



LEGAL NOTICE NO. ....

**THE PHYSICAL AND LAND USE PLANNING ACT, 2019**  
(No. 13 of 2019)

**IN EXERCISE** of the powers conferred by section 90 of the Physical and Land Use Planning Act, 2019, the Cabinet Secretary for Lands and Physical Planning makes the following Regulations—

**THE PHYSICAL AND LAND USE PLANNING (PLANNING FEES) REGULATIONS, 2020**

Citation.           **1.** These Regulations may be cited as the Physical and Land Use Planning (Planning Fees) Regulations, 2020.

Interpretation.   **2.** In these Regulations, unless the content otherwise requires—

“advisory plan” means a plan indicating the permitted subdivision, use and density of development;

“building” has the meaning assigned to it in section 2 of the Act;

“comprehensive scheme” means a scheme other than the ordinary scheme;

“County Executive Committee Member” has the meaning assigned to it in section 2 of the Act;

“development” has the meaning assigned to it in section 2 of the Act;

“development permission” means an approval granted by a planning authority to permit development;

“easement” has the meaning assigned to it in the Environmental Management and Coordination Act, 1999 and the Land Act, 2012;

“ordinary scheme” means development that does not exert demands on the existing infrastructure, does not comprise of more than ten units and has one permitted use

“part development plan” means a plan for the immediate implementation of a specific process including land alienation purposes ;

“planning authority” has the meaning assigned to it in section 2 of the Act;

“planning fees” means an amount payable for planning services;

“Planning Services” means services offered by a planning authority; and

“use” means any use of land for which development permission has been obtained under Act.

Determination  
of planning  
fees.

**3. (1)** In determining planning fees chargeable for planning services, the planning authority shall be guided by the—

- (a) principles of public finance set out in Article 201 of the Constitution;
- (b) Articles 209 and 210 of the Constitution in relation to the imposition or variation of charges for services;
- (c) fundamental rights and freedoms enshrined in Chapter Four of the Constitution;

No. 31 of 2016.

- (d) Access to Information Act, 2016; and
- (e) ease of doing business;

(2) Planning fees shall be charged based on—

- (a) the type of planning service being rendered;
- (b) the actual cost of providing the planning service;
- (c) a subsidized provision of public goods and services;
- (d) the location, use and size of development;
- (e) the planning and land use zoning frameworks;
- (f) the unit cost;
- (g) the cost of the version, mode and making of copies of documents;
- (h) the cost of the sessions and pages of minutes of the session;
- (i) the cost of the certification of documents;
- (j) the type of installation, where the development is a communication mast;
- (k) whether the development or works are new, modifications or renovations;
- (l) in the case of enforcement, time for undertaking works, technology required, risk factors, manpower, cost of transportation of materials from the site and unit cost for restoration per square meter; and
- (m) any other parameter that the planning authority deems necessary.

Planning fees for planning services offered by the National Government.

**4. (1)** A planning authority performing national government planning functions shall charge planning fees for—

- (a) the sale of copies of national physical and land use plans and policies;
- (b) the application for the preparation of the development plans for strategic national projects;
- (c) the sale of shape files for planning data;
- (d) the sale of copies of inter-county physical and land use plans and policies;
- (e) the scrutiny and sale of copies of the proceedings of the National Physical and Land Use Planning Consultative Forum;
- (f) the scrutiny and sale of copies of the proceedings of an Inter-County Joint Physical and Land Use Planning Committee;
- (g) the filing of applications for appeal to the National Physical and Land Use Liaison Committee;
- (h) the scrutiny and sale of copies of minutes of the proceedings of the National Physical and Land Use Liaison Committee;
- (i) the vetting of applications for change of use, extension of use;
- (j) the inspection of sites;
- (k) the issuance of certificates of compliance;
- (l) any other planning service offered in the performance of national government planning functions, that Cabinet Secretary may deem necessary.

**(2)** A planning authority performing national government planning functions shall charge planning fees set out in table 1 of the Schedule.

Planning fees for planning services offered by a county Government.

**5.** A planning authority performing county government planning functions shall charge planning fees for—

- (a) the sale of inter-county physical and land use plan and policies;
- (b) the sale of shape files for planning data;
- (c) the sale of copies of county physical and land use plans and policies;

- (d) the scrutiny and sale of proceedings of an Inter-County Joint Physical and Land Use Planning Committee;
- (e) the scrutiny and sale of proceedings of a County Physical and Land Use Planning Consultative Forum;
- (f) the filing application for appeal to the County Physical and Land Use Liaison Committee;
- (g) the scrutiny and sale of the minutes of the proceedings of the County Physical and Land Use Liaison Committee;
- (h) the inspection of sites;
- (i) the vetting and approval of development applications;
- (j) the issuance of certificates of compliance;
- (k) the costs of enforcement; and
- (l) any other planning service offered in the performance of a county government planning functions, that the relevant County Executive Committee Member, in consultation with the respective County Director of Physical and Land Use planning, may deem necessary.

