

**SPECIAL ISSUE**

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LEGAL NOTICE NO. 248

THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

THE PHYSICAL AND LAND USE PLANNING (LOCAL PHYSICAL  
AND LAND USE DEVELOPMENT PLAN) REGULATIONS, 2021

ARRANGEMENT OF REGULATIONS

*Regulation*

- 1—Citation
- 2—Interpretation
- 3—Application
- 4—Timelines
- 5—National security
- 6—Boundaries
- 7—Preparation of a Local Physical and Land Use Development Plan
- 8—Notice of intention to prepare plan
- 9—Notice of completion of draft
- 10—Public participation
- 11—Appeals
- 12—Approval of the plan
- 13—County assembly approval
- 14—Publication
- 15—Amendment or revision of the plan

## THE PHYSICAL AND LAND USE PLANNING ACT

(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 (LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN) REGULATIONS, 2021

1. These Regulations may be cited as the Physical and Land Use Planning (Local Physical and Land Use Development Plan) Regulations, 2021.

Citation.

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

Interpretation.

“city” has the meaning as assigned to it under section 8 of the Urban Areas and Cities Act, 2011;

“local physical and land use development plan” means a plan for the area or part thereof of a city, municipality, town or urban centre and includes a plan with reference to any rural area, trading or market centre; and

“register” means a register of local physical and land use development plans.

3. The object of these Regulations is to provide a framework for the preparation and approval of local physical and land use development plans pursuant to sections 45, 46, 47, 48, 49, 50 and 51 of the Act.

Object of the Regulations.

4. These Regulations shall apply to the preparation and approval of local physical and land use development plans.

Application of the Regulations.

5. (1) Whenever a plan touches on, relates to, borders, involves or in any way affects a safeguarding area or any aspect of national security, the County Physical and Land Use Planning Consultative Forum shall notify the National Security Council of the proposal to prepare the plan.

National security.

(2) The National Security Council shall give its comments on the proposed plan within thirty days of receiving a notification under sub regulation (1).

(3) Where necessary, a plan touching on, relating to, bordering, involving or in any way affecting a national security organ shall be subjected to any conditions that may be imposed on it by the National Security Council.

(4) For the purposes of these Regulations, security organs responsible for the preparation of local physical and land use development plans shall be exempt from any form of publication required under these Regulations where the plans touch on, relate to, border, involve or in any way affect the said security organs.

6. (1) In defining the scope and the geographic area of a plan, the County Executive Committee Member shall delineate clearly defined boundaries as shall be provided for by the Director of Survey.

Delineation of plan area.

(2) Each development relating to plans prepared under these Regulations shall be—

- (a) restricted to designated urban centres; and
- (b) have clearly-defined boundaries.

7. (1) The preparation of a plan may be initiated by a County Executive Committee Member —

Preparation of a local physical and land use development plan.

- (a) on his or her own motion;
- (b) on the request of a member of the county assembly on behalf of person who is a resident of the county;
- (c) on the recommendation of a residents' association; or
- (d) upon the request of the national government.

(2) The County Executive Committee Member may outsource the preparation of a plan and other related services to a suitably qualified physical and land use planning consultant in accordance with the relevant written laws relating to public procurement.

(3) A plan prepared through outsourcing by a physical and land use planning consultant under subregulation (2) shall be submitted to the County Director of Physical and Land Use Planning for scrutiny and who shall submit it to the County Executive Committee Member for approval.

8. The County Executive Committee Member shall publish a notice of intention to prepare a plan in the *Gazette*, in at least two newspapers with national circulation and through electronic media in Form PLUPA L-1 as set out in the First Schedule.

Notice of intention to prepare plan.

9. (1) Within thirty days of the preparation of a draft plan, the County Executive Committee Member shall publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media informing the public that the plan is available at the places and times designated in the notice for inspections and that any person interested may comment on the contents of the plan within sixty days.

Notice of completion of draft.

