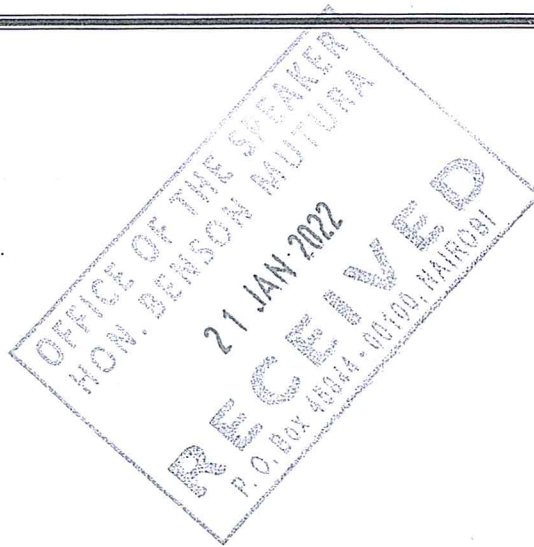


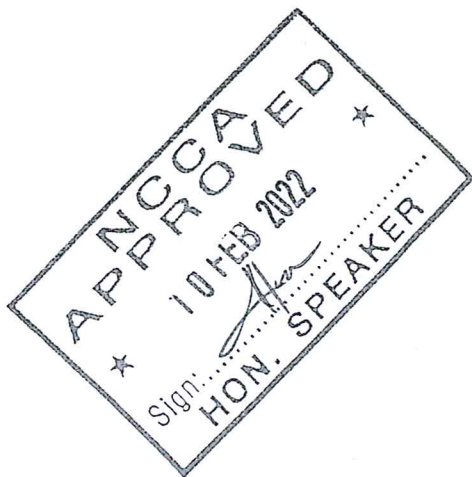


REPUBLIC OF KENYA



NAIROBI CITY  
COUNTY

# NAIROBI CITY COUNTY DEVELOPMENT CONTROL POLICY



DECEMBER, 2021



## FOREWORD

The completion of the Nairobi City County Development Control Policy marks another milestone toward improvement of the urban governance and management of the built environment of Nairobi City by Nairobi Metropolitan Services (NMS). This Development Control Policy provides parameters upon which development applications for land use and development will be evaluated and approvals granted. This is expected to be part of the other related planning, policy and legal frameworks applicable in promoting sustainable urban development. It is worth mentioning that the City's robust and rapidly growing real estate sector requires a stable regulatory framework in order to harness the existing potential for the City's growth through investment by public and private institutions. The Policy has exhaustively analyzed the current development control guidelines and has developed with new guidelines to be applied by the City's urban planning department in guiding developments across the various development zones and areas of the City. In so doing, it is anticipated that this will minimize on cases of haphazard and uncontrolled developments within the City.

The process of formulation of the guidelines adopted a participatory approach and received valuable comments and input from various stakeholders which have been taken into consideration under the policy interventions. These stakeholders included representation from government ministries, parastatals and agencies. It is expected that these government institutions will support the implementation of the policy by providing enabling environment such as through investment in the expansion of utilities and infrastructure services within the City. Input was also received from professional bodies, City residents and residents' associations.

On behalf of NMS, I thank the stakeholders and the taskforce for driving the policy revision process and all organizations and individuals whose valuable contributions made the process a success.



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## EXECUTIVE SUMMARY

The County Planning and Development function was one of the four functions transferred to the National Government through the Deed of Transfer of Functions dated 25<sup>th</sup> February, 2020. Nairobi Metropolitan Services, as the Institutional Framework implementing the said Deed of Transfer of functions, from the onset realized that urban planning plays a key role in ensuring the City of Nairobi develops in tandem with pillars of sustainable urban management. Nairobi Metropolitan Services is therefore charged with the mandate of ordering land uses within the City and performing the function of development control of the built environment. To effectively deliver on this mandate the sector is guided by relevant land use policy and legal framework.

Nairobi City has steadily and rapidly grown over the last two decades. Nairobi now boasts of being one of the most advanced urban areas in the East and Central Africa. These changes have come with attendant challenges to the urban managers as they endeavour to manage the City's built environment. The City is also currently home to several informal settlements occupying public and private land and housing over 60% of the City residents. It is also grappling with buildings built without approvals, buildings developed contrary to approval conditions and developments whose existence is in conflict with dominant uses. Existing infrastructure has proved that it cannot hold this nature of developments. This has led to protests from residents and neighborhood associations and in some cases ended up in courts. Other challenges include collapse of buildings due to weak and unstable structures.

It is against this backdrop that several interventions have been made by the City authority to address these challenges. This has included the deployment of technical personnel at the sub-county level for monitoring of developments, conducting periodic audits of the City's built environment and enhanced enforcement of existing development control guidelines. In 2014, the County completed the preparation of the Nairobi Integrated Urban Development Master Plan (NIUPLAN), an urban integrated development plan which consolidates various sector plans and makes recommendations on further detailed planning. However, the City lacks updated and responsive development control guidelines to inform decisions made on approvals for development applications. In light of this, a taskforce was established to review and revise the current development control guidelines



which were last reviewed in the year 2006. The City has continued to receive and process development applications based on this outdated policy guidelines, precedence and discretion. Some of the approvals for development have been largely informed by planning justifications advanced by the developers, architects and engineers.

The taskforce embarked on the revision guided by key considerations under development control. These include the zoning parameters which enable planners to manage the City's development in a harmonious and coordinated manner, key development control parameters which include land uses, physical typologies of the buildings, minimum plot sizes, character of the neighbourhood, infrastructure and utilities among others. The process sought to identify and protect low density residential areas and particularly gated communities. The importance of environmental health and public sanitation has also been considered. The guidelines have also considered special areas in the City such as government institutions, diplomatic missions and embassies, places of worship and learning institutions. The City is also currently implementing urban renewal programs including affordable housing to enhance access to decent and affordable housing within the City. This together with special planning areas within informal settlements have been given special considerations.

The revised development control policy has taken into account the above considerations in addition the cost of construction which includes the value of properties, infrastructure, public & environmental health considerations, spatial order and integrated sustainable neighbourhoods. This Policy recommends that the government invests in infrastructure to support the increased pressure on infrastructure and services, institutional strengthening through developed units in order to provide strong basis for implementation, monitoring and evaluation. It is expected that this Development Control Policy shall be periodically reviewed to guide development within the City.





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## LIST OF ACRONYMS

CBD	Central Business District
DoD	Department of Defence
JKIA	Jomo Kenyatta International Airport
KCAA	Kenya Civil Aviation Authority
KeNHA	Kenya National Highways Authority
KeRRA	Kenya Rural Roads Authority
KURA	Kenya Urban Roads Authority
NAMATA	Nairobi Metropolitan Area Transport Authority
NCCG	Nairobi City County Government
NCWSCo	Nairobi City Water and Sewerage Company
NEMA	National Environmental Management Authority
NIUPLAN	Nairobi Integrated Urban Development Master Plan
NMS	Nairobi Metropolitan Services
NTSA	National Transport and Safety Authority
PLUPA	Physical and Land Use Planning Act



## DEFINITION OF TERMS

***'Agricultural use'*** means cultivation of land and the use of land (whether or not covered by water) for any purpose of husbandry and includes— horticultural farming, seed growing, dairy farming, bee keeping, conservation, breeding, game ranching, grazing, woodlands and agroforestry.

***'Building line'*** means a line drawn across a plot such that no building or permanent structure, except a wall of approved design enclosing the plot, maybe within the area contained between that line and the nearest road on which the plot has frontage.

***'Building plan'*** means a set of architectural or engineering drawings needed to explain the building construction proposal to be submitted to authority for the purpose of seeking approval.

***'Change of use'*** means any alteration in the use, purpose or level of activity within any property that involves a material change that results in a use that is completely different from the previous one and will require development permission.

***'Commercial use'*** includes shops, offices, hotels, restaurants, bars, kiosks and similar business enterprises but does not include petroleum filling stations.

***'Density'*** means the maximum amount of development permitted or the maximum number of persons permitted to reside, as the case may be, on any area of land.

***'Development control'*** means the process of managing or regulating the carrying out of any works on land or making of any material change in the use of any land or structures and ensuring that operations on land conform to spatial development plans as well as policy guidelines, regulations and standards issued by the planning authority.

***'Extension of use'*** means introduction of a new use in addition to the existing use within the same building or site while maintaining the dominance of the existing use; the additional use should be compatible with the existing use and the neighbourhood character.

***'Extension of lease'*** prolonging the duration of the lease from the original given time and is done during the subsistence of the lease.

***'Floor'*** means the horizontal unit of a building structure which divides a building into different levels.

***'Levels'*** means the number of floors in a building commonly counted from the ground floor.

***'Ground coverage'*** means the permissible percentage or proportion of the land on a site that is covered by a building.

***'Industrial use'*** includes manufacturing, processing, distilling, brewing, warehousing and storage, workshops and garages, mining and quarrying, power generation and similar industrial activities including petroleum filling stations.

