

# DEVELOPMENT CONTROL REGULATIONS 2021



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GELEPHU THROMDE





## FROM THE DESK OF THE THROMPON

Gelephu City had been growing prior to the establishment of the First Thromde Tshogde in 2011. Gelephu Structure Plan had been approved by the government in 2005 that guided the progress and development of the city and further enhanced by the Local Area Plans, which pictures the detailed localised plans and proposals for actions with extensive public consultations.

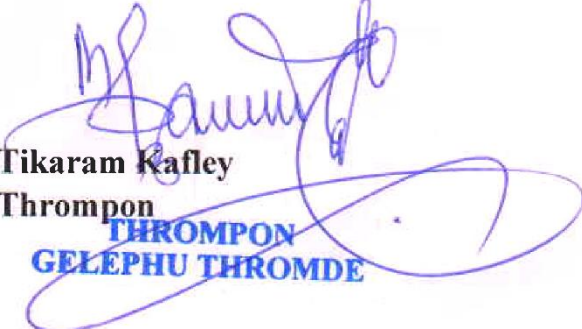
The motive of development is that any approved plan is implemented by individual, by corporate or by public sector developers and thus all new developments should confirm to the provision of the plan. The Development Control Regulation (DCR) is to control all the developments as per the required standards in relation to public welfare, public comfort, safety and convenience. Regulation is necessary to ensure planned development in Local Area Plans to achieve the objective of the main Structure Plan. The DCR is an important tool for the implementation processes.

Constant self-discipline and self-control can develop greatness of character, so is the development of a Great City by being in line with the DCR. To encourage private interest along with the public interest in all aspects of development, it has been found necessary with on site conditions and timely demands, to review and update DCR on regular basis.

Therefore, I would like to congratulate the entire team from the Thromde Administration led by Executive Secretary, Division Chiefs and other officials who were deeply involved in review of DCR 2021. I would also like to thank all the residents of the city for continued cooperation and support.

*Let's all make Gelephu- The City Towards Future.*

TRASHI DELEK



Tikaram Kafley  
Thrompon  
**THROMPON  
GELEPHU THROMDE**

## FROM THE DESK OF THE EXECUTIVE SECRETARY

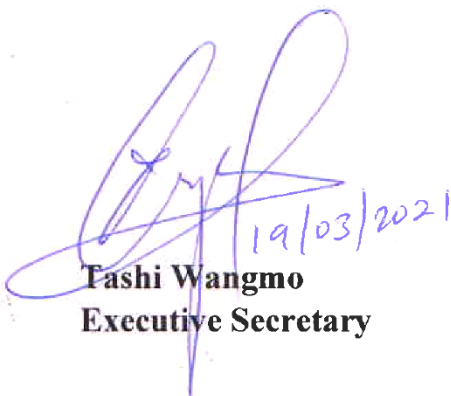
The Gelephu Structure Plan was prepared in 2005 based on the Ten Principles of Intelligent urbanism with vision to make Gelephu a vibrant urban hub, safe and livable and one of the economic growth centres in the South Central region. The Structure plan has proliferated into eight Local Area Plans (LAP) and helped in developments in a much planned manner.

No matter how magnificent the plan might be, if it is not implemented on the ground, the very essence of such plan is defeated. In order that the provisions in the plans are implemented on the ground without much variation, Development Control Regulations (DCR) is a very important strategy document to guide the development in the planned and systematic manner.

With the coming up of revised DCR-2021, it is expected that most of the anomalies and practical difficulties encountered during the implementation of the plans are taken care-off and facilitate in smooth implementation of the plans hereafter.

I would like to acknowledge the efforts put-in by all the teams involved in bringing up the revised DCR-2021 and hope that it will serve as a very important regulatory tool in making Gelephu a Livable, Safe and Sustainable city.

Let's work together to make Gelephu a city of your choice.



**Tashi Wangmo**  
**Executive Secretary**

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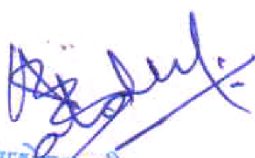
Executive Secretary

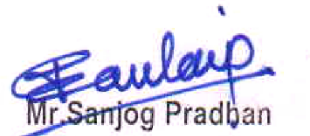
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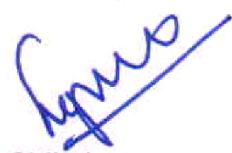


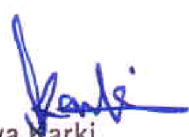
## ENDORSEMENT BY THE THROMDE TSHOGDE


ENDORSED BY 2<sup>nd</sup> THROMDE TSHOGDE MEMBERS ON 16/02/2021

  
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Dasho Tikaram Kafley  
Thrompon  
Chairperson  
Thrompon  
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## **FORWARD**

The Bhutan Building Rules 2018 (BBR 2018) is a basic guideline applied and followed across the entire nation in a variety of settlements. On the other hand, the Local Government Act 2009 empowers Thromde Administration to prepare Local Area Plans for their respective urban settlements and adopt relevant development control regulations to direct development within their jurisdictions. The revised Development Control Regulation-2021 (DCR-2021) for Gelephu is the regulations tailored to the locality supplemented by BBR-2018 in providing additional directives needed in a larger urban context. The notes below explain the relationship between BBR-2018, and DCR-2021 in line with the Gelephu Structure Plans 2005-2025.

In absence of the structure plan, the BBR-2018 applies to urban areas across the country. Where a Thromde has a structure plan in place, the provisions therein shall be to frame the development control regulation which is an intrinsic part to be applied for all development activities within the urban areas. This is also enabled by the Local Government Act 2009, whereby clause No. 273(s) states that the Thromde administration shall administer development control regulation including regulations related to minimum plot size within Thromde as provided for under this act.

Wherever a Local Area Plan has been approved, its specific regulations, if any, shall be applicable within that local area alone. Generally, development control regulation conforms to local area plans prepared in line with the structure plan.

Thus, in the absence of Local Area Plans and development control regulation therein, the provisions of the Structure Plan for that urban settlement shall prevail. In the absence of a Structure Plan and local area plans for any given settlement, the BBR- 2018 shall prevail.

This tiered set of Regulations reflects the fundamental policy of the Royal Government of Bhutan to decentralize governance, administration and development, enabling and facilitating strong responses to local conditions and aspirations. These same provisions may be extended to the other settlements as plans are prepared and conditions warrant.

The Development Control Regulations was first published in 2013 and was reviewed on regular basis to incorporate the new policy changes and other regulations for local area plans and other relevant challenges faced during the implementations. Accordingly, the DCR-2021 shall be subject to review and amendments after every five years.

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## DEVELOPMENT CONTROL REGULATIONS 2021 – MAJOR PARTS

The Development Control Regulations of Gelephu have been divided into five major parts:

**Section-1: Administration** - contains the applicability of these Regulations, the definitions of terms and expressions used in the Regulations, and the provisions related to interpretation, discretionary powers, delegation of powers, etc.

**Section-2: Procedures** - is divided into two major sections. Section-2A deals with the procedures for obtaining development/building permits. Section-2B deals with procedures during development/building construction. The first section is in turn divided into two sub-sections one concerning the layout and sub-division of land and the other concerning buildings. These sections contain the respective documents and particulars to be furnished along with the application, the fees to be paid, the validity of the approvals, liabilities and responsibilities of the applicant, and certain provisions for special cases. The second Section 2B that deals with the procedure during development/construction contains provisions for the issue of various certificates, service connections, documents to be kept on the site for mandatory inspections, etc.

**Section-3: Precinct Sanctions** – contains the permissibility of various uses and activities in the designated precincts, the permissible plot coverage and building height in the specified precincts. This part also contains sections relating to the special provisions regarding existing non-confirming uses.

**Section-4: Land Development and Subdivision Regulations-** This part contains requirements of access of the site to be developed, the standards for internal street widths, minimum plot sizes, required common areas, on-site physical infrastructure requirements and regulations related to tree plantation

### Section-5: Building Regulations

#### Two-Tiered Model

A two-tiered model is envisaged for the building permission procedure based on the following two contexts:

- a) Residential structures not more than two floors (ground plus one floor) for plot not exceeding 1000 sq.m.
- b) More than two floors (ground plus two floors) on-site irrespective of plot sizes for residential and non- residential uses.

## HIGHLIGHTS OF THE PRECINCT SANCTIONS

The highlights of the Precinct Sanctions are:

**Reserved Public Assets:** The areas where development is highly restricted:

- Natural Reserve and sanctuary, River Basins, Natural Storm Water Drainage Systems, Avifauna, Fauna Habitats, unique Flora and Bio-mass preserves- Environmental Conservation (E1).
- Forest and Vegetation reserves-Forest Environment (E2).
- Zones with risk of possible flooding. Development will be permitted in this zone only under the condition that necessary flood protection measures for the entire zone are implemented and certified by competent authorities-Flood prone zone(E4).
- Non-Habitable land along International Boundary of minimum **500 meters** width. Customs and Immigration Check posts, Military Camps, Parking for Cargo Vehicles at fixed locations. Agriculture land with crops that do not block the vision of patrols and allow easy accessibility, Border security-related activities, Airport runway for military use, Cargo handling, all activities approved and undertaken by RBA and other Defense organizations - International Buffer Zone (E7).

**Urban Villages:** The developable settlement areas structured as distinct units identifiable as 'urban villages', bounded by natural features such as streams, agricultural/horticultural land, forests, and river and zoned, such that it is served by a 'neighbourhood node' accommodating all the transport, commercial, services, institutional, recreational activities.

**Urban Core, Hub and Corridor:** The city is zoned into such that the visible city structure provides most of the services and tertiary sector employment located in the 'Urban Core' and another 'Reserved Urban Hub' which is divided by the Gelephu-Sarpang 'Urban Corridor'. The Boulevard Road acts as the axis of the city that paves the way to other 'Neighborhood nodes' located within each distinct 'Urban Villages'.

## CAPABILITY OF APPLICANTS

It is the sole duty and responsibility of the applicant/s (of various approvals under these rules) to ensure that all documents, information and data submitted as part of the application/s are true and correct. Submission of invalid documents, information and data may result in cancellation of an approval, even after being issued, where such invalid documents, data, or information is false, it may compel the Thromde office to take action for legal prosecution, under relevant civil and/or criminal status related to fraud and misrepresentation.

## **DEVELOPMENT CONTROL REGULATIONS – 2021**

### **GELEPHU STRUCTURE PLAN 2005-2025**

## **SECTION 1: ADMINISTRATION**

### **1.0 TITLE, COMMENCEMENT AND JURISDICTION**

These Regulations may be called the Development Control Regulations 2021 (DCR-2021). These Regulations shall come into force with effect from the date of their notification by Thromde once approved by the competent authority. These Regulations shall apply to the whole Gelephu Thromde Area, that is, the whole of the area within the Gelephu Thromde as defined by the Gelephu Structure Plan (2005–2025). The provision in the Bhutan Building Regulation (BBR)-2018 shall supplement the DCR-2021 where relevant.

### **1.1 APPLICABILITY**

- These Regulations shall be applicable from the date of their notification by Thromde upon endorsement from the competent authority.
- These Regulations shall apply to all development, redevelopment, erection or re-erection of a building, rehabilitation and demolition of buildings; change of use, etc., as well as to the design, construction, reconstruction, and making material additions and alterations to a building. However, where a part of a building layout or group-housing scheme is demolished, or altered, or reconstructed, these Regulations shall apply only to the extent of the new work involved.
- Any action taken, or developments permitted, under the Regulations or Building Rules, existing prior to these Regulations coming into force, shall be deemed to be valid and continue to be so valid, unless otherwise specified.
- In the case of development, for which the Building Permit has been obtained prior to these Regulations coming into force, and where amendments to the sanctioned plan are proposed, these Regulations shall apply.
- 'Building Permit' granted in the past shall be revalidated in conformity to these Regulations.
- If there are conflicts between the requirements of these Regulations and those of any of their rules or bye-laws, these Regulations shall prevail.

## 1.2 INTERPRETATION

Unless the context otherwise requires, the terms and expressions not defined herein shall have the same meaning as indicated in the following legislations:

- 1) The Local Government Act 2009.
- 2) The Land Act 2007.
- 3) Urban Area and Property Regulations 2003.
- 4) Building Code of Bhutan 2018.
- 5) Bhutan Building Rules 2018.
- 6) Thromde Rules 2011.
- 7) Bhutanese Architectural Guidelines 2015.
- 8) Rules and Regulations for Resolving Excess/ Deficit Land in the Thromde 2015.
- 9) Guidelines for Building Color Code of Bhutan 2014.
- 10) Spatial Planning Standards -2017
- 11) National Housing Policy 2021
- 12) Land pooling and Land Re-adjustment 2018
- 13) National Human Settlement Policy of Bhutan 2019
- 14) Guidelines for planning and development of Human Settlements in Urban and Rural area to minimize environmental impacts.
- 15) Bhutan GREEN buildings design guidelines-2013
- 16) Directives on the incentives for management of protected zones within Thromde boundary-2016

## 1.3 DELEGATION OF POWER

The Implementing Authority may delegate any of the powers, duties or functions conferred or imposed upon or vested in the Implementing Authority to its officers, or designated committee officers, generally or especially in writing and may impose certain conditions and limitations on the exercise of such powers as it may deem fit.

## 1.4 DISCRETIONARY POWERS

- 1.4.1 The Implementing Authority may exercise its discretion in conformity with the intent and spirit of these Regulations, to mitigate any demonstrable hardship or to serve the public interest in the following ways:
- a) Decide on matters where it is alleged that there is an error in any order, requirement, decision and determination, the interpretation made by it under delegation of powers while applying these Regulations.
  - b) Interpret these regulations in various contexts or in situations where more clarity is required, under such circumstances the Implementing Authority's decision shall be final and binding.
  - c) Decide upon the nature and the extent of concessions in respect of marginal distances, room heights, etc. that can be granted in cases of proven hardship for reasons which are to be recorded in writing. However, such relaxation shall not affect the health, safety and hygiene of the inhabitants of the building and the neighbourhood and the structural stability of the building. Provided further that while granting such relaxation, as above, the authority



may impose conditions as may be necessary. These may include a payment of the deposit and its forfeiture for non-compliance, payment of a premium amount and other obligations, etc.

- d) No concessions in respect of the Floor Area Ratio (F.A.R.), or additional floors, shall be given.
- e) Decide on the fine or compounding charges to be made applicable in cases of developments where non-adherence to these Regulations is detected.
- f) Modify the limit of a precinct where the boundary of a precinct divides a parcel of land or where a street layout or a survey number actually on the ground varies from its location shown on the Structure Plan.
- g) Authorize the erection of a building or the use of premises for a public service undertaking or a public utility purpose where such authorization is reasonably necessary for the convenience and the welfare of the public, even if such erection or use is not permitted as per these Regulations but not undermining the health and safety of the people.
- h) Determine and establish the location of precinct boundaries in cases of doubts or controversies.
- i) As regards the delegation of powers to exercise discretion, all matters stated above shall be decided by a committee designated and authorized by the Implementing Authority.

1.4.2 When issues arise that are not covered within these Regulations, the Implementing Authority shall refer the matter to the Competent Authority.

## **1.5 ENFORCEMENT OF REGULATIONS THROUGH INVOLVEMENT OF ACCREDITED ARCHITECTS**

Enforcement of these Regulations may also be ensured through a mechanism of speedier approval of development proposals through Green Channel of accredited Architects as detailed out in these Regulations.

## **1.6 POWER TO CHANGE THE APPENDICES AND PROFORMAS**

The Implementing Authority shall have the powers to make amendments to the contents of **Appendix 2**, the proformas, and the procedures for grant of development permission from time to time.

## **1.7 DEFINITIONS**

These Regulations, unless the context otherwise requires, the terms and expressions defined as follows shall have the meaning indicated against each of them. The terms and expressions not defined in these Regulations shall have the same meanings as in the Acts, Rules, Regulations, Codes, and Guidelines of clause 1.2 of these Regulations.

**ACT**

Shall mean the Local Government Act 2009

**ADDITIONS AND/OR ALTERATIONS**

Shall mean any change in an existing authorized building or approved plans of a building, or a change from one use to another use, or a structural change such as additions to the area or height, or the removal of part of a building, or a change to the structure, such as the construction or cutting into or removal of any wall or part of a wall, partition, column, beam, joist, or re-roofing, or re-construction of any kind, alterations to a floor, including a mezzanine floor, or any support, or a change to, or closing of any required means of ingress, or egress, or a change to fixtures, or equipment, as provided in these Regulations.

**ADVERTISING SIGN/HOARDING**

Shall mean any surface or a structure with any character, letter or illustration, applied thereto and displayed in any manner whatsoever out of doors for advertising, giving information regarding, or to attract the people to any place, cause, person, public performance, article or merchandise, and which surface or structure is attached to, forms part of, or is connected with any building, or is fixed to a tree or the ground, or any pole, screen, hoarding or displayed in any space, or in or over any water body included in the limits of the notified area of the Implementing Authority.

**AIR-CONDITIONING**

Shall mean the process of treating the air to control simultaneously, or singly, its temperature, humidity, cleanliness, and distribution to meet the requirement of an enclosed space

**AMENITIES**

Shall mean roads, streets, open spaces, parks, recreational grounds, play-grounds, gardens, water supply, electric supply, street lighting, drainage, sewerage, public works and other utilities, communication network, etc. for the citizen's use and convenience.

**APARTMENT/FLATS**

Shall mean residential buildings constructed in a detached or semidetached manner being designed as ground floor plus one or more upper floors and constructed as separate dwelling units with common staircase and other building services.

**APPLICANT**

Shall mean the registered owner(s) of a property, who applies in the prescribed form to construct/alter/extend a building.

**ARCHITECT**

Shall mean a person with a degree in architecture from a College or University accredited by the respective country's accreditation board to impart professional degrees in architecture.

**ATTIC**

Shall mean the space within the confines of the roof structure, above the ceiling of the top floor which is constructed and adopted for storage purpose, lift machine room, water tanks, etc.

**BASEMENT OR CELLAR**

Shall mean the lowest storey of a building. The basement floor shall be 75% or more below the lowest ground level. It shall be permitted only for vehicular parking and other building services. The basement shall cover the same size as the building footprint.

**BUILDING FEATURES that shall be excluded from the calculation of built-up/Carpet area are:**

- 1) Areas covered by porches, canopies, weather shields, Rabsey projections, etc.
- 2) Cantilever Balconies.

**BUILDING LINE**

Shall mean the plinth of the building running in line with the adjoining plinth of the building parallel to the road

**BUILDING SERVICES**

Building Services shall mean HVAC plant, power generator, underground sumps, pumps, boilers, sub-station, lift pits and related services, chutes, water storage tanks, laundry, and other services related to building maintenance

**BETTERMENT CHARGE**

Means a charge levied by the Implementing Authority for ensuring off-site services and amenities to the area by the Implementing Authority.

**BUILDING**

Meaning any structure for whatsoever purpose, and of whatsoever materials constructed and every part thereof, whether used as human habitation or not including foundations, plinths, walls, columns, floors, roofs, chimneys, plumbing and building services, fixed platforms, verandas, balconies, cornices or projections, part of a building or anything affixed thereto. However, structures of a temporary nature like tents, hutments, etc. erected for temporary purposes or ceremonial occasions, with the permission of the Implementing Authority shall not be considered to be "buildings".

- a) **"Assembly building"** shall mean a building or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes. Assembly buildings shall include theatres for drama and cinema, city halls, town halls, auditoria, exhibition halls, museums, "marriage halls", "skating rinks", gymnasia, stadia, restaurants, eating or boarding houses, places of worship, dance halls, clubs, road, air, or other public transportation stations.
- b) **"Business building"** shall mean any building or part thereof used for transaction or record thereof. Offices, banks and all professional establishments are classified as business buildings if their principal function is the transaction of business and/or keeping of books and records thereof.
- c) **"Detached building"** shall mean a building with walls and roofs independent of any other building and with open spaces on all sides.
- d) **"Semi-Detached Building"** shall mean a building detached on three sides with open spaces

as specified in these Regulations. A superficial connection via a beam, wall, balcony, corridor, Sky Bridge, or any other trivial connection will not qualify a building to be defined as “semi-detached”

- e) **"Educational building"** shall mean a building exclusively used for a school or college, recognized by the appropriate Board or University, or any other Implementing Authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other uses incidental thereto such as a library, laboratory, fine arts facility, or a research institution. It shall also include quarters for essential staff required to reside in the premises, and buildings used as hostels and boarding solely captive to an educational institution whether situated in its campus or not.
- f) **"Hazardous building"** shall mean a building or part thereof used for –
  - i. Storage, handling, manufacture or processing of radio-active substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or producing poisonous fumes or explosive emanations.
  - ii. Storage, handling, manufacture or processing which involves highly corrosive, toxic obnoxious alkalis, acids, or other liquids, gases or chemicals producing flame, fumes, and explosive mixtures or which result in the division of matter into fine particles capable of spontaneous ignition.
  - iii. Storage, handling, manufacture, experimentation, research, or processing which could cause any danger to the public health, hygiene or safety, as certified by the competent health and safety officials of the Royal Government of Bhutan.
- g) **"Industrial building"** shall mean a building or part thereof wherein products or materials are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories.
- h) **"Institutional or public building"** shall mean a building constructed by the Royal Government, Semi-Government organizations, public sector undertakings, registered Charitable Trusts for their public activities, such as administration, education, medical, recreational and cultural, a hostel for working women or men, or an auditorium or complex for cultural and allied activities, or a hospice, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes dharmshalas, hospitals, sanatoria, custodian and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories, clubs, golf course, sports stadium, buildings and facilities constructed by the Royal Government for the promotion of tourism, such as inns, resorts, lodges, etc.
- i) **"Commercial/ Mercantile building"** shall mean a building or part thereof primarily used for commercial purposes such as shops, stores, departmental stores or markets, for display and sale of goods or merchandise, including office, storage and service facilities incidental thereto located in the same building. Mixed-use buildings with commercial areas on the ground floor and residential above shall be construed as Commercial building for the purposes of this document.

- j) **"Office building (premises)"**, shall mean a building or premises or part thereof whose sole or principal use is for an office or office purposes or clerical work. "Office purposes" includes the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and "clerical work" including writing, book-keeping, sorting papers, typing, filing, duplicating, punching cards, tapes or machines, calculations, drawing, of matter for publication and editorial preparation of matter of publication.
- k) **"Residential Building"** shall mean a building in which sleeping accommodation is provided for normal residential purposes, with or without cooking or dining facilities, and includes one or more family dwellings, lodging or boarding houses, hostels, dormitories, apartment houses, flats and private garages of such buildings.
- l) **"Special Building"** shall mean:
  - i. a building solely used for the purpose of a drama or cinema theatre, motion picture, drive-in-theatre, an assembly hall or auditorium, town hall, lecture hall, an exhibition hall, theatre, museum, a stadium, a "community hall, marriage hall;
  - ii. a hazardous building;
  - iii. a building of a wholesale establishment;
  - iv. a centrally air-conditioned building which is more than three floors, or more than two floors constructed on stilts,
  - v. a building of more than five floors.
- m) **"Storage Building"** shall mean a building or part thereof used primarily for storage or shelter of goods, merchandise and includes a building used as a warehouse, cold storage, freight depot, transit shed, store house, public garage, hangar, truck terminal, grain elevator, barn and stable.
- n) **"Unsafe Building"** shall mean a building which,
  - i. is structurally unsafe,
  - ii. is unsanitary,
  - iii. is not provided with adequate means of egress,
  - iv. constitutes a fire hazard,
  - v. is dangerous to human life,
  - vi. with its existing use constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance, dilapidation or abandonment.
- o) **"Wholesale establishment"** shall mean an establishment wholly or partly engaged in wholesale trade and manufacture, wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking, warehouses.

## BUILDING HEIGHT

Shall mean the vertical distance measured from the level of the lowest natural ground level (side facing the legal road), which provides principal access to the development, up to the top of the finished level of the top most floor slab.



**BUILDING LAND PARCEL**

Shall mean a land/plot or part of a land/plot or combination of more than one land/plot over which a building is to be constructed as approved by the Implementing Authority.

**BUILT-UP AREA**

Shall mean the area covered by a building on all floors including cantilevered portions, if any, but except the areas excluded specifically under these Regulations.

**BUILDING INSPECTOR**

Shall mean a technical person authorized by the Implementing Authority to inspect buildings and their premises during construction/renovation/addition/alteration.

**CARPET AREA**

(Otherwise called "Net Internal Floor Area") shall mean the covered area on all floors minus the open passages, balcony, staircase etc.

**COMPETENT AUTHORITY**

Shall mean the authority as defined in the Local Government Act, 2009

**COMMERCIAL ZONE**

Shall mean an area primarily intended for commercial and allied purposes.

**COMMON WALL**

Shall mean a structure joining two or more properties

**COMBUSTIBLE MATERIAL**

Shall mean that material which when burnt adds heat to fire when tested for combustibility in accordance with the IS: 3808-1966 Method of Test for Combustibility of Building Material, National Building Code, India.

