

The background of the cover features a topographic map of the Dhamdara & Kabraytar area. The map shows green land parcels, yellow roads, and grey contour lines indicating elevation. The title is centered over the map.

DHAMDARA & KABRAYTAR

Development Control Regulations 2020

December, 2020



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The Kabraytar and Dhamdara, Development Control Regulations 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: Procedure for obtaining Development Permit.

Contains the procedure for obtaining development permit including sections on documents and particulars to be furnished along with the applications, the fees to be paid, the validity of the approvals, liabilities and responsibilities of the applicant.

Section 3: Procedures during development / building construction.

Contains provisions for the issue of various certificates, service connections, documents to be kept on site, mandatory inspections, etc.

Section 4: Planning regulations.

Contains the permissibility of various uses and activities in the designated precincts and the permissible floor area ratio (F.A.R), minimum plot sizes and building heights in the specified Precincts.

Section 5: Building regulations.

The provisions of the Bhutan Building Regulation, 2018 are to be read in conjunction with the D&K, DCR. Only those provisions that relate to the F.A.R, minimum plot sizes and the number of floors have been prepared specifically for Dhamdara and Kabraytar Local Area Plans, Phuentsholing.

1. SECTION 1: ADMINISTRATION

1.1 Title and Commencement

This regulation shall be called the Dhamdara and Kabraytar Development Control Regulations 2020 (D&K, DCR). These regulations shall come into force with effect from the date of their notification by the Phuentsholing Thromde.

1.2 Jurisdiction

This D&K, DCR applies to the Dhamdara and Kabraytar Local Area Plans (LAPs).

1.3 Applicability

- i. These regulations shall be applicable from the date of their notification by the Phuentsholing Thromde. The regulations shall be applicable to all development in the listed jurisdiction unless otherwise stated.
- ii. Except, as otherwise stated, these regulations shall apply to all development, redevelopment, erection or re-erection of a building, change of use, etc., as well as to the design, construction, reconstruction of, and making material additions and alterations to a building.
- iii. Planning permit should always precede building permit.
- iv. If there is a conflict between the requirements of these regulations and those of any other rules or bylaws, these regulations shall prevail.

1.4 Interpretation

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

- i. Urban Area and Property Regulations, 2003
- ii. The Land Act 2007
- iii. The Local Government Act 2014 (Amendment)
- iv. Building Code of Bhutan 2018 (BCB 2018)
- v. Bhutan Building Regulations 2018 (BBR 2018)
- vi. Bhutan Architecture Guidelines, 2014

1.5 Delegation of Power

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

1.6 Discretionary Powers

The implementing authority may exercise its discretion in conformity with the intent and spirit of

these regulations, in order to mitigate any demonstrable hardship or to sub-serve public interest in the following ways:

- i. Decide on matters where it is alleged that there is an error in any order, requirement, decision and determination, interpretation made by it under delegation of powers, while applying these regulations.
- ii. Interpret these regulations in various contexts of or in situations where more clarity is required. Under such circumstances the implementing authority's decision shall be final and binding.
- iii. 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 neighborhood 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 deposit and its forfeiture for non-compliance, payment of a premium amount and other obligations, etc.
- iv. No concessions shall ever be made in respect to F.A.R or additional floors.
- v. Decide on the fine or compounding charges to be made applicable in cases of developments where non-adherence to these regulations is detected.
- vi. Authorize the erection of a building or the use of premises for a public service undertaking or a public utility purpose where such an 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.
- vii. Determine and establish the location of zoning boundaries in cases of doubts or controversies.

All matters stated above may be decided by a committee designated and authorized by the implementing authority. When issues arise that are not covered within these regulations, the implementing authority shall refer the matter to the competent authority.

1.7 Relations to other plans or regulations

The D&K, DCR should be read in conjunction with the provisions of the Structure Plan and the BBR 2018. If there is any inconsistency between this D&K, DCR and other regulations, the D&K, DCR prevails.

1.8 Definitions

Accessory Use - A structure that is not the main use on a plot. A garage is an accessory use to a house and a storage shed is an accessory use to a commercial building.

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

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 citizens' 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

Attic - The space within the confines of the roof structure, above the ceiling or the top floor which is constructed and adopted for storage purposes, lift machine room, water tanks etc.

Balcony - The platform projecting from the wall of a building with a balustrade or railing along its outer edge, often with access from a door or window. It will not be considered under the built-up area.

Basement - The floor below the lowest natural ground level irrespective of the topographical conditions of the site. A basement may be permitted based on the site conditions but shall not be for any purpose other than parking and building services. The basement shall cover same size as the building above. Refer Annexure 3.

Buffer Area - The area kept as no development zone due to its proximity to rivers and streams that are considered environmentally sensitive.

Building - 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 for ceremonial occasions, with the permission of the Implementing Authority, shall not be considered to be "buildings".

Building Services - Shall mean HVAC plant, power generator, underground sumps, pumps, boilers, sub-station, lift pits and related services, chutes, storages, laundry and other services related to building maintenance.

Building Height - The permissible number of floors. This is inclusive of the ground floor and will be determined from the ground floor level. In addition to the precinct regulations, the height of buildings shall be governed by the “Guidelines on Traditional Architecture of Bhutan” and by the overall allowable building heights.

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

Building Permit- permit issued for authorizing demolition, construction or alteration of part or the whole of a structure

Built-up Area - Shall mean the area covered by a building on all floors including cantilevered portions, mezzanine floor and the basement.

Commercial Building - 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, serviced-apartment, storage and service facilities incidental thereto located in the same building.

Community - The people living in a particular place and usually linked by common interests.

Community Facilities/Services - Facilities/services used in common by a number of people, including schools, health, recreation, police, fire, public transportation, community center, etc.

Construction - Means any erection and/ or alteration of any building or structure.

Chimney - Shall mean a construction by means of which a flue is formed for the purpose of carrying products of combustion to the open air and includes a chimneystack and the flue pipe.

Common Wall - Shall mean a structure joining two or more properties.

Combustible Material - Shall mean that material which when burnt adds heat to a 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 comprising those dealing with day-to-day requirements, as distinguished from wholesale trade or retail shopping. It includes:

- i. Food grain or ration shops
- ii. Doma shops/kiosks

- iii. Shops for collecting and distribution of clothes and other materials for cleaning and dyeing establishments
- iv. Tailor or darning shops
- v. Groceries, confectioneries, general provision shops
- vi. Hair dressing saloons and beauty parlours
- vii. Bicycle / scooter/ motorcycle hire shops
- viii. Motorcar hire shops
- ix. Vegetable and fruits shops
- x. Milk and milk products shops
- xi. Medical and dental practitioners' dispensaries or clinics, pathological or diagnostic clinics and pharmacies
- xii. Florists
- xiii. Shops dealing in ladies ornaments such as bangles, cosmetics, etc.
- xiv. Shops selling bakery products
- xv. Newspaper, magazine stalls and circulating libraries
- xvi. Books and stationery shops or stores
- xvii. Cloth and garment shops
- xviii. Plumbers, electricians, radio, television and video equipment repair shops and video libraries
- xix. Restaurants and eating houses
- xx. Shoes and sports shops
- xxi. Hardware shops
- xxii. Taxi stand office

With the approval of the Implementing Authority, this list may be added to, or altered, or amended from time to time.

Demarcation - The marking of the site plan at the actual location, on the ground, by the implementing authority in the presence of the owner and adjacent plot owners, if any.

Density - A measure of the intensity of occupants or use and measured in units per area. Units are commonly referenced in plots, dwellings, rooms or people per area.

