

## 34. ZONING REGULATION

### 34.1 INTRODUCTION

Zoning is a device used in land use planning of a Master Plan. The word is derived from the practice of designating permitted uses of land based on mapped zones which separate one set of land uses from another. Zoning Regulations are the means to achieve development of a use zone as envisaged in the Master Plan. In other words Zoning Regulations are laws that define and restrict how to use a particular property coming under a Master Plan. Thus it is the public regulation of land and building use to control the character of a place.

The development suggestions of a Master Plan will be spatially located in proposed land use plan. Planning area is zoned under various categories such as *residential use zone, residential mixed use zone, commercial use zone, public and semi-public use zone (existing and proposed), industrial use zone, dry agriculture use zone, paddy field and wet land zone, sacred groves zone and water body/canal and special zones etc.* for securing the most efficient and effective use of land in public interest. Therefore, a set of zoning regulations for the implementation and enforcement of the proposals envisaged in the Master Plan will also be part of the Master Plan. Zoning regulations specifies the details regarding the nature of uses '*permitted*', uses '*restricted*' and uses '*prohibited*' in each zone.

### 34.2 ZONING REGULATIONS

34.2.1. All future developments shall be in conformity with the provisions of this Master plan and future construction shall conform to the Kerala Municipality Building Rules in force unless otherwise specified in this regulations. But the provisions of the Master Plan shall prevail over the respective provisions of the Kerala Municipality building Rules.



34.2.2. For the implementation and enforcement of the proposals envisaged in the Master plan for Pandalam, areas have been zoned under various uses such as *residential, commercial, residential mixed, public and semi-public, industrial, dry agriculture, paddy/environmentally sensitive area, water bodies and special zones etc.* in addition to that green strips are proposed along major water bodies of the town. Details regarding the nature of uses "permitted", uses "restricted" and uses "prohibited" in each zone are given in subsequent Paragraphs.

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, Pandalam Municipality, hereinafter referred to as 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 location factors. Such cases which come under this category are classified as "**Uses Restricted**".

Uses **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 Department of Town and country Planning having jurisdiction over the area.

Uses **Restricted -2** Category deals with the uses that shall be restricted by the Secretary with the concurrence of the Chief Town Planner concerned of the Department of Town and country Planning. The application for concurrence shall be forwarded to the Chief Town planner through Town Planner.

"**Used prohibited**" enlists the various objectionable uses in each zone which shall not be permitted under normal circumstances.

34.2.3. Zoning regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations. They are essentially intended to help the competent authority in decisions regarding granting or refusal of planning permissions for land use conversions and construction of buildings /structures or any other matter specifically mentioned in these regulations.

34.2.4. If any space in a zone is put to a "**Use Prohibited**" as stated in Para 34.2.2, before the sanctioning of the scheme, such use shall be termed as nonconforming 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 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 by the Secretary with the concurrence of the Chief Town Planner concerned.

34.2.5. Existing areas and structures of archaeological importance, agriculture uses and religious uses may be permitted to continue in all the zones and shall not constitute non conforming uses.

34.2.6. Regulation of constructions and/or land developments on the sides of new roads/roads proposed for widening as per the Plan shall be governed by the distance from the centre line of the road (right of way), unless otherwise specified in the Plan or in any detailed road alignment plan approved by the Chief Town Planner concerned.

34.2.7. Constructions and/or land developments, if any, in paddy lands and in wet lands, shall be in conformity with the Paddy land and Wet Land Act in force in the state.

34.2.8. The provisions of Noise Pollution (Regulation and Control) Rules 2000, at places notified as 'silent zones' by respective government orders shall be followed.

34.2.9. The Government shall have the power to issue clarifications in respect of technical interpretations, if any, required in any of the provisions of the scheme in consultation with the Chief Town Planner concerned.

34.2.10. 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 Chief Town Planner concerned.