**CONVENIENCE SHOP**

Shall mean shops each with a carpet area not exceeding **20 sq.m** and comprising those dealing with day-to-day requirements, as distinguished from wholesale trade or retail shopping. It includes:

- i. Food grains or rations shops.
- ii. Shops for collecting and distribution of clothes and other materials for cleaning and dyeing establishment.
- iii. Tailor or danner shops.
- iv. Groceries, confectioneries and general shops.
- v. Hair dressing saloons
- vi. Vegetable and fruit shops
- vii. Milk and milk products shops
- viii. Florists
- ix. Shops dealing with ladies' ornaments and such as bangles, cosmetics etc.
- x. Shops selling bakery products
- xi. Books and stationeries shops, Newspaper and magazine stall.
- xii. Cloth and garment shops

- xiii. Restaurant and eating house (fast foods only)
- xiv. Shoe and Sports shops

### **CORRIDOR**

Shall mean a common passage or circulation space including a common entrance hall.

### **COURTYARD**

Shall mean a space permanently open to the sky within the site around a structure or surrounded either partially or completely by a structure.

### **COMMON PLOT/ LAND**

Shall mean a common, open to sky space exclusive of setbacks, margins, parking spaces and approaches, at the ground level of the building unit to be used collectively by the joint owners.

### **COVERED AREA**

Shall mean the area covered by a building on the ground floor.

### **DEMARCATATION**

Means the marking out of the Site Plan at the actual location, on the ground, by the competent authority in the presence of the owner and adjacent plot owners, if any

### **DEVELOPER**

Shall mean the person, who is legally empowered to construct or to execute work on a plot of land, building unit, building or structure, or where no person is empowered, the owner of the building unit, building or structure.

### **DEVELOPMENT**

Means the carrying out of building construction, engineering, mining, or other operations, in, over, or under land or water or the making of any material or structural change including demolition of building or reclamation of land or any change in use of the premises and includes redevelopment and layout and sub-division of any land.

- **Plotted Development:** This means the carrying out of development leading to the subdivision of land into plots.
- **Flatted Development:** This means the carrying out of development on a site leading to the construction of flats.

### **DEVELOPMENT CHARGE**

Means a charge levied by the Implementing Authority as per the provisions of the Local Government Act, 2009 clause 64 (d).

### **DEVELOPMENT PERMISSION**

Means valid permission, or authorization, in writing by the 'Implementing Authority' to carry out development, issued to a legally empowered developer, with due regard to the prevailing Act/Regulations in force at the time of issue.

**DEVELOPMENT RIGHT**

Means the right to carry out the development of a building or land, and shall include the transferable development right in the form of the right to utilize the FAR of land utilizable either on the remainder of the land partially reserved/directed to be reserved for a public purpose within the site of the reserved, or elsewhere.

**DEVIATION**

Shall mean carrying out or undertaking a building construction or land development activity non-conformity to the sanctioned/approved plans, permissions or orders, irrespective of the degree of change

**DRAIN**

Shall mean a system or a line of pipes, with their fittings and accessories such as manholes, inspection chambers, traps, gullies, floor traps, used for drainage of buildings or yards appurtenant to the buildings within the same catchments. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.

**DWELLING UNIT**

It shall mean a shelter consisting of residential accommodation for one household. Provided that the minimum accommodation in a dwelling unit shall be one habitable room of minimum carpet area of 9.0 sq.m with a minimum side dimension of 2.5m and a WC. It may not have more than one kitchen or cooking space.

**ENCLOSED STAIRCASE**

Shall mean a staircase separated by walls and doors from the rest of the building.

**ENGINEER**

It shall mean a person with a degree or diploma in civil and /or structural engineering from any recognized Institute, College, or the University of Engineering accredited by the respective country's accreditation board to impart professional degrees in engineering.

**EXISTING BUILDING**

It shall mean a building/structure existing before the commencement of these Regulations.

**EXISTING USE**

It shall mean the use of a plot of land, a building, or a structure existing before the commencement of these Regulations.

**EXIT**

Shall mean a passage, channel of means of egress from any building, storey or floor area to a street or other open space of safety; horizontal exit, outside exit and vertical exit having meanings at (i), (ii) and (iii) respectively as under:

- (i) **"HORIZONTAL EXIT"**: - shall mean an exit which is a protected opening through or around a firewall or bridge connecting two or more buildings.
- (ii) **"OUTSIDE EXIT"**: - shall mean an exit from a building to a public way, to an open area

- leading to a public way, or to an enclosed fire-resistant passage leading to a public way.
- (iii) **"VERTICAL EXIT"**: -shall mean an exit used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.

### **EXTERNAL WALL**

Shall mean an outer wall of a building not being a party wall even though adjoining a wall of another building and also shall mean a wall abutting on an interior open space of any building.

### **ESCAPE ROUTE**

Shall mean any well-ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.

### **FIRE AND/OR EMERGENCY ALARM SYSTEM**

It shall mean an arrangement of call points or detectors, or sensors, or sounders, and other equipment for the transmission and indication of alarm signals working automatically or manually in the event of a fire.

### **FIRE PROOF DOOR**

It shall mean a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period. Fireproof doors for various purposes must conform to the specifications and performance standards as laid out in the Bhutan Building Code, 2003, (BTS-015-2003, Part 2 Section 6 Fire Protection).

### **FIRE PUMP**

It shall mean a machine, driven by external power for transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3.2kg/cm<sup>2</sup> at the topmost level of a multi- storied building.

### **FIRE RESISTANCE**

Shall mean the time during which a fire-resistant material, i.e. material having a certain degree of fire resistance, fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with IS: 3809-1966 Fire Resistance Test of Structure.

### **FIRE SEPARATION**

Shall mean the distance in meters measured from any other building on the site or another site, or the opposite side of a street or other public space to the building.

### **FIRE SERVICE INLET/ HYDRANT**

Shall mean a connection provided at the base of a building for pumping up water through- in-built fire-fighting arrangements by fire service pumps following the recommendation of the Chief Fire Officer.

### **FIRE TOWER**

It shall mean an enclosed staircase, which can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire-resisting doors.

The specifications and performance standards of the enclosing walls, materials and doors shall be as per those stated in the I.S3809-1966 Fire Resistance Test of Structure.

### **FLOOR**

Shall mean the lower surface in a storey on which one normally walks in a building, and does not include a mezzanine floor. The floor at ground level with direct access to a street or open ground/land shall be called the ground floor; the ground floor shall also be counted as a floor in defining the number of floors. (In the estimation of floors, the actual areas or extent of the floors shall have no consideration) The nomenclature of the other floors shall be as follows: the floor above the ground floor shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards.

### **FLOOR AREA**

It shall mean the total area of the floor including the area of walls.

### **“FAR” OR FLOOR AREA RATIO**

Shall mean the quotient obtained by dividing the sum of the floor areas on all floors excluding areas specifically exempted under these Regulations, by the total area of the plot.

$$\text{Floor Area Ratio} = \frac{\text{Total floor area}}{\text{Total plot area}}$$

Provided that the following shall not be counted towards computation of F.A.R

- a) Areas covered by porches, canopies, weather shields, arcades, atria, passages connecting two streets, balconies and verandahs etc.
- b) Parking spaces.
- c) Basements if used for parking, services and utilities.

### **FRONT**

Front as applied to a plot; shall mean the portion facing the road and in case of plot abutting on more than one road the plot shall be deemed to the front on all such roads/means of access.

### **FOOTING**

It shall mean a foundation unit constructed in brickwork, stone masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.

### **FOUNDATION**

Shall mean that part of the structure, which is in direct contact with and transmitting loads to the ground.

### **GARAGE/PARKING – PRIVATE**

It shall mean a building or a portion thereof designed and used for the parking of vehicles.

### **GARAGE/PARKING – PUBLIC**

Shall mean a building or portion thereof, designed other than as a private garage, operated for gain, designed and/or used for parking motor-driven or other vehicles.



**GROUND LEVEL**

It shall mean the lowest ground level within the plot.

**GROUP HOUSING**

Shall mean a housing scheme wherein two or more independent dwelling units or buildings are constructed in an undivided parcel of land.

**HARDSHIP**

It shall relate to the hardship arising due to the internal operation of the rules and not to the economic, social or personal condition of the applicant.

**HOME OCCUPATION**

Shall mean customary home occupation other than the conduct of eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential/dwelling use and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the hygiene or safety of the inhabitants of the building and the neighbourhood, and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and /or employing licensable goods. If motive power is used, the total **electricity load should not exceed 0.75 KW**. "Home Occupation" may also include similar occupations as may be specified by the Implementing Authority and subject to such terms and conditions as may be prescribed. Under no case should an economic activity, deemed as a "Home Occupation" if it generates nuisance by way of sound, water, or air pollution.

**HABITABLE ROOM**

It shall mean a room occupied or designed for occupancy for human habitation and uses incidental thereto, including a kitchen if used as a living room, but excluding a bath-room, water closet compartment, laundry, serving and storing, pantry, corridor, cellar, attic, store- room and spaces not frequently used.

**HAZARDOUS MATERIAL**

Shall mean radioactive substances and material which is highly combustible or explosive and/or which may produce poisonous fumes, explosive emanations, or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic, obnoxious alkalis or acids or other liquids; other liquids or chemicals producing flame, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition. Biological substances causing viruses, infections or which could cause uncontrolled bacterial growth harmful to humans, livestock, or plant life.

**HEIGHT OF A ROOM**

Shall mean the vertical distance measured from the finished floor surface to the finished ceiling/slab surface. The height of a room with a pitched roof shall mean the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge.

**IMPLEMENTING AUTHORITY**

Shall mean the Gelephu Thromde to perform such functions as may be specified in these Regulations.

**KIOSK**

Shall mean any light open-fronted booth selling fast food, newspapers, tickets, telephone-booth etc.

**LAYOUT**

Shall mean laying out a parcel of land or lands into smaller plots for building on, with laying of roads/streets, including formation, levelling, metaling or blacktopping or paving of the roads and footpaths, etc. and laying of the services and amenities such as water supply, drainage, street lighting, open spaces, etc.

**LIFT**

Shall mean a mechanically guided car, platform or transport for persons and materials between two or more levels in a vertical or substantially vertical direction.

**LIGHT HOME WORKSHOP**

Means a workshop wherein the work done or the machinery installed is such as could be done or installed in any residential area without detriment to the neighbourhood by means of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit etc.

It will be subject to the following restrictions:

- a) The power used will be electrical.
- b) The maximum power used will be 1.5 KW.
- c) The maximum floor space occupied will be 20sq.m.
- d) It will be worked by the members of the family.
- e) Any part of the machinery including pulley, belt shafts etc. shall be attached to the walls or other parts of the building except the floor at which the same machinery is supported. Such home workshop may be gold smithy, milk or curd churning, pills making, stitching embroidery, tailoring, vulcanizing, sewing machine, folding machine, and milk-separation.

**LIGHT INDUSTRY**

Means an industry in which the processes are carried out without detriment to the neighbouring residential areas because of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. It will be subject to the following restrictions:

- (i) The power used will be electrical.
- (ii) Maximum power used for the main power drawing machinery shall be permitted up to 25 KW with associated switch gears/pumps if any with an additional of 10 KW to the main supply,
- (iii) Maximum floor space occupied shall be applied as per the permissible coverage.
- (iv) It will be housed in a building suitable for the purpose. However, it shall not include the following industries:

Manufacturing or refining of ammonia, bleaching powder, chlorine, asphalt, brick, terracotta, gypsum, lime, plaster of Paris, coke, creosote, glucose, starch, dye, explosive or fireworks or storage thereof in excess of 50 Kg. fertilizers, gas (fuel or illuminating) in excess of three hundred cubic

meters, gelatin or glue from fish or animal refuse, or offal, hydrochloric acid, nitric acid, sulphuric or sulphurous acid, lead black, linoleum or oilcloth, matches, pyroxylin or rubber or treatment thereof involving offensive odour, tar, turpentine or blast furnace, coal or junkyard, distillation of bores, coal weed or tar or manufacture of any of their distilled products, drop forages, fat grease lard of fallow manufactures, refining or rendering lout or grist mill, hot rolling mill, incineration, reduction, or dumping of dead animals, garbage or refuse except when accumulated and consumed on the same premises without the emission of odour, production or refining or storage above ground of petroleum or other inflammable liquids (except heating fuels), slaughtering of animals, tanning or curing or storage of raw hides and skins, tyre recapping.

### **LOFT**

An Intermediary floor between two floors on a residual space in a pitched roof, above normal floor level with a maximum height of 1.5 m and which is constructed or adopted for storage purpose.

### **MARGIN/ SETBACK**

Shall mean space fully open to sky provided at the ground level from the edge of the building wherein built-up area shall not be permitted except specifically permitted projections under this regulation.

### **MEZZANINE FLOOR**

Shall mean an intermediate floor with height not more than 2.5 m, between two main floors overhanging or overlooking a floor beneath and accessible only from the lower floor. The total floor area of the Mezzanine floor should not exceed 1/3rd of the lower area. The floor area of the mezzanine floor shall be considered for calculating the total built-up area of the building.

### **MUNICIPAL BOUNDARY**

It shall mean the boundary of Gelephu Thromde as defined by the Royal Government/Competent Authority.

### **NEIGHBOURHOOD CENTRE AND CIVIC CENTRE**

Neighborhood Centre and Civic Centre shall include activities such as community shopping centre, market, office building, cinema, a small hospital, playground, swimming pool, town hall, open-air theatre, civic and cultural facilities, library, higher secondary school, parking plots, public utility and service buildings such as post office, fire station, police station, religious building and building of public uses.

### **NON-COMBUSTIBLE**

Shall mean not liable to burn or add heat to fire when tested for combustibility in accordance with the IS 3808-1966 Method of Test for Combustibility of Building Materials.

### **OBNOXIOUS and HAZARDOUS INDUSTRY**

It means industry, which will create a nuisance to the surrounding development in the form of smell, smoke, gas, dust, noise pollution, air pollution, water pollution and other unhygienic conditions.

### **OCCUPANCY OR USE**

Shall mean the principal occupancy or use for which a building, or a part of it, is used or intended

to be used, including contingent subsidiary occupancies; mixed occupancy building being those in which more than one occupancy are present in different portions of the building.

### **OCCUPANCY CERTIFICATE**

Shall mean an official document issued by the Implementing Authority certifying that the building is safe and fit for occupation.

### **OPEN SPACE**

It shall mean an area forming an integral part of the plot or an independent plot, left permanently open to the sky.

### **OPEN USE**

A use that is generally open in size and location, but subject to the provision of adequate parking, the regulations of the applicable zone, and the general requirements of this document and Gelephu Structure Plan.

### **OWNER**

Shall mean person in whose name the land or property is registered as per the Land Records with the GT and who receives rent for the use of the land or building or would be entitled to do so if it were let.

### **PARAPET**

It shall mean a low wall or railing built along the edge of the roof or a floor.

### **PARKING SPACE**

It shall mean an area, enclosed or unenclosed, covered or uncovered, sufficient in size to park vehicles with space for movement. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.

### **PARTITION**

It shall mean an interior non-load bearing divider wall not more than one storey or part thereof in height.

### **PERMANENT OPEN-AIR SPACE**

Shall mean air space permanently open if its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably appropriated as open space.

### **PERMISSION**

It shall mean valid permission or authorization in writing by the Implementing Authority to carry out development or a work regulated by the Regulations.

### **PLINTH**

It shall mean a portion of a building between the surface of the surrounding ground level and the finished floor surface immediately above the ground.

**PLINTH HEIGHT**

It shall mean the height of the finished floor of the lowest floor level above the natural ground.

**PLINTH AREA**

Shall mean the built-up covered area measured at the floor level of the basement or of any storey, including the walls.

**PLOT AREA**

It shall mean a piece of land enclosed by definite boundaries fixed by the Implementing Authority.

**PLOT COVERAGE**

This means the percentage of the area of plot covered by structures, building plinths, walls, etc. excluding the area covered by the porch either permanent or semi-permanent in nature of the total plot area.

**PORCH**

It shall mean a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.

**PRECINCT PLAN**

Shall mean a geographical area designated in the approved Urban Development Plan/ Structure Plan for the purpose of regulating land uses within the approved Thromde/Municipal boundary.

**PUBLIC PURPOSE**

The expression "Public Purpose" includes:

- a) The provision of village sites, or the extension, planned development or improvement of existing village sites;
- b) The provision of land for town or rural planning;
- c) The provision of land for planned development of land from public funds in pursuance of any scheme or policy of Royal Government and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with the object of securing further development as planned;
- d) The provision of land for a corporation owned or controlled by the Royal Government
- e) The provision of land for residential purposes to the poor or landless or persons residing in areas affected by natural calamities, or to persons displaced or affected by reason of the implementation of any scheme undertaken by the Royal Government, any local authority or a corporation owned or controlled by the Royal Government;
- f) The provision of land for carrying out any educational, housing, health or slum/bagos improvement and/or clearance scheme sponsored by the Royal Government or by any Authority established by the Royal Government for carrying out any such scheme or with the prior approval of the Royal Government,
- g) The provision of land for any other scheme of development sponsored by the Royal Government or with the prior approval of the Royal Government, by a Local Authority.
- h) The provision of any premises or building for locating a public office, but does not include the acquisition of land for Companies.



**PUBLIC UTILITY NOTE, PUBLIC FACILITY, SERVICES BUILDINGS**

Shall include buildings or works developed or undertaken by the Govt./ Semi-Govt. or Public Undertaking only, such as sub-station, and receiving station of the Electricity Dept., Building for infrastructural facilities like bus service, water supply, drainage, sanitation, domestic garbage disposal, pumping station, electricity, purification plant, police building, post and telegraph and telecommunication, public urinals, milk supply, and public telephone booth, fire brigade station, ward and zonal offices of Implementing Authority, taxis, scooter and cycle stand and parking lot, garden, nursery, playground and open spaces, canal, communication network, first aid medical centre, primary health centre, dispensary, library, reading room and religious buildings/places of public worship.

**PROPERTY**

Shall mean either a business or industrial premise; a single domestic dwelling, e.g., a house or an apartment; or a building with multiple domestic dwellings, businesses or industries or empty lot.

**REGISTERED ARCHITECT/ENGINEER/STRUCTURAL DESIGNER/URBAN PLANNER/ DESIGNER/ DEVELOPER**

Shall mean respectively a person registered by the Implementing Authority or any other recognized institutions/ organizations for the purpose of these Regulations as an Architect, Engineer, Structural Designer, Urban Designer, Urban Planner or Developer, under these Regulations or any other Rules prevailing for the area.

**RECREATION AND OPEN SPACES**

Shall mean an area primarily intended for active and passive recreational purposes.

**REFERRAL AUTHORITY**

Shall mean an Authority created by the RGoB to which certain aspects of a proposed development may be required to be referred to, and a “no objection certificate” obtained from, before the Implementing Authority scrutinizes/examines the proposal for approving.

**RESIDENTIAL BUILDING**

Shall mean a building used for human habitation including garages and outhouses.

**RESIDENTIAL USE**

Shall mean the use of any building unit for human habitation and includes similar activities like hotels, lodges, inns, guesthouses, and hostels.

**RIGHT OF WAY**

(ROW) shall mean an area reserved for road carriageway, central verge, footpath, roadside drains, avenue plantations and utilities.

**ROAD/STREET**

Shall mean any public expressway, highway, boulevard, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds,

channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, road-side trees and, hedges retaining walls, fences, barriers and railings within the street lines.

### **ROW HOUSES**

It shall mean a row of houses with only front and rear open spaces.

### **STREET-LEVEL OR GRADE**

It shall mean the officially established elevation or grade of the centre line of the street upon which a plot fronts, and if there is no officially established grade, the existing grade of the street at its mid-point.

### **SUB-DIVISION**

It shall mean the division of a single plot or building unit into two or more legal parts.

### **SANITARY INSPECTORS**

Shall mean a technical person authorized by the Implementing Authority to inspect and regulate water supply, drainage and sanitation.

### **SERVICE CENTRE**

- (i) The power used will be electrical.
- (ii) Maximum floor space occupied shall be applied as per the permissible coverage.
- (iii) Will be housed in a building suitable for the purpose. However, it shall not include the following industries:

Manufacturing industries that generate pollution in terms of air, noise, dust, smoke, hazardous waste, chemicals, etc.

### **SERVICE ESTABLISHMENT**

Is wherein the work done or the machinery installed in such as would render service to the local residents and would satisfy their day-to-day residential needs and which does not create a nuisance to the surrounding development in terms of noise, dust, water and air pollution. It will be subject to the following restrictions:

- (i) The power used will be electrical.
- (ii) Maximum power used to be 10 KW for the residential zone and not more than 25 KW in the commercial zone.
- (iii) Maximum floor space occupied will be 50 sq.m
- (iv) It shall be detached and housed in a shop or a building specially designed for the purpose. Such establishment may be a fuel filling and/or service station, flour mill, bakery, laundry, air compressor unit, electrical motor, optical repair and watch repair shop, repair of musical instrument, carpentry, book-binding, printing press, paper-cutting, water cooling, and juice extracting unit, black-smithy, vulcanizing, motor winding, cutting and nut cutting unit etc.

### **SERVICE ROAD**

Shall mean a road/lane provided at the front, rear or side of a plot for service purposes and includes a road/lane provided along a major road or expressway to cater to local traffic.

**SETBACKS**

Means the distance between the plot boundary and the building's outer edge, or the distance between buildings within a plot.

**SHOPPING CENTRE OR COMMERCIAL CENTRE**

It shall mean a group of shops, offices and/or stalls designed to form a market/office complex.

**SITE PLAN**

This means the up-to-date legal plan of the plot showing all boundaries, coordinates and dimensions, the total plot area, angles in degrees of corners, abutting legal roads, required setbacks, permissible coverage, number of floors, and land use issued by the Implementing authority.

**SITE DEVELOPMENT**

Means the carrying out of engineering, mining, or other operations, in, over, or under land or water or the making of any material or structural change including demolition of building or reclamation of land or any change in use of the premises and includes redevelopment and layout and sub-division of any land.

**STAIR COVER**

Shall mean a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from the weather, and not to be used for human habitation.

**STOREY**

Shall mean the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

**TENEMENT**

It shall mean an independent dwelling unit with a kitchen, or cooking space.

**TENEMENT BUILDING/ OWNERSHIP FLATS**

It shall mean a residential building constructed in a detached manner, or a semi-detached manner, or as ownership flats in a building unit, each being designed and constructed for separate occupation with independent provision of bath and WC.

**TRAVEL DISTANCE**

Shall mean the distance from the remotest point of a building to a place of safety, be it a vertical exit or a horizontal exit or an outside exit, measured along the line of travel.

**TRANSFERABLE DEVELOPMENT RIGHT**

It shall mean a development right to transfer the potential development on a site, designated for public purposes in a structured plan or local area plan. It is expressed in terms of total permissible built space, calculated based on the 'Base FAR' allowable on that site/plot, and utilizable by the owner or transferred to someone else, from the present location to specified areas as per the

structure plan or local area plan. It is allowable in lieu of compensation for the acquisition of the site/plot, free from all encumbrances, by the Implementing Authority.

### **URBAN CONTROL ZONE**

Shall mean a defined peripheral area immediately outside the municipal boundary as fixed by the Competent Authority and restricted for development activities.

### **URBAN PLANNER/DESIGNER**

It shall mean a person with a degree in Urban Planning/Designing from an Institute, College or University accredited by the respective country's accreditation board to impart professional degrees in Urban Planning/Designing.

### **UNAUTHORIZED BUILDING**

Shall mean a building or structure which was constructed without sanction from the Implementing Authority empowered to control building pattern and form, at the time the concerned construction took place.

### **VENTILATOR**

It shall mean an appliance or an aperture that is usually used for the purpose of ventilating a room or space.

### **WATER CLOSET (WC)**

Shall mean a privy with an arrangement for flushing the pan with water, but does not include a bathroom. It shall not be smaller in floor area than one square metre.

### **WATER COURSE**

Shall mean a natural channel or an artificial channel formed by draining or diversion of a natural channel meant for carrying storm and wastewater.

### **WAREHOUSE OR GODOWN**

Shall mean a public or private building, the whole or a substantial part of which is used or intended to be used for the storage of goods whether for storing or for sale or any similar purpose.

### **WHOLESALE TRADE**

It shall mean a business/enterprise, which operates on the basis of buying, transiting or taking goods from the producers and selling distributing such goods and products to retailers, convenience shops, etc., but not to the end-users. Any trade where ninety per cent of the premises used are for the storage of bulk goods, and crates of goods, dissembled goods or goods to be passed on to retail units or direct sales outlets shall be deemed to be a Wholesale Trade activity.

### **WINDOW**

It shall mean an opening, other than a door, to the outside of a building, which provides all or part of the required ventilation.

### **INTERPRETATION AND MEANING OF EXPRESSION**

The use of present tense includes future tense, the masculine gender includes the feminine gender and singular includes plural or vice versa.

## **SECTION 2A: LAND DEVELOPMENT/ SUBDIVISION / CONSOLIDATION AND BUILDING PERMISSION**

### **2.0 PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION**

No person shall change the use of land or carry out development without the written permission of the Implementing Authority.

Provided that no such development permit shall be necessary for the following:

- (i) Carrying out works for minor maintenance, improvement or alteration of a building, being works which affect only the interior of the building without altering the structural members and partition walls of the building or which do not materially affect the external appearance thereof such as providing or closing of a window or a door or ventilator not opening towards other's property, internal plastering, painting and patchwork, re-flooring and replacement of flooring. Provided further that no built-up area shall be added to the existing work without seeking the Implementing Authority's permission. Provided that no such exemption shall however be available in the case of heritage buildings/structures in heritage precincts.
- (ii) excavation (including) wells made in the ordinary course of an agricultural operation; for the construction of a road intended to give access to land solely for agricultural purposes
- (iii) for occasional use of land such as exhibitions, Wang, fairs, etc., but shall obtain temporary permission from the Implementing Authority.

### **2.1 PROCEDURE FOR LAND DEVELOPMENT/ SUBDIVISION/ CONSOLIDATION PERMISSION**

#### **2.1.1 APPLICATION FOR LAND DEVELOPMENT/SUBDIVISION/CONSOLIDATION PERMISSION**

A person or body intending to carry out layout development as defined in these Regulations in or over land and /or subdivide and /or consolidate land or a building within the limits of the Gelephu Thromde shall obtain prior permission for the same from the Implementing Authority by applying on the prescribed form available in Land Record Section of Gelephu Thromde. Prescribed forms, formats and plans under these regulations may be amended from time to time by the implementing authority.

The application shall be signed by the legal owner of the plot or authorized signatory. The applicant shall submit signed plans and drawings along with the application as per clause 2.1.2 and pay the requisite scrutiny fees, development charges, betterment charges, and other charges and dues if any to be leviable under the Regulations.

**2.1.2 DOCUMENTS AND PARTICULARS TO BE FURNISHED WITH THE APPLICATION**

The following particulars and documents shall be submitted along with the application.

- 1) Original Lagthram/Land Ownership Certificate issued by the Gelephu Thromde.
- 2) Full information should be furnished in the Form. The applicant shall also submit a copy of N.O.C./ clearance from the relevant Authority wherever applicable.

**2.1.3 APPLICABLE LAND DEVELOPMENT FEES**

A person or body applying for permission for carrying out land development shall with his/their application pay to the Implementing Authority.

**2.1.4 APPROVAL OF LAYOUT PLAN FOR PLOT SUBDIVISION**

The approval of the layout Plan proposed to be developed and /or subdivided and /or consolidated will be given in two stages:

- I. Preliminary approval, and
- II. Final approval

**2.1.5 PRELIMINARY APPROVAL**

The preliminary approval of the layout plan is the stage that approves the proposed layout plan enabling the commencement of work on the site to facilitate preliminary activities such as clearing of bushes, peg identification etc. related to subdivision and transfer of land as per the relevant standards and as proposed in the layout plan submitted by the applicant.

**2.1.6 FINAL APPROVAL**

The final approval for the layout plans and/or subdivision and/or consolidation shall be given only on the completion of all the requisite development on the site and after inspection and verification of the performance of the services and other common facilities /amenities provided as per the relevant standards. In case of any changes in the approved layout plan, the proposal has to be revalidated by Gelephu Thromde.

**2.1.7 REJECTION OF APPLICATION**

If the plans and information given do not contain all the particulars necessary to deal satisfactorily with the development permission application, the application shall be rejected.

**2.1.8 CANCELLATION/ REVOCATION OF APPROVAL**

The development permission if secured by a person/body by misrepresentation or by producing invalid documents, such development permission will be cancelled.

## 2.2 PROCEDURE FOR OBTAINING BUILDING AND OCCUPANCY PERMISSION

A person/firm/body or developer or client shall not erect a building or carry out additions and alterations or carry out civil construction activity without obtaining a building permit from the Implementing Authority. A building permit shall be issued only to the legal owner of the land /plot. However, applications for temporary permission involving erection/construction of temporary structures shall be permitted only in specific locations which would have to be approved beforehand upon the payment of fees specified in **appendix 4** by Gelephu Thromde.

The procedures for obtaining building permits and also those procedures that are to be followed during construction are different for the two classes of buildings/construction:

- a) Residential structures not more than two floors (ground plus one floor) of not exceeding 1000 sq. m. plot size. (Green Channel)
- b) Residential and Non- Residential structures of more than two floors (Normal Procedure)

A mechanism for speedier approvals in the case of tier “a” as above is proposed through a Green Channel of accredited architects/engineers. All building applications shall enclose an “ultimate structural capability of the structure” statement from the architect/ structural engineer, in terms of the total number of floors.

For details of temporary permission refer to clause no. 2.3

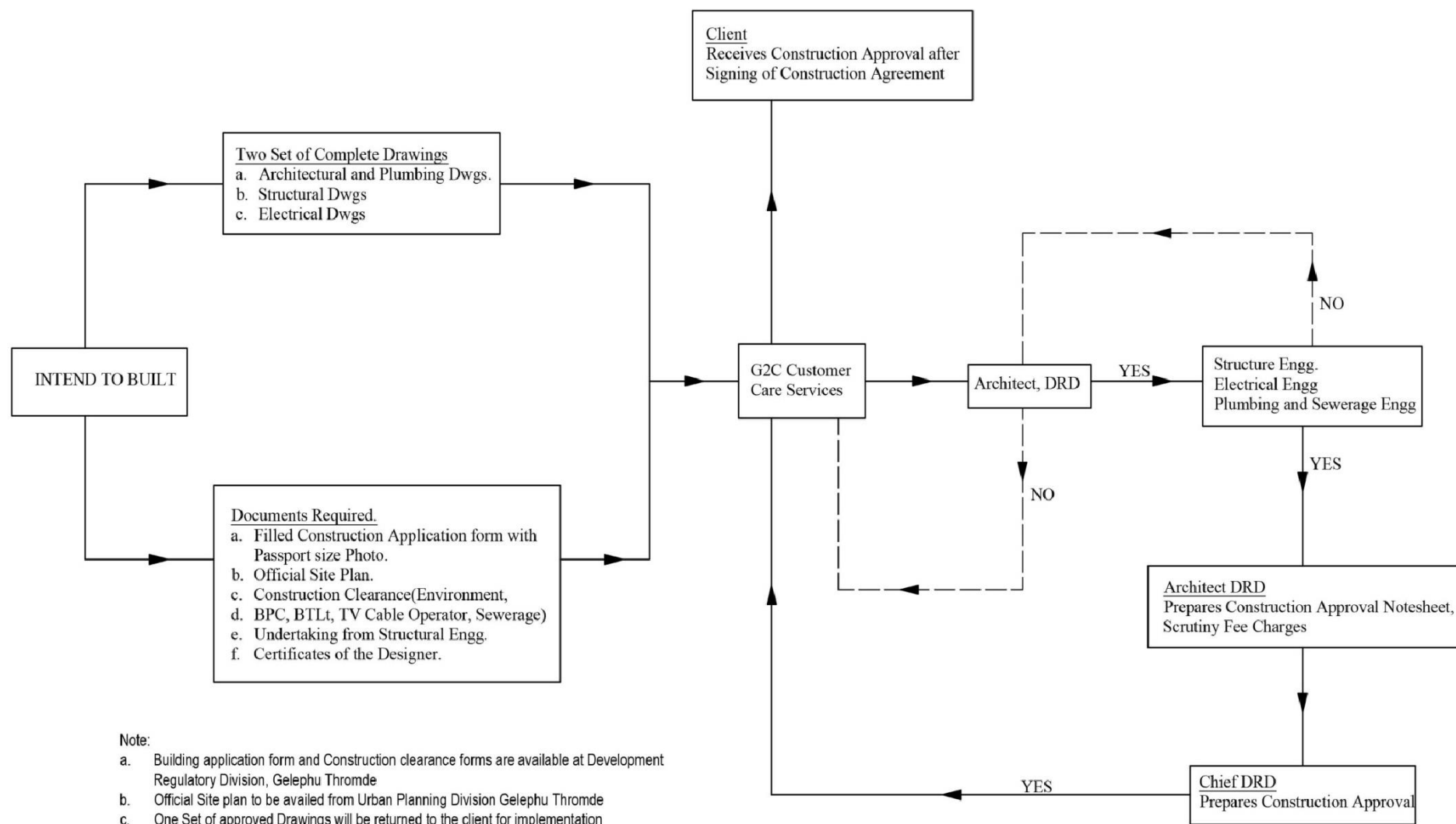
The procedures for the different classes of buildings/constructions are described in the following charts.

### 2.2.1 APPLICATION FOR BUILDING CONSTRUCTION PERMISSION

A person or body or client intending to erect a building or carry out additions and alterations to a building or to carry out development as defined in these Regulations in or over land owned by him/it within the limits of the Gelephu Thromde shall obtain prior permission for the same from the Implementing Authority by applying on the prescribed form and furnishing all information in the forms and format prescribed under these regulations and as may be amended from time to time by the Implementing Authority. The application shall be signed only by the legal owner of the plot or authorized signatory. The applicant shall submit signed drawings along with the application as per clause 2.0.2 below and pay the requisite scrutiny fees, development charges, betterment charges, and other charges and dues if any to be levied under the Regulations.



### CHART SHOWING THE PROCESS FOR OBTAINING BUILDING CONSTRUCTION PERMIT



### 2.2.2 DOCUMENTS AND PARTICULARS TO BE FURNISHED WITH THE APPLICATION

- a) The applicant shall sign all forms, plans, sections or written particulars or cause them to be signed by him and his duly authorized registered Urban Planner, Architect, Engineer, Developer etc. as the case may be. Such person or authorized registered Architect, Urban Planner, Designer, Engineer, the developer shall furnish documentary evidence of his authority. If such notice or other document is signed by such authorized registered Architect, Engineer, Urban Planner, Developer it shall state the name and address of the person on whose behalf it has been furnished.
- b) The forms, plans, sections and descriptions to be furnished under these Regulations shall all be signed by each of the following persons:
  - (i) A person making an application for permission.
  - (ii) A person who has prepared the plans and sections with descriptions, and must be a registered Architect.
  - (iii) A person who is responsible for the structural design and supervision of the construction i.e., a registered structural designer or civil engineer with experience of 3 years or more
  - (iv) A developer who has a minimum qualification of Bachelor Degree/ Diploma in Civil Engineering with an experience of 2 years.
- c) A person who is engaged either to prepare a plan or to prepare a structural design and structural report or to supervise the building shall give an undertaking (accepting full responsibility for all of the above and liability in case of direct or indirect damage or loss) in the prescribed form (**Appendix- 9**)
- d) A person/body/client who under the provisions of the relevant sections of these regulations is required to furnish to the Implementing Authority, plans or other documents, shall furnish TWO copies of such plans and other documents. One copy of each plan and document shall be returned, on approval, to the applicant duly signed by the Implementing Authority or authorized officer.
- e) It shall be incumbent on the person/body whose plans have been approved, to submit amended plans for deviation leading to an increase in the built-up area, F.A.R, building height or change in plans, he proposes to make during the course of construction of his building work, and the procedure laid down for plans or other documents hereto before, shall be applicable to all such amended plans.
- f) Approval of drawings and acceptance of statements, documents, structural report, structural drawings, progress certificate, or building completion certificates shall not discharge the Owner, Engineer, Architect, Structural Designer, Developer, from their responsibilities, imposed under these Regulations and other local laws.
- g) Two copies of the detailed drawings showing the plans section and elevations of the proposed building showing the details as listed in **Appendix- 2**, wherever applicable, shall be submitted.

### **2.2.3 PLANS/ BUILDING DRAWINGS AND SPECIFICATIONS TO BE PREPARED BY REGISTERED PROFESSIONALS**

The plans/building drawings and particulars prescribed under these Regulations shall be prepared by a registered Architect.

### **2.2.4 COLOUR CODE FOR PLANS/ DRAWINGS**

The colour code for the submission of construction drawings is not applicable.

### **2.2.5 SCRUTINY FEE and SECURITY DEPOSIT**

The scrutiny fee payable at the time of application shall be as per the rates indicated in **Appendix-4** or as revised by the Thromde Tshogde from time to time.

### **2.2.6 SERVICES AND AMENITY FEES**

Permission for carrying out development shall be granted by the Implementing Authority only upon payment of service and amenity fees as per **Appendix-4**. These fees and maintenance charges shall be reviewed and revised by Thromde Tshogde from time to time.

### **2.2.7 GRANT OF DEVELOPMENT PERMISSION**

Grant of Development Permission shall mean acceptance by the Implementing Authority of all the requirements of these Regulations excluding the following:

- a) Easement rights
- b) Variation in the area from recorded areas of a plot or a building.
- c) Structural reports and structural drawings.
- d) The soundness of material specifications used in the construction of the building.

### **2.2.8 VALIDITY OF APPROVALS**

The validity of the approved building plan shall be for **two years** from the date of approval. The construction should commence within this period.

### **2.2.9 REVALIDATION/ RENEWAL**

Building permission granted under these regulations shall be deemed to have lapsed if such development work has not commenced till the expiry of two years from the date of development permission. However, the owner may apply for revalidation upon the expiry of development permission with an applicable fee as per **Appendix-4**.

### **2.2.10 PROCESS FOR REVALIDATION IF BUILDING OWNER/ DEVELOPER EXCEEDS THE VALIDITY PERIOD OF THE APPROVAL NEEDED:**

Follow the similar process as per section 2.2.1 to 2.2.9

### **2.2.11 LIABILITIES AND RESPONSIBILITIES OF APPLICANT**

Notwithstanding the development permission granted under these Regulations, a person/body undertaking any development work shall continue to be wholly and solely liable for any injury or damage (direct or indirect) or loss whatsoever that may be caused to anyone in or around the area during such construction and no liability whatsoever in this regard shall be cast on the Implementing Authority.

### **2.2.12 RESPONSIBILITIES OF THE APPLICANT**

Neither the grant of development permission nor the approval of the plans, drawings and specifications shall in any way absolve the applicant of the responsibility for carrying out the development in accordance with the requirement of these regulations.

### **2.2.13 REJECTION OF APPLICATION**

If the plans and information given as per these Regulations do not give all the particulars necessary to deal satisfactorily with the Building permission application, the application shall be rejected on receipt of the application for Building Permission, the Implementing Authority after making such inquiry as it thinks fit may communicate its decisions granting or refusing permission to the applicant as per the provisions of the Act.

The Building permission shall be in the prescribed form and it should be issued by the Implementing Authority. Every order granting permission subject to conditions or refusing permission shall state the grounds for imposing such conditions or for such refusal.

### **2.2.14 CANCELLATION/ REVOCATION OF APPROVAL**

The building permission if secured by a person/body by misrepresentation or by producing false documents is not valid and such development permission will be treated as cancelled/revoked.

### **2.2.15 CHANGE OF OWNERSHIP**

Building permission granted under these Regulations shall be deemed to be suspended/cancelled/revoked, in cases of change of ownership, unless the 'original' owner who applied for and obtained the development approval submits a letter to the Implementing

Authority about the change in ownership giving details of the transaction and the new owner submits an application duly attaching copies of all the official records of such a transaction and an undertaking that he accepts the transfer to himself, of all the responsibilities and liabilities of the previous owner that relate to the development on the site.

## **2.3 NO OBJECTION CLEARANCE (NOC) FROM REFERRAL AUTHORITIES FOR CERTAIN PROJECTS**

The proposal submitted shall be in conformity with other Acts/ Regulations and shall, wherever applicable submit the NOC, from the respective authorities for conformity with:

- a) The Bhutan Power Corporation Gridlines and the horizontal and vertical clear distances to be kept open to the sky.
- b) The provisions of Environmental Assessment Act, 2000.
- c) The provisions of NEC Secretariat's, 'Regulations for the Environmental Clearance of Projects, 2001.
- d) The conservation/ preservation of monuments and cultural heritage.
- e) The Department of Industry, Ministry of Economic Affairs, RGoB for the establishment of industries and operation of fuel stations
- f) The Department of Geology and Mines, Ministry of Economic Affairs, RGoB for the setting up and operation of:
  - (i) Quarrying and mining activities on less than 3 hectares.
  - (ii) Mineral exploration for verifying mineral deposits.
  - (iii) Emergency responses to natural disasters/ hazards.

- g) The Department of Forestry Services, Ministry of Agriculture, RGoB for:
  - (i) Surface collection of sand and boulders,
  - (ii) All other activities governed by the Forest and Nature Conservation Act, 1995 and Rules, 2000, except sections that require NEC's clearance
- h) The Department of Agriculture, Ministry of Agriculture, for:
  - (i) Farm roads,
  - (ii) Irrigation channels,
  - (iii) Activities related to agriculture research and development

## 2.4 DEMOLITION AND/OR RECONSTRUCTION OF DANGEROUS/ UNSAFE/ DILAPIDATED BUILDINGS

A building owner shall ensure that the building is inspected periodically by a suitably qualified engineer.

- If the engineer considers that the building is unsafe, the owner shall take action to rehabilitate the building.
- If the owner fails to take action to rehabilitate the building, the Thromde may order the owner to demolish the building on or before a specified date.
- If an owner fails to demolish a building on or before the specified date, the Thromde may demolish the building, at the risk and at the cost of the owner.
- In addition to the other provisions of this regulation, it is the responsibility of all concerned, including government agencies, corporation and private agencies to ensure that the disposal of waste produced at construction/demolition site shall be in accordance with the Waste Prevention and Management Regulation.

However, if the same is to be reconstructed, it shall be done in conformity with these Regulations with due approval from the Implementing Authority

## 2.5 TEMPORARY PERMISSION

Applications for temporary permissions need not be submitted through the registered professional. An application fee shall be paid as specified in **Appendix 4**. These temporary permissions shall be permitted on private premises and such temporary sheds shall be used only for storing construction material/ as watchmen's cabin/labour camp, toilets during construction phase only.

## 2.6 GREEN CHANNELS FOR BUILDING APPROVALS

**2.6.1.** This provision is devised to simplify and accelerate the procedure of getting building permission for proposals of a modest scale through accredited architects. If all compliances as laid down in these Regulations are made, permission shall be granted within 10 working days.

**2.6.2.** The accredited architects themselves shall scrutinize and submit such proposals to the Implementing Authority.

**2.6.3.** The procedure will be applicable only for getting a sanction of the plan. The site inspections and subsequent certificates such as plinth completion, etc. up to the occupancy certificate shall be

obtained as a matter of routine followed in other cases.

**2.6.4.** Proposals for residential construction up to 2 floors (G+1) of plot size not exceeding 1000 Sq. m. can be submitted to/ through an accredited architect. The accredited architect will examine the proposal in light of these Regulations and obtain the necessary permission.

**2.6.5.** The owner shall remain fully liable for the work done by the professional selected by him/her.

**2.6.6.** The accreditation of professionals shall be done by the Implementing Authority or any other recognized institutions/ organizations on the basis of certain criteria laid down by it. Such professionals shall have to get their registration done with the Implementing Authority.

## **2.7 DEVELOPMENT UNDERTAKEN ON BEHALF OF THE GOVERNMENT**

The Office-in-Charge of a Government Department shall inform in writing to the Implementing Authority of the intention to carry out development for its purpose along with the plans of proposed development or construction.

1. All the development undertaken on behalf of the Government shall strictly conform to these regulations.
2. Any Government proposal should be in conformity with Gelephu Structure Plan (its related Local Area Plans and Urban Design Proposals).

## SECTION 2B: PROCEDURE DURING DEVELOPMENT/BUILDING CONSTRUCTION

### 2.8 PROCEDURE DURING DEVELOPMENT/ CONSTRUCTION

- a) No applicant shall carry out any further works after any of the inspection stages (Clause 2.8.6) without an inspection and clearance by the Implementing Authority)
- b) The completion report shall not be necessary for alteration in the Building not involving the structural part of the building.
- c) On receipt of the completion report certifying that the work has been executed as per the approved plan, it shall be the duty of the Implementing Authority to inspect, verify and endorse the report.

#### 2.8.1 TEMPORARY SERVICE CONNECTIONS

An applicant with a certified copy of the building permit may apply to the respective agencies for temporary connection of services like electricity and water.

#### 2.8.2 LOADING AND UNLOADING AND STACKING OF MATERIALS AND EQUIPMENT

The use of a public street/ road or a public place for loading and unloading and stacking of materials of construction and construction equipment and excavated materials shall not be allowed unless permitted by the Implementing Authority. Material or equipment found on public street/road or public land without prior approval is liable to be confiscated and the owner shall be liable for penal charges as per **Appendix-15**

#### 2.8.3 DOCUMENTS AT SITE

The person to whom development permission is issued shall during construction, keep:

- a) Posted in a conspicuous place, at the site for which permission has been issued a copy of the development permission,
- b) A copy of the whole set of approved drawings along with the building permit on the site for which the permit was issued.

#### 2.8.4 CHILD LABOUR

It is incumbent that the architect/engineer/site supervisor and building owner sees that no underage workers, or children, are present on the construction site, either as employees, guests, or as dependents of legal employees.

Construction activity of a built-up area of 5000 sq.m or more shall provide a crèche or daycare centre for the labourer's children, where one, or more, women are employed on-site.

#### 2.8.5 SAFETY ON-SITE

All construction sites must be organized in a manner that the safety of all persons (particularly labourers) on the site, at all times is assured. Every person on the construction site should be well equipped with a helmet, boots, gloves, safety belts, first aid kit etc. On such sites, safety barriers will be erected around all chutes, shafts, floor openings and slab edges, etc. All the workers at the site should be insured.



### 2.8.6 INSPECTIONS

Building constructions shall be subject to routine/ periodic inspections by the Implementing Authority or persons/ bodies authorized by the Implementing Authority. In the event of deviation(s) from the approved plan and drawings or any of the conditions noted in this section, the Implementing Authority shall have the full authority to stop construction.

The Implementing Authority may, at any time during the erection of a building or the execution of work or development, make an inspection thereof without giving prior notice of his intention to do so.

1. Inspection at various stages: Following shall be the recognized stages for progress verification and checking in the erection of a building or the execution of work:
  - (i) Site layout shall be verified and approved by the authorized Architect/Engineer/Building Inspector from the Implementing Authority,
  - (ii) Foundation; before casting of footings, columns, beams and slabs
  - (iii) Plinth; in case of the basement before the casting of basement slab.
  - (iv) Each storey shall be inspected before any casting including electrical works
  - (v) Before roofing
2. A person/body who is empowered/responsible under these Regulations shall give to the designated officer of the Implementing Authority at least three working days' notice in writing of the time at which the work will be ready for inspection. This shall be called the Inspection Report. This Inspection Report shall be duly filled-in and kept with the owner and produced at the time of each inspection to be scrutinized and signed/ endorsed by the building inspector, before the commencement of the next stage of construction.
3. The applicant/ developer/ owner shall permit authorized officers of the Implementing Authority to enter the plot for which the development permission has been sought/ granted for carrying out development, at any time for the purpose of enforcing these regulations.
4. The building shall also be inspected for fire safety norms as per the fire safety regulations.

### 2.8.7 DEVIATION DURING CONSTRUCTION AND OTHER RELATED OFFENCES

Deviations during construction from the approved building plan shall require prior approval from the Implementing Authority and would be approved only if it is in conformity to these regulations. The procedure laid down for plans or other documents here-to before shall apply to all such revised (amended) plans. In case the approval for deviation (which is in conformity to these Regulations) is not sought from the Implementing Authority prior to deviation, the penalty shall be paid to the Implementing Authority as per the following formula:

**Amount= Payment of 25 per cent of the cost of deviated construction as per the estimates based on current BSR**

**Note:**

1. Internal deviations which do not have structural implications and which are within the setback rules may be approved after resubmission of as-built drawings during the time of construction.
2. Any deviations which are not in conformity to these Regulations shall be demolished at the owner's risks/costs.
3. Offences and Enforcement refer to **Appendix-15**

### 2.8.8 ILLEGAL OCCUPATION OF BUILDING

- a) Notwithstanding the provision of other laws to the contrary the implementing Authority may by written notice, order the whole building or part thereof to be vacated forthwith, or within the time specified in such notice: -
  - (i) if such building or part thereof has been unlawfully occupied in contravention of these Regulations.
  - (ii) If a notice has been issued in respect of such building, or part thereof, requiring the alteration or reconstruction of works specified in such notice have not been commenced or completed.
  - (iii) if the building or part thereof is in a ruinous or dangerous condition, which is likely to fall and cause damage to persons occupying, restoring to or passing by such building/structures or any other structure or place in the neighbourhood thereof.
  - (iv) If the site is in danger of collapsing, due to landslide, or erosion, or flood, or if the site is in danger of stones, boulders, debris, earth falling on it from areas at a higher elevation
- b) The reasons for requiring such building or portion thereof to be vacated shall be clearly specified in the notice.
- c) The affixing of the written notice on the premises shall be deemed a sufficient intimation to the occupiers of the building or portion thereof.
- d) On the issue of notice, a person occupying the building or portion thereof to which the notice relates shall vacate the building or portion as directed in the notice and no person shall so long as the notice is withdrawn, enter the building or portion thereof, except for the purpose of carrying out a work of reinstatement which be lawfully permitted to be carried out.
- e) A person who acts in contravention of the above provisions or who obstructs the action taken under these regulations shall be removed from such building or part thereof by the police, which may also use such force as is reasonably necessary to affect an entry in the said premises.
- f) The cost of measures taken under this provision shall be recovered from the owners.

### 2.8.9 OCCUPANCY CERTIFICATE

The applicant shall obtain an occupancy certificate from the Implementing Authority prior to occupancy or use of development so completed. The application for the Occupancy Certificate shall include:

- (i) In case of any change from the approved plans, (which is permissible within these regulations), a completion report in the prescribed form along with two copies of the 'as built' drawings endorsed by the Architect/ Engineer. It shall also be incumbent on every person who is engaged under these Development Control Regulations to supervise the erection or re-erection of the building, to endorse this completion report. One copy of the 'as built' drawings shall be stamped and returned to the applicant after inspection and approval by the Implementing Authority.
- (ii) A copy of the Inspection Report containing all the comments and endorsements of the building inspector at every stage of inspection. In case of occupying the building or part thereof without obtaining an occupancy certificate, all service connections shall be disconnected. On receipt of the application, the building and its premises shall be inspected within five working days by the Implementing Authority to verify that the work has been completed as per the approved building drawings, or if there is a change,

permissible within the Regulations, approve and endorse the 'as built' drawings submitted along with the completion report. The inspection team shall consist of an authorized Architect, Engineer and Building Inspector from the Implementing Authority. Based on this inspection report the Occupancy Certificate shall be issued.

- (iii) The Implementing Authority issuing occupancy certificate before doing so shall also inspect the building for the fire safety provisions (as per the norms) under these regulations have been fulfilled and if not, the applicant shall be asked to carry out necessary additions, alterations or rectifications to the satisfaction of the Implementing Authority before issuing occupancy certificate.

#### 2.8.10 ISSUE OF OCCUPANCY CERTIFICATE

The Authority issuing occupancy certificate shall ensure that:

- a) The Septic tank and soak pit have been constructed as per standards and are located as per the approved plan.
- b) All the temporary structures such as labour camp/material stockyard to be cleared and the site to be cleaned
- c) Domestic drains (to collect the rainwater) have been constructed as per standards and are connected to the main storm drain as directed by Thromde.
- d) The completed portion of the building/dwelling unit applied for occupation is fit and safe for occupancy.
- e) Construction debris around the building, and/or on the abutting road, and/or adjoining property is cleared by the applicant.
- f) The planned trees as per section 4.3 are planted on-site or ensure this by taking suitable deposits as decided from time to time for a specific period by the Implementing Authority.
- g) Parking space is properly paved and the layout of parking space is provided as per the approved plans. Signboards indicating the entrance, exit and location of parking spaces for different types of vehicles shall be permanently erected and maintained at a prominent place of a building unit.
- h) Certificate of lift Inspector has been procured and submitted by the owner, regarding the satisfactory erection of Lift.
- i) Proper arrangements are made for regular maintenance of lift as provided in Building Code of Bhutan 2003 and in these regulations.
- j) The completion report endorsed by the Implementing Authority has been procured and submitted by the owner.
- k) Proper arrangements are made for regular maintenance of fire protection services as provided in the Building Code of Bhutan 2003 and in these regulations.
- l) In the case of buildings with two-storied or more with uses- public gathering places, cinemas, auditoria, schools, colleges, government building and hospitals, a Certificate of Structural Stability shall be obtained from the site engineer. The occupancy certificate shall not be issued unless the required information is furnished by the owner and the site engineer/ Architect concerned, in the schedule as prescribed by the Implementing Authority from time to time. The occupancy certificate shall be issued within five working days after the receipt of all the required information. Permanent connection to services like water, sewerage, electricity and telephone to the building shall be given by the respective agencies after issue of **Occupancy Certificate** only.

- m) The occupancy certificate is valid for two years and to be renewed accordingly.
- n) The building owner had to produce a valid occupancy certificate at the time of payment of property tax, failing which the tax payment shall not be accepted.

## **2.9 REVOCATION/ CANCELLATION OF APPROVAL**

If the construction is not as per the approved building drawings, the Implementing Authority shall, by written notice, direct the owner to stop further construction. The construction shall be resumed only after approved rectification is carried out to the satisfaction of the Implementing Authority. In case the owner fails to rectify the deviations, which are not acceptable, the Implementing Authority shall cancel the building permit and disconnect the services.

## **2.10 DEVELOPMENT WITHOUT PRIOR WRITTEN APPROVAL**

**2.10.1** If the work requiring the written permission of the Implementing Authority under the provision of these Regulations or other rules, regulation or by-law is done by a person without obtaining written permission and not conforming to the provisions of these regulations it shall be deemed to be unauthorized. The Implementing Authority shall at any time, by the written notice, order the same to be removed, pulled down or undone.

The owner of the unauthorized structure shall be served at least three notices by the implementing authority in addition to the spot notice before the demolition of unauthorized structures.

- (i) A spot notice shall be served to stop the construction immediately and to report to the Thromde office.
  - (ii) First notice of 10 (Ten) calendar days to the owner by the Development Regulatory Office, failing which
  - (iii) Reminder notice of 2 (Two) months to the owner as well as to the tenants by the Thromde Administration followed by disconnection of services.
  - (iv) Final notice of 5 (Five) calendar days by the demolition squad failing which
  - (v) Forward the case to the Court
  - (vi) Demolish the illegal /unauthorized structure by the demolition squad as per the Court verdict.
- If the person carrying out such work is not the owner at the time of giving such notice, she/he shall be liable for carrying out the order of the Implementing Authority. A demolition squad shall consist of representatives from the Implementing Authority, Bhutan Power Corporation, Royal Bhutan Police or any other agencies as directed by the Competent Authority.
- (vii) If such erection or execution is not stopped forthwith, the Implementing Authority shall remove the person who is directing or carrying on the erection or execution from the premises by the police and shall take necessary steps to prevent the re-entry of such person on the premises without permission.
  - (viii) If the requisitions contained in the order are not carried out by the person or owner within the given period, the Implementing Authority shall remove or alter such work and the expenses thereof shall be paid by the person or owner as the case may be.
  - (ix) Take suitable action against the registered architect/ engineer, developer/client and others as specified in the Regulations.

**2.10.2** In cases where development has already started/commenced on site for which development permission in writing is not obtained from the Implementing Authority, but where this development on site is in conformity to the provisions of these Regulations, the development permission for such work on-site without the prior permission may be granted by the Implementing Authority on the merits of each individual case. For such development works the development shall be regularized by paying the penalty in addition to the Scrutiny Fee and Service and Amenities Fees.

#### **RATES OF REGULARIZATION FEE FOR DEVELOPMENT PRIOR TO WRITTEN PERMISSION:**

1. For Construction/ development of Buildings without approval but in conformity to these Regulations. The penalty shall be paid to the Implementing Authority as specified in **Appendix-15**.
2. All other “open uses” including layout and sub-division of land for which development approval has not been obtained, shall be levied 2 times of the regular fees/ charges

**Note:** The above table is applicable only if the development without prior written approval is in conformity to these regulations.

### **2.11 CHANGE OF BUILDING OR PREMISES USE**

The applicant shall apply in writing to the Implementing Authority for conversion of building or premises to other uses or activity. Permission for change of use shall be given only if the building use conforms to precinct use schedule, the structural safety of the building and other relevant clauses of these regulations. Change of building use without written permission of the implementing authority shall be regularized on payment of fines only if it conforms to the land use schedule and safety standards. If the building use does not conform to the land use and safety standards it will revert to the original use and the defaulter shall still pay a fine. **The fine shall be 20% of the cost of construction based on the quick cost method of misused floor area.**

### **2.12 CONFIRMATION INSPECTIONS BY NEC AND GELEPHU THROMDE REGARDING SPECIAL PROJECTS SANCTIONED/ APPEALS**

Developments sanctioned through special conditions/ appeals as listed in the Precinct Sanctions (refer 3.0) shall be liable for inspections by the NEC or the Implementing Authority for revalidation of the development permission. (Refer to note 4 and 5 under the Precinct Schedule showing ‘Uses Permissible’ in designated precincts under 3.0.1).

## 2.13 PARKING REQUIREMENTS

**Table 2.13a: Parking Requirements in General for Various Types of Vehicles**

Type of Vehicle	Parking Dimension (m)
Cars	2.4 x 4.8
Minibus/light vans	2.4 x 5.5
Rigid vehicles	3.5 x 14.0
Articulated vehicles	3.5 x 18.5
Coaches (60 seats)	3.5 x 14.0

**Table 2.13b: Parking Requirements for Various Types of Building Uses**

Description	Minimum Requirement
Housing	1 car parking space per dwelling unit
Hotel	0.5 car parking space per hotel room
Office	1 car parking space per 50 sqm of GFA
Commerce	1 car parking space per 25 sqm of commercial GFA
CSI	1 car parking space per 80 sqm of GFA
Industry	1 car parking space per 80 sqm of GFA
Warehouse	1 car parking space per 200 sqm of GFA
Education	1 car parking space per 15 children/students in urban areas, 1 car parking space per 20 children/students in rural areas
Health	1 car parking space per doctor, dentist or vet 1 car parking space per 2 other staff 4 car parking spaces per consulting or treatment room 1 ambulance space per health centre (minimum)
Theatres, cinemas, concert halls, dance halls and similar	1 car parking space per 10 fixed seats
Indoor/outdoor sport grounds	1 car parking space per 10 fixed seats
Public open space	4 car parking spaces per hectare
Any other public service	1 car parking space per 50 sqm of GFA

**Note:** \* % of total units

1. No on-street parking will be allowed for streets identified by the Implementing Authority.
2. Conversion of garages for other uses will not be allowed unless otherwise approved by

the Implementing Authority in conformity to these regulations.

3. For the general Public Use, the Thromde or private developers shall provide paid parking spaces according to the local area plan for commercial zones. General parking spaces shall be charged as designated by the Thromde and according to the charges fixed by the management.

## 2.14 PAINTING

**For Traditional paintings refer to Traditional Architecture guidelines.**

The exterior building walls shall be painted with one of the following colours as per the Building Color code of Bhutan 2014.

- (i) Mud colour
- (ii) White colour
- (iii) Grey colour
- (iv) Exposed Stone Masonry with its natural colour depending on the stone and masonry type without any plaster.

The roof painting should be done as follows:

- |   |   |            |
|---|---|------------|
| (i) Private Buildings                   | - | Green      |
| (ii) Institutional Buildings            | - | Red        |
| (iii) Dzongs and Religious Institutions | - | Red/Yellow |

## 2.15 MAXIMUM NUMBER OF STOREYS

The maximum number of storeys of the building shall be as per the Precinct Regulations mentioned in table no. 3.0.1 and 3.0.2. In the case of areas for which Local Area Plans are in place the maximum number of storeys will be governed by the respective Local Area Plans. The number of storeys shall be counted from the lowest natural ground level.

## 2.16 ARCHITECTURAL CONTROL

### 2.16.1 SETBACK, COVERAGE AND BUILDING HEIGHT.

- Refer table no 3.0.2
- The setback between two or more habitable structure under the same plot shall have a minimum of 6 metres

### 2.16.2 GUIDELINES FOR JAMTHOG AND ROOF CUT-OUT

- Refer Bhutanese Architectural Guidelines 2015
- The proportion for the Jamthog shall be a minimum of 1/3 and a maximum of 2/3 of the main building plinth. The ratio for the length of the Jamthog to the length of the main building should be the same as the ratio for the width of the Jamthog to the width of the main building
- The maximum height from the main roof to the eave of the Jamthog roof shall be 900mm.
- The space within Jamthog should be used only for keeping water tanks and storage purpose and service area for commercial buildings; however, Jamthog space cannot be used for a habitable purpose.
- The roof cut-outs shall be 20% of the area of the main roof and it should not distort the existing roofline. The roof cut-outs should not face religious and heritage sites, landmark sites or any other major roads.



**2.16.3 MINIMUM FLOOR SPACE OF ROOMS IN RESIDENTIAL BUILDINGS**

Refer Building Code of Bhutan 2018

**2.16.4 CIRCULATION SPACE REQUIREMENTS**

Refer Building Code of Bhutan 2018

**2.16.5 LIGHT AND VENTILATION REQUIREMENTS**

Refer Building Code of Bhutan 2018

**2.16.6 ARTIFICIAL LIGHTING AND MECHANICAL VENTILATION**

Refer Building Code of Bhutan 2018

**2.16.7 VENTILATION SHAFT**

Refer Building Code of Bhutan 2018

**2.16.8 PLINTH HEIGHT**

Refer Building Code of Bhutan 2018

**2.16.9 FIRE SAFETY**

Refer Building Code of Bhutan 2018

**2.16.10 ELEVATORS**

Refer Building Code of Bhutan 2018

**2.16.11 PORCH**

The porch shall be permitted in all buildings in compliance with setback rules; however, the porch area shall be excluded from the building coverage.

**2.16.12 SEPTIC TANK & SOAK PIT**

Building Code of Bhutan 2018

**2.16.13 ROOF AND SITE DRAINAGE**

Building Code of Bhutan 2018

Refer Bhutanese Architectural Guidelines

**2.17 ACCESS FOR THE DISABLED**

Building Code of Bhutan 2018

**2.18 STRUCTURAL CONTROL**

Building Code of Bhutan 2018

**2.19 WATER SUPPLY AND SANITATION CONTROL**

Building Code of Bhutan 2018

**2.20 ELECTRICAL INSTALLATIONS CONTROL**

Building Code of Bhutan 2018

**2.21 TELEPHONE**

Building Code of Bhutan 2018

## SECTION 3: PRECINCT SANCTITY (REGULATIONS ON USE, BUILDING BULK AND HEIGHT)

### 3.0 LIST OF PRECINCTS DESIGNATED IN THE GELEPHU STRUCTURE PLAN

The following list of Precinct categories has been formed so that the city can function in harmony. Each precinct protects a group of human activities from the interfering, or destructive aspects of other human activities. The definition of Precincts maintains an ecological balance between nature's order and an order of human activities. Thus, each precinct reflects a sphere of human, or natural, conduct. By defining and separating these spheres, the optimum meaning and functionality of each sphere are protected. Just as favourable influences are carried over the city from prayer flags offering ritual protection, the sanctity of precincts offer spatial protection to the people of Gelephu. With this principle in mind, the following precincts have been defined.

#### 1 Urban Village Precinct

- 1.1 **UV-1** Urban Village Square
- 1.2 **UV-2** Urban Village Core
- 1.3 **UV-3** Urban Village Periphery

#### 2 Town Core and Urban Hub

- 2.1 **UC-1** Town Core
- 2.2 **UC-2** Urban Hub

#### 3 Institutional precinct

- 3.1 **I-1** Institutional
- 3.2 **I-2** Boulevard

#### 4 Environmental Precinct

- 4.1 **E-1** Environmental Conservation
- 4.2 **E-2** Forest Environments
- 4.3 **E-3** Agricultural Environments
- 4.4 **E-4** Flood Prone Zone
- 4.5 **E-5** National Importance Open Space
- 4.6 **E-6** Local Green Space System
- 4.7 **E-7** International Buffer Zone
- 4.8 **E-8** Endowment for the Future

#### 5 Heritage Precinct

- 5.1 **H** Heritage Precinct

**6 Special Economic Precinct**

- 6.1 **SE-1** Urban Corridor
- 6.2 **SE-2** Multi-Mode Transit Hub
- 6.3 **SE-3** Dry Port
- 6.4 **SE-4** Industrial Service Centre

**7 Royal Precinct**

- 7.1 **R** Royal uses

**8 Defense Precinct**

- 8.1 **D** Defense

**9 Airport Precinct**

- 9.1 **A-1** No Construction Zone
- 9.2 **A-2** Construction Zone

### 3.0.1 PRECINCT SCHEDULE SHOWING USES PERMISSIBLE IN DESIGNATED PRECINCTS

The type of development in each precinct shall be regulated as per the following Table of the Precinct Schedule Showing Uses Permissible in the Designated Precincts

Sl. No.	DESIGNATED URBAN PRECINCT	USES PERMISSIBLE	SPECIAL CONDITIONS AND RESTRICTIONS
1.0	<b>URBAN VILLAGE PRECINCT</b> This precinct takes into cognizance the residential use and its immediate needs		
1.1	<b>UV – 1</b> Village Square	<b>Convenience Shopping/ Basic Amenities</b> <b>a.</b> All uses permitted in UV -2. <b>b.</b> Retail commercial use such as Retail Shops, Restaurants, Hostels, Bars, Professional Offices and Establishments (of less than 15 employees), ATMs, Crèche/ Children's daycare centre, Kindergartens, Primary Schools, Dispensaries, Clinics, Public Facilities, Public Utilities, Parks, Gardens, Playgrounds, Apartments, Service Establishments (residential), Libraries, Community Halls, kiosks, Vegetable Vendors, Display Areas, Neighborhood Pub, Outdoor Cafes.	Bars shall not be permitted within a radius of 100m from the boundary of Religious Institutions, Schools and Hospitals.

1.2	<b>UV – 2</b> Urban Village Core	<p><b>High Density, Residential Precinct</b></p> <p><b>a.</b> All uses allowed in UV – 3.</p> <p><b>b.</b> All types of residential dwellings including service apartments and group housing, Professional Services, Commercial only on ground floors, Household economic activity, Cottage industries not involving the use of, or installation of, any machinery driven by more than 10 KW power and which do not create noise, vibrations, fumes and dust provided that such home occupations, cottage industries and other non - residential uses shall not be permissible in the tenement dwellings or flats. Playfields, Gardens, Gymnasium, Swimming pool.</p> <p><b>c.</b> Ubiquitous local level retail shops and services establishments, Small restaurant, Retail Liquor shops, Pre-primary and primary school, Dispensary, clinic.</p> <p><b>d.</b> Public facilities and utilities, Local Community Hall.</p>	<ul style="list-style-type: none"> <li>• All permissible non-residential uses in a residential area may be permitted in a residential dwelling only on the ground floor or any other floor with separate means of access/staircase from within the building or outside the building, but not within the prescribed marginal space. Such development shall only be permitted beyond 150 Mts. from the boundary of the building unit of the existing school, or heritage place.</li> <li>• Offices may be allowed provided the plot area is more than 1000 sq.m and the maximum allowable plot coverage is 25%.</li> </ul>
1.3	<b>UV – 3</b> Urban Village Periphery	<p><b>Medium and Low-Density Residential Precinct</b></p> <p>Residential uses, Residential apartments and group housing with less than or equal to 10 units, Ubiquitous local level Convenience shop and services (<b>only 20 Sq.m of the floor area per building shall be allowed for convenience uses</b>), Child care, crèche facilities Household economic activity, Cottage industries not involving the use of, or installation of, any machinery driven by more than 1KW power and which do not create noise, vibrations, fumes and dust provided that such home occupations and cottage industries shall not be permissible in the tenement dwellings or flats.</p>	<ul style="list-style-type: none"> <li>• Child Care Centres shall be allowed subject to fulfilling the following conditions: <ul style="list-style-type: none"> <li>○ The plot area is more than 1000 sqm.</li> <li>○ Technical requirements of the Ministry of Education are met.</li> </ul> </li> <li>• Indoor sports/games facilities shall be permitted only if the plot area is more than 1214 sq.m and the technical requirements of the Bhutan Olympic Committee are met.</li> </ul>

<b>2.0</b>	<b>URBAN HUB PRECINCT</b> This precinct takes into cognizance the commercial, institutional and recreational uses and their immediate needs at the town level.		
<b>2.1</b>	<b>UC – 1</b> Urban Core	<b>Town Center</b> <b>a.</b> All uses permitted in UC – 2 <b>b.</b> Government and semi-government buildings and their activities, Autonomous Bodies and Public Sector undertaking Buildings and activities, Non-Government Organization (NGO) buildings, Registered Charitable Trust Buildings and Educational, Medical, Health, Religious and Public Welfare Activities, Tourist units as recommended by the Tourism Corporation, Bars	
<b>2.2</b>	<b>UC – 2</b> Urban Hub	<b>Entertainment and Shopping Centers</b> <b>a.</b> All uses permitted in UV – 1 <b>b.</b> Cinema Hall, Multiplexes, Shopping Centers, Food Courts, Bowling Alleys, Pool and Billiard Halls, Lodging and Boarding Houses, Hotels, Tourism and Recreation based facilities. Commercial Center, Auditorium, Office Buildings, Public Facilities, Public Utilities, Banks, Professional Offices, Parks, Gardens, Playgrounds, Training Institutes Research Institutions, Hostels, Boarding Houses, Staff Quarters, Canteens, Sports Complex Gymnasium, Library, Swimming Pool, Club, Stadium, Theatre, Open Space and Recreation Activities, Art Galleries, Exhibition Halls, Entertainment Centers, Bars.	<ul style="list-style-type: none"> <li>• Residential incidental to and limited to 25% of predominant institutional use on plot &gt; 4000 sq m.</li> <li>• Discotheques and Drayangs shall be allowed only in the basement. Other entertainment centres may be allowed on other floors.</li> </ul>

<b>3.0</b>	<b>INSTITUTIONAL PRECINCT</b> This precinct takes into cognizance the institutional use and its immediate needs		
<b>3.1</b>	<b>I - 1</b> Institutional Precinct	<b>Institutions</b> Educational, Training, Cultural and Government Institutions, Public Libraries, Museums, Art galleries, Government Offices.	Residential and other activities incidental to the main institutional use provided only 25 % of the site should be used for such activities.
<b>3.2</b>	<b>I - 2</b> Boulevard	Local, National and International Institutions Educational, Training, Cultural and Government Institutions, Public Libraries, Museums, Art Galleries, Government Offices, Diplomatic Offices, Residential Units including Apartments and Group Housing, Professional Services, Community Halls, Town Hall, Commercial only on Ground Storey and the opening shall not face towards the Boulevard, Play fields, Gardens, Gymnasium, Swimming Pools, Public Facilities, Activities related to making, displaying and sale of traditional handicrafts, Star Hotels, Hospitality Center, Entertainment centres	<ul style="list-style-type: none"> <li>• All the buildings shall strictly comply with the Urban Design Controls and should get approvals from the competent authorities for its façade treatments.</li> <li>• Entertainment centres will be allowed in the basement only if there are no residential uses within the same building.</li> <li>• Vehicular entrance from the Boulevard road shall not be permitted.</li> <li>• Toilets or waste/water pipes shall not face towards Boulevard road.</li> </ul>

<b>4.0</b>	<b>ENVIRONMENTAL PRECINCT</b> This precinct takes into cognizance the Environmental aspects related to a town at various levels and related concerns.		
<b>4.1</b>	<b>E - 1</b> Environmental Conservation	Natural Reserve and sanctuary, River Basins, Natural Storm Water Drainage Systems, Avifauna, Fauna Habitats, unique Flora and Bio-mass preserves. All Uses permitted as per the Natural Environment Protection and Enhancement Zone Guidelines and Actions outlined in the Sub-Chapter 5.7.1. of Gelephu Structure Plan-2005. Activities related to environmental enhancement /protection undertaken by competent authorities.	To be cleared by the National Environment Commission (NEC). No service installations to private lots to be permitted through this zone.
<b>4.2</b>	<b>E - 2</b> Forest Environments	Forest and Vegetation reserves. All uses permitted in E – 1. Activities related to and permitted/undertaken by or on behalf of the Forest Department, Heritage Forest.	To be cleared by the Forest Department and the National Environment Commission (NEC). No access road or any service installations to private lots to be permitted through this zone.
<b>4.3</b>	<b>E - 3</b> Agricultural Environments	<b>Agriculture</b> All uses permitted in E - 1 and E – 2 Agriculture, Horticulture, Nursery, Orchards, Floriculture, Vegetable Gardens, Botanical Garden, Facilities for Plant Tissue - culture, Mushroom Culture, Green Houses.	Farm House (temporary structure) with a maximum built-up area of 50 sq.m located in a land of not less than 2000 sqm may be permitted with prior approval from the Thromde Office.



4.4	<b>E - 4</b> Flood Prone Zone	<p>Zones with risk of possible Flooding Development will be permitted in this zone only under the condition that necessary flood protection measures for the entire zone are implemented and certified by competent authorities. All uses permitted as per the Natural Environment Protection and Enhancement Zone Guidelines and Actions outlined in the Sub-Chapter 5.7.4. of Gelephu Structure Plan-2005.</p> <p>Uses Permitted in Flood Plains protection Zone, located beyond the Flood Prone Area Protection Zone as mentioned in Chapter 5.7, Sub-Chapter 5.7.4 include. All uses permitted in E - 1, E - 2, E - 3, E - 5 and E – 6. All kind of recreational and entertainment activities associated with a predominant use of open spaces.</p> <p>Horticulture, Orchards, Floriculture, Vegetable Gardens, Botanical Garden, Facilities for Plant Tissue - culture, Mushroom Culture, Green Houses, Cemetery and Burial Ground, Archery ranges, Adventure trials, recreational use of water, Social and Community forestry, Flood Protection and River Training Works.</p>	
4.5	<b>E - 5</b> National Importance Open Spaces	<p><b>Precincts of National Importance</b></p> <p>National Sports Complex, Aquarium, Archery Range, Zoo, Nursery, Stadium, Botanical Garden, Planetarium, Amusement Park, Swimming Pool, Exhibition and Fairgrounds, Recreational use of water.</p>	To be cleared by the National Environment Commission (NEC). Cafeteria shall be permitted by special permissions.
4.6	<b>E - 6</b> Local Green Space System	<p><b>Public Assets</b></p> <p>Parks, Gardens, Playgrounds, Recreation of any type, Club House, Small Stadium, Heritage related Structures.</p>	Structures related to the parks shall be allowed.

4.7	<b>E - 7</b> International Buffer Zone	<b>International Boundary</b> Non-habitable land along International Boundary of minimum 500 meters width. Customs and Immigration Check posts, Military Camps, Parking for Cargo Vehicles at Fixed locations. Agriculture with crops that do not block the vision of patrols and allow easy accessibility, Border security-related activities, Cargo handling, all activities approved and undertaken by RBA and other Defense organizations.	No new construction is permitted. Renovation of an existing structure is permitted subject to maintaining the existing plinth area upon approval from the Thromde Office.
4.8	<b>E – 8</b> Endowment for the Future	Precincts of land whose use determination is deferred to future generations	
5.0	<b>HERITAGE PRECINCT</b> This precinct takes into cognizance the Historic, Religious and Spiritual uses and their immediate use.		
5.1	<b>H</b> Heritage	<b>Cultural and Religious Heritage</b> Spiritual and religious artefacts and places, Chortens, Mani Walls, Lhakhang, Prayer Wheels, Statues, Monasteries and activities related to enhancement/ protection/ conservation of the heritage structures and/or precincts, permitted/ undertaken by Department of Culture, Ministry of Home and Cultural Affairs.	To be cleared by the Department of Culture, Ministry of Home and Cultural Affairs, RGoB.

<b>6.0</b>	<b>SPECIAL ECONOMIC PRECINCT</b> This precinct takes into cognizance the various aspects related to the economic generation at the regional and national level		
<b>6.1</b>	<b>SE - 1</b> Urban Corridor	<b>Trunk Infrastructure</b> All - over - and - underground infrastructure required to operate the urban area, main roads, bus shelters, official signage, egress and access roads, not private road driveways and private plots or subdivisions.	Any road (public or private) entering this precinct must first be approved by the Gelephu Thromde and then sent to the MoWHS, for final endorsement.
<b>6.2</b>	<b>SE - 2</b> Multi-Mode Transit Hub	<b>Zones characterized by Multi-Modal transit Terminus location.</b> Multi-Mode Transit Terminus, Transit Stops, Visitor Centre, Parks, Gardens, Passengers stay area, Hospitality Hub, Tourist Information Centre, ATM, Cafes, Phone Kiosks, Convenience and Souvenir shops, Toilets and Showers, Luggage Storage, Transit Hotel, Rest areas, Taxi Parking, Truck Parking, Visitors Parking, Security Post, Check Posts, Pedestrian cross-overs.	
<b>6.3</b>	<b>SE - 3</b> Dry Port	<b>Precincts characterized by warehousing and transportation of heavy cargo</b> Warehouses, Transshipment yards, Cold Storage, Go-downs, Transport terminals for Goods, Stock Yard, Storage Yards, Amenities for Workers, Check Posts, Security Posts, Packing Units.	Storage of inflammable goods, Dumping of solid industrial wastes (subject to N.O.C. from authorities such as the National Environment Commission (NEC)/ Dept. of Trade and Industry).

6.4	<b>SE-4</b> Industrial Service Center	<p><b>Service Centers, Industries and Workshops</b> (Automobile Workshops, Manufacturing Units/ Go down, Showroom, Carwash, Scrapyards, Services, Sawmill) Wholesale markets and their ancillary uses, Ice factory and Cold storage, Ware Houses, Go-downs, Oil depot, Steel stockyard, Timber stockyard Junkyard, Sawmill, LPG Cylinder storage depot, Storage of permissible goods, Vehicle workshops. Service industries – to serve residential activities, Commercial and Industrial establishments, and also the daily needs of the people. Pasteurizing and Milk processing, Printing press, Binding, Packaging, Sealing, Paper box manufacturing, Battery charging, Bakeries and Confectionaries, Cleaning and pressing establishments for clothes, Small cold storage units, etc. Light industry, non–polluting industrial activity, Waste recycling plant. Incidental residential activity (one unit only), Banks, canteens, etc. Amenities for workers.</p>	Storage of inflammable goods, Dumping of solid industrial wastes (subject to N.O.C. from Authorities such as the National Environment Commission (NEC)/ Dept. of Trade and Industry).
7.0	<b>Royal precinct</b>		
7.1	<b>R</b> Royal Uses	Precinct related to Royal uses	To be cleared by His Majesty.
8.0	<b>Defence precinct</b>		

9.0	AIRPORT PRECINCT		
9.1	A-1 No Construction Zone	<p><b>No Construction Zone</b></p> <p>The following uses are permitted: Agriculture farming only, Horticulture, Recreational uses, and Natural Reserves and Sanctuaries, Nursery, Botanical Garden, above activities can be carried out without any infrastructure development.</p>	
9.2	A-2 Construction Zone	<p><b>Medium and Low-Density Residential Precinct</b></p> <p>Residential uses, Residential apartments and group housing with less than or equal to 10 units, Ubiquitous local level Convenience shop and services (<b>only 20 Sq.m of the floor area per building shall be allowed for convenience uses</b>), Child care, crèche facilities Household economic activity, Cottage industries not involving the use of, or installation of, any machinery driven by more than 1KW power and which do not create noise, vibrations, fumes and dust provided that such home occupations and cottage industries shall not be permissible in the tenement dwellings or flats.</p>	<ul style="list-style-type: none"> <li>• Child Care Centres shall be allowed subject to fulfilling the following conditions: <ul style="list-style-type: none"> <li>○ The plot area is more than 1000 sqm.</li> <li>○ Technical requirements of the Ministry of Education are met.</li> </ul> </li> <li>• Indoor sports/games facilities shall be permitted only if the plot area is more than 1214 sq.m and the technical requirements of the Bhutan Olympic Committee are met.</li> </ul>

### 3.0.2 PRECINCT SCHEDULE SHOWING PLOT COVERAGE, SETBACKS, NUMBER OF FLOORS IN DESIGNATED PRECINCTS

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	202.34-X	45	5	3	3	NA	3
		X-1000	45	5	3	3	NA	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	202.34-X	45	5	3	3	NA	3
		X-1000	45	5	3	3	NA	4
		1001-3000	50	5	3	3	500.5	4
		Above 3000	50	5	3	3	500.5	5
1.3	UV-3 Urban Village Periphery	202.34-X	45	5	3	3	NA	3
		X-1000	45	5	3	3	N/A	3
		Above 1000	50	5	3	3	500.5	4
2.0	TOWN CORE AND URBAN HUB PRECINCT							
2.1	UC-1 Town Core	Below 223.04	NA	1	1	3	NA	3
		223.04-1000	NA	1.5	2	3	NA	4
		Above 1000	60	1.5	2	3	500.5	5
2.2	UC-2 Urban Hub	368.27-1000	50	3	3	3	NA	4
		Above 1000	60	3	3	3	500.5	5

**Note:** Where X is the Minimum Plot sizes after land pooling of respective LAP's.

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
<b>3.0</b>	<b>INSTITUTIONAL PRECINCT</b>							
3.1	I-1 Institution	Above 1000	25	5	3	3	N/A	4
3.2	I-2 Boulevard	202.34-X	45	5	3	3	NA	3
		X-1000	45	5	3	3	NA	4
		Above 1000	50	5	3	3	500.5	5
<b>4.0</b>	<b>ENVIRONMENTAL PRECINCT</b>							
4.1	E-1 Environmental Conservation							
4.2	E-2 Forest Environment							
4.3	E-3 Agriculture Environment							
4.4	E-4 Flood Prone Zone							
4.5	E-5 National Importance open space		10	5	3	3		2
4.6	E-6 Local Green Space System		10	5	3	3		2
4.7	E-7 International Buffer Zone							
4.8	E-8 Endowment for the Future							

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3
6.0	SPECIAL ECONOMIC PRECINCT							
6.2	SE_2 Multi-Mode Transit Hub	Above 3000	45	5	3	3	NA	3
6.3	SE-3 Dry Port	Above 1000	30	5	3	3	NA	2
6.4	SE-4 Service and Industrial Centre	Refer Table no 2g						
7.0	ROYAL PRECINCT							
7.1	R- Royal Uses	—	45	5	3	3		2
8.0	DEFENCE PRECINCT							
8.1	D- Defense	—	45	5	3	3		2
9.0	AIRPORT PRECINCT							
9.1	A-1: No Construction Zone	NA						
9.2	A-2: Construction Zone	Irrespective of sizes	55	5	3	3	NA	2

#### Conditions for plots above 1000Sq.m

- 1) The proponent /applicant has the option to opt for an eligible height of the building depending on the plot size as given in the table. However, the plots although eligible for higher storied, will be restricted for further fragmentation to meet the eligibility criteria.
- 2) The minimum plinth area requirement should be fulfilled to qualify for the permissible height. However, if the proponent desires to develop the plot below the minimum plinth area requirement, then the building height shall be one floor less than the permissible floor height



## EXPLANATORY NOTE

**Plot Coverage:** The maximum permissible plot coverage shall be within the setback rules. In the case of residential buildings, and balconies (not enclosed or roofed) projecting up to 1.2 m from the ground floor external wall face shall be permitted. Such projections/structures shall not cover the septic tanks. In the case of commercial buildings, cantilevered projections shall be allowed only at the rear side.

**Building Height:** The permissible number of floors is inclusive of the ground floor and will be determined from the ground floor level.

**Slope Cutting:** In any case, no development shall be allowed in the form of a single levelled block, which involves cutting the natural terrain of the plot by more than 1.5 meters (one and a half meters) height, resulting in forming the ground level of the proposed development at any given point.

**Porch:** Cantilevers in the form of Portico (or) Porch shall be allowed within the Min. setbacks, with a condition that the dimension of such cantilever projection should be less than half the dimension of the setback, with no habitable use above them. These projections should strictly comply with the traditional architectural guidelines prescribed by the competent authorities.

**Ramps:** Ramps leading to the basement parking shall be allowed within the Min. setback leaving a clear margin of 1.5 m from the plotline. No roof cover shall be allowed for the ramp if located within the minimum setback area.

**Existing Non-Conforming Uses:** A lawful use of land existing prior to the notification of the Gelephu Structure Plan of which these Precinct Sanctions forms a part and which do not conform to the designated Precinct Sanctions, shall be permitted to continue, subject to the condition that no extension, modification of the buildings, nor extension, or intensification of the non-conforming use shall be permitted. A change proposed in the existing building shall be permitted only if it is intended for changing the use to one that is permitted as per the schedule of permitted uses in the concerned Precinct. In principle, the Implementing Authority will not allow extensions, modifications of Non-confirming Uses. Non-conforming uses that are incompatible with the surrounding uses or activity shall be allowed to continue operations for a maximum of **five calendar years** from the date these Precinct Sanctions become operational. A maximum of one, three-year extension, based on hardship can be made by the Implementing Authority. After that period no Non- Conforming use that is incompatible with the surrounding uses or activity shall be allowed.

**Parking Requirements:** Plot level parking, fulfilling the entire parking requirements of the proposed development in the plot, is mandatory for all the plots located within the Gelephu Thromde. Vehicular parking spaces for various developments should fulfil the standards prescribed as per the Spatial Planning Standards-2017, MoWHS.

**Table 2a: Precinct Schedule Showing Plot Coverage, Setbacks, Maximum Number of Allowable Floors in each Precinct for LAP-I (25.7 % land pooling contribution)**

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify for the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	390.89-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	390.89-1000	45	5	3	3	N/A	4
		1001-3000	50	5	3	3	NA	4
		Above 3000	50	5	3	3	500.5	5
1.3	UV-3 Urban Village Periphery	390.89-1000	45	5	3	3	N/A	3
		Above 1000	50	5	3	3	500.5	4
3.0	INSTITUTIONAL PRECINCT							
3.1	I-1 Institution	Above 1000	25	5	3	5	N/A	4
3.2	I-2 Boulevard	390.89-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
4.0	ENVIRONMENTAL PRECINCT							
4.1	E-1 Environmental Conservation							
4.2	E-5 National Importance open space		10	5	3	3		2
4.3	E-6 Local Green Space System		10	5	3	3		2
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3

**Table 2b: Precinct Schedule Showing Plot Coverage, Setbacks, Maximum Number of Allowable Floors in each Precinct for LAP-II (27 % land pooling contribution)**

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	384.05-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	384.05-1000	45	5	3	3	N/A	4
		1001-3000	50	5	3	3	N/A	4
		Above 3000	50	5	3	3	500.5	5
1.3	UV-3 Urban Village Periphery	384.05-1000	45	5	3	3	N/A	3
		Above 1000	50	5	3	3	500.5	4
3.0	INSTITUTIONAL PRECINCT							
3.1	I-1 Institution	Above 1000	25	5	3	3	N/A	4
3.2	I-2 Boulevard	384.05-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
4.0	ENVIRONMENTAL PRECINCT							
4.1	E-1 Environmental Conservation							
4.2	E-5 National Importance open space		10	5	3	3		2
4.3	E-6 Local Green Space System		10	5	3	3		2
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3

**Table 2c: Precinct Schedule Showing Plot Coverage, Setbacks, Maximum Number of Allowable Floors in each Precinct for LAP-III (26.8 % land pooling contribution)**

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	385.1-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	385.1-1000	45	5	3	3	N/A	4
		1001-3000	50	5	3	3	500.5	4
		Above 3000	50	5	3	3	N/A	5
1.3	UV-3 Urban Village Periphery	385.1-1000	45	5	3	3	N/A	3
		Above 1000	50	5	3	3	500.5	4
3.0	INSTITUTIONAL PRECINCT							
3.1	I-1 Institution	Above 1000	25	5	3	3	N/A	4
3.2	I-2 Boulevard	385.1-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
4.0	ENVIRONMENTAL PRECINCT							
4.1	E-1 Environmental Conservation							
4.2	E-5 National Importance open space		10	5	3	3		2
4.3	E-6 Local Green Space System		10	5	3	3		2
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3

**Table 2d: Precinct Schedule Showing Plot Coverage, Setbacks, Maximum Number of Allowable Floors in each Precinct for LAP-IV (27.3 % land pooling contribution)**

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	382.47-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	382.47-1000	45	5	3	3	N/A	4
		1001-3000	50	5	3	3	500.5	4
		Above 3000	50	5	3	3	N/A	5
1.3	UV-3 Urban Village Periphery	382.47-1000	45	5	3	3	N/A	3
		Above 1000	50	5	3	3	500.5	4
3.0	INSTITUTIONAL PRECINCT							
3.1	I-1 Institution	Above 1000	25	5	3	3	N/A	4
3.2	I-2 Boulevard	382.47-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
4.0	ENVIRONMENTAL PRECINCT							
4.1	E-1 Environmental Conservation							
4.2	E-5 National Importance open space		10	5	3	3		2
4.3	E-6 Local Green Space System		10	5	3	3		2
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3

**Table 2e: Precinct Schedule Showing Plot Coverage, Setbacks, Maximum Number of Allowable Floors in each Precinct for LAP-V (27.85 % land pooling contribution)**

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	379.57-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	379.57-1000	45	5	3	3	N/A	4
		1001-3000	50	5	3	3	N/A	4
		Above 3000	50	5	3	3	500.5	5
1.3	UV-3 Urban Village Periphery	379.57-1000	45	5	3	3	N/A	3
		Above 1000	50	5	3	3	500.5	4
3.0	INSTITUTIONAL PRECINCT							
3.1	I-1 Institution	Above 1000	25	5	3	3	N/A	4
3.2	I-2 Boulevard	379.57-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
4.0	ENVIRONMENTAL PRECINCT							
4.1	E-1 Environmental Conservation							
4.2	E-5 National Importance open space		10	5	3	3		2
4.3	E-6 Local Green Space System		10	5	3	3		2
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3

**Table 2f: Precinct Schedule Showing Plot Coverage, Setbacks, and Maximum Number of Allowable Floors in each Precinct for LAP-VI (25.63 % land pooling contribution)**

Sl. No	Designated Precinct	Plot Area (Sq.m)	Maximum Plot Coverage (%)	Minimum Setbacks			Minimum Plinth Area (Sq.m) required to qualify the permissible height	Maximum Number of Floors
				Front	Side	Back		
1.0	URBAN VILLAGE PRECINCT							
1.1	UV-1 Urban Village Square	391.25-1000	45	5	3	3	N/A	4
		Above 1000	50	5	3	3	500.5	5
1.2	UV-2 Urban Village Core	391.25-1000	45	5	3	3	N/A	4
		1001-3000	50	5	3	3	NA	4
		Above 3000	50	5	3	3	500.5	5
1.3	UV-3 Urban Village Periphery	391.25-1000	45	5	3	3	N/A	3
		Above 3000	50	5	3	3	500.5	4
3.0	INSTITUTIONAL PRECINCT							
3.1	I-1 Institution	Above 1000	25	3	3	5	N/A	4
3.2	I-2 Boulevard	391.25-1000	45	3	3	5	N/A	4
		Above 3000	50	3	3	5	500.5	5
4.0	ENVIRONMENTAL PRECINCT							
4.1	E-1 Environmental Conservation							
4.2	E-5 National Importance open space		10	5	3	3		2
4.3	E-6 Local Green Space System		10	5	3	3		2
5.0	HERITAGE PRECINCT							
5.1	H- Heritage Precinct	—	25	5	3	3		3

**Table 2g: Schedule Showing Plot Coverage, Setbacks, and Maximum Number of Allowable Floors in Industrial Service Center**

SL. NO	DESIGNATED ACTIVITY	MAXIMUM COVERAGE ( %)	MINIMUM SET BACK			MAXIMUM NUMBER OF FLOORS
			Front	Side	Rear	
1	Automobile Workshop (AW)	50	5	3	3	1
2	Manufacturing Unit (MU)	50	5	3	3	2
3	Showroom (SR)	50	5	3	3	2
4	Car Wash (CW)	50	5	3	3	1
5	Go-down (GD)	50	5	3	3	1
6	Scrap Yard (SY)	50	5	3	3	1
7	Services (SER)	50	5	3	3	1
8	Saw Mill (SM)	50	5	3	3	1



### 3.0.3 DEVELOPMENT AND URBAN DESIGN GUIDELINES

#### 3.0.3.1 URBAN CORE (UC) PRECINCT

PARAMETERS	URBAN CORE (UC-1)	URBAN HUB (UC-2)
1) Uses permitted on front setback space	<ul style="list-style-type: none"> <li>• The front setback will act as a shop front space and as a buffer between the footpath and the building.</li> <li>• Hard and soft paved surfaces; planters with shrubs shall be permitted.</li> <li>• Vehicular parking shall be permitted on certain sections on special approval from Gelephu Thromde.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>• The front setback will act as a shop front space and as a buffer between the footpath and the building.</li> <li>• Hard and soft paved surfaces; planters with shrubs shall be permitted.</li> <li>• Vehicular parking shall be permitted on certain sections on special approval from Gelephu Thromde.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>
2) Uses permitted on other Setbacks (other than the front set back)	<ul style="list-style-type: none"> <li>• Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>• Shall be used for landscaping with shrubs and trees</li> <li>• Two-wheeler parking shall be allowed on the side setbacks.</li> <li>• Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks and generator rooms, water storage tank shall be permitted in the rear setback space.</li> <li>• Combining the rear setback spaces of the adjacent plots can be used as plot level open space and children play area.</li> </ul>	<ul style="list-style-type: none"> <li>• Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>• Shall be used for landscaping with shrubs and trees</li> <li>• Vehicular parking shall be allowed on the side setbacks.</li> <li>• Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks, water storage tanks and generator rooms shall be permitted in the rear setback space.</li> <li>• Combining the rear setback spaces of the adjacent plots can be used as plot level open space and children play area.</li> </ul>

	<ul style="list-style-type: none"> <li>No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades</li> </ul>	<ul style="list-style-type: none"> <li>No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>
3) Maximum Allowed Roof Projection.	The Roof projection should not exceed the plot boundary.	The Roof projection should not exceed the plot boundary.
4) Boundary Wall	Boundary wall, or any type of fencing, shall not be permitted on all sides.	Boundary wall, or any type of fencing, shall not be permitted on all sides.
5) Parking	Plot level parking provisions shall be encouraged.	Plot level parking provisions shall be encouraged.
6) Basement floor	<ul style="list-style-type: none"> <li>Shall be 75% or more below the lowest ground level.</li> <li>Shall be permitted on production of no objection letter from the adjoining property owner if it is built-up.</li> <li>Shall be within the building footprint.</li> <li>The floor height shall be determined by its function.</li> <li>Shall be allowed to use for Parking, storage and establishment of entertainment centres and not for residential or dwelling purpose.</li> </ul>	<ul style="list-style-type: none"> <li>Shall be 75% or more below the lowest ground level.</li> <li>Shall be permitted on production of no objection letter from the adjoining property owner if it is built-up.</li> <li>Shall be within the building footprint.</li> <li>The floor height shall be determined by its function.</li> <li>Shall be allowed to use for Parking, storage and establishment of entertainment centres and not for residential or dwelling purpose.</li> </ul>
7) Balcony/ Verandah	<ul style="list-style-type: none"> <li>Balcony shall be allowed only at the rear side provided it is not facing the road.</li> <li>Recess verandah can be allowed on the sides.</li> </ul>	<ul style="list-style-type: none"> <li>Balcony shall be allowed only at the rear side provided it is not facing the road.</li> <li>Recess verandah can be allowed on the sides.</li> </ul>
8) Water storage tanks	Shall be encouraged below the ground level	Should be encouraged below ground level

**3.0.3.2 URBAN VILLAGE (UV) PRECINCT**

<b>PARAMETERS</b>	<b>Urban Village Square (UV-1)</b>	<b>Urban Village Core (UV-2)</b>	<b>Urban Village Periphery (UV-3)</b>
<b>1. Setback</b>	Two or more habitable structures on the same plot shall have a minimum of 6 meters distance between them.	Two or more habitable structures on the same plot shall have a minimum of 6 meters distance between them.	Two or more habitable structures on the same plot shall have a minimum of 6 meters distance between them.
<b>2. Uses permitted on front setback Space</b>	<ul style="list-style-type: none"> <li>• The front setback will act as a shop front space, parking space and as a buffer between the footpath and the building</li> <li>• Hard and soft paved surfaces, planters with shrubs shall be permitted.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>• The front setback will act as a shop front space, parking space and as a buffer between the footpath and the building</li> <li>• Hard and soft paved surfaces, street furniture and planters with shrubs shall be permitted.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>• The front setback will act as a shop front space, parking space and as a buffer between the footpath and the building</li> <li>• Hard and soft paved surfaces, street furniture and planters with shrubs shall be permitted.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>

<p><b>3. Uses permitted on other Setbacks (other than the front set back)</b></p>	<ul style="list-style-type: none"> <li>• Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>• Shall be used for landscaping with shrubs and trees</li> <li>• Vehicular Parking will be permitted upon approval from the Thromde office.</li> <li>• Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>• Combining the setback spaces of the adjacent plots can be used as parking /open space/ children play area.</li> <li>• No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>• Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>• Shall be used for landscaping with shrubs and trees</li> <li>• Vehicular Parking will be permitted upon approval from the Thromde office.</li> <li>• Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>• Combining the setback spaces of the adjacent plots can be used as parking /open space/ children play area.</li> <li>• No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>• Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>• Shall be used for landscaping with shrubs and trees</li> <li>• Vehicular Parking will be permitted upon approval from the Thromde office.</li> <li>• Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>• Combining the setback spaces of the adjacent plots can be used as parking /open space/ children play area.</li> <li>• No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>
<p><b>4. Maximum Allowed Roof Projection.</b></p>	<p>The roof projection should not exceed the individual plot boundary.</p>	<p>The roof projection should not exceed the individual plot boundary.</p>	<p>The roof projection should not exceed the individual plot boundary.</p>
<p><b>5. Boundary Wall</b></p>	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/ fencing shall be permitted on all the sides</li> <li>• The maximum allowable height</li> </ul>	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/fencing shall be permitted on all the sides however if the vehicular parking.</li> </ul>	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/fencing shall be permitted on all sides.</li> <li>• The maximum allowable height</li> </ul>

	shall be 1.8 metres from the finished road level.	<ul style="list-style-type: none"> <li>The maximum allowable height shall be 1.8 metres from the road level.</li> </ul>	shall be 1.8 metres from the road level.
<b>6. Parking</b>	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.
<b>7. Basement floor</b>	Shall be permitted if the plot area is more than 1000sq.m and used for parking only.	Shall not be permitted.	Shall not be permitted.
<b>8. Balcony</b>	Shall not be allowed on the sides facing the main road.	Shall not be allowed on the sides facing the main road.	Shall not be allowed on the sides facing the main road.
<b>9. Water Storage Tanks</b>	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.

**3.0.3.3 INSTITUTIONAL (I) PRECINCT**

<b>PARAMETERS</b>	<b>INSTITUTIONAL (I-1)</b>	<b>BOULEVARD (I-2)</b>
<b>1. Setbacks</b>	<ul style="list-style-type: none"> <li>Two or more habitable structures of three floors on the same plot shall have a minimum of 6 meters distance between them.</li> </ul>	<ul style="list-style-type: none"> <li>Two or more habitable structures of three floors on the same plot shall have a minimum of 6 meters distance between them.</li> </ul>
<b>2. Uses permitted on front setback Space</b>	<ul style="list-style-type: none"> <li>The front setback will act as a buffer between the footpath and the building.</li> <li>Hard and soft paved surfaces; planters with shrubs shall be permitted.</li> <li>Special landscape features should get approval from Gelephu Thromde.</li> <li>No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>The front setback will act as a buffer between the footpath and the building.</li> <li>Hard and soft paved surfaces; planters with shrubs shall be permitted.</li> <li>Special landscape features should get approval from Gelephu Thromde.</li> <li>No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>
<b>3. Uses permitted on other Setbacks (other than the front set back)</b>	<ul style="list-style-type: none"> <li>Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>Shall be used for landscaping with shrubs and trees</li> <li>Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>	<ul style="list-style-type: none"> <li>Three meters set back on one side will act as a space for driveways and basement parking ramp.</li> <li>Shall be used for landscaping with shrubs and trees</li> <li>Landscaping, parking for two-wheelers, basement parking ramps, driveways, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>Combining the setback spaces of the adjacent plots can be used as parking/open space/ children play area.</li> <li>No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>

<b>4. Maximum Allowed Roof Projection.</b>	The roof projection should not exceed the individual plot boundary.	The Roof projection should not exceed the individual plot boundary.
<b>5. Boundary Wall</b>	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/fencing shall be permitted on all sides.</li> <li>• The maximum allowable height shall be 1.8 metres from the finished road level.</li> </ul>	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/fencing shall be permitted on all sides.</li> <li>• The maximum allowable height shall be 1.8 metres from the finished road level.</li> </ul>
<b>6. Parking</b>	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.
<b>7. Basement floor</b>	<ul style="list-style-type: none"> <li>• Shall be 75% or more below the lowest ground level.</li> <li>• Shall be permitted on production of no objection letter from the adjoining property owner if it is built-up.</li> <li>• Shall be within the building footprint.</li> <li>• The floor height shall be determined by its function.</li> <li>• Shall be allowed to use for Parking, storage and not for residential or dwelling purpose.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be 75% or more below the lowest ground level.</li> <li>• Shall be permitted on production of no objection letter from the adjoining property owner if it is built-up.</li> <li>• Shall be within the building footprint.</li> <li>• The floor height shall be determined by its function.</li> <li>• Shall be allowed to use for Parking, storage and entertainment centres and not for residential or dwelling purpose.</li> </ul>
<b>8. Balcony</b>	The balcony shall not be allowed on the sides facing the main road.	The balcony shall not be allowed on the sides facing the main road.
<b>9. Water Storage Tanks</b>	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.

**3.0.3.4 AIRPORT (A) PRECINCT**

<b>PARAMETERS</b>	<b>No Construction Zone (A-1)</b>	<b>Construction Zone (A-2)</b>
1. Setbacks	NA	Two or more habitable structures on the same plot shall have a minimum of 6 meters distance between them.
2. Uses permitted on the front setback Space	NA	<ul style="list-style-type: none"> <li>• The front setback will act as a buffer between the footpath and the building.</li> <li>• Hard and soft paved surfaces, street furniture and planters with shrubs shall be permitted.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Bhutanese Architectural Guidelines should project into the setback space from the building facades.</li> </ul>
3. Uses permitted on other Setbacks (other than the front set back)	NA	<ul style="list-style-type: none"> <li>• Three meters set back on one side will act as a space for driveways.</li> <li>• Shall be used for landscaping with shrubs and trees.</li> <li>• Landscaping, parking for two-wheelers, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>• Combining setback spaces of the adjacent plots can be used as plot level open space and children play area.</li> <li>• No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>
4. Maximum Allowed Roof Projection.	NA	The roof projection should not exceed the individual plot boundary.
5. Boundary Wall	NA	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/fencing shall be permitted on all sides.</li> <li>• The maximum allowable height shall be 1.8 metres from the road level.</li> </ul>



6. Parking	NA	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.
7. Basement	N/A	Shall not be permitted.
8. Balcony	NA	Shall not be allowed on the sides facing the road.
9. Water Storage Tanks	NA	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.

**3.0.3.5 INDUSTRIAL SERVICE CENTER (ISC) PRECINCT**

<b>PARAMETERS</b>	<b>INDUSTRIAL SERVICE CENTER</b>
2. Uses permitted on front setback Space	<ul style="list-style-type: none"> <li>• The front setback will act as a buffer between the footpath and the building.</li> <li>• Hard and soft paved surfaces; planters with shrubs shall be permitted.</li> <li>• Special landscape features should get approval from Gelephu Thromde.</li> <li>• No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>
3. Uses permitted on other Setbacks (other than the front set back)	<ul style="list-style-type: none"> <li>• Shall be used for landscaping with shrubs and trees</li> <li>• Landscaping, septic tanks and generator rooms shall be permitted in the rear setback space.</li> <li>• No building element other than traditional elements permitted in Traditional Architectural Guidelines should project into the set backspace from the building facades.</li> </ul>
4. Maximum Allowed Roof Projection.	The roof projection should not exceed the individual plot boundary.
5. Boundary Wall	<ul style="list-style-type: none"> <li>• The transparent (through-through) boundary wall/fencing shall be permitted on all sides.</li> <li>• The maximum allowable height shall be 1.8 metres from the finished road level.</li> </ul>
6. Parking	Plot level parking is compulsory and the number of parking spaces should be as specified in planning standards.
7. Balcony	The balcony shall not be allowed on the sides facing the road.
8. Water Storage Tanks	Should be encouraged below the ground level. For Bungalow, a pedestal stand for a water tank shall be allowed at the rear side.
9. Entrance	Only one entrance from the road shall be allowed.

### 3.1 TREE PLANTATION

Tree plantation at the rate of one tree for every 100 sq.m of land or as per the urban design proposal.

### 3.2 COLLECTION AND DISCHARGE OF STORMWATER

Every site development should have:

- a) Channels at the lower elevation/ level of the site which discharges rainwater run-off into public stormwater drains.
- b) There shall be an underground water collection cistern at the lower portion of the site to store rainwater. It shall have the capacity for every 50 sq.m of land coverage of the site, a volume which can store at least 500 litres of water, collected from the site run-off. This water shall be used for landscaping and other non-potable uses.

### 3.3 VERTICAL EXTENSION

Vertical Extension (addition of floors to an existing structure) of the existing building would be permitted only upon satisfying the following requirements.

- 1) The application for the vertical extension should include the Building Permit and the approved drawings of the existing building, submitted along with the proposed drawings for the vertical extension.
- 2) The application for vertical extension shall be processed only if the existing building was strictly constructed as per the approved drawings.
- 3) The proposed extension shall be within the maximum permissible built-up coverage and the maximum number of floors permitted under the respective precincts.
- 4) The parking requirements for the proposed additional built-up area should be fulfilled as per the planning standards.
- 5) Structural Stability of the existing structural system should be proven to be adequate to accommodate the proposed vertical extension or additional floors (while complying with the current Building Code of Bhutan).
- 6) Building scrutiny fee and service charges will be applied as per **Appendix 4**

### 3.4 BETTERMENT CHARGES

Cash in lieu of land would be collected for areas within the local area planning under land pooling but where physical pooling is not feasible totally. The charges would be equivalent to the land that would be contributed in correspondence to the percentage of pooling of that particular LAP and if that particular area/plot does not have any direct vehicular access then the percentage of land contributed to access road shall be deducted from the overall pooling percentage. These charges would be applicable for areas within LAP that are partially pooled and cash in lieu of land shall be charged based on the remaining percentage of pooling. The rate considered for calculating cash in lieu of land would be as per the latest PAVA rate.

### **3.5 EXISTING NON-CONFORMING USES**

The lawful use of land existing prior to the notification of the Gelephu Structure Plan of which these precinct sanctions form a part and which do not conform to the designated precinct sanctions shall be permitted to continue, subject to the condition that no extension, modification of the buildings, nor extension, or intensification of the non-conforming use shall be permitted. The existing structure will continue but once it is demolished, development/ redevelopment shall only be allowed as per the designated precinct. However, existing uses like Industrial, Commercial, Residential, Institutional, Social etc. shall be disallowed if deemed necessary for discontinuation.

### **3.6 REDEVELOPMENT/ RECONSTRUCTION OF DILAPIDATED/UNSAFE BUILDINGS**

In the case of proposals involving redevelopment/ reconstruction of dilapidated/ unsafe buildings, the maximum allowable and floor height shall be as prescribed in the designated precinct.

### **3.7 DILAPIDATED/UNSAFE BUILDINGS**

If the structures are found to be unsafe, or not fit for habitation the Implementing authority shall pull down the structure as per the BBR-2018 at the cost of the owner.

## **SECTION 4: LAND DEVELOPMENT AND SUBDIVISION REGULATIONS (GENERAL PLANNING REQUIREMENTS)**

### **4.0 DEVELOPMENT OF LAND**

For undertaking land development that includes layout /subdivision/ consolidation of Land/plots, and/or building activity, the application (refer to Section 2.1 of these Regulations) shall comply with the following planning requirements of these Regulations. Preliminary approval will be given if the application complies with these requirements, on the basis of which the applicant may start the site development. Final Approval shall be given only on the fulfilment of the requirements under these Regulations on the site.

### **4.1 REQUIREMENTS AT SITE**

#### **4.1.1 MEANS OF ACCESS**

Subdivision of land into smaller parcels for developing a layout or for construction of building/s shall not be permitted unless it derives access from an authorized and developed street/means of access prescribed in these Regulations (Section 4.1.3, and 4.2.1). This implies that landlocked/trapped sites shall not be sub-divided.

#### **4.1.2 ACCESS FROM HIGHWAYS/ IMPORTANT ROADS**

In case the land proposed to be developed abuts a highway or an important primary road, the access to the land shall be regulated such that:

- (i) It is located on the farthest point of the frontage from any junction,
- (ii) it is combined with an adjoining access way leading to the adjoining land,
- (iii) if possible, access the main road through a service road,
- (iv) Provide the access in such a way that it is visible from at least 60m away on the highway/road, from both directions, and
- (v) When the access to the site has a gradient of more than 1 in 10, there shall be a minimum of six meters of buffer space between the edge of the road and the gate to the site.

#### **4.1.3 APPROACH TO BUILDINGS**

For residential development with buildings up to two floors, the width of the approach from the public street or means of access to a building shall not be less than:

- a. 1.8m wide provided its length is not more than 3 m and /or the floor area of the building served does not exceed 100 sq.m and /or the building consists of only one housing unit.
- b. 2.5 m. wide if its length is more than 3.0 m and /or the floor area of the building served does not exceed 100 sq.m and /or the building consists of only one housing unit.
- c. 3.5 m wide in all other cases.

Such approach way shall be paved and shall always be kept open to the sky and no projection or overhang shall be permitted over such pathways Subdivision of property where buildings

with more than two floors exist, or are proposed, (residential or non-residential buildings), shall be permissible only if the following additional provisions of means of access are ensured:

- a. The width of the main street on which the building abuts shall not be less than 4.5 m. and one end of this street shall join another street not less than 6 m in width.
- b. Provision shall be made for one entrance to the plot, of adequate width to allow easy access to the fire engine.
- c. The entrance gate shall fold back in the plot against the compound wall of the premises, thus leaving the exterior access to the plot free for movement of fire service vehicle.

#### **4.1.4 NO OBJECTION CERTIFICATE FROM REFERRAL AUTHORITIES**

##### **In the Case of Use for Industrial Activity**

If the land is to be used for general industrial use, other than the service industry, the application has to be accompanied by a No Objection Certificate from the Department of Industry.

##### **In the Case of Development in Royal Precincts**

The application has to be accompanied by a No Objection Certificate from the Royal Secretariat.

##### **In the Case of Development in Heritage Precincts**

The application has to be accompanied by a No Objection Certificate from the National Commission for Cultural Affairs (MH&CA)

**In the Case of Development in E-1 (Environmental Conservation), E-2 (Forest Environments) Precincts and E-4 (Flood prone Zone)** the application has to be accompanied by a No Objection Certificate from the National Environment Commission

##### **In the case of E-3 Precinct (Agricultural Environments)**

The application has to be accompanied by a No Objection Certificate from the Ministry of Agriculture and Forest.

#### **4.1.5 DISTANCE FROM RIVERS AND STREAMS**

##### **4.1.5.1 RIVERS AND MAJOR STREAMS**

No development or building construction shall be permitted within 60 metres for Mou chhu and 30 metres from the edge of the following listed rivers/ streams:

1. Aipoly Chhu,
2. Shetikhare Chhu,
3. And other natural streams as may be prescribed under other general or specific orders of the Royal Government or other authority.

##### **4.1.5.2 RIVULETS/ MINOR STREAMS**

No development or building construction shall be permitted within 15 m from the edge of all-natural streams/ gulley and within 10m from the centre of natural drainage channels or such distance as may be prescribed under other general or specific orders of Royal Government or other Authority.

#### 4.1.5.3 DEVELOPMENT PERMISSIBILITY ON ENVIRONMENTAL CLEARANCE FROM THE RELEVANT AUTHORITY

1. Beyond 15 meters from the edge of the above rivers/ streams and beyond 10 meters from the centre of the natural drainages/streams/minor watercourses: Footpaths and cycle tracks, footbridges, edge/bank protection work for the river, vegetable and flower gardens, nurseries, street furniture like lamp posts, benches, gazebos/pavilions, basic children's play equipment and plot-level litter bins.
2. Actions related to conservation of the precinct and enhancement of the environment under the guidance of the Nature Conservation Division and the NEC.
3. Natural landscape features of the rivers, major streams and rivulets, which includes the natural course of the water, banks/ edges, soil, vegetation (trees, shrubs and ground covers), rocky outcrops, boulders and other features or elements which are considered as part of the ecosystem or which are considered to be of scenic value shall not be damaged or disturbed from their natural state of being.
4. Construction of roads, laying of underground cables and other service networks, structures like high-tension cable pylons, transmission towers and installations of electric substations shall not be permitted within the 30 meters, zone of the rivers and major streams, and within the 15 meters zone of the rivulets. Underground cables and service network, roads shall be permitted within this buffer under special considerations with NOC from NEC.
5. Dumping of solid wastes, sewage disposal, cleaning and servicing of vehicles/automobiles or other action considered as polluting shall not be permitted.

## 4.2 SUB-DIVISION/ LAYOUT OF LAND

### 4.2.1 LAND UTILIZATION

In case of land development for the purpose of plotted development, or for group housing in the form of flatted development, the following land utilization indices shall be achieved.

**Table 4.2.1 Land Utilization as Percentage of the Residential Layout Area**

Land utilization	For layouts of above one hectare area	For layouts of less than one-hectare area
	% of Total Land	% of Total Land
Residential *	60 to 65	65 to 70
Roads and footpaths	up to 20	15 to 20
Open space #	10	10
Public amenities (daycare, school, health	2 to 4	-
Public Utilities (overhead tank, septic tank garbage collection arrangement, electric	1	-

\* Within this, plots for commercial use (permissible on the ground floor only) shall be limited to 5 % of the total layout area. Such plots where commercial use is limited to the ground floor shall be

allowed only along main roads within the layout and the building shall have a minimum setback of three meters.

# the area under open spaces should be planned in such a way that at least half of such an area is provided at a central location.

## 4.2.2 INTERNAL ROAD LAYOUT

### 4.2.2.1 MINIMUM WIDTH OF ROAD

The width of internal road right of ways in a layout for different purposes and the width of the internal approaches for tenements and ownership tenement flats shall be regulated as outlined in the LAP or as per Urban Road Standards.

### 4.2.2.2 PLOT CONSOLIDATION

In the case of a site/plot with existing buildings, its sub-division or consolidation shall not be approved unless it fulfils all the requirements under these regulations or as per the LAPs.

## APPROACH ROAD

Consolidation of plots shall be allowed only if:

- a) The minimum width of the roads within the layout shall be a minimum of 6 meters for the development of plots, development of Flats/ other non-residential development.
- b) The minimum specified road widths shall be developed completely up to the plot boundaries by providing all the required infrastructure networks: sidewalks, street lighting, trees, etc.

## FOOTPATHS

Where there is no motorable road access to individual plots, but only footpaths, the following shall apply for plot consolidation. The maximum number of the plot to be served with respect to width and length of footpath should be as follows

Width of the footpath (m)	Max. Length (m)	Max. no. of plots to be served
1.5	20	5
2.0	32	8
3.0	52	12



### 4.2.2.3 INTERNAL ARRANGEMENT OF A LAYOUT

1. The arrangement of apartments, shopping centres, ownership dwellings/ flats in a plot, shall be approved by the Implementing Authority with due regard to internal approach roads, marginal open spaces/setbacks, common plot, water supply, drainage, and internal road lighting.
2. In the case of shopping centres and commercial, industrial development the minimum width of road/access to shops stall/ complex entrance, or industrial factory shed shall be 7.5 m.
3. In the case of apartment-type buildings such as ownership flats, row type, cluster type, group housing, semi-detached buildings, 1.5 m margin/setback will be necessary from internal approach roads, wherein no steps shall be permitted in the margin/setback.
4. The minimum clear distances between two detached structures shall be 6 m, however, a staircase open to the sky shall be permitted.

### 4.2.3 MINIMUM PLOT SIZES

#### 4.2.3.1 MINIMUM PLOT SIZES FOR DIFFERENT USES

Unless otherwise stated specifically in these Regulations, the minimum building plot/ unit shall be as follows:

**Table: 4.2.3.1: Minimum Plot Sizes for Different Uses**

Category of Use /Occupancy	Minimum Plot Size (sq.m.)
Educational Buildings	1000
Community/ multi-purpose hall	2000
Petrol pump	500

### 4.2.4 COMMON AREAS COMMON PLOT

A common plot for the development of tenements, flats, group housing, and subdivision of land for industrial uses shall be required as under:

1. For Residential use:
  - a) In a building land parcel of 1500 sq.m or more in area, a common plot shall be mandatory.
  - b) The minimum area of the common plot shall be 10% of the total site area and shall be provided preferably in a central place.
2. For Industrial use:
  - a) No common plot needs to be provided for the site area up to 5000 sq.m.
  - b) In a building unit of more than 5000 sq.m in area, the common plot shall be provided at the rate of 8% of the area of the site layout.
3. The common plot area shall be exclusive of approaches, margins/setbacks and parking area. No projection shall be permitted in the common plot.
4. Minimum size of the common plot shall be 300 sq.m with no side less than 12m.
5. 20% of area of the common plot may be permitted for the construction of a community building on the ground floor only, for the common use of residents with required margins; the rest of the common plot shall be kept open to the sky. No construction except an electric sub-station shall

be permitted on the roadside of the common plot.

6. The area of the common plot may be permitted to be sub-divided provided that the common plot has a minimum area of 300 sq.m with no sides less than 12 m. For group housing, or for a building with ground floor plus two upper floors, further sub-divisions of the common plot shall be allowed by the Implementing Authority.

### **CONSOLIDATED OPEN PLOT (COP)**

- A minimum consolidated open plot (COP) of 30% of the area of the site shall be provided for commercial and mixed development.
- The said consolidated open plot may be inclusive of the margins and approaches to be provided on such a site in so far as margins/setbacks are contiguous and approaches are passing through the COP. The area of this COP shall not be deducted for the consideration of the Total Built-up Area of a building unit.
- The minimum width of the consolidated open plot shall be 15 m.
- COP shall be provided compulsorily covering the full frontage of the site. In case of buildings with four and above floors, the minimum width of such COP shall be 5.5 m plus required margins and in the case of a low-rise building, the minimum width of such COP shall be 2.5 m plus required margins/setbacks provided that such COP shall be used for visitor's parking only.
- Except in the case of Cinema, or Theatre, 50% of the total COP shall be allowed to be used as parking space including the driveway and parking aisles.
- No construction shall be allowed in the COP except the electric sub-station, subject to minimum roadside margin.
- In the case of mixed development, the COP shall be provided as above subject to the following conditions:
  - a) A separate area of 300 sq.m or 10% of the required COP, whichever is more shall be provided exclusively for the use of residents, provided no parking shall be allowed in such a common area.
  - b) Separate access shall be provided for the residents and the common area exclusively.

Ancillary structures such as underground water-tank, overhead tank, electric substations, common garages for scooters and cars, etc. shall be permitted on the corner of the common open space of 500 square metres or more area, only up to 10 per cent of the open space area and up to a maximum of 200 square metres.

### **SPECIAL REQUIREMENTS FOR OPEN SPACES**

- In the case of layouts above one-hectare area and having more than 50 plots, an open space of at least 700 square metres shall be provided at one place, adjoining community facilities such as a nursery school, community welfare centre etc.
- In the case of layouts with more than 100 plots, an open space of a minimum of 1000 square metres should be provided in one place.

### **4.3 TREE PLANTATION**

Tree plantation at the rate of one tree for every 100 sq.m of land, shall have to be undertaken and maintained in all layouts. These trees shall preferably be planted at a spacing of between four to eight metres along the roads and streets, and along the edge of the common open spaces or as per the urban design proposal.

### **4.4 ON-SITE PHYSICAL INFRASTRUCTURE**

In all layouts larger than two hectares, or containing forty or more plots, an area of at least one per cent of the site shall be provided for garbage collection arrangement, electric sub-station, water supply storage reservoir/ pumping station, etc. This space shall be provided such that it is located on a major internal road of the layout and as per the directions of the Gelephu Thromde and the Bhutan Power Corporation.

### **4.5 COLLECTION AND DISCHARGE OF WATER**

Every site development shall provide channels at the lower elevation/ level of the site which collects rainwater runoff over the site and discharges this runoff into public stormwater drains. The lower plot shall provide an easement or allow/ provide a right of way or channel for the discharge of stormwater run-off from natural sources or adjacent plots of higher elevation into the public stormwater drains.

## 4.6 PLANNING GUIDELINES

- i. At every eight such continuous plots, a 4.0 m. wide space open to the sky shall be provided as a footpath and firebreak.
- ii. Common plot at the rate of 10 per cent of the area of the plot/ land developed shall be provided for open space/ community open space which shall be exclusive of approach roads, pathways or margins, 1/6<sup>th</sup> of the area of such an open space/ community open space shall be allowed to build over with ground floor structure for community facilities like library, school, community hall and other public utility services.

Type of development	Residential Development for Low		Temporary Settlement Rehabilitation Scheme	
	Sites and services or independent dwelling units (incl. row housing)	Group Housing	Sites and services or semi-detached or row housing	Group Housing
<b>Regulation</b>				
Max. Density (D.U /Ha)	N. A	225	N	350
Max. Land Area under Res. Use	70 %	70 %	7	70 %
Min. Open Space	10 %	10 %	7	10 %
Min. Land for Common Amenities	5 %	5 %	3	5 %
Min. Width of Approach Road(m.)	3	6	3	6
Min. Width of Motorable Street(m.)	6	9	6	9
Min. Width of Footpath (m.)	1.2	1.8	1	1.8
Min. Plot Size (sq.m.)	50	N.A.	5	N.A.
Max. Plot Size (sq.m.)	200	N.A.	1	N.A.
Max. Coverage (%)	70	70	7	70
Max. No. of Floors	2	2	2	2
Min. Width of Plot (m.)	7.5	N.A.	4	N.A.
Min. Front Setback (m.)	1.5	3(From the road/footpath edge)	1.1.1. 1.5	3 (From the road/footpath edge)
Min. Rear Setback (m.)	1.5	3 (Between structures)	1.5	3 (Between structures)
Min. Side Setback (m.)	-	3 (Between structures)	-	3 (Between structures)
A minimum setback of 5 m should be maintained to the side where the common septic tank is accommodated				

**Note:** Low Income Group Housing Schemes or Rehabilitation Schemes is also permissible in UV-2 and UV-3.

## APPROACH ROAD

Minimum widths of approach roads should be as follows:

Type of Development	Distance from the proposed road or another main road (m)		
	Up to 10	10 to 20	Above 20
Up to 11 plotted units	3.0	3.0	4.5
More than 11 plotted units	4.5	5.5	6.0
Plotted development	5.5	6.5	8.0

## ROADS AND FOOTPATHS

- (i) The area under roads and pathways in such housing project shall normally not exceed 20 per cent of the total area of the area.
- (ii) Access to the dwelling units where motorized vehicles are not normally expected shall be through a right of way of at least 4.5 m. with a paved footpath of at least 1.0 m. wide. The right of way shall be adequate to allow for plying of emergency vehicles and also for side drains and plantation. Such access ways shall not exceed 50 m. in length.
- (iii) Where able access motor is to be provided, the widths of the streets not longer than 50 m. shall be at least 6m and if longer than 50 m shall be at least 7.5 m. wide. However, if the site area to be developed is more than 2500 sq.m there shall be at least one major road with a minimum width of 9 m.

## SIZE OF ROOMS

### a) Habitable room

Minimum 6.25 square metres in plotted development Minimum 9.5 square metres in case of flatted development Minimum clear width of 2.5 metres in both cases.

### b) Cooking alcove

A square meter's minimum clear usable area with a width of 1.25 metres.

### c) Water-closet

1.10 square metres as the minimum clear usable area with 7 metres clear width; and, WC pan of a minimum of 46 centimetres in length. Shared WCs for up to a maximum of four tenements should be allowed. In the case of plotted development, a WC without a flushing cistern should be permitted if a septic tank is provided.

### d) Bathroom

1.2 square metres with a minimum clear width of 1 meter as individual bathing space.

### e) Combined toilet

THE combined WC and bathroom should have a clear usable area of 1.85 square metres with a minimum clear width of 1 meter.

### f) Lighting and Ventilation

The total opening area through windows, ventilators, grills etc. should not be less than one-sixth of the room floor area.

**Minimum Heights**

<b>a</b>	Plinth	30 centimetres from surrounding ground level and in any case above the high-flood level
<b>b</b>	Habitable Rooms -with a flat roof -with a sloping roof	2.6 metres clear height 2.5 metres average height with a minimum 2.0 metres at eaves.
<b>c</b>	Kitchen/cooking alcove	2.4 metres clear or average height
<b>d</b>	WC/bath	2.2 metres clear height
<b>e</b>	Corridor/passage	2.1 metres clear height
<b>f</b>	Staircase	Common circulation area including staircase should not exceed two square metres per apartment on any floor

**g) Minimum dimensions for staircases should be as follows:**

<b>Number of Floors</b>	<b>Two</b>		<b>Three</b>	
Type of Stairway	Straight	Winding	Straight	Winding
Clear usable width	600 mm	750 mm	750mm	900mm
Tread	225 mm; also 200 mm clear between perpend if open riser, nosing or inclined riser is provided to have effective going of 225 mm		250 mm	250 mm
Riser	200 mm maximum		125 mm minimum	
Headroom	1800 mm clear			

**h) External Walls**

250 millimetres thick external walls without plaster should be permitted.

**i) Septic Tank**

A Septic tank should be provided where the municipal sewerage system is not available and the water table in the area permits. Per capita, liquid capacities of the specific tanks should be provided as given in Table A-1.

**Table A-1: PER CAPITA LIQUID CAPACITIES FOR SEPTIC –TANK**

<b>No. of users per septic tank</b>	<b>No. of Dwelling Units</b>	<b>No. of WCs per Septic Tank</b>	<b>Per Capita Liquid Capacity in litres*</b>
5	1	1	130
10	2	1	90
200	40	40	70

## SECTION 5: BUILDING REGULATIONS

### 5.0 SITE SLOPE AND PLOT COVERAGE

The Gelephu Thromde, out of concern for future erosion of soils in the city, silting and flooding of the river, percolation of groundwater and for recharging the underground aquifer systems requires the following measures:

#### 5.0.1 MEANING OF SLOPE

That the highest level and the lowest level of the site be stated, along with the horizontal level distance between these two points. That the slope be calculated as per  $H$  (highest level) minus  $L$  (lowest level) equals  $E$  (elevation distance) between the two  $H$  and  $L$  points

#### 5.0.2 MEANING OF GROUND COVERAGE

Open Ground coverage means areas of the ground where the surface water cannot percolate to the underground and are area covered by:

- (i) Building plinths including plinth protection Walls
- (ii) Paved areas (footpaths, driveways, terraces, parking areas, etc.)
- (iii) Security structures
- (iv) Servant's quarter
- (v) Storage structures
- (vi) Septic tank, overhead or underground tanks any other structure which stops bio-mass from growing or natural water from percolating into the ground where large rocks (over 10 sq.m) in exposed surface area are on the site, or other natural stone surfaces that prohibit groundwater percolation, these shall be included as ground coverage.
- (vii) But plot coverage means the percentage of Area of Plot covered by structures, building plinths, walls, etc. either permanent or semi-permanent in nature of the total plot area.

## APPENDIX

### APPENDIX 1: LIST OF DETAILS TO BE SHOWN ON PROPOSED LAND DEVELOPMENT PLAN/ SUBDIVISION PLAN (WHEREVER APPLICABLE)

- The boundaries of the plot and plot level in relation to neighbouring road level.
- The highest and lowest levels of the plot and average slope with direction thereof.
- The position of the plot in relation to neighbouring streets and the name of the streets
- Width of the proposed streets and internal roads.
- Sub-division of the land or plot or building unit with dimension and area of each of the proposed sub-divisions and their use in conformity with these regulations.
- Dimensions and areas of open space and common amenities plots provided for under these regulations.
- All the existing buildings and other development standing on or under the site.
- The position of buildings and of all other buildings and construction which the applicant intends to erect.
- The means of access from the street to the buildings or the site and all other building and constructions which the applicant intends to subdivide.
- Yards and open spaces to be left around the subdivided buildings to secure free circulation of air, admission of light and access.
- The width of the street in front and of the street at the side or rear of the subdivided building.
- The direction of the north point relative to the plan of the site or the buildings.
- Any physical features such as trees, wells, drains, pipelines, high-tension lines etc.
- Existing streets on all sides indicating clearly the regular line for streets if any prescribed under the Structure Plan and passing through the building units
- The location of the building in the plot with complete dimensions.
- A plan indicating parking spaces, with egress and ingress if required under these regulations
- The positions of the building units immediately adjoining the proposed development.
- The lines of sewers and water on the site.



## APPENDIX 2: LIST OF DETAILS TO BE SHOWN IN DRAWINGS/ PLANS FOR OBTAINING BUILDING PERMISSION

### DRAWING GUIDELINES

Drawings with complete design information and details, but not limited to the following, shall be submitted to the Implementing Authority for scrutiny and approval in the A3/A4 size paper format with readable scale.

#### A. ARCHITECTURAL DRAWINGS

The site plan shall be drawn to scale and shall include the position of the proposed building in the plot showing the dimensions of the plot boundaries, setback lines and showing the approach road, location of septic tanks, soak pit, roof drainage, and drainage plan. The site plan shall clearly show any proposed widening right of way, no building line where a 30 m. or a 15 m. clearance is required from rivers, major streams, minor streams, cliffs, ledges, etc. are required as indicated by the latest official site plan issued by Gelephu Thromde (for safety and environmental protection)

- a) The site plan shall include a schematic drawing showing information on adjacent plot like building line, permanent features, drainage, access road, septic tank and soak pit location.
- b) Layout plan of each floor, elevations of all sides of the building, sections through toilets and staircases, details of doors, windows, traditional cornices, railing/parapet, opening and other methods of ventilation, details of toilet and kitchen.
- c) Proposed parking layout as prescribed under this regulation
- d) A digital copy of the drawings for reference, if available.
- e) Drawings shall have a proper title block indicating the name and signature of owner, Architect, type and number of storeys, location, date, revision number and date, scale, and north direction.
- f) The following minimum scales shall be followed:
  - Site Plan 1:500
  - Elevation/plan/section 1:100
  - Stair case/toilet/kitchen details 1:50
  - Door/windows/cornice details 1:25

#### B. STRUCTURAL DRAWINGS

- a) A copy of design calculation notes.
- b) Design codes used shall be listed on the drawing.
- c) Loads (assumed or actual) shall be listed on the drawing.
- d) Material properties shall be listed on the drawing.
- e) Assumed soil bearing capacity or soil investigation report shall be attached.
- f) Foundation plan, truss layout plan showing truss and purlin spacing, beam and slab layout plan for each floor showing clearly the staircase opening, shaft opening and any other openings and depressions.
- g) Concrete and reinforcement details for foundation, beams, slab, staircase, lintel, cornice, projections, zhu and rabsey, wall, etc.
- h) Grade of concrete.
- i) Truss elevations and connection details showing the holding down details.
- j) Details of separation gap indicating the location of such gap on the plan wherever required.
- k) Details of splice locations and splice length for beams, columns, slab and staircase.

- l) For Load-bearing walls, details of plinth band, lintel band, roof band including vertical bars at corners, opening jambs, wall junctions to be shown.
- m) Foundation details indicating the depth of foundation and plinth level.
- n) Dimensions shall be clearly indicated for all structural members
- o) Anchorage of beam bars in an external beam-column junction.
- p) Column ties and Beam stirrups details.
- q) Retaining details in case of a foundation founded on different levels
- r) Drawings shall bear proper title block indicating name and signature of the owner, Structural Engineer, type and number of storeys, location, drawing title, date, revision number.

### C. ELECTRICAL CONNECTIONS

- a) Single line diagram of a total electrical system showing incoming terminal point and distribution network.
- b) Electrical layout plan showing positions of light points, power points, any other outlets, switches and wiring diagram.
- c) Tapping off junctions, switchboards, and distribution circuits for power and lighting from SDB and phase distribution (in the case of multiphase installations) shall be indicated clearly on the wiring layout plan.
- d) Sub distribution boards showing circuits and respective loads and protection devices.
- e) Power distribution boards for large multi-storey buildings showing floor- wise distribution from the main control board and incoming power line.
- f) For multi-storied/ complex buildings, design calculations shall be submitted.
- g) Drawings shall bear proper title block indicating name and signature of the owner, Electrical Engineer, type and number of storeys, location, drawing title, date, and revision number.
- h) Detail of earthing installation diagram along with lightning protection if desired to install

### ADDITIONS AND/OR ALTERATIONS TO EXISTING INSTALLATIONS

The following information shall be submitted for additions and/or alterations to existing Installation:

- a) Polarity test results
- b) Insulation test results
- c) Earth continuity tests.
- d) Earthing test results
- e) Capacity, condition and specification of existing spare circuits
- f) Rating, specification and condition of existing incoming mains control gear
- g) Composite (existing and proposed) layout plans for all floors.

**Note:** For factories, relevant by-laws shall be followed as per Bhutan factory, electricity rules or relevant international standards.

### LEGEND SHALL SHOW

- a) Type and wattage of fixtures
- b) Type of SDBs
- c) Type of PCBs and connected load
- d) Type of MCBs
- e) Switches and Switchboards
- f) Junction boards

**COMPOUND ELECTRIFICATION WORK**

- a) Fixture and fitting specification
- b) Foundation details for support poles etc.
- c) Terminal box details.
- d) Size and type of cable proposed to be used.
- e) Single line diagram showing
- f) Connections
- g) Phase distribution
- h) Circuitry

**TELEPHONE CONNECTIONS**

Submitted drawings shall indicate symbols and legend. All points, junctions, routes ducts, telephone terminal cabinet are to be clearly indicated. Drawings shall bear proper title block indicating name and signature of the owner, Concerned Engineer, type and number of storeys, location, drawing title, date, and revision number.

**D. DRAINAGE AND SANITATION**

- a) Plan showing Kitchen, bathroom and WC outlets.
- b) Plan showing the location of the septic tank and soak-pit or sanitary pipe layout to the nearest sewer line, including manholes, wherever it exists.
- c) Drainage layout plan connecting to the nearest stormwater drain.
- d) Sewer design shall be in accordance with the plumbing code of practice.
- e) Materials and sizes of the pipeline.

**E. WATER SUPPLY**

- a) Layout plan of the internal plumbing system of each floor with details of pipe sizes and material.
- b) Water meters shall be provided for each dwelling unit
- c) Plumbing design shall be in accordance with the plumbing code of practice.
- d) Materials and sizes of the pipeline.
- e) Drawings shall bear proper title block indicating name and signature of owner, Engineer, type and number of storeys, location, drawing title, date, and revision number.

### **APPENDIX 3: REGISTRATION OF ARCHITECT, ENGINEER, STRUCTURAL DESIGNER, DEVELOPER APPLICATION FOR REGISTRATION**

The *Institute/Organization recognized by the Royal Government of Bhutan* shall register Architect, Engineer, Structural Designer, and Developer. Application for registration as Architect, Engineer, Structural Designer, Developer, shall be in the prescribed form. Registration shall be valid for the period decided by the *Institute /Organization recognized by the Royal Government of Bhutan*.

#### **REVOCATION OF REGISTRATION**

A registration shall be liable to be revoked temporarily or permanently by the *recognized Institute/Organization*. If the registered person is found guilty of negligence or default in the discharge of his responsibilities and duties or of any breach of any of these Regulations, the Implementing Authority shall inform in writing to the concerned Institute/ Organization for cancellation of his/her registration.

#### **GENERAL DUTIES AND RESPONSIBILITIES APPLICABLE TO ALL:**

- a) They shall study and be conversant with the provisions of the Local Government Act, 2009, the rules made thereunder, the Gelephu Development Control Regulations-2021 and the other instructions circulated by the Implementing Authority and the provisions in force from time to time along with the instructions printed/mentioned on prescribed application forms and permission letter.
- b) They shall inform the Implementing Authority of their employment/assignment/ resignation for any work within 7 days of the date of such employment/ assignment/ resignation.
- c) They shall prepare and submit all plans either new or revised along with necessary documents and details.
- d) They shall submit plans, documents and details without any scratches or corrections though minor corrections if any will be permitted with proper initials. They shall correctly represent all the site conditions including grown-up trees.
- e) They shall personally comply with all requisitions/ queries received from the Implementing Authority in connection with the work under their charge, promptly expeditiously and fully at one time. Where they do not agree with requisitions/ queries, they shall state objections in writing; otherwise, for non-compliance of any requisition/query within a stipulated time, the plans and applications shall be filed forthwith, and shall not be re-opened.
- f) They shall immediately intimate to the owners the corrections and other changes they make on the plans, documents and details as per requisitions/queries from the Implementing Authority.
- g) They shall clearly indicate on every plan, document and submission, the details of their designation such as registered Architect, registered Engineer, registered Structural Designer, etc. with registration number, date, full name and their address below the signature for identification.
- h) They or their authorized agent or employee, shall not accept the employment for preparation and submission of plans-documents and supervision of any work if the same is intended or proposed to be or being executed or already executed in contravention of these Regulations and any orders made thereunder and any Regulations or rules for the time being in force.
- i) The registered person shall apply for undertaking the responsibility for the particular work in the forms prescribed by the Implementing Authority.

- j) The registered person shall provide the information and undertaking for the work undertaken by him in the forms prescribed (*Appendix-9A, 9B and 9C*) by the Implementing Authority from time to time.

## **ARCHITECT**

### **A. QUALIFICATION AND EXPERIENCE**

A person holding a Bachelor's Degree in Architecture with a minimum of one (1) year of work experience decided by Institute/ Organization recognized by the Royal Government of Bhutan.

### **B. SCOPE OF WORK AND COMPETENCE**

- (i) Preparation and planning of all types of layouts and submission drawings and to submit a certificate of supervision and completion for all types of buildings.
- (ii) Supervision and execution of construction work as per specifications and drawings prepared by authorized registered Architect.

### **C. DUTIES AND RESPONSIBILITIES**

- a) He/she shall be responsible for making adequate arrangements to ensure not only that the work is executed as per the approved plans but also in confirmation with the stipulations of the Building Code of Bhutan 2018 for safe and sound construction. For special buildings, N.O.C shall be obtained from the Chief Fire Officer or concerned designated Authority/Consultant before applying for an occupation certificate.
- b) He/she shall, on behalf of the owner, apply for the progress certificates, completion certificates and the occupation certificate and obtain the same as required under the regulations.
- c) If the services of the registered architect are terminated, he shall immediately inform the Implementing Authority about his termination and the stage of work at which his services have been terminated. The registered architect appointed as replacement of the preceding architect shall inform about his appointment on the job, and inform the Implementing Authority of any deviation that might have occurred on the site with reference to the approved drawings and the stage at which he is taking over the charge. After Implementing Authority has inspected the site for his report, the newly appointed architect shall allow the work to proceed under his direction.
- d) The registered architect appointed on the work shall inform the Implementing Authority immediately on discontinuation of the services of the registered Engineer/structural designer, construction contractor, clerk of works, site supervisor, plumber or electrician and shall not allow the work to continue till the vacancy is filled by appointment of another person and the certificate of appointment of such person is submitted in the office of the Implementing Authority.
- e) He/she shall instruct the engineers and site supervisors that adequate provisions are made for ensuring the safety of workers and others during excavation, construction and erection.

### **D. REGISTRATION:**

- a) The registration fee if any shall be payable as prescribed by the recognized Institute/Organization from time to time.
- b) The Implementing Authority shall inform in writing to the concerned Institutes/ Organizations

to take suitable action against such person about the serious defaults or repeated defaults.

## **ENGINEER**

### **QUALIFICATION AND EXPERIENCE**

A degree in Civil and Electrical or any equivalent qualification registered with the Construction Development Board (CDB) with experience of three years. In addition, a Diploma in Civil and Electrical Engineering or equivalent should have at least five years' experience in professional work.

#### **A. SCOPE OF WORK AND COMPETENCE**

- a) Preparation and planning of all types of layouts and submission drawings and to submit a certificate of supervision and completion for all types of buildings.
- b) Supervision and execution of construction work as per specifications and drawings prepared by the authorized registered designer.
- c) He/She can prepare and submit structural/Electrical calculations.

#### **B. DUTIES AND RESPONSIBILITIES**

As per the duties and responsibilities as specified for Architect, with reference to Engineer in place of Architect.

#### **C. REGISTRATION**

- a) The registration fee if any shall be payable as prescribed by the recognized Institute/Organization from time to time.
- b) The Implementing Authority shall inform in writing to the concerned Institutes/Organizations to take suitable action against such person about the serious defaults or repeated defaults.

## **STRUCTURAL DESIGNER**

### **A. QUALIFICATION AND EXPERIENCE**

A minimum of Bachelor's degree in Civil Engineering with three or more years of working experience in relevant fields of Civil Engineering.

#### **B. SCOPE OF WORK and COMPETENCE**

To prepare and submit structural details for:

- a) All types of Buildings.
- b) Special structures.

#### **C. DUTIES AND RESPONSIBILITIES**

- a) To prepare a report of the structural design
- b) To prepare detailed structural design and to prescribe the method and technique of its execution strictly on the basis of the Building Code of Bhutan 2003 or relevant international standards.
- c) To prepare detailed structural drawings and specifications for execution indicating thereon, design live loads, safe soil bearing capacity, specifications of material, assumptions made in the design, special precautions to be taken by the contractor to suit the design assumptions etc. whatever applicable.

- d) To provide two copies of structural drawings to the site supervisor.
- e) To inspect the works at all-important stages and certify that the work being executed is up to the satisfaction of the Architect/Engineer.
- f) To certify the structural safety and overall structural soundness of the building to the Architect/Engineer.
- g) To advise the Owner/Architect/Engineer for arranging for tests and their reports for soil, building material etc. for his evaluation and design consideration.
- h) He/she shall prepare the revised calculations and drawings in case of any revision with reference to the earlier submission of drawing and design in a particular case.
- i) To submit the certificate of structural safety and overall structural soundness of building to Implementing Authority.

#### **D. REGISTRATION**

- a) The registration fee if any shall be payable as prescribed by the recognized Institute/Organization from time to time.
- b) The Implementing Authority shall inform in writing to the concerned Institutes/Organizations to take suitable action against such person about the serious defaults or repeated defaults.

#### **DEVELOPER**

##### **A. QUALIFICATION AND EXPERIENCE: -**

The person/firm acting as Developer shall be of proven merits and experience.

##### **B. DUTIES AND RESPONSIBILITIES.**

- a) Any person acting, in the capacity of the owner shall be the bonafide owner or authorized agent of the owner for developmental work proposed. He/she shall satisfy the Implementing Authority that He/She is the actual owner of the property or the authorized agent to undertake total responsibility as the owner, employer and manager of the property and its development and of all the assets and liabilities of the property and the project.
- b) He/she shall appoint a registered Architect/Engineer to plan, design, and prepare drawings and specifications and to direct the execution of the work in accordance with the requirements of these regulations.
- c) The appointment of the registered Architect/ Engineer shall mean that he has authorized the Architect/Engineer to do all things necessary and to take all adequate measures for preparing the design, drawings and specifications for the project and to appoint on his behalf appropriate persons to act as registered, clerk of works site supervisor, required for the proper execution of the project and to retain on behalf of the owner any other specialist or expert required on the work of the project.
- d) He/she/Architect/Engineer shall give written information to the Implementing Authority about the commencement of the execution work.
- e) He/she shall not cause or allow any deviations from the approved drawings in the course of the execution of the project against the instruction of Architect /Engineer /Site Supervisor/Clerk of Works/Structural Designer and shall bear all responsibility for any irregularity committed in the use and function of the building or its parts for which the approval has been obtained.
- f) He/she shall inform the Implementing Authority immediately if the services of the Architect/

Engineer appointed on the project are terminated or has ceased to function due to any reason and shall not allow any work to proceed till another Architect/Engineer is appointed on the project.

- g) When no registered construction contractor or site supervisor is required to be appointed and not appointed, he shall be responsible for their duties and responsibilities under the Regulations.
- h) He/she shall not commence the use of the building or shall not give the possession to occupy the building to anyone before obtaining the occupancy certificate from the Implementing Authority.
- i) He/she shall provide adequate safety measures for structural stability and protection against fire hazards likely from the installation of services like electrical installation, plumbing, drainage, sanitation, water supply etc. wherever required under the regulations.
- j) He/she shall exhibit the names of registered persons only, on-site and no additional names will be exhibited/displayed.
- k) He/she shall explain the construction design and its intended use as per the approved plan only, to the prospective purchaser of the premises under construction.



## APPENDIX 4: SCRUTINY FEES SERVICE AND AMENITY FEE PAYABLE AT THE TIME OF APPLICATION FOR LAND DEVELOPMENT/BUILDING PERMISSION

The minimum scrutiny fee for land development/ building permission, Service and amenities, shall be levied as follows and as and when revised by Thromde Tshogde:

### Fee Structure:

Sl. No.	Category	Fee	
1	Issuance of Building Permit for new construction		
1.1	Scrutiny fee	Nu.16.35 /sq.m of built-up area or Nu. 3000.00 whichever is more)	
1.2	Services and Amenities fees (Nu. Per sq.m of built-up area) (75% concession for land pooled areas). (To be charged as per precinct)	Commercial/ Industrial building use	Residential/ Institutional building use
		Nu. 20/sq.m	Nu. 10/sq.m
2.0	Revalidation of building Permit (if there are no revisions in approved drawings due to change in Policy, Regulations, Standards etc.)	Nu.1000/-	
3.0	Issuance of Occupancy Certificate		
3.1.	New Occupancy Certificate	Nu.500/-	
3.2	Renewal of Occupancy Certificate	Nu.250/-	
4.0	Issuance of permit for horizontal and vertical extension	Nu.16.35 /sq.m of additional built-up area or Nu. 1000.00 whichever is higher)	
5.0	Issuance of permit for renovations and alteration/modification etc.	Nu.500/-	
6.0	Issuance of permit for construction of water tank, boundary wall, garage and any other ancillary structures.	Nu. 500/-	
7.0	Issuance of permit for temporary structures such as labour camp, material store etc. for new construction.	Nu.500/-	
8.0	Issue of Official site plan for development	Nu.500/-	
9.0	Issue of Site Plan for land conveyance	Nu.250/	

## APPENDIX 5: APPLICATION FORM FOR BUILDING CONSTRUCTION

### APPLICATION FOR THE CONSTRUCTION OF BUILDINGS IN

#### GELEPHU THROMDE

Please complete all sections clearly

1. **Applicant's name**.....
2. **Sex:** Male ☐ Female ☐
3. **Date of birth:** Day.....Month..... Year..... Age.....(years)
4. **Citizenship identity card No**.....
5. **Mobile number**.....
6. **Address**.....  
.....
7. **Email Address**.....
8. **Plot details:**
  - Plot No..... Area..... ft<sup>2</sup>/m<sup>2</sup>/acres
  - Thram no.....Location/Demkhong/LAP.....
  - Land/building use.....

Fix passport  
sized  
photograph

#### 9. Required documents and forms duly filled:

- a. Copy of latest official site plan.
- b. Clearance from service agencies
- c. Undertaking from the structural Engineer, Architect and Electrical Engineer for structures equal to or above G+1
- d. Certificates of all the designers.
- e. Two sets of all drawings

#### 10. Declaration to be signed by all applicants:

The information supplied in this application form is correct to the best of my knowledge, I shall be held personally responsible for any discrepancies for which I am prepared to face any disciplinary or legal consequences.

Date..... Place..... Signature.....

#### Notes

1. Every application must be accompanied by this completed form.
2. Signing on behalf of the applicant is permitted upon submission of the authorization letter.
3. For information, which is not applicable, please write in "not applicable" or "N/A".

## APPENDIX 6: CLEARANCE CERTIFICATE FOR BUILDING CONSTRUCTION

The below-mentioned plot owner desires to develop his/her plot. Therefore, your office may kindly verify at the site and issue necessary clearances for construction to avoid any damage to your infrastructures.

Name of applicant: ..... CID No.....

Thram No..... Plot No..... Building Height.....

Location/Demkhong..... LAP.....

### ESD, Bhutan Power Corporation Office

- Total Power demand
- Recommended for new transformer.: Y/ N
- Is there a need for relocation of Poles/Lines? Yes/No

### Remarks:

.....  
 .....  
 .....  
 .....

#### 1. Bhutan Telecom Office, Gelephu

.....  
 .....  
 .....

#### 2. Cable TV Services

.....  
 .....

#### 3. Water and Sewerage Section, IDD, Gelephu Thromde

.....  
 .....

## APPENDIX 7: CONSTRUCTION AGREEMENT

This agreement made on month .....day..... year ..... is executed between Thromde (hereinafter called GT) of the one part and the Owner of the Plot/ Official representative of .....(hereinafter called as owner) of the other part.

The following terms and conditions shall apply for proposed **new construction/ Vertical Extension/Horizontal Extension or any alteration** of.... ..... storied **Commercial/ Residential/ Institutional/ Industrial** building on plot no. .... Thram no .....location.....LAP.....

1. It is mandatory for the owner of the building to keep the original approved drawings at the site at all times. This will help the Building Inspector to check deviations.
2. The building owner shall ensure that before commencing any work (levelling/clearing the site) on the proposed site, he/she shall obtain a work clearance from the authorities concerned. In the event services such as Water supply line, Sewer line, TV cable lines, Telephone lines, Electricity lines and roads are damaged, the actions will be taken as per the Water & Sanitation Rules, Bhutan Building Rules, Code of Practice for Plumbing and other relevant Rules.
3. The owner shall ensure that a Civil Engineer/Architect is deployed for supervision of the construction work to avoid any sort of deviation from the approved plan.
4. Thromde shall not be held responsible for any failure of the structure.
5. The building owner shall take necessary precautions against accidents, damages or inconvenience to the public and workers or adjacent property either directly or indirectly during the execution of the work. Further, the owner shall ensure that the construction materials are properly stacked and covered within the plot.
6. The building owner shall ensure that the building under construction has proper scaffolding, platforms, proper cordon and signboards cautioning the pedestrian and vehicular traffic.
7. All constructions, including roof projections and gutters, shall be within the registered area. The setback to be maintained as per the approved building plan.
8. The Approved drawings shall be strictly followed at the time of execution.
9. During the finalization of the building layout, the owner shall obtain a Building Inspection report (**specify FORM**) from Thromde, **before commencing any construction**. Once it is checked and approved by Thromde, if found deviated later, then the owner shall be held responsible.
10. The owner shall inform Thromde before every concrete pour so that a building Inspection report can be issued.
11. Should the owner wish to make any alteration to the approved drawings, they must seek prior approval from Thromde.

12. If the owner of the building continues construction despite written notice from the Thromde for rectification of deviations from the approved plan, services like water supply and electricity shall be disconnected. Such services shall be restored only after rectification of the deviation to the satisfaction of Thromde. As a last resort, the Thromde shall serve notice for demolition vide clause no. 87 of BBR-2018.
13. The owner shall inform Thromde as and when building construction work is fully completed so that the temporary services can be withdrawn.
14. The building owner shall be responsible for the disposal of construction materials including debris to a dumping site as advised by Thromde. The owner shall also be responsible for safeguarding the surrounding environment (noise and air pollution), damages caused to the public properties including roads, trees, drainage system, sewers etc. however, if the Thromde notices any of such things, the Thromde has every right to stop the construction and take necessary actions.
15. The building owner shall restore/reinstate the public or private properties interfered/damaged during the construction to the satisfaction of the Implementing Authority/affected property owner. In the event, the interference is affecting both the parties the restoration shall be carried out jointly as determined by the Thromde.
16. When the construction work is completed, the owner has to submit the supervising Engineer's Completion Certificate to Thromde. **(Specify FORM)**
17. Based on the supervising engineer's Completion Certificate and application submitted by the owner for the Occupancy Certificate, Thromde will jointly inspect the building.
18. Occupation of any building without obtaining an occupation certificate shall result in disconnection of services. Services shall be restored only after Occupation Certificate has been obtained and reconnection charges and any fines have been paid to the Thromde.
19. Any construction of a building or structure without written permission from the Thromde shall be demolished at the risk and cost of the defaulter.
20. Any construction of additional floor/s (horizontal or vertical extension) without the written permission of the Thromde shall be demolished at the owner's cost.
21. The building owner shall ensure that the building under construction is completed within five (5) years from the date of commencement. In the event that the construction is stopped (for whatsoever reason) for a period exceeding one year, the owner shall erect a pitched roof over the finished floor.
22. Any construction works which create noise, vibrations, fumes and dust shall not be allowed beyond 10 PM.
23. The approved building plan shall be valid for two years (2) from the date of approval (i.e., ..... to .....).

**Owner/ official Representative:**

Name: .....

CID no.....

Signature: .....

Affix  
legal  
stamp

**Witness:**

Name.....

CID. No.....

Signature

Affix  
legal  
stamp

**Chief, Development Regulatory Division**

Name.....

Designation.....

Signature.....

**APPENDIX 8: OFFICIAL SITE PLAN APPLICATION FORM**

Date:

The Head  
Urban Planning Division  
Gelephu Thromde

**Subject: Application for the issuance of Official Site Plan**

Sir,

Kindly arrange to issue an Official Site Plan for my plot as per the details given below

1. Name of the Plot owner.....
2. Thram Number.....
3. Plot Number .....
4. Location (Demkhong)/LAP .....
5. Purpose of the request of Official Site Plan .....

**Terms and condition**

1. The plan will be issued within 3 working days from the date of application upon payment of site plan fee Nu.500 for each site plan and submission of a copy of lagthram.
2. For land conveyance involving subdivisions of plots the site plan will be issued upon payment of demarcation fee, cost of the pegs and site plan fee.
3. Site plan will be issued only if all the pending dues/issues on the particular plots are cleared viz. land tax, property tax and other fees/charges.
4. It would be the land owner's responsibility to apply for the latest site plan in case of land sub-division or land ownership transfer.
5. A letter of Authorization will be required if the plot owner authorizes his/her representative on his/her behalf to apply/collect the Official Site Plan.

The information submitted in the form is authentic. I have read and fully understood the above-mentioned terms and condition and hereby agree with them. I also agree with the proposed site boundaries, location and shape of the plot as per the Urban Design Plan/ Local Area Plan of Gelephu Structure Plan.

Yours faithfully,

Name.....  
CID No.....  
Mobile No.....  
Signature.....

**APPENDIX 9A: LETTER OF UNDERTAKING STRUCTURAL ENGINEER**

Date:

The Head  
Development Regulatory Division  
Gelephu Thromde,

**Subject: Letter of undertaking**

Sir,

I, the undersigned hereby undertake that the structural drawings including structural analysis and designs of..... storied on plot no..... Thram no.....located at..... Demkhong is done in conformity with the relevant building codes. The structure is designed based on the safe bearing capacity (SBC) of the soil for the area under consideration and hence structurally safe and sound in every aspect.

I shall ensure that construction is carried out as per the approved designs and drawings.

Signature of the Designer

Affix  
legal  
stamp

Name.....

CID no.....

Mobile no.....

Email Address: .....



**APPENDIX-9B: LETTER OF UNDERTAKING BY ARCHITECT**

Date:

The Head  
Development Regulatory Division  
Gelephu Thromde,

**Subject: Letter of undertaking**

Sir,

I, the undersigned hereby undertake that the Architectural drawings of..... storied on plot no..... Thram no.....located at..... Demkhong are done in conformity with the relevant building codes, regulations and guidelines.

I shall ensure that construction is carried out as per the approved designs and drawings.

Signature

Affix  
legal  
stamp

Name.....

CID no.....

CDB Registration No.....

Mobile no.....

Email Address: .....

**APPENDIX-9C: LETTER OF UNDERTAKING BY ELECTRICAL ENGINEER**

Date:

The Head  
Development Regulatory Division  
Gelephu Thromde,

**Subject: Letter of undertaking**

Sir,

I, the undersigned hereby undertake that the Electrical drawings and design of.....  
storied on plot no..... Thram no.....located at..... Demkhong  
are done in conformity with the relevant electrical codes, regulations and guidelines.

I shall ensure that construction is carried out as per the approved designs and drawings.

Signature

Affix  
legal  
stamp

Name.....

CID no.....

CDB Registration No.....

Mobile no.....

Email Address: .....

## APPENDIX 10: APPLICATION FOR OCCUPANCY CERTIFICATE

Date:

The Head  
Development Regulatory Division  
Gelephu Thromde

### Sub: Issuance of Occupancy Certificate

Sir,

I hereby certify that the **Construction/Addition/ Alteration** of building on Plot no..... registered under Thram No.....in.....Demkhong, has been completed on .....according to the approved building plan/drawings, vide permit no.....dated.....

The work has been completed to our best satisfaction. Workmanship and all the materials (type and grade) have been used strictly in accordance with the approved drawings and relevant standards, codes of practice and specifications. Provisions of the Bhutan Building Rules, conditions or orders issued thereunder have not been violated in the course of the work. The building is fit for use for which it has been added /altered/ constructed. The necessary '**Occupancy Certificate**' may be issued.

Signature of the Owner:

Name & Address.....

.....

Mobile no.....

E-mail address.....

### **Note:**

Please enclose a completion certificate duly signed by the Site Engineer & Site inspection form.

## APPENDIX 11: COMPLETION CERTIFICATE

I hereby certify that the development/ erection/ re-erection or material alteration of building on plot No..... Thram no..... registered in the name of Mr/Ms.....in .....Demkhong, in Gelephu has been supervised by me and has been completed on..... according to the plans sanctioned, vide No..... dated.....

The work has been completed to my best satisfaction, the workmanship and all the materials (type & grade) have been used strictly in accordance with general and detailed specifications.

All conditions stipulated in the construction agreement dated ..... have been fulfilled.

The building is fit for use for which it has been erected, re-erected or altered, constructed and enlarged.

.....

Name & Signature of Site Engineer

CID of the Site Engineer

.....

Address of Site Engineer

.....

.....

Signature & Name of the Owner/

Signature, Name & Designation of the Authorized Official

with Official seal (in case of Govt./Semi-Govt. Project).

Date: .....

## APPENDIX 12: LETTER OF UNDERTAKING FOR JAMTHO CONSTRUCTION

As per the Building construction approval No.....dated ..... on plot No.....under Thram No....., the undersigned hereby undertake that I shall strictly abide by the following terms and conditions for the construction of Jamthog

1. I shall construct Jamthog strictly as per the approved drawings.
2. It shall be solely used for the storage of water tanks and other materials and will not in any case be converted into habitable rooms /commercial space.
3. In case of any illegal conversion of Jamthog into habitable rooms, the Thromde Office has the full authority to disconnect the services (water supply and electricity).
4. I shall also dismantle the illegal structures at my own cost as per the deadline given by the Thromde Office.

### **Owner**

Name and Signature :

CID No :

Mobile No :

Date :

Affix Legal  
Stamp

### **Witness**

Name and Signature :

CID. No. :

Mobile No :

**APPENDIX 13A: SAMPLE OF OCCUPANCY CERTIFICATE (NEW STRUCTURES)**

དཔལ་ལྷན་འབྲུག་གཞུང་།  
 དགེལུ་ཐར་མེད་  
 ROYAL GOVERNMENT OF BHUTAN  
 GELEPHU THROMDE



Certificate No. GT/DRD-08/2021/

Date.....

**OCCUPANCY CERTIFICATE**

This is to certify that the house described herein has been inspected and confirms substantially to the approved drawings & to the requirements of all the applicable codes, laws, rules and regulations that were in place at the time of the issue of this certificate.

Name of Owner	Plot Number	Location	
Building Type	Thram Number	Designated Precinct	
Flat Type	Plot Area(sq.m)	Plot Coverage (%)	
Number of Floors		No. of Units	Residential
			Commercial/Industrial
Date of final Inspection		Floor Area	Commercial
			Commercial Built-up Area(sq.m)
Remarks (if any): Nil.			

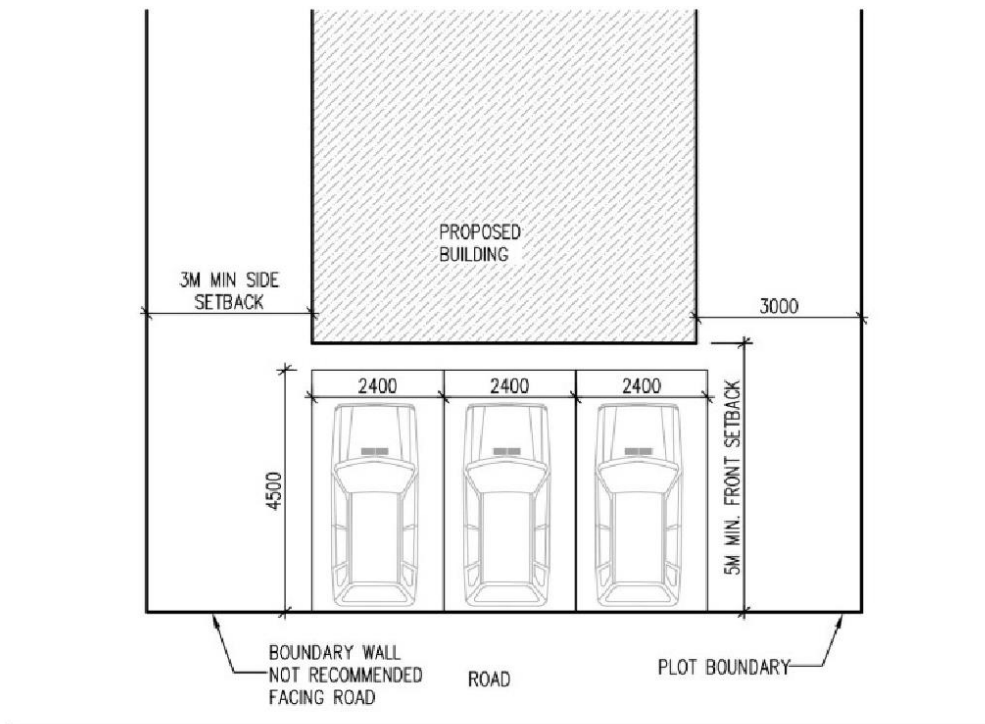
No changes of use or occupancy shall be made unless a new amended certificate is obtained.  
 This certificate is valid for two years from the date of issue.

Head  
 Development Regulatory Division  
 Gelephu Thromde

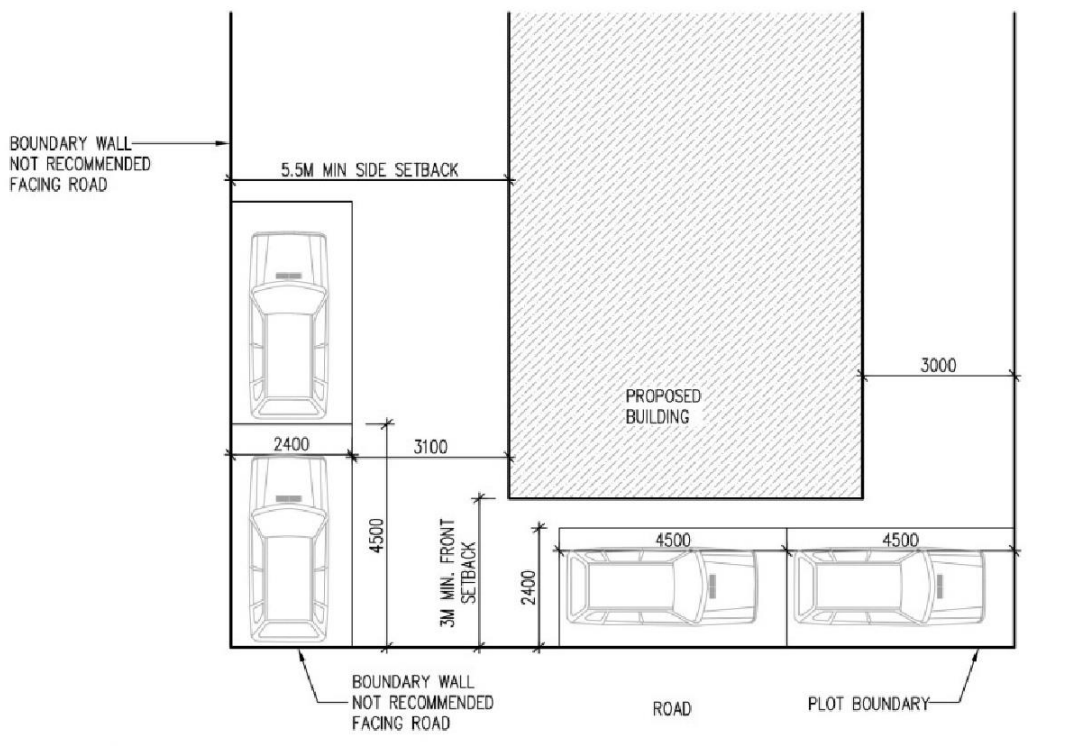
Executive Secretary  
 Gelephu Thromde

## APPENDIX 13B: SAMPLE OF OCCUPANCY CERTIFICATE (EXISTING STRUCTURES)

	དཔལ་ལྷན་འབྲུག་གཞུང་། དགོ་ལེགས་ཕུག་ཐར་མེ། ROYAL GOVERNMENT OF BHUTAN GELEPHU THROMDE	
Certificate No. GT/DRD-08/2021/	Date.....	
<b>CONVENIENCE OCCUPANCY CERTIFICATE</b>		
This certificate is issued for convenience purpose only and does not necessarily certify that the structure is deemed fit for occupancy for the intended purpose.		
Name of Owner	Plot Number	Location
Building Type	Thram Number Nil	Designated Precinct
Flat Type	Plot Area (Sq.m)	Plot Coverage (%)
Number of Floors	No. of Units	Residential
		Commercial/Industrial
Date of final Inspection	Floor Area	Commercial
		Commercial Built-up Area (Sq.m)
Remarks (if any): Nil.		
No changes of use or occupancy shall be made unless a new amended certificate is obtained. This certificate is valid for two years from the date of issue.		
Head Development Regulatory Division Gelephu Thromde		Executive Secretary Gelephu Thromde

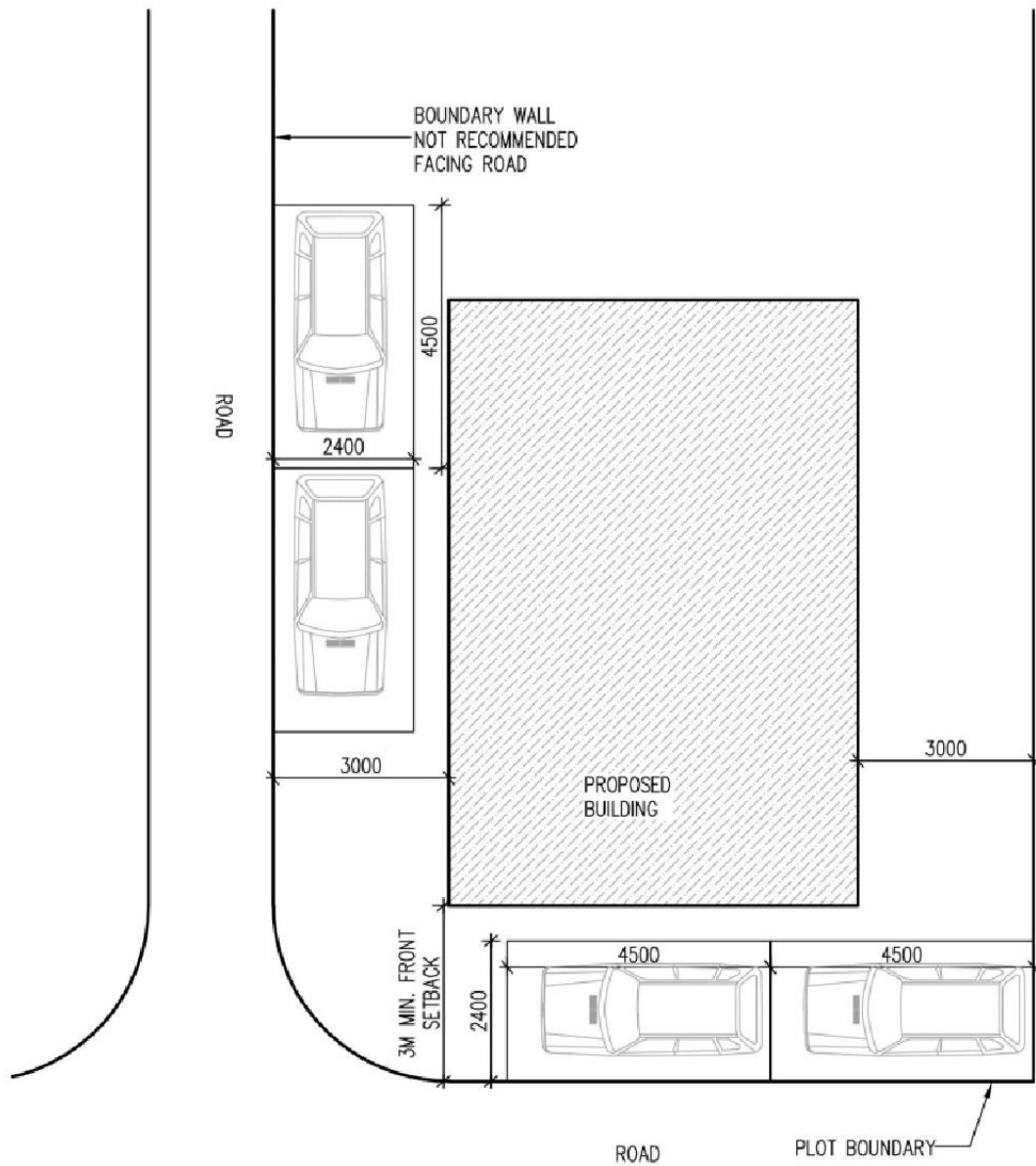
**APPENDIX 14: BASIC PARKING LAYOUT MODEL-1**

90 DEGREE PARKING LAYOUT FACING ONE ROAD  
MINIMUM REQUIRED SPACE FOR PARKING



PARALLEL PARKING LAYOUT FACING ONE ROAD  
MINIMUM REQUIRED SPACE FOR PARKING



**BASIC PARKING LAYOUT MODEL-2**

PARALLEL PARKING LAYOUT FACING TWO ROAD  
MINIMUM REQUIRED SPACE FOR PARKING

**APPENDIX 15: FINES AND PENALTIES**

Sl.No	Description of offence	Penalty
1	Commence building construction/additions/alterations Without permit.	Payment of 100% of the cost of deviated construction and regularization of the deviation, if no application was made but the construction is as per the Rules.
		Payment of 50% of the cost of construction and removal of the deviation, if no application was made and the construction is not as per the Rules.
		Payment of 50% of the cost of deviated construction and regularization of the deviation, if the application was made and construction is as per the rule.
		Payment of 25% of the cost of deviated construction and removal of deviation, if an application was made but the construction is not as per the Rules.
2	Change of building or premises use	20% of the cost of construction based on quick cost method of misused floor area and revert to original use as per the sanction uses.
3	Use of basement for the purpose other than parking and services.	30 days of minimum National Workforce wage rate
4	Occupy building without occupancy certificate or in breach of a condition of an occupancy certificate	Three month's rental income of the occupied area and 5% of the monthly rental income each day, if the offence continues after the issue of the infringement notice.
5	Fail to notify Thromde of commencement of stage of construction.	14 days of minimum National Workforce wage rate at each stage of construction.
6	Fail to notify if utilities are damaged	14 days of minimum National Workforce wage rate
7	Fail to fix building work as required by the notice.	30 days of minimum National Workforce wage rate
8	Stacking of construction materials on footpaths/street/public spaces without approval	As per the relevant Acts and Rules of the Government.
9	Use of footpaths/street/public spaces for equipment without approval	Nu.1500
10.	Failure to reinstate the public infrastructures damaged during building construction	As per the actual estimate based on the current BSR
11	Illegal dumping of excess excavated soil/construction debris in the undesignated area.	As per the relevant Acts and Rules of the Government

## APPENDIX 16: TRANSFER OF DEVELOPMENT RIGHTS (TDR)

In the Gelephu Structure Plan, certain areas are designated as “Reserved Land”. Such Reserved Land is to be used in the public interest for a public purpose. Transfer of Development Rights or TDR is a mechanism to protect the development rights of the owners of Reserved Land while facilitating the GT in acquiring lands needed to implement the Structure Plan.

In cases where the government has to acquire land for the public good, the owners may choose to be compensated, or their land “traded” for an equal size of FAR or “Development Rights”, which can be used elsewhere in Gelephu.

The compensation is in the form of FAR which can be transferred and used elsewhere.

The award of Transferable Development Rights (TDRs) in the form of Floor Area Ratio entitles the owner of the land to FAR in the form of a Development Rights Certificate (DRC) which he may use himself, or transfer to another person. The owner is eligible for Development Rights (DR's) after the land is surrendered free of cost to a designated Authority. Development Rights (DRs) could be granted to an owner only for land reserved in the Structure Plan for public purposes.

The built-up area for the purpose of FAR credit in the form of a DRC should be equal to the gross area of the reserved plot to be surrendered and will proportionately increase or decrease according to the permissible FAR of the zone from where the TDR has originated.

When an owner also develops or constructs the public amenity on the surrendered plot at his own cost, as may be prescribed by the Implementing Authority, and hands it over to the Implementing Authority, free of cost, he may be granted a further DR in the form of FAR equivalent to the area of the construction/ development done by him.

A DRC shall be valid for use only in similar use zones or from a commercial/ industrial zone to a residential use zone and not vice-versa, subject to the condition that the total FAR achieved shall in no case exceed the maximum permissible FAR specified in the receiving zone as per these Regulations.

DRCs may be used on one or more plots of land, whether vacant or already developed, by the erection of additional storeys, or in any other manner consistent with these Regulations, but not so as to exceed a total built-up FAR higher than that prescribed in these Regulations.

DRs can be granted and DRCs issued only after the reserved land is surrendered to the Implementing Authority, or to the Government as the case may be, free of cost and free of encumbrances. A DRC can be issued by the Implementing Authority as a printed certificate. Such a certificate is a transferable “negotiable instrument” after due authentication. The Implementing Authority shall maintain a Register of all TDR Transactions, etc. relating to grant of and utilization of DRs.





The extra FAR in the form of Transfer of Development Rights (TDR) can be sold by the landowners and purchased by anybody and use it to achieve a higher dwelling density on a given piece of land, particularly to construct dwellings of a particular size affordable to the lower and/or middle-income groups.

And finally, the “Maximum FAR” may also be allowed using the transfer of development rights. The funds collected by the GT while increasing from the “Base FAR” to the “Maximum FAR” will become part of a Development Fund, which is essential to provide the capital expenditure on infrastructure to service new buildings.

The land obtained by the GT through the Transfer of Development Rights creates a mechanism for the GT to implement the purchase of reserved lands. It also protects the owner of a Reserved Plot from his land being acquired at price far below the market value.

**Note:** *The Transfer of Development Rights is retained here in the Appendix for future reference, information and use.*

**APPENDIX 17: BUILDING COLOR SPECIFICATION FOR GELEPHU THROMDE**

Sl. No.	Specification	Color
1	White	
2	Mud color	
3	Grey	
4	Exposed Stone Masonry with its natural color depending on the stone and masonry type without any plaster	

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- 1) Christopher Charles Benninger Architects Pvt. Ltd. (2002) Thimphu Structure Plan, Thimphu.
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- 3) Department of Urban Development and Housing (2000) Bhutan Building Rules 2002, Ministry of Communications, RGoB, Bhutan.
- 4) Standard and Quality Control Authority. (2002) Urban Roads Standards, Ministry of Works and Human Settlement, RGoB, Bhutan



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