***'Institutional use'*** means the use of land or building in relation to an organization, foundation or societies.





***'Light Industrial'*** means the use of land or building by labor intensive industries e.g. workshops, large laundries; dry cleansing depots, printing; packaging; food industries; light assembly furniture makers etc.

***'Mixed Use'*** means an integrated wide range of land uses accommodated within a defined geographical area, zone, plot or building.

***'Plot ratio'*** means the factor by which the area of a plot is multiplied to determine the maximum plinth area of a building permitted on that plot.

***'Recreational'*** includes sports fields, gymnasiums, playgrounds, public parks and green areas, conservation areas, public beaches and swimming pools, and camping sites etc.

***'Religious'*** means the collective use of land or a building as a church, mosque, temple, convent, synagogues, monasteries, shrines for purposes of worship.

***'Residential'*** means the use of land or buildings for habitation, and is made up of organized estates and neighborhoods.

***'Setback'*** means the minimum distance a building or structure must be from something else. Typically, this is the distance from a road, highway or land boundary, but it can also refer to a river or other watercourse, a shore, flood plain, railway tracks, fencing, landscaping, septic tanks, and so on.

***'Skyline'*** means the maximum height of a building.

***'Student hostels'*** means the buildings used by educational institutions for accommodating students.



## CHAPTER ONE – INTRODUCTION

### 1.1 Background

The City of Nairobi like other cities in the developing world is experiencing rapid urbanization. This has resulted to the City's change shaped by several factors including economic, social, spatial, cultural, political, environmental and institutional factors. The growth and expansion of the City has also resulted in development challenges due to the pressure exerted on services and infrastructure that require to be effectively managed in order to ensure the City continues to play its respective role as the key driver of economic growth and sustainable development. The urbanization challenges currently being faced in the City include unplanned and uncoordinated urban growth, inadequate infrastructure, deterioration of the urban environment and increasing poverty.

Currently, Nairobi City does not have a comprehensive integrated urban development plan. Past growth management frameworks for the City include the Metropolitan Growth Strategy of 1973, which expired in the year 2000. Its expiry underscored the urgency of the preparation of the Strategic Structure Plan to guide the overall development of the City. In 2013, the Nairobi Integrated Urban Development Master Plan (NIUPLAN) was prepared to guide the City's response to development challenges facing Nairobi's for 16 years that is 2014-2030.

NIUPLAN integrated sector-based Master Plans for provision of public urban transport, railway expansion, airport, power, water supply, sewerage, telecommunication, solid waste management, infrastructure and services within the City. These plans include those on provision of public urban transport, railway expansion, airport, power, water supply, sewerage, telecommunication and solid waste management among others. The Plan seeks to guide the City's response to development challenges.

Nairobi City's current development control guidelines were last reviewed in the year 2006 and were purposed to last for ten years before being reviewed in 2016 after which they became outdated. The City County has continued to rely on these guidelines to process development applications. Due to lack of an updated policy, the County has processed applications using discretion, practice, precedence, planning justifications advanced by the developers, architects and engineers. The Physical and Land Use Planning Act, 2019





provides for formulation and revision of policies every 5-10 years. This is the premise upon which this development control policy is being revised.

## **1.2 Situational Analysis**

This section details the current status of development control parameters within the various planning zones of the City. These include land uses, skylines, ground coverages by buildings, setback and the building lines. The basis for granting approvals has been the prevailing zoning guidelines and precedence in respective of the areas.

### **1.2.1 Urbanization challenges in the City**

The City of Nairobi, like other cities in the developing world, is experiencing rapid growth and transformation. The urban development challenges of the City are largely influenced by the City's history, socio-economic and physical development processes coupled with inadequate and weak implementation of urban development policies. The most current City's land use plan is the NIUPLAN (2014-2030). The Plan seeks to arrest one of the major challenges facing Nairobi's development process (up to date), which is the consequence of managing land use developments and planning for environmental sustainability.

### **1.2.2 NIUPLAN Proposals**

NIUPLAN approach in delineation of NCC was mainly based on the Zonal Considerations Proposal, Transport Oriented Development (Sub Centers). Considering the urban development trend and problems that Nairobi is facing, the sub-centre system (bi-polar corridor development), was adopted as the type of structure plan for Nairobi City. In so doing, the plan proposes to use Transport Oriented Development Approach considering the urban development trends, the sub-Centre system (bi-polar corridor development), was proposed as the type of structure plan for Nairobi. At least 14 sub centers, junctions and stations were proposed at the linkages between two modes of transport e.g. (road and rail) and at the junction between two roads. Some of the sub centers proposed include; Upper hill, Karen-Langata, Runda-Ruaka, Dandora, Imara-Daima, Makadara, Kasarani and Ruai.

### **1.2.3 Development Control in Nairobi City**

Zoning in Nairobi has been used as a primary development control tool and is dated back to 1906 after Nairobi was confirmed as the capital of the country (Nairobi Urban Study Group 1973) with seven distinct zones. In 1927, the expansion of the City further enhanced segregation, enclaves and spatial limits to the interest and advantage of the European settlers. In 1948, a Master Plan for Nairobi was developed with a zoning scheme





introduced with zones for official buildings, business and commercial, industry, railway, residential, official housing, open space, forest reserve and parks. One of the goals of the plan was to establish neighborhood units for the working class for segregation. “A Guide of Nairobi City Development Ordinances and Zones” of 2004 is the current zoning ordinance use by the City to control development. The ordinance subdivides Nairobi City into 20 zones prescribing guidelines to those aspects of the development ordinances that every property developer in the City requires in setting up any form of development – be it residential, commercial, industrial, institutional or religious among others.

### **1.2.4 Population and Demography**

Nairobi has continued to experience rapid population growth rates as compared to other towns in the country. The current population of the City is estimated to be 4.7 million people with a growth rate of 4.1%. It is estimated that Nairobi's population will reach 5 million by 2025. The population projection for the City is given in Table 1-2. The estimated population of Nairobi City in 2030 is 5,212,500 (NIUPLAN, 2013).

***Table 1: Nairobi City Population Projection***

<b>Year</b>	<b>1999</b>	<b>2000</b>	<b>2010</b>	<b>2020</b>	<b>2030</b>
<b>Projected Population</b>	2, 143, 254	2, 233, 000	3, 363, 000	4, 881, 000	5,212,500

***Sources: Kenya Censuses 1989, 1999 and 2009, Spatial Planning Concept for Nairobi Metropolitan***

The above result means that if Nairobi City County needs to accommodate more than five million people, the existing regulation in the development ordinance should be revised to accommodate the increasing demand. The average population density in Nairobi is 5,429 per km<sup>2</sup>. Population is a major driver of land use and human settlement change in Nairobi and as such is a determinant of other parameters such as solid-waste-generation rates, basic infrastructure distribution. Population densities determine settlement patterns, building typologies and growth trends. On the other hand, where the population is high the level of infrastructure and services provision is low. With other areas grouped together it will be easier to improve the services or even provide them. Population determines development characteristics in an area e.g. areas with high population densities tend to have high density



developments and vice versa. The population in the City is ever increasing and demand for the finite land for developments is also high. Population determines the services to be provided in an area be it roads, sewer and water etc. Hence with population growth rates and proposal for provisions of infrastructure and services it will be easier to project growth in the respective areas.

### **1.2.5 Infrastructure and Services**

Infrastructure and services are an integral part of sustainable urban development. This section details the state of infrastructure services in the City.

#### **a. Water and Sewerage System.**

The existing water sources for the Nairobi City are Sasumua Dam, Thika Dam, Ruiru Dam, and Mwagu Intake on the Chania River, Kikuyu Springs and groundwater. The City receives treated water from four reservoirs, namely: Kabete, Kyuna, Kiambu and Gigiri reservoirs. With the current population, it is estimated that there is a water demand of 579,000m<sup>3</sup> per day and a supply of 482,940m<sup>3</sup> per day living a big deficit that has to be met through other sources such as boreholes. It is worth noting that only 40% of those with water connection receive continuous water supply from the water supply company.

#### **b. Solid Waste Management**

Nairobi City produces approximately 876,000 tonnes of waste per year or 219 kilograms per capita per year. Currently there is a 60-70% collection coverage rate with about 54% of waste generated being collected. The collection is done by Nairobi Metropolitan Services and private companies within the County through contracts with households, public or private enterprises. The collected waste is transported to Dandora dumpsite or other minor dumping sites. In areas where accessibility is a challenge for the City or private companies to collect the waste, community-based organizations have risen to do it.

#### **c. Urban transport**

##### **i. Road transport**

Nairobi City County has four main classes of roads based on Kenya Roads Board classifications, that is, Class A, B, C and D; but due to the recent construction and expansion of roads in Nairobi, a proposal in the NUTRANS has encouraged that the roads in the City be classified into four categories, that is, International Highway, Principle Arterial, Minor Arterial and collector roads. The development structure adopted for the





County in the NIUPLAN is a sub-center system with bi-polar corridor development, where two main transport corridors are used to guide development in certain sub-centers; these two corridors are the two Class A roads (Highway A104 and A2) and the Bypasses (Northern, Eastern and Southern Bypasses). These proposals were borrowed (with slight modification) from the Study on Master Plan for Urban Transport in the Nairobi Metropolitan Area done in March 2006 (**NUTRANS**) with an aim of redirecting vehicles traversing through the county in order to reduce congestion caused when they go through the CBD and also to enlarge the capacity of the existing roads within the county to match the population in the area.

