



# ARCHITECTURAL GUIDELINES

## GUIDELINES ON DEVELOPMENT AND PLANNING APPROVALS

### Document Control

Document Title	Version	Date
DEVELOPMENT CONTROL COMMITTEE (DCC) GUIDELINES ON DEVELOPMENT AND PLANNING APPROVALS	Version 01	Jan 2019

### ***Important notice***

The Tatu City Property Owners' Association (POA) reserves the right to amend or update any information contained in this document as and when necessary

Only the "latest version" of this document will be valid to guide owners through the design, construction and maintaining phase. Any previous versions of this document will be invalid and will not be acknowledged for new designs. Houses already built should not be used as a precedent, the revised set of guidelines were created to address architectural inconsistency, inappropriate colour choices and lack of integrated landscape planning

## Administrative procedures

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### 1. Tatu City and the DCC

Tatu City design guidelines have been prepared in the interest of those who will live, work, and operate businesses in Tatu City. The City and those who develop in the City have a common interest in assuring quality development that benefits property owners and the City.

The Development Control Committee (DCC) will conduct design reviews and will be the custodian monitor for these Architectural design guidelines. The City is committed to incorporating design review procedures that:

- Apply to all residential property within the City;
- Allow for flexibility to accommodate creative design that meets intent of adopted principles;
- Do not prolong approval processes, and
- Encourages design review that parallels development design for economy of design resources.

Applicants will have the opportunity to informally discuss and formally review proposed designs throughout the design process, including pre-application, project permit review, and final construction design review.

### 2. Regulatory framework

The purpose of this guidelines is to build upon the foundation of the following statutory and regulatory requirements in Kenya and in Tatu City in order to achieve the requirements and vision of the Tatu City Structure plan, and in consideration of the specific circumstances of Tatu City:

- i. Building Code: Local Government (Adoptive By-Laws) (Building) Order 1968
- ii. National Planning & Building Authority - Kenya Planning & Building Regulations 2009
- iii. The Physical Planning (Building and Development) (Control) Rules, 1998 (Revised 2012).
- iv. The Tatu City Structure Plan
- v. The Tatu City Development Manual
- vi. The Precinct Plans for Precinct 1B and Physical Planning Standards/Physical Planning Handbook, 2007
- vii. Laws of The Republic of Kenya: Occupational Safety & Health Act, 2007
- viii. Relevant Kenya Civil Aviation Authority Regulations
- ix. EMCA, 1999
- x. Physical Planning Act, 1996.
- xi. Urban Areas and Cities Act, 2011
- xii. County Government Act, 2012

### 3. Applicability

All new construction within residential precincts shall be subject to these Design Guidelines. Alteration of any structure within the City that affects the exterior appearance of a building shall be subject to design review under these Guidelines.

If fifty (50%) percent or more of a building or structure subject to design review is altered within a period of three (3) years, the structure shall be subject to the applicable requirements of the Design Guidelines as determined by the Development Control Committee (DCC).

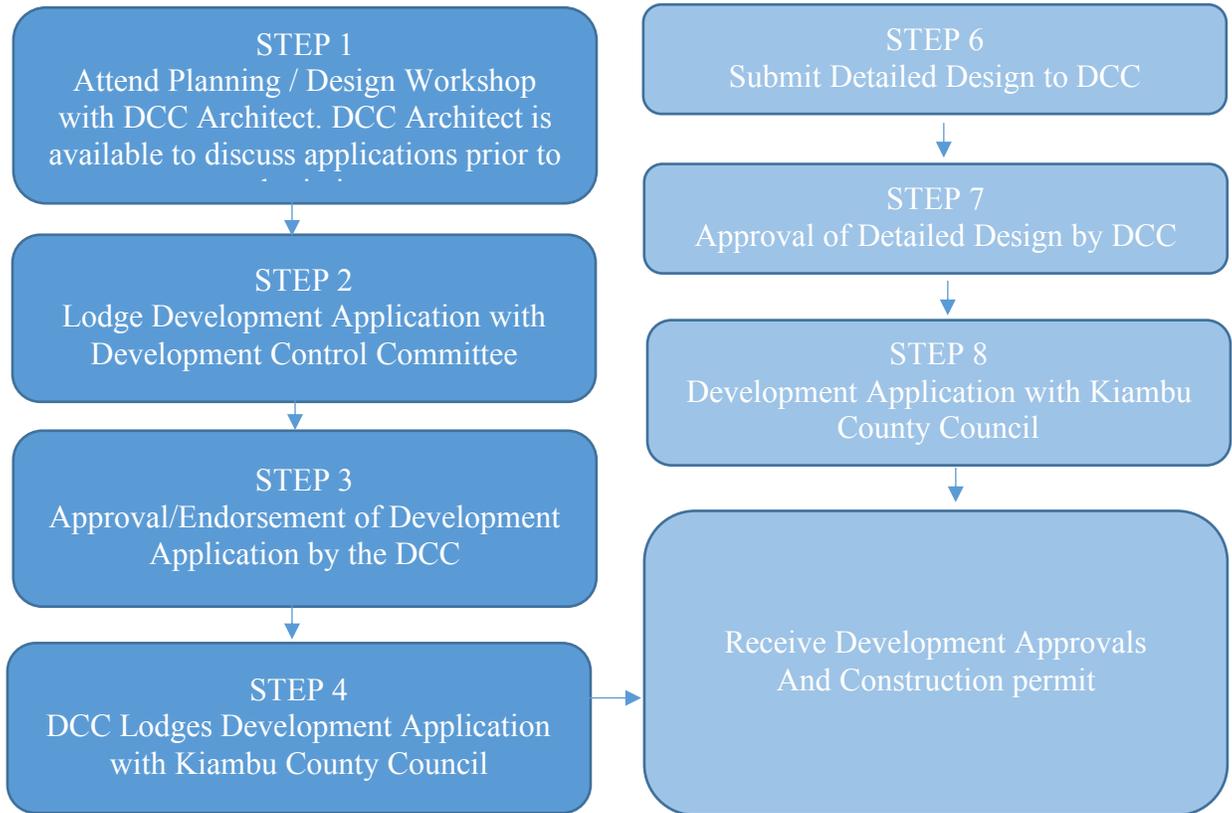
The Design Guidelines Checklist will be used for addressing design issues in all review processes.

