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LAWS OF KENYA

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

NO. 243 OF 2021

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Kenya

Physical and Land Use Planning Act

## Physical and Land Use Planning (Planning Fees) Regulations Legal Notice 243 of 2021

Legislation as at 31 December 2022

Note: There are **outstanding amendments** that have not yet been applied:  
Legal Notice 24 of 2024, Legal Notice 72 of 2024.

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# Physical and Land Use Planning (Planning Fees) Regulations (Legal Notice 243 of 2021)

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# PHYSICAL AND LAND USE PLANNING ACT

## PHYSICAL AND LAND USE PLANNING (PLANNING FEES) REGULATIONS LEGAL NOTICE 243 OF 2021

Published in Kenya Gazette Vol. CXXIII—No. 253 on 10 December 2021

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[Revised by [24th Annual Supplement \(Legal Notice 221 of 2023\)](#) on 31 December 2022]

### 1. Citation

These Regulations may be cited as the Physical and Land Use Planning (Planning Fees) Regulations.

### 2. Interpretation

In these Regulations, unless the content otherwise requires—

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

"easement" has the meaning assigned to it in the Land Act (Cap. 280);

"ordinary scheme" means development that—

- (a) does not exert demands on the existing infrastructure;
- (b) does not comprise of more than ten units; and
- (c) has one permitted use;

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

"planning fees" means an amount payable for planning services;

"Planning Services" means services offered by a planning authority; and

"use" means any use of land for which development permission has been obtained.

### 3. Object of the Regulations

The object of these Regulations is to provide for guidelines determining planning fees for services and processes under the Act.

### 4. Determination of planning fees

- (1) In determining planning fees chargeable for planning services, the planning authority shall be guided by the—
  - (a) principles of public finance set out in Article 201 of the Constitution;
  - (b) Articles 209 and 210 of the Constitution;
  - (c) Chapter Four of the Constitution; and
  - (d) the Access to Information Act (Cap. 7M).

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

## 5. Planning fees of the National Government

- (1) The national planning authority may impose planning fees for—
- (a) copies of national physical and land use plans and policies required by any person;
  - (b) making applications for the preparation of the development plans for strategic national projects;
  - (c) the sale of shape files for planning data;
  - (d) copies of inter-county physical and land use plans and policies required by any person;
  - (e) the scrutiny and sale of copies of the proceedings of the National Physical and Land Use Planning Consultative Forum;
  - (f) the scrutiny and sale of copies of the proceedings of an InterCounty Joint Physical and Land Use Planning Committee;
  - (g) the filing of making applications for appeal to the National Physical and Land Use Liaison Committee;
  - (h) the scrutiny and sale of copies of minutes of the proceedings of the National Physical and Land Use Liaison Committee;
  - (i) the vetting of applications for change of user or extension of user;
  - (j) the inspection of sites;
  - (k) the issuance of certificates of compliance# and
  - (l) any other planning service offered in the performance of national government planning functions that Cabinet Secretary may designate by notice in the *Gazette*.
- (2) A planning authority performing national government planning functions may impose the relevant planning fees set out in table 1 of the Schedule.

## 6. Planning fees of County Governments

- (1) A planning authority performing county government planning functions shall charge planning fees for—
  - (a) the sale of inter-county physical and land use plan and policies;
  - (b) the sale of shape files for planning data;
  - (c) the sale of copies of county physical and land use plans and policies;
  - (d) the scrutiny and sale of proceedings of an Inter-County Joint Physical and Land Use Planning Committee;
  - (e) the scrutiny and sale of proceedings of a County Physical and Land Use Planning Consultative Forum;
  - (f) filing and making application for appeal to the County Physical and Land Use Liaison Committee;
  - (g) the scrutiny and sale of the minutes of the proceedings of the County Physical and Land Use Liaison Committee;
  - (h) the inspection of sites;
  - (i) the vetting and approval of development applications;
  - (j) the issuance of certificates of compliance;
  - (k) the costs of enforcement; and
  - (l) any other planning service offered in the performance of a county government planning functions, that the relevant County Executive Committee Member, in consultation with the respective County Director of Physical and Land Use planning, may deem necessary.
- (2) A county planning authority may impose the relevant planning fees set out in table 2 of the Schedule.

## 7. Waivers and variations

- (1) Subject to paragraph (2), a waiver or variation of planning fees shall be granted in accordance with the Public Finance Management Act (Cap. 412A) and section 63.
- (2) The following may be exempted from payment of fees under these Regulations—
  - (a) the surrender of land for public use;
  - (b) the improvement of infrastructure for public use;
  - (c) works by or on behalf of national security organs; or
  - (d) where a land owner voluntarily permits imposition of easements on the land owner's land under any written law.

### SCHEDULE [r. 5(2)]

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

TABLE 1

<i>S/No.</i>	<i>Item Description</i>	<i>Unit of Measure/ charge</i>	<i>Paper copy</i>	<i>Electronic copy</i>	<i>Certification of Copies</i>
Sale of Copies of National Physical and Land Use Plans and Policies					
1.	National Physical and Land Use Plan (Full version)	Per copy	2500	No charge	500 per copy
2.	National Physical and Land Use Plan (Popular version)	Per copy	No charge	No charge	500 per copy
3.	National Land Use Policy (Full version)	Per copy	1000	No charge	500 per copy
4.	National Land Use Policy (popular version)	Per copy	No charge	No charge	500 per copy
5.	Inter County Physical and Land use plans	Per copy	1000	No charge	500 per copy
6.	Inter County Physical and Land use plans (popular version)	Per copy	No charge	No charge	500 per copy
7.	Sale of shape files	Per theme	-	500 per layer	Not applicable
8.	Sale of prints of graphical plans per copy	Size	Colour	Black & White	Blue Print
9.	Certification of downloaded prints of plans	Per copy	500	Not applicable	-
10.	Proceedings of National Physical and Land Use Consultative Forum	Per copy	50 per page	No charge	500
11.	Proceedings of Inter--County Joint Physical and Land Use Planning Committee	Per copy	50 per page	No charge	500
<i>S/No.</i>	<i>Item Description</i>	<i>Unit of Measure</i>		<i>Charges (KSh.)</i>	