Development - Carrying out of subdivision (division of land) or building construction on a plot of land. This also includes structural changes, demolition of buildings, excavation of land, and/or any change in use.

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

Deviation - Shall mean carrying out or undertaking a building construction or land development activity in departure from 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.

Existing Use - Authorized use of a plot of land, a building, or a structure existing before the commencement of these regulations.

Floor - The lower surface in a story on which one normally walks in a building. This 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 and referred to as the ground floor. All additional floors shall be numbered sequentially starting with 1.

Floor area - Shall mean the total area of the floor including the area of walls.

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

Floor Area Ratio (FAR) = Total Floor Area /Total Plot Area

Provided that the following shall not be counted towards computation of FAR

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

Front - The area of land or side of building facing the primary road.

Habitable Room - 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.

Household - The socioeconomic unit which often coincides with the basic kinship unit of a society. Usually several related persons living together in a form of shelter and sharing food and other basic resources.

Implementing Authority - The government body responsible for governance, implementation and additions/corrections of these regulations.

Infrastructure - The basic physical networks, including water supply, sewage disposal, electricity, circulation, street lighting, storm drainage, and telephone.

Land Pooling - A planning technique to redefine ownership of land in such a way that the

shape and configuration of the plots is more appropriate for urban structures and uses and the size of all plots is reduced by an agreed proportion to create sufficient public and planned provisions of roads, infrastructure, social facilities, open spaces and reserved plots.

Mezzanine floor - Shall mean an intermediate floor with height not more than 2.3m, 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.

Occupancy Certificate - An official document issued by the implementing authority certifying that the building is safe and fit for occupancy.

Open Space - A parcel of public land set aside to retain land, water, flora, fauna, historic or aesthetic features in their natural state; scenic or open condition; parcel size to be based on the surface area necessary to maintain the integrity of the unique site characteristics. Public use to be based on the preservation of the unique site characteristics and the scope of facility development to be based on the evaluated carrying capacity of the site.

Parking Space - An area, enclosed or unenclosed, covered or uncovered, sufficient in size to park vehicles with space for their movement. Parking spaces may be served by a driveway connecting them with a street, or alley, and permitting ingress or egress of vehicles.

PAVA rate - The approved government land compensation rate established by Property Assessment and Valuation Agency.

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

Porch - Shall mean a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building. Construction of porch shall not be included in the coverage.

Public Utility, 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, canal, communication network, first aid medical center, primary health center, dispensary, library, reading room and religious buildings/ places of public worship.

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.

Residential Use - Shall mean a use of any building unit for the purpose of human habitation and includes similar activities like guesthouses and hostels.

Right of Way - An area reserved for road carriageway, central verge, footpath, roadside drains, avenue plantations and utilities.

Road/Street - Any expressway, highway, boulevard, street, lane, pathway, alley, stairway, passageway, carriageway, footway or bridge, whether a thoroughfare or not, over which the public has the right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme.

Setbacks - The distance between the plot boundary and the building outer edge, or the distance between buildings within a plot. The following uses and activities can be permissible in setback areas: parking and garage, porch, basement parking ramps, septic tank, pump houses and water storage tanks, security guard post, gate, carports, boundary walls, landscaping and kitchen gardens.

Serviced-apartment - furnished apartment available for short-term or long-term stays, which provides amenities, housekeeping and a range of services for guests. Serviced apartments have private cooking facilities, sometimes a kitchenette but sometimes a full-size kitchen with dishwasher and washing machine. They are categorized as a commercial activity.

Site Plan - The up-to-date legal plan of the plot showing all boundaries, their dimensions, the total plot area, angles in degrees of corners, abutting legal roads and required set-backs issued by the competent authority.

2. SECTION 2: PROCEDURES FOR OBTAINING DEVELOPMENT PERMIT

2.1 Development Permit

No person shall change the use of a land or carry out development or erect a building or carry out additions and alterations or carry out civil construction activity without obtaining a written permit from the implementing authority. Development permit shall be issued only to the legal owner of the land/plot. Provided that no such development permit shall be necessary for the following:

- i. Carrying out works for the maintenance, improvement or alteration of a building, being works which affect only the interior of the building without altering the structural members 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, providing intercommunication door, white washing / painting, retiling, plastering and patch work, 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 permit. Provided however that no such exemption shall be available in the case of heritage buildings / structures in heritage precincts.
- ii. Carrying out the following works by / in compliance with an order or direction made by an authority under a law for the time being in force:
 - a. Required for the maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street including repairs, extensions, modifications to existing service installations, culverts, bridges, tunnels, drains, foot over bridges, subways, pavements, pedestrian railings along pavements, medians, etc.,
 - b. For the purpose of constructing, laying, inspecting, repairing or renewing drains, sewers, mains, pipes, cable, telephone or other apparatus including breaking open of a street or other land for that purpose,
 - c. Falling in the purview of the operational constructions by government departments/ bodies, such as water tanks—over head or underground, pumping stations, sub stations, traffic signals, bus stop shelters, overhead electrical equipment for electrification, etc.

2.2 Procedure for Obtaining Development Permit

A person or body intending to carry out layout development as defined in these regulations in or over a land and/or subdivide land or to erect a building or carry out additions and alterations to a building or to carry out development within the limits of the jurisdiction shall obtain prior permit for the same from the implementing authority by providing all the required information in the prescribed forms, formats and plans prescribed under these regulations and as 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 and pay the requisite scrutiny fees, development charges, betterment charges, and other charges and dues if any to be levied under these regulations.

2.3 Documents and particulars to be furnished with the application

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

Table 1 List of Documents and Particulars to be furnished with the Application

	Land Development	Building Development
1	Copy of the land ownership certificate	Copy of the land ownership certificate
2	Copy of the site plan certified / issued by the implementing authority.	Copy of the site plan certified / issued by the implementing authority.
3	Three copies of proposed layout plan drawn to a readable scale showing all the details of the development.	Three copies of proposed layout plan drawn to a readable scale showing all the details of the development.
		Three copies of the detailed drawings showing the plans, sections and elevations of the proposed building to a scale of 1:100 showing all the details.
4	Certificate of architect or planner who prepared the plans and drawings.	Certificates of architect and engineers who prepared the plans and drawings.
5	Copy of No Objection Clearance from relevant authority wherever applicable.	Copy of No Objection Clearance from relevant Authority wherever applicable.
Notes: <ol style="list-style-type: none"> 1. All the drawings shall be prepared in metric system only. 2. The applicant shall sign all forms, plans, sections or written particulars or cause them to be signed by his authorized signatory and registered Architect and Engineers. 3. One copy of each plans and documents shall be returned, on approval, to the applicant duly signed by the implementing authority or authorized officer. 		

It shall be incumbent on the person/body whose plans have been approved, to submit any modified plans with variation such as increase in built-up area, 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 modified plans.

2.4 Scrutiny, Services and Amenity Fees

The permit for carrying out the development will be granted by the implementing authority only on the payment of scrutiny fees for processing the submitted application, service and amenities fees for execution of works as decided by the implementing authority. These fees and maintenance charges are liable for revision by the implementing authority from time to time.

