

# COUNTY GOVERNMENT OF KITUI



## COUNTY MINISTRY OF LANDS, INFRASTRUCTURE AND URBAN DEVELOPMENT

### PUBLIC NOTICE

### DEVELOPMENT CONTROL WITHIN KITUI COUNTY

In response to the noted illegal developments and occupations in Kitui County Towns, Market centers and other urban areas, and pursuant to The Constitution of Kenya 2010 Chapter 5 Article 62 (2) The Physical Planning Act Cap 286, Environmental Management and Co-ordination Act 1999, The Roads Act 2007 and The County Governments Act 2012, the County Government of Kitui intends to and does hereby notify its residents and developers of the following:

The County Government of Kitui has the mandate and power to:

- a. Regulate and control development within her area of jurisdiction (land and buildings),
- b. Control or prohibit subdivision of land or existing plots into smaller areas or otherwise as may be objectionable,
- c. Consider and approve all development applications and grant all development permissions,
- d. Ensure the proper execution and implementation of approved physical development plans,
- e. Formulate policies and enact laws to regulate zoning in respect of use and density of development,
- f. Reserve and maintain all the land planned for open spaces, parks, urban forests and green belts in accordance with the approved development plans,
- g. Initiate enforcement of the law against those who do not comply with the above.

In view of the above, residents and developers are hereby advised to **STRICTLY** observe and adhere to the following:

1. All upcoming developments **MUST** have approval from The County Government and any illegal developments **SHALL** be demolished at the owner's cost.
2. All completed developments that have been or were built illegally or without following the right procedure and approvals must be regularized within **one months** from the date of this notice and be issued with occupation certificate, failure to which they will be condemned. Regularize, in this case means: Have a plan showing the existing architectural design (present a copy of the same to the County Government of Kitui) and have it considered accordingly.
3. Any illegal developments on reserve land (settlement land, road reserves, riparian areas and on public utilities) should be removed within **one months** of this notice failure to which they shall be removed without further notice whatsoever, at developer's cost.
4. All subdivisions/amalgamations must be duly submitted for approvals. Buyers/Investors are **warned of illegal alienation and sale of public land**.
5. No approvals shall be granted for buildings taller than 4 (four) floors without the provision for vehicle parking and lift facilities.

Other requirements with respect to building plan approvals include:

- i. Ownership documents,
- ii. 5 (five) copies of Building Plan together with the following:
  - (a) Recommended building line observed,
  - (b) Signature and stamp from a registered architect and/or engineer and a copy of their certificate of registration attached,
  - (c) Valid location plan,
  - (d) Ample vehicle parking provided,
  - (e) Plot coverage not beyond the recommended planning ratio,
  - (f) Planning brief attached, where applicable,
  - (g) Other provisions as per the Building Code and the Physical Planning Act.
6. Any existing land committees and such parties are **NOT** allowed to allocate or alienate land or approve physical development in their respective areas. It should be noted that alienation of public land and related activities is the role of National Land Commission in consultation with the County Government as per CoK 2010
7. The general public is also **advised not to buy land** without confirming the authenticity of the ownership from the County Government.
8. All developers are required to comply with all other relevant laws relating to building and other development applications.

The same information can be viewed in the County Government of Kitui Website [www.kitui.go.ke](http://www.kitui.go.ke)

All enquiries related to this notice and matters therein to be referred to: **Chief Officer, County Ministry of Lands, Infrastructure and Urban Development.**

**Hon. (Eng.) Paul C. K. Kioko**  
**County Minister for Lands, Infrastructure and Urban Development**  
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