

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Municipal Administration and Urban Development (M) Department - The Andhra Pradesh Revised Common Building Rules, 2008 applicable to all Municipal Corporations and the Urban Development Authorities, in the State except Greater Hyderabad Municipal Corporation, Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation, Guntur Municipal Corporation, HUDA, HADA, CDA, VUDA, VGT Muda areas - Orders – Issued.

**MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M1) DEPARTMENT**

G.O. Ms. No. 302

Dated: 15.04.2008

Read the following:

1. G.O. Ms. No. 423 M.A. & U.D. Department, dated: 31-7-1998
2. G.O. Ms. No. 86 M.A & U.D. Department, dated: 03-03-2006
3. G.O. Ms. No. 171 M.A & U.D. Department, dated: 19-04-2006
4. G.O. MS. No. 623 M.A & U.D. Department, dated: 01-02-2006
5. G.O. MS. No. 17 M.A & U.D. Department, dated: 10-01-2007
6. G.O. Ms. No. 678 M.A & U.D. Department, dated: 07-09-2007
7. G O Ms. No 744 M.A & U.D. Department dated: 04-10-2007
8. G O Ms. No. 279 M. A & U.D. Department dated: 01-04-2008

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**ORDER:**

In the reference 2nd read above, Government have issued the Hyderabad Revised Building Rules, 2006. The said rules were amended in the G. Os 3rd to 5<sup>th</sup> and 7<sup>th</sup> and 8<sup>th</sup> read above.

2. Government had decided to initially apply the said Hyderabad Revised Building Rules, 2006, to the Hyderabad Development Authority Area and subsequently to extend them to other urban areas / UDA areas of Andhra Pradesh. In the G. O. 6<sup>th</sup> read above, the said Hyderabad Revised Building Rules 2006, were extended to the areas covered by Visakhapatnam Urban Development Authority, and Vijaywada-Guntur-Tenali-Mangalagiri Urban Development Authority, and to the Municipal Corporations of Greater Visakhapatnam, Vijaywada and Guntur respectively.

3. In view of the above, now therefore Government have decided to apply the said Hyderabad Revised Building Rules, 2006, with suitable modifications to Tirupati Urban Development Authority, Kakatiya Urban Development Authority, Puttaparti Urban Development Authority, Basar Special Development Authority and Rishi Valley Special Development Authority and to all other Municipal Corporations areas of the State.

4. Therefore in supersession of the Rules issued vide G.O. Ms No. 423 M.A & U.D. (M1) Department, dated 31-7-1998 and the Municipal Corporation of Hyderabad Building By-laws 1981 to the extent specified in these Rules, Government hereby issue the following Notification. The appended Notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette dated: 15.04.2008.

5. Specific approval of the Principal Secretary to Government, Municipal Administration and Urban Development Department has been obtained for publication of the Notification in the extraordinary issue of the Andhra Pradesh Gazette.

6. A copy of this Notification is available on the Internet and can be accessed with the address [www.aponline.gov.in](http://www.aponline.gov.in)

### **NOTIFICATION**

In exercise of the powers conferred under Section 585 of the Hyderabad Municipal Corporations Act, 1955; Section 18 of the Andhra Pradesh Municipal Corporations Act, 1994; and Section 58 of the Andhra Pradesh Urban Areas (Development) Act, 1975, the Government of Andhra Pradesh make the following Revised Building Rules 2008 in supersession of the rules issued in G.O. Ms. Nos. 423 M.A & U.D (M<sub>1</sub>) Department, dated 31.07.1998, viz.,

### **APPENDIX**

#### **1. Short Title, Applicability & Commencement:**

- (a) These Rules may be called the Andhra Pradesh Revised Building Rules, 2008.
- (b) They shall apply to all building activities in the Municipal Corporation areas, and Urban Development Authority areas in the State other than Greater Hyderabad Municipal Corporation, Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation and Guntur Municipal Corporation, Hyderabad Urban Development Authority area (HUDA), Hyderabad Airport Development Authority area (HADA), Cyberabad Development Authority area (CDA), Visakhapatnam Urban Development Authority area(VUDA), and Vijayawada Guntur Tenali Mangalagiri Urban Development Authority areas(VGTMUDA)
- (c) These rules shall apply to all building activities. All existing rules, regulations, bylaws, orders relating to buildings that are in conflict or inconsistent with these Rules shall stand modified to the extent of the provisions of these rules.
- (d) In case of Multiplex Complexes, the rules issued vide G O Ms No. 486 MA&U.D(M1)Department dated 07.07.2007 shall be applicable.

#### **2. Definitions:**

1. In these rules, unless the context otherwise requires;

- (i) **“Competent Authority”** means:
  - (a) The Vice - Chairman of Urban Development Authority in the case of Urban Development Authority areas;
  - (b) The Director of Town & Country Planning, Andhra Pradesh in case of Municipal Corporations falling outside Urban Development Authority areas
- (ii) **“Enforcement Authority”** means the Commissioner of the Municipal Corporation, the Commissioner of the Municipality or the Executive Authority of the Gram Panchayat or a Special Unit created for the purpose of sanctioning and monitoring building and development activity, as the case may be.
- (iii) **“Height of building”** means height measured from the abutting road and in case of undulated terrain height can be considered as average of the corresponding ground level or formation level of proposed site.
- (iv) **“High-Rise building”** means a building 18 meters or more in height. However, chimneys, cooling towers, boiler rooms/ lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks, and architectural features in respect of other buildings may be permitted as a non-High Rise building. Buildings less than 18 m including stilt floor/parking floor stand excluded from the definition of high-rise buildings.

- (v) **“Parking Complex / Parking Lot”** means a premises either built or open which is utilized purely for parking of vehicles and where parking fees is collected by the owner and permitted in specific areas. The minimum site shall be 300 square meters.
- (vi) **“Sanctioning Authority”** means the Vice Chairman of Urban Development Authority, Commissioner of the Municipal Corporation, the Commissioner of the Municipality or the Executive Authority of the Gram Panchayat or a Special Unit created for the purpose of sanctioning and monitoring building and development activity as the case may be.
- (vii) **“Transferable Development Right” (TDR)** means an award specifying the built up area an owner of a site or plot can sell or dispose or utilize elsewhere, whose site or plot is required to be set apart or affected for a community amenity or development for public purpose in the Master Plan/Statutory Plan or in road widening or covered in recreational use zone, etc. and applicable only after such lands are vested with the local body/ Urban Development Authority as the case may be. The award would be in the form of a TDR Certificate issued by the Competent Authority.

2. Terms and expressions which are not defined in these Rules shall have the same meaning as in the respective rules / regulations / by-laws of the respective local authorities and as defined in the National Building Code as the case may be, unless the context otherwise requires.

3. **Restriction on Minimum Building Plot Size along abutting roads in new developments and layouts:**

There shall be restriction on the minimum building plot size along the abutting roads in all new development areas and new layouts as follows:

**TABLE-I**

Abutting road Right-of-way (in Mts.)	Minimum plot size allowed (in sq. m)	Max. Plot size allowed (in sq m)
9 and below 12.2	100	2000
12.2 and below 18	200	No Restriction
18 and below 30	250	No Restriction
30 and above	350	No Restriction

- *Road/ Right-of-way means the total land width reserved for the road in the layout / Master Plan / Development Plan / Development Scheme whether the road is developed/formed or otherwise and includes the service road, if any, to be provided in the given Right-of-Way.*
- *Further in all such new approved layouts, the minimum width of roads other than cul-de-sac shall be 12.2 m (40 ft).*

*The above shall not be applicable to existing sites / plots.*

4.1 **Minimum Approach road requirement for sites in new areas / layout areas:**

No site or parcel of land shall be used for building activity unless it has a clear and established approach road of minimum 9 m Black topped Road provided by the developer / builder / owner at his own cost or deposits the necessary cost for laying of the road by the sanctioning authority.

**4.2 Access conditions & Requirements for plots/sites abutting Ring roads / Highways / Bypass Roads of 30 m and above identified in the Master Plan / Zonal Development Plan:**

In addition to the requirement of conformation to the minimum plot size along the abutting roads, height and other requirements stipulated in these rules, buildings abutting major roads of 30 metres and above width shall be permitted only after black topped service road of 7 metres width with two-lane carriageway is provided to the extent of the building in question within the defined Right-of way. It shall be the responsibility of the developer / builder / owner to provide the above service road of the standards fixed by the Sanctioning Authority at his own cost. For the purpose of height of proposed buildings, the total Right-of-way including the service road shall be reckoned as the road width.