It was noted that the main cause of challenges in the transportation sector is the increase in population in specific transport corridors that has resulted in overstretching of the existing facilities and also the missing links identified in the road network. Moreover, most of the road networks within Nairobi have been recommended for expansion and new links roads as well be provided to divert traffic and for easy access where such roads do not exist.

## **ii. Rail Transport**

The commuter train service is available on four different lines serving a limited number of areas in the City with all the lines converging at the Nairobi Railway Station in the CBD. Syokimau commuter rail covers the following estates in Nairobi- industrial area, Mbotela, Mukuru kwa Njenga. Embakasi commuter rail covers Makadara, Buru buru, Donholm, Tassia and Embakasi. Kikuyu commuter rail covers Kibera and Kawangware estates. Ruiru commuter rail covering Makadara, Buruburu, Kariobangi, Dandora and Komarock estates within Nairobi.

## **iii. Power and Energy Connection**

According to NIUPLAN the Nairobi region is one of areas with unreliable electricity and vandalism of electricity system. Nairobi is also connected to the 14-inch pipeline that runs from Mombasa through Nairobi to the rest of the country and the region. From the Nairobi Electricity Distribution Network, it was observed that Electricity in the City is well distributed. Areas which are predominantly industrial would require not only stable power supply but will need to be located adjacent to either existing or proposed power stations





for the new industries. Lastly, Infrastructure services should be improved in almost all parts of Nairobi as evident from the discussion below from NIUPLAN.

#### **1.2.6 Informal Settlements**

Informal settlements have had a major toll on the urban environment. Almost all the slums lie within the riparian reserves of the City. Due to poor waste management systems, these rivers have suffered from direct discharge of both domestic and industrial wastes. As a result, these call for policy recommendations that specifically tackle the environmental issues within the areas in slums. Besides environmental issues, informal settlements will call for special policy considerations in their upgrading which will as well have unique implications on the riparian reserves in which they fall.

#### **1.3 Justification of the Policy**

The Physical and Land Use Planning Act 2019, allows for formulation and revision of policies within 5-10 years after formulation. The City County is reviewing the development control guidelines in order to comply with the requirements of law and ensure that developments in the City are effectively managed. Nairobi Integrated Urban Development Master Plan (NIUPLAN) recommendation on formulation of development control guidelines and a review of Nairobi zoning ordinances.

The outdated planning zoning policy has demonstrated that even the best zoning ordinances do become out of date. Periodic revision is essential in order to establish and maintain sustainable land use pattern. The various planning statutes give powers to review such regulations, restrictions, and boundaries may be amended, supplemented, changed, modified, or repealed from time to time.

Nairobi City is experiencing unique spatial planning dynamics due to population growth, high demand for residential units, office space, need for support services and facilities. The City's development trends seem to be demand driven rather than guided by spatial planning and development control policies. This is due to undefined zoning policy guidelines that ought to be reviewed.

Environmental concerns have become prevalent since the prevailing development densities and trends are exerting pressure on the existing land uses leading to incompatible





land uses, environment degradation, proliferation of informality, lack of compliance to the existing planning and building standards.

#### **1.4 Objectives of the Policy**

1. To revise the development control guidelines for effective urban management of developments within the City.
2. To sustainably guide and control development in Nairobi City for the next ten years.
3. To facilitate private sector investment within the City aimed at transforming Nairobi into a modern City with high quality of life for all residents.

## **CHAPTER TWO - POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK**

### **2.1 POLICY FRAMEWORK**

This chapter highlights the key legal underpinnings upon which this Policy is grounded. This process of revising the development control guidelines is anchored within the following broad policy and the legal framework for Physical & Land use Planning.

#### **2.1.1 Kenya Vision 2030**

The Kenya Vision 2030 is the overall development framework for Kenya. Its objective is to transform Kenya into a "newly industrializing, middle-income country providing a high quality of life to all its citizens by 2030 in a clean and secure environment. Developed through an all-inclusive and participatory stakeholder consultative process, involving Kenyans from all parts of the country. The Vision is based on three "pillars": Economic, Social, and Political.

With regard to physical planning, it provides for the desired flagship projects and development indicators which will guide development. This enables the development of this policy around the said flagship projects and development indicators.

#### **2.1.2 National Land Use Policy (2017)**

The National Land Use policy (NLUP) of 2017 provides policy guidelines, principles and strategies towards urban development and management. It states that to ensure sustainable urbanization and promote the development of adequate and appropriate shelter for all, the Government shall consider the re-conceptualization of zoning and subdivision control as tools for creation of integrated viable urban communities.

It further provides that one solution to address the challenges of land management and development as being the provision of a clear legal framework within physical planning law for effective co-ordination and enforcement of development control. It is on this basis that this Policy is anchored.





### **2.1.3 The Big Four Agenda**

The idea behind the Big Four plan is to implement projects and policies that will accelerate economic growth and transform lives by creating jobs. The Big Four agenda has the capacity to enhance the country's economic performance and improve the livelihoods of Kenyans. The big four agenda include food security, affordable housing, manufacturing, and affordable healthcare for all.

The achievement of the four aspects largely depends on sustainable planning and provision of infrastructure which this policy seeks to address.

### **2.1.4 The Nairobi Integrated Urban Development Master Plan**

NIUPLAN is a broad spatial framework to guide urban planning and development within Nairobi City County for the period between 2014 – 2030. The plan recommends preparation of local, physical and land use plans for sub centers detailing specific interventions for various areas and provision of development control guidelines.

The resultant plans will indicate the direction of growth of the City based on in-depth analysis of prevailing conditions including demand and supply in transport, housing, water and sanitation, commercial and industrial development.

## **2.2 LEGAL FRAMEWORK**

### **2.2.1 Constitution of Kenya, 2010**

The supremacy of the Constitution provides a solid bedrock for the activities and interventions geared towards achieving its provisions. It guarantees proprietary rights and encourages sustainable and productive use of land resources in a transparent and cost-effective manner. This is expected to be enshrined in policy and legislative frameworks.

This policy is therefore a manifestation of the Constitutional aspirations on land management and administration of property in Nairobi City. It is further an implementation of the County role of Development and Planning as enumerated in its Fourth Schedule.



### **2.2.2 County Governments Act, 2012**

This Act identifies the role of the executive in urban area or City planning as being integral to and facilitative of County development and planning. Particularly, the onus of planning, formulation, adoption, review and implementation of various development plans and policies is on the City authority. This Act further provides the specific aspects to be planned as well as the review period.

This Policy therefore seeks to bring to life the provisions set out therein in order to ensure compliance and proper management of the City.

### **2.2.3 Urban Areas and Cities Act, 2011**

This Act stipulates that cities ought to operate within the framework of integrated development planning. The Act provides for the objective of development planning and specifically guides on matters regarding development control.

This Policy has therefore been guided by the provision on development control and conforms to the standards set therein.

### **2.2.4 Physical and Land Use Planning Act, 2019**

The objectives of this Act include among others the procedures and standards for development control and the regulation of physical planning and land use and a framework to ensure that investments in property benefit local communities and their economies. It defines the strategic policies for the determination of the general direction and trends of physical, and sectoral development in Kenya and provide a framework for the use and development of land. It further gives the National Physical and Land Use Development Plan as the basis for managing human settlements and providing a framework for guiding the location and development of strategic national investments and infrastructural development.

On development control, this Act outlines the objectives as being:

1. To ensure orderly physical and land use development.
2. To ensure optimal land use.
3. To ensure proper execution and implementation of approved physical and land use development plans.





4. To protect and conserve the environment.
5. To promote public safety and health.
6. To promote public participation in physical and land use development decision-making.
7. To ensure orderly and planned building development, planning, design, construction, operation and maintenance; and
8. To promote the safeguarding of national security.

As the primary Act anchoring this policy, the provision set out therein have guided the interventions formulated herein and set the benchmark of standards to be achieved.

Other legislative frameworks considered include:

1. Forest Conservation and Management Act
2. Kenya Roads Act
3. National Museum and Heritage Act
4. Environmental Management and Co-ordination Act
5. Civil Aviation Act
6. National Construction Authority Act

## **2.3 INSTITUTIONAL FRAMEWORK**

The section below provides the key government departments and ministries that are key in implementing the development control guidelines.

### **2.3.1 Ministry of Lands and Physical Planning**

The Ministry's major objective is to facilitate improvement of the livelihood of Kenyans through efficient land administration, equitable access, secure tenure and sustainable management of land resource.

### **2.3.2 National Land Commission**

The National Land Commission is established to manage public land on behalf of National and County Governments. It also recommends national land policy to the National Government.