2.5 Grant of Development Permit

On receipt of the application for development permit, the implementing authority will either grant or refuse the development permit in accordance to the provisions of the regulations and further inquiries. The permit may be granted with or without conditions or subject to general or special orders. The development permit shall be in the prescribed form and it should be issued by an officer authorized by the implementing authority. Every order granting permit subject of conditions or refusing permission shall state the grounds for imposing such conditions or for such refusal. Granting development permit shall mean acceptance by the implementing authority of all the requirements of these regulations excluding the following:

- i. Easement rights.
- ii. Soil bearing capacity of the respective plot
- iii. Variation in area from recorded areas of a plot or a building.
- iv. Structural reports and structural drawings.
- v. Soundness of material specifications used in construction of the building.

2.6 Security Deposit

To ensure compliance with these regulations and the directions given in the sanctioned plan and other conditions, a security deposit shall be charged at the rates prescribed by the implementing authority from time to time for the due observance and performance of the conditions of the development permit. The amount shall be deposited on request before issue of "Development Permit".

- i. The amount of security deposit shall be paid only in the form of a demand draft.
- ii. The security deposit shall be refunded without interest within one year after grant of the occupancy certificate, on written request from the applicant.
- iii. The security deposit shall be forfeited either in whole, or in part, at the absolute discretion of the implementing authority for breach of any of the provisions of these regulations and conditions of the "Development Permit". Such forfeiture shall be without prejudice to any other right of the implementing authority.

2.7 Rejection of Application

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

2.8 Validity of Approval

The building works shall commence within two years after the issue of the permit, and are to be completed within two years after commencement.

2.9 Revalidation/ Renewal

Development permit granted under these regulations shall be deemed to have lapsed, if such development work has not commenced till the expiry of 730 calendar days from the date of granting the development permit. However, the implementing authority may, on application made to it, grant an extension of 365 calendar days at a time, subjected to conformity with the prevailing DCR and on the payment of revalidation /renewal charges as decided by the implementing authority.

2.10 Cancellation / Revocation of Approval

If a person/ body has secured a development permit through misrepresentation or production of false documents, then the development permit will be canceled/revoked.

2.11 Suspended/Cancelled/Revoked due to Change of Ownership

Development permit 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.

2.12 Liabilities and Responsibility of the Applicant

Notwithstanding the development permit 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. Neither the grant of development permit 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.

2.13 Demolition / Reconstruction of Dangerous/ Unsafe/ Dilapidated Buildings

Wherever it is necessary to demolish a dilapidated/unsafe structure in the interest of public safety, such demolition shall be carried out by the applicant wherever so directed by the implementing authority. However, if the same is to be reconstructed, it shall be done in conformity with these regulations with due approval from the implementing authority.

2.14 Temporary Permit

Applications for temporary permit need not be submitted through the registered professional and will be applicable only in the developable area as earmarked in Dhamdara and Kabraytar Local Area Plan. A scrutiny fee shall be paid as decided by the implementing authority. The maximum validity of the temporary structures is 1 year after the implementing authority accords development permit. The proponent can apply for the renewal of the temporary permit on the expiration of its validity which will be verified by the implementing authority. This temporary permit shall be permitted only for:

- i. In the case of private premises - temporary sheds to be used for storing construction material / as watchmen's cabin during construction phase,
- ii. On public roads, highways - temporary sheds to be used for storing construction material/as watchmen's cabin/ workmen's shelter during construction/ repairs/ maintenance of public roads.

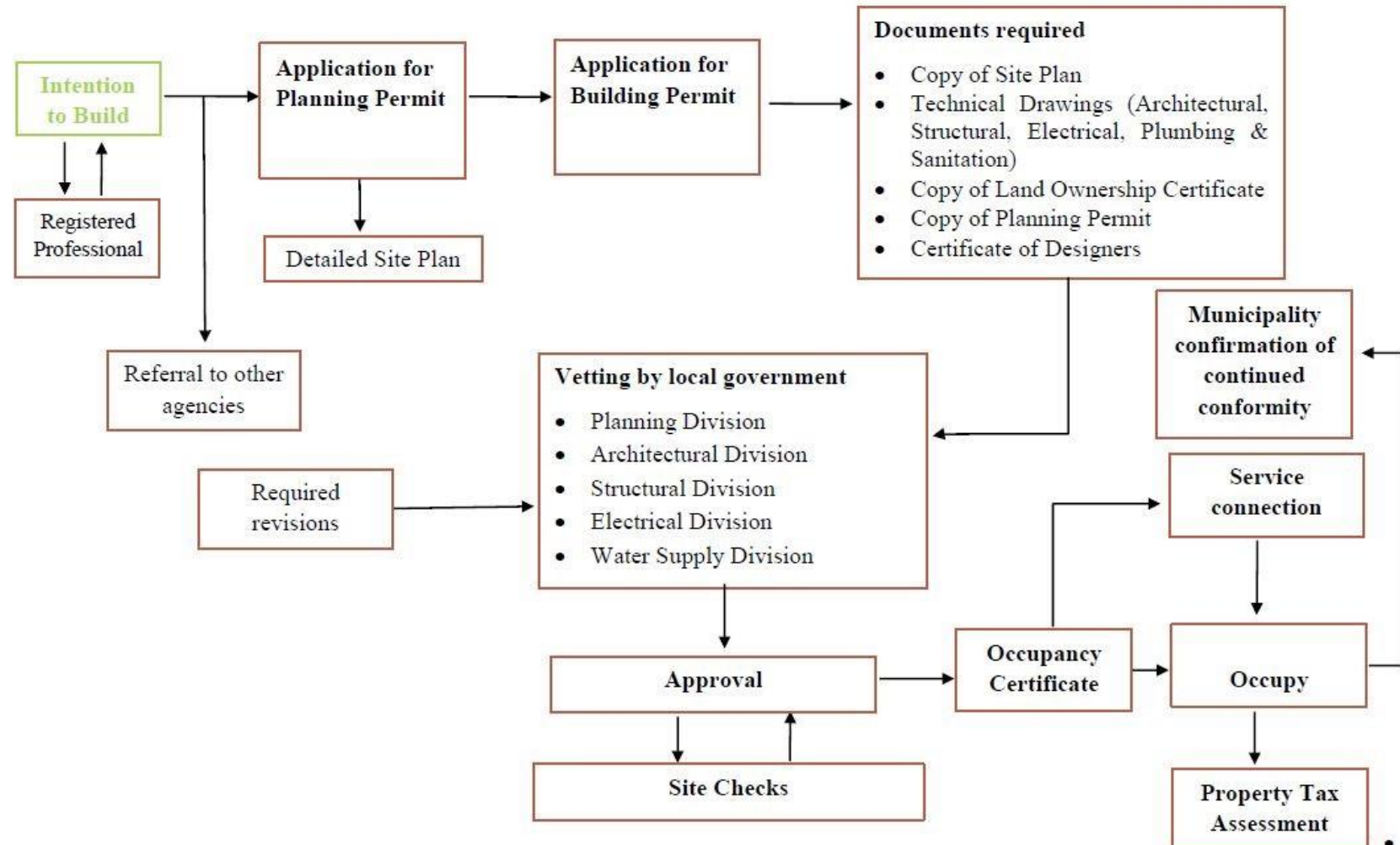
2.15 No Objection Clearance from Referral Authorities

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 their regulation and standards.

2.16 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.

- iii. All the development undertaken on behalf of the government shall strictly conform to these regulations.
- iv. Any government proposal, which is not in conformity with the Dhamdara and Kabraytar Local Area Plan and these regulations should have prior approval from the competent authority.

Chart 1: Chart showing procedure for obtaining Planning/building permit and completion of building construction

3. SECTION 3: PROCEDURE DURING DEVELOPMENT/ BUILDING CONSTRUCTION

3.1 Temporary Service Connections

An applicant with a certified copy of development permit may apply to the respective agencies for temporary connection of services like electricity, water and sewerage. The use of a public street/road or a public place for loading and unloading and stacking of materials of construction and construction equipment shall not be allowed.

