: Area of existing or proposed horizontal and/or vertical integration of suitable and compatible residential and non-residential land uses within the same area or on the same parcel of land; implies contextually appropriate intensity of land uses that should facilitate efficient public transport and a vibrant local urban environment. Also referred to as land use diversity.

Overlay Zones: A regulatory tool that refers to a zoning, in addition to the base zoning, stipulating the purposes for which land may be used and the development rule which may be more or less restrictive than the base zoning.

Transport Analysis Zones (TAZs): Unit of theoretical spatial subdivision of the city for the purpose of transport modelling and analysis.

Transit Accessible Precincts (TAPs): These are spatially defined zones used to measure the performance of the model outputs of the TOD Comprehensive Model. Precincts are confined to a 500m radius from a higher order public transport station. They were identified based on their level of access to the transit network.

Trip: Travel from a point of origin to a destination point per selected mode of travel.

Journey: A single journey may be made up of multiple trips. For example, for a home to work public transport journey a traveller may walk to a taxi or feeder bus stop (first trip), catch a taxi or feeder bus to a BRT station (second trip), travel by BRT to a taxi or feeder bus stop (third trip), catch a taxi or feeder bus to an approximate final destination (fourth trip) and walk the rest of the way to the final destination (fifth trip). This journey, a typical commute, would therefore consist of 5 trips.

Trip attraction: Refers to the destination of a trip or series of trips. Destinations are influenced by the purpose/s for which land is used and the time of day. Generally speaking, non-residential land use (e.g. business, industrial, office, community facilities) attract trips in the morning when everyone travels to work. The flow is reversed in the afternoon when everyone travels back home.

Trip production: Refers to the origin of a trip or series of trips. Origins are influenced by the purpose/s for which land is used and the time of day (see also: trip attraction).

1. INTRODUCTION

Building development and land use management are the responsibility of municipalities in South Africa. The City of Cape Town's Development Management Department (DM) regulates building development and land use management to create an effective and efficient built urban environment in Cape Town.

When a developer contemplates a land use application for approval by the City a pre-application consultation phase exists before the submission and assessment of the formal application. This is especially important when the application is likely to result in construction activities that will require municipal services. This is illustrated in the following figure:

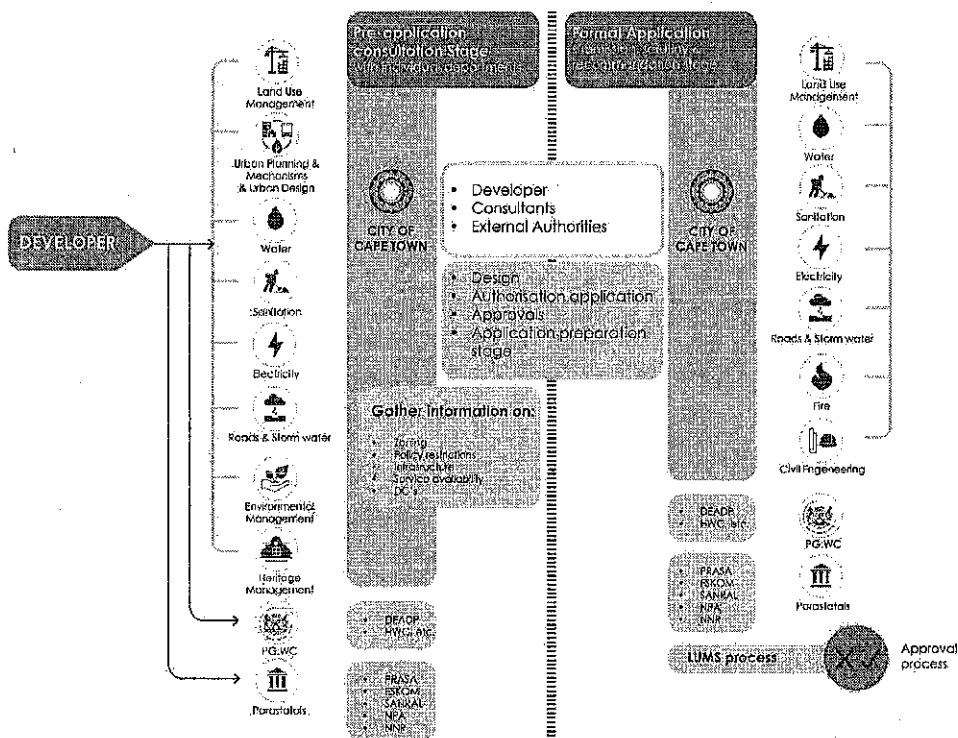


Figure 1: Depiction of a typical development application process

When engaging with developers in pre-application consultation meetings, the Development Management Case Officers and staff from various engineering and other service departments rely on a range of policy documents and legislated standards to inform discussions and decision making.

An important first step in the pre-application consultation stage is to determine if the development proposal meets the criteria for decision as set out in Section 99 of the City of Cape Town Municipal Planning By-law 2015. Part of the abovementioned determination also includes a "consistency evaluation" of the development proposal with the City of Cape Town Municipal Spatial Development Framework (MSDF).

Page 173 of the approved MSDF provides case officers with clear direction on how to make such rulings:

Should the provisions of spatial plans of a lower order in the hierarchy (including district and local spatial development frameworks and other existing local-scale structure plans) be deemed to be inconsistent with the MSDF, the MSDF will take precedence.

Once a development proposal is found to be consistent with the MSDF, this operational manual will provide direction for case officers on how to deal with some types of development applications.

It is important to note that the manual does not replace any criteria in Section 99 of the approved MPBL when deciding to refuse or approve an application (see page 51-52 of the MPBL). The TOD Manual is an operational tool to assist (and provide clarity to) the Development Management Case Officer (and other specialist commenting officials) to process and assess development applications more efficiently in the immediate future given the changing context towards the implementation of the current City of Cape Town MSDF.