### **2.3.3 National Environment Management Authority**

It is established as the principal instrument of government for the implementation of all policies relating to environment.



#### **2.3.4 Kenya Civil Aviation Authority**

The Kenya Civil Aviation Authority main mandate is to plan, develop, manage, regulate and operate a safe, economically sustainable and efficient civil aviation system in Kenya. It is in line with this that development applications within the vicinity of aerodromes and strategic security installations are approved in consultation with KCAA.

#### **2.3.5 Nairobi Metropolitan Services**

By a deed of transfer, the Nairobi City County Government transfer some of its functions to the National Government. One of the functions transferred is County Planning and Development. Pursuant to the aforementioned Deed of Transfer, the National Government established the Nairobi Metropolitan Services as institution framework to implement the transferred functions. It is therefore the formulating and implementing institution of this Policy.



## CHAPTER THREE – POLICY INTERVENTIONS

The development control guidelines proposals were considered based on the following planning variables;

- Population growth trends
- Legal, Policy & Institutional framework
- Land is inelastic
- Land market value
- Advanced construction technology
- Provision of Infrastructure
- International urbanization trends
- Urban dynamics

The proposed development control guidelines are presented hereunder and subsequent zonal maps as annex 2.





ZONE	BOUNDARY	LOCATION	BLANKET EXTENT	PLAN RATIO	COVER- AGE	NO. OF LEVELS /SKYLINE	MAXIMUM SIZE	DESIGNATION
ZONE 1	Boundary	University Way - Nairobi River - Valley Road - Dennis Pritt Road - State House Road					(HA)	
	1A	Core CBD	Uhuru Highway, Tom Mboya street, Haile Selassie, University way	6000	80	75	0.05	500 Mixed development: Commercial, Offices, Institution
	1B	Peri CBD Railways, Railway City	Tom Mboya, Uhuru Highway, Nairobi River, Landhies Road, Factory Street, Workshop Road, Bunyala Road, Uhuru Highway & Haile Selassie Avenue	4000	80	50	0.05	500 Mixed development: Commercial, Offices, Institutional and Educational Railway city-mixed use
	1C	Upper Hill						Mixed development: Residential, Commercial, Offices and Light Industrial
		Block I	Valley Road, Upper Hill Road, Mara Road, Chyulu Road	5625	75	75	0.05	500 Mixed development: Commercial, Offices, Institutional, Embassies and residential apartments
		Block II	Mara Road, Upper Hill Road, Elgon Road, Hospital Road	5625	75	75	0.05	500 Mixed development: Commercial offices, recreational, institutional and residential apartments
		Block III	Upperhill Link road, Hospital road, Elgon road, Matumbato road, Kiambere road and the railway line	5625	75	75	0.05	500 Mixed development: Offices, Embassies, Educational, Institutional
ZONE 2		Block IV:	Elgon Road, Upper Hill Road, Kiambere Road, Railway Line	5625	75	75	0.05	500 Mixed development: Residential apartments, Offices, Institutional, Commercial, Public Purpose-Church
		Block V	Area between Valley Road, Argwings Kodhek Road, Ralph Bunche road, Ngong road, Hospital road, Upperhill Link road and Mbagathi way	5625	75	75	0.05	500 Institutional-Kenyatta National Hospital Character maintained
		Block VI	Valley Road, Uhuru Highway, Dennis Pritt Road, Ralph Bunche Road, State House Road	5625	75	75	0.05	500 Mixed development: Institutional, Hotels, Offices, Residential Apartments, Public Purpose, Educational
	Boundary	Muranga Road - Mathare River - Eastleigh Airbase - Nairobi River						
	2 A	Ngara East	Area between Muranga road,, Ring Road Ngara and Nairobi River	1125	75	15	0.05	500 Mixed development: Commercial, Residential, educational, student hostels, offices, Light industries
		- Habib Ismailia Estate	Along Ring Road Ngara	1125	75	15	0.05	500 Low density residential housing scheme (Proposed urban renewal)
		- Boma Yangu Ngara estate	Along Park road - Kinsasha road	1125	75	15	0.05	500 Mixed development: Commercial, Residential, educational, student hostels, offices, Light industries
ZONE 2 B		- Kenya railway estate	Along Park road	1125	75	15	0.05	500 Low density residential housing scheme (Proposed urban renewal)
		Pangani Area	Area between Thika road, Muratina Street, Kipande Athumani Street, Mwani	1125	75	15	0.05	500 Mixed Development

		road, Hombé road and Ring Road Ngara							- Commercial, Residential, Educational, Student hostels, <b>NCCG Housing estate:</b> Pangani Estate-Ongoing redevelopment (Eastland Urban renewal plan <b>(Proposed for urban renewal)</b> )
	Ushirika Estate		50	50					
	Mbono Crescent Court		50	50					
	Goon Housing Estate		50	50					
	KPLC Staff Houses		50	50					
2 C	Kariokor	Area between Ring Road Ngara, General Waruinge street, Meru road, Lumbwa street, Pumwani road and Nairobi river	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 D	Ziwani	Area between Quarry road, Jairo Owino road, Muga street, General Waruinge street, Gore street, Kinyajui street and Muslim cemetery	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 E	Pumwani	Area between General Waruinge street, Muinami street, Digo road and Meru road	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 F	Majiengo	Area between Munyemi road, Digo road, Muratina street, Lumbwa street, Nairobi river, Lamu street and Gikomba market northern periphery	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 G	California Estate	Area between Muinami street, General Waruinge street, Eastleigh 1 <sup>st</sup> Avenue and Eastleigh airbase	1125	80	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 H	Gorofani (NCCG)	Area between Kankunji road, Quarry road, Ring Road Ngara and Kombo Munyiri road	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 J	Mlango Kubwa	Area between Juja road, Mau Mau road, Nairobi river, KMTC-Mathare and Bait-Ul-Mal Islamic Centre	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 K	Biafra estate	Area between Eastleigh 1 <sup>st</sup> Avenue, Nairobi river and Eastleigh Airbase	1125	75	15		0.05	500	Mixed development: Commercial, Residential, Educational, Light Industrial, Student hostels
2 L	Eastleigh Commercial	Area between Moi Airbase Periphery, Eastleigh 1 <sup>st</sup> Avenue, General Waruinge Street, Muratina street and Juja road	1440	80	15		0.05	500	Commercial, Approval subject to KCAA
2 M	Eastleigh Residential		1125	75	15		0.05	500	Residential, Approval subject to KCAA
2 N	Gikomba market	Area between Nairobi river, Kankunji road, Digo road, Meru road and Lamu road	1125	75	15		0.05	500	High density commercial
2 P	Kiambiu slum	Area between Nairobi River and Moi Eastleigh Airbase							Special Planning area
ZONE 3	Boundary	Mathari River - Boundary Road - Upper Hill - Ayany & Kibera							
3 A	Westlands CBD	Area between Chiromo road, Cross way, Muthithi Road, Mpesi Lane, Mogotio road, Parklands road and Ring Road Parklands.	2400	80	30		0.05	500	Commercial offices
3 B	Westlands Museum Hill								
	Block I:	Mogotio Road, Djijo Road, Parklands Road, Chiromo Road	2400	80	30		0.05	500	Commercial, Residential Apartments, Hotels
	Block II:	Chiromo Lane, Mogotio Road, Westlands Road, Crossway Road	2400	80	30		0.05	500	Commercial, Residential Apartments, Hotels
	Block III:	Westlands Road, Chiromo Road, Djijo Road, Nungu Lane	2400	80	30		0.05	500	Commercial, Residential Apartments, Institution