3.2 Documents at Site

The applicant shall keep the issued development permit (planning and building permit) along with the necessary documents such as a copy of the approved drawings and specification on the site during construction.

3.3 Commencement Certificate

No applicant shall carry out any further work after any of the inspection stages without an inspection and clearance by the implementing authority. On receipt of the progress 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.

3.4 Inspections

Developments shall be subject to routine/periodic inspections by the implementing authority or persons/bodies authorized by the implementing authority. The implementing authority may, at any time during erection of a building or the execution of work or development, make an inspection without giving prior notice of its intention to do so. In the event of deviation(s) from the approved plan, including quality control or any of the conditions noted in this section, the implementing authority shall have the full authority to stop construction.

3.5 Inspections at Various Stages

The following shall be the recognized stages for progress verification in the erection of a building or the execution of a work, which shall be verified and approved by the authorized engineer/building inspector from the implementing authority for carrying out further construction work as per the sanctioned plan:

- i. Site layout
- ii. Foundation
- iii. Plinth
- iv. Ground Storey
- v. First Storey, Second Storey and on each successive storey.
- vi. Before roofing

A person/body who is empowered/responsible under these regulations shall give to the designated officer of the implementing authority at least four working days' notice in writing of the time at which the work will be ready for inspection. This shall be called the progress certificate, which shall be duly filled-in and kept with the owner/architect 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.

3.6 Deviations during Construction

Alteration in the approved development and/or building plan shall require prior approval from the implementing authority. Notwithstanding anything stated in the above regulations it shall be incumbent on the person whose plans have been approved to submit revised plans for deviations he/she proposes to make during the course of construction of his/her building work and the procedure laid down for plans or other documents here to before shall apply to all such revised plans.

3.7 Occupancy Certificate for Buildings

The applicant shall obtain occupancy certificate from the implementing authority prior to occupancy or use of the completed development/building. Occupancy certificate should be renewed after every three years.

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 three copies of the 'as built' drawings endorsed by the registered architect/engineer. It shall also be incumbent on every person who is engaged under this CDCR 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 progress certificate 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 occupancy certificate, the security deposit shall be forfeited. On receipt of the application, the building and its premises shall be inspected by the implementing authority to verify that the work has been completed as per the approved 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 authorized architect and engineer from the implementing authority. Based on this inspection report, the occupancy certificate shall be issued.

3.8 Issue of Occupancy Certificate

The authority issuing occupancy certificate shall ensure that:

- i. Proper hygienic and sanitation facilities have been provided as per standards and are located as per approved plan.
- ii. Domestic drains (to collect the rainwater) have been constructed as per standards and as per the design directions approved.
- iii. The completed portion of the building/dwelling unit applied for occupancy is fit and safe for such.
- iv. Construction debris around the building, and/or on the abutting road, and/or adjoining property is cleared by the applicant.
- v. The applicant has permanently displayed the full postal address (house number, street name and zone) outside the main entrance to the building and each unit has been given an individual number or letter.
- vi. The trees as per the design are planted on site or a suitable deposit has been collected by the implementing authority.
- vii. The parking spaces are properly developed and the layout of parking is provided as per the approved plans. Signboards indicating the entrance, exit and location of parking spaces for different types of vehicles is permanently erected and maintained at an appropriate prominent location.
- viii. The completion report endorsed by the implementing authority procured and submitted by the owner.

3.9 Permanent Service Connections

The occupancy certificate shall not be issued unless the required information is furnished by the owner and the structural designer/architect concerned. Permanent connections will only be given to services like water, sewerage, electricity and telephone by the respective agencies after the occupancy certificate has been issued.

3.10 Change of Building or Premises Uses

The applicant shall apply in writing to the implementing authority for conversion of approved building or premises uses to other uses or activities. Permission for change of use shall be given only if the building use conforms to the precinct category schedule, structural safety of the building and other relevant clauses of the regulations.

3.11 Confirmation Inspections by Referral Authorities

Developments sanctioned through special conditions/appeals shall be liable for inspections by the special authorities or the implementing authority for revalidation of the development permit.

3.12 Safety on Site

All construction sites must be organized in a manner that the safety of all persons, on the site, at all times is assured. Special care must be taken that no person is electrocuted, that no one falls, or that no one is burnt, or that no material falls on a person.

3.13 Child Labour

It is incumbent that the applicant or his site in-charge sees that no underage workers, or children, are present on the construction site, either as employees, guests, or as dependents of legal employees.

3.14 Protection of Adjoining Public Properties

No construction activity in any site shall damage any of the public properties located adjoining the site, or use these properties for activities like storing of construction materials.

3.15 Development without Prior Approval

If a development requiring the written permit of the implementing authority under the provision of these regulations or other rule, regulation or by-law is done by a person without obtaining written permit, it shall be deemed to be unauthorized. The implementing authority shall at any time, by written notice, order the same to be removed, pulled down or undone.

If the requisitions contained in the order are not carried out by the person or owner within the given period of time, 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.

In cases where development has already started/commenced on site for which development permit in writing is not obtained from the implementing authority, but where this development on site is in accordance with the provisions of these regulations, the development permit for such work on site without the prior permit may be granted by the implementing authority on the merits of each individual case. For such development works, an additional amount shall be charged on the entire land area or total built up area as per the following rates, over and above the regular charges / fees.

3.16 Regularization Fees for Developments without Prior Approval

- a) Payment of 100% of the cost of the deviated construction and regularization of the deviation, if no application was made but the construction is as per the Rules.
- b) 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.

- c) Payment of 50% of the cost of the deviated construction and regularization of the deviation, if an application was made and the construction is as per the Rules.
- d) Payment of 25% of the cost of the deviated construction and removal of the deviation, if an application was made but the construction is not as per the Rules.

4. SECTION 4: PLANNING REGULATIONS

4.1 List of precincts designated in the Dhamdara and Kabraytar local area plan

The Precinct Schedule has been formed to facilitate an easier functioning city. Different precincts have different land uses, in attempts of preventing the conflict in land uses. 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 is protected. With this principle in mind, the following precincts have been defined.

1. Urban Village Precinct

- a. Urban Village 2 (UV-2 HD)
High density, predominantly residential precinct.
- b. Urban Village 2 (UV-2 LD)
Low density, predominantly residential precinct.

2. Open Space

Open Space (OS-2)
Precincts of public assets like parks, gardens, sport facilities and recreation areas.

3. Environmental Precinct

- a. Environmental Precinct (E-1)
Environmental conservations precinct.
- b. Environmental Precinct (E-4)
Precincts with slope ranging from 30%- 60 % characterized by low dense residential orchards, green houses, on-farm food processing and research.

