

**DETAILED TOWN PLANNING SCHEME
FOR WESTHILL AREA, WARD No. 1(PART)
OF KOZHIKODE CORPORATION**

DRAFT

July 2024

**Office of the Joint Director – Annex 2, Kozhikode
Local Self Government Department Planning**

4.6 RESERVATION OF LAND AND ZONING

4.6.1 ZONES AND REGULATIONS

1. For the implementation and enforcement of the proposals envisaged in this scheme, areas have been zoned under various categories as listed below.
 - a) Area Reserved for Residential Use
 - b) Area Reserved for Commercial Use
 - c) Area Reserved for Industrial Use
 - d) Area Reserved for Mixed Use (Residential / Commercial)
 - e) Area Reserved for Public and Semi Public Use
 - f) Area Reserved for Religious Use
 - g) Area Reserved for Parks and Open Spaces
 - h) Area Reserved for Proposed roads or widening of existing roads
 - i) Area reserved for Transit Oriented Development zone
2. 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. 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 special locational factors. Such cases which come under this category are classified as “Uses Restricted”. Restricted-1 category deals with the uses that shall be restricted by the Secretary with the concurrence of the Town Planner of the District office of the Local Self Government Department Planning. Restricted -2 category deals with the uses that shall be restricted by the Secretary with the concurrence of the Chief Town Planner of the Local Self Government Department Planning.
3. Zoning regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations, unless otherwise specifically mentioned in this scheme. All existing uses in every zone shall be permitted to continue.
4. If any portion of a zone is put to use which is not included in the permitted or restricted category as above before the sanctioning of the scheme, such use shall be termed as a 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 by the secretary, provided that the said use creates 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 by the Secretary with the concurrence of the District Town Planner, the Local Self Government Department Planning. The total built up area of such non confirming use shall not exceed 1.5 times the existing built up area.

5. Any use not specified either in the “uses permitted” or “uses restricted” category of a particular use zone, but which is of a similar nature to any use permitted or restricted in that particular use zone, can be considered by the Secretary, with the concurrence of the District Town Planner of the Local Self Government Department Planning having jurisdiction over the area.

4.6.2 ZONE WISE REGULATIONS

Table 4.1. Zoning Regulations

Sl.No.	Uses Permitted	Uses Restricted 1	Uses Restricted 2
1	Area Reserved for Residential Use		
	<p>Residential buildings consisting of single or multifamily dwellings, residential flats / apartments, night shelters, orphanages, old age homes, dharmasala, residential quarters. Day care and creche, nursery/ kindergarten and schools offering general education (up to higher secondary school level)</p> <p>Shops, professional offices, banks and other financial institutions, restaurants, hotels- all limiting floor area upto 300 m².</p> <p>Health institutions essentially serving the needs of residential community such as dispensaries, clinics, diagnostic centers, palliative care centers, dialysis units etc. - all limiting floor area upto 500 m².</p> <p>Community facilities such as community halls recreational clubs, gymnasium/yoga centers, library etc. all limiting floor area upto 500 m².</p> <p>Cottage industries, auto mobile workshops (2/3 wheelers), service industries of non-nuisance nature (See annexure I) with number of workers limited to 20.</p>	Places of Worship	

	In land on both sides of the roads having an existing or proposed width of 12 m or more (as per this Detailed Town Planning Scheme) subject to access provisions under prevailing KMBR.		
	Shops, professional offices, banks and other financial institutions, restaurants, hotels, health institutions essentially serving the needs of residential community such as dispensaries, clinics, diagnostic centers, palliative care centers, dialysis units, community facilities such as community halls recreational clubs, gymnasium/yoga centers, library etc. - all limiting floor area upto 1000 m ² .		
2	Area Reserved for Commercial Use		
	<p>All Shops including Shopping Complexes, Shopping malls, Hypermarkets, Restaurants, Hotels, Markets</p> <p>Professional offices, Commercial Offices & Establishments, Banking and financial institutions, IT Software units, offices related to various organisations, Training Institutes/ Centres.</p> <p>Godowns/Warehouse/Storage of non-hazardous materials, stacking yards.</p> <p>Cold storage, weigh bridges</p> <p>Printing press, IT hardware/electronic industries</p> <p>Movie Halls/ Auditorium/Wedding Halls, Museum/ Community Halls, Convention Centers,</p>	<p>Fuel Filling Stations</p> <p>Other public utility areas & buildings</p> <p>Clinics, diagnostic centres</p> <p>Hospitals upto 300 beds</p>	<p>Multiplex</p>