34.2.11. The zoning regulation of Master Plan for Pandalam is given in the following table.

Paragraph No.	Uses permitted	Uses restricted-1	Uses restricted-2	Uses prohibited
1	2	3	4	5
<b>34.2.11.1</b>	<b>RESIDENTIAL USE ZONE</b>			
	All residences, Residential Flats / Apartments and its incidental uses	Transmission towers, Telecommunication towers and Wireless Stations		Any other uses not specified in column 2,3 and 4
	Addition, alteration or reconstruction of existing Places of Worship	Places of Worship		
	Shops, Commercial offices, Restaurants/hotels and Professional Offices, Banking and Financial institutions, Gymnasium / Yoga Centers, - all subject to the condition that total floor area of the building shall be limited to 250 sq m.	Convention Centers/Auditoriums - floor area upto 500 sq m provided that the access road has a minimum width of 7.00 m or as prescribed in the building Rules whichever is high.		
	Hospitals/Nursing homes upto 10 beds, Clinic (Outpatient)	Hospitals upto 25 beds		
	Cottage and manufacturing Industries, Service Industries of non-nuisance Nature (See Annexure 34.1) engaging not more than 6 workers without power or 3 workers with power limited to 5 HP as per Annex 34.1	Automobile workshops for 2 / 3 wheelers- floor area upto 200 sq m provided that the access road has a width of 5m minimum or as prescribed in the building Rules whichever is high		
	Day Care and Crèche, Nursery / Kinder Garden, Educational institutions up to Higher secondary, Library and Reading Rooms.	All higher level educational institutions subject to the condition that the minimum width of access to the plot shall be 8.00m or as prescribed in the building Rules whichever is high		

	Tot Lots/Parks/Play Grounds	Indoor/Outdoor game stadium, subject to the condition that the minimum width of access to the plot shall be 8.00m or as prescribed in the building Rules whichever is high		
	All Local/ State/ Central government offices	Other Public Utility Areas & Buildings		
	Orphanages / Old Age Homes / Dharmasala, Ashram / Mutt, Night shelters, Convents			
	Plant Nursery, Agriculture seed farm, Pump House, Wells and Irrigation Ponds			
<b>34.2.11.2</b>	<b>COMMERCIAL USE ZONE</b>			
	All Shops including shopping Complexes, Shopping malls, Multiplex, Hypermarkets, Automobile showrooms, Restaurants, Hotels, Professional offices, Commercial Offices & Establishments, Banking and financial institutions			Any other uses not specified in column 2,3 and 4
	All residences, Residential Flats / Apartments and its incidental uses			
	Addition, alteration or reconstruction of existing Places of Worship	Places of Worship		
	Clinics, Diagnostic Centers and hospitals up to 50 beds provided that the access road has a width of 7m minimum	Hospitals & Health Centers above 50 beds provided that the access road has a width of 12m minimum		
	Orphanages / Old Age Homes / Dharmasala, Ashram / Mutt, Night shelters, Convents			
	All Local/ State/ Central government offices			
	IT Software units			
	Movie Halls, Auditorium / Wedding Halls / Community halls, Indoor games stadium, Convention Centers, Exhibition centers and art			



	gallery			
	Godowns/Warehouses/ Storage of non hazardous materials, stacking yards		Fuel Filling Stations	
	Gymnasium / Yoga Centers			
	Automobile workshops, Automobile Service Stations			
	Cottage, Service and manufacturing Industries, Cold storage, Service Industries of non-nuisance Nature (See Annex 34.1 , with number of workers limited to 19 without power or 9 workers with power limited to 30 HP), weigh bridges, Printing Press, IT Hardware / Electronic Industries, Marble and Granite storage/cutting centers, saw mills			
	Day Care and Crèche, Nursery Schools, Kindergarten, Expansion of existing educational and medical institutions, Govt. or Public sector offices			
	Public utility areas & buildings			Any other uses not Specified in column 2,3 and 4
	Transmission towers, Telecommunication towers and Wireless Stations			
	Social Welfare centers, Library and Reading Rooms			
	Parks & playgrounds, Open air Theatre			
	Night Shelters, hostels and boarding houses, lodges and guesthouses,			
	Parking Plazas, Transport terminals			
34.2.11.3	RESIDENTIAL MIXED USE ZONE			
	All uses mentioned in paragraph 34.2.11.1 and 34.2.11.2			
34.2.11.4	EXISTING PUBLIC AND SEMIPUBLIC USE ZONE /PROPOSED PUBLIC AND SEMIPUBLIC USE ZONE			
	Additions and alterations to the existing			Any other uses not