(2) The notice published under subregulation (1) shall be in Form PLUPA L-2 as set out in the First Schedule.

10. (1) On completion and publication of a plan, the County Director shall circulate the plan to relevant agencies in the county and to the Director-General for comments.

Circulation.

(2) The relevant agencies shall submit to the County Director their comments on the plan within sixty days of the plan being circulated under sub regulation (1).

(3) The Director-General shall—

- (a) submit comments to the County Director on the plan within sixty days of the plan being circulated under sub regulation (1); and

(b) assign a plan reference number to the plan.

11. (1) In facilitating public participation regarding the plan, the County Executive Committee Member may use various methods including—

Public participation.

- (a) direct contact using interview guides and questionnaires;
- (b) public notices in newspapers;
- (c) mass media including radio, television;
- (d) information communication platforms;
- (e) newsletter
- (f) public hearings and group discussions, town hall meetings, public fora;
- (g) conferences, seminars or workshops; and
- (h) placement of documents at a common place, available to the members of the public including noticeboards.

(2) In dealing with comments and other representations regarding draft plans from the public, the County Executive Committee Member may—

- (a) incorporate the comments or representations into the plan;
- (b) or dismiss the comments or representations and provide reasons therefor.

12. (1) A person aggrieved by a decision of the County Executive Committee Member concerning the local physical and land use development plan may, within sixty days of being notified of the decision, appeal to the County Physical and Land use Liaison Committee in writing against the decision in Form PLUPA L-3 as set out in the First Schedule.

Appeals.

(2) Representations made by the County Executive Committee Member in response to an appeal lodged before the County Physical and Land use Liaison Committee shall be in writing.

(3) The Liaison Committee shall consider the appeal within thirty days and may set aside, confirm or vary the decision appealed against and make such order as it deems necessary or expedient to give effect to its decision and communicate the decision to the appellant within fourteen days.

(4) In exercising its power to set aside, confirm or vary the decision appealed against, the County Physical and Land use Liaison Committee shall do so in accordance with the rules of natural justice and fair administrative action.

(5) A person dissatisfied with the decision of the County Physical and Land use Liaison Committee may lodge an appeal to the Environmental and Land Court within a period of thirty days from the date of the making of the decision by the Liaison Committee.

13. (1) Where all applications for review have been heard and determined, the County Executive Committee Member shall submit the draft local physical and land use development plan to the County Physical and Land Use Planning Consultative Forum for comments within fourteen days, and any changes shall be incorporated into the plan.

Approval of the plan.

(2) After submission of the plan by the County Executive Committee Member to the Consultative Forum for comments, the input of the Forum shall be in Form PLUPA L-4 as set out in the First Schedule.

14. (1) Pursuant to the provisions of sections 49 (3) and 41 (3) of the Act, the county assembly shall, on submission of the local physical and land use development plan by the Governor, consider the plan within thirty sitting days and thereby approve it with or without any modification.

County assembly approval.

(2) upon approval by the County Assembly, the County Director shall issue an approved plan number to the plan and enter the number in the register.

15. The register which shall be maintained by the County Director shall contain-

Contents of the Register.

- (a) date of initiation of plan preparation;
- (b) departmental reference number;
- (c) scale;
- (d) title;
- (e) sub-county;
- (f) date of completion;
- (g) date of circulation;
- (h) date of approval; and
- (i) approved plan number.

16. The notice required under section 50 of the Act regarding the approval of the local physical and land use development plan and on the inspection of the approved plan shall be in in Form PLUPA L-5 as set out in the First Schedule.

Publication.

17. (1) The amendment or revision of the plan pursuant to Section 51 of the Act may be initiated by the County Executive Committee Member—

Amendment or revision of the plan.

- (a) on his or her own motion;
- (b) on recommendation by the county or national government;
- (c) by request of a person ordinarily resident in that county; or
- (d) on recommendation of a residents' association in the county.

(2) The County Executive Committee Member shall notify the County assembly of the proposed amendment or revision of the plan in Form PLUPA L-6 as set out in the First Schedule.