### 4. Design review procedures

- 4.1. When an applicant submits a development application that triggers design review, design review shall be reviewed as part of the applicable permit application or process. Within 14 calendar days, the DCC shall review such applications and either **approve, approve with conditions or modifications, deny the application, or request additional information**. Any decision to deny the application shall be in writing along with the reasons for the denial and the appeal process.
- 4.2. No project approval shall be granted, no building permit issued and no construction shall begin until the DCC has completed design review and determined that the application is consistent with the criteria in these guidelines, has issued a design decision or Notice of Decision, and all appeal periods have expired.
- 4.3. A design review application shall be submitted with application form attached herein for the project approval. The DCC may require other information to be submitted that is determined to be appropriate and necessary for a proper review of the requested action.
- 4.4. With submittal of the building approval, the DCC shall determine that the final design is consistent with the issued design decision. The review and recommendation of the DCC shall be based on whether the proposal is consistent with the design standards in this document.

**4.5. Stage One: Pre-Development Approval**

**Stage Two: Detailed Design**



**4.6. Approvals:** All building plans for new work as well as alterations to existing structures must be prepared by professional Architects registered with the Architectural Association of Kenya (AAK) and the Board of registration of Architects and Quantity Surveyors (**BORAQS**) and Engineers registered by the Engineering Registration Board (**ERB**)

**5. Appeals**

Developers shall be allowed the opportunity to appeal a decision that is not favorable to them within **14 days** of receiving a decision from the DCC by way of a letter addressed to the Head of the Development Control committee

The DCC shall then review the appeal and issue a final decision within 7 days

**6. Amendment of approved plans**

Major change(s) to plans approved by the DCC may only be amended by the same procedures provided herein for original design approval.

Design review for amendments shall be limited to the proposed change, except the proposed amendment shall be considered in context with approved design review.

A major change is a change that affects a design standard reviewed in the original approval(s).

## **7. Expiration**

- 7.1. Design approval shall expire within two years of the date of approval, except as provided for phased site plan approvals below. A single two-year extension may be granted for good cause as determined by the DCC.
- 7.2. The DCC may grant design approval for large projects planned to be developed in phases over a period of years exceeding the normal time limits of subsection (1.7.1) of this section. Such approval shall include time limits for particular phases of the development as agreed upon by the applicant and the DCC. If the time limits of a phase cannot be met, a single two-year extension may be granted for good cause by the DCC.

## **8. Interpretation**

- 8.1. Where there is a conflict between these design standards and other County plans, policies, and regulations, the most specific standard, guideline, or regulation shall apply, as determined by the DCC
- 8.2. Each section of the design standards contains a list of "intent" statements followed by "design principles" and subsequent implementing measures. Specifically:
  - 8.2.1. Intent statements are overarching objectives. For example, the intent statement for the "building corners" section is to "create visual interest and increased activity at street corners." Project applicants must be able to demonstrate how their project meets the intent, to the DCC's satisfaction
  - 8.2.2. Design principle statements describe broad actions that are necessary to achieve the intent.
  - 8.2.3. A collection of standards implements the design principles. Specifically:
    - Standards that use words such as "shall," "must," "is/are required," or "is/are prohibited" signify required actions.
    - Some standards take a "tool box" approach, in that a development may be required to include at least two design elements from a large list of options.
    - Standards using words such as "should" or "is/are recommended" signify recommended actions that are meant to be applied with some flexibility.
    - Development projects must comply with such measures unless the development proposal meets the intent in some other manner, as determined by the DCC
  - 8.2.4. Furthermore, the document contains some specific standards that are easily quantifiable, while others provide a level of discretion in how they are complied with. In the latter case, the applicant must demonstrate to the DCC, in writing, how the project meets the intent of the standard