ZONE 4		Block IV:	Nungu Lane, Westlands Road, Ojijo Road, Museum Hill Road	2400	80	30	0.05	500	Commercial, Residential Apartments, Offices
		Block V:	Waiyaki Way, Museum Hill Road, Westlands Road, Crossway	2400	80	30	0.05	500	Commercial, Offices, Residential Apartments, Hotels
	3 C	Riverside	Area between Chiromo Road, Kolobot Drive, State House road, State house & Arboretum edges, Ring Road Kileleshwa and Rhapsa Road	1500	75	20	0.05	500	Commercial, Residential Apartments
	3 D	Parklands:	Ring Road Parklands, 5 <sup>th</sup> Parklands Avenue, Limuru Road, Forest Road and Parklands road						Commercial, Offices, Residential apartments, Institutions, recreational, educational, Hotels
		-Commercial		1600	80	20	0.05	500	
		-Residential		1600	80		0.05	500	
	3 E	City Park:	Limuru Road, City Park Boundary & River edge	1500	75	20	0.05	500	Mixed Development: Commercial, Residential apartments, Offices, Market, Recreational
	3 F	Ngara West	Area between Nairobi river, Museum hill road, Forest Road, Limuru road, City Park/river edge, road and Muranga Road	1600	80	20	0.05	500	Mixed Development: Commercial, Offices, Residential, Institutional/educational & Student Hostels
	3 G	City Park Estate	Area between Limuru road, City Park road, City Park edge and Muthaiga	1125	75	15	0.05	500	Mixed development: Commercial & residential
ZONE 4	Boundary	Westlands Redhill Link Road – Waiyaki Way – Ring Road Parklands – Mathare River – Ngong road – Joseph Kangeetho road							
	4 A	Lower Spring Valley	Mathare River, Westlands Redhill Link Road, Waiyaki Way and Ring Road Parklands	240	60	4	0.05	500	Mixed Development: Residential, Commercial Offices, Professional Offices
	4 B	Muthangari	Area between Waiyaki Way, Riverside Drive, Ring Road Westlands and Mahiga Mairu Avenue	1200	75	16	0.05	500	Mixed development: commercial, Residential, professional offices
	4 C	Kileleshwa (s & u)	Area between Riverside Drive, Dennis Pritt road and Oloitoktok road,	1500	75	15	0.05	500	Mixed development: Commercial, Residential, professional offices
	4 D	Kilimani (s & u)	Area between Argwings Khodek and Ngong Road	1500	75	15	0.05	500	-Mixed Development: Residential, Commercial Offices, Professional Offices, Light industrial use
	4 E	Ngong road area	State House Neighbourhood & Area along/between Dennis Pritt road, Lenana road, Ralph Bunche road & Woodlands road	240	60	4	0.05	500	Mixed development: Commercial, Residential, professional offices, Institutions
			Ministry of Defense – Department of Defense Neighbourhood & Area between Argwings Khodek road, Valley road, Rose Avenue, Lenana road & Rulph Bunche road	240	60	4	0.05	500	Mixed development: Commercial, Residential, professional offices, Institutions
			First row along Ngong Road from Valley Road to Dagoretti Junction	1850	75	20	0.05	500	Mixed Development: Commercial Offices, Residential, Professional Offices, Light industrial use
	4 F	Woodley: Kabarnet gardens, Joseph Kangeetho Estate, Ayany Estate, Kapitei Gardens	Area between Ngong road area, Muchai Drive, Kibera Station road and Joseph Kangeetho road	750	75	10	0.05	500	Mixed use development: Residential, Commercial Offices, Professional Offices & Institutions
	Boundary	Waiyaki Way – Gitanga Road – James Gichuru road – Lower Kabete road							
ZONE 5	5 A	Loreshto	Area between Lower Kabete road, Waiyaki Way, Quarry road and Kyuna Close	50	50	Single dwelling	0.2	2000	Mixed use development: Residential (Single dwelling), Professional Offices & Institutions
	5 B	Kianda Triangle	Manyani road close, Waiyaki Way and Kabarsiran Avenue	300	50	6	0.1	1000	Mixed use development: Commercial, Offices,

5 C												Hotels, residential
	Lavington											Mixed use development: Residential (Single dwelling), Institutional, Educational, Offices.
	-On sewer				50	50	Single dwelling			0.1	1000	
	-Unsewered				25	25				0.1	1000	
5 D	Bernard											Mixed use development: Institutions, Offices, Educational & Residential (Single dwelling)
	-On sewer				50	50	Single dwelling			0.1	1000	
	-Unsewered				25	25				0.1	1000	
	James Gichuru Corridor				1200	75	16			0.1	1000	Mixed Development: Commercial, Hotels, Residential & Offices
ZONE 6	Boundary	Kiambu Road - Gitathuru River - Karura Forest - Limuru Road - Mathari River										
6 A	Muthaiga				50	50	Single dwelling			0.2	2000	Low Density Development: Single dwelling
6 B	Spring Valley (Extension)				50	50	Single dwelling			0.2	2000	Mixed Development: Residential, Offices.
ZONE 7	Boundary	Thika road - Juja road - Mathare river - Outer Ring road										
7 A	Huruma				300	60	5			0.05	500	High density residential/commercial use
	Huruma NCC Housing				300	60	5			0.05	500	NCCG housing (Proposed for urban renewal)
	Huruma Kiamaiko				300	60	5				500	High density residential/commercial use
	Informal Settlements- Ex Grogan, Kambi Moto, Mahira, Ghetto, Redeemed Gitathuru				300	60				0.05	500	Special planning area
7 B	Mathare 4/A				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
7 C	Mathare Valley				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
7 D	Mathare North - Mathare Area 1				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
7 E	Mathare North - Mathare Area 2				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
7 F	New Mathare Drive In				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
	Kariobangi				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
	Dandora				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.
	Korogocho				300	60	5			0.05	500	Mixed Use: High density residential, Commercial & Light industrial.



Boundary		Jogoo road – Nairobi river – Outer Ring road – Kangundo road – Ngong river									
8 A	Shauri Moyo	Area between Kamukunji road, Jogoo road, 1 <sup>st</sup> Avenue Eastleigh and Nairobi river	300	50		5	0.4	4000	NCCG housing		
	Maringo	Area between Rukwa Road, Uaso road, Nyasa road, and Ruiruaka road	600	35		16	0.4	4000	NCCG housing		
	Bahati	Area between Jogoo road, Eastleigh 1 <sup>st</sup> Avenue, Nyasa road, Eldoret road and Nairobi river.	400	45		8	0.4	4000	NCCG housing		
	Kaloleni	Area between Jogoo road, Lusaka road, City stadium road and Vijana road	400	45		8	0.4	4000	NCCG housing		
	Makongeni	Area between City Stadium road, Jogoo road, Vijana road and Likoni road	400	45		8	0.4	4000	NCCG housing		
	Mbotela	Area between Likoni road, Jogoo road and Railway line boundary	600	35		16	0.4	4000	NCCG housing		
	Jericho	Area between Shule drive, Rabai road, Nile road and Charles New road	600	35		16	0.4	4000	NCCG housing		
	Jerusalem	Area between Shule road, Uaso road, Nairobi river, Kimarhi Primary school, and Homo Crescent	600	35		16	0.4	4000	NCCG housing		
	Lumumba	Area between Outer Ring road, Mumias South road, Bumbani road, Rabai road, Jogoo road and Nziu road	600	35		16	0.4	4000	NCCG housing		
	Makadara	Area between Rabai road, Jogoo road, Nile rod and Charles New road	500	50		10	0.05	500	High density residential development		
8 B			750	75		10	0.1	1000	Commercial & High density residential development		
8 C	Donholm - Block 82	Area along Savannah road	500	50		10	0.05	500	High density residential development		
8 D	Uhuru - 1	Area between Mumias South road, Rabai road and Nairobi to Jericho Social Hall	600	35		16	0.05	500	NCCG housing		
	Uhuru - 2		600	35		16	0.05	500	NCCG housing		
	Uhuru - 3		600	35		16	0.05	500	NCCG housing		
8 E	Buruburu - 1	Area between Nairobi river, Rabai road, Oldebi road, Mumias South road, Wangombe road, OI Leleshwa road and Children International	400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)		
	Buruburu - 2	Area between Outer Ring road, Mutindwa road, and Rabai road	400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)		
	Buruburu - 3	Area between Mumias South road, Bumbani road, Bumbani road, Rabai road,	400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)		
	Buruburu - 4	Area between Outer Ring road, Jogoo road, Mumias South road and Mutindwa	400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)with commercial use		
8 F	Buruburu - 5	Area between Mumias South rod, Rabai road and Bumbani road	400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)		
	Buruburu - 6		400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)		
	Buruburu - Blocks 72-79		400	50		4	0.05	500	Low density residential housing scheme (Proposed urban renewal)		
	Umoja - 1		Area between Moi Drive, Outer Ring road, Kangundo road and Umpija Phase 2	600	75		8	0.05	500	Mixed use development: Residential, Institutions.	