	buildings/addition of new block(s) without altering the use, Buildings incidental to the main use. Skill development centers, Training centers, Agriculture farms and allied activities			Specified in column 2,3 and 4
	All Local/ State/ Central government offices			
34.2.11.5	<b>INDUSTRIAL USE ZONE</b>			
	Industrial use including IT parks and buildings/premises incidental to the industrial use. Skill development centre/ Training centre			Any other uses not Specified in column 2,3 and 4
34.2.11.6	<b>DRY AGRICULTURE USE ZONE</b>			
	Agriculture, Horticulture, Plant Nursery, Fish Farms, Seed Farms, Pump House, Wells and Irrigation Ponds, Storage of Agricultural Produces and Seeds	Places of Worship		Any other use not specified in column 2,3 and 4
	All residential buildings with floor area up to 1000 sq m, Orphanages, Old Age Homes, Dharmasala, Ashram/Mutt	Fish/meat processing centers, dairy farms, poultry farms, piggery farms		
	Shops, Professional Offices, Commercial Offices/ Establishments, Banking and Financial institutions, Restaurants/Canteens - floor area upto 200 sq m	Transmission towers, Telecommunication towers and Wireless Station		
	Clinics (Outpatient) and Diagnostic centers - floor area up to 200 sq m			
	Cottage Industries, Service manufacturing Industries of non-nuisance Nature (See Annexure 34.1) engaging not more than 6 workers without power or 3 workers with power limited to 5 HP	Service and manufacturing Industries of non-nuisance nature(See Annexure 34.1) engaging not more than 19 workers without power or 9 workers with power limited to 15 HP	Cremation ground / crematoriu m, burial ground, common volt	
		Automobile workshops for 2/ 3 Wheelers		
	All Local/ State/ Central	Godowns / Warehouses /		



	government offices, Public Utility Areas & Buildings	Storage - non hazardous, more than 500sq m floor area, Gas godowns		
	Day Care and Crèche, Nursery / Kinder Garten / Schools upto Higher Secondary level	Stacking Yards, Saw Mills	Storage of explosive and fire works	
	Gymnasium / Yoga Centers - floor area up to 100 sq.m			
	Library and Reading Rooms			
	Tot Lots/Parks/Play Grounds			
	Social Welfare centers up to 200 Sq.m floor area.			
	<b>The following uses are permitted, provided that the access road has a minimum width of 7 m</b>			
	Residential buildings with floor area above 1000 sq:m and up to 3000 sq m			
	Weigh bridge			
	Shops, Professional Offices, Banking and Financial Institutions of floor area up to 500 sq m			
	Markets			
	Hospitals & Health Centers – floor area above 200 sq:m and upto 500 sq m			
	Stacking Yards			
	Godowns / Warehouses / Storage - non hazardous - floor area up to 500 sq m			
	Auditorium/ Wedding Halls/ Community Halls – floor area upto 500 sq m			
	<b>The following uses are permitted, provided that the access road has a minimum width of 12m</b>			
	Residential buildings with floor area above 3000 sq m	Higher education above Upper primary school		
	Hospitals & Health Centers – floor area above 500 sq m			
<b>34.2.11.7</b>	<b>PADDY FIELD&amp; WETLAND ZONE</b>			
	Paddy Cultivation	Minor Public Utility areas & buildings which will not affect the character of the area, Tourism activities		Any other use not specified in column 2,3

		satisfying the provisions of Kerala Paddy and Wet land conservation ACT.		and 4
	Agriculture/ Horticulture/Fodder cultivation, Fish Farms/ Seed Farms/ Pump House/ Wells and Irrigation Ponds without any building construction.	Maintenance and extension of existing authorized buildings upto 200sq:m floor area		
34.2.11.8	SACRED GROVES ZONE			
	All existing sacred groves Ponds, water bodies, shall be conserved			
34.2.11.9	WATER BODY/ CANAL			
	All existing water bodies and irrigation canals shall be conserved.			
34.2.11.10	Special Zones			
Special zones include the areas specifically demarcated for certain specific projects. Specified activities are to be permitted by the Municipal Secretary with the concurrence of the Town Planner of the District office of the Department of Town and Country Planning having jurisdiction over the area. No other activity unless otherwise specified shall be permitted in these areas.				
Special zone.1	Project for Central Area	Construction of office complex, municipal office building, commercial complex, market re-structuring, Traffic terminals with all connected facilities, All Local/ State/ Central government offices, amphi theatre / open stage, Public Utility Areas & Buildings, renovation of Kurunthottiyam thodu and water front development, construction of stalls, waste management unit etc.		
Special zone.2	Project for Pandalam palace and premises	All pilgrim amenities including resting rooms; comfort stations; locker rooms, parking facilities, heritage walk way, amphi theatre / open stage, auditorium, parks, office buildings, conservation work of existing temple, palaces and connected buildings.		
Special zone.3	Project for NSS medical mission Junction improvement	Parking facilities, walk ways, street furniture, food courts, restaurants, children's park, opens stage, eating places, cultural centres, solid waste treatment units, comfort		



		stations.
<b>Special zone.4</b>	<b>Project for Stadium and Town Hall near Kadakkad</b>	Stadium and all connected structures and buildings and uses, town hall, parking facilities, resting places for visitors
<b>Special zone.5</b>	<b>Project for Park near Thikoottathilpady</b>	Parking facilities, walk ways, street furniture, food courts, restaurants, children's park, opens stage, eating places, cultural centres, solid waste treatment units, comfort stations.
<b>Special zone.6</b>	<b>Project for picnic village near Cherickal</b>	Parking facilities, walk ways, street furniture, food courts, restaurant, craft museum, fishing points, water front structures, children's park, aquarium, nakshtravanam, smrithivanam (cremation place), open grounds, comfort stations, open stage.
<b>Special zone.7</b>	<b>Project for Park at Kurampala</b>	Parking facilities, walk ways, street furniture, food courts, restaurants, children's park, opens stage, eating places, cultural centres, solid waste treatment units, comfort stations.
<b>Special zone.8</b>	<b>Project for view point at Athiramala</b>	Construction of locker rooms, parking facilities, walk ways, street furniture, tea stall/restaurant, view point structures, resting places, comfort stations.
<b>Special zone.9</b>	<b>Project for Park at Poozhikkad</b>	Parking facilities, walk ways, street furniture, food courts, restaurants, children's park, opens stage, eating places, cultural centres, solid waste treatment units, comfort stations.

34.2.12.1 Land to a depth of 100 m from central line of road (right of way) on either sides of the roads with proposed width of 18.00m and above in Residential, Commercial Public and Semi Public, and Dry agricultural zones, uses permitted in residential, Commercial and Public and Semi Public zones may also be permitted by the Secretary of Local Self Government Institutions if the uses are not permissible otherwise. The list of roads furnished below.

### 30m Wide Road

1. M.C Road from Municipal boundary (Achankovil bridge) to Manikandan Althara junction.
2. M.C Road from Chithra hospital junction to Municipal boundary (Pallimukku)
3. Mavelikkara – Pathanamthitta Road from Municipal boundary (Iranikkudy bridge) to K.S.R.T.C Bus Station
4. Mavelikkara – Pathanamthitta Road from Kadakkad junction to municipal boundary.

### 21m Wide Road

1. M.C Road in between Manikandan Althara junction and Chithra Hospital junction.
2. Mavelikkara - Pathanamthitta Road in between K.S.R.T.C Bus Station and Kadakkad junction.
3. Proposed inner Bye-Pass connecting Manikandan Althara junction and Chithra Hospital junction via KSRTC Bus Station.
4. Proposed inner Bye-Pass Road from M.C.road near Thonnalloor temple to Medical Mission Hospital junction via Kadakkad.
5. Kayamkulam Road from Medical Mission Hospital junction to Municipal Boundary.

### 18m Wide Road

1. Road from Kunnukuzhy Junction in Mavelikkara Road to Municipal Boundary near Mahadevar temple
2. Road from Mutter junction to Kurampala Puthenkavil Temple junction via Poozhikkad junction
3. Pazhakulam road from Kurampala Petrol pump junction to Municipal boundary via Post office.
4. Keerukuzhy Road from Kurampala junction to Municipal boundary.

34.2.12.2 Land to a depth of 50 m from central line of road (right of way) on either sides of the roads with proposed width of 12.00m in Residential, Public and Semi Public, Commercial and



Dry agricultural zones, uses permitted in residential, Commercial and Public and Semi Public zones may also be permitted by the Secretary of Local Self Government Institutions if the uses are not permissible otherwise. The list of roads furnished below.

