



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 makes the following Regulations—

THE PHYSICAL AND LAND USE PLANNING (NATIONAL PHYSICAL AND LAND USE DEVELOPMENT PLAN) REGULATIONS, 2020

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

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

“Consultative Forum” means means the National Physical and Land Use Planning Consultative Forum established under the Act;

“electronic” has the meaning assigned to it under section 2 of the Kenya Information and Communications Act, 1998; and

“Plan” means the National Physical and Land Use Development Plan.

Forms. **3.** Save as otherwise provided, the forms contained in the First Schedule to these Regulations shall be used for the purposes specified herein and may be provided for in digital, hard copy or braille format.

Boundaries. **4.** In defining the scope and the geographic area of the plan, the Director-General of Physical and Land Use Planning shall delineate clearly defined boundaries.

Approval of the concept plan by Consultative Forum. **5.** (1) Pursuant to section 23 (1) (d) of the Act, the Director-General of Physical and Land Use Planning shall forward the concept plan to the Consultative Forum for approval.

(2) upon approval of the concept plan by the Consultative Forum, the Director General of Physical and Land Use Planning shall issue a notice.

Notice of Intention Prepare Plan. **6.** Upon approval of the concept plan by the Consultative Forum, the Cabinet Secretary shall issue a notice of intention to plan in form PLUPA 1 set out in the First Schedule.

National security.

7. (1) Where the Plan touches on, relates to, borders, involves or in any way affects safeguarding areas as defined in the Act or any aspect of national security, the input of the National Security Council shall be sought in the entire process of making the Plan.

(2) The National Security Council may comment on any Plan submitted to it within a period of sixty days from the date of receipt thereof from the Consultative Forum.

Strategic national installations and projects

8. All plans touching on, relating to, bordering, involving or in any way affecting areas under the strategic national installations and projects, as stipulated in sections 13 (g) and 69 (3) of the Act, shall be prepared in consultation with the respective area lead agencies.

Notice of Completion of Plan.

9. Pursuant to section 25(1) of the Act, the Cabinet Secretary, shall notify the public that the draft Plan is available for inspection and submission of comments in the Form PLUPA 2 set out in the First Schedule.

Review of public comments.

10. (1) In incorporating the comments from the public, the Cabinet Secretary may integrate the comments wholly, partially or in such other manner deemed fit.

(2) The application for review of the decision of the Cabinet Secretary on the public comments received shall be made in the form of a letter to the physical address of the office of the Cabinet Secretary or by any available digital platform provided for such purposes, setting out the grounds for review and the recommended action.

(3) Review of decisions by the Cabinet Secretary under these Regulations shall be communicated to an applicant in writing through the same channel which the application for review was received.

Notice of publication of the revised plan

11. The Cabinet Secretary shall issue the notice in 25(3) in Form PLUPA 3 set out in the First Schedule.

Final consultation with the Consultative Forum.

12. (1) Pursuant to section 26(1) of the Act the Cabinet Secretary shall submit the draft Plan to the Consultative Forum for its final comments.

(2) The Consultative Forum shall consider and submit its final comments on the draft Plan to the Cabinet Secretary in the form PLUPA-4 set out in the First Schedule.

Parliamentary approval.

13. Upon obtaining Cabinet approval, the Cabinet Secretary shall submit the draft Plan to both the National Assembly and the Senate for approval.

Publication of approval.

14. After approval by Parliament, the Cabinet Secretary shall publish the approval in form PLUPA-5 including in at least two newspapers of national circulation and through electronic media in accordance with the provisions of section 26 (5) of the Act.

Status report.

15. The Status Report prepared in accordance with section 28 of the Act shall include—

- (a) the extent of the implementation of the plan;
- (b) challenges in implementation or application;
- (c) estimated timelines for completion;
- (d) annexes (photos, maps, matrices, graphs); and
- (e) any other relevant matter.

Structure and technical specifications.

16. Further to the provisions of section 24 (1) and the First Schedule to the Act, the structure of the final Plan report and the technical specifications on maps shall be as set out in the Second schedule.

FIRST SCHEDULE

FORMS

FORM PLUPA 1

(r.6)

REPUBLIC OF KENYA



PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF INTENTION TO PREPARE A NATIONAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Development Plan

Pursuant to the provisions of section 23(2) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that the Cabinet Secretary.....^{1*}intends to commence the preparation of the above Plan on the.....day of20.....

The purpose of the Plan is:
.....

The objectives of the Plan are:
.....

The information to be set out in the Plan shall include.....

Comments on the proposed plan may be directed to.....^{2*} not later than^{3*}

Dated the day of 20.....

Cabinet Secretary

Notes—

^{1*} Insert name of relevant Ministry.

^{2*} provide details of the receiving entity.

^{3*} provide a fourteen-day window.

REPUBLIC OF KENYA



PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF COMPLETION OF NATIONAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Plan.....

Pursuant to the provisions of section 25(1) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that preparation of the above draft Plan was on.....day of.....20.....completed

A copy of the Plan prepared is available for inspection by the public at^{1*}..... from^{2*}.....

Any interested person who wishes to make any comments in connection with or the above draft Plan may send such comments in writing to the office the Cabinet Secretary not later than^{3*}..... Day of20.....and any such comments shall state the ground on which it is made

Cabinet Secretary

Notes—

^{1*} provide details of the place where the plans are availed to the public and if electronic, give name and link to website.

^{2*} for physical locations, specify time when the plan is available for inspection.

^{3*} specify date of deadline.

REPUBLIC OF KENYA



PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF PUBLICATION OF THE REVISED NATIONAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Development Plan

Pursuant to the provisions of section 25(3) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given to the general public that a decision has been made by the Cabinet Secretary..... 1* on the comments received in respect to the above draft Plan and the same is available for perusal at..... 2*from..... 3*.

Dated the, 20.....

Cabinet Secretary

Notes—

1* Insert name of relevant Ministry.

2* provide details of the place where the plans are availed to the public and if electronic, give name and link to website.

3* for physical locations, specify time when the plan is available for inspection.

REPUBLIC OF KENYA



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

NATIONAL PHYSICAL AND LAND USE PLANNING CONSULTATIVE FORUM
FINAL COMMENTS ON THE DRAFT NATIONAL PHYSICAL AND LAND USE
DEVELOPMENT PLAN

Title of Development Plan

Pursuant to the provisions of section 26(3) of the Physical and Land Use Planning Act, 2019, the National Physical and Land Use Planning Consultative Forum considered the above Plan and under Minute in a meeting held on theday of20....., recommend for final approval subject to the following conditions:

- (1)
- (2)
- (3)

Dated the day of 20.....

.....
(Name)
Chairperson

.....
(Name)
Secretary

REPUBLIC OF KENYA



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

NATIONAL PHYSICAL AND LAND USE DEVELOPMENT PLAN
NOTICE OF APPROVAL

Title of Development Plan.....

Approved Development Plan No.....

Pursuant to the provisions of section 26(5) of the Physical and Land Use Planning Act, 2019.
NOTICE is hereby given that on the day of
.....20.....The above Plan was approved in
accordance with the provisions of Physical and Land Use Planning Act, 2019.

A certified copy of the Plan as approved is available to the public at
1*

Copies of the Plan can be accessed through the Ministry’s website.....

Dated this..... day of.....20.....

Cabinet Secretary

Notes—
1* Provide physical location where the plan is available for access by the public.

SECOND SCHEDULE

The structure of the National Physical and Land Use Development Plan Report

PART I

1. Cover Page
2. Introduction
3. Constitutional, legal and policy planning context

PART II

4. Physiography and climate
5. Population and demography
6. Housing
7. Agriculture
8. Commerce
9. Industry
10. Education
11. Public purpose
12. Recreation, Conservation, preservation and open spaces
13. Public infrastructure and utilities
14. Transportation
15. Blue Economy

PART III

16. Synthesis and emerging issues

PART IV

17. Plan proposals
 18. Action Plans
 19. Implementation schedule- Timelines, Resource and Institutional requirements
- Reference
Appendix
Annex

Made on the, 2020.

FARIDA KARONEY,
Cabinet Secretary for Lands and Physical Planning.