(2) A planning authority performing county government planning functions shall charge planning fees set out in table 2 of the Schedule.

Waivers and variations.  
No. 18 of 2012.

**6.** (1) Subject to sub-regulation (2), a waiver or variation of planning fees shall be granted in accordance with the Public Finance Management Act, 2012 and section 63.

(2) The following may be exempted from payment of fees under the Act—

- (a) the surrender of land for public use;
- (b) corporate social responsibility;
- (c) the improvement of infrastructure for public use;
- (d) works by or on behalf of Kenya Defence Forces and other national security installations; or
- (e) where a land owner voluntarily permits imposition of easements on his or her land under any written law

**SCHEDULE**

**TABLE 1**  
(r. 4(2))

**PLANNING FEES FOR PLANNING SERVICES OFFERED BY THE NATIONAL GOVERNMENT**

s/no	Item Description	Unit of Measure/charge	Sub category I	Sub category II	Sub category III	
	<b>Sale of Copies of National Physical and Land Use Plans and Policies</b>					
			<b>Hardcopy</b>	<b>Softcopy</b>	<b>Certification of Copies</b>	
1.	National Physical and Land Use Plan( full version)	Per copy	10,000	-	-	
2.	National Physical and Land Use Plan(Popular version)	Per copy	500	-	-	
3.	National Land Use Policy(Full version)	Per copy	1000	-	-	
4.	National Land Use Policy (popular version)	Per copy	300	-	-	
5.	Inter County Physical and Land use plans	Per copy	5000	-	-	
6.	Inter County Physical and Land use plans (popular version)	Per copy	500	-	-	
7.	Sale of shape files	Per theme	-	10,000	-	
8.	Sale of prints of graphical plans	Per copy	<b>Size</b>	<b>Colour</b>	<b>Black &amp; White</b>	<b>Blue Print</b>
			A <sub>0</sub>	3000	1500	1500
			A <sub>1</sub>	2500	1200	1200
			A <sub>2</sub>	2000	1000	1000
			A <sub>3</sub>	1000	500	500
		A <sub>4</sub>	500	200	200	

s/no	Item Description	Unit of Measure/charge	Sub category I	Sub category II	Sub category III
9.	Certification of downloaded prints of plans	Per copy	-	-	500
10.	Proceedings of National Physical and Land Use Consultative Forum	Per copy	50 per page	100	500
11.	Proceedings of Inter-county Physical and Land Use Planning Committee	Per copy	50 per page	100	500
S/NO	Item description	Unit of measure		Charges(Kshs)	
<b>Processing of Development Applications</b>					
12.	Application for Development Permission for National Strategic projects	Per application		3000	
13.	Site inspection fee	Per visit		3000	
14.	Certificate of compliance	Per copy		Cities-4,000 Municipalities-3,000 Towns and other centers including rural areas -2000	
15.	Certificate of Occupation	Per application		Cities-3,000 Municipalities-2,000 Towns and other centers including rural areas-1000	
16.	Vetting of applications for change of use or extension of use	Per application		5,000	
17.	Sub division	Per plot		500	
<b>Appeal fees and Checking fees for National Physical and Land Liaison Committee minutes</b>					
18.	Appeal to National	Per application		5000	

s/no	Item Description	Unit of Measure/charge	Sub category I	Sub category II	Sub category III
	Physical and Land Use Planning Liaison Committee				
19.	Amendment of appeal to National Physical and Land Use Planning Liaison Committee	Per application		1000	
20.	Obtaining extracts of Register of appeals to the National Physical and land use planning liaison committee	Per copy		500	
21.	Sale of copies minutes of the National Physical and land use planning liaison committee	Per page		100 – 1 <sup>st</sup> page 50 – other pages	