(3) Upon approval of the amendment or revision of the plan by the county assembly, the County Executive Committee Member shall publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media the proposed amendments in form PLUPA L-2 as set out in the First Schedule inviting any interested party to make comments thereon.

(4) The provisions of regulations 11, 12 and 13 with the necessary modifications, shall apply to the amendment or revision of a Plan regarding the receiving of and decisions on public comments thereon.

(5) The County Executive Committee Member shall submit the amended Plan to the Governor, who shall place it before the County Assembly for approval.

(6) On the approval of the amended Plan by the County Assembly, the County Executive Committee Member shall publish the approval of the amended Plan in Form PLUPA L-7 as set out in the First Schedule, inviting comments and representations from the public.

(7) The provisions of regulation 17 shall apply to an amended local physical and land use development plan

(8) The amended local physical and land use development plan shall be published in Form PLUPA L-8 as set out in the First Schedule.

18. All reports, notices, plans prepared under these Regulations shall be submitted to the National Land Commission and the Director-General within fourteen days after publication.

Reports, etc. to be submitted to the Commission and the Director-General.

FIRST SCHEDULE

FORM PLUPA L-1

(r.9)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

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

Title of Development Plan .....

Pursuant to the provisions of section (47) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that the County Government of.....intends to commence preparation of the above Plan on the.....day of.....20.....

The purpose of the Plan is:

.....

The objectives of the Plan are.....

.....

.....

Comments on the proposed plan may be directed to.....

.....

<sup>1</sup>\* not later than .....<sup>2</sup>\*

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

County Executive Committee Member

Notes—

<sup>1</sup>\* provide details of the receiving entity.

<sup>2</sup>\* provide a twenty one day window.

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF COMPLETION OF LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Development Plan .....

Pursuant to the provisions of section 49(1) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that the preparation of the above Plan was on the..... day of .....20.....completed.

A copy of the plan as prepared has been deposited for public inspection free of charge at .....<sup>1\*</sup>

Any interested person who wishes to make any representation in connection with or objection to the above plan may within sixty days send the same to.....<sup>2\*</sup> and such representations or comments shall state the grounds upon which they are made.

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

County Executive Committee Member

Notes—

<sup>1\*</sup>provide details of the place where the plans are availed to the public and if electronic, give name and link to website.

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



FORM PLUPA L-3

(r.13)(1)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

APPEAL AGAINST DECISION REGARDING LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

(To be filled in triplicate)

Title of Development Plan .....

To: The Secretary, County Physical and Land Use Planning Liaison Committee

..... County

I/We<sup>1\*</sup>,..... of P.O. Box ..... appeal against the decision made by..... County Executive Committee Member regarding the above Plan.

My/our grounds for appeal are as follows:

- (a) .....
(b) .....
(c) ..... 2\*

The reliefs which I/We seek are:

- (a) .....
(b) .....
(c) ..... 3\*

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

Signature of Applicant .....

Notes—

1\*Delete as necessary.

2\*Please attach additional written text if space is insufficient.

3\*Please attach additional written text if space is insufficient.

FORM PLUPA L-4

(r.14)(2)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF REVIEW OF LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN BY COUNTY PHYSICAL AND LAND USE CONSULTATIVE FORUM

Title of Development Plan ..... Pursuant to the provisions of section 49(3) of the Physical and Land Use Planning Act, 2019, the County Physical and Land Use Planning Consultative Forum of..... County of Post Office Box No.....in the Republic of Kenya has reviewed the above Plan on this .....day of .....20.....and approves/ does not approve with the following comments<sup>1\*</sup>:

- (1) ..... (2) .....

Dated the ....., 20.....

Chairperson

Secretary

Notes—

<sup>1\*</sup> strike through where necessary.

FORM PLUPA L-5

(r.17)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF APPROVAL OF LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Development Plan.....

Approved Development Plan No. ....