	Processing of Development Applications		
12.	Application for Development Permission for National Strategic projects	Per application	5000
13.	Site inspection fee	Per visit within the locality	Cities-3,000 Municipalities-1,000 Towns, markets and other areas - 500 Special Economic Zone- 5000 Territorial Sea and Exclusive Economic Zone- 10,000
14.	Certificate of compliance	Per copy	Cities-2,000 Municipalities-1,000 Towns, markets and other areas -500 Special Economic Zone- 3000 Territorial Sea and Exclusive Economic Zone- 5,000
15.	Vetting of applications for change of user or extension of user	Per application	3,000
16.	Vetting of sub-division	Per plot	500
	Appeal fees and Checking fees for National Physical and Land Use Planning Liaison Committee		
17.	Appeal to National Physical and Land Use Planning Liaison Committee	Per application	2000
18.	Amendment of appeal to National Physical and Land Use Planning Liaison Committee	Per application	1000



19.	Obtaining extracts of Register of appeals to the National Physical and Land Use Planning Liaison Committee	Per copy	1,000
20.	Obtaining copies of minutes of the National Physical and Land Use Planning Liaison Committee	Per page	50
21.	Certification of copies of minutes of National Physical and Land Use Planning Liaison Committee	Per set of minutes	500

S/No.	Item Description	//Unit of Measure/ Charge//	Paper Copy	Electronic Copy	// Certification of Copies//
Sale of Copies of Physical and Land use plans/Policy					
1.	Inter-County Physical and Land use plans (Full version)	Per copy	1000	No charge	500
2.	Inter-County Physical and Land use plans (popular version)	Per copy	No charge	No charge	500
3.	County Physical and Land use plans (full version)	Per copy	2000	No charge	500
4.	Sale of shape file	Per theme	-	500 per layer	Not applicable
5.	Sale of prints of graphical plans per copy	Size	Colour	Black & White	Blue Print
		A <sub>0</sub>	3000	1500	1500
		A <sub>1</sub>	2500	1200	1200

		A <sub>2</sub>	2000	1000	1000
		A <sub>3</sub>	1000	500	500
		A <sub>4</sub>	500	200	200
6.	Certification of downloaded prints of plans	Per copy	500	Not applicable	-

<i>S/No.</i>	<i>Item Description</i>	<i>//Unit of Measure//</i>	<i>Sub-Units</i>	<i>//Charges (KSh.)//</i>
	Acquiring Forms and Certificates for Development Permission			
7.	Application for Development Permission (Form PLUPA/DC/1.....)	Per Form	-	1000
8.	Submission Certificate (Form PLUPA....)	Per application		1000
9.	Certificate of compliance	Per application		Cities-2,000 Municipalities-1,500 Towns, markets and other areas -1000
10.	Certificate of occupation	Per application		Cities-3,000 Municipalities-2,000 Towns and other areas -1000

11.	Site inspection fee	Per visit		Cities-4,000 Municipalities- 3,000 Towns, markets and other areas -2000
12.	Processing fee for subdivisions	No. of Plots	1-10	500
			11-20	400
			21-50	300
			51 and above	200
13.	Processing fee for building plans	Floor area(sq. M)		100 per square metre
14.	Processing fee for perimeter wall	Type of material	Stone	100 per linear meter
			Electric	50 per linear meter
			Wooded	
			Chain link	
			Iron sheets	
			Barbed wire/razor wire	
15.	Processing fee for change of user/extension of user	User		5000

16.	Processing fee for communication masts e.g Base Transmission Stations, radio and television frequency transmission sites	Per Mast		25000	
17.	Processing fee for advertisement	Siting and design of advertisement	On road reserve	As per the Roads Act No.2 of 2007	
			Within private property	20,000 per annum	
			Within public land under County Government	20,000—one off for installation 20,000—per annum standing fee	
			Hanging signs	3000 per square metre	
			On buildings	3000 per square metre	
			Type / Size in square meters	Bill boards /Wall wraps	
				First 3 square metres	15,000
				Additional square metre	4,000 per square metre
				Multi directional signs	

				First 3 square metres	5500
				Additional square metre	2000 per square metre
				LED Screen	
				First 3 square metres	13000 monthly
				Additional square metre	1500 monthly per square metre
18.	Processing fee for fibre optic cables		Length		100 per metre
	Appeal fees and Checking fees for Physical and Land Use Liaison Committee				
19.	Appeals to County Physical and Land Use Planning Liaison Committee	Per application	-		2,000
20.	Obtaining extracts of register for appeals to County Physical and Land Use Planning Liaison Committee	Per copy	-		500
21.	Obtaining copies of minutes of the County Physical and Land Use Planning Liaison Committee	Per page	-		50
22.	Amendment of appeal to County Physical and Land Use Planning Liaison Committee	Per application	-		1,000

23.	Certification of copies of minutes of County Physical and Land Use Planning Liaison Committee	Per set of minutes	-	500
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