	Umoja - 2	Area between Manyanja road, Kayole Spine road, Kangundo road and Moi Drive	600	75	8	0.05	500	Offices, Restaurants, Hotels & Commercial
	Umoja Innercore	Area between within Moi Drive	600	75	8	0.05	500	
8 G	Komarock - Commercial	Along Kayole Spine road	600	75	8	0.05	500	Mixed use development: Residential, Institutions, Offices, Restaurants, Hotels & Commercial
	Komarock - Residential	Kayole spine road,	600	75	8	0.05	500	
8 H	Kayole - Commercial	Area between Kangundo road Kangundo road, Ngong river, Kayole spine road and Kayole junction	600	75	8	0.05	500	Mixed use development: Residential, Institutions, Offices, Restaurants, Hotels & Commercial
	Kayole - Residential		600	75	8	0.05	500	
	Tena estate	Area between Outer Ring road, Manyanja road and Moi drive	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions, Offices, Restaurants & Commercial
	Rabai road estate	Area within Rabai road, Mumias south road, Buruburu Phase 2 and Laiboni road	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Harambee NCC estate	Area within Rabai road estate, Rabai road and Burubu Phase 2	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Donholm	Area within Manyanja road, Kayole Spine road Outer Ring road and Ngong river	750	75	10	0.05	500	Mixed use development: Residential, Institutions, Offices, Restaurants, Hotels & Commercial
	Greenfield	Area within Manyanja road and Greenspan	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Nasra Gardens - Residential	Area within Manyanja road, Kayole Spine road, Kangundo road and Obama estate	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions & Restaurants
	Nasra Gardens - Commercial	Along Kayole Spine road	375	75	5	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Umoja Zone 3, 7, 8	Area within Kangundo road, KCC, Railway line and Mowlem	375	75	5	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Sosian estate	Area within Jacaranda estate, Shujaa mall and Jacaranda ground	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions & Restaurants
	Jacaranda estate	Area within Kayole spine road and Jacaranda grounds	50	50	Single dwelling	0.05		Mixed use development: Residential, Institutions & Restaurants
	Kayole Soweto	Area within Jacaranda estate, Ngong river and Kayole estate	375	75	5	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Matopeni estate	Area within Ngong river, Kayole and Kangundo road	375	75	5	0.05		Mixed use development: Residential, Institutions, Restaurants & Commercial
	Kimathi estate	Area within Maringo estate, Bahati estate, Jerusalem estate and Nairobi river	375	75	5	0.05		Mixed use development: Residential, Institutions & Restaurants
ZONE 9	Boundary	Railway line - Outer Ring Road - Nairobi River - Mombasa Road - Uhuru Highway						
9 A	Main Industrial Area	Area between Bunyala Road, Commercial street, Uhuru Highway, Nairobi River, Enterprise road, Lungalunga road, Makadra railway line and Viwandani	650	80	8	0.1	1000	Industrial use development/Godown & offices
9 B	Railways	Area between Uhuru Highway, Nairobi Railway station, Bunyala road and Commercial Street	650	80	8	0.1	1000	Industrial use development/Godown & offices
9 C	Mukuru Village	Area between Enterprise road, Kens Metal Undustry, Karibu Estate, Nairobi						Special planning area



			River and Aoko road						
9 D	Vivandani		Area between Nairobi river, Industrial area, Makadara railway line, Outer Ring road, and Lungalunga road	650	80	8	0.1	1000	Industrial use development/Godown & offices
9 E	Dandora industrial zone ( s & u)		Area between Komarock road and Nairobi river	650	80	8	0.1	1000	Industrial use development/Godown & offices
9 F	Kariobangi Industrial (u)		Area between Komarock road, Outer Ring road, Kamunde road and Sewer area	650	80	8	0.1	1000	Industrial use development/Godown & offices
9 G	Mathare North Industrial		Area between Raila Odinga road and Outer Ring road	650	80	8	0.1	1000	Industrial use development/Godown & offices
ZONE 10	Boundary	Mombasa road – Ngong river – Railway line – Mbagathi Way – Ngong road – Kibera road – Southern Bypass – National Park							
10 A	Nairobi West		Langata road – Muhoho Avenue	600	50	12	0.05	500	High density mixed use
			Wilson Airport Neighbourhood	400	50	3	0.05	500	Subject to approval by Kenya Civil Aviation
10 B	Madaraka		Langata road – Mbagathi Way – Kerri road	50	50	Single dwelling	0.05	500	Low density mixed use
10 C	South B- South B, Plainsview Estate, Riverbank, Hazina Estate		Mombasa road – Likoni road – Ngong river	50	50	Single dwelling	0.05	500	Mixed use with low density residential housing schemes
10 D	South C – Comprehensive schemes		Mugoya Estate, Akiba Estate, Mbugani Estate, South C Rangers Court, Memon Estate, Midland Court Estate, Five Star Estate, Leebarn Estate, Ruby Estate, Monali Estate, Soledo Springs Estate, Bandari Villas, Ash Gate Court, Highway Estate, Green Estate, Sifa Springs Estate, Amana Estate, KMA Estate, Parkview Estate, Bellevue Estate	50	50	Single dwelling	0.05	500	Mixed use with low density residential schemes
	South C – High rise		Kigarijo Avenue – Muhoho Avenue	600	50	12	0.05	500	Mixed use with high density residential schemes
10 E	Nairobi Dam		Langata road – Along Nairobi Dam	800	50	10	0.05	500	Mixed use with low density residential schemes
10 F	Ngummo/ Ngummo Nera/ Ngummo West/ Sunview			200	50	4	0.05	500	Low density residential schemes
	Highview Estate		Mtongwe road – Railway line	200	50	4	0.05	500	Low density residential schemes
	Magiwa Estate		Mbagathi road – Estate boundary	200	50	4	0.05	500	Low density residential schemes
	Mbagathi Estate		Mbagathi road – Golf Course – Railway Line	200	50	4	0.05	500	Low density residential schemes
	Golf Course Estate			200	50	4	0.05	500	Low density residential schemes
10 G	Nyayo Highrise Estate		Mbagathi road – Nairobi Dam – Railway Line	500	50	10	0.05	500	Low density residential schemes
10 H	Langata Estates- Southlands, Otiende, Ngeli 1 & 2, Onyonka, Maasai, Uhuru Gardens		Southern Bypass – Kungu Karumba road – Langata road	200	50	4	0.05	500	Low density residential schemes
10 I	Villa Franca Estate		Tegla Lorupe road – Cosmas Ndeti road	200	50	4	0.05	500	Low density residential schemes
10 J	Imara Daima Estate		Cosmas Ndeti road – Estate boundary	200	50	4	0.05	500	Low density residential schemes
10 K	Tassia, Fedha & Pipeline		Airport North road – Ngong river	500	50	10	0.05	500	Mixed use/high density development



10 L	Avenue Park Estate	Outlying road – Estate boundary	200	50	4	0.05	500	Low density residential scheme
10 M	Nyayo Estate	Embakasi road – Estate boundary	200	50	4	0.05	500	Low density residential schemes
10 N	Embakasi Village Estate	Embakasi road – Estate boundary	200	50	4	0.05	500	Low density residential schemes
ZONE 11								
Boundary	Southern Bypass - Nairobi River - Railway line - Kabarnet Close - Joseph Kangethe Road - Ngong Forest Boundary							
11 A	Special Scheduled Area (Kibera Slums)	Area between the railway line, Toi primary, Canaan estate and Nairobi river				0.05	500	Special Planning Area
11 B	Ayany	Area between Kibera drive, railway line, Kinoo road, Joseph Kangethe grounds and Toi Primary	200	50	4	0.05	500	Low density residential development/scheme
11 C	Olympic	Area between the railway line and Karanja road	200	50	4	0.05	500	Low density residential development/scheme
11 D	Fort Jesus	Found within Ayany estate	200	50	4	0.05	500	Low density residential development/scheme
11 E	Karanja Road	Area between, Kibera Drive, Karanja road, Railway line and Kabarnet close	200	50	4	0.05	500	Low density residential development/scheme
11 F	NHC Langata Housing	Area between Jonathan Ngono estate, Southern bypass and Nairobi river	200	50	4	0.05	500	National Housing Corporation Estates
11 G	Canaan Estate	Area between the railway line, Nyayo highrise and Kibera slum	200	50	4	0.05	500	National Housing Corporation Estates
11 H	Jonathan Ng'eno Estate	Area between Southern bypass, Nula apartments and Jairo apartment	200	50	4	0.05	500	National Housing Corporation Estates
ZONE 12								
Boundary	Nairobi/Kajiado County Boundary - Mutituni River - Ngong Forest Boundary -							
12 A	Karen Triangle	Area between Ngong Road, Karen road and Langata road	50	25	Single dwelling	0.2	2000	Low density commercial use
12 B	Kuwindu	Area between Langata road, Hillcrest road, Southern bypass and Forest Edge road	50	25	Single dwelling	0.2	2000	Low density residential use
12 C	Karen C	Area between Langata road, Karen road, Ngong forest edge and Hillcrest road	50	25	Single dwelling	0.2	2000	Low density residential use
12 D	Gweng'wa Gardens	Area between Langata road, Langata south road, Ndalat road, Kuro road, Masai West road, Maasai lane, Bogani road and Ndege road.	50	25	Single dwelling	0.2	2000	Low density residential use
12 E	Langata Road corridor	Bomas of Kenya roundabout – Langata / Ngong Road roundabout	50	25	Single dwelling	0.2	2000	Offices and Commercial
12 F	Karen Hardy	Area between Langata South road, Mukoma road, Nyumbi road, Kajiado county border, Karen road, Bogani road, Masai lane, Masai West road, Ushirika road.	50	25	Single dwelling	0.2	2000	Low density residential use
12 G	Park Place Area	Area between Langata road, Magadi road, Kajiado county border and Langata south road.	50	25	Single dwelling	0.2	2000	Low density residential use
12 H	New Area	Area between Lang'ata Road, Lang'ata South Road, Syedna Mohammed Burhannuddin Road, Banda Lane & Magadi Road	50	25	Single dwelling	0.2		Low density residential use and Institutions
ZONE 13								
Boundary	Nairobi/Kiambu County border - Kiambu road - Karura forest border - Lower Kabete road							
13 A	Gigiri	Area between Ruiru Kaka river, Border of Karura forest and Limuru road	50	25	Single dwelling	0.2	2000	One-Family dwelling House, Institutions, Hotels,
13 B	Kitisuru	Area between Redhill road, Westlands link road, Peponi road, Border of Karura forest., Lower Kabete road, Ngecha road and Nairobi county border	50	25	Single dwelling	0.2	2000	Low density residential use: Maisonnets, One Family Dwelling Houses
13 C	Runda Park	Area between Northern bypass, Mimosa road, Ruaka Road and Limuru road	50	25	Single	0.2	2000	Low density residential use: Maisonnets,