#### 12m Wide Road

1. Road connecting Manikantan Althara and Kunnikkuzhi junction
2. Road connecting Manikantan Althara and Muttar (proposed new road)
3. Road connecting Police station junction in MC Road and Kadakkad PHC in Pathanamthitta road via proposed stadium.
4. Road connecting Cherickal Road and Mannam Ayurveda Medical college Junction
5. Road from Cherickal to Municipal boundary (near cashew factory)
6. New road connecting MC Road (near CM Hospital junction) and Muttar Puzhikkad road
7. Pazhakulam road from Ayurveda hospital junction in MC Road to Municipal boundary near Thandanuvila HSS via Puthenkavil temple
8. Road connecting Cherickal and proposed Picnic village

34.2.13. Subject to zoning regulations of the respective use zones, more than one uses may be combined in a building, provided that the total floor area of such a building shall not exceed the maximum floor area permitted for any of such use premises in that use zone.

34.2.14. Irrespective of zones and uses permitted/restricted in the zones, the provisions of Kerala Conservation of Paddy and Wet Land Act 2008 shall be followed where ever the Act is applicable.

34.2.15. In the case of concurrence issued for constructions involving filling of wetland, low lying land and paddy fields, various mitigation measures including proper drainage measures has to be specified and local bodies has to ensure that same are provided / enforced. Necessary permission from the concerned department shall be obtained for filling and development of wet land, low lying land and paddy fields.

34.2.16. A green strip of 10.00m width is proposed along the sides of Achankovil River excluding those areas where river bank roads are proposed. A green strip of 5.00m width is proposed along the sides of a part of Kurumthottiyam thodu with survey numbers 79, 78, 63, 62, 57, 55, 30, 31, 49, 42, 235 and 234 of Pandalam village excluding those areas where roads are proposed. No construction activities permitted in green strip.

34.2.17. If a plot under a particular survey number/numbers included in a single document registered before date of sanction of this plan, falls under two different zones, zoning of major portion (more than 50%) is applicable to the whole plot

34.2.18.. The powers entrusted to the authorities for approval of usage of plot and layout shall be in compliance with the building rule applicable for the area is to be followed as such unless otherwise specified in this regulations.

34.2.19. For the purpose of these regulations, floor area means the total floor area of the building in all floors.

34.2.20. The area reserved for **Special zones** shall be reserved for the specified purpose for a period of 5 years from the date of sanctioning the plan. If the responsible authority could not develop or cause to develop the project envisaged in the special zones within a period of 5 years from the date of sanctioning of the scheme, the zoning regulation for the area will be varied by Government by following the procedures of Kerala Town and country Planning Act in force.

#### 34.3 LARGE SCALE DEVELOPMENT PROPOSALS

Large scale development proposals in an area not less than 2 Hectares which provide direct employment (after commissioning of the project) to the tune of not less than 50, Higher education and Research Centers may be permitted in all zones except following zones namely Paddy, Environmentally sensitive, water body, irrigation canals and special zones; if not already included under 'use permitted' or 'uses restricted' category as per these regulations subject to the satisfaction of relevant Acts and rules in force and also subject to the recommendation of a committee to be constituted by the Government for this purpose, under the chairmanship of



the Secretary, Local Self Government Department, consisting of the Chief Town Planner concerned of Kerala State Town and Country Planning Department, the Town Planner, District office of the Kerala State Town and Country Planning Department, Pathanamthitta and the Secretary, Pandalam Municipality and satisfying the following conditions. The secretary Pandalam Municipality is the convener of the committee.

- The developer shall produce project-cum-feasibility report and Environmental Impact Assessment Report, if required, of the project to the convener of the committee, 30 days in advance of the committee meeting.
- The developer shall produce before the committee all required clearances from the State and Central Government agencies concerned.
- 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 cost.
- Adequate MoU between the developer and the Secretary, Pandalam Municipality shall be undertaken to bring this into effect.
- The project shall be completed within a period of 3 years if not specified otherwise.
- The maximum FAR shall be 2.5 and minimum access width to the plot shall be 12m.