<p>social welfare centres, exhibition centres, art gallery, open air theatre, gymnasium/yoga centres.</p> <p>Cottage Industries, Automobile workshops, Automobile Service Stations, Service Industries of non-nuisance nature (See Annexure I) with number of workers limited to 20.</p> <p>Parking Plazas, Transport terminals</p> <p>Expansion of existing residential buildings, Single family residences with floor area limited to 300 Sq.m, Night shelters, orphanages, old age homes, Dharmasala, hostels and boarding houses, lodges and guest houses,</p> <p>Residential Apartments (atleast the street facing portion in two lower floors of residential apartments shall be under E or F occupancies of KMBR in force).</p> <p>Health institutions essentially serving the needs of residential community such as dispensaries, clinics, diagnostic centers, palliative care centers, dialysis units etc. and having a floor area not more than 500 m²and hospitals upto 50 beds.</p> <p>Govt. or Public sector offices, expansion of existing educational institutions</p> <p>Fair Grounds, Markets, Parks & play grounds,</p>		
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	Open air Theatre.		
3	Area reserved for Industrial Use		
	Agro based industries , Cottage industries, service industries of non-nuisance nature (See Annexure – I),automobile workshops &automobile service stations, spray painting workshops, saw mills, ice factory, cold storage, printing press, water treatment plants, marble and granite storage / cutting centers, industrial estates &industrial parks of no obnoxious and non-nuisance type industries.	Public utility areas and buildings other than those included in the permitted use	
	Storage of non-nuisancenature/ sale of goods/commercial and businessoffices incidental to themanufacturing activity.		
	IT/ITES software units, Information technology/ITES buildings and information technology/ITES parks	Parking plazas, other parking areas	
	Residential buildings floor area up to 300 Sq.m, residences incidental to industrial use.		
	Shops, Professional Offices, Banking and Financial Institutions, Commercial Offices/ Establishments, Restaurants/Canteen/Hotels–floor area of all up to 100 Sq.m		
4	Area Reserved for MixedUse (Residential/Commercial)		
	Uses permitted in area reserved for residential use and area reserved for commercial use.	Uses restricted in area reserved for residential use and area reserved for commercial use other than those permitted in area reserved for mixed use(Residential/Commercial).	Multiplex

5	Area Reserved for Public and Semi Public Use		
	Local/State/Central Government/Public-sector Offices and Other Related Public Buildings. Public buildings including hospitals, educational institutions, libraries, training centers and parks. Public Utility Areas and Buildings Additions and alterations to the existing buildings and addition of new blocks without altering the use. Ancillary buildings, buildings incidental to permitted uses including residences, hostels etc.	Parking Plaza, Cremation Ground, Crematorium, Burial ground / Common Vault. Any constructions in plots owned by public agency.	
6	Area Reserved for Religious Use		
	Places of worship, Other religious uses Incidental uses such as residential quarters, reading rooms, cafeteria, shops etc.	Professional office, Auditorium, Parking Plaza, Cremation Ground, Crematorium, Burial ground / Common Vault.	
7	Area Reserved for Park and Open Spaces		
	Any construction/land development essential for the development/ improvement of open air recreational facilities. Parks/Play Grounds, Fair Grounds, Open air Theatre, Tot Lots, Pump House up to 20 Sq.m, wells and irrigation ponds, ATM, Incidental buildings such as Club, Reading Room, Cafeteria, etc. Museum , Water Treatment Plant below 5 MLD		