**5. Restrictions of building activity in vicinity of certain areas:**

- (a) No building / development activity shall be allowed in the bed of water bodies like river, or nala, and in the Full Tank Level (FTL) of any lake, pond, cheruvu or kunta / shikam lands.
- (b) The above water bodies and courses shall be maintained as recreational / Green buffer zone, and no building activity other than recreational use shall be carried out within:
- (i) The Coastal Regulation Zone (CRZ) restricted area in case of areas along the sea coast
  - (ii) 100 meters from the River edge outside Municipal Corporation / Municipal limits and 50 meters within Municipal Corporation/ Municipal limits. No permanent constructions/structures will be permitted within the above-mentioned buffer zone.
  - (iii) 30 meters from the boundary of Lakes of area 10 Ha and above;
  - (iv) 9 meters from the boundary of lakes of area less than 10 Ha / kuntas / shikam lands;
  - (v) 9 meters from the boundaries of major Canal, Vagu, etc.
  - (vi) 2 meters from the defined boundary of Nalas, Storm water drains, etc. The above shall be in addition to the mandatory setbacks. Unless and otherwise stated, the area and the Full Tank Level (FTL) of a lake / kunta shall be reckoned as measured or given in the Survey of India topographical maps/Irrigation Dept. records/Revenue records. The above buffer zone may be reckoned as part of the building setback.
- (c) Unless and otherwise specified in the Master Plan / Zonal Development Plan,
- the space to be left in and around the major Canal / Vagu (including the actual Canal / Vagu bed width and alignment) shall be minimum 15 m. This may be developed as Green Buffer/recreational and / or utilized for road of minimum 9 m width, wherever feasible.
  - In case of (b) (iii) above, in addition to development of recreational/green belt along the foreshores of lake, a ring road or promenade of minimum 12 m may be developed, wherever feasible; while in respect of foreshores of River a river drive road of minimum 18 metres may be developed in the said 30 metre buffer zone.
  - The above greenery/landscaping and development shall conform to the guidelines and provisions of the National Building Code of India, 2005.
- (d) For Building activity within the restricted zone near the airport or within 500 m distance from the boundary of Defence areas / Military establishments, necessary clearance from the concerned Airport

Authority / Defence Authority / shall be obtained. For sites located within the Air Funnel zone, prior clearance from the Airport Authority shall be obtained

- (e) In case of sites in vicinity of High Tension Electricity transmission lines besides taking other safety precautions, a minimum safety distance (both vertical and horizontal) of 3 m (10 ft.) shall be maintained between the buildings and the High Tension Electricity lines, and 1.5 m for Low Tension Electricity lines.
- (f) In case of sites in the vicinity of oil/gas pipelines, clearance distance and other stipulations of the respective authority shall be complied with.
- (g) Distance shall be maintained between Railway boundary and building line in accordance with the Railway Manual.

## 6. REQUIREMENTS OF APPROACH ROAD FOR BUILDING SITES/ PLOTS:

**TABLE- II**

Type/ Use of Building plot permissible		Minimum abutting road width required (in meters)
<b>A) SITES IN OLD/EXISTING BUILT-UP AREAS/CONGESTED AREAS/SETTLEMENT (GRAM KHANTAM/ABADI)</b>		
<ul style="list-style-type: none"> <li>• Residential Buildings – maximum permissible upto 10m height</li> <li>• Non-residential buildings and mixed occupancies – maximum permissible up to 12 m height</li> </ul>		6 *
<b>B) SITES IN NEW AREAS/ APPROVED LAYOUT AREAS</b>		
The type of buildings & intensity of development shall be w.r.t. the abutting road width, viz.,		
<b>B 1</b>	Non-High Rise Residential Buildings including Apartment Complexes; Buildings with shopping on GF and residences on upper floor; Basic level social amenities like Nursery School / Primary School/ Religious Place / Public Health Center / Dispensary / Diagnostic Laboratory/ Police outpost/Post Office/ Neighbourhood Library cum Community Center and all buildings up to 15 m height	9 *
<b>B 2</b>	In addition to B 1 above, High Rise Building/ Complex of height above 18 m and up to 24 m; Group Housing Scheme; Primary School, Middle school / Tutorial institution / General Industry / Godown / Petrol/diesel Filling station; High School, Junior College/ General Degree and other non-professional College / Commercial Complex, Computer units/ Office Building, ITES Complex, Nursing Home / Community Hall / Function/Marriage Hall / Assembly Hall/Cinema Theater; Service establishment/ Workshop; Others not specified in the Table and all non high-rise buildings up to 18 m height	12
<b>B 3</b>	In addition to B 1 & B 2 above, High Rise buildings above 24 m and up to 30 m height; General Degree and other non-professional College / Polytechnic, ITI; Professional College Campus; Multiplex Complexes, Shopping Malls, Hospitals and	18

	all non high-rise buildings up to 18 m height	
<b>B 4</b>	In addition to B 1 to B 3 above, High Rise Buildings above 24 m height and up to 40 m height	24

\* *Provided that in case of single plot sub-division approved by the sanctioning authority, a means of access of minimum 3.6 m pathway may be considered for individual residential building and 6m for Apartment Complexes / Commercial Complexes and other non-high rise buildings.*

- (i) Where the existing road is less than 6 m, building in the site would be allowed after setting back the building 4.5 m from the center line of such existing road and after leaving the front setback.
- (ii) In case of existing buildings approved prior to these Rules, further additions of floors on the earlier permitted building may be considered either as per these rules or the then rules in force in respect of setbacks, whichever is the applicant opts for. This will not apply for building extensions or redevelopment ventures in such sites.
- (iii) Building line is from the edge of the Road Right-of-way (whether existing or proposed). In individual plots where a plot abuts two or more roads, the setbacks along these abutting roads shall be as per the respective building line of the roads.
- (iv) All buildings shall be constructed in conformity with the zoning regulations.
- (v) The sites in old/existing built-up areas/congested areas/settlement (Gram Khantam /Abadi) mentioned in (A) above shall be as notified by the local bodies in consultation with the Competent Authority including areas prohibited for High-Rise Buildings.

## **7.0 PERMISSIBLE HEIGHT & SETBACK REQUIREMENTS:**

There are no plot size stipulations based on use or occupancy of the building. However, the sites shall conform to the statutory Plan and zoning regulations for permitting the building activity. The setbacks and height stipulations given hereunder are applicable for all types of non-high rise buildings.

### **7.1 MINIMUM SETBACKS & HEIGHT STIPULATIONS FOR ALL TYPES OF NON-HIGH RISE BUILDINGS**

#### **(BUILDINGS BELOW 18 m height inclusive of stilt / parking floor):**

- (i) There are no specific Floor Area Ratio and plot coverage stipulations. The permissible coverage would be as per the minimum setbacks to be left within the given site. The minimum setbacks and permissible height would be as per Table III below.

**TABLE – III  
PERMISSIBLE HEIGHT & SETBACKS FOR NON-HIGH RISE BUILDINGS**

Sl. No.	Plot Size (in Sq.mts.)	Parking provision	Height permissible (in mts.)	Building line or minimum front setback (in mt.) to be left					Minimum setback / setbacks on remaining sides (in mts.)
				Up to 12m	Above 12m & up to 18m	Above 18m & up to 24m	Above 24m & up to 30m	Above 30m	
1	2	3	4	5	6	7	8	9	10
1	Less	-	7	1.5	4	5	6	7.5	-

	than 100								
2	100 & upto 200	-	10	2	4	5	6	7.5	1.0
3	Above 200 & upto 300	Stilt parking floor allowed	Upto 7	2	4	5	6	7.5	1.0
			Upto 10	3	4	5	6	7.5	1.5
4	Above 300 & Upto 400	Stilt parking floor allowed	Upto 7	3	4	5	6	7.5	1.5
			Upto 12	3	4	5	6	7.5	2.0
5	Above 400 & upto 500	Stilt parking floor allowed	Upto 7	3	4	5	6	7.5	2.0
			Upto 12	3	4	5	6	7.5	2.5
6	Above 500 & upto 750	Stilt parking floor allowed	Upto 7	3	4	5	6	7.5	2.5
			Upto 12	3	4	5	6	7.5	3.0
			Below 15	3	4	5	6	7.5	3.5
7	Above 750 & upto 1000	Stilt parking + One cellar floor allowed	Upto 7	3	4	5	6	7.5	3.0
			Upto 12	3	4	5	6	7.5	3.5
			Below 15	3	4	5	6	7.5	4.0
8	Above 1000 & upto 1500	Stilt Parking + 2 Cellar floors allowed	Upto 7	3	4	5	6	7.5	3.5
			Upto 12	3	4	5	6	7.5	4
			Below 15	3	4	5	6	7.5	5
			Below 18	3	4	5	6	7.5	6
9	Above 1500 & upto 2500	Stilt parking + 2 Cellar floors allowed	Upto 7	3	4	5	6	7.5	4.0
			Below 15	3	4	5	6	7.5	5.0
			Below 18	3	4	5	6	7.5	6.0
10	Above 2500	Stilt parking + Maximum three Cellar floors permitted	Upto 7	3	4	5	6	7.5	5.0
			Below 15	3	4	5	6	7.5	6.0
			Below 18	3	4	5	6	7.5	7.0

and shall be permissible subject to the following conditions:

(i).

- a) Buildings of height above 15mts. and below 18m height (inclusive of parking floors) in Sl.Nos.8, 9 and 10 of above Table, shall be permitted only in such plots which abut roads of minimum 12mt. (40ft) width.
- b) Stilt parking floor permissible is exclusive of height of building upto 15mts. height of stilt floor shall not exceed 2.75 mt. In case of non-residential occupancies on sites below 750 sq m, for parking a semi-basement of 3 m height and with such height not exceeding 1.5 m above ground level may be considered. In case of parking floors where mechanical system and lift are provided, height of such parking floor upto 4.0mt. could be considered.
- c) Wherever cellars/sub-basements are permissible, these are excluded from height of building.
- d) No Balcony projections shall be allowed to extend on to the minimum setbacks. These if provided, shall be within minimum setback required to be left. However, a portico without access to the top may be considered in the front open space.
- e) In case of Sl.Nos. 4 to 10 of above Table, stepped type buildings or incremental type buildings may be allowed only in respect of individual residential or educational / institutional buildings and such incremental development would be considered only after a minimum time period of 5 years.

- f) As per the provisions of the Andhra Pradesh Fire Service Act, 1999, Commercial buildings of height 15mts. and above, and buildings of public congregation like schools, Cinema theatres, function halls and other assembly buildings on plot area of 500 sq.mts. and above or of height above 6mts. are required to obtain prior clearance from Fire Department from fire safety point of view.

(ii) For the purpose of these Rules, the following conversion from Meters-Kilograms-Second (M.K.S) and Feet-Pound-Second (F.P.S) system shall be reckoned:

i) 3m = 10ft	ii) 6m = 20ft	iii) 7.5m=25ft	iv) 9m= 30ft
v) 12m = 40ft	vi) 15m=50ft	vii) 18m=60ft	viii) 24m=80ft
ix) 30m=100ft	x) 45m=150ft	xi) 60 m =	200 ft.

- (ii) The setbacks are to be provided after leaving the affected area of the plot/site, if any, for road widening. In respect of owners who surrender land affected in road widening free of cost under would be eligible for concessions in setbacks under GOMs.No.33 MA, dated 03.02.2001 and instructions issued by the Government in this regard from time to time.
- (iii) Building line is from the edge of the Road Right-of-way (whether existing or proposed).
- (iv) Where the lighting and ventilation of a building is through the means of a chowk or inner courtyard or interior open space/duct, such open space shall be open to sky and of area at least 9.0 sq m and no side shall be less than 1.5m in case of buildings of height up to 12m and in case of buildings of height above 12m no side shall be less than 2 metres.
- (v) A strip of at least 1.0 m greenery/lawn along the frontage of the site within the front setback shall be compulsorily developed and maintained with greenery and trees.
- (vi) For plots above 200 sq. m in addition to (v) above, a minimum 1 metre wide continuous green planting strip in the periphery on remaining sides are required to be developed and maintained as greenery and trees within the setback. Rain water harvesting structures shall be provided in the prescribed manner within the setbacks.
- (vii) For all residential/institutional/industrial plots above 750 sq m, in addition to (vi) and (vii) above, 5 % of the site area has to be developed as tot-lot/landscaped area and trees planted and maintained. Such organized open space could be in more than one location, shall be open to sky and shall be of a minimum width of 3.0mts.
- (viii) To enhance the streetscape in respect of 18 m and above roads, no front compound wall is recommended along the front setback. Only iron grill or low height green hedge and / or with sloping type planters is recommended along such roads.
- (ix) In all plots 750 sq m and above, provision shall be made for earmarking an area of 6 sq m for the purpose of siting of public utilities like distribution transformer, etc. within the owner's site and located in a corner splay of setback, subject to mandated public safety requirements, ensuring turning radius for vehicles etc.
- (x) If the above greenery mentioned at (iv) to (vii) above and Rule 9.9 are not provided and maintained and rain water harvesting structures are not provided, 10% of additional Property tax every year would be imposed as penalty by the sanctioning authority till the said condition is fulfilled.



- (xi) In case of plots 300 sq m and up to 750 sq. mt, it is permitted to transfer up to one metre of setback from one side to any other side, and in case of plots above 750 sq m, it is permitted to transfer up to 2 metres of setback, which needs to be uniform at any given point, subject to maintaining of minimum building line in the front.
- (xii) In case of corner plots or plots abutting two or more roads, the front setback shall be as per the building line for the respective abutting road width.
- (xiii) For narrow plots, where the length is 4 times the width of the plot, the setbacks on sides may be compensated in front and rear setbacks so as to ensure that the overall aggregate setbacks are maintained in the site, subject to maintaining a minimum of 1 metre on each side.
- (xiv) The space between 2 blocks shall be as given Table-V.
- (xv) The height of the building will be calculated after excluding the parking floors for the purpose of computation of minimum setbacks to be left.
- (xvi) Where all the owners of sites along an abutting road come forward for widening of the road by undertaking preparation of a Road Development Plan which would improve circulation in the area and duly approved by the competent authority, and by leaving the area affected in the widening of such road free of cost and implement it within one year, then higher height of the corresponding widened road width would be considered for such sites.
- (xvii) In case of plots up to 200 sq m, semi-detached houses with common wall and height up to 10 m would be permissible with building line as given in above Table and 1 metre setback on remaining sides
- (xviii) Splay at road junctions, including Y-junctions shall be provided as follows:
- 3.0 m x 3.0 m offset/splay if the width of the road is 12 m or less;
  - 4.5 m x 4.5 m offset/splay if the width of the road is above 12 m and upto 24 m in width;
  - 6.0 m x 6.0 m offset/splay if the width of the road is above 24
- and in case of road junctions of different widths, a combination of the above as the case may be shall be ensured.
- The area of such splay would be deemed to form part of the road junction. No compound wall or any structure shall be allowed to be constructed in the said splay area

## **7.2 OTHER REQUIREMENTS FOR BUILDINGS ABOVE 10 M HEIGHT**

### **(a). PROVISION OF JOINT OPEN SPACE IN CERTAIN CASES**

With a view to facilitating fire and emergency operations in a building site and adjoining sites, in addition to the minimum setbacks required to be left, the Fire Service Department may insist on the owner for providing Joint Open Space between the proposed site and adjoining sites for mutual use during fire and emergencies. The Joint open Space shall be reckoned from building edge to building edge (inclusive of any type of projections). Such Joint open space shall not be less than 6mt. in respect of non- high rise buildings on plots 750 sq metres and above, and not less than 9mt. in respect of high-rise buildings.

Such Joint open space shall be kept unobstructed and open to sky and no permanent compound wall of masonry or civil construction would be allowed. The compound wall, if any, shall be of fencing type or collapsible type. The greenery and landscaping shall be of soft type with lawns, grass, creepers

and climbers and shrubs variety of plants and mountable in cases of emergencies. The Joint open spaces shall be maintained to the satisfaction of the Fire Service Department.

Clearance would be considered only after the Builder / Developer / Owners provide an undertaking to this effect.

- (b) The building requirements and standards other than heights and setbacks specified in the National Building Code of India, 2005 shall be complied with.
- (c) Such buildings shall be undertaken by owners by engaging registered architects/ licensed builders/developers and licensed structural engineers. The designs and building plans shall be countersigned by the owner, licensed developer, registered architect, licensed engineer and a qualified & licensed structural Engineer who shall be responsible for the supervision, structural safety, earthquake safety, fire safety and specifications compliance of such buildings. Buildings shall be designed for compliance with earthquake resistance and resisting other natural hazards. The Completion Certificate shall mention that the norms have been followed in the design and construction of buildings for making the buildings resistant to earthquake and natural hazards, compliance with structural safety and fire safety requirements.
- (d) The work of the building services like sanitation, plumbing, fire and life safety requirements, lifts, electrical installations, and other utility services shall be executed under the planning, design and supervision of qualified and competent technical personnel.
- (e) Compliance of the parking requirements shall be as given in these rules. The parking facilities and vehicles driveways etc. shall be maintained to the satisfaction of the sanctioning Authority.
- (f) The applicant / builder / developer may provide for solar water heating system in the building and solar lighting in the site for outdoor lighting within the site.
- (g) All Public and semi-public buildings / Assembly buildings / Commercial complexes and such other public congregation buildings with covered area above 300 sq m shall be designed and constructed to provide facilities to the physically handicapped persons as prescribed in the National Building Code of India, 2005.
- (h) In all buildings irrespective of above height provisions, the requirements of parts of the building like size and area requirements of habitable rooms, kitchen, bathrooms and Water closets, other areas, corridor and staircase widths, service ducts, etc. shall conform to the provisions of the National Building Code of India, 2005.
- (i) All environmental aspects like provision of Rain water harvesting structures, greenery, solar heating and lighting systems and provisions of the Andhra Pradesh Water, Land and Trees Act 2002 shall be complied in such of the sites and Schemes where these are applicable.

#### **8. ENCOURAGEMENT FOR BUILDINGS WITH CENTRAL COURTYARDS:**

As an encouragement for developing 'U' type buildings (under non-residential category only) with central courtyards, the setbacks of sides and rear, except the front setback, can be reduced provided:

- (a) the area so saved is transferred to the central area/space or court yard;
- (b) the minimum open space on sides and rear except front, shall be
  - 1.5 m for building height upto 12 m,
  - 2.0 m for building height upto 15 m,
  - 3.0 m for building height upto 18 m,
  - 6 m in case of high rise buildings 21 m height and buildings coming under purview of AP Fire Act

- and 7 m in respect of buildings 21m – 30 m height.

Such high rise buildings and buildings coming under purview of AP Fire Act need to obtain prior clearance from the Fire Services Department;

- (c) the depth of such courtyard shall be at least 50% of the average building depth.

## **9. REQUIREMENTS FOR HIGH RISE BUILDINGS:**

**9.1** High Rise buildings / Complexes shall not be allowed in Congested areas/existing areas and settlement areas/ Abadi /Gram khantam areas.

**9.2** The minimum size of plot for High Rise building shall be 2000 sq. m.

**9.3** In respect of sites proposed for high rise buildings and affected in road widening where there is shortfall of the net plot size, upto 10% of such shortfall in net plot area would be considered with the proposed height and corresponding minimum all round setbacks.

**9.4** The building bulk, coverage and height shall be governed by the minimum around setbacks to be left, the organized open spaces to be left and the height restrictions imposed by the Airport authority (if applicable) / Defence authorities (if applicable) and Fire Services Department and the City-level Impact fee on built up area required to be paid, as applicable.

**9.5** Prior Clearance From Fire Dept. and Airport Authority:

For any High Rise building located in vicinity of airports as given in the National Building Code, the maximum height of such building shall be decided in consultation with the Airport Authority and shall be regulated by their rules/requirements. Interstitial sites in the area which are away from the direction of the Airport Funnel zone and already permitted with heights cleared by the Airport Authority, shall be permitted without referring such cases to the Airport Authority.

**9.6** Every application to construct or reconstruct a High Rise building or alteration to existing High Rise building shall be made in the prescribed form and accompanied by detail plans floor plans of all floors along with complete set of structural drawings and detail specifications duly certified by a qualified structural engineer. Necessary prior NOC shall be submitted from the Airport Authority (if applicable) and Directorate of Fire services, along with the application.

**9.7** The minimum abutting road width and all round open space for High rise Building / Complex shall be as follows:

**TABLE – IV**

<b>Height of building</b>	<b>Minimum abutting road width required ( in metres)</b>	<b>Minimum around open space on remaining sides (in metres) *</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
Up to 21 mt.	12.2	7
Above 21 mt. & upto 24 mt	12.2	8
Above 24 m & up to 27 m	18	9
Above 27 m & upto 30 m	18	10
Above 30 m & up to 35 m	24	11
Above 35 m & upto 40 m	24	12

- For heights above 40 m, specific approval from the Government shall be required;

- The front open space shall be on the basis on the abutting road width and shall be either as given in shall be either as given in Col. 3 of above Table IV or the Building line given Table III whichever is more;

And shall be permissible subject to the following conditions:

- (i) The abutting road has to be black-topped with minimum 2 –lane carriageway. Service roads where required as per these Rules, shall be minimum 7 m wide with minimum 2-lane black topped carriageway.
- (ii) For upper floors from 2nd floor onwards, balcony projection of up to 2 m may be allowed projecting onto the open spaces.
- (iii) The open space to be left between two blocks shall be equivalent to the open space mentioned in Column (3) of above Table IV.
- (iv) It is permitted to transfer upto two metres of setback from one side to the other side, which needs to be uniform at any given point, subject to maintaining of minimum setback of 7 m on all sides.
- (v) Where the lighting and ventilation of a building is through the means of a chowk or inner courtyard or interior open space/duct, such open space shall be open to sky and of area at least 25 sq m and no side shall be less than 3 m.

**9.8 TOWER AND PODIUM TYPE HIGH RISE STRUCTURE may be allowed with the following:**

- (a) For podium, i.e., Ground plus first floor: around setbacks shall be 7 m around
- (b) For the Tower block: The maximum permissible coverage and minimum around setbacks shall be 50 % of the Podium Block, and shall be at least 3m from the Podium edge.
- (c) The fire safety and fire escape measures for the Tower Block shall be independent of the Podium Block.

**9.9 “STEPPED TYPE” OR “PYRAMIDAL TYPE” HIGH RISE STRUCTURE**

Such type of high rise building may be allowed with the following open space requirements:

- (a) At ground level : Minimum 9 metres around open space for the first five floors
- (b) At upper floors : increase of 1 metre around open space or more, for every 5 upper floors or 15 m height or part thereof, over and above the ground level open space of minimum 9 metres.

**9.10 Provision of greenery:**

- (a) In every high rise building site, an organized open space which shall be utilized as greenery, tot lot or soft landscaping, etc. shall be provided over and above the mandatory open spaces to be left in and around the building. This space shall be at least 10% of total site area and shall be a minimum width of 3mts. This may be in one or more pockets and shall be open to sky.
- (b) In addition to the above, a minimum 2 metres wide green planting strip in the periphery on all sides within the setbacks are required to be developed and maintained with greenery and trees in all high rise building sites.

- (c) Rain water harvesting structures shall be provided in the prescribed manner within the setbacks.

**9.11 COMPLIANCE OF NATIONAL BUILDING CODE PROVISIONS FOR AMENITIES AND FACILITIES IN ALL HIGH RISE BUILDINGS**

- (i) The building requirements and standards other than heights and setbacks specified in the National Building Code, 2005 shall be complied with.
- (ii) Such buildings shall be undertaken by owners by engaging registered architect, licensed builders/developers and licensed structural engineers. The designs and building plans shall be countersigned by the owner, licensed developer, registered architect, licensed engineer and a qualified & licensed structural engineer who shall be responsible for the supervision, and structural safety of the high-rise building and ensuring that such buildings are designed for compliance with earth quake resistance and resisting other natural hazards, and a fire engineer / fire consultant who shall be responsible fire and life safety and specifications compliance in such buildings. The Completion Certificate shall clearly mention that the norms for the above structural safety and fire and life safety requirements have been followed in the design and construction of buildings for making the buildings resistant to earthquake, compliance with structural safety and fire safety requirements.
- (iii) The work of the building services like sanitation, plumbing, fire and life safety requirements, lifts, electrical installations, and other utility services shall be executed under the planning, design and supervision of qualified and competent technical personnel.
- (iv) In addition to the required staircases and lifts, there shall be at least one fire escape staircase and lift. These lifts shall be got certified from the manufacturer's authorized Service technical personnel from time to time.
- (v) Provision for power generator shall be made in such buildings.
- (vi) Such buildings shall be planned, designed and constructed to ensure fire and safety requirements are met and maintained and shall comply in accordance with the Fire Protection Requirements of National Building Code of India.
- (vii) The facilities for providing fire protection and fire fighting facilities in such buildings shall be in compliance with the stipulations laid down and clearance issued by the Fire Department from time to time. NOC from the Fire Department shall be obtained from time to time regarding the fire safety requirements and facilities installed. The designs and installations regarding fire protection and safety measures including exit requirements and smoke containment and smoke management measures shall be undertaken through a fire engineer / fire consultant.
- (viii) Compliance of the parking requirements shall be as given in these rules. The parking facilities and vehicles driveways etc. shall be maintained to the satisfaction of the sanctioning Authority.
- (ix) Such buildings shall be provided with solar water heating system in the building and solar lighting in the site for outdoor lighting, etc. and give a bank guarantee to this effect to the sanctioning authority for compliance of the same.
- (x) All High-Rise buildings with covered area above 300 sq m shall be designed and constructed to provide facilities to the physically handicapped persons as prescribed in the National Building Code of India,2005.
- (xi) In all buildings irrespective of above height provisions, the requirements of parts of the building like size and area requirements of habitable rooms, kitchen, bathrooms and Water closets, other areas, corridor and staircase widths, service ducts, etc. shall conform to the provisions of the National Building Code of India,2005.

- (xii) All environmental aspects like provision of Rain water harvesting structures, greenery, solar heating and lighting systems and provisions of the Andhra Pradesh Water, Land and Trees Act 2002 shall be complied in such of the sites and Schemes where these are applicable.

**9.12** Notwithstanding anything contained in these Rules or any other orders, the minimum clear setback on the sides and rear sides of any high-rise building under any circumstances and in cases where a concession or incentive is availed in terms of setbacks shall not be less than 7 meters, and such minimum setback area shall be clear without any obstructions including balcony projections, to facilitate movement of fire fighting vehicles and for effective fire fighting operations.

**10. REQUIREMENTS OF GROUP DEVELOPMENT, GROUP HOUSING/ CLUSTER HOUSING/ RESIDENTIAL ENCLAVES AND ROW HOUSING SCHEMES:**

- 10.1 Such developments shall be considered where the site is developed together with buildings and all amenities and facilities and not disposed as open plots.
- 10.2 All Group Development Schemes, Group Housing Scheme / Cluster Housing Scheme applications, in addition to the requirements under these Rules, shall be accompanied by:
- (i) A Services and Utilities Plan as per standards for water supply system, drainage and storm water disposal system, sewerage system , rain water harvesting structures, and for other utilities.
  - (ii) A landscaping plan including rain water harvesting and waste water recycling details.
  - (iii) Parking & internal Circulation Plan along with Common pool parking area plan, if any.

The above shall be drawn on suitable scale giving relevant details.

- 10.3 The minimum plot size for Group Housing Schemes and Group development Schemes shall be 3000 sq m and the minimum abutting road width shall be 12 m wide and black topped. The internal roads may be of 9 m width in case of non-high rise blocks.
- 10.4 In case of housing in large plots or blocks, the proposals should be promoted with the immediate improvement of the accessibility of the site from the nearest main road by way of an approved Road Development Plan by the competent authority with a minimum width of 12 m which should be implemented by the licensed developer within a period of three years. Any road widening required shall be deemed to be approved under these Rules and has to be adhered to by the owners / local body / licensed developer.
- 10.5 All Group Housing Schemes/ Group Development Schemes/ Cluster housing / Residential Enclaves and row type development schemes shall be developed with complete infrastructure facilities and amenities.
- 10.6 These shall not be applicable in case of Government sponsored Housing Scheme/ approved NGOs or private schemes, and the guidelines and requirements as given in the National Building Code for Low Cost Housing / Government orders shall be followed.
- 10.7 No additional or proportionate open space charge need to be levied in such Schemes.

**10.8 GROUP DEVELOPMENT SCHEMES & GROUP HOUSING SCHEMES**

Group Housing Schemes are reckoned as Apartment blocks in more than two blocks. These could be high-rise or simple walk-up units. Group Development

Schemes are reckoned as Building in two or more blocks in a campus or site, and could be normal height buildings or high-rise blocks or combination of both.

The open spaces/setbacks for such type of Group Housing/ Group development Scheme shall be as follows:

**TABLE V**

<b>Height of building block</b>	<b>Distance to be maintained from periphery and building block</b>	<b>Distance between two blocks</b>
Upto 10 mts.	3 mts.	2 mts.
Above 10 mts. & upto 12 mts.	4 mts.	3 mts.
Above 12 mts. & below 18 mts.	6 mts.	6 mts.
Above 18 mts.	As per around set-backs required under High Rise Buildings given in Table IV	

*and shall be permissible subject to the following conditions:*

- (a) (i) Stilt parking floor permissible is exclusive of height of building below 15 mts. Height of stilt floor shall not exceed 3.0 mts.
- (ii) Wherever Cellars are permissible these are excluded from height of Building.
- (iii) No Balcony Projection shall be allowed to extend onto the minimum distances to be maintained & other open spaces.
- (b) Common amenities and facilities like shopping center, community hall or center / club house etc. are required to be provided which shall be 5 % of the total built up area and shall be planned and developed in cases where the units are above 100 in number and not be part of the residential blocks.
- (c) A through public access road of 9 m width with 2-lane black-topped is to be developed on any one side at the periphery/ as per suitability and feasibility for the convenience of accessibility of other sites and lands located in the interior. This may not be necessary in case where a peripheral road of minimum 9 m width already exists.
- (d) In case of blocks up to 12 m height, access through pathways of 6m width branching out from the internal roads/loop road would be allowed. All internal roads and pathways shall be developed as per standards.
- (e) Minimum of 10 % of site area shall be earmarked for organized open space and be utilized as greenery, tot lot or soft landscaping, etc. and shall be provided over and above the mandatory open spaces. This space may be in one or more pockets and shall be open to sky.
- (f) All the roads and open spaces mentioned in various schemes in Rule 10 shall be handed over to the local authority free of cost through a registered gift deed before the issue of Occupancy Certificate. The Society /Association may in turn enter into an agreement with the local authority for utilizing, managing and maintaining the roads and open spaces. In case of any violation or encroachment, the local authority has the power to summarily demolish the encroachments and resume back the roads and open spaces and keep it under its custody.

#### **10.9 ROW TYPE HOUSING / ROW TYPE SHOPPING PRECINCTS:**

- (a). Minimum site area : 1000 sq m
- (b). Minimum size of individual plots for row houses 50 sq m.  
Not more than 8 plots shall be developed in a row.

Separation between two blocks shall not be less than 6 mt, which may be an open space or an alley/pedestrian plaza.

Only internal staircase would be allowed.

- (c). Minimum width of internal roads: 9 m ;  
Internal cul-de-sac road of 6m with max. length 50 mt. is allowed
- (d). Minimum open space : 10 % of site area
- (e). Height permissible: 2 floors or 6 m for plots up to 125 sq m  
Ground + 2 floors for plots above 125 sq m for row houses
- (f). Minimum setbacks: Front 3m ; Rear 1.5 m  
The setbacks in a row can be interchangeable, however the aggregate setback shall be minimum 4.5 m.  
In case of row type shopping precincts, back to back shops with above front setback of 3m would be allowed.
- (g). In case of very large projects more than 5 acres, common amenities and facilities like shopping center, community hall/club house etc. are required to be provided in 5 % of the area.
- (h). In case of Row Type Shopping Precincts, common basement parking in one or more levels would be permissible subject to conditions mentioned in Rule (11).

#### **10.10 CLUSTER HOUSING**

- (a). Minimum site area: 1000 sq m
- (b). minimum plot size for cluster house: 25 sq m with maximum number of 20 houses in a cluster
- (c). Minimum size of cluster open space: 36 sq m with a minimum width of 6m
- (d). Height permissible: 2 floors or 6 m
- (e). Minimum access road to the Cluster Housing Complex: 9 m
- (f). Internal access may be through pedestrian paths of 6 m
- (g). Minimum space between two clusters: 6m which may be utilized as pathway/alley
- (h). Building setbacks: No setbacks are needed for interior clusters as the lighting and ventilation is either from the central open space of cluster and the surrounding pedestrian pathway/ access road of the cluster. However, interior courtyards may be provided for larger plots and building areas to facilitate lighting and ventilation. For end clusters, the sides that are abutting peripheral thoroughfare roads, the setback shall be as per the Building line given in Table III.

#### **10.11 RESIDENTIAL ENCLAVES:**

- (a) Residential Enclaves would be allowed as gated developments that are exclusive housing areas with common compound wall with access control through gates and having their own facilities and amenities. The housing units may comprise of row houses, semi-detached, detached or Apartment blocks or a mix or combination of the above. The building requirements would be as per the given type of housing.
- (b) Residential enclaves would be permitted only in those sites that give through access of minimum 9 m peripheral road for the neighboring plots or lands that are located in the interior. They would be governed by good design standards and not impinging on the overall accessibility and circulation network of the area.



- (c) Minimum size of site: 4000 sq m.
- (d) Size of plots and height permissible: as per type of housing and requirements as given above for the respective type of housing.
- (e) Minimum Common Open space : 10 % of site area.
- (f) Building setbacks: As per type of housing & requirements given above for the said type of housing and as per Table III. Semi-detached buildings may also be allowed. The height of such buildings shall not exceed 10 mts. The set-backs shall be as per Table III.
- (g) Internal Road requirements:
  - 9.0 to 18 m for main internal approach roads;
  - 9 m for other internal roads and
  - 8 m for cul-de-sacs roads between 50-100 m length
  - 9 m for looped roads

#### **10.12 Technical approval by Director of Town & Country Planning:**

The proposals in respect of High Rise buildings and all gated community development/ Group Housing developments, Apartment Complexes, approved by the Director of Town & Country Planning in case of non-urban development authority and by the concerned Vice Chairman in respect of the Urban development Authority areas. The proposals in respect of High Rise Buildings shall be scrutinized by a Committee consisting of the following members:

- a). Municipal Commissioner/Vice Chairman of UDA – Member
- b). Regional Deputy Director of Town Planning – Member
- c). Superintending Engineer, Public Health Dept. – Member
- d). A Senior practicing Architect  
(to be nominated by DTCP/VC of UDA) – Member
- e). City Planner/Town Planning Officer of local body  
/Planning Officer of UDA --Member-Convener

The Committee shall give its recommendations within one week to the Director of Town & Country Planning/Vice-Chairman of Urban Development Authority, as the case may be.

#### **11. PARKING REQUIREMENTS:**

- 11.1** In all Complexes including Residential Complexes, Hotels, restaurants and Lodges, business buildings, commercial buildings, Institutional buildings like hospitals, Educational buildings like schools and colleges, multi-storied buildings/Complexes, etc and all other non-residential activities provision shall be made for parking spaces as per the following requirements:

**TABLE VI**

Category of building/activity	Parking area to be provided as percentage of total built up area	
	In Municipal Corporation Area	In Municipalities and rest of Development Authorities areas
Shopping Malls*, Information Technology Enabling Services Complexes	40 %	30 %

Hotels, restaurants, lodges, Cinema halls, business buildings, other commercial buildings, Kalyana Mandapams, Offices, & non-residential high-rise buildings / Complexes	30%	25 %
Residential Apartment Complexes, Hospitals, Institutional buildings, Industrial buildings, Schools, Colleges & other educational buildings, Godowns and other uses	20 %	20 %

\* Parking and other requirements in case of Multiplex Complexes shall be governed by the provisions of Multiplex rules.

### **11.2 The parking spaces may be provided in (for all Schemes):**

- (i) basements or cellars allowed upto 3.25 m height, in one or more levels/multi-level and such cellars shall be allowed in plots 750 sq m and above ; or
- (ii) on stilt floor or in upper parking floors (at any level)- the height of such parking floor shall be allowed upto 2.75 m height;
- (iii) in the open space over / setbacks (except the front setback) to be left around the building with adequate vehicular access, aisle, drives, ramps required for maneuvering of vehicles, or
- (iv) common pool parking area (in the case of Group Housing Scheme/Residential enclave/Cluster housing/Row housing schemes) or
- (v) a combination of any or all the above
- (vi) In case of non-residential occupancies on sites below 750 sq metres, for parking a semi-basement of 3 metres height and with such height not exceeding 1.5 m above ground level may be considered.

### **11.3 The other aspects for providing parking spaces are:**

- (i) Common and Continuous cellar parking floors between adjoining buildings would be allowed depending upon structural safety aspects, mutual agreement between owners, etc.
- (ii) The parking spaces shall be efficiently designed and clearly marked and provided with adequate access, aisle, drives and ramps required for maneuvering of vehicles.
- (iii) Stilt floor/ sub-basement /Cellar parking floor shall be used only for parking and not for any habitation purpose. Misuse of the area specified for parking of vehicles for any other use shall be summarily demolished / removed by the Enforcement Authority.
- (iv) For parking spaces in basements and upper storeys of parking floors, at least two ramps of minimum 3.6 m width or one ramp of minimum 5.4 m width and adequate slope shall be provided. Such ramps may be permitted in the side and rear setbacks after leaving sufficient space for movement of fire-fighting vehicles. Access to these may also be accomplished through provisions of mechanical lifts wherein the height of the parking floor upto 4.25 m is allowed wherein each parking level would be reckoned as a parking floor for the purpose of computation of total parking requirement. The sanctioning authority shall take an Undertaking for compliance with regard to mechanical parking facilities and closure of such building in case the owner fails to provide the required parking facility.
- (v) Basement/cellar shall be set back at least 1.5 m from the property line and in case of more than one cellar 1 metre additional setback for every additional cellar floor shall be insisted.

- (vi) Up to 10% of cellar may be utilized for utilities and non-habitation purpose like A/C Plant room, Generator room, STP, Electrical installations, Laundry, and such other similar utilities.
- (vii) Space over and above 6m in front setback may be considered as off-street parking space.
- (viii) Visitors' parking to be provided shall be 10 % of the area mentioned in Table VI, which is over and above the required parking area, and may be accommodated in the mandatory setbacks other than the front setback, wherever such setbacks are more than 6m. The Visitors' Parking facility shall be open to all visitors.
- (ix) In respect of Apartment Complexes / Building / Block, in sites up to 750 sq m the Parking requirement shall be deemed to be met if the entire stilt floor is left for parking.
- (x) A WC / Toilet facility shall be provided for watch and ward in the stilt floor.

#### **11.4 Encouragement for provision of Parking Complexes**

To encourage parking complexes, Parking lots and enclaves, owners who develop parking complexes / Parking lots, the following incentives would be considered:

- a) equivalent built up area of such Parking Complex / or area of Parking lot as the case may be would be considered as Transferable Development right by the sanctioning authority.
- b) In an existing area/locality where an owner or two or more owners come together and develop combined or common parking Complex, pedestrian plaza / subway, or improve/facilitate additional access by linking with surrounding roads etc for public usage are provided, as part of their premises / land development/improving the urban design aspects, additional bonus built up area / TDR would be considered by the sanctioning authority.
- c) The setbacks for Parking Complexes shall be as follows: front – as per building line setbacks on remaining sides – 50% of setbacks given in Table III
- d) No fees and other charges shall be charged by the Sanctioning Authority for the area/floors developed as Parking Complex / Parking lot;
- e) A moratorium on property tax for 5 years would be considered;
- f) For the next 5 years – Property tax shall be levied on the lowest slab of residential category.
- g) Such parking facility enclaves may be permitted along or off main commercial roads, city center, close to Bus stations, Railway Stations and any public transport system so as to encourage use of public transport, etc. Access to these parking spaces in such Complexes may be accomplished through provision of mechanical lifts. Such areas may be identified by the sanctioning authority and notified to public every year by 1<sup>st</sup> April.

#### **12. RESTRICTIONS ON PROJECTIONS ALLOWED IN MANDATORY OPEN SPACES:**

Only the following Projections shall be allowed in the mandatory open spaces / setbacks / interior open spaces:

- (i) No balcony projections or corridor may be permitted beyond the setbacks i.e., projecting within the mandatory open spaces in case of non-high rise buildings. These, if provided for, shall be set back as per the minimum mandatory open spaces and the setback shall be clear from the edge of the balcony or corridor.
- (ii) Cornice, Chajjas / weather shades only of width not exceeding 60cm shall be allowed in the mandatory setbacks.
- (iii) In case of non-high rise building plots more than 300 sq m:

- a. Sump, septic tank, well and a servant quarter, may be allowed in the rear and side open spaces.

These shall need to be setback at least 1.5 m from the property or boundary line of the plot.