Pursuant to the provisions of section 50 of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that on the ..... day of ..... 20.....the County Assembly of ..... County approved the above Plan.

A certified copy of the plan as approved has been deposited at.....<sup>1\*</sup>

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

Signed .....

County Executive Committee Member

Notes—

<sup>1\*</sup> Provide physical address and if electronic, name of website and link.

FORM PLUPA L-6

(r.18)(2)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTIFICATION OF AMENDMENT/REVISION OF LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Development Plan .....
Approved Development Plan No. ....
To: ..... The Clerk County Assembly of I/We<sup>1\*</sup>, ..... of P.O. Box .....
propose modification to the Plan referenced above.

My/our reasons for the proposed amendments are as follows:

- (a) .....
(b) .....
(c) .....<sup>2\*</sup>

I/We certify that:

- (a) I/We have complied with the relevant provisions of the County Governments Act, 2012;
(b) The proposed amendments are in conformity with the National, relevant Inter-County and County Physical and Land Use Development Plans.

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

Signature .....

County Executive Committee Member

Notes—

<sup>1\*</sup>Delete as necessary.

<sup>2\*</sup>Please attach additional written text if space is insufficient.

FORM PLUPA L-7

(r.18)(6)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF APPROVAL OF AMENDMENT/REVISION OF A LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN BY THE COUNTY ASSEMBLY
Title of Development Plan .....
Approved Development Plan No .....

Pursuant to the provisions of section 50 of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that the County Assembly of .....1\*
has on the .....day of .....20..... approved modification to the above Plan.

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

County Executive Committee Member

Notes—
1\* state name and address of entity that has approved modification.

REPUBLIC OF KENYA



PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF MODIFICATION/ AMENDMENT OF A LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Title of Development Plan .....
Approved Development Plan No .....

Pursuant to the provisions of section 50 of the Physical and Land Use Planning Act, 2019,

NOTICE is hereby given that on the..... day of .....20..... the above plan has been amended.

The plan shall be available at.....<sup>2\*</sup> for inspection free of charge.

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

County Executive Committee Member

Notes—

<sup>1\*</sup> strike through where necessary.

<sup>2\*</sup> state physical address and opening hours. If online, state website and give link.

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SECOND SCHEDULE

PART I

The outline structure of the County 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

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## PART II

## Preparation of the Maps

1. Notwithstanding the provisions of First Schedule Part IV (9), the actual scale to be used in the map shall depend on the level of detail and circumstances.
2. The Maps prepared shall adopt a scale of a multiple of 500.
3. Maps prepared shall be authenticated and approved by the authority responsible for Survey.
4. Base Map” means a geo-referenced and geometrically accurate graphical representation of land which includes topographical maps, administrative boundary maps, sea charts, aeronautical charts and other thematic and special purpose maps obtained from the relevant authorities.
5. All the maps and plan reports shall adopt standard paper size series A4-A0.
6. Fine details on the plan report shall be contained in an appropriate professional handbook and practicing notes.



THIRD SCHEDULE

SHORT-TERM PLANS

Short-term plans are of the following types—

- (a) Neighborhood Plans-Prepared for comprehensive planning of areas selected for intensive development, which is to commence within a specified period.
- (b) Sectoral Plans- Prepared for detailed treatment of a particular planning aspect, for example, housing, transportation (Roads, railway, airports and water ways), communication infrastructure including Fiber optic, water supply, sewerage, solid waste disposal, pipelines (Oil/Gas) conservation and preservation areas including wildlife migratory corridors and dispersal areas etc., The Plans should be prepared to guide the implementing agencies.
- (c) Property Site Master Plan, indicating permitted use, density, access, plot coverage, plot ratio and building heights. This shall include 3D models.
- (d) Part Development Plans /advisory plans, indicating precise sites for immediate implementation of specific projects including land alienation for public use. The Plan will be prepared by the planning authority in consultation with National Land Commission as per the provisions of the Land Act, 2012.