8	Area Reserved for Proposed roads or widening of existing roads		
	Construction of new roads/streets/lanes widening of existing roads/streets/lanes, footpaths, bus bays, street furnitures, utility service lines, authorized parking areas and authorized street vending activities.		
9	Area Reserved for TOD Zone		
	The ‘uses permitted’ in the corresponding underlying land use zones shall apply to all constructions within TOD zones with additional regulations and modifications under clause 4.6.4 (As given in page 29)	The ‘uses restricted1’other than those ‘uses permitted’ in the corresponding underlying land use zones shall apply to all constructions within TOD zones with additional regulations and modifications under clause 4.6.4 (As given in page 29)	Multiplex

4.6.3 GENERAL REGULATIONS

1. All future developments shall be in conformity with the provisions of Kerala Municipality Building Rules, unless otherwise specified in this Detailed Town Planning Scheme. Also, provisions/regulations if any applicable under the Kerala Conservation of Paddy Land & Wetland Act 2008, Disaster Management Act, Archaeological Sites and Remains Act, Coastal Zone Regulations, Aircraft Act 1934, Environment Protection Act 1986 and any other applicable statutes as amended from time to time shall prevail over the respective provisions of this scheme.
2. Existing areas and structures of archaeological importance & religious uses may be permitted in all the zones and shall not constitute non-conforming uses.
3. Expansion of existing public and semi-public institutions to adjacent plots irrespective of the land use in which such adjacent plot is zoned for shall be treated as 'uses restricted-1' with the concurrence of the District Town Planner, Local Self Government Department (Planning).
4. 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.
5. Every building shall be provided with an appropriate technique such as Pipe composting/Biogas plants/vermin composting etc. for processing organic waste at the source itself. Proper drawings should be supplemented with the building permit applications to the Municipal Corporation.
6. Operational constructions as defined in Kerala Town and Country Planning Act 2016 shall be treated as permitted use in the scheme area.
7. Development of Metro Rail / Mass Transit System and all its allied structures/buildings shall be treated as permitted uses in the scheme area. The alignments of the proposed Metro lines indicated in the maps are tentative and may vary during implementation.
8. Disaster mitigation projects by competent authorities shall be permitted in all zones.

9. Transmission / telecommunication towers, wireless station, ATMs, water tanks and waste management units and public utility buildings / structures shall be treated as permitted uses in the scheme area.
10. Irrespective of zoning regulations, buildings under government approved schemes shall be treated as permitted uses in the scheme area. Projects of Central/ State Government, Local Self Government Institutions, Public Sector Undertakings and other Government Institutions may be permitted with concurrence of the Town Planner in all built up zones such as Area Reserved for Residential Use, Area Reserved for Commercial Use, Area Reserved for Mixed Use (Residential/Commercial), Area Reserved for Public and Semi Public Use, etc. if such uses are not included in the permitted uses or restricted uses as per the zoning regulations applicable.
11. Fisheries-related industries are permitted in areas within a distance of 500m from the High Tide Line (HTL) as per prevailing Coastal Zone Management Plan (CZMP) as per CRZ Notification, irrespective of other Zoning regulations subject to satisfying Coastal Regulation Zone Notifications.
12. Prevailing Coastal Regulation Zone Notifications and provisions of the Kerala Conservation for Paddy and Wetland act 2008 and its amendments will prevail over all the provisions in this Scheme.
13. Subject to zoning regulations of the respective use zones, more than one use may be combined in a building or a group of buildings within a plot, provided that the area of individual use shall be limited to that prescribed for each such use in the zoning regulation for the respective zone.
14. No constructions other than side protection drain covers, bridges, culverts and essential protection works are permitted in drains in the scheme area. Also no constructions shall obstruct the flow of natural drains are permitted in the scheme area.
15. In the case of any future pooling/amalgamation of privately owned plots, existing private roads or private lanes there in under the exclusive right of such plot owners may also be allowed for inclusion in such pooling/amalgamation, if required.
16. If different landuse zones fall within a single plot, all uses permitted as per zoning regulations of such land use zones may be permitted by the Secretary in the plot. If application submitted includes any of the restricted uses and not