4. Service Precinct

Service Precinct 1 (S – 1)
Public Utility, Facility and Service Precinct

5. Neighbourhood Node Precinct

Neighbourhood Node (NN)
Convenience shopping, basic services and amenities precincts for the urban villages

Table 2 Permissible uses for settlement areas

Precinct	Definition of the Precinct	Uses Permissibility
Urban Village 2 (UV-2 HD)	High Density, Predominantly residential use precinct	<ol style="list-style-type: none"> 1) Predominantly residential 2) Convenience shops and fast food outlets are permitted only on the ground floor of the building. 3) Light home workshops, and cottage industries which do not create noise, vibrations fumes, dust, etc., only in independent dwelling units (not in tenement dwellings or flats). E.g. Cheese factory, milk processing unit, honey manufacturing, as part of residential units. 4) Resorts, Hotels with boarding and lodging facilities in a minimum of 1,200 sq. m. (30 decimals) plot may be permitted. 5) Serviced-apartment in a plot area not less than 15 decimals and in an independent building where all units shall be used as serviced-apartments. Common or individual dining and laundry facilities shall be provided. 6) Basement is permissible for parking and building services. 7) Stilt construction to bring the habitable space to natural ground or road level is permissible, and shall be used for parking only. 8) Parking slab may be allowed subject to site condition and site visit. No structures shall be erected on parking slab. Parking slab may extend from the building to the plot boundary to facilitate parking only.
Urban Village 2 (UV-2 LD)	Low Density, Predominantly residential use precinct	<ol style="list-style-type: none"> 1) Predominantly residential 2) Convenience shops and fast food outlets are permitted only on the ground floor of the building covering not more than 40% of the plinth area. 3) Household economic activity, light home workshops. 4) Resorts, Hotels with boarding and lodging facilities in a minimum of 1,200 sq. m. (30 decimals) plot may be permitted. 5) Serviced-apartment in a plot area not less than 15 decimals and in an independent building where all units shall be used as serviced-apartments. Common or individual dining and laundry facilities shall be provided. 6) Basement is permissible for parking and building services.

		<ol style="list-style-type: none"> 7) Stilt construction to bring the habitable space to natural ground or road level is permissible, and shall be used for parking only. 8) Parking slab may be allowed subject to site condition and site visit. No structures shall be erected on parking slab. Parking slab may extend from the building to the plot boundary to facilitate parking only.
Neighbourhood Node (NN)	Convenience shopping, basic services and amenities precincts for the urban villages	<ol style="list-style-type: none"> 1) Retail commercial use such as Retail shops, Restaurants, Hostels, Hotels, Clinics, Convenience Shopping, professional offices and establishments (of less than 15 employees), ATMs, Crèche / Children's day care center, pre-primary educational facilities, dispensaries, clinics, Public facilities, Public Utilities, Public Transportation Stops, Gardens, etc., bakeries/confectioneries, local libraries, club houses, community halls, service stations, Kiosks, taxi stands, vegetable vendors, display areas, Outdoor cafes and Indoor games parlor. 2) LPG delivery centers and Fuel station can be permitted under the fulfillment of all relevant safety norms. 3) Basement is permissible for parking and building services. 4) Stilt construction to bring the habitable space to natural ground or road level is permissible, and shall be used for parking only. 5) Parking slab may be allowed subject to site condition and site visit. No structures shall be erected on parking slab. Parking slab may extend from the building to the plot boundary to facilitate parking only.
Service Precinct 1 (S – 1)	Service infrastructure and industry establishment	<ol style="list-style-type: none"> 1) Public Utility, Public Facility, Services Buildings: Building for infrastructural facilities like bus service, water supply, drainage, sanitation, domestic garbage disposal, pumping station, electricity, purification plant, post and telegraph and telecommunication, public urinals, milk supply, and public telephone booth, fire brigade station, ward and zonal offices of Implementing Authority, taxies, scooter and cycle stand and parking lot, communication network, first aid medical center, primary health center, dispensary, library, reading room and religious buildings/ places of public worship. 2) Basement is permissible for parking and building services. 3) Stilt construction to bring the habitable space to natural ground or road level is permissible, and shall be used for parking only. 4) Parking slab may be allowed subject to site condition and site visit. No structures

		shall be erected on parking slab. Parking slab may extend from the building to the plot boundary to facilitate parking only.
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Table 3 Permissible uses for landscape areas

Precinct	Definition of the Precinct	Uses Permissibility
Open Space (OS-2)	Precincts of public assets like parks, gardens, sport facilities and recreation areas	<ol style="list-style-type: none"> 1) Public facility such as: parks, gardens, sports complex, playground, viewpoints & recreation of any type for surrounding residential areas. 2) Spiritual and religious structure such as chortens & prayer wheels.
Environmental Precinct (E-1)	Environmental conservations precinct	<ol style="list-style-type: none"> 1) Natural reserve & sanctuary, the river basin, streams, rivulets, fauna breeding places, unique flora, & bio-mass preserves. 2) Activities related to environment enhancement/protection & permitted/ undertaken by or on behalf of the National Environment Commission. 3) Footpaths and cycle tracks, footbridges, vegetable and flower gardens, nurseries, landscape elements like lamp posts, benches, gazebos, children's play equipment and litter bins, roads, street lighting, BPC towers, water reservoirs and drains shall be permitted only beyond fifteen meters of the edge of the Om Chhu. 4) Certain stretches, which are identified, as not ecologically sensitive will have recreational open spaces like parks, sports facilities and riverfronts under the clearance from the National Environment Commission and the Nature Conservation Division.
Environmental Precinct (E-4)	Precincts with slope ranging from 30%- 60% characterized by low dense development with minimal impact on environment	<ol style="list-style-type: none"> 1) Residential, Agriculture, Horticulture, Orchards, Floriculture, Vegetable Gardens, Facilities for Plant Tissue-culture, Mushroom Culture, Green Houses, Cold Storage incidental to Agriculture and related uses, nursery. 2) Bed and Breakfast Accommodation/Homestay, Eco-tourist facility, Holiday homes, Home occupation, Home office, Single bedroom dwelling. 3) Basement construction shall not be permitted but stilt construction may be permitted to facilitate parking based on site condition and approval from implementing authority.

Notes:

1. UV – 2 (LD) precinct regulations to be followed in the event of residential constructions/development in the NN precinct.
2. In case of the ‘Uses permissible on appeal to the Competent Authority’ it shall be mandatory to apply for and revalidate the permission after five years. The Competent Authority shall revalidate the permission only based on an Environmental Assessment Report submitted by the National Environment Commission (NEC) and accepted by Thromde Tshogde after inspection of the site and the activities on the site. If so deemed, the National Environment Commission (NEC) may require further revalidation after a period it deems necessary.
3. Where uses are permitted in Environmental Land use and under special conditions based on appeal to the competent authorities, it is mandatory that the Phuentsholing Thromde certify to the Thromde Tshogde Members, after every three years, and not later than five years, that the uses in fact conform to the application and the sanction, and conditions of successful spatial appeals for uses.
4. In any case, no development shall be allowed in the form of a single leveled block, which involves cutting the natural terrain of the plot by more than 5 metres height, resulting in forming the ground level of the proposed development at any point. Refer section 4.2.
5. Permissibility of light home workshops and cottage industries in UV-2 precincts require clearance from relevant authorities and approval of the implementing authority.

Table 4 Permissible development control schedule

Precinct	Max. Permissible F. A. R	Max. Permissible No. of Floors	Minimum setbacks (metres)*	Min. Plot Size (Decimal)
Urban Village 2 (UV-2 HD)	2.5	5	2.5 m (on one side) 3 m (on three sides)	9.1
Urban Village 2 (UV-2 LD)	1.5	3	2.5 m (on one side) 3m (on three sides)	9.1
Neighbourhood Node (NN)	1.5	3	2.5 m (on one side) 3m (on three sides)	9.1
Service Precinct1 (S – 1)	1.5	3	3m on all sides.	-
Environmental Precinct (E-4)	0.6	2	2.5 m (on one side) 3m (on three sides)	15

Notes:

1. Minimum plot size requirements are after land pooling for the area where land pooling scheme is used.
2. * 5m meter Setback to be maintained on the side having the Septic Tank. Only 3m meters setback to be maintained if there is a sewerage network.
3. 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 case of commercial buildings cantilevered balconies shall be allowed only at the rear side. Corner plots, with roads on two sides, shall not be permitted with balconies or similar projections.
4. All permitted proposals within the respective Precincts should provide plot level parking spaces as per the parking standard mentioned in of the DCR “Parking Requirements standards” in Table 5
5. Easement Right: For the passage of public utility and essential services such as storm water drain, water supply pipelines, sewer lines, retaining walls for roads, etc., an easement shall be allowed through the setbacks of private plots.