The form and content of short-term plans differ with plan types and in most cases will reflect details and proposals of a long-term plan, where it exists. However, the most important considerations in their preparation shall be—

- (i) An assessment of immediate land requirement to accommodate specific population needs as they arise for a period of 3 to 5 years;
- (ii) Detailed allocation of the land requirements to various land uses taking into account compatibility of adjoining land uses and conforming with a long-term plan proposal for the area; and
- (iii) Identification of authorities to service and/or develop the various land use allocations.

Except for part development plans, other short-term plans may be prepared by commissioned registered physical planners. In order to ensure that plans prepared by registered physical planners conform to long-term plans prepared by the Planning Authority, all such plans must have a seal of approval of the Planning Authority before their implementation.

Made on the 15th November, 2021.

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

LEGAL NOTICE NO. 249

THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

THE PHYSICAL AND LAND USE PLANNING (SPECIAL  
PLANNING AREA) REGULATIONS, 2021

ARRANGEMENT OF REGULATIONS

*Regulation*

- 1—Citation
  - 2—Object of the Regulations
  - 3—Timelines
  - 4—National security
  - 5—Delimitation of planning areas
  - 6—Declaration of special planning area
  - 7—Review of comments
  - 8—Public participation
  - 9—Appeals
  - 10—County assembly approval
  - 11—Publication
  - 12—Reports, etc. to be submitted to the National Land Commission
- Schedule – Forms

## THE PHYSICAL AND LAND USE PLANNING ACT

(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 (SPECIAL PLANNING AREA) REGULATIONS, 2021

1. These Regulations may be cited as the Physical and Land Use Planning (Special Planning Area) Regulations, 2021. Citation.
2. The object of these Regulations is to provide a framework for the declaration of special planning areas and preparation and approval of special planning area plans pursuant to sections 52 and 53 of the Act. Object of the Regulations.
3. Any action, notice, publication and any other matter provided for in the Act and these Regulations in relation to the preparation of a special physical and land use development plan shall be executed within the period specified in the Act or Regulations, subject to any extension under the Act or Regulations. Timelines.
4. (1) Whenever a special physical and land use development plan touches on, relates to, borders, involves or in any way affects a safeguarding area or any aspect of national security, the National Physical and Land Use Planning Consultative Forum shall consult the National Security Council during the preparation of the plan National security.

(2) The National Security Council shall give its comments in writing on the plan submitted under subregulation (1) within thirty days from the date of the request for comments from the County Executive Committee Member and shall specify the reasons for any recommendations it makes in respect of the plan.

(3) Where necessary, any plan touching on, relating to, bordering, involving or in any way affecting a national security organ shall be subjected to any conditions that may be imposed on it by the National Security Council.

(4) For the purposes of these Regulations, national security organs shall be exempt from the publication of special physical and land use development plans as may be required under these Regulations where the plans touch on, relate to, border, involve or in any way affect the national security organs.
5. In defining the scope and geographic area of a special physical and land use development plan, the County Executive Committee Member shall delimit a planning area as may be guided by the physiographic characteristics, administrative boundaries, electoral units, agro-ecological zones and planning projections. Delimitation of planning areas.
6. (1) The County Executive Committee member shall publish a notice in the *Gazette* in Form PLUPA S-1 as set out in the Schedule informing the public of the— Declaration of special planning area.

- (a) declaration of a special planning area;
- (b) proposed development for which the declaration has been made; and
- (c) commencement of the plan preparation.

(2) A person affected by the declaration of a special planning area may make representations to the County Executive Committee Member in writing, stating reasons and the reliefs sought.

(3) In addition to the notice under subregulation (1), the County Executive Committee Member shall conduct sensitization forums in respect of the declaration at which public views thereof shall be considered.

(4) The County Executive Committee Member may use any method to engage various stakeholders and members of the public in respect of a declaration under this regulation, including—

- (a) direct contact using interview guides and questionnaires;
- (b) public notices in newspapers;
- (c) mass media including radio and television;
- (d) information communication platforms;
- (e) newsletter;
- (f) public hearings and group discussions;
- (g) conferences, seminars or workshops, town hall meetings, public fora; and
- (h) placement of documents at a common place that is available to the the public including noticeboards.

(5) In considering the comments and other representations from the public regarding a declaration under this regulation, the County Executive Committee Member may—

- (a) incorporate the comments or representations into the plan; or
- (b) dismiss the comments or representations:

Provided that if the County Executive Committee Member dismisses the comments or representations, he or she shall specify the reasons for doing so in writing.

7. In considering the comments and representations under regulation 7 (4), the County Executive Committee Member shall—

Review of  
comments.

- (a) where planning permission had been granted more than six months before the declaration of the special planning area, allow the permitted developments to continue notwithstanding the declaration;
- (b) where the special planning area is declared for the purposes of national security, the developments thereon shall cease immediately upon publication of the declaration; and

- (c) give such other directions as may be appropriate in the circumstances.

8. (1) Before the completion of the preparation of the special area physical and land use development plan, the County Executive Committee Member shall hold stakeholder meetings and ensure effective participation of key stakeholders and assess their interests and potential impacts.

Public participation.

(2) After completion of the preparation of the draft special area plan, the county executive committee member shall publish a notice in the *Gazette* and two newspapers of national circulation in form PLUPA S-2 as set out in the Schedule, inviting public comments.

(3) In dealing with comments and other representations regarding the draft special area physical and land use development plan from the public, the County Executive Committee Member may —

- (a) incorporate the comments or representations into the plan; or  
(b) dismiss the comments or representations:

Provided that if the County Executive Committee Member dismisses the comments or representations, he or she shall specify the reasons for doing so in writing.

9. (1) A person aggrieved by a decision of the County Executive Committee Member may appeal to the County Physical and Land Use Planning Liaison Committee within sixty days from the date of the decision in Form PLUPA S-3 as set out in the Schedule stating the grounds of appeal and the reliefs sought.

Appeals.

(2) When considering an appeal, the County Physical and Land Use Planning Liaison Committee may set aside, confirm or vary the decision appealed against.

(3) The decision of the County Physical and Land Use Planning Liaison Committee shall be made in accordance with the rules of natural justice and fair administrative action.

(4) A person dissatisfied with the decision of the County Physical and Land Use Planning Liaison Committee may lodge an appeal to the Environmental and Land Court within thirty days from the date of the decision of the Liaison Committee.

10. (1) Where all applications for the review of a Special Area Physical and Land Use Development Plan have been heard and determined, the County Executive Committee Member shall submit the plan to the County Physical and Land Use Planning Consultative Forum for comments within fourteen days in Form PLUPA S-4 as set out in the Schedule.

County assembly approval.

(2) Pursuant to the provisions of sections 41 (3) and 49 (3) of the Act, the county assembly shall, on submission of the local physical and land use development plan by the Governor consider the same within thirty sitting days and thereby approve with or without any modification.

11. Upon approval by the county assembly, the County Executive Committee Member shall cause the notice of final approval in Form PLUPA-S-5 as set out in the Schedule to be published in the *Gazette* and two newspapers of national circulation.

Publication.

12. Reports, notices, plans prepared under these Regulations shall be submitted to the National Land Commission and the Director General within fourteen days after publication.

Reports, etc. to be submitted to the National Land Commission.

SCHEDULE

Forms

FORM PLUPA-S1

(r.8(1))

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF DECLARATION OF A SPECIAL PLANNING AREA

In exercise of powers conferred by section 52 of the Physical and Land Use Planning Act, 2019, the county government of .....<sup>1\*</sup> declares the following area .....<sup>2\*</sup> as a Special Planning Area.

The purpose of the declaration is: .....<sup>3\*</sup>

The objectives of the declaration are: .....<sup>4\*</sup>

The preparation of the Special Area Plan has commenced. Any development within the declared area is hereby suspended until the ..... day of .....<sup>5\*</sup> 20.....