**TABLE 2**  
(r. 5(2))

**PLANNING FEES FOR PLANNING SERVICES OFFERED BY A COUNTY GOVERNMENT**

s/no	Item Description	Unit of Measure/charge	Sub Category I	Sub Category II	Sub Category III
	<b>Sale of Copies of Physical and Land use plans/ Policy</b>				
			<b>Hard Copy</b>	<b>Soft Copy</b>	<b>Certification of Copies</b>
1.	Inter-County	Per copy	5000	-	-

s/no	Item Description	Unit of Measure/charge	Sub Category I	Sub Category II	Sub Category III
	Physical and Land use plans (Full version)				
2.	Inter-County Physical and Land use plans (popular version)	Per copy	500	-	-
3.	County Physical and Land use plans (full version)	Per copy	5000	-	-
4.	Sale of shape file	Per theme	-	10000	-
5.	Sale of prints of graphical plans	Per copy	<b>Size</b>	<b>Colour</b>	<b>Black &amp; White</b>
			A <sub>0</sub>	3000	1500
			A <sub>1</sub>	2500	1200
			A <sub>2</sub>	2000	1000
			A <sub>3</sub>	1000	500
		A <sub>4</sub>	500	200	
6.	Certification of downloaded prints of plans	Per copy	-	-	

S.No	Item description	Unit of measure	Sub-Units	Charges (Kshs.)
<b>Acquiring forms and certificates for Development Permission</b>				
7.	Application for Development Permission (Form PLUPA.....)	Per Form	-	1000
8.	Submission Certificate (Form PLUPA....)	Per application		1000



9.	Certificate of compliance	Per application		Cities-4,000 Municipalities-3,000 Towns and other centers-2000
10.	Certificate of Occupation	Per application		Cities-3,000 Municipalities-2,000 Towns and other centers-1000
<b>Processing Development Applications</b>				
11.	Site inspection fee	Per visit		3000
12.	Application fee for development permission	Type of application	Change of user/ extension of user	
			Building plans	
			Subdivisions	
			BTS	
			Perimeter wall	
			Advertisements	
13.	Vetting of Subdivisions	User	Residential	
			Industrial	
			Public Purpose	
			Commercial	
			Agriculture	
		No. of Plots	1-10	500
			11-20	400
			21-50	300
			51 and above	200
		Location	Cities	
			Municipalities	
Towns				
Other areas				
14.	Vetting of Building Plans	Floor area(sq. M)	Commercial	
			Residential	
			Industrial	
			Public purpose	
15.	Vetting of perimeter wall	linear per meter of the Perimeter wall		
		Type of material	Stone	
			Electric	
			Wooded	
			Chain link	
			Iron sheets	
Barbed wire/razor wire				
Use	Industrial			

			Commercial	
			Residential	
16.	Change of Use /Extension of Use	User	Residential	
			Industrial	
			Public Purpose	
			Commercial	
			Agriculture	
17.	Vetting fee for approval of Base Transmission Station (BTS)	Per Mast	Shared Mast	
			Stand-alone mast	
18.	Vetting fee for Advertisement	Siting and design of advertisement	On road reserve	As per the Roads Act No.2 of 2007
			Within private property	20,000 P.A
			Within Public Land under County Government	20,000 –one off for installation 20000 P.A – standing fee
			Hanging signs	
			On buildings	
		Type /Size in square meters	<b>Bill boards /Wall wraps</b>	
			First 3 sq.m	15,000
			Additional sq.m	4000
			<b>Multi directional signs</b>	
			First 3 sq.m	
			Additional sq.m	
			<b>LED Screen</b>	
			First 3 sq.m	
			Additional sq.m	
		Period of display	Short term	
			Medium term	
			Long term	
19.	Approval fees	Per development application	Change of use / extension of user	
			Building plans	
			Subdivisions	
			BTS	
			Perimeter wall	
			Advertisements	
			Change of use / extension of use	
			Building plans	
			Subdivisions	
			BTS	
			Perimeter wall	
			Advertisements	
			Change of use / extension of	

			use	
	<b>Appeal fees and Checking fees for Physical and Land Liaison Committee minutes</b>			
20.	Appeals to County Physical and Land Use Planning Liaison Committee	Per application	-	3000
21.	Obtaining extracts of register for appeals to County Physical and Land Use Planning Liaison Committee	Per copy	-	300
22.	Copies of Minutes of the County Physical and land use planning liaison committee	Per page	-	100 – 1 <sup>st</sup> page 50 – other pages
23.	Amendment of appeal to County Physical and Land Use Planning Liaison Committee	Per application	-	300
24.	Certification of copies of minutes of County Physical and Land Use Planning Liaison Committee	Per set of minutes		500

Made on the ....., 2020.

**FARIDA KARONEY,**  
*Cabinet Secretary for Lands and Physical Planning.*