[illegible]



[illegible]



ZONE	Boundary	Thika road - Kamiti road - Northern bypass - Rail Way line									
		Thika road - Kamiti road - Northern bypass - Rail Way line	Area between, Kongo estate, Kamiti road, Kamiti prison, Kenyatta University Hospital and the railway line.	600	50	12	0.05	500	NCCG housing (Proposed for urban renewal)		
17	17 A	Kahawa West Phase I (NCC)		600	50	12	0.05	500	Mixed use: High density residential & Commercial		
	17 B	Kahawa West Phase II		600	50	12	0.05	500	Mixed use: High density residential & Commercial		
	17 C	Kongo Estate	Area between Kahawa Soweto, Farmers choice, Northern bypass and Kamuthi Housing Cooperative Society	600	50	12	0.05	500	Mixed use: High density residential & Commercial		
	17 D	Jacaranda Gardens	Located along Kamiti road, Riara lane and KBA school Maziwa campus	600	50	12	0.05	500	Residential housing scheme (Proposed for urban renewal)		
	17 E	Kahawa Soweto	Area between Githurai 45, Railway line, Kahawa Primary and Kingstar Academy	600	50	12	0.05	500	Mixed use: High density residential & Commercial		
	17 F	Zimmerman	Area between Githurai 44 B 45, Thika Road, Kamiti road and PCEA Zimmerman church	600	50	12	0.05	500	Mixed use: High density residential & Commercial		
	17 G	Githurai 44	Area between Thika road, Railway line, Kahawa Soweto, Kamiti road and Zimmerman estate	600	50	12	0.05	500	Mixed use: High density residential & Commercial		
18	Thika road - Kangundo road - Eastern bypass - Nairobi River - Kayole Spine road - Ngong river										
	Boundary	Thika road - Kangundo road - Eastern bypass - Nairobi River - Kayole Spine road - Ngong river									
	18 A	City Chicken Estate	Area between Mwiki Kasarani road, Githurai Kwambura estate	800	50	16	0.05	500	High density mixed use		
	18 B	Kwambura Estate	Area between Mwiki Kasarani road, City Chicken Hill View estate	800	50	16	0.05	500	High density mixed use		
	18 C	Hill View Estate	Area between Mwiki Kasarani road, Mwiki estate Githurai	800	50	16	0.05	500	High density mixed use		
	18 D	Kasarani	Area between Thika road, Kasarani Sports grounds, Ruaka river, Mwiki, Githurai	800	50	16	0.05	500	High density mixed use		
	18 E	Eden Clay City	Area between Thika road, Kasarani Mwiki road and Seasons road	800	50	16	0.05	500	High density mixed use		
	18 F	Clay works	Area between Thika road, Kasarani Mwiki road and City Chicken Estate	800	50	16	0.05	500	High density mixed use		
	18 G	Kasarani Sports View	Area between Kasarani Sports view road, Kasarani Mwiki road, Kasarani DC, Kasarani Sports complex	800	50	16	0.05	500	High density mixed use		
	18 H	Mwiki Estate	Area between Kasarani Mwiki road, Nairobi river, Railway line, Kiambu border and Chicken estate	800	50	16	0.05	500	High density mixed use		
	18 J	Njiru Estate	Area between Nairobi river, Matopeni estate, Obama estate and Nairobi river	800	50	16	0.05	500	High density mixed use		
	18 K	Sunton estate	Area between Mwiki Kasarani road, Mwiki, Nairobi River and Kasarani Sports Complex	800	50	16	0.05	500	High density mixed use		
	18 L	Chokaa estate	Area between Nairobi river, Kangundo road, and Hurlingham slaughter	800	50	16	0.05	500	High density mixed use		
	18 M	Buruburu farmers estate	Area between Kangundo road and Shujaa estate	800	50	16	0.05	500	High density mixed use		
	18 N	Shujaa estate	Area between Githunguri farmers, Kangundo road, Ruai and Eastern bypass	800	50	16	0.05	500	High density mixed use		
	18 P	Githunguri estate	Area between Shujaa estate, Eastern bypass and Mihango estate	800	50	16	0.05	500	High density mixed use		
	18 Q	Mihango estate	Area between Eastern bypass, Karagita estate, Ngong river and Githunguri farmers estate	800	50	16	0.05	500	High density mixed use		
	18 R	Karagita estate	Area between Eastern bypass, Mihango estate, Ngong river and Embakasi Army barracks	800	50	16	0.05	500	High density mixed use		

ZONE 19	18 S	Saika estate	Area between Obama estate, Kangundo road, Old Komarock and Dandora Molem	800	50	16	0.05	500	High density mixed use
	18 T	Obama Estate	Area between Njiru estate, Kangundo road, Saika estate and Dandora Molem	800	50	16	0.05	500	High density mixed use
	18 U	Komarock estate	Area between Kangundo road, Nasra Gardens, Kayole Spine road, Githunguri farmers estate and Njiru estate	800	50	16	0.05	500	High density mixed use
	Boundary	Eastern bypass - Machakos County border - Ruai Sewage & Kangundo road							
ZONE 20	19 A	Utawala estate	Area between Eastern bypass, Embakasi AP Training college, Airport and Embakasi ranch	50	50	Single dwelling	0.05	500	Low density residential
	19 B	Ruai	Area between Utawala estate, Buruburu farmers estate, Eastern bypass, Ruai Sewage, Kangundo road and Githunguri farmers	600	75	8	0.05	500	Mixed use: Residential, Commercial, Light industrial & Institutions
	19 C	Ngundu, Drumvale estate	Area between Machakos county border, Ruai estate and Kamulu estate	50	50	Single dwelling	0.05	500	Single dwelling houses
	19 D	Kamulu	Area between Machakos county border and Ngundu estate	50	50	Single dwelling	0.05	500	Single dwelling houses
ZONE 20	Boundary	As per the institution defined boundary							
	20 A	Jomo Kenyatta International Airport	Airport - Transportation						Areas of radius of 3 Km limited to - 3 levels Subject to clearance by Kenya Civil Aviation
		Wilson Airport	Airport - Transportation						Areas of radius of 3 Km limited to - 3 levels Subject to clearance by Kenya Civil Aviation
	20 B	State House Nairobi	National Government						Areas within State House Neighbourhood to be limited to - 4 levels
		The Parliament of Kenya	National Government						
		The Supreme Court of Kenya	National Government						
		City Hall	County Government						
	20 C	Lang'ata Cemetery	Cemetery						
		Kariakoo Cemetery	Cemetery						
		Bunyala Cemetery	Cemetery						
		Commonwealth War Graves	Cemetery						
		Forest Road Cemetery	Cemetery						
		City Park Cemetery	Cemetery						
	20 D	Mwimuto Cemetery	Cemetery						
		Moi Airbase Eastleigh	Defense forces						Areas of radius of 3 Km limited to - 3 levels Subject to clearance by Kenya Civil Aviation
		Department of Defense HQ	Defense forces						Areas of radius of 3 Km limited to - 3 levels Subject to clearance by Kenya Civil Aviation
		Kahawa Barracks	Defense forces						Areas of radius of 3 Km limited to - 3 levels Subject to clearance by Kenya Civil Aviation



	Langa'ata Barracks	Defense forces						Areas of radius of 3 Km limited to - 3 levels Subject to clearance by Kenya Civil Aviation
	National Defense University Karen	Defense forces						Areas of radius of 3 Km limited to - 2 levels Subject to clearance by Kenya Civil Aviation
	Kenya Defense Forces Memorial Hospital	Defense forces						Areas of radius of 3 Km limited to - 2 levels Subject to clearance by Kenya Civil Aviation
20 E	Kenya National Archives	National Heritage						
	Kenya National Museum	National Heritage						
	Kenyatta Mausoleum	National Heritage						
20 F	University of Nairobi	Educational						Student Hostels within 3 KM radius.
	Technical University of Kenya	Educational						Student Hostels within 3 KM radius.
	The Cooperative University of Kenya	Educational						Student Hostels within 3 KM radius.
	The Kenya School of Law	Educational						Student Hostels within 3 KM radius.
	Railway Training Institute	Educational						Student Hostels within 3 KM radius.
	Nairobi Technical Training Institute	Educational						Student Hostels within 3 KM radius.
20 G	Karura Forest	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	Ngong Forest	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	Arboretum	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	City Park	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	Uhuru Park	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	Central Park	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	Uhuru Gardens	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.
	Nairobi National Park	Green Spaces						No Approval for Private developments, subject to clearance by the Ministry of Forestry - National Government.