- b. Parking sheds, generator room may be allowed in the rear and side open spaces.
- c. In the front setback only a security guard booth of 2 sqm may be allowed.

The height of the mentioned accessory buildings shall not be more than 2.50 m and shall not occupy more than 1/4<sup>th</sup> of the plot width. These shall be so located so that they do not hinder the fire safety measures and operations.

### **13. URBAN DESIGN AND ARCHITECTURAL CONTROL**

For certain areas as well as sites abutting major roads of 30 mt and above, the Sanctioning Authority may enforce urban design and architectural control. These shall be detailed out keeping in view the development conditionality and requirements given in these Regulations and the National Building Code norms. For this purpose, urban design and architectural control sheets / Plans approved by the Sanctioning Authority shall be complied with.

### **14. Obligations of the owner and licensed developer/builder / licensed technical personnel to implement and develop the Master Plan/Statutory Plan circulation network and specific land uses:**

- (1) Where any land or site or premises for building is affected in the statutory plan/ Master Plan road or circulation network or an road required to be widened as per a Road Development Plan, such area so affected in the road or circulation network shall be surrendered to the Sanctioning Authority by the owner of land. No development permission shall be given unless this condition is complied with.
- (2) Upon surrendering such affected area and vesting it with the local authority or Urban Development Authority as the case may be, the owner of the site would be entitled to a Transferable Development Right (TDR) as given in Rule 15 below.

OR

The owner shall be allowed to construct an extra floor with an equivalent built area for the area surrendered subject to mandated public safety requirements.

OR

The owner shall be allowed to avail relaxations as given in GOMs.No.33 MA, dated 03.02.2001 respectively (incentives to owners who surrender land affected in road widening free of cost) and concessions in set-backs including the front set-back (subject to ensuring a building line of 6m in respect of roads 30m and above, 3mt in respect of roads 18m and below 30mts. and 2mt. in respect of roads less than 18mt.) and a minimum of 7m in respect of high rise buildings. The extent of concession given shall be such that the total built up area after concession shall not exceed the sum of built up area allowed on total area without road widening and built up area equivalent to surrendered area. The concessions shall be considered at the level of Commissioner, Municipal Corporation in respect of cases falling in Corporation area, and at the level of Vice Chairman the UDA in respect of cases falling in other areas of the UDA area.

### **15. GRANT OF TRANSFERABLE DEVELOPMENT RIGHT:**

Grant of Transferable Development Right (TDR) may be considered by the Competent Authority for the following areas subject to the owner complying with the conditions of development above, as per the following norms:

- (a) For the Master Plan road network undertaken and developed: equivalent to 100 % of built up area of such area surrendered.
- (b) For conservation and development of lakes / water bodies / nallas foreshores & Recreational buffer development with greenery, Open spaces earmarked in Master Plan, etc: equivalent to 50 % of built up area of such area developed at his cost.
- (c) For Heritage buildings and heritage precincts maintained with adaptive reuse: equivalent to 50 % of built up area of such site area.

The TDR may be arrived at on the basis of relative land value and equivalent amount in both export and import areas, as per the Registration Department records. The Competent authority shall have the discretion in the matter of applicability of TDR. The TDR shall not be allowed in unauthorized buildings/ structures/ constructions and shall be considered only after the land is vested with the local authority/UDA. The TDR Certificate would be issued by the Competent authority would be valid or utilized/ disposed only within the concerned local body area and as per guidelines and conditions prescribed by the Competent Authority.

#### **16. LEVY OF SPECIAL FEES AND OTHER PROVISIONS FOR CERTAIN AREAS:**

The Sanctioning Authority with the specific approval of the Government may, when implementing such Projects, levy Special fees and other fees / charges for lands / sites / premises abutting or in the vicinity of the Ring Road or other highways / major roads or the Mass Rail Transit System / Light Rail Transit / MMTS route/ BRTS route indicated in the Master Plan, at the rates and procedure prescribed by the Government.

#### **17. CITY LEVEL INFRASTRUCTURE IMPACT FEES APPLICABLE IN CERTAIN CASES:**

- (1) With a view to ensuring development of City Level Infrastructure facilities and levy of Impact Fees, buildings are categorized as follows:

Type I: Buildings up to height 15 m excluding stilt parking floor

Type II: Buildings of height above 15 m (excluding stilt floor)

The City level Infrastructure Impact Fees would be levied for Buildings under Type II above as follows:

- First 15 m or 5 floors (whichever is less): No levy of Impact fee.
- For any additional floors or part thereof: at differential rates specified in Table below:

**TABLE VII**

Occupancy / Use	Height of Building (in metres) and rate in Rs. per sq m of built up area*			
	Above 15 m & up to 21 m	Above 21 m & up to 30 m	Above 30 m & up to 40 m	Above 50 m
Residential	Municipal Corporation Area			
	350	500	1000	2000
	Other areas of UDA Area			
	175	350	750	1500
Commercial,	Municipal Corporation Area			
	500	1000	2000	3000

Offices, ITES	Other areas of UDA Area			
	350	500	1000	2000
Institutional, educational & Others (except Industrial sheds/factories)	Municipal Corporation Area			
	175	350	750	1500
	Other areas of UDA Area			
	100	200	400	800

*\* In case of Multiplex Complexes, the rates given in the Multiplex Rules shall apply.*

- (1) Alternatively, the owner may be allowed to utilize TDR given in Rule 14 above, for such built up area to the extent permissible wholly or use the same in combination of both TDR and the differential impact fee for the proposed additional built up area that is permissible under these Rules / Provisions. The Government may revise the above rates from time to time.
- (2) The above rates shall not be applicable for Government Departments and public agencies like Urban Development Authority, APIIC and local bodies.
- (3) The amount levied and collected under above Rule shall be credited and maintained in a separate escrow account by the Competent authority and 50% utilized for development of infrastructure in the same area and balance utilized towards improvement of city level capital infrastructure in the area and for development of infrastructure/Master Plan road network. An Infrastructure Plan and Action Plan for implementation is required to be undertaken by the Competent authority and the said Fund utilized accordingly.

**18. INCENTIVES FOR OWNERS LEAVING MORE SETBACKS / INSTALLING SOLAR HEATING & LIGHTING SYSTEM / RAIN WATER HARVESTING / RECYCLING OF WASTE WATER:**

The following incentives in terms of rebate in Property tax will be given by the local authority for owners or their successors-in-interest who:

- (a) Construct the building /blocks by leaving more setbacks than the minimal stipulated in these Rules:
  - Leaving 1.5 times the minimum setbacks in all sides: 10 % rebate\*
  - Leaving 2.0 times the minimum setbacks on all sides: 20 % rebate\*

*\* The setbacks has to be on all sides to qualify for the rebate. Leaving more on one side and the minimum on other sides would not qualify for such rebate.*
- (b) Install and use solar heating and lighting system: 10 % rebate.
- (c) Undertake both recycling of waste water and rain water harvesting structures: 10 % rebate
- (d) Where owners provide at least 25% additional parking space over and above the minimum specified in Rule 11, they would be allowed for a rebate of 10 % in property tax.

**19. BUILDING PERMIT/LICENSE FEES & UNDERTAKING:**

- a) The Sanctioning /Competent Authority shall along with the Building Application levy and collect 2% of the Building Permit / License fees, subject to a maximum of Rs.10,000 as initial fees. The balance building permit / License Fees together with other fees and Charges shall be levied and

collected before the issue of permission/sanction. In case of rejection of application, the above initial fees would be forfeited.

- b) No fees and charges would be levied for parking spaces provided in any floor.
- a) that Building Permit fees collected by the UDA will be transferred to local bodies and the development charges collected by local bodies shall be remitted in a separate account and transferred to the UDA.

**20. COMPLIANCE BY OWNER FOR ENSURING CONSTRUCTION IS AS PER SANCTIONED PLAN:**

- a) The owner and builder/developer shall give an Affidavit duly notarized to the effect that in the case of any violation from the sanctioned building plan, the Enforcement Authority can summarily demolish the violated portion. In respect of Apartment Buildings, the owner or builder shall give a Declaration duly specifying the number of floors permitted, along with the extent of each floor. In case of any violation with regard to the Declaration, the Enforcement Authority can demolish the violations.
- b) Before the release of the building sanction by the sanctioning authority, the owner of the plot/site is not only required to produce the original Sale Deed, registered under the provisions of the Indian Registration Act, 1908 for the perusal of the sanctioning authority and cross verification with the attested copy submitted with the building application, but also shall be required to demarcate the setbacks and open spaces at the site.
- c) The owner is required to hand over the ground floor area for first floor or the second floor area, as the case may be, or 10% of the total built-up area, whichever is less, to the sanctioning authority by way of a Notarized Affidavit. The Notarized Affidavit shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Then only the Building sanction will be released and the owner shall be allowed to commence the construction.
  - However in respect of group housing schemes like row houses / independent houses / cluster housing / residential enclaves, 5% of the units shall be handed over to the urban development authority/ sanctioning authority by way of a Notarized Affidavit.
  - Individual buildings in plots upto 300Sq.mts. with height upto 6mts. and Industrial buildings are exempted from the above conditions.

The system of taking a Security Deposit is dispensed with.

**21. OCCUPANCY CERTIFICATE:**

- (i) Occupancy Certificate shall be mandatory for all buildings. No person shall occupy or allow any other person to occupy any building or part of a building for any purpose unless such building has been granted an Occupancy Certificate by the Sanctioning Authority. Partial Occupancy Certificate may be considered by the Sanctioning authority on merits i.e. flats / units or area within a complex which have fulfilled all the requirements in addition to basic facilities like lifts, water supply, sanitation, drainage, roads, common lighting etc. However, in respect of individual buildings in plots upto 300 Sq.mts. with height upto 6mts Occupancy Certificate is optional.
- (ii) The owner shall submit a notice of completion through the registered architect and licensed builder/developer along with prescribed documents and plans to the Sanctioning Authority. The Sanctioning Authority on receipt of such notice of completion shall undertake inspection with regard to the following aspects:
  - (a) Number of floors
  - (b) External setbacks

- (c) Parking space provision
- (d) Abutting road width

and shall communicate the approval or refusal of the Occupancy Certificate within 15 days or may issue the same after levying and collecting compounding fee, if any, as follows:

- (iii) The sanctioning authority is empowered to compound the offence in relation to setback violations (other than the front setback) upto 10 % in respect of individual residential buildings, duly recording thereon the reasons for violations in writing. This provision is made to take care of unintentional and minor violations in setbacks by the individual plot owners. The rate of Compounding fee shall be a minimum rate of Rs.1000 per sq m of built up area on each floor in Municipal Corporation areas and at the rate of Rs.500 per sq m in case of other Municipal areas and UDA areas, and the Government may revise this rate from time to time. Compounding of such violation shall not be considered for buildings constructed without obtaining any sanctioned plan. These fees shall be maintained in a separate escrow account and utilised towards improvement of the roads and public open spaces development in the area.
- (iv) For all high rise buildings, the work shall be subject to inspection by the Fire service Department and the Occupancy Certificate shall be issued only after clearance from the Fire Services Department with regard to Fire and life Safety requirements.
- (iv) The functional/line agencies dealing with electric power, water supply, drainage and sewerage shall not give regular connections to the building unless such Occupancy Certificate where required is produced, or alternatively may charge 3 times the rate till such time Occupancy Certificate is produced. This condition shall also be applicable to all unauthorized constructions and buildings constructed without sanctioned building plan. In addition to the above, the local body shall collect every year two times the property tax as penalty from the owner/occupier till such time the Occupancy Certificate is obtained.
- (v) The Registration Authority shall register only the permitted built up area as per the sanctioned building plan and only upon producing and filing a copy of such sanctioned building plan in original. On the Registration Document it should be clearly mentioned that the registration is in accordance with the sanctioned building plan in respect of setbacks and number of floors.
- (vi) The financial agencies/institutions shall extend loan facilities only to the permitted built up area as per the sanctioned building plan.

## **22. ENFORCEMENT**

- A) In addition to the enforcement powers and responsibilities given in the respective laws to the local authority, in respect of these Rules:
  - (i) The Enforcement Authority concerned shall be wholly and severally responsible for ensuring and maintaining the road right of way/width and building restrictions as given in these Rules. The Enforcement Authority shall particularly check all buildings/structures for any violations along all main roads/public roads and take action to remove these.
  - (ii) The Enforcement authority shall summarily remove any violation or deviation in building construction in maintaining the road widths and building line.
- B) The Licensed technical personnel including the Builder to whom License has been accorded by the sanctioning authority concerned are wholly and severally responsible for ensuring that the building is constructed as per the sanctioned Building Plan. If any breach or laxity is found against them in this regard, action shall be taken against the concerned licensed technical personnel for black-listing and this would entail not only debarring them from practice in the entire State for 5 years, but also cancellation of their license



besides being prosecuted under the relevant laws / code of conduct by the sanctioning authority.

**C) Constitution of Town Planning and Building Tribunal:**

The Government shall constitute a Town Planning and Building Tribunal for dealing with all town planning, enforcement and building issues by making necessary amendment to the relevant laws.

**D) Constitution of Building Ombudsman:**

The Government may constitute a Building Ombudsman for dealing with all complaints of building violations, shortfall in building standards, services and specifications and safety aspects. The Government shall separately work out the procedure, role and details of the functioning of the Building Ombudsman.

**23. LIMITATIONS OF BUILDING SANCTION:**

Sanction of building permission by the Sanctioning Authority shall not mean responsibility or clearance of the following aspects:

- (i). Title or ownership of the site or building
- (ii). Easement Rights
- (iii). Variation in area from recorded areas of plot or a building or on ground
- (iv). Structural Reports, Structural Drawings and structural aspects
- (v). Workmanship, soundness of structure and materials used,
- (vi). Quality of building services and amenities in the construction of building
- (vii). The site/area liable to flooding as a result of not taking proper drainage arrangements as per natural lay of the land, etc.
- (viii). Other requirements or licenses or clearances required for the site/ premises or activity under various other laws.

**24. LICENSING OF REAL ESTATE COMPANIES, DEVELOPERS, BUILDERS, TOWN PLANNERS, ENGINEERS & OTHER TECHNICAL PERSONNEL MADE MANDATORY:**

- (a) No developer/builder/real estate firm or company/engineer/town planner/other technical personnel shall be allowed to undertake development/do business/practice in a Municipal Corporation/ UDA area unless they are licensed with the sanctioning authority of the respective area. Architects shall be required to be registered with the Council of Architecture.
- (b) The engaging of the services of a licensed developer/builder shall be mandatory for Apartment Buildings, Group Housing Schemes, all types of gated developments mentioned in Rule 10, all High-Rise Buildings, and all commercial complexes.

Developments undertaken for construction of individual residential houses, normal educational /institutional /industrial buildings and developments undertaken by public agencies are exempted from the above condition.

- (c) Any developer/builder undertaking development or any firm doing property business in any Municipal Corporation / UDA or soliciting property sale/transactions or advertising as such in case of above, shall necessarily mention the details of it's license number, license number of the licensed developer to whom the approval is given by the said Municipal Corporation / UDA, together with the permit number and it's validity for information and verification of public/prospective buyers.
- (d) Absence of the above or suppressing of the above facts or in the case of other licenses and other technical personnel who violate the conditions would invite penal action including debarring of the real estate firm/development firm / company from practice in the entire State for 5 years besides prosecution under the relevant laws / code of conduct by the sanctioning authority.

- (e) Any licensed developer / builder / other technical personnel who undertake construction in violation of the sanctioned plans shall be black-listed and this, this would entail cancellation of their license besides being prosecuted under the relevant laws / code of conduct.
- (f) The format for application forms for licencing of developers / builders, real estate firms, town planners, architects, engineers, other personnel, and other conditions shall be as prescribed by the Competent Authority.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**S.P.SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Printing, Stationary and Stores Purchase A.P. Hyderabad, with a request to publish in the Extraordinary Gazette Dated : 15-04-2008 and furnish 1000 copies to Government.

The Vice-Chairman, Tirupati Urban Development Authority,

Kakatiya Urban Development Authority,

Sri Satya Sai Urban Development Authority,

Basar Special Development Authority,

Rishi Valley Special Development Authority.

The Commissioners, Municipal Corporation of Warangal / Tirupati /Rajahmundry / Kurnool / Anantapur / Kakinada / Eluru / Nizamabad / Nellore / Kadapa, through Commissioner and Director Municipal Administration, A.P. Hyderabad.

The Commissioner & Director of Municipal Administration, Hyderabad

The Director of Town & Country Planning, AP, Hyderabad.

The Collectors of all Districts in the State.

Sc/Sf.

**// FORWARDED: BY ORER //**

**SECTION OFFICER**