Any development for which development permission had been sought from the relevant planning authority more than six months before this notice shall be allowed to be carried out but in strict compliance with the terms of such approval.

Members of the public are hereby invited to make representations/ comments on the proposed Plan. Details on the subject area are available at.....<sup>6\*</sup>

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

County Executive Committee Member

Notes—

- 1\* Insert name of county.
2\* Define the extent of the area.
3\* Please attach additional written text if space is insufficient.
4\* Please attach additional written text if space is insufficient.
5\* Provide a maximum of a two-year window
6\* State physical address and opening hours, postal and telephone address, website and give link.

FORM PLUPA-S2

(r. 10(2))

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF COMPLETION OF SPECIAL AREA PLAN

Title of Development Plan.....

Pursuant to the provisions of section 52(6) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that the preparation of the above Plan was on the.....day of.....20.....completed.

A copy of the plan as prepared has been deposited for public inspection free of charge at .....<sup>1\*</sup>

Any interested person who wishes to make any representation in connection with or objection to the above plan may send the same to .....<sup>2\*</sup> by the .....day of .....20.....<sup>3\*</sup> and such representation or objection shall state the grounds upon which they are made.

Dated the .....day of ..... 20.....

County Executive Committee Member

Notes—

<sup>1\*</sup>provide details of the place where the plans are availed to the public and if electronic, give name and link to website.

<sup>2\*</sup> provide details of the physical address of the receiving entity.

<sup>3\*</sup>Specify actual date (60 days) for receiving comments.



FORM PLUPA-S 3

(r.11(1))

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

APPEAL AGAINST DECLARATION OF A SPECIAL PLANNING AREA

(To be filled in triplicate)

Title of Development Plan .....

To: The Secretary, County Physical and Land Use Planning Liaison Committee
..... County

I/We<sup>1\*</sup>, ..... of P.O. Box.....
..... appeal against the decision made by.....
..... County Executive Committee Member regarding the
above Plan.

My/our grounds for appeal are as follows:

- (a) .....
(b) .....
(c) ..... 2\*

The reliefs which I/We seek are:

- (a) .....
(b) .....
(c) ..... 3\*

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

Signature of Applicant .....

Notes—

1\*Delete as necessary.

2\*Please attach additional written text if space is insufficient.

3\*Please attach additional written text if space is insufficient.

FORM PLUPA-S4

(r.12)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

MEMORANDUM FOR REVIEW OF A SPECIAL AREA PLAN BY  
THE COUNTY PHYSICAL AND LAND USE PLANNING CONSULTATIVE  
FORUM

To: The County Executive Committee Member County Government of.....  
.....  
Title of Development Plan.....  
Pursuant to the provisions of section 52(6) of the Physical and Land Use Planning Act,  
2019, the County Physical and Land Use Planning Consultative Forum  
of.....County of P.O. Box ..... has  
reviewed the above Plan on this .....day of .....20..... and  
gives the following comments:

- (1).....
- (2).....

The plan is hereby forwarded for your consideration/action.

Dated the .....day of ....., 20.....

*Chairperson*

*Secretary*

FORM PLUPA-S5

(r.14)

REPUBLIC OF KENYA



THE PHYSICAL AND LAND USE PLANNING ACT

(No. 13 of 2019)

NOTICE OF APPROVAL OF A SPECIAL AREA PLAN

Title of Development Plan .....

Approved Development Plan No. ....

Pursuant to the provisions of section 52(6) of the Physical and Land Use Planning Act, 2019, NOTICE is hereby given that on the ..... day of ..... 20.....the County Assembly of ..... County approved the above Plan.

A certified copy of the plan as approved has been deposited at.....<sup>1\*</sup>

Dated the .....day of ....., 20.....

Signed .....  
*County Executive Committee Member*

Notes—

<sup>1\*</sup> Provide physical address and if electronic, name of website and link.

Made on the 15th November, 2021.

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