included in such permitted uses, the Secretary shall issue permit with the concurrence of the Town Planner/Chief Town Planner, as the case may be. However, for the part of the plot which comes under 'Area Reserved for Pond' and 'Area Reserved for Roads', this provision shall not be applicable.

17. Large Scale development proposals in an area not less than 1 hectare, exceeding an investment of Rs.100 crores, which provide direct employment (after commissioning of the project) to the tune of not less than 500 persons may be permitted in any zone (if not otherwise permitted by the Zoning Regulation), subject to the recommendation of a committee with the Principal Secretary, Local Self Government Department as chairman, consisting of the Director, Local Self Government Department (Urban), the Chief Town Planner of Local Self Government Department (Planning) (Convenor), District Town Planner, Kozhikode District of the Local Self Government Department (Planning) and the Secretary, Kozhikode Corporation as members and satisfying the following conditions
 - a) The developer shall produce a project cum feasibility report and environmental impact assessment report, if required, of the project to the convener of the committee, 15 days in advance of the committee meeting.
 - b) The developer shall produce before the committee, all required clearances from the State and Central Government agencies concerned.
 - c) Adequate provision shall be made for supporting infrastructure such as water supply, Sewerage, Solid Waste Management, etc. Separate sewage treatment plant and solid waste management measures shall be provided and maintained by the developer at his /her cost.
 - d) Adequate Memorandum of Understanding between the developer and the Secretary of Kozhikode Municipal Corporation concerned shall be undertaken to bring this into effect.
 - e) Minimum access width shall be 12 metres.
 - f) The project shall be completed within a period of 5years or as decided by the committee.
18. The Government shall have powers, if any doubt arises with regard to the interpretation or otherwise of any provisions or if any difficulty arises in the

implementation of any provision, to clarify the doubt or to issue necessary direction to removing the difficulty.

4.6.4 DEVELOPMENT REGULATIONS WITHIN TOD ZONE

The zoning regulations in the respective underlying land use zones shall apply to all constructions within TOD zones with additional regulations and modifications hereunder:

1. The floor area limitations specified in permitted uses and restricted uses under table 4.1 of respective land use zones shall not be applicable to the constructions within TOD zone except for all constructions under occupancy classifications G1- Industrial I, G2- Industrial II and I –Hazardous, of KMBR in force.
2. The FSI values permissible under different occupancies within TOD zone shall not exceed the maximum specified as in table 4.2 below:

Table 4.2 FSI values within TOD zone

Sl. No	Occupancy as per KMBR	Maximum Permissible FSI					
		Plot size upto 400 sq.m		Plot size above 400 sqm upto 1000 sqm		Plot size above 1000 sqm	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
		Without additional fee	With additional fee of Rs 5000 per sq. metre for the additional area	Without additional fee	With additional fee of Rs 5000 per sq. metre for the additional area	Without additional fee	With additional fee of Rs 5000 per sq. metre for the additional area
1	Residential A1	2.3	3.0	3.0	4.0	3.0	5.0
2	Lodging houses & Special Residential A2	1.9	3.0	2.5	4.0	2.5	5.0
3	Educational B Upto Higher Secondary	1.9	2.3	2.5	3.0	2.5	3.6
	Other educational Buildings	1.9	2.3	2.5	3.0	2.5	3.6
4	Medical/Hospital C	1.9	2.6	2.5	3.5	2.5	4.2
5	Assembly D	1.1	1.9	1.5	2.5	1.5	3.0