6. Existing plots below the minimum plot size specified on Table 4, shall be allowed to develop as per the existing regulations. However, new subdivision of a plot below the minimum plot size shall not be permitted.
7. Setbacks for the plots affected by HT line buffer shall be at the discretion of the implementing authority based on the site conditions and clearance from the relevant authority.

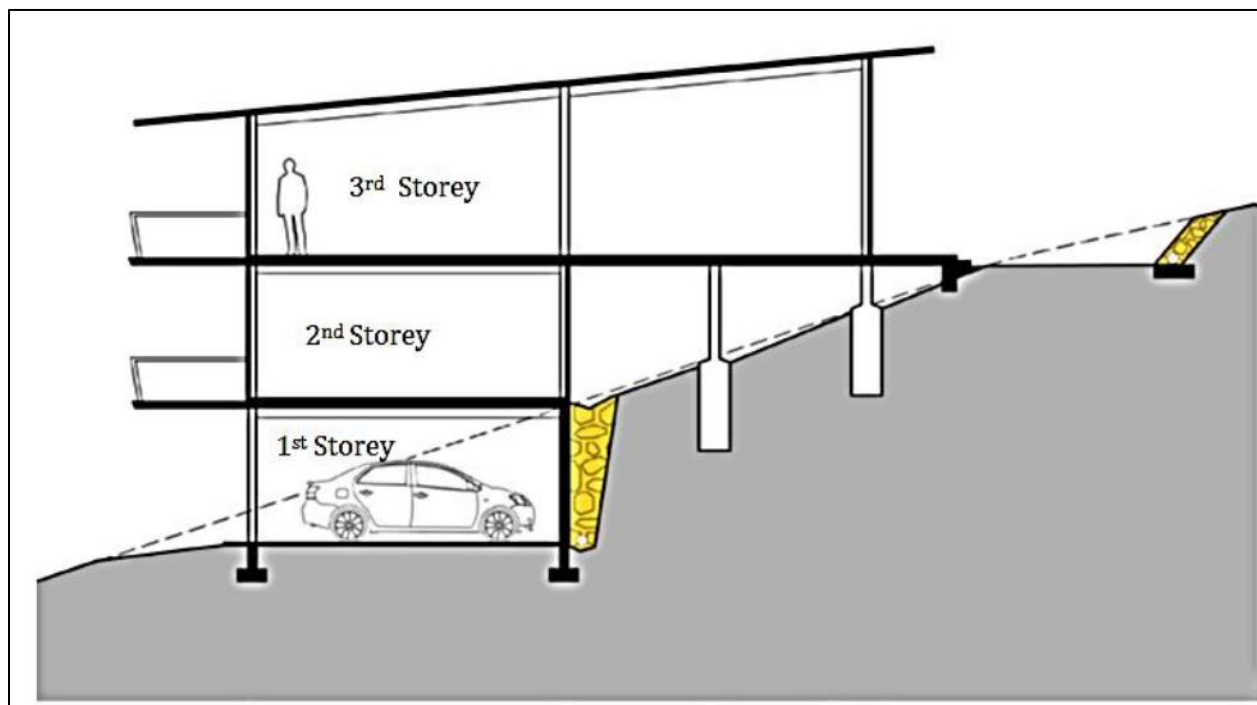
Table 5 Parking requirements standards

Description	Minimum requirement
Housing	1 car parking space per dwelling
Hotel	0.5 car parking space per hotel room
Office	1 car parking space per 50 sqm
Commerce	1 car parking space per 25 sqm of commercial area
Handicraft	1 car parking space per 80 sqm
Industry	1 car parking space per 80 sqm
Warehouse	1 car parking space per 200 sqm
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

4.2 Special Conditions applicable to all developments in the LAPs

1. Cut slopes shall not exceed 5 m height and shall not be steeper than about 1V:2H (i.e. 1 vertical to 2 horizontal) for most soils. Permanent cut slopes of greater than 5 m or steeper than 1V:2H shall be analyzed on a site-specific basis by a competent geotechnical engineer.
2. For slopes greater than 20 degrees (36%) post and beam construction shall be used which steps with the site. This may include a lower part level with a concrete slab as shown in Figure 1. Single slab on ground construction shall not be used.

Figure 1 Step-wise Building foundation at different levels on a slope



3. For any construction in “high hazard zones” according to the geo-technical investigation report of Dhamdara and Kabraytar 2019, it is recommended that a separate “Site Specific Geotechnical Report” and “Geotechnical Letter of Assurance” be prepared by a competent Geotechnical Engineer.

5. SECTION 5: BUILDING REGULATIONS

5.1 Architectural Design

Same as BBR, 2018

5.2 Circulations Space Requirements

Same as BCB 2018

5.3 Light and Ventilations Requirements

Same as BCB 2018

5.4 Artificial Lighting and Mechanical Ventilation

Same as BCB 2018

5.5 Ventilation Shaft

Same as BCB 2018

5.6 Fire Safety

Same as BCB 2018

5.7 Garage cum Servants Quarters

Same as BBR, 2018

5.8 Septic Tank

Same as BCB 2018

5.9 Roof and Site Drainage

Same as BBR, 2018

5.10 Access for the Disabled

Same as BCB 2018

5.11 Structural Control

Same as BCB 2018

5.12 Water Supply and Sanitation Control

Same as BCB 2018

5.13 Electrical Installations Control

Same as BCB 2018

5.14 Telephone

Same as BCB 2018

5.15 Attic

Human occupancy of the attic spaces shall not be permitted.

5.16 Basement

Refer Annexure 3

5.17 Minimum Floor Space of Rooms in Residential Buildings

Same as BCB 2018.

5.18 Painting

Same as Building Colour Code of Bhutan, 2014.

5.19 Water Requirement

Refer Table 6 and Table 7.