[illegible]

[illegible]



## **CHAPTER 4 – IMPLEMENTATION FRAMEWORK**

Successful implementation of the proposed development control guidelines will require the participation of all relevant actors, enactment of supportive policy and legal framework, clear development application process and public awareness to inform developers and members of the public of the new development control guidelines.

### **4.1 Institutional Framework**

The current development control process is fragmented with functions cutting across various institutions and spillover effects being experienced in the neighboring Counties. This results in delays in the approval process. Roles of some of the institutions are also not supported by any legal framework.

#### **4.1.1 Policy proposal**

1. NCCG shall receive and approve development applications.
2. NCCG shall will adopt a one-stop development approval approach through constitution of the Urban Planning Technical Committee to vet and approve development applications. Membership of the committee shall comprise of NEMA, Nuclear Regulatory Authority, NWSCo, AAK, KIP, Town and County Planning association of Kenya, Ministry of Defense, IEK, and County Departments of Urban Planning, Roads, Disaster Management and Public Health. The committee will be convened by the Department responsible for urban Planning.
3. NCCG shall build the capacity for urban planning, development control and enforcement of the guidelines through training, recruitments of additional staff to meet demand, improved working conditions and decentralization of the planning function to the Ward level.
4. KCAA and Ministry of Defense shall provide guidelines to facilitate approval process around airports, airstrips and safeguarding areas.
5. NCCG shall take lead in establishing cooperation mechanisms with the National Government and neighbouring Counties for formulation and implementation of intercounty development control plans.





## **4.2 Application for Development Permission**

The PLUPA, 2019 section 5891) provides that a person shall obtain development permission by submitting a development application in the prescribed form and after payment of the prescribed fees. Submissions shall strictly adhere to the stipulations of the Act.

### **4.2.1 Policy proposal**

1. All applications shall be submitted and processed through the e-development permit system.
2. Requirements for each type of development application shall be as indicated in Annex 11.
3. All applications shall be vetted upon receipt, invoiced for application fee, circulated, evaluated by technical team upon which approval is given or declined.

## **4.3 Legal Framework**

Nairobi City County lacks legal framework to curtail unauthorized developments.

### **4.3.1 Policy Proposal**

1. NCCG shall develop planning and compliance framework within one year to ensure adherence to the Development Control Policy.

## **4.4 Infrastructure Development**

Expansion of infrastructure in Nairobi has been limited despite the high levels of development densities over the years. This has resulted to traffic congestion, limited water supply, poor solid waste management and inadequate sewer systems in most sections of the City.

### **4.4.1 Policy Proposal**

1. NCCG shall impose an infrastructure levy on development applications to facilitate infrastructure development in collaboration with other Government agencies supporting infrastructure.
2. Nairobi City Water and Sewerage Company shall rehabilitate, upgrade and extend distribution networks to 100% coverage by 2035 in line with the Strategic Plan.
3. Nairobi City County to develop policy on green building concept incorporating rain water harvesting, water recycling and reuse and green energy.
4. Developers shall restore infrastructure destroyed during construction to the original state and to the satisfaction of the County Engineer in charge of roads. Contractors shall maintain the section of roads and other infrastructure during construction and occupation certificates will be issued after infrastructure is restored.



5. Nairobi City County shall facilitate expansion of roads through planning and widening to enhance vehicular, Non-Motorized Transport and services provision in collaboration with Kenya Urban Roads Authority (KURA), Kenya Railways and other inter-governmental agencies.
6. Development approvals in areas earmarked for road expansion shall be granted subject to surrendering portions of land to facilitate the expansion.
7. Nairobi City County shall facilitate development of Intelligent Traffic Management Systems to reduce traffic congestion in collaboration with other Government agencies like KURA, NAMATA, NTSA and the National police Service.
8. Nairobi City County shall promote transport-oriented developments along major roads like Langata, Mombasa road and Thika road.

#### 4.5 Implementation Matrix

Goal	Policy Intervention	Actors	Timeframe
INSTITUTIONAL FRAMEWORK			
To strengthen the institutional framework of NCCG and create synergies with the National Government, other counties and the private sector in implementation of the development control guidelines	The NCCG shall: Constitute the Urban Planning Technical Committee to vet and approve development applications. Membership of the committee shall comprise of the professional bodies, government and government agencies drawn from the built industry. The committee will be convened by the Department responsible for urban Planning.	Director Urban Planning	Immediate
	Receive and approve development applications	Director Urban Planning	continuous
	Decentralize the planning function to the Ward level	Director Urban Planning	6months
	In collaboration with KCAA and Ministry of defense provide guidelines to facilitate approval process around airports, airstrips and safeguarding areas.	Director Urban Planning KCAA DoD	Immediate
		NMS/NCCG	3months





	Take lead in establishing cooperation mechanisms with the National Government and neighbouring Counties for formulation and implementation of intercounty development control plans.	CoG Ministry of Devolution	
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#### APPLICATION FOR DEVELOPMENT PERMISSION

To provide a framework for application of development applications pursuant to PLUPA of 2019	The NCCG shall: Develop an online system through which development applications shall be submitted and processed.	Director Urban Planning	immediate
	Ensure that all development applications are submitted in the prescribed format pursuant to PLUPA of 2019 Sec 58 and as indicated in Annex 11.	Director Urban Planning	continuous
	Ensure that all applications shall be vetted upon receipt, invoiced for application fee, circulated, evaluated by technical team upon which approval is given or declined	Director Urban Planning	continuous

#### LEGAL FRAMEWORK

To develop a legal framework that strengthens planning compliance and enforcement and curtail unauthorized developments.	NCCG shall develop a planning and compliance framework to ensure adherence to the Development Control Policy.	Director Urban Planning	One year
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#### INFRASTRUCTURE DEVELOPMENT

To enhance infrastructure development within Nairobi City County by adopting emerging technologies and through collaboration with the private sector and other government agencies.	NCCG shall: Impose an infrastructure levy on development applications to facilitate infrastructure development in collaboration with other Government agencies involved in infrastructure development.	Director Urban Planning Director of Roads KeNHA KURA KeRRA	One year
	Through Nairobi City Water and Sewerage Company rehabilitate, upgrade and extend distribution networks to 100% coverage by	NCWSCO	14years



	2035 in line with the Strategic Plan		
	Ensure that developers restore infrastructure destroyed during construction to the original state and to the satisfaction of the County Engineer in charge of roads. Contractors shall maintain the section of roads and other infrastructure during construction and occupation certificates will be issued after infrastructure is restored.	Director Urban Planning Director of Roads KeNHA KURA KeRRA	6months
	Facilitate expansion of roads through planning and widening to enhance vehicular, Non-Motorized Transport and services provision in collaboration with Kenya Urban Roads Authority (KURA), Kenya Railways and other inter-governmental agencies.	Director of Roads KeNHA KURA KeRRA Kenya Railways NAMATA	continuous
	Ensure that development approvals in areas earmarked for road expansion shall be granted subject to surrendering portions of land to facilitate the expansion.	Director Urban Planning Director of Roads	continuous
	Facilitate development of Intelligent Traffic Management Systems to reduce traffic congestion in collaboration with other Government agencies such as KURA, NAMATA, NTSA and the National Police Service.	Director of Roads NTSA KeNHA KURA KeRRA Kenya Railways NAMATA	2years
	Promote transport-oriented developments along major roads like Langata, Mombasa road and Thika road.	Director Urban Planning	6months





## **CHAPTER 5 – MONITORING AND EVALUATION**

Monitoring and evaluation of implementation of the Development Control policy will be critical to ensure that it's intended goal is achieved and that development control related decisions are based on factual information.

### **5.1 Policy Proposal**

1. NCCG shall develop a monitoring and evaluation system within the first three months after policy is in force with clear goals, objectives, strategic interventions, key performance indicators, roles of various actors and timelines.
2. NCCG shall coordinate the execution of the implementation matrix and any review that may arise within the policy period.
3. NCCG will spearhead the constitution of a monitoring multi-agency team comprising of resident's associations, intergovernmental agencies responsible for infrastructure development, KCAA and Ministry of Defense to monitor implementation of the policy. The Urban Planning Department under NCCG shall convene quarterly meetings of the inter-agency team to review progress.
4. The Department responsible for urban Planning under NCCG shall coordinate collection of data relating to development applications, approvals, compliance and status of infrastructure for review by the inter-agency team. They shall prepare quarterly and annual reports.
5. NCCG shall build the capacity within the Urban Planning Department to create a stringent development control regime for adherence to and enforcement of such parameters which include plot ratios, ground coverage, setbacks, building heights, infrastructure standards and fire safety.
6. NCCG shall also develop capacity in monitoring and evaluation to enhance policy implementation and evidence based reporting.

### **5.2 Review of the Development Control Policy**

The Development Control Policy will be reviewed after ten years. This will ensure that the policy is in line with current needs and development trends.



## CHAPTER 6 – ANNEXES

1. Nairobi City County Property Matrix.
2. Nairobi City County Zonal maps.