6	Office E	2.3	3.0	3.0	4.0	3.0	5.0
7	Mercantile/Commercial F	2.3	3.0	3.0	4.0	3.0	5.0
8	Industrial-I G1	2.6	--	3.5	--	3.5	-
9	Industrial-IIG2	1.9	3.0	2.5	4.0	2.5	4.0
10	Storage H	2.3	3.0	3.0	4.0	3.0	4.0
11	Hazardous I	0.9	--	1.2	--	1.2	-
12	Multiplex complex J	2.3	3.0	3.0	4.0	3.0	5.0

Note 1: The above FSI values in Column (5) to (6) and (7) to (8) shall also applicable for constructions in plots formed by amalgamation of different contiguous plots even under different ownerships, totaling land area more than 400 sq.m and 1000 sq.m respectively. In such cases, joint application shall be submitted as per rule 6(15) of KMBR or it subsequent amendments.

Note : 2 Additional FSI as per column (4), (6) as well as (8) may be permissible on payment of fee of Rs 5000 per sq. meter for the additional area provided in excess of FSI values as per column (3),(5)&(7) respectively.

Note : 3 In the case of a multiple occupancy building as well as a group of buildings within a plot other than Group G2, I and J occupancies as defined in KMBR, the maximum permissible Floor Space Index shall be the weighted average of the Floor Space Index under the respective occupancies as prescribed under KMBR 2019;

Note : 4. For applications falling under Chapter VI - Constructions in small plots, Chapter VII - Row buildings, Chapter VIII - Building construction under approved schemes, Chapter X - Construction in plots part of which have been surrendered free of cost for road development, Chapter XVIII - Telecommunication towers, the FSI provisions shall be governed by respective provisions in KMBR.

3. For new construction and reconstruction in plot of area 400 sq.m or more, facing street(s) for which building line is prescribed under this scheme, the covered area is defined by such building line(s) and mandatory yards/ setbacks prescribed in KMBR for other sides of the plot. In such cases, coverage restrictions as per rule 27 of KMBR 2019 shall not be applicable.

Note: 1 This provision shall also be applicable for the development of plots formed by amalgamation of different contiguous plots, even under different ownerships totaling land area 400Sqm or more. In such cases, joint application shall be submitted as per rule 6(15) of KMBR 2019 or its subsequent amendments.

4. The following regulations shall be applicable to all future constructions in plots abutting higher order streets (24m proposed RoW) or streets through which metro line is aligned;

- i. Such street-facing constructions shall follow the building line prescribed in the scheme map irrespective of setbacks prescribed in KMBR for that yard. However, pulling back of setbacks of floors beyond the first two floors from ground level may also be permitted.
- ii. To provide active street frontage, at least the street facing portion in Ground floor of any street-facing building shall be under Group E-Office and/or Group F-Mercantile/Commercial and/or Group J- Multiplex Complex occupancies of KMBR in force, which fall under uses permitted or restricted under this zone. (Exception that may be allowed: Hotels, Tourist Homes under Group A2-Lodging Houses and Special Residential, Group B- Educational, Group C- Medical/Hospital and Group D-Assembly occupancies as per KMBR in force).
- iii. Up to 60% of the mandatory off-street car parking requirement (in number) as per KMBR, can be provided as mechanized parking.
Provided that, up to 75% of the mandatory off-street car parking requirement as per KMBR, can be provided as mechanized parking, if off street parking is completely avoided in the yard abutting such street of the street facing building. (Exception that may be allowed: Off street parking exclusively for differently abled as provided in the Kerala Municipality Building Rules).
- iv. There shall be no compound wall in the street facing yards, except for buildings under Group A1 – Residential, Group B- Educational and Group C- Medical/Hospital, where the compound wall may be permitted subject to the following conditions:
 - a) The compound wall can be 100% opaque only up to a maximum height of 0.6m from the adjoining road or footpath level.
 - b) The maximum height of compound wall shall not exceed 1.2m

- c) A minimum of 50% transparency shall be assured between 0.6 m to 1.2m height of compound wall.