Table 6 Water for Institutional Needs (As per IS: 1172-1963)

Sl. No	Institutions	Water requirements (Litres per head per day)
1	Hospitals (including laundry)	
	a) No. of beds exceeding 100	450 (per bed)
	b) No. of beds not exceeding 100	340 (per bed)
2	Hotels	180 (per bed)
3	Hostels	135
4	Nurse homes & medical quarters	135
5	Boarding schools/colleges	135
6	Restaurants	70 per seat
7	Airports	70
8	Bus stations	70(could be reduced to 25 where bathing facilities are not provided)
9	Day School/Colleges	45
10	Offices	45
11	Factories	45(could be reduced to 30 where no bathing rooms are required)
12	Cinema, Concert halls & theatres	15
13	Garden, Sports ground	3.5 per sq. m
14	Animal/Vehicles	45

Table 7 Water Requirements for Domestic Purpose (as per IS: 1172-1963)

Sl. No	Description	Amount of water in litres per head per day
1	Bathing	55
2	Washing of Clothes	20
3	Flushing of W.C.	30
4	Washing of House	10
5	Washing of utensils	10
6	Cooking	5
7	Drinking	5
	Total	135

ANNEXURE 1: NARROW PLOT GUIDELINE

In accordance with the resolution of the 5th Thromde Tshogde held on 30/08/2018, the Narrow Plot Guideline has been approved for implementation with immediate effect. However, the narrow plot rules and guidelines shall apply only to those narrow plots meeting all the criteria listed below:

1. Plots with one side dimension less than 15m
2. Plots with areas less than 15 decimals (i.e. 607sqm)

If the plot/s fulfills the above requirements 1 & 2, the setbacks and other requirements to be applied are as follow:

- i. The front setback shall not be less than 3 meters.
- ii. The two side setbacks shall not be less than 2 meters each.
- iii. Setback on one side shall not be less than 3m in sewer areas and 5m where sewerage facilities are not available.
- iv. Ground Coverage/FAR shall not exceed the requirements spelled out in the specific regulation/OCR of the LAP.
- v. The allowable building height shall be as per the specific regulation/ DCR of the particular LAP.
- vi. Cantilever projections of 1.2m and Rabsey projections beyond 500mm shall not be allowed where 2m setback has been kept unless no immediate adjacent plots exist.
- vii. The maximum roof overhang shall be limited to 1.8 m or must be strictly within the registered boundary and provision of gutter is mandatory.

Other requirements which are not spelled out in this guideline shall be as per the provisions of the specific regulations and DCR of the LAP, wherever applicable.

ANNEXURE 2: EXISTING NON-CONFORMING USES

A lawful use of land existing prior to the notification of the Dhamdara and Kabraytar DCR 2020 of which these Precincts Sanction forms a part and which do not conform to the designated Precincts Sanction, shall be permitted to continue, subject to the condition that no extension, modification of the buildings, nor extension, or intensification of the non-confirming use shall be permitted. The existing use (structures) will continue but once the structure is demolished no further development/ redevelopment shall be allowed.

Uses like workshops, sawmills etc. shall be allowed to continue operations for a minimum of five calendar years from the date these Precincts Sanction become operational.

In the case of proposals involving redevelopment/ reconstruction of dilapidated/ unsafe buildings, the maximum allowable Total Built-up Area shall be equal to the Total Built-up Area legitimately consumed or the base Total Built-up Area allowable under these Regulations, whichever is more. Buildings with uses that do not conform to those permissible in the Precinct shall be permitted to be reconstructed only if their intended future use is permitted by the Implementing Authority, according to the regulations of the Precinct in which they fall.

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, at the cost of the owner.

ANNEXURE 3: BASEMENT REGULATIONS

The following basement regulations were passed by MoWHS vide its 28th Policy and Planning Coordination Meeting held on October 07, 2020 and was issued for strict compliance with immediate effect.

- i. The basement shall be completely below the lowest natural ground level irrespective of the topographical conditions of the site.
- ii. The maximum number of the basement floor is two for commercial buildings and one for residential buildings provided the technical requirements are fulfilled and assessment of risks to the adjacent plots and structures are carried out.
- iii. The basement shall be within the building footprint.
- iv. The height of basement shall be determined by its functions.
- v. The use of the basement shall be determined by the function of the building and permissible uses in the Spatial Plan and its DCR. However, it shall not be permitted for residential/dwelling purposes.

ANNEXURE 4: CHANGES INCORPORATED IN THE DCR

DCR incorporates some changes to previous conditions considering the following:

1. Decisions taken by Thromde during the development of this DCR which were as follows:
 - a. Alignment of DCR/precinct plan with the vision of PSP
 - b. Being mindful of the impact the change will have on existing infrastructure and other issues
 - c. Considering the possibility of reducing the minimum requirement to construct hotel/resorts in UV – 2 precincts to 30 decimals from 50 decimals
 - d. Ground floor area to be allowed for convenience shopping in UV – 2 precincts.
 - e. Plot coverage regulation to be done away and FAR to be implemented.
2. Recommendations from the geo-technical report, 2019
3. Environmental protection and conservation
4. Objectives to prevent and reduce natural disaster

Key changes in DCR

1. Reduction of FAR and Height
The building and population density in both the LAPs that would be obtained under the current precinct plans and DCR would be very high compared to what is envisioned in PSP. Moreover, due to the weak geology, more than 60% of the of the study area falls under geologically High Hazard Category as per the Geo-technical Report 2019. Hence, to reduce the dense development in the area, FAR and height for UV –2 LD precinct are reduced.
2. Removal of Plot Coverage Regulation
In the concept report discussion on 10 April, 2020, it was decided that coverage regulation to be removed and FAR to be implemented as FAR gives more flexibility for building design and optimal use of space without breaching the setback and height regulations.
3. Change of Minimum Area Requirement for Hotel/Resorts in UV-2 Precincts
The minimum area requirement for hotels and resorts in UV – 2 precincts was changed from 50 decimals to 30 decimals according to the decision taken during the concept report meeting in order to facilitate more tourism-based businesses in the area as per the vision of PSP.

4. Permissibility of Residential uses in Neighbourhood Nodes
Since Neighbourhood nodes are proposed in private plots due to the unavailability of government land, it would be unacceptable by the landowners if residential uses are not permitted. Moreover, the areas have not yet developed to full potential to have large area in NN precinct.
5. Change of Minimum Set back
The minimum required setbacks have been changed to 2.5 m in UV-2 and NN precincts for allowing optimal use of space required for parking and other uses.
6. Setbacks for the plots falling under HT line buffer would be at discretion of implementing authority based on the site conditions and clearance from the relevant authority.
7. Change of Minimum Plot Size of E-4 Precinct
The minimum plot size of plots in E-4 precinct is changed to 15 decimals considering the low-density development in E-4 precincts and the topography of the area.
8. Permissibility of Serviced Apartments in UV-2 precincts
Considering the overall goal of achieving tourist centric development and enhancing the economy of the place without detrimental impacts on housing, serviced apartment is allowed in the residential precincts.



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ROYAL GOVERNMENT OF BHUTAN
PHUENTSHOLING THROMDE
POST CODE 21101, POST BOX NO. 02, PELKHIL LAM



BA form (01)

APPLICATION FOR BUILDING PERMIT

☐ (New construction ☐ Addition ☐ Alteration)

Applicant's name.....E-mail address.....

CID No.....Contact No.....

Application Registration No.....(to be filled by CSD, PT)

Please submit the following documents:

1. Two sets (A3/A4) of architectural, structural, electrical, water supply and sanitation drawings duly signed by the designer.
2. Copy of Latest official Site Plan issued by PT (not older than 2 years from the date of issue).
3. Analysis report (in soft copy) to be submitted by a structural engineer.
4. Certificate of designers
5. Power Clearance from Bhutan Power Corporation Limited
6. Soft copy (pdf) of all the drawings.
7. Authorization letter if the applicant is not the owner.

Declaration to be signed by the applicant:

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.....Signature.....

Notes:

Every application must be accompanied by this complete form. Signing on behalf of the applicant is permitted. The responsibility of relocating any municipal services rests with the applicant in consultation with Thromde and relevant agencies.

For any cases involving additions, extensions or alterations the following will apply:

- A letter from a structural engineer is to be submitted certifying that the existing structural members (i.e .foundation, column, beams & slab)are capable of taking the additional loads.
- The existing building fabric is to be clearly identified on the drawings, and the existing setbacks and structure are to be verified as accurate by the applicant and the designer.
- All applications should be accompanied by the appropriate documentation as required by the current Buildings Rules& Regulations.

For official use only:

Noting of the dealing officer with regard to land holdings, building construction, etc.
Recommended() Not recommended ()

Name & Signature of the Dealing Officer:

.....

Name & Signature of approving authority:

.....

Please use additional sheet to give further information if necessary.



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PHUENTSHOLING THROMDE
POST CODE 21101, POST BOX NO. 02, PELKHIL LAM



BA Form (02)

SCHEDULE

This Agreement is made by the Owner and the Designer on the date described for the design and consultancy service of the building on the following plot:

Date:.....

ThramNo:.....**Plot No**.....

No. of Floors Proposed:.....

Location:.....

The Designers hereby agree to take full responsibility of the design to follow the Development Control Regulations, Bhutan Building Regulation-2018, Bhutan Building Code-2018, Bhutan Green Building Design Guidelines, Bhutanese Architectural Guidelines-2014, and relevant codes of practice for Structural, Electrical, Plumbing and Sanitation design.

The Designers also take full responsibility to implement the construction as per the approved drawings and if any changes need to be made during the implementation, the designers shall inform and resubmit the revised drawings to the Thromde for approval.

The Owner shall also follow the guidance of the Designers during the implementation of the drawings and shall not deviate from the approved drawings without prior written approval from Phuentsholing Thromde.

(Signature of the Owner)

Name:

CID & Contact Number:

(Signature of the Designers)

Name (Architect):

CID & Contact No.:

Name (Structure):

CID & Contact No.:

(Signature of the Witness)

Name:

CID & Contact No.:

Name (Electrical):

CID & Contact No.

* Certificates to be attached:

1. Accredited Architect
2. Structural Engineer
3. Electrical Engineer

* Documents to be attached:

1. Power Clearance from Bhutan Power Corporation
2. Soft Copy (PDF) of all the drawings
3. Authorization letter if the applicant is not the owner
4. Two sets (A3/A4) of architectural, structural, electrical, water supply and sanitation drawings
5. Copy of Latest official Site Plan issued by UPD, PT



དཔལ་ལྷན་འབྲུག་གཞུང་། ཕུན་ཚོགས་གླིང་ཁྲོམ་རྒྱུ།
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BA form (GC)

BUILDING APPLICATION THROUGH GREEN CHANNEL (up to G+1 stories only)

Applicant's name:.....Date:.....

Thram No.....Plot No:.....

Location:.....Email.....

Planning Check-list:

- Designated precinct.....
 - 1. Building uses permissible as per DCR.....
 - 2. Proposed building uses.....
- Registered plot area (after land pooling).....
- Ground coverage/FAR and plinth area
 - 1. Permissible ground coverage/FAR.....
 - 2. Proposed ground coverage/FAR.....
 - 3. Existing building plinth area (if any).....
 - 4. Existing ground coverage/FAR (if any).....
 - 5. Proposed building plinth area.....
 - 6. Total ground coverage proposed/FAR.....
- No. of floors
 - 1. No. of floors permissible.....
 - 2. No. of floors proposed.....
- Total built-up area.....
- Setback maintained: front.....sides.....Rear.....
- Parking slots provided.....

Undertaking by Accredited Architect

I certify that all the above information are true to my knowledge and I will be professionally accountable for any lapses or shortcomings for any deviation in the building design from the rules and regulations in place. The proposed design has been made in line with the PT-DCR-2013, Bhutan Building Regulations-2018, Bhutan Building Code-2018, Bhutan Green Building Design Guidelines, Bhutanese Architectural Guidelines, 2014 and other relevant Rules & Regulations/Guidelines in force. I am fully conversant with the provisions of the Regulations in force, and about my duties and responsibilities under the same and I undertake to fulfill them in all respects, except under the circumstances of natural calamities.

(Signature with legal stamp)

(Signature with legal stamp)

Architect's name:

Owner's Name:

CID & Contact no.:

CID & Contact No.:

* Certificates to be attached:

1. Accredited Architect
2. Structural Engineer
3. Electrical Engineer

* Documents to be attached:

1. Power Clearance from Bhutan Power Corporation
2. Soft Copy (PDF) of all the drawings
3. Authorization letter if the applicant is not the owner
4. Two sets (A3/A4) of architectural, structural, electrical, water supply and sanitation drawings
5. Copy of Latest official Site Plan issued by UPD, PT



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UNDERTAKING-STRUCTURAL DESIGNS (GREEN CHANNEL)

Applicant's name.....**Date**.....

Thram No.....**Plot No**.....

Location.....

This is to certify that I have prepared and signed the structural design and drawings of the proposed building of the aforementioned detail as per the prevailing relevant codes and practices and undertake full professional responsibility regarding the structural safety and stability in design.

Therefore, the undersigned would also like to assure that any risks/issues pertaining to the structure shall be my liability and the Thromde will not be held accountable for the same.

(Signature with legal stamp)

(Signature with legal stamp)

Designer's name:

Owner's Name:

CID & Contact No.:

CID & Contact No.:

* Certificates to be attached:

1. Accredited Architect
2. Structural Engineer
3. Electrical Engineer

* Documents to be attached:

1. Power Clearance from Bhutan Power Corporation
2. Soft Copy (PDF) of all the drawings
3. Authorization letter if the applicant is not the owner
4. Two sets (A3/A4) of architectural, structural, electrical, water supply and sanitation drawings
5. Copy of Latest official Site Plan issued by UPD, PT



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UNDERTAKING-ELECTRICAL DESIGNS (GREEN CHANNEL)

Applicant's name.....Date:.....

Thram No.....Plot No:.....

Location:.....

This is to certify that I have prepared and signed the electrical designs of the proposed construction of the aforementioned detail. The designs have been carried out as per the standards and guidelines prescribed by Bhutan Electricity Authority, Bhutan Standards Bureau and the Ministry of Works and Human Settlement and I will be professionally held accountable for all design related issues.

The load details are as follows:

Connected Load:.....

Demand Load:.....

(Signature with legal stamp)

(Signature with legal stamp)

Designer's name:

Owner's Name:

CID & Contact No.:

CID & Contact No.:

* Certificates to be attached:

1. Accredited Architect
2. Structural Engineer
3. Electrical Engineer

* Documents to be attached:

1. Power Clearance from Bhutan Power Corporation
2. Soft Copy (PDF) of all the drawings
3. Authorization letter if the applicant is not the owner
4. Two sets (A3/A4) of architectural, structural, electrical, water supply and sanitation drawings
5. Copy of Latest official Site Plan issued by UPD, PT



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APPLICATION FOR OCCUPANCY CERTIFICATE

To
The Thrompon,
Thromde Administration.
Phuentsholing Thromde.

Sir,

I hereby certify that the addition/ alteration/ construction of building on Plot/Thram

No.on.....Lam in... town 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 documents/ drawings and relevant standards, codes of practice and specifications. Provisions of the CDCR 2017 and BBR 2002, conditions or orders issued thereunder have not been transgressed/ 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:

Telephone No. (residence):

Telephone No. (office):

Fax No.:

E-mail address:

Dated:



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PHUENTSHOLING THROMDE
POST CODE 21101, POST BOX NO. 02, PELKHIL LAM



OCCUPANCY CERTIFICATE

To

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

Sir/Madam,

With reference to the application dated... , regarding the addition/
alteration/ construction of building on plot/Thram no.....
on.....Lam, in.....town has been inspected on
..... and found that the building is **fit** / **not fit** for occupation.

Instruction / Remarks (if any):

Thrompon. Phuentsholing
Thrompon

Dated: