

ALUVA MUNICIPALITY

Publication of draft variation of Detailed Town Planning for Kottarakadavu Vicinity Area , Alwaye

WHEREAS, the Government have vide order number G.O(MS) No. 100/85/LAD & SWD dated, Trivandrum 16th May 1985, sanctioned the Detailed Town Planning Scheme for Kottarakadavu Vicinity Area Alwaye, Aluva Municipality in Ernakulam District under sub section (3) of section 12 of the Town Planning Act, 1108(IV of 1108);

AND WHEREAS, as per sub-section (1) of section 113 of the Kerala Town and Country Planning, Act, 2016 (9 of 2016), the Town Planning Act, 1108 (IV of 1108) stands repealed;

AND WHEREAS, as per clause (ii) of sub-section (2) of section 113 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the sanctioned "Detailed Town Planning Scheme for Kottarakadavu Vicinity Area Alwaye", is deemed to be a Detailed Town Planning Scheme sanctioned under the Kerala Town and Country Planning Act, 2016 (9 of 2016)

AND WHEREAS, it is required to vary the said scheme for the purpose of making the Zoning Regulations of the said scheme area compatible to the present development scenario.

Now, THEREFORE, in exercise of powers conferred by sub-section (2) of Section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Aluva Municipal Council hereby propose to vary the said Detailed Town Planning Scheme to the extent required, a draft of which is appended as required Section 46 of the Kerala Town and Country Planning Act, 2016.

DRAFT

In exercise of the powers conferred by subsection (2) of section 50 of the Kerala Town and Country Planning Act, 2016 (9 of 2016), the Aluva Municipal Council, hereby propose to vary the Detailed Town Planning Scheme for Kottarakadavu Vicinity Area, Alwaye, sanctioned as per G.O(MS) No. 100/85/LAD & SWD dated, Trivandrum 16th May 1985 to the extent as indicated below, namely:-

VARIATION

1. In the said scheme, for the scheme rule 2, under the heading "DEFINITION", the following shall be substituted namely :-

“2. In this scheme, unless there is anything repugnant in the subject or context:-

- a. ‘Act’ means the Kerala Town and Country Planning Act, 2016 (9 of 2016)
- b. "Municipal Act" means the Kerala Municipalities Act in force
- c. “Authority” means “Aluva Municipal Council.”
- d. “Secretary” means The Secretary, Aluva Municipality.
- e. ‘Chief Town Planner’ means the Chief Town Planner of Local Self Government Department Planning.
- f. "Scheme" means the Detailed Town Planning Scheme for Kottarakadavu Vicinity Area , Always, Aluva Municipality.
- g. ‘Arbitrator’ means the arbitrator appointed for the scheme by the Government.
- h. ‘Schedule’ means a schedule appended to the scheme.
- i. ‘Map’ means a map annexed to the scheme.
- j. ‘Street’ includes roads, streets and lanes.
- k. “Date of Scheme" the date of coming into operation of the plan as per section 62 of the Act.
- l. "Rules" means the rules made under the Act.
- m. ‘Government’ means the Government of Kerala.
- n. ‘Senior Town Planner’ means the Senior Town Planner of Local Self Government Department Planning having jurisdiction over the area

2. In the said scheme, for the scheme rule 3, under the heading "RESPONSIBLE AUTHORITY", the following shall be substituted namely :

“3. The Secretary, Aluva Municipality shall be the responsible authority for the purpose of this scheme, unless the Government order otherwise”

3. In the said scheme, scheme rule 7 ‘Streets’, scheme rule 8 ‘Submission of layout plans’ and scheme rule 9 ‘Approval of layout plans’ shall be omitted.

4. In the said scheme, for the scheme rule 10, under the heading “RESERVATION OF LAND AND ZONING”, the following shall be substituted namely :

A. "General Guidelines

1. All future developments in respect of land coming within the scheme area shall be in conformity with the zoning regulation prescribed here under and the Kerala Municipality Building Rules. These regulations shall guide the granting or refusal of permission for land development.
2. For the implementation and enforcement of the proposals envisaged in the Detailed Town Planning Scheme, the scheme area in Aluva Municipality have been zoned under various uses such as
 - I. Area Reserved for Public & Semi public
 - II. Area to be acquired for Public & Semi public
 - III. Area Reserved for Residential use
 - IV. Area to be acquired for Parks & Open Spaces
 - V. Area Reserved for Parks & Open Spaces
 - VI. Area Reserved for Commercial Use
 - VII. Existing Roads & lanes retained
 - VIII. Area to be acquired for roads
 - IX. Foot path
3. Details regarding the nature of uses 'permitted', uses 'restricted' in each zone are given in table-I below. Uses 'permitted' in a zone cover the uses that can be normally accommodated in the relevant zone. Such uses may be permitted by the Secretary of Aluva Municipality (herein after referred to as Secretary) if it is in accordance with other relevant rules/orders concerned in force. In some cases it may be possible to permit some other uses also which are not likely to affect the quality and environment in a zone specified for a particular use. Such cases have to be individually studied based on their performance characteristics and spatial location factors. Such cases, which come under this category are classified as "Uses Restricted 1 & Uses Restricted 2".
 - a. 'Uses Restricted-1' category deals with the uses that may be permitted by the Secretary with the concurrence of the Senior Town Planner of the Local Self Government Department (Planning).
 - b. Uses Restricted-2' category deals with the uses that may be permitted by the Secretary with the concurrence of the Chief Town Planner of Local Self Government Department (Planning), Kerala.
4. Those uses which are not included under 'Uses Permitted' or 'Uses Restricted' shall be treated as 'Uses Prohibited'.

5. Any use which is not explicitly included as uses permitted or uses restricted in a zone, but is of similar or ancillary nature to the uses permitted or uses restricted in a zone, may be permitted in such zone with the concurrence of the Senior Town Planner of the Local Self Government Department (Planning).
6. If any portion of a zone is put to a prohibited use, before the sanctioning of this variation of this scheme, such use shall be termed as non-conforming use. A non-conforming use may be allowed to continue in its existing location and essential repairs and maintenance for the structure may be permitted provided that the said use create no adverse environmental influence in the zone. Addition, alteration or reconstruction if found necessary as part of any mitigation measures may be permitted for such uses with the concurrence of the Senior Town Planner of the Local Self Government Department (Planning)
7. No provisions in this scheme shall prevent implementation of any project / scheme of Central / State or Local Government and government approved projects by quasi government agencies. Such projects shall be treated as permitted uses in all zones and shall conform to widening of roads or new road alignments envisaged in the scheme.
8. Operational constructions as defined in the Kerala Town and Country Planning Act, 2016 shall be treated as permitted use in the scheme area.
9. The proposal for the formation of the widening /new roads- Road A-A, B-B and B1-B1 shall be omitted and the reservation of land for such purpose is dispensed with. In such land, uses listed under 'Uses permitted' in 'Area reserved for residential use' may be permitted by the Secretary and uses listed under 'Uses Restricted I' in 'Area reserved for residential use' may be permitted, by the Secretary with the concurrence of Senior Town Planner of the Local Self Government Department (Planning).
10. Provisions under the Disaster Management Act, Archaeological Sites and Remains Act, Aircraft Act 1934, Environment Protection Act 1986, Kerala Conservation of Paddy Land and Wetland Act and any other applicable statutes as amended from time to time will prevail over the respective provisions of this Scheme.
11. Notwithstanding anything contained in the scheme rules, provisions with regard to Off-street parking, Open spaces / yard / setbacks, Building line and Access mandated in the Kerala Municipality Building Rules in force shall prevail over the respective provisions if any mentioned elsewhere in the scheme rules.
12. Transmission / Tele communication towers, ATMs and all constructions for public utility shall be permissible within the scheme area except in footpath.
13. For all purposes of this scheme, land/area to be acquired for any use shall be treated as land/area to be reserved for such use.

14. Subject to the Zoning Regulation of the respective zone, more than one use may be combined in a building, provided that the total built up on all floors of such a building shall not exceed the maximum built up permitted for any of such use in that zone.
15. Silence Zone, as prescribed by the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment (Protection) Act, 1986 and its subsequent amendments, shall be applicable to the area under this scheme.
16. Existing areas and structures of archaeological importance and religious uses may be permitted to continue in all zones and shall not constitute non- conforming uses.
17. Expansion of existing Public and Semi Public Institutions including their incidental uses to adjacent plots shall be treated as permitted use irrespective of the zone in which such adjacent plot lies, except in foot path.
18. Any clarifications or technical interpretations of the scheme may be issued by the Government in consultation with the Chief Town Planner of Local Self Government Department (Planning).

B. Zoning Regulations

All future developments in respect of land within the scheme area shall confirm to the zoning regulations given below:

Table -I- Zoning Regulations

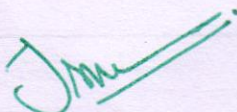
3		Uses Restricted	
Sl.No.	Uses Permitted	Restricted(1) Uses permitted with the concurrence of District Town Planner	Restricted(2) Uses permitted with the concurrence of Chief Town Planner
3.1	i) Area Reserved for Public & Semi public		
	ii) Area to be acquired for Public & Semi public		
	Local, State and Central Government establishments, Social & cultural establishments, community facilities including clinics, dispensaries, diagnostics centres, educational institutions etc, public utilities and related buildings, Religious uses	Auditorium / Wedding Halls Community Halls , Convention centres	
	Individual residential buildings, multi family dwelling units, residential quarters, day care,	residential flats / apartments	

	creche, nursery school, kindergartens		
	Additions and alterations to the existing buildings, buildings for incidental uses to the main use.	parking plazas / parking areas	
	All shops including shopping complexes, restaurants, hotels		
	Parks and Open spaces and related essential constructions		
	service industries of non-nuisance nature (see Annexure) having built up area upto 100sqm		
3.2	Area Reserved for Residential use		
	Residential buildings consisting of single or multifamily dwellings, residential flats / apartments, residential quarters, night shelters, guest houses, orphanages, old age homes, Ashram /mutt	Places of worship	
	Shops, commercial offices, restaurants, professional offices, Banks & other financial institutions, restaurants, hotels – built up area up to 200 Sq.m.	Shops, commercial offices, restaurants, professional offices, Banks & other financial institutions, restaurants, hotels – built up area above 200 Sqm	
	service industries of non-nuisance nature (see Annexure) having built up area upto 100sqm	Small auto garages having built up area upto 100sqm	
	Educational institutions essentially serving the needs of residential community such as day care and crèche, nursery schools, kindergartens	Community facilities such as community halls, recreational clubs, gymnasium/yoga centers, libraries, reading room etc. – built up area above 200 Sq.m.	
	Health institutions essentially serving the needs of the residential community such as dispensaries, clinics, Diagnostic Centers, nursing homes etc. having built up area upto 100 Sq.m.		

	Community facilities such as community halls, recreational clubs, gymnasium/yoga centers, libraries, reading room etc. – built up area upto 200 Sq.m.		
	Civic amenities essentially serving the needs of residential community such as tot lots, parks, play grounds, water treatment plants below 5 MLD.		
	Public utility building such as water supply, drainage and electric installations of a minor nature, Pump house, wells & irrigation ponds		
	Plant nurseries incidental to community needs		
3.3	i) Area to be acquired for Parks & Open Spaces		
	ii) Area reserved for Parks & Open Spaces		
	Parks, tot lots, Open spaces and maidans, play grounds, open air theatres, constructions related to recreational activities, comfort station, cafeteria upto 50sqm built up area	All uses permitted and restricted in land reserved for residential use	
	Additions and alterations to the existing buildings, buildings for incidental uses to the main use.		
3.4	Area Reserved for Commercial Use		
	All shops including shopping complexes, Shopping malls, hypermarkets, restaurants, hotels, markets	Parking area / plaza	Multiplex
	Auditorium / wedding halls / Community halls, Social welfare centres, convention centres, Exhibition Centers having built up area upto 500sqm	Auditorium / wedding halls / Community halls, Social welfare centres, convention centres, Exhibition Centers having built up area above 500sqm	
	Professional offices, commercial offices & establishments, banking and financial institutions, IT		

	software units and Art Gallery, Library and Reading rooms.		
	Individual residential buildings with built up area upto 500sqm, existing residential uses, residential flats/apartments with lower 2 floors of commercial use, night shelters, hostels and boarding houses, lodges and guest houses		
	service industries of non-nuisance nature (see Annexure) having built up area upto 100sqm		
	weigh bridges, IT hardware / electronic industries.		
	Gymnasium / Yoga centres, Day care and Creche, Nursery / Kindergarten		
	Plant nursery, storage of Agricultural produces and seeds.		
	Places of worship		
3.5	i) Existing Roads & lanes retained ii) Area to be acquired for roads		
	Construction of new roads / streets / lanes , widening of existing roads / streets / lanes, footpaths, Street furniture, authorized parking areas and authorized street vending activities.		
3.6	Footpath		
	Construction of footpath, Beautification and side protection works.		

3. In the said scheme, the scheme rules 11,12,13,14,20,21 & 22 shall be omitted.



Secretary

Aluva Municipality





Chairman

Aluva Municipality

ANNEXURE

Type of non-obnoxious and non-nuisance type of service or light industries permissible in Residential zones

1. Rice and Flour Mills.
2. Production of rice, flour etc., by hand
3. Processing of Cardamom, ginger, pepper etc.
4. Production of copra
5. Processing of arecanut
6. Carrying and preservation of fruits and production of jam, jelly , syrup. etc.
7. Processing of and preservation of cashew nuts.
8. Bakeries and confectioneries
9. Production of Dairy Products.
10. Oil mills (vegetables)
11. Extraction of oil by ghani.
12. Manufacture of hydrogenated oil.
13. Manufacture of "aval" (Beaten rice), Pappad
14. Production of vinegar.
15. Manufacture of soda, water, lemonade etc.
16. Manufacture of Ice.
17. Manufacture of ice cream.
18. Packing and distribution of tea and coffee.
19. Manufacture of beedi and Cigar.
20. Manufacture of tobacco snuff.
21. Manufacture of chewing tobacco.
22. Cotton ginning, clearing, pressing etc.
23. Cotton spinning other than in Mills
24. Cotton spinning and weaving in Mills.
25. Cotton weaving in handloom.
26. Cotton weaving in power looms.
27. Handloom weaving.
28. Khadi Weaving in Handloom.
29. Printing of cotton textiles.
30. Manufacture of Cotton thread, rope twine etc.
31. Jute spinning.
32. Manufacture of jute products including repairing of gunny bags.
33. Weaving of silk by Handloom.
34. Manufacture of hosiery goods.
35. Making of embroidery products
36. Tailoring
37. Manufacture of quilts and mattresses.
38. Manufacture of Coir and Coir Products.

39. Manufacture , repairing and assembling of umbrellas and production of spare parts of umbrellas.
40. Manufacture of wooden furniture and fixtures.
41. Manufacture of structural wooden goods such as doors, beams etc.
42. Manufacture of wooden utensils, photo frames, toys, etc., and photo framing.
43. Cane industry including baskets, weaving etc.
44. Manufacture of miscellaneous wooden articles such as sticks, sandals, rulers etc.
45. Manufacture of paperboard and paper hand.
46. Making of paper boxes, bags, envelopes, tissue paper etc.
47. Printing and publishing of newspapers, periodicals and books.
48. Miscellaneous printing works including typing, cutting, book binding.
49. Manufacture and repairing of leather shoes and chappals.
50. Manufacture of leather products such as suitcase, bag etc.
51. Vulcanizing and repairing of tyres and tubes.
52. Manufacture of Rubber products such as rubber sheets, rubber gloves , nipples and rubber shoes including smoke-rubber.
53. Manufacture of pharmaceuticals, chemicals, Ayurvedic medicine etc.
54. Manufacture of agarbathi and other cosmetics.
55. Manufacture of plastic products such as nameplates etc.
56. Manufacture of lemongrass oil, candles etc.
57. Manufacture of cement products such as rings, closets etc.
58. Manufacture of structural stone goods, stone crushing, stone carving, stone dressing, marble carving etc.
59. Manufacture of stone wares.
60. Manufacture of stone images.
61. Manufacture of chinaware's and crockery.
62. Manufacture of large food containers and chinaware.
63. Manufacture of glass and glass products.
64. Manufacture of clay models
65. Manufacture of iron and steel furniture.
66. Manufacture and repairing of brass and bell metal products.
67. Manufacture of aluminum utensils and other products.
68. Manufacture of tin cans and copper vessels.
69. Electroplating, tinplating, welding etc.
70. Manufacture of agricultural implements, screws etc. (blacksmith and foundry)
71. Manufacturing assembling and repairing of machinery such as water pumps, oil millchucks etc.
72. Manufacture of small machine tools and machine parts.
73. Manufacture of sewing machine parts and assembling and repairing of sewing machine.
74. Manufacture of electrical machinery and repairing of electric motors armature winding etc.
75. Manufacture and repairing of electric fans.
76. Charging and repairing of batteries.

77. Repairing of radios, microphones etc.
78. Manufacture of electric meters, production of electric and electronic allied products, repairing and servicing of electrical appliances.
79. Manufacture and repairing of motor engine parts and accessories.
80. Manufacture of cycles, parts and accessories.
81. Repairing of photographic equipments, spectacles etc.
82. Manufacturing of medical instruments
83. Repairing of watches and clocks.
84. Manufacture of Jewellery.
85. Manufacture, repair and tuning of musical instruments.
86. Manufacture of sports goods, balloons etc.
87. Ivory, carving and ivory works
88. IT , ITES & IT Hardwares
89. Manufacture of wax, waxproducts
90. Manufacture of fish products , aquaponics

77	Repairing of radio, telephones etc.
78	Manufacture of electric meters, production of electric and electronic allied products, repairing and servicing of electrical appliances.
79	Maintenance and repairing of motor engine parts and accessories.
80	Maintenance of cycles, parts and accessories.
81	Repairing of photographic equipment, spectacles etc.
82	Manufacturing of medical instruments.
83	Repairing of watches and clocks.
84	Manufacture of jewellery.
85	Manufacture, repair and maintenance of musical instruments.
86	Manufacture of sports goods, balloons etc.
87	Ivory, carving and ivory works.
88	IT, ITES & IT Hardware.
89	Manufacture of wax, waxes, products.
90	Manufacture